



*Please reply to:*

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Date: 05 April 2024

## Notice of meeting

### Corporate Policy and Resources Committee

**Date:** Monday, 15 April 2024

**Time:** 7.00 pm

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

#### To the members of the Corporate Policy and Resources Committee

Councillors:

J.R. Sexton (Chair)

C. Bateson (Vice-Chair)

M.M. Attewell

M. Beecher

J.R. Boughtflower

J. Button

J.T.F. Doran

S.M. Doran

M. Gibson

K.M. Grant

K. Howkins

M.J. Lee

L. E. Nichols

O. Rybinski

K.E. Rutherford

H.R.D. Williams

Substitute Members: Councillors M. Bing Dong, R. Chandler, S.A. Dunn, A. Gale and N. Islam

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

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

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

[www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) [customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk) Telephone 01784 451499

# Agenda

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**1. Apologies and Substitutes**

To receive apologies for absence and notification of substitutions.

**2. Minutes**

7 - 12

To confirm the minutes of the meeting held on 19 February 2024 as a correct record.

**3. Disclosures of Interest**

To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.

**4. Questions from members of the Public**

The Chair, or their nominee, to answer any questions raised by members of the public in accordance with Standing Order 40.

At the time of publication of this agenda no questions were received.

**5. Unreasonably persistent, vexatious or abusive Complaints Policy**

13 - 32

The Committee is asked to:

1. Adopt the Council's Unreasonably Persistent, Vexatious or Abusive Complaints Policy as attached at Appendix B,
2. Agree to delegate to the Monitoring Officer to make any consequential changes to the Council's Complaints Policy arising from the adoption of the Unreasonably Persistent, Vexatious or Abusive Complaints Policy; and
3. Agree to delegate to the Monitoring Officer, in consultation with the Chief Executive, to implement any future changes and updates to the Council's Complaints Policy and Procedure, including the Unreasonably Persistent, Vexatious or Abusive Complaints Policy.

**6. Calendar of Meetings 2024/25**

33 - 44

Committee is asked to recommend that Council approve the Calendar of Meetings for 2024-25 as set out in Appendices 1 and 2.

**7. Biodiversity Net Gain Sites**

45 - 56

Committee is asked to approve the creation of Habitat Banks on

identified Spelthorne Borough land, for purposes of Biodiversity Net Gain.

**8. Debt Write Offs 57 - 70**

Committee is asked to:

Approve the Sundry Debt write-offs set out in Appendix 1 amounting to £383,095, of which £373,834 relates to Housing Benefits overpayments (offset by Housing Benefit Bad Debt Provision on balance sheet in the sum of £2,879,952 as at March 31 2023).

**9. Woodthorpe Road Recreation Playground Refurbishment 71 - 74**

Committee is ask to:

1. Authorise the Group Head of Neighbourhood Services to commence a tender for the procurement of play area equipment,
2. Delegate authority to the Group Head of Neighbourhood Services and the Chair of Environment & Sustainability Committee to appoint the chosen supplier/s; and
3. Authorise the Group Head of Corporate Governance to enter into the contract with the selected supplier.

**10. Houses of Multiple Occupancy Report 75 - 216**

Committee is asked to note the following:

1. The contents of this report; and
2. That Houses in Multiple Occupation (HMOs) will be continued to be monitored by the Planning Enforcement and Environmental Health Teams

Committee is asked to agree the following:

That if the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the Corporate Policy & Resources Committee by 01 May 2025.

**11. Update to Community Assets Policy 217 - 236**

Committee is asked to consider and approve:

1. the Council Administration's proposal to allow the consideration of new community development in the Council's recreation grounds and green open spaces; and

2. Changes to wording with the Community Lettings Policy dated November 2022.

**12. Audited Financial Statements for Knowle Green Estates (KGE) for the year end 31 March 2023** **237 - 270**

The Committee is asked to note the report and in particular the unqualified audit report.

**13. Spelthorne Direct Services Accounts for Year End 31 March 2023** **271 - 302**

Committee is asked to note the audited financial statements for Spelthorne Direct Services Ltd for the year end 31 March 2023.

**14. Increase in Operational Boundary and Authorised Limit for External Debt** **303 - 308**

Committee is asked to:

1. Note that on 01 April 2024 the approved Operational Boundary for external debt was breached,
2. Recommend to Council that the approved Operational Boundary for external debt be increased from £1,067m to £1,170m; and
3. Recommend to Council that the approved Authorised Limit for external debt be increased from £1,167m to £1,270m.

**15. LGA Corporate Peer Challenge - Progress Review** **309 - 352**

Committee is asked to:

Note the progress made in addressing the 12 recommendations from the Local Government Association's Peer Review team following the completion of their Corporate Peer Challenge (CPC), as reviewed on the 16 November 2023 (Appendix A), and to further note the current progress update as outlined in the report.

**16. Corporate Risk Management** **353 - 446**

Committee is asked to consider the significant strategic risks and issues highlighted in this report ensuring continued wider reporting of the Corporate Risk Register and actions across other Committees.

**17. Forward Plan** **447 - 452**

To consider the Forward Plan for committee business.

- 18. Exclusion of Public & Press (Exempt Business)**
- To move the exclusion of the Press/Public for the following items, in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.
- 19. Extension of Funding under Round 1 and 2 of the Local Authority Housing Fund** **453 - 472**
- Committee is asked to consider and approve the recommendations as outlined in the report.
- 20. Local Authority Housing Fund Round 3** **473 - 506**
- Committee is asked to consider and approve the recommendations outlined in the report.
- 21. Urgent Actions** **507 - 514**
- To note those urgent actions which have been taken by the Chief Executive in consultation with the Leader since the last Corporate Policy and Resources meeting on 19 February 2024.
- 22. Corporate Policy and Resources Chair's Updates**
- To receive any updates from the Chair of Corporate Policy & Corporate Committee.

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**Minutes of the Corporate Policy and Resources Committee  
19 February 2024**

**Present:**

Councillor J.R. Sexton (Chair)  
Councillor C. Bateson (Vice-Chair)

Councillors:

M. Beecher	K.M. Grant	K.E. Rutherford
J. Button	M.J. Lee	H.R.D. Williams
J.T.F. Doran	L. E. Nichols	
S.M. Doran	O. Rybinski	

**Substitutions:** Councillor Dunn

**16/24 Apologies and Substitutes**

Apologies were received from Councillors Attewell, Boughtflower, Gibson & Howkins.

Cllr Dunn was present as a substitute for Cllr Gibson.

**17/24 Minutes**

The minutes of the meeting held on 22 January 2024 were agreed as a correct record of proceedings.

**18/24 Disclosures of Interest**

Councillor Nichols declared that he was a Director on the Knowle Green Estates Board.

Councillor Sexton declared that she was also a Surrey County Councillor.

**19/24 Questions from members of the Public**

There were none.

**20/24 The installation of a Papilio 3 unit in Elmsleigh Surface Carpark**

The Committee considered a report from the Sustainability and Flood Risk Officer that sought approval for the installation of a purpose built Electric Vehicle Charge Point Station within Elmsleigh Surface Car Park.

The Committee **resolved** to approve the Council entering into a contract to implement a Papilio 3 unit for electric vehicle charging within Elmsleigh Surface Car Park.

#### **21/24 Parking Order Revision (Tariff and Charges update) 2024**

The Committee considered a report from the Parking Services Operational Manager that sought approval to proceed with the implementation of the Spelthorne Borough Council Off-Street Parking Places (Amendment) Order 2024.

The Committee queried whether the public who would be charging their cars would also be subject to car parking charges. The Parking Services Manager advised that all options would be considered and this item would be brought back to the Committee before a final decision was reached.

The Committee **resolved** to recommend to Council that it:

1. Authorise the Group Head Neighbourhood Services to proceed with the proposals made in this report and to implement the Spelthorne Borough Council Off-street Parking Place (Amendment) Order 2024,
2. Authorise the Group Head Corporate Governance to publish all notices required to implement the Spelthorne Borough Council Off-Street Parking Places (Amendment) Order 2024; and
3. Authorise the Group Head Neighbourhood Services in consultation with the Group Head Corporate Governance to consider and address any objections and to amend the proposals if necessary, following the public consultation.

#### **22/24 Capital Strategy 2024 to 2025**

The Committee considered a report of the Treasury Management and Capital Accountant that sought a recommendation to be made to Council that it approves:

1. The Capital Strategy as set out in the report,
2. All development and investment projects, along with all significant projects follow the previously approved business case governance process as set out in Section 11 of the report,



3. No financing sources, unless stipulated in regulations or necessary agreements, are ringfenced'
4. The Council plans to continue its use of capital receipts to fund the costs of eligible proposals (subject to full business cases for each project),
5. Financing of the Capital Programme and revenue implications as set out in Section 14 of the report; and
6. Financing of the Capital Programme being delegated to the Corporate Policy and Resources Committee to provide sufficient flexibility to allow for the most effective use of Council resources.

The Committee **resolved** to make a recommendation to Council to approve the Capital Strategy 2024/25.

#### **23/24 Capital Programme 2024/25 to 2027/28**

The Committee **resolved** to make a recommendation to Council to approve the Capital Strategy 2024/25.

#### **24/24 Treasury Management Strategy Statement 2024/25**

The Committee **resolved** to:

1. Recommend to Council that they approve the Treasury Management Strategy for 2024/25; and
2. Note that by recommending that Council approves the report the Committee will be agreeing to the Treasury Management Practices (TMP) MRP statement, Operational Boundary and Authorised Limits.

#### **25/24 Pay Award 2024/25**

The Committee **resolved** to recommend to Council that they approve a two year pay award for 2024/25 and 2025/26 as follows:

##### **Pay Award 2024/25**

A consolidated award of 2.8% on all spinal points and personal salaries (across the board increase); and

An additional 2 days special paid leave (pro rata for part time staff) to cover the Christmas closure period 2024. This is in addition to the 1 day special paid leave already in place for 2024. Front-line operational staff who are required to work to provide vital services to residents over the Christmas week will be compensated and paid for this time.

### **Pay Award 2025/26**

A consolidated award of 2.8% on all spinal points and personal salaries (across the board increase); and

An additional 3 days special paid leave (pro rata for part time staff) to cover the Christmas closure 2025. Front-line operational staff who are required to work to provide vital services to residents over the Christmas will be compensated and paid for this time.

### **26/24 Pay Policy Statement 2024/25**

The Committee **resolved** to make a recommendation to Council to approve the Pay Policy Statement 2024/25.

### **27/24 Proposed Fees & Charges 2024/25**

The Committee **resolved** to approve the proposed Fees and Charges for 2024/25 for all Committees.

### **28/24 Capital and Revenue Reserves Strategy**

The Committee **resolved** to note the forward forecast Estimated Council Reserves for the four years ended 31 March 2028 and the use of £703.8k from the Social Housing Initiatives Fund (Reserve), to cover the £703.8k budget deficit for 2024-25, to deliver a balance budget.

### **29/24 2024-25 Funding activity (below the line) to support the Council's Net Expenditure Budget**

The Committee **resolved** to note the report.

### **30/24 Draft Detailed Revenue Budget for 2024/25**

Following a debate on this item, Councillor Nichols requested a named vote be taken.

<b>For</b>	Councillors Sexton, Bateson, Beecher, Button, J Doran, S Doran, Dunn, Grant, Lee, Nichols, Rutherford, Rybinski, Williams - <b>13</b>
<b>Against</b>	<b>0</b>
<b>Abstain</b>	<b>0</b>

The Committee **resolved** to recommend that Council approve the recommendations as outlined in the report.

**31/24 Corporate Plan 2024-2028**

The Committee **resolved** to recommend that Council adopts the proposed Corporate Plan 2024-28 and associated Action Plan (as appended to the report) which specify the priorities, key themes and values for the Council for the next five years and the actions the Council intends to take to deliver its objectives.

**32/24 Forward Plan**

The Committee **resolved** to note the contents of the Forward Plan.

**33/24 Urgent Actions**

There were none.

**34/24 Corporate Policy & Resources Chair's Updates**

There were none.

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# Corporate Policy and Resources Committee



15 April 2024

<b>Title</b>	Unreasonably persistent, vexatious or abusive Complaints Policy
<b>Purpose of the report</b>	To make a decision.
<b>Report Author</b>	Farida Hussain, Monitoring Officer
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	Not applicable
<b>Corporate Priority</b>	Service delivery
<b>Recommendations</b>	<p><b>Committee is asked:</b></p> <ol style="list-style-type: none"> <li>1. To adopt the Council's Unreasonably persistent, vexatious or abusive Complaints Policy, as attached at Appendix B.</li> <li>2. Agree to delegate to the Monitoring Officer to make any consequential changes to the Council's Complaints Policy arising from the adoption of the Unreasonably persistent, vexatious or abusive Complaints Policy.</li> <li>3. Agree to delegate to the Monitoring Officer in consultation with the Chief Executive, to implement any future changes and updates to the Council's Complaints Policy and Procedure, including the Unreasonably persistent, vexatious or abusive Complaints Policy.</li> </ol>
<b>Reason for Recommendation</b>	We do not currently have a detailed policy for dealing with vexatious and unreasonably persistent complainants. A policy that can be shared with complainants if they start to behave unreasonably can help in managing their expectations and their behaviour, as far as possible, while the substance of their complaint is addressed.

## 1. Summary of the report

2. What is the situation	3. Why we want to do something
<ul style="list-style-type: none"> <li>• We do not currently have a detailed policy for dealing with vexatious and unreasonably persistent complainants.</li> </ul>	<ul style="list-style-type: none"> <li>• To help staff understand clearly what options for action are available if they are dealing with a vexatious or unreasonably persistent</li> </ul>

	<p>complainant, and who can authorise these actions.</p> <ul style="list-style-type: none"> <li>To help in managing the expectations and behaviour of complainants, as far as possible, if they start to behave unreasonably, while the substance of their complaint is addressed.</li> </ul>
<b>4.</b> This is what we want to do about it	<b>5.</b> These are the next steps
<ul style="list-style-type: none"> <li>Adopt a Policy based on guidance issued to local authorities by the Local Government and Social Care Ombudsman.</li> </ul>	<ul style="list-style-type: none"> <li>Subject to Committee approval, the Policy will be published with the Complaints Policy on the Council's website.</li> <li>The Complaints Policy will be updated to refer to the new vexatious and unreasonably persistent complaints Policy.</li> <li>Notify relevant staff of the adoption of the Policy.</li> </ul>

5.1 This report seeks the adoption of a policy for dealing with unreasonably persistent and vexatious complainants.

5.2 We do not currently have a policy for dealing with vexatious persistent complainants although we have traditionally used the Local Government and Social Care Ombudsman (LGSCO) guidance when such situations have arisen.

5.3 Although incidents of individuals behaving vexatiously e.g. using various methods of contacting the Council including emailing numerous people in one go (scatter-gunning) are infrequent, such occurrences take up a lot of officer time and so require careful management.

5.4 The policy has been written to help support officers in the management of these situations and it is consistent with LGSCO guidance. The draft Policy is shown at Appendix B.

## **6. Key issues**

6.1 Spelthorne Borough Council wants to deal with complainants in ways that are open, fair and proportionate.

6.2 The Council has a Complaints Policy (**Appendix A**) which makes reference to how we will deal with customers who make a complaint in an unreasonable way: for example: repeatedly, obsessively, or aggressively. However, it does not provide any procedural guidance to staff on what actions can be taken or who should authorise those actions. Nor does it explain to customers the types of behaviour which are considered unreasonable or the range of actions the Council may take to manage unreasonable behaviour.

6.3 The Local Government and Social Care Ombudsman (LGSCO) has issued guidance for local authorities on developing a proportionate policy-led approach which can help staff to understand clearly what is expected of them, what options for action are available, and who can authorise these actions.

6.4 Also, having a policy that can be shared with complainants if they start to behave unreasonably can help in managing their expectations and their behaviour, as far as possible, while the substance of their complaint is addressed.

## **7. Options analysis and proposal**

7.1 It is recommended that the draft Policy as attached at **Appendix B** be adopted. This Policy has been drafted to be consistent with LGSCO guidance on dealing with unreasonably persistent or vexatious behaviour.

7.2 Group Heads have been consulted on the procedures outlined in the Policy and are supportive of the approach proposed.

7.3 A minor change to the Complaints Policy will be required if the draft Policy on dealing with unreasonably persistent or vexatious behaviour is adopted, to reference this new Policy and procedure. This report seeks a delegation to the Monitoring Officer to make those consequential changes.

7.4 This report also seeks a delegation to the Monitoring Officer in consultation with the Chief Executive to agree and implement any future changes and updates to both the Council's Complaints Policy and Procedure and the Unreasonably persistent, vexatious or abusive Complaints Policy. This proposal is intended to accommodate any changes in guidance from the LGSCO or to address any improvements/clarification required in the procedure which become apparent once it is in operation.

## **8. Financial implications**

8.1 There are no financial implications arising from this proposal.

## **9. Risk considerations**

9.1 The adoption of a Policy will mitigate the risk of disproportionate treatment of unreasonably persistent, vexatious or abusive complaints across service areas in the Council.

## **10. Procurement considerations**

11. There are no procurement considerations arising from this proposal.

## **12. Legal considerations**

12.1 There are no legal considerations arising from this proposal.

## **13. Other considerations**

13.1 There are none.

## **14. Equality and Diversity**

14.1 The Policy states that we will provide reasonable adjustments in applying the Policy to ensure no-one is disadvantaged.

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

15.1 There are no sustainability or climate change implications arising from this proposal.

**16. Timetable for implementation**

16.1 The Policy will be published on the Council's website and be in force, following adoption by Committee.

**17. Contact**

17.1 Gillian Scott, g.scott@spelthorne.gov.uk.

**Background papers:** There are none.

**Appendices:**

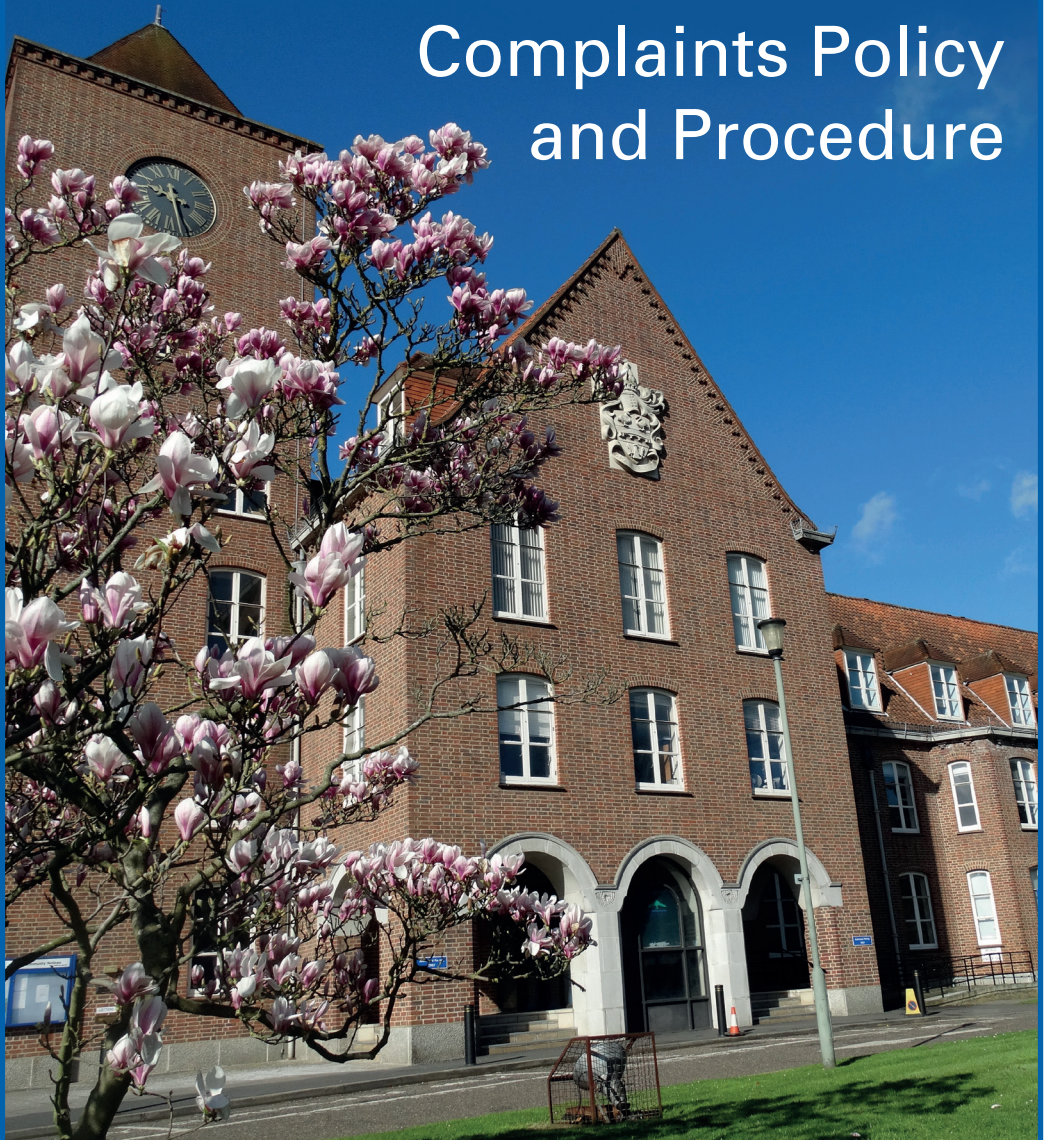
**Appendix A** – The Council's Complaints Policy

**Appendix B** – Draft Unreasonably persistent, vexatious or abusive Complaints Policy



Spelthorne Borough Council

# Complaints Policy and Procedure



[www.spelthorne.gov.uk/complaints](http://www.spelthorne.gov.uk/complaints)  
[customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk)  
01784 451499

Customer Service Centre, Spelthorne Borough Council,  
Knowle Green, Staines-upon-Thames, TW18 1XB

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## Introduction

We aim to provide high-quality and value-for-money services to all our customers. If we do get something wrong, we want to try to put it right quickly and learn from our mistakes to help improve services in the future. Feedback from our customers is an important part of helping us to do this.

We will deal with all complaints fairly, consistently and professionally, in line with our Customer Care Charter.

Please contact us to request this document in an alternative format or language.

## What is a complaint?

In simple terms, a complaint is an expression of dissatisfaction about anything we have done, or perhaps not done. It might be about:

- failure to deliver a service
- delay in providing a service
- unsatisfactory quality of a service
- the behaviours of a member of our staff
- failure of our staff in following Council policy

## What is not a complaint?

There are certain subject areas that we would not consider as a complaint, these include:

- first time request for service (such as reporting a missed refuse collection, removal of “fly-tipping”, noise nuisance or housing repair).
- request for information or an explanation of council policy (such as why the Council Tax is set at a certain level)
- disagreement with a Council decision

There are some occasions when a complaint is not dealt with under this policy: for example, when there is a separate appeal or review procedure (this may be an internal council procedure or external legal process through the courts). If this is the case, we will explain this when you first contact us and tell you what to do next.

## How to make a complaint

You can make your complaint either in writing or verbally. Putting your complaint in writing helps us to ensure that the complaint is recorded properly, and can be a more effective way of making sure that we understand all the relevant details. We need to know what you believe went wrong, what you would like us to do to put matters right and whether you have already spoken to anyone about it.

If you already have the contact details for the service responsible for the matter you wish to complain about, please contact them direct and they will try to resolve the issue to your satisfaction.

Alternatively, there are a number of other ways you can contact us.

- complete the suggestions and complaints form on our website **[www.spelthorne.gov.uk/complaints](http://www.spelthorne.gov.uk/complaints)**
- email **[customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk)**
- phone us on 01784 451499
- write to us at: Customer Service Centre, Spelthorne Borough Council, Knowle Green, Staines-upon-Thames, TW18 1XB
- or visit us at the above address. Our opening hours are Monday to Thursday 9am - 5pm and Friday 9am - 12noon

We want customers to be able to communicate with us and access our services easily. It is important that you let us know if you prefer to communicate with us and access our information in a particular way. For example, if you need help making a complaint and English is not your first or preferred language or you have a disability that makes communicating with us more difficult, please tell us and we will arrange for someone to help you. If you require information in an alternative format please let us know and, where feasible, we will provide it. We are happy for someone else to contact us who will act on your behalf as long as you have given authorisation for them to do so.

# Our Complaints Procedure

## Informal stage

We aim to resolve the vast majority of complaints about Council services at the first point of contact. Please let us know of any problem to give us the opportunity to put it right as soon as we can.

In many instances the first point of contact with the Council will be with our Customer Service Centre. We train our Customer Service staff to try to resolve any complaints about Council services but if this is not possible, they will put you directly in touch with someone in the relevant service that can help.

If after you have contacted us you are still not satisfied, or the issue has not been resolved, then you should use Stage 1 of the formal complaints procedure.

## **Formal Complaints – Stage 1: Consideration and response**

You can register a complaint by using any of the methods above, although we would prefer if you would put your complaint in writing. We will appoint someone senior within the service involved to consider your complaint. They will be your point of contact (unless advised otherwise) until the investigation is complete. They will keep you informed of the progress of your complaint or make you aware of the reasons for any delay.

We will acknowledge your complaint within five working days of receipt and that acknowledgement will provide an answer if possible. If we have not had the opportunity to resolve your complaint within this time then we will come back to you within 10 working days to provide a full answer or say when we will be able to give you a full reply, as well as giving you an update on the investigation.

If your complaint is about something of a personal nature and we need to refer it to a third party, we will seek your consent first before doing so.

## Formal Complaints – Stage 2: Request for a Review

We hope that our consideration of your complaint will provide you with a fair and satisfactory response. If you have good reasons to believe that we did not investigate your complaint properly, you can request a review. For example, you may believe that an important piece of information was missed out, or misunderstood and feel this would change the outcome.

Your review request must be made within 28 days of receiving our response to your complaint. It should be sent to our Group Head for Commissioning and Transformation at the above address and include reasons in support of your request for a review. This Group Head, who is independent from all the other services in the Council, will pull together all the relevant facts and decide whether there are grounds for a review.

We will acknowledge your request for a review within five working days of receipt, and let you know which of the following actions we intend to take:

- if your request for review is upheld, we will arrange for a further investigation or better response if required, by the relevant Group Head for the service concerned; or
- if your request is not upheld we may:
  - refer the complaint back to the manager for the service you are complaining about, with a request to reconsider all or specific parts of your complaint; or
  - decide not to carry out a further investigation if any of the following apply:
    - your complaint was properly dealt with at first consideration stage;
    - there is no evidence that we are at fault in delivering our service; this includes failure to follow law, government guidance or our own policies, procedures and best practice;
    - further investigation would not result in the outcome you are seeking; or
    - there is a more appropriate route for resolution

If your review request is unsuccessful, we will write to you to explain why. If we decide that a further investigation is appropriate we will pass the matter to the relevant Group Head who has not previously been involved with your case to carry it out.

The relevant Group Head will aim to provide a full response within 20 working days. Complex complaints may take longer and if this is the case we will keep you informed. The decision made by the Group Head will be final.

You can contact our Group Head for Commissioning and Transformation at [customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk)

## Local Government and Social Care Ombudsman and Housing Ombudsman

There will be occasions where we will not be able to resolve your complaint to your satisfaction. If this is the case, you can contact the Local Government and Social Care Ombudsman (LGO) or the Housing Ombudsman (HO) who will consider your complaint and investigate, if appropriate.

The LGO and HO will not normally consider any appeal until a complaint has been through the complaints procedure outlined in this document. It will be in your interest to follow this procedure before taking your complaint to them.

To contact the Local Government and Social Care Ombudsman please call: 0300 061 0614.

Alternatively, you can write to: The Local Government and Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH. Please visit [www.lgo.org.uk](http://www.lgo.org.uk) to complete the complaint form.

To contact the Housing Ombudsman Service please call: 0300 111 3000  
Alternatively, you can write to: 81 Aldwych, London, WC2B 4HN. Please visit [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk) to complete the complaint form.

## How you can help us

We understand that it is frustrating when we do not meet your expectations. You can be sure that we will do everything we can to resolve your complaint to your satisfaction. In return, we ask that you:

- treat our staff with respect
- do not use abusive language or behaviour when dealing with us
- comply with all reasonable requests made in an effort to resolve your concerns

## How we manage unreasonable complaint behaviour

On the rare occasion when a customer makes a complaint in an unreasonable way: repeatedly, obsessively or aggressively, for example, we will write to them explaining what action we are taking to bring the matter to an end. This could include, but not be limited to, restricting the form of

communication that a complainant can use, limiting contact to a named officer or managing the contact with the help of a named intermediary.

The decision to class a complainant as unreasonable will be made by the Council's Monitoring Officer or Corporate Management Team. They will write to the complainant to explain the reason for the decision. The Monitoring Officer will record the details in a register and review the decision after six months. The Monitoring Officer will write to the complainant to tell them if they have been removed from the register or if they will remain on it for a further six months, when a further review will be carried out.

## **Privacy Statement**

All correspondence received by the Council is subject to the Freedom of Information and Environmental Information laws and, in certain circumstances, may need to be made public. We will, however, respect legitimate expectations for confidentiality and we will keep to the relevant privacy laws.

We will use the personal information you give us only to deal with your feedback and, where necessary, to put things right. In the case of complaints, we will give details to the people who need them in order to investigate and resolve the matter.

We will not give your personal details to any third party unless they have a need to know (for example, if a complaint relates to the actions of one of our contractors, or if the Local Government and Social Care Ombudsman is investigating).

When dealing with complaints, we also protect the identity of other people who may be involved. So there may be times when we will not be able to give you personal information about other people (for example, witnesses to incidents or other people complaining).

## **Follow up process**

From time to time, we may contact a sample of customers who have used our complaints procedure to ask for their feedback on the response they received. We will appreciate your co-operation with this process, as it will help us to improve the service we offer to you.



[www.spelthorne.gov.uk/complaints](http://www.spelthorne.gov.uk/complaints)  
[customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk)  
01784 451499

Customer Service Centre, Spelthorne Borough Council,  
Knowle Green, Staines-upon-Thames, TW18 1XB





# Spelthorne Borough Council

## Unreasonably persistent, vexatious or abusive Complaints Policy

### 1. Introduction

1.1 Spelthorne Borough Council is committed to improving the quality of life for local people. We strive to get it right first time, every time. We value all kinds of customer feedback and expressions of dissatisfaction are treated seriously and recognised as a way for the Council to identify and implement service improvements. The Council is also accountable for the proper use of public money and must ensure that money is spent wisely and achieves value for all our customers.

1.2 All complainants have the right to have their concerns examined in line with our complaints procedure. In most cases, dealing with a complaint is a straightforward process but there are a small number of complainants or customers who because of the frequency, nature or tone of their contact with us, adversely affect our ability to do our job and provide a service to others. We will refer to these complainants/customers as unreasonably persistent (unreasonably persistent complainants are those complainants who, because of the frequency or nature of their contacts with the authority, hinder the authority's consideration of their, or other people's complaints) or vexatious and apply this Policy. Those so identified will be treated consistently, honestly and proportionately whilst ensuring that other service users, officers and the Council as a whole, suffer no detriment.

1.3 For the purposes of this policy, unreasonably persistent or vexatious complainants/customers are those whose contact:

- clearly does not have any serious purpose or value; or
- is designed to cause disruption or annoyance; or
- has the effect of harassing the Council (which includes individual officers); or
- is politically motivated where the complaint is used to bring into question another political party's ethos, to fuel personal political animosities or to solely meet the interests of a particular political party; or
- can be considered as obsessive or unreasonable.

1.4 We do not expect staff to tolerate unacceptable behaviour by complainants, or any customer. Unacceptable behaviour includes that which is abusive, offensive or threatening and may include:

- Using abusive or foul language on the telephone
- Using abusive or foul language face to face
- Using abusive or foul language about staff on social media channels
- Any form of intimidating or threatening behaviour
- Sending multiple emails
- Leaving multiple voicemails

We will take action to protect staff from such behaviour.

## **Spelthorne Borough Council**

### **Unreasonably persistent, vexatious or abusive Complaints Policy**

- 1.5 This Policy should be read in conjunction with:
- Spelthorne Council's Complaints Policy
  - Accident and Incident Reporting Policy
  - Abuse and Violence at Work Policy
  - Lone Working Policy
  - Customer Charter
  - Local Government and Social Care Ombudsman guidance on managing unreasonable behaviour.
- 1.6 We will not normally limit the contact which complainants have with council staff or offices unless the Council determines that this is necessary in accordance with this Policy.

## **2. Aims of this Policy**

- 2.1 The aim of this policy is to contribute to our overall aim of dealing with all complaints in ways which are demonstrably consistent, fair and reasonable.
- 2.2 The purpose of this document is to provide staff with a framework for how to manage vexatious and persistent complainants/customers in a consistent, proportionate and professional manner across the authority.
- 2.2 This policy identifies:
- The actions and behaviours of a complainant/customer which may be considered to be abusive, vexatious or unreasonably persistent,
  - The action we can take to stop or curtail this behaviour,
  - Considerations before further action is taken,
  - Who can decide to implement such action,
  - How to implement the action,
  - What the complainant can do to challenge the decision of the Council.

## **3. Actions and behaviours of unreasonably persistent or vexatious complaints**

- 3.1 Complainants/customers or anyone acting on their behalf may be deemed to be vexatious or unreasonably persistent if one or more of the following behaviours applies (this list is not exhaustive, nor does a single behaviour on its own necessarily imply that the complainant will be considered as being in this category):
- Refusing to specify the grounds of a complaint, despite help from the Council.
  - Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
  - Making what appear to be groundless complaints about the staff dealing with the complaint and attempting to have them dismissed or replaced.

## **Spelthorne Borough Council**

### **Unreasonably persistent, vexatious or abusive Complaints Policy**

- Taking an excessively ‘scattergun’ approach – complaining officially to the Council as well as raising the same complaint with others such as MP/councillor/Monitoring Officer/police/solicitors and/or Local Government and Social Care Ombudsman.
- Insisting the complaint is dealt with in ways which are incompatible with the complaints procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint or insisting the complaint is only dealt with by the Chief Executive).
- Changing the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- Denying statements made at an earlier stage in the complaint process.
- Raising trivial or irrelevant new information whilst the complaint is being investigated and expecting this to be taken into account and commented on
- Raising lots of detailed but unimportant questions and insisting they are answered.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other people involved.
- Making persistent or excessive demands on the time and resources of staff (for example lengthy phone calls, emails to numerous Council staff, or detailed letters/emails every few days, and expecting immediate responses or demanding a response by a specific date which is deemed to be unreasonable)).
- Submitting correspondence that impacts the Council from carrying out business as usual tasks.
- Attempts to harass, verbally abuse or otherwise seek to intimidate staff dealing with their complaint by use of foul or inappropriate language or by the use of offensive or discriminatory language.
- Sending an unreasonable number of letters, emails and/or phone calls in relation to a specific complaint or complaints.
- Registering repeat complaints, perhaps with minor differences, after the complaints procedure has concluded and insisting that the minor differences make these ‘new’ complaints which should be put through the full complaints procedure.
- Refusing to accept the final decision of a complaint, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- Persistently contacting the Council through different routes about the same issue.
- Someone who is not looking to resolve a dispute but is looking to cause unnecessary difficulties or problems to the Council.

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- Refusing to accept a complaint is outside the remit of the complaints' procedure.
  - Refusing to accept that matters aren't within the Council's power to investigate if the matter is the responsibility of another organisation.
- 3.2 Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to the complainant being regarded as vexatious.
- 3.3 Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause them to be labelled unreasonably persistent.

#### **4. How we will decide to implement this policy**

- 4.1 This policy will be used as a last resort once all measures have been taken to resolve issues under the Council's Complaints procedure. We will make sure we have communicated appropriately with the complainant/customer and that no new information that will affect the decision has been put forward.
- 4.2 Before taking a decision to invoke this policy, consideration should be given to whether any further action is necessary, such as whether it is appropriate to convene a meeting with the complainant/customer and a senior officer in order to seek a mutually agreeable resolution.

#### **5. Written Warning**

- 5.1 In the first instance the service manager investigating the complaint/dealing with the customer will consult with their Group Head, prior to the issue of a written warning to the complainant/customer. The written warning (by letter or email) will explain the behaviour that is causing concern and ask the complainant/customer to change this behaviour. The Group Head will explain the actions that the Council may take (paragraph 6.3 below) if the behaviour does not change.
- 5.2 A copy of this policy will be included with the written warning to the complainant/customer.

#### **6. Applying this Policy**

- 6.1 If the disruptive behaviour continues, the decision to apply this policy will be taken by the Group Head in consultation with the Monitoring Officer or the Deputy Monitoring Officer, where the Monitoring Officer has a conflict of interest due to their involvement in the complaint or with the complainant/customer.
- 6.2 Where more than one department is being contacted by the complainant/customer, perhaps with different complaints, the Group

## **Spelthorne Borough Council**

### **Unreasonably persistent, vexatious or abusive Complaints Policy**

Head(s) should agree a cross-departmental approach and designate one officer to co-ordinate the Council's response(s).

- 6.3 In applying this policy, the Group Head will consider the restriction to be imposed on the complainant's/customer's contact with the Council:
- as is appropriate and proportionate to the individual circumstances of the case and;
  - for a period of time between three and six months;
  - and the period of time after which the decision will be reviewed by the Council.
- 6.4 The Group Head will decide the most appropriate restriction according to the level and nature of the complainant's contacts and this may include:
- Banning the complainant/customer from making contact by telephone except through a third party e.g. solicitor/councillor/friend acting on their behalf.
  - Banning the complainant/customer from sending emails to an individual and/or all council officers and insisting they only correspond by letter.
  - Banning the complainant/customer from accessing any council building except by appointment.
  - Requiring contact to take place with one named member of staff only.
  - Restricting telephone calls to specified days / times / duration.
  - Requiring any personal contact to take place in the presence of an appropriate witness.
  - Letting the complainant know that the council will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence).
  - Informing the complainant that any further complaints from him or her will only be considered if a Chief Officer agrees that it warrants investigation.
- 6.5 The Group Head will contact the complainant/customer in writing to advise them that the Council is treating them as 'unreasonably persistent or vexatious' and explain:
- Why the council has taken the decision
  - What action the council is taking
  - The duration of that action
  - The review process of this policy
  - The right of the complainant/customer to contact the Local Government and Social Care Ombudsman about the Council's decision.

## **Spelthorne Borough Council**

### **Unreasonably persistent, vexatious or abusive Complaints Policy**

6.6 The Group Head will enclose/attach a copy of this policy in the letter/email to the complainant.

#### **7. Record keeping**

7.1 If a decision is made to apply this policy, the following information will be recorded and shared with relevant officers within the Council. Only where necessary, and under strict requirements of confidentiality, relevant councillors will also be informed.

7.2 The Monitoring Officer will record in a central Register, kept specifically for this purpose:

- The name and address of a complainant/customer who is being treated as unreasonably persistent or vexatious under this policy
- What restrictions on contact have been imposed
- When the restriction comes into force and is due for review
- When the customer, relevant officers and if applicable, relevant councillors, were advised of the actions being taken.
- The reasons why the complainant/customer is on the Register

7.3 Where a complainant/customer continues to behave in a way which is unacceptable, the Group Head may decide to refuse all contact with them and stop any investigation into their complaint.

7.4 Where the behaviour is so extreme, becomes abusive or threatens the immediate safety and welfare of staff and/or their families, the Council will consider other options, including for example placing a person on the Council's Staff Safety Register, reporting the matter to the Police, taking legal action or ceasing contact. In such cases, the Council may not give the complainant/customer prior warning of that action.

#### **8. Appealing a decision to restrict contact**

8.1 A complainant/customer can appeal the decision to place them on the 'unreasonably persistent or vexatious complainant list' within 15 working days of being notified of our decision. This appeal should be made in writing, with reasons why they want to appeal and sent to:

Group Head for Corporate Governance  
Spelthorne Borough Council  
Knowle Green  
Staines-upon-Thames  
TW18 1XB

Or by email to [customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk) For the Attention of the Group Head for Corporate Governance.

## **Spelthorne Borough Council Unreasonably persistent, vexatious or abusive Complaints Policy**

8.2 A response will be provided within 20 working days. If the complainant/customer remains dissatisfied with the decision, they will be advised of their right to approach the Local Government and Social Care Ombudsman.

### **9. New complaints or correspondence from people who have been treated as vexatious or unreasonably persistent**

9.1 Any further correspondence from an unreasonably persistent or vexatious complainant/customer will be read to establish whether new and significant information is provided.

9.2 New complaints from people who have come under this policy will be treated on their merits. The Group Head will decide whether any restrictions which have been applied previously are still appropriate and necessary in relation to the new complaint.

9.3 The Council does not support a "blanket policy" of ignoring genuine service requests or complaints where they are founded.

### **10. Review process**

10.1 A review will be undertaken at the time the restriction is due to end.

10.2 The appropriate Group Head, in consultation with the Monitoring Officer, will:

- Review any contact from the complainant during the period of the restriction and whether it continues to constitute unreasonable or vexatious behaviour as defined in this policy,
- Write to the complainant/customer with the outcome of the review and reasons for the decision, within 7 working days of the date on which the review was due,
- Inform relevant members of staff and if applicable, relevant councillors, of the review decision,
- Record the outcome of the review in the central Register and the date on which the complainant was notified.

10.3 If the complainant/customer is dissatisfied with the review decision, they will be advised of their right to approach the Local Government and Social Care Ombudsman.

10.4 The existence and operation of this procedure will be reviewed, shared with and explained to all relevant staff.

**Equality Act** – In applying this Policy and in line with our legal responsibilities, we will provide reasonable adjustments to ensure no one is disadvantaged.

**Spelthorne Borough Council**  
**Unreasonably persistent, vexatious or abusive Complaints Policy**

**Version Control**

Policy Name: Unreasonably persistent, vexatious or abusive Complaints Policy

Document Author: Gillian Scott, Corporate Governance Support Officer

Document owner: Monitoring Officer

How this document was created:

Draft Version 1: 19 October 2023: Support Officer

Draft Version 2: 7 November 2023: Monitoring Officer

Draft Version 3: 23 November 2023: Group Heads

Draft Version 3.1: 12 February 2024: Sign off by Monitoring Officer

Draft Version 3.1: 20 February 2024: Reviewed by Management Team

Draft Version 3.2: 15 April 2024: Considered by CPR Committee

Version 1: 15 April 2024: Adoption by Corporate Policy and Resources Committee



# Corporate Policy and Resources Committee



15 April 2024

<b>Title</b>	Calendar of Meetings 2024-25
<b>Purpose of the report</b>	To make a recommendation to Council
<b>Report Author</b>	Matthew Williams, Committee Manager
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	Not Applicable
<b>Corporate Priority</b>	Community Addressing housing needs Resilience Environment Services
<b>Recommendations</b>	<b>Committee is asked to:</b>  <b>Recommend that Council approve the Calendar of Meetings for 2024-2025 as set out in either Appendix 1 or Appendix 2.</b>
<b>Reason for Recommendation</b>	<b>The Calendar of Meetings provides a framework for the democratic and decision-making procedures that will underpin the delivery of the Council’s key corporate priorities.</b>

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>The current calendar of meetings expires in August 2024.</li> <li>Political group leaders have also suggested changes to the structure of Committees. If approved, the calendar of meetings requires amending to reflect the new structure.</li> </ul>	<ul style="list-style-type: none"> <li>We are required to have an up-to-date calendar of meetings, allowing future planning for Councillors, Officers, and members of the public.</li> </ul>

This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>Two possible variations of the Calendar of meeting are being put forward for consideration, one for if the Council approves the amendments to the Committee structure, and one if it does not.</li> </ul>	<ul style="list-style-type: none"> <li>Recommendation to Council</li> </ul>

- 1.1 This report proposes a schedule of Council and Committee meetings (Appendix 1 and Appendix 2) to enable the consideration of Council business during the period from June 2024 to Aug 2025.
- 1.2 The schedule set out in Appendix 1 assumes no changes to the current Committee system save for the addition of additional meetings in November/December 2024 to cover budget issues and an additional Corporate Policy and Resources Committee in May 2025.
- 1.3 The schedule set out in Appendix 2 assumes:
- Neighbourhood Service and Enforcement Committee is removed (with responsibility transferred to Environment and Sustainability Committee and Community Wellbeing and Housing Committee)
  - Administrative Committee is removed (with responsibility transferred to Corporate Policy and Resources Committee)
  - Economic Development Committee is removed (with responsibility transferred to a new proposed Committee)
  - Addition of new Business, Infrastructure and Growth (BIG) Committee
  - Audit Committee increase from three meetings per year to four.
- 1.4 Appendix 1 would see 59 scheduled meetings per year, compared to 53 this year – an increase of 11.3%. The increase is due to the inclusion of additional meetings for committees in late November/early December to cover budget issues, and Audit Committee increasing to 4 meetings per year.
- 1.5 Appendix 2 would see 50 scheduled meetings per year, a decrease of 5.7%.

## 2. Key issues

- 2.1 Meetings of the Council have been scheduled with the following general principles in mind, to enable effective decision-making whilst making the best use of resources available:
- Avoidance of Surrey school holidays wherever possible. It is not possible to additionally accommodate the differing holiday periods of private schools.
  - Maintaining the current scheduling of full Council meetings i.e. meetings in July, October, December, February and April and the Annual (Mayor making) meeting in May.
  - The Committee meetings have been programmed to ensure that matters which need to be referred on to the Corporate Policy and Resources

Committee and/or Council can proceed in a timely way, thereby enabling the Council to implement its priorities and strategies, as well as fulfil its constitutional and legal obligations.

- iv) The Regulatory and Administrative Committees feed directly into Council (i.e. Planning, Licensing, Audit, Standards and, for Appendix 1, Administrative)
  - v) Each Committee meets wherever possible on the same day of the week.
  - vi) Licensing Committee primarily meets as a daytime Sub-Committee and those meetings are arranged as and when required. Rather than schedule a monthly Licensing Committee which is likely to be cancelled, this Committee can be scheduled as and when we are notified of business.
- 2.2 The Committee Chairs have the power to call additional or extraordinary meetings, when required, to accommodate urgent or unscheduled matters of business. If the general election falls on the day of a meeting, the Committee Chair and Vice-Chair also have the power to adjust the date of the meeting to avoid conflict with this date.
- 2.3 The Chief Finance Officer has been consulted on the suitability of dates to enable financial reports to be ready for consideration at the relevant service committees on a timely basis.

### **3. Options analysis and proposal**

- 3.1 The calendar of meetings provides a framework for the democratic and decision-making processes that will underpin the delivery of the Council's key priorities.
- 3.2 Option 1: Recommend both Calendars to Council for consideration, pending the outcome of proposed changes to Committees.
- 3.3 Option 2: Amend the Calendar of meetings as set out in either Appendix 1 or 2.
- 3.4 Option 3: Do not approve the Calendar of meetings. This is not recommended as would mean there would be no schedule of meetings.

### **4. Financial management comments**

- 4.1 The cost of administering the proposed meetings will be met from within existing budgets.

### **5. Risk management comments**

- 5.1 The report reinforces a structured approach in terms of a framework and publicised timetable for the democratic and decision-making procedures that will underpin the delivery of the Council's key corporate priorities. This ensures that reporting and decisions are made in a timely fashion to support service delivery/key project milestones/professional standards/requirements.
- 5.2 There could be associated risk implications where an increased level of meetings are being proposed in terms of Officer/Member time, and the impact on resourcing and service capacity pressures etc. This again is dependant on the governance model and options pursued.

**6. Procurement comments**

6.1 There are no Procurement considerations to take into account.

**7. Legal comments**

7.1 There are no direct legal implications arising from this report.

**8. Other considerations**

8.1 Additional Committee meetings to those proposed will have resource implications.

**9. Equality and Diversity**

9.1 Consideration has been given to avoiding, where possible, scheduling meetings on the same day as major religious festivals.

**10. Sustainability/Climate Change Implications**

10.1 There are no implications arising from this report.

**11. Timetable for implementation**

11.1 Once agreed by Council, the Calendar of Meetings will be published on the Council's website and implemented from June 2024.

**12. Contact**

12.1 Matthew Williams, m.williams@spelthorne.gov.uk

**Background papers:** There are none.

**Appendices:**

**Appendix A - Calendar of Meetings schedule with existing committee structure**

**Appendix B – Calendar of Meetings schedule with proposed committee structure**

## Calendar of Meetings June 2024 to August 2025

Meeting	Jun 24	Jul	Aug	Sept	Oct	Nov	Dec	Jan 25	Feb	Mar	Apr	May	Jun	Jul	Aug 25
<b>Council</b> <b>Thursday</b>		18			24		12		27		24	22		17	
<b>Corporate Policy &amp; Resources Committee</b> <b>Monday</b>	3	8		9	14		9	20	10	24		12		7	
<b>Environment and Sustainability Committee</b> <b>Tuesday</b>	18			17			5	14		4	1		10		
<b>Economic Dev Committee</b> <b>Thursday</b>	27			12		28		9					5		
<b>Community Wellbeing Committee</b> <b>Tuesday</b>	11			24			3	7		11			3		
<b>Planning Committee</b> <b>Wednesday</b>	26	24	21	18	16	13	10	8	5	5	2, 30	28	25	23	20
<b>Neighbourhood Services Committee</b> <b>Thursday</b>	20				3 C&D		2	23		13			19		
<b>Administrative Committee</b> <b>Thursday</b>		11		5		26		16						3	
<b>Audit Committee</b> <b>Thursday</b>		9		26				30				8		10	
<b>Standards Committee</b> <b>Wednesday</b>	12				2			29					11		
<b>Borough Election</b>												1			
<b>Bank Holidays</b> <b>Council Offices closed</b>			26				25, 26	01			18, 21	5, 26			25

C&D = Crime and Disorder. The Council has a statutory duty to review crime and disorder matters once a year.

### 2024 Year Planner

2024	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T					
January																															
February																															
March																															
April																															
May																															
June					1 2		3 CPRC	4	5	6	7	8 9	10	11 CWH	12 Standards	13	14	15 16	17	18 ES	19	20 NSE	21	22 23	24	25	26 Planning	27 ED	28	29 30	
July	1	2	3	4	5	6 7	8 CPRC	9 Audit	10	11 Admin	12	13 14	15	16	17	18 Council	19	20 21	22	23	24 Planning	25	26	27 28	29	30	31				
August				1	2	3 4	5	6	7	8	9	10 11	12	13	14	15	16	17 18	19	20	21 Planning	22	23	24 25	26 BH	27	28	29	30	31	
September					1	2	3	4	5 Admin	6	7 8	9 CPRC	10	11	12	13	14 15	16	17 ES	18 Planning	19	20	21 22	23	24 CWH	25	26 Audit	27	28 29	30	
October		1	2 Standards	3 NSE	4	5 6	7	8	9	10	11	12 13	14 CPRC	15	16 Planning	17	18	19 20	21	22	23	24 Council	25	26 27	28	29	30	31			
November					1	2 3	4	5	6	7	8	9 10	11	12	13 Planning	14	15	16 17	18	19	20	21	22	23 24	25	26 Admin	27	28 ED	29	30	
December					1	2 NSE	3 CWH	4	5 ES	6	7 8	9 CPRC	10 Planning	11	12 Council	13	14 15	16	17	18	19	20	21 22	23	24	25 BH	26 BH	27	28 29	30	31

### 2025 Year Planner

2025	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T					
January			1 BH	2	3	4 5	6	7 CWH	8 Planning	9 ED	10	11 12	13	14 ES	15	16 Admin	17	18 19	20 CPRC	21	22	23 NSE	24	25 26	27	28	29 Standards	30 Audit	31		
February						1 2	3	4	5 Planning	6	7	8 9	10 CPRC	11	12	13	14	15 16	17	18	19	20	21	22 23	24	25	26	27 Council	28		
March						1 2	3	4 ES	5 Planning	6	7	8 9	10	11 CWH	12	13 NSE	14	15 16	17	18	19	20	21	22 23	24 CPRC	25	26	27	28	29 30	31
April		1 ES	2 Planning	3	4	5 6	7	8	9	10	11	12 13	14	15	16	17	18 BH	19 20	21 BH	22	23	24 Council	25	26 27	28	29	30 Planning				
May				1 SCC Elections	2	3 4	5 BH	6	7	8 Audit	9	10 11	12 CPRC	13	14	15	16	17 18	19	20	21	22 Council ACM	23	24 25	26 BH	27	28 Planning	29	30	31	
June						1	2	3 CWH	4	5 ED	6	7 8	9	10 ES	11 Standards	12	13	14 15	16	17	18	19 NSE	20	21 22	23	24	25 Planning	26	27	28 29	30
July		1	2	3 Admin	4	5 6	7 CPRC	8	9	10 Audit	11	12 13	14	15	16	17 Council	18	19 20	21	22	23 Planning	24	25	26 27	28	29	30	31			
August					1	2 3	4	5	6	7	8	9 10	11	12	13	14	15	16 17	18	19	20 Planning	21	22	23 24	25 BH	26	27	28	29	30 31	
September																															
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November																															
December																															

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## Calendar of Meetings June 2024 to August 2025

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<b>Environment and Sustainability Committee</b> <b>Tuesday</b>	18			17			3	14		4			17		
<b>Business, Infrastructure &amp; Growth</b> <b>Thursday</b>	6			12			5	16		13			5		
<b>Community Wellbeing Committee</b> <b>Tuesday</b>	11			24 C&D			2	7		11			3		
<b>Planning Committee</b> <b>Wednesday</b>	26	24	21	18	16	13	10	8	5	5	2, 30	28	25	23	20
<b>Audit Committee</b> <b>Thursday</b>		9		26				30				8		10	
<b>Standards Committee</b> <b>Wednesday</b>	12				2			22					11		
<b>Borough Election</b>												1			
<b>Bank Holidays</b> <b>Council Offices closed</b>			26				25, 26	01			18, 21	5, 26			25

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### 2024 Year Planner

2024	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T		
January																																		
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July	1	2	3	4	5	6 7	8 CPRC	9 Audit	10	11	12	13 14	15	16	17	18 Council	19	20 21	22	23	24 Planning	25	26	27 28	29	30	31							
August				1	2	3 4	5	6	7	8	9	10 11	12	13	14	15	16	17 18	19	20	21 Planning	22	23	24 25	26 BH	27	28	29	30	31				
September						1	2	3	4	5	6	7 8	9 CPRC	10	11	12 BIG	13	14 15	16	17 ES	18 Planning	19	20	21 22	23	24 CWH	25	26 Audit	27	28 29	30			
October		1	2 Standards	3	4	5 6	7	8	9	10	11	12 13	14 CPRC	15	16 Planning	17	18	19 20	21	22	23	24 Council	25	26 27	28	29	30	31						
November					1	2 3	4	5	6	7	8	9 10	11	12	13 Planning	14	15	16 17	18	19	20	21	22	23 24	25	26	27	28	29	30				
December						1	2 CWH	3 ES	4	5 BIG	6	7 8	9 CPRC	10 Planning	11	12 Council	13	14 15	16	17	18	19	20	21 22	23	24	25 BH	26 BH	27	28 29	30	31		

### 2025 Year Planner

2025	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	
January			1 BH	2	3	4 5	6	7 CWH	8 Planning	9	10	11 12	13	14 ES	15	16 BIG	17	18 19	20 CPRC	21	22 Standards	23	24	25 26	27	28	29	30 Audit	31				
February						1 2	3	4	5 Planning	6	7	8 9	10 CPRC	11	12	13	14	15 16	17	18	19	20	21	22 23	24	25	26	27 Council	28				
March						1 2	3	4 ES	5 Planning	6	7	8 9	10	11 CWH	12	13 BIG	14	15 16	17	18	19	20	21	22 23	24 CPRC	25	26	27	28	29 30	31		
April		1	2 Planning	3	4	5 6	7	8	9	10	11	12 13	14	15	16	17	18 BH	19 20	21 BH	22	23	24 Council	25	26 27	28	29	30 Planning						
May				1 SCC Elections	2	3 4	5 BH	6	7	8 Audit	9	10 11	12 CPRC	13	14	15	16	17 18	19	20	21	22 Council ACM	23	24 25	26 BH	27	28 Planning	29	30	31			
June						1	2	3 CWH	4	5 BIG	6	7 8	9	10	11 Standards	12	13	14 15	16	17 ES	18	19	20	21 22	23	24	25 Planning	26	27	28 29	30		
July		1	2	3	4	5 6	7 CPRC	8	9	10 Audit	11	12 13	14	15	16	17 Council	18	19 20	21	22	23 Planning	24	25	26 27	28	29	30	31					
August					1	2 3	4	5	6	7	8	9 10	11	12	13	14	15	16 17	18	19	20 Planning	21	22	23 24	25 BH	26	27	28	29	30 31			
September																																	
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November																																	
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**Corporate Policy and Resources  
Committee  
15<sup>th</sup> April 2024**



<b>Title</b>	Biodiversity Net Gain Habitat Banks
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	<i>Gina Cook - Climate Change Officer, Projects Anna Fjortoft – Biodiversity Officer, Neighbourhood Services</i>
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	n/a
<b>Corporate Priority</b>	Environment
<b>Recommendations</b>	To approve the creation of Habitat Banks on identified Spelthorne Borough land, for the purpose of Biodiversity Net Gain.
<b>Reason for Recommendation</b>	Spelthorne Borough Council (SBC) have a statutory duty to meet the new Biodiversity Net Gain requirements (Environment Act 2021). There is an opportunity for Spelthorne Borough Council to put our sites (which will be called Habitat Banks) on the National Register for offsite habitat units. By proposing land within the borough, there will be an increased opportunity to keep biodiversity enhancements within the borough boundary and to positively benefit from this.

**1. Summary of the report**

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>Biodiversity Net Gain (BNG) is a new statutory requirement for developers to meet, where they must achieve a minimum of 10% BNG uplift for any new development.</li> <li>This must be achieved on-site for a development where possible. If not, the remainder can be achieved off-site.</li> </ul>	<ul style="list-style-type: none"> <li>As a local authority, we can provide our own land as Habitat Banks for the purpose of BNG.</li> <li>Developers will be able to purchase habitat units from our Habitat Banks. The sale of these units will pay for the creation and ongoing maintenance of improved or new habitats on our sites for 30 years.</li> <li>If there is no land within the borough boundary on the register for</li> </ul>

<ul style="list-style-type: none"> <li>Landowners, including the Council, can put their land on the National Register for developers to purchase habitat units. This will create additional enhanced habitat and increased biodiversity within the Borough.</li> <li>Developers are purchasing habitat units, but the landowner and the management of site still remains with SBC. The purchase of units is solely for improving or creating habitat, where developers cannot meet net gain on their development site.</li> </ul>	<p>developers to purchase, they will have to purchase habitat units from other landowners outside of the borough. Therefore, Spelthorne will not benefit from enhanced biodiversity.</p>
<p><b>This is what we want to do about it</b></p>	<p><b>These are the next steps</b></p>
<ul style="list-style-type: none"> <li>To complete preparation of Habitat Banks at Spelthorne sites and upload them to the National Register once legal agreements are in place.</li> </ul>	<ul style="list-style-type: none"> <li>To complete Habitat Bank preparations, if approved for use by CPRC.</li> </ul>

- 1.1. Biodiversity Net Gain (BNG) became mandatory for major development on 12<sup>th</sup> February 2024, and mandatory for small site developments on 2<sup>nd</sup> April 2024. Future development will have to meet the minimum requirement of 10% BNG. This means developers have to leave the environment in a better state than prior to development.
- 1.2. There is an opportunity for Spelthorne Borough Council (SBC) to put land on the National Register for offsite habitat units. Each site registered will then be known as a Habitat Bank. Development is incentivised to keep offsite biodiversity gain as close to the development site as possible, through the statutory biodiversity metric calculator. This provides an assessment of costs associated with a site's development in terms of provision for biodiversity. Therefore, developers will be looking to purchase units as close to site as possible, to keep the overall cost to a minimum as costs rise with distance from the development site.
- 1.3. In the emerging local plan, there is a policy requirement for developers to purchase offsite habitat units within the borough where possible. As we are a predominantly urban borough, the areas of opportunity we have for offsite habitat units are more limited than other districts and boroughs in Surrey. By proposing our own land for Habitat Banks, we have the opportunity to create important areas of improvement for biodiversity in Spelthorne.

## 2. Key issues

## **2.1. Nature decline and Local Authority statutory duty**

- 2.1.1. Over the last century, the state of nature in the UK has seen a significant and alarming decline due to increased demands, including population increase, agricultural intensification, pollution, climate change and development. This has resulted in deteriorated and fragmented habitats.
- 2.1.2. The Surrey Nature Partnership have reported that the likely local rate of species loss is higher in Surrey than the UK average.
- 2.1.3. The Environment Act 2021 introduced a number of new duties for local authorities, which are of relevance to nature recovery and biodiversity, and this includes mandatory BNG.

## **2.2. Mandatory BNG can be met through onsite, offsite, statutory credits, or a combination of these mechanisms**

- 2.2.1. **Onsite:** wherever possible BNG should be achieved onsite via the creation or enhancement of habitat
- 2.2.2. **Offsite:** where BNG cannot be achieved onsite, the loss in biodiversity will need to be 'offset' by creating new habitat somewhere else (as near as possible to the development, as per the biodiversity metric). This can be achieved by:
  - (1) The developer provides offsite habitat units themselves on other land they own.
  - (2) The developer can purchase offsite habitat units from a Habitat Bank on the Natural England BNG register.
  - (3) Statutory credits are a last resort option and sold by Natural England on behalf of Secretary of State. The money will not be ringfenced locally, so could be spent anywhere in England.

## **2.3. Preparing SBC land as a “gain” site**

- 2.3.1. In order to generate biodiversity units for the Borough and to produce a Habitat Bank the following steps must be completed:
  - Have a baseline ecological survey and plan showing existing habitat types and conditions, measured using the statutory biodiversity metric.
  - Have a habitat management and monitoring plan (HMMP) showing the capital work, management prescriptions for the 30 years and timeline of monitoring.
  - Have described the likely resulting habitats after 30 years.
  - Have the generated biodiversity units calculated using the statutory biodiversity metric.
  - Have a legal agreement securing the land and the HMMP for at least 30 years.
  - Be registered on the National Register.

## **2.4. SBC's preparation for off-site land registration**

- 2.4.1. We have proactively identified potential sites for SBC to register and begun preparations. This has been funded using a portion of the Government BNG grant which must be used to prepare locally for mandatory BNG.
- 2.4.2. We have surveyed and baselined three sites. The sites are Long Lane recreation ground, Halliford park and Laleham park *North*. All three sites have had biodiversity metric analyses, and HMMPs are being progressed and are expected to be completed in April. The sites are expected to be ready to be added to the register in May.
- 2.4.3. For the three parks, enhancements do not impact the normal use of the park and are expected to increase park-user's experience of the sites. The enhancements proposed will create habitat units through improving the woodland condition and the addition of a plot of wildflower meadow at Long Lane recreation ground (see appendix 1 for more details).
- 2.4.4. Due to the 30-year legal agreement, which prevents BNG sites to be used for anything other than this purpose, we have initially only selected parks. This is because parks are not in line for development.
- 2.4.5. Further suitable sites for Habitat Bank creation are also being considered.

### **3. Options analysis and proposal**

#### **3.1. Option 1 (recommended): To approve the creation of Habitat Banks on identified Spelthorne Borough land**

- 3.1.1. To work towards completing the remaining steps to put the SBC Habitat Banks on the National Register, so we can incentivise as much offsite habitat units in the borough as possible. The works can be carried out post purchase of habitat units, as long as BNG guidance is followed. Legal agreements will have to be in place to secure them for a 30-year period including monies for development and maintenance.
- 3.1.2. The Biodiversity Officer will work with the Parks Team, to ensure the requirements of the HMMPs are met, similarly to how they currently do with wildflower meadows in the parks. Together, the HMMP and unit pricing calculations will set out the yearly management required and associated costs and money will be drawdown over the 30 year period. It will be drawdown in a similar manner to the existing Countryside Stewardship Grant for SSSI sites in the borough, which provides a spending plan guide per year but is flexible.
- 3.1.3. To continue to identify further areas of opportunity for Habitat Bank locations across the Borough that can be secured for a 30-year period. Legal agreements will have to be in place for this.

#### **3.2. Option 2 (not recommended): Do nothing**

- 3.2.1. This will result in a lack of habitat units that developers can purchase, unless other landowners are considering putting habitat units on the register. If developers are unable to achieve onsite BNG, they will have to purchase habitat units outside of the borough, and we won't gain the benefits of improved biodiversity in the borough.
- 3.2.2. There are currently no other Spelthorne sites on the National Register from other landowners.



### **3.3. Option 3 (not recommended): Do not continue progressing current identified land as Habitat banks and instead find alternative land**

- 3.3.1. This would result in starting the process again of identifying alternative Habitat banks, commissioning new ecological baseline site surveys, using biodiversity metric to identify units and work on HMMPs to prepare sites.
- 3.3.2. This option would be more time consuming, especially depending on the ecological survey calendar for when surveys must be conducted e.g. summer for wildflowers. If we miss a window, we may have to wait another year.
- 3.3.3. Additionally, this would result in using funds from the next Government BNG grant, which could go towards other BNG preparations.

## **4. Financial implications**

- 4.1. The selling of habitat units will provide an income for the Council to both create meaningful habitat and manage it over a 30-year period. The unit pricing will include both the creation or enhancement of the habitat and maintenance of the habitat for the 30 year period. A plan for how management funds will be drawdown over the 30 years will be created based on HMMPs.
- 4.2. The price of the habitat unit is decided by the landowner, in this case SBC. When deciding on the pricing of the units, it must be ensured that the cost will cover the creation and management of the habitat over the 30-year period, the monitoring fees, and inflation SCC and ecologists are assisting in the unit calculations.
- 4.3. The price of habitat units is still to be calculated. This will vary depending on the type of habitat being created, as well as factoring in the cost of the 30-year monitoring and management period. For example, 1 unit of grassland habitat will be less than 1 unit of woodland, due to the type of habitat.
- 4.4. Indicative costs from DEFRA and other Local Authorities suggest that units could be sold anywhere from £20,000 to £40,000.
- 4.5. Initial conversations have been had with SCC and other Surrey districts and boroughs about a standardised pricing across the county, to remove competition between each other. As the cost of habitat work may vary depending on other site-specific factors, SCC's standardised pricing calculator will act as a template but we will adjust pricing for specific sites to ensure we fully cover costs, when appropriate.

## **5. Risk considerations**

- 5.1. There is a risk that if we do not have any land on the register, and there is none available from other landowners in the borough, developers will be forced to purchase units outside of the Spelthorne Borough boundary. This means we will not benefit from enhanced biodiversity in Spelthorne.

## **6. Procurement considerations**

- 6.1. There are no procurement considerations at this time. However, there may be future considerations when work needs to be carried out on Habitat Banks to create and monitor habitat.

## **7. Legal considerations**

- 7.1. To be eligible for registration on the gain site register, land must be secured for 30 years for off-site BNG by one of two legal mechanisms. The first are planning obligations with local planning authorities (LPAs) under section 106 Town and Country Planning Act 1990 (the Act). The second legal mechanism is conservation covenants.
- 7.2. A conservation covenant is a private, voluntary agreement between a landowner and a “responsible” body, such as a conservation charity, government body or a local authority. It delivers lasting conservation benefit for the public good. A covenant sets out obligations in respect of the land which will be legally binding not only on the landowner but on subsequent owners of the land. Currently none are yet possible because there are no ‘responsible bodies’ which must be the counterparts to such agreements.
- 7.3. To secure land with a section 106 agreement the following options are available:
  - 7.3.1 Special purpose vehicle:

The LA can set up a special purpose vehicle and enter a section 106 agreement with them. The special purpose vehicle will carry out the habitat enhancement work and the LA must check that they meet their responsibilities.
  - 7.3.2 Enter an agreement with the county or district council:

If the LA is not a unitary authority, they can enter a section 106 agreement with the county council. The LA will carry out the habitat enhancement work and the county council must check that they meet their responsibilities.
  - 7.3.3 Lease the land to a tenant:

The LA can lease their land to a tenant and enter a section 106 agreement with them. The tenant will carry out the habitat enhancement work and the LA must check that they meet their responsibilities.
- 7.4. Officers are currently working closely with the County Council to explore option of entering into agreements with them. Considering all available options, this seems to be the most straightforward and quickest course of action to enable the sites to be put on the register.

## **8. Other considerations**

- 8.1. Mandatory BNG is a new requirement and there is a high level of uncertainty for all local authorities on how this will work in practice.

## **9. Equality and diversity**

- 9.1. The climate and biodiversity emergency and its impacts will affect all of us. However, many of the effects will be disproportionately felt by those residents and communities who are most vulnerable. By registering land within the borough for BNG, habitat units can be purchased by developers and we will see nature recover locally.
- 9.2. Additional benefits of implementing habitat units on Spelthorne Borough land seeks to address building resilience to the impacts of climate change through

natural solutions and increased health benefits that come with increased biodiversity e.g. improved air quality and community health and wellbeing through enjoyment of flowers and increased wildlife.

## **10. Sustainability/climate change implications**

10.1. The climate and biodiversity emergencies are intrinsically linked. The positive implications of BNG will also have positive impacts on the climate agenda. This includes improving our mitigation of climate change, such as through natural carbon sinks. It also has the opportunity to provide reduced risk from environmental hazards, such as increased flooding events.

## **11. Timetable for implementation**

11.1. If Option 1 is chosen, sites to be added to National Register as soon as fully prepared.

## **12. Contact**

12.1. Anna Fjortoft [a.fjortoft@spethorne.gov.uk](mailto:a.fjortoft@spethorne.gov.uk)

12.2. Gina Cook [g.cook@spelthorne.gov.uk](mailto:g.cook@spelthorne.gov.uk)

**Background papers: There are none.**

## **Appendices:**

Appendix 1 – Habitat Bank Proposal Details

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## Habitat Bank Proposal details:

The proposals for the three Habitat Banks have been mindfully formulated to increase both the biodiversity value of the park and the enjoyment of park users. Visitors will benefit from the aesthetic improvements to sites associated with increased wildlife without compromising on the normal use of the park for recreational activities such as dog walking, sports, and picnics.

## Long Lane Recreation Ground:



Map 1: Baseline survey of Long Lane Recreation Ground provided by CGO ecology.

An improvement in woodland condition (dark green area around the north, east and south) would create at least two, but likely more, units. A wildflower meadow of 0.6 hectares would create approximately 1 unit. This will be placed at the Southeast of the site.

## Halliford Park:



Map 2: Baseline survey of Halliford Park provided by CGO ecology.

Improving the condition of the existing woodland (dark green) could create 2.96 units.

## Laleham Park North:



Map 3: Baseline survey of Laleham Park *North* provided by CGO ecology.

Improvement in woodland condition could create 10.78 units.



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# Corporate Policy and Resources Committee

15<sup>th</sup> April 2024



<b>Title</b>	<i>Sundry Debt Write Offs</i>
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	Sandy Muirhead Group Head Commissioning and Transformation Terry Collier Deputy Chief Executive Section 151 Officer
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	<i>reason N/A</i>
<b>Corporate Priority</b>	Services
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <p>Approve the Sundry Debt write offs set out amounting to £383,095 of which £373,834 relates to Housing Benefits overpayments (offset by housing benefit bad debt provision on balance sheet of £2,879,952 at March 31 2023)</p> <p>.</p>
<b>Reason for Recommendation</b>	Irrecoverable Debt for the reasons set out in the appendices

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>There are a number of debts which are irrecoverable despite best efforts to recover them.</li> </ul>	<ul style="list-style-type: none"> <li>To meet the requirements of the Council's standing orders and best practice by CIPFA we need to formally write off the debts</li> </ul>
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>To formally write off the debts as required</li> </ul>	<ul style="list-style-type: none"> <li>To write off these debts but continue with our recovery procedures to minimise ultimate write offs as far as possible.</li> </ul>

- 1.1 Recovery and write off procedures for non-payment are set out in the Council's Standing Orders. The write off requests included in this report are for amounts above the delegated limit contained in the Council's Standing Orders.
- 1.2 The debts referred to in this report have reached a point where their recovery is no longer possible for reasons stated in each case.

## **2. Key issues**

- 2.1 The Council has clear recovery and write off procedures for non-payment but in certain cases despite pursuing the debt it becomes irrecoverable for various reasons. These reasons are outlined in relation to specific debts in Appendix 1.
- 2.2 As the write off cases in Appendix 1 explain, no further can be taken to recover these debts and it is good accounting practice in such cases to write them off.

From the cases listed in Appendix 1 detailing the Sundry Debt that remain unpaid and not possible to collect, it is proposed that these are to be written off to the collective value of £383,095.

## **3. Options analysis and proposal**

- 3.1 No further action can be taken to recover these debts and it is good accounting practice in such cases to write them off and as such, no other options are available.
- 3.2 Listed in Appendix 1 are the details of debts of £383,095 relating to Sundry Debt that remain unpaid and not possible to collect. It is proposed that these are to be written off. Housing Benefits have not put any cases to Committee for write off for many years and this is why there is the number and amounts that are being quoted in the report as housing benefits have allocated additional resources in the team to look at these matters recently.

## **4. Financial management comments**

- 4.1 The proposed write offs are covered by the bad debt provision of £2,879,952 made in accordance with the CIPFA accounting code of practice.
- 4.2 The details of the write offs are provided in Appendix 1.

## **5. Risk management comments**

- 5.1 In providing a range of services whether Council tax, business rates, housing benefits overpayments and bed and breakfast costs there is always a risk that recipients will not pay or pay back the monies provided to them. In the case of housing benefits overpayments, we are constrained by the regulations as to how much we can recover on a weekly basis. This risk is mitigated by ensuring we have a clear recovery process and monitor payments each month and then put in place as soon as possible recovery (or payment) mechanisms if someone is slipping into debt. Unfortunately, in some cases usually in relation to death and fraud we cannot recover the money.

## **6. Procurement comments**

- 6.1 There is no procurement requirements in this report.

## **7. Legal comments**

7.1 Legal are involved where appropriate in recovery processes.

## **8. Other considerations**

8.1 A balance needs to be achieved between not incurring expenditure chasing debts which are not going to be recovered and overstating the debtor assets of the authority; and ensuring that the Council is seen as robustly pursuing debtors. The Council has a robust recovery policy and process in place. Due to a restructure in customer services there will be greater provision of resource to further recover debts owed to the Council.

## **9. Equality and Diversity**

9.1 In trying to recover debt we need to ensure we have an equitable approach to all, and this is ensured through our recovery policy.

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

10.1 Ensuring we maximise wherever possible debt assists our financial sustainability which contributes to the Council also achieving its social and environmental goals.

## **11. Timetable for implementation**

The agreed write offs should be actioned as soon as practicable.

## **12. Contact**

12.1 Sandy Muirhead Group Head Commissioning and Transformation 01784 446318

12.2 Terry Collier Deputy Chief Executive 01784 446296

**Background papers: There are none.**

### **Appendices:**

**Appendix 1** Summary of Irrecoverable debts,

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## Appendix 1 Confidential

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 390626	Mr A	£20,166.26	18.06.07 to 29.11.10	
Summary	<p>This invoice was raised on 08<sup>th</sup> August 2013.</p> <p>Benefit claim was assessed from 18<sup>th</sup> August 2007; however, after a fraud/police investigation it was discovered in March 2013 that this was a false claim from the outset under a false name. Benefit claim was cancelled from the start of the claim and an invoice was raised.</p> <p>Claimant was imprisoned for other fraud activities.</p> <p>Claimant died on 08<sup>th</sup> August 2020</p>			
<b>Total Sundry Debt</b>	<b>£20,166.26</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 382935	Ms J	£13,237.47	03.09.07 to 22.06.09	
Summary	<p>Invoices raised on 10<sup>th</sup> June 2009 and 07<sup>th</sup> July 2009.</p> <p>First invoice was raised due to a new rent officer decision on the levels of acceptable rent due to uninformed changes in household composition.</p> <p>Second invoice was raised as we were uninformed that the claimant had vacated the property and had moved out of the borough.</p> <p>We followed normal avenues of collection to recover the debt and the case went to our legal section at the time to pursue the debt in the county court and payments were being received. However, when the claimant died a balance of the debt was still outstanding.</p> <p>Claimant died on 29<sup>th</sup> April 2019.</p>			
<b>Total Sundry Debt</b>	<b>£13,237.47</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 361024	Mr M	£12,552.78	10.04.17 to 19.09.19	
Summary	<p>This invoice was raised on 21<sup>st</sup> October 2019.</p> <p>Claim was assessed based on the claimant being in receipt of Employment Support Allowance.</p> <p>We were subsequently informed in September 2019 that his entitlement to this benefit had ceased by the DWP, and he did not supply proof of any alternative income.</p> <p>Claimant died on 21<sup>st</sup> October 2020.</p>			
<b>Total Sundry Debt</b>	<b>£12,552.78</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 352716	Mr M	£11,892.44	24.03.14 to 06.02.17	
Summary	<p>This invoice was raised on 10<sup>th</sup> May 2017.</p> <p>Non dependant easement was removed from the claim from 24<sup>th</sup> March 2014. The easement should have been only for 26 weeks but was left on in error, so no non-dependant deduction was being taken from the claim.</p> <p>The invoice was being recovered from ongoing benefit payments, but a balance is still outstanding on the claim.</p> <p>Claimant died on 21<sup>st</sup> March 2021.</p>			
<b>Total Sundry Debt</b>	<b>£11,892.44</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 416364	Ms C	£23,888.73	25.09.06 to 11.04.11	
Summary	<p>This invoice was raised on 19<sup>th</sup> April 2011.</p> <p>As a result of a fraud investigation, it was discovered that the claimant had an undisclosed partner for this period. We started recovering the debt. However, when the claimant died a balance of the debt was still outstanding due to no method now available to recover the debt the debt needs to be written off.</p> <p>Claimant died on 05<sup>th</sup> September 2015.</p>			
<b>Total Sundry Debt</b>	<b>£23,888.73</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 434401	Mr B	£11,686.10	20.01.14 to 25.07.16	
Summary	<p>This invoice was raised on 21<sup>st</sup> July 2016.</p> <p>This claim was assessed based on pension credits. We were then informed in July 2016 by the DWP, that the claimant had capital over the capital limit of £16,000. Arrangement was made to clear the debt, but a balance is still outstanding.</p> <p>Claimant died on 04<sup>th</sup> August 2017.</p>			
<b>Total Sundry Debt</b>	<b>£11,686.10</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 440408	Ms I	£10,828.32	07.06.10 to 21.03.16	
Summary	<p>Multiple invoices raised on 13<sup>th</sup> July 2015.</p> <p>Claimant was originally on income support.</p>			

	<p>After a fraud investigation it was discovered that there were multiple limited periods where the claimant was not in receipt of income support. Reassessments were done for these periods and invoices raised. Overpayments were being recovered from ongoing benefit, but a balance is still outstanding.</p> <p>Claimant died on 15<sup>th</sup> September 2017.</p>
<b>Total Sundry Debt</b>	<b>£10,828.32</b>

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 402459	Mr O	£6,660.37	07.04.08 to 01.12.14	
Summary	<p>This invoice was raised on 01<sup>st</sup> December 2014.</p> <p>Claim was originally assessed on 100% liability. Subsequently informed by her landlord A2D that the claimant was only liable for 50% of the liability. Invoice was raised and was being recovered from ongoing benefit, but a balance is still outstanding.</p> <p>Claimant died on 27<sup>th</sup> July 2023</p>			
<b>Total Sundry Debt</b>	<b>£6,660.37</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 422112	Ms S	£6,259.61	25.11.19 to 26.09.22	
Summary	<p>Two invoices were raised on 12<sup>th</sup> July 2022 and 27<sup>th</sup> September 2022.</p> <p>First invoice of £6187.39 was raised due to a review where we discovered that the claimant's entitlement to Attendance Allowance had ceased. The second invoice of £72.22 was raised as we were informed that the claimant had deceased.</p>			



	Claimant died on 16 <sup>th</sup> September 2022.
<b>Total Sundry Debt</b>	<b>£6,259.61</b>

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 437330	Ms C	£6,264.90	14.04.14 to 21.09.15	
Summary	<p>Two invoices were raised on 02<sup>nd</sup> December 2014 and 09<sup>th</sup> March 2016.</p> <p>First invoice was a limited cancellation due to the claimant's capital being over the capital limit of £16,000 and her employment support allowance had ceased.</p> <p>Second invoice was a limited cancellation due to the claimant's job seekers allowance entitlement ceasing.</p> <p>Claimant died on 06<sup>th</sup> February 2019.</p>			
<b>Total Sundry Debt</b>	<b>£6,264.90</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 441261	Ms M	£5,218.53	13.07.15 to 23.03.15	
Summary	<p>This invoice was raised on 11<sup>th</sup> September 2015.</p> <p>Due to information received from the DWP we were informed that the claimant was receiving an undisclosed private pension. We were recovering the overpayment from ongoing benefit payments, but a balance is still outstanding.</p> <p>Claimant died on 26<sup>th</sup> March 2016.</p>			
<b>Total Sundry Debt</b>	<b>£5,218.53</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 424673	Mr J	£5,470.79	23.04.12 to 23.12.13	
Summary	<p>Two invoices were raised on 12<sup>th</sup> December 2013 and 20<sup>th</sup> December 2013.</p> <p>Due to a fraud investigation the first invoice was created as undisclosed Industrial Injuries Benefit was added to the claim. The second invoice was created as due to the fraud investigation, the claim was cancelled as the claimant had capital/assets over the capital limit of £16,000.</p> <p>Claimant died on 16<sup>th</sup> August 2020.</p>			
<b>Total Sundry Debt</b>	<b>£5,470.79</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 422222	Ms S	£57,929.09	08.01.09 to 10.04.17	
Summary	<p>This invoice was raised on 28<sup>th</sup> October 2019.</p> <p>This claim was cancelled after a DWP fraud investigation which confirmed that this was a false claim and there was no liability to pay rent as she was claiming benefit in different boroughs at the same time.</p> <p>Claimant died on 27<sup>th</sup> September 2023.</p>			
<b>Total Sundry Debt</b>	<b>£57,929.09</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 379566	A2Dominion 113 Uxbridge Road W5 5TL	£21,878.01		
Summary	The following A2D tenants have invoices raised and outstanding:			

	<ul style="list-style-type: none"> <li>• Ms LB – Original invoice raised on 25<sup>th</sup> October 2010 for £11,918.21 (ref 80070550x) – balance outstanding £9918.21.</li> <li>• Mr GL – Original invoice raised on 01<sup>st</sup> February 2012 for £11,677.95 (ref 800463438) – balance outstanding £6677.95.</li> <li>• Mr FW – Original invoice raised on 18<sup>th</sup> April 2013 for £10,281.85 (ref 800548711) – balance outstanding £5281.85.</li> </ul> <p>In all three cases the tenants were moved permanently into care homes. However, neither A2D nor ourselves were notified of this in a timely manner. Hence when this was discovered large overpayments were created. There were no assets to recover from the tenants to clear these overpayments.</p> <p>In each case the landlord A2D were billed to recover the invoice. However, A2D disputed paying back these invoices as they were not aware the tenant's had vacated as well.</p> <p>To resolve this matter a mediation meeting was arranged in September 2017 with A2D and Terry Collier to discuss a suitable resolution for both parties. It was agreed that the invoices would be split so that A2D would make a contribution totalling £12,000 towards the overpayments and that Spelthorne would not pursue the outstanding balances and the remainder would be written off.</p>
<b>Total Sundry Debt</b>	<b>£21,878.01</b>

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 391007	Mr A	£49,561.44	04.12.06 to 03.12.12	
Summary	<p>This invoice was raised on 22<sup>nd</sup> January 2013.</p> <p>As a result of a DWP / Local authority and Police fraud investigation which was started in November 2012, it was discovered that this was a false claim from the outset; conspiracy to commit fraud by false representation. Benefit claim was cancelled from the start of the claim and an invoice was raised.</p> <p>No method of debt recovery available to recover the debt as unable to trace.</p>			
<b>Total Sundry Debt</b>	<b>£49,561.44</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 397247	Mr A	£33,458.61	10.03.08 to 04.06.12	
Summary	<p>This invoice was raised on 15<sup>th</sup> March 2013.</p> <p>As a result of a DWP / Local authority and Police fraud investigation which was started in November 2012, it was discovered that this was a false claim from the outset; conspiracy to commit fraud by false representation. Benefit claim was cancelled from the start of the claim and an invoice was raised.</p> <p>No method of debt recovery available to recover the debt as unable to trace.</p>			
<b>Total Sundry Debt</b>	<b>£33,458.61</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 375450	Ms M	£35,613.37	07.03.05 to 21.12.09	
Summary	<p>This invoice was raised on 06<sup>TH</sup> January 2012.</p> <p>Claim was initially assessed based on income support entitlement. As a result of a DWP and Local authority fraud investigation the claimant was not entitled to income support entitlement and the benefit claim was cancelled for the above period.</p> <p>The claimant has moved to the USA in October 2012 so there is no method of debt recovery available to recover the debt.</p>			
<b>Total Sundry Debt</b>	<b>£35,613.37</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 407807	Ms LJ	£10,653.65	10.09.12 to 08.08.16	
Summary	<p>Two invoices were raised on 06<sup>th</sup> December 2016.</p> <p>Claim was assessed on the basis that the claimant was in receipt of Employment Support Allowance.</p> <p>As a result of a DWP investigation in November 2016, it was decided by the DWP that she was not entitled to this benefit as she had capital over £16,000 which was above the capital limit for a limited period of time from 2012 to 2016.</p> <p>We were recovering the overpayment from ongoing benefit payments until claimant moved to universal credit, but a balance is still outstanding.</p> <p>Unable to continue to recover due to financial circumstances and medical / mental ill health as confirmed by the DWP and in line with the DWP's decision on their overpayment.</p>			
<b>Total Sundry Debt</b>	<b>£10,653.65</b>			

Type of Debt (reference no.)	Name and address	Amount £	Period	Comments
Housing Benefits 408877	Ms O	£30,607.85	24.01.05 to 31.01.11	
Summary	<p>This invoice was raised on 26<sup>th</sup> March 2012.</p> <p>Claim was originally assessed based on income support entitlement.</p> <p>After a DWP investigation the claim was cancelled as she was not a permanent resident in the UK.</p> <p>The claimant is resident in the USA so there is no method of debt recovery to recover the debt. The DWP have an arrest warrant held if she should ever enter the UK again.</p>			
<b>Total Sundry Debt</b>	<b>£30,607.85</b>			

## Housing Options

Type of Debt (reference no.)	Name and address	Amount £	Year	Comments
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Type of Debt (reference no.)	Name and address	Amount £	Year	Comments
Sales Ledger Customer Code: 41556	Mr S	4,804.87	2018	
Summary	In order to avoid homelessness, Mr S was given a Homeless Prevention Loan which he should have paid back in instalments. Payments were not received. Two arrears letters sent and passed for further recovery action in March 2023. No response received and current address not certain. Debt now almost 6 years old.			
<b>Total Sundry Debt</b>	<b>£4,804.87</b>			

Type of Debt (reference no.)	Name and address	Amount £	Year	Comments
Sales Ledger Customer Code: 52328	Miss H	4,456.31	2023	
Summary	Miss H was placed into emergency accommodation in November 2022. There was multi-agency involvement but a lack of engagement on Miss H's part with all agencies, part of which led to Housing Benefit not being paid for the accommodation charges and Miss H did not pay her personal charges either. The current address for Miss H is not known and given issues around Domestic Violence and Child Protection I believe it unlikely that payment of this debt will be realised. Would therefore ask that the debt be written off.			
<b>Total Sundry Debt</b>	<b>£4,456.31</b>			

# Corporate Policy & Resources



Date of meeting **Monday 15 April 2024**

<b>Title</b>	<i>Woodthorpe Road play area upgrade</i>
<b>Purpose of the report</b>	To make a decision
<b>Report Author</b>	<i>Jackie Taylor Group Head Neighbourhood Services</i>
<b>Ward(s) Affected</b>	Ashford Town Ward
<b>Exempt</b>	No
<b>Exemption Reason</b>	<i>Not applicable</i>
<b>Corporate Priority</b>	Community Environment Services
<b>Recommendations</b>	<b>Committee is asked to:</b> 1) Authorise the Group Head of Neighbourhood Services to commence a tender for the procurement of play area equipment 2) Delegate authority to the Group Head Neighbourhood Services and Chair of Environment & Sustainability to appoint the chosen supplier/s 3) Authorise the Group Head of Corporate Governance to enter the contract with the selected supplier
<b>Reason for Recommendation</b>	<b>The Southampton to London pipeline (SLP) project has created a negative impact on the community whilst the works were ongoing. By way of giving back to the community Esso agreed to fund an £85k upgrade of equipment within the play area on Woodthorpe Road Recreation Ground.</b>

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>As part of the SLP, Esso agreed to contribute £85k towards the upgrade of play facilities on Woodthorpe Road which have been impacted due to the SLP project.</li> </ul>	<ul style="list-style-type: none"> <li>This money has been ring fenced for spend on this play area which is now need of an upgrade.</li> </ul>
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> <li>Procure equipment to meet the needs of residents and visitors who make use of this valuable play facility</li> </ul>	<ul style="list-style-type: none"> <li>Complete a procurement exercise for the purchase and installation of new equipment to replace existing equipment which is now outdated.</li> </ul>
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1.1 This report seeks permission from committee to commence a tender exercise for the purchase and installation of play equipment, funding for which has been made available by Esso as part of the SLP project.

1.2 The funding will allow for improvements to the existing play equipment and surfaces providing where possible impact absorbing play surfaces.

1.3 The procurement exercise will require tender returns to evidence and quote for design, supply and installation of playground equipment.

**2. Key issues**

2.1 Esso have agreed that as the play area and surrounding green spaces have been impacted by the SLP over a protracted period of time that by way of a contribution to the local community they will contribute £85k towards the upgrade of play equipment within this very popular play area on Woodthorpe Road Ashford.

2.2 The allotments and parks strategy officer has been in contact with ward Cllrs from Ashford Town Ward to seek their views on what equipment they would like to see replaced and/or improved within the play area.

**3. Options analysis and proposal**

3.1 As the residents and users of this very popular facility have been impacted over a prolonged period of time due to the SLP works Esso directed this funding to be made available for the play area upgrade and there are therefore no other options to consider.

**4. Financial management comments**

4.1 This funding has already been made available and there are no additional financial implications for the borough.

4.2 These play areas are already in existence and are therefore already budgeted for in terms of insurance, on-going maintenance, and repairs.

**5. Risk management comments**

5.1 The procurement exercise will ensure that the proposals for this area come in within the budget parameters.

5.2 The funding has already been received and there are no financial risk issues.

5.3 Following the correct procedure will ensure that we get best value from the potential suppliers.

**6. Procurement comments**

6.1 Procurement has been supporting the project to date and will continue to support the tendering exercise for a suitable contractor to meet the project requirements, to ensuring value for money is achieved from a compliant tender process.



6.2 The value of the works is well below the threshold at which the Public Contracts Regulations 2015 apply. For this value of works a tender with a minimum of three contractors is required.

## **7. Legal comments**

7.1 The legal team have been consulted and have no further comments

## **8. Equality and Diversity**

8.1 The equipment within the play areas is freely accessible to all members of the community falling within the desired age group. Consideration for inclusive play and the Disability Discrimination Act (DDA) regulations will be considered during the tender evaluation stages.

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

9.1 Environmentally sustainable procurement is the commissioning, purchase, and management of goods, works and services in a way that reduces or negates negative environmental impacts within the supply chain. The evaluation of tenders received will consider four interconnected focus areas of environmentally sustainable procurement being: -

- Climate Change mitigation and adaptation.
- Prevention of pollution.
- Sustainable resource use and consumption; and
- Protection and restoration of biodiversity.

## **10. Timetable for implementation**

10.1 The documents to enable this procurement exercise to commence have already been created. As soon as authority to proceed has been given by CPRC the tender exercise will begin.

## **11. Contact**

11.1 Jackie Taylor  
Group Head Neighbourhood Services  
01784446411

**Background papers: There are none.**

**Appendices: There are none**

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# Corporate Policy and Resources Committee

15 April 2024



<b>Title</b>	Houses in Multiple Occupation
<b>Purpose of the report</b>	<ul style="list-style-type: none"> <li>To make a decision</li> </ul>
<b>Report Author</b>	<p>Esmé Spinks, Planning Development Manager</p> <p>Tracey Wilmott-French, Senior Environmental Health Manager</p> <p>Susan Turp, Principal Environmental Health Officer</p>
<b>Wards Affected</b>	All wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	<p>Community</p> <p>Addressing housing needs</p> <p>Environment</p> <p>Services</p>
<b>Recommendations</b>	<p><b>The Corporate Policy and Resources Committee is asked to note:</b></p> <ul style="list-style-type: none"> <li>the contents of this report.</li> <li>that HMOs will be continued to be monitored by the Planning Enforcement and Environmental Health teams; and</li> </ul> <p><b>The Corporate Policy and Resources Committee is asked to agree:</b></p> <ul style="list-style-type: none"> <li>that if the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the CP&amp;R Committee by 1 May 2025.</li> </ul>
<b>Reason for Recommendation</b>	<p>The Planning and Environmental Health services assessed whether an Article 4 Direction should be served in respect of HMOs in 2018 and 2020 and it was agreed that there was insufficient evidence. This matter has now been reassessed with a further four years of data. It is now recommended that there is still insufficient evidence but that that if the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a</p>

	further report will be brought to the CP&R Committee by 1 May 2025. that if the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the CP&R Committee by 1 May 2025.
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## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>In 2018 and 2020, HMOs were assessed to consider whether an Article 4 Direction should be served. It was agreed there was insufficient evidence to justify taking this action. A further assessment has now been undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>Planning and Environmental Health services have a duty to investigate complaints and to ensure that the licencing process is properly enforced.</li> </ul>
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>To continue to monitor the Planning and Environmental Health complaints associated with HMOs to establish if further controls are needed.</li> </ul>	<ul style="list-style-type: none"> <li>If the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the CP&amp;R Committee by 1 May 2025.</li> </ul>

- 1.1 Under current planning legislation, the conversion of a dwelling to a house in multiple occupation (HMO) is ‘permitted development’ and a planning application is not required, providing it is occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
- 1.2 However, it is possible to make an Article 4 Direction under the Town & Country Planning (General Permitted Development) (England) Order to remove Permitted Development Rights for HMOs (which would mean that planning permission would be required for any HMO regardless of the number of occupants) in certain areas. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction, would be permitted development (i.e. does not require planning permission). Article 4 Directions are intended for use in exceptional

circumstances where evidence suggests that development under Permitted Development rights harms local amenity or the proper planning of an area.

- 1.3 This report uses Planning and Environmental Health data to undertake a spatial analysis, by ward, of the numbers and types of HMOs which exist and the extent of the complaints received in Spelthorne.
- 1.4 It is considered that given the available data, evidence is insufficient to justify the introduction of an Article 4 Direction in Spelthorne. However, it is recommended that HMOs continue to be monitored by the Planning Enforcement and Environmental Health teams. If the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a report will be brought to the CP&R Committee in the future.
- 1.5 This matter was previously considered by the former O&S Committee in November 2018 and January 2020 where it was also agreed that given the available data, evidence was insufficient at that stage to justify the introduction of an Article 4 Direction. Copies of the previous reports (which covered three years from 01/10/16 - 30/09/19) and their appendices are attached as an annex to this report.

## **2.0 Key issues**

- 2.1 Under planning legislation, The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the UCO) sets land use activities into various use classes. Uses are grouped into Classes B, C, E, F and *sui generis* (a unique use class not within a specified class) and within each group, there are further subdivisions of use classes. Planning permission is normally required to change from one use class to another although there are exceptions where the legislation does allow some changes between uses (The Town and Country Planning (General Permitted Development) (England) Order 2015).
- 2.2 Dwellings fall within use class C3 of the UCO. Houses in multiple occupation (HMOs) are contained within both Use Class C4 or *sui generis*. Class C4 defines an HMO as:

*Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.*
- 2.3 An HMO larger than this (i.e. with 7 or more unrelated people) is classed as a '*sui generis*' use for which planning permission is always required.
- 2.4 It is currently permitted to change from a Class C3 dwelling house to Class C4 HMO property without planning permission. It is also permitted to change a Class C4 HMO property back to a Class C3 dwelling house without planning permission.
- 2.5 However, converting dwellings to an HMO, when classed as *sui generis* (i.e. seven or more occupants) will require planning permission. Likewise, a

conversion from a large HMO to any other use will also require planning permission.

- 2.6 When planning restrictions were freed up in October 2010, it was made clear by the government that, *“in those areas experiencing problems with uncontrolled HMO development, local authorities will be able to use their existing direction making powers to restrict this freedom of movement by requiring planning applications.”*
- 2.7 In 2013 the (then) Communities and Local Government Select Committee considered the issue of high concentrations of HMOs as part of its inquiry into the private rented sector. The Committee concluded that controlling the spread of HMOs should be a matter for local determination and supported the use of Article 4 Directions to manage conversions to HMO. The Government agreed with the Committee’s recommendation.
- 2.8 Directions are made under the Article 4 Direction of the Town & Country Planning General Permitted Development Order which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area. They remove Permitted Development Rights for certain types of specified development in certain areas but cannot be used to restrict changes between uses in the same use class of the Use Classes Order. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction would be permitted development (i.e. does not require planning permission).
- 2.9 Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights, such as the spread of HMOs, harms local amenity or the proper planning of an area.
- 2.10 The National Planning Policy Framework (NPPF) 2023 advises that all article 4 directions should be applied in a measured and targeted way. They should be based on robust evidence and apply to the smallest geographical area possible. Requirements for removing permitted development rights compels the planning authority to demonstrate that the removal is necessary to protect local amenity or the wellbeing of a particular geographic area. The PPG advises that article 4 directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area. The potential harm that the article 4 direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to, for e.g., a wide area (e.g. those covering a large proportion of or the entire area of a local planning authority) and an area extending beyond the essential core of a primary shopping area.
- 2.11 The PPG further advises that if a local planning authority makes an article 4 direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn, but only if it then subsequently:
  - refuses planning permission for development which would otherwise have been permitted development; or

- grants planning permission subject to more limiting conditions than the General Permitted Development Order

The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.

2.12 In procedural terms there are two types of Article 4 Directions: -

- Non-Immediate Direction – permitted development rights are withdrawn 12 months from service of the direction after a period of consultation.
- Immediate Direction – permitted development rights are withdrawn immediately but must be confirmed within six months after a period of consultation. The Council becomes liable for abortive expenditure or other loss or damage attributable to withdrawal of the permitted development rights, if a subsequent application is refused. The ‘other loss or damage’ would include the difference in the value of the site and would expose the Council to potentially significant financial liability.

2.13 Consequently, compensation would be payable in some circumstances to those whose PD rights are withdrawn if the LPA imposed what is known as an “Immediate” Article 4 Direction and then refused planning permission for that which would otherwise have been PD; or granted permission subject to more limiting conditions than would have been applied by the General Permitted Development Order (GPDO). However, if the Council is providing 12 months’ prior notice of the removal of PD rights in respect of HMOs (known as a “Non-Immediate” Article 4 Direction), then there is no ability to claim compensation.

2.14 The circumstances in which an immediate direction can restrict development are limited. Immediate directions can be made in relation to development permitted by the General Permitted Development Order, where the development presents an immediate threat to local amenity or prejudices the proper planning of an area. Immediate directions can also be made in relation to certain types of development in conservation areas. In all cases the local planning authorities must have already begun the consultation processes towards the making a non-immediate article 4 direction. Consequently, if the Article 4 takes effect less than one year from issue, compensation can be payable to affected landowners.

2.15 A local planning authority must, as soon as practicable after confirming an article 4 direction, inform the Secretary of State. The Secretary of State does not have to approve article 4 directions and will only intervene when there are clear reasons for doing so. The Secretary of State has the power to modify or cancel article 4 directions at any time before or after they are made but will not use their powers unless there are clear reasons why intervention at this level is necessary.

2.16 It should be noted that planning applications required by Article 4 Directions were previously exempt from planning application fees, but this exemption has been removed and a planning fee is payable. The current fee would be £578 per

application. In addition, a HMO licence fee may also be payable should it meet the HMO licensing requirements, that is if the property is an HMO with 5 or more occupants where there is sharing of basic amenity.

### **3.0 Options analysis and proposal**

3.1 At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs fulfil a vital role in providing accommodation for individuals and are an essential part of the housing stock. The cost of living in an HMO is cheaper than self-contained accommodation, which is beyond the affordability of many residents. HMOs provide an essential tenure of housing and are an important element of the Council's housing stock. The Council's Corporate Plan identifies under 'Addressing Housing Need' three actions for 2024/2025, one of which is to "work proactively with landlords and private housing providers of Homes of Multiple Occupation and temporary B&B accommodation to tackle poor conditions and anti-social behaviour".

3.2 However there are concerns that as well as providing much needed affordable accommodation to residents, HMOs can also have negative effects. Impacts, either real or perceived from complaints received include the following:

- Noise and anti-social behaviour □
- Imbalanced and unsustainable communities
- Negative impact on the physical environment
- Pressures upon parking provision
- Growth in private rented sector at the expense of owner-occupation
- Increased crime, and
- Pressure upon local community facilities.

3.3 All planning enforcement complaints received relating to HMOs which did not require planning permission because they contained six residents or less have been recorded.

The following dates have been used:

- 01/10/19 – 30/09/20
- 01/10/20 – 30/09/21
- 01/10/21 – 30/09/22
- 01/10/22 – 30/09/23

The reports considered by the former O&S Committee meeting in November 2018 and January 2020 assessed data over the three preceding years, 01/10/16 - 30/09/19. These are attached as an appendix.

3.4 The results for the four most recent years are shown by ward in the following tables. The search criteria used was 'Case Reference' - "'\*HMO\*'", date range in 'Date Received' and 'Ward'. Each of the tables are followed by a table showing



the reasons why planning permission was not required. Several complaints listed were investigated by the Planning Enforcement officers and it was established they were not HMOs at all.

Table 1 - HMO complaints by ward where Planning Permission was not required as it was Permitted Development between 1 October 2019 and 30 September 2020

Ward	Referred by EH	Numbers of Complaints	Numbers of Households	Number of complaints as a % of households
Ashford East	1	2	2,959	0.067%
Riverside & Laleham	2	2	2,846	0.07%
Staines	1	1	3,528	0.028%
Staines South	2	2	2,899	0.068%
Stanwell North	0	1	3,250	0.031%
Sunbury Common	1	1	3163	0.031
<b>Average</b>	-	-	<b>3107.5</b>	<b>0.039</b>
<b>Total</b>	<b>7</b>	<b>9</b>		

Table 1A - Reasons Planning Permission was not required between 1 October 2019 and 30 September 2020

<b>By Ward &amp; Reason</b>	<b>Count of Reason PP Not Required</b>
<b>Ashford East</b>	<b>2</b>
HMO Permitted Development	2
<b>Riverside &amp; Laleham</b>	<b>2</b>
HMO Permitted Development	2
<b>Staines</b>	<b>2</b>
HMO Permitted Development	1
Established use (8 person HMO)	1
<b>Staines South</b>	<b>2</b>
HMO Permitted Development	2
<b>Stanwell North</b>	<b>3</b>
HMO Permitted Development	1
Established Use (8 person HMO)	1
House was unoccupied	1
<b>Sunbury Common</b>	<b>1</b>
HMO Permitted Development	1
<b>Sunbury East</b>	<b>1</b>
Planning permission for 8 flats	1
Total complaints	13
<b>Total Complaints HMO Permitted Development</b>	<b>9</b>

- 3.5 Of the 13 complaints received between 1 October 2019 and 30 September 2020, only 9 related to HMOs which were permitted development.

Table 2 - HMO complaints by ward where Planning Permission was not required as it was Permitted Development between 1 October 2020 and 30 September 2021

<b>Ward</b>	<b>Referred by EH</b>	<b>Numbers of Complaints</b>	<b>Numbers of Households (2021 Census)</b>	<b>Number of complaints as a % of households</b>
Ashford North & Stanwell South	3	3	3,557	0.084%
Ashford Common	1	3	3,392	0.089%
Ashford East	1	1	3,061	0.033%
Ashford Town	1	2	2,968	0.067%
Riverside & Laleham	1	1	2,855	0.035%
Staines	3	4	4,009	0.1%
Staines South	1	1	2,912	0.034%
Stanwell North	1	3	3,390	0.089%
<b>Average</b>	-	-	<b>3,268</b>	<b>0.055%</b>
<b>Total</b>	<b>12</b>	<b>18</b>	-	-

Table 2A - Reasons Planning Permission was not required between 1 October 2020 and 30 September 2021

<b>By Ward &amp; Reason</b>	<b>Count of Reason PP Not Required</b>
<b>Ashford North &amp; Stanwell South</b>	<b>3</b>
HMO Permitted Development	3
<b>Ashford Common</b>	<b>3</b>
HMO Permitted Development	3
<b>Ashford East</b>	<b>1</b>
HMO Permitted Development	1
<b>Ashford Town</b>	<b>2</b>
HMO Permitted Development	2
<b>Riverside &amp; Laleham</b>	<b>1</b>
HMO Permitted Development	1
<b>Staines</b>	<b>6</b>
HMO Permitted Development	4
Planning permission granted 2014 for 10 person HMO	1
14 person HMO – Established Use - CLD	1
<b>Staines South</b>	<b>1</b>
HMO Permitted Development	1
<b>Stanwell North</b>	<b>4</b>
HMO Permitted Development	3
Family Dwelling House	1
<b>Sunbury East</b>	<b>1</b>
Not HMO, Internal work on dwelling house	1
Total complaints	22
<b>Total Complaints HMO Permitted Development</b>	<b>18</b>

- 3.6 Of the 22 complaints received between 1 October 2020 and 30 September 2021, 18 related to HMOs which were permitted development. This year contained the highest number of complaints. This could reflect the Covid lockdown with more people at home to observe their neighbourhood (the total number of enforcement complaints increased in 2021) and possibly a change in the normal pattern of living during this unusual time.

Table 3 - HMO complaints by ward where Planning Permission was not required as it was Permitted Development between 1 October 2021 and 30 September 2022

Ward	Referred by EH	Number of Complaints	Number of Households 2021 Census	Number of complaints as a % of households
<u>Ashford North &amp; Stanwell South</u>	3	3	3,557	0.084%
Ashford Town	1	1	2,968	0.034%
Ashford East	0	1	3,061	0.033%
Sunbury Common	1	2	3,258	0.061%
<b>Average</b>	-	-	<b>3,211</b>	<b>0.053%</b>
<b>Total</b>	<b>5</b>	<b>7</b>	-	-

Table 3A - Reasons Planning Permission was not required between 1 October 2021 and 30 September 2022

By Ward & Reason	Count of Reason PP Not Required
<b>Ashford North &amp; Stanwell South</b>	<b>3</b>
HMO Permitted Development	3
<b>Ashford Town</b>	<b>1</b>
HMO Permitted Development	1
<b>Ashford East</b>	<b>1</b>
HMO Permitted Development	1
<b>Staines</b>	<b>1</b>
Large HMO for over 4 years, out of time .	1
<b>Stanwell North</b>	<b>1</b>
Not a HMO, single occupant	1
<b>Sunbury Common</b>	<b>3</b>
Family Dwelling House	1
HMO Permitted Development	2
Total complaints	10
<b>Total Complaints HMO Permitted Development</b>	<b>7</b>

- 3.7 Of the 10 complaints received between 1 October 2021 and 30 September 2022, 7 related to HMOs which were permitted development.

Table 4 - HMO complaints by ward where Planning Permission was not required as it was Permitted Development between 1 October 2022 and 30 September 2023

Ward	Referred by EH	Numbers of Complaints	Numbers of Households	Number of complaints as a % of households
Ashford North & Stanwell South	0	1	3,557	0.028%
Staines	0	1	4,009	0.025%
Stanwell North	3	3	3,390	0.088%
Sunbury Common	1	1	3,258	0.031
Sunbury East	1	1	3,162	0.022
<b>Average</b>	-	-	<b>3475</b>	<b>0.039%</b>
<b>Total</b>	<b>5</b>	<b>7</b>		

Table 4A - Reasons Planning Permission was not required between 1 October 2022 and 30 September 2023

By Ward & Reason	Count of Reason PP Not Required
<b>Ashford North &amp; Stanwell South</b>	<b>1</b>
HMO Permitted Development	1
<b>Staines</b>	<b>1</b>
HMO Permitted Development	1
<b>Stanwell North</b>	<b>3</b>
HMO Permitted Development	3
<b>Sunbury Common</b>	<b>1</b>
HMO Permitted Development	1
<b>Sunbury East</b>	<b>1</b>
HMO Permitted Development	1
Total complaints	7
<b>Total Complaints HMO Permitted Development</b>	<b>7</b>

- 3.8 Of the 7 complaints received between 1 October 2022 and 30 September 2023, only 7 related to HMOs which were permitted development.

Table 5 HMO Permitted Development Complaints 2019 – 2023

Year	No. of HMO PD complaints	Number of complaints as a % of households*
01/10/19 – 30/09/20	9	0.023
01/10/20 – 30/09/21	18	0.043
01/10/21 – 30/09/22	7	0.017
01/10/22 – 30/09/23	7	0.017
<b>Average over 4 years</b>	<b>10.25</b>	<b>0.025</b>

\* Total households in Spelthorne: 39,512 at 2011, 41,805 at 2021

3.9 Table 5 above shows that over the four years in question, there was an average of 10.25 complaints concerning HMOs which, when investigated, were permitted development (six occupants and below). This represents only 0.025 complaints per household in Spelthorne.

3.10 Table 6 below shows the number of complaints over the four-year period by ward. Ashford North and Stanwell South, Stanwell North and Staines had the highest number of complaints of 6 or 7, marked in red. In addition, 41 complaints were received over 2019 – 2023 relating to HMOs which did not require planning permission because the number of residents were six or less. This is also portrayed in a ward map in appendix 1.

Table 6 HMO Permitted Development Complaints 2019-2023 by ward

By Ward & Reason	PP Not Required
Ashford Common	3
Ashford East	4
Ashford North & Stanwell South	7
Ashford Town	3
Halliford and Sunbury West	0
Laleham and Shepperton Green	0
Riverside and Laleham	3
Shepperton Town	0
Staines	6
Staines South	3
Stanwell North	7
Sunbury Common	4
Sunbury East	1
<b>Total PD complaints</b>	<b>41</b>

3.11 Table 7 below shows the number of HMO complaints received by planning enforcement for the four years 01/10/19 – 30/09/23 as a percentage of the total complaints received. These relate to HMOs which were permitted development.

It can be seen that the % of planning enforcement complaints relating to HMOs is low, comprising an average of just 3% of all complaints received.

**Table 7 – HMO Planning Enforcement complaints received compared with total Planning Enforcement complaints received 2019 – 2023**

<b>Year</b>	<b>No. of HMO PD complaints</b>	<b>Total number of Planning Enforcement complaints received</b>	<b>Number of HMO Planning Enforcement complaints received as a % of total complaints</b>
01/10/19 – 30/09/20	9	328	2.74%
01/10/20 – 30/09/21	18	392	4.59%
01/10/21 – 30/09/22	7	279	2.5%
01/10/22 – 30/09/23	7	333	2.1%
<b>Average over 4 years</b>	<b>10.25</b>	<b>333</b>	<b>2.98%</b>

3.12 The number of planning applications for HMOs (containing seven or more residents) by ward which were determined between 1 October 2019 and 30 September 2023 are set out in table 8 below. A full list of the site details are contained as Appendix 2 to this report. It can be seen that 9 out of the 16 HMO proposals (15 applications) related to HMOs which contained 7 residents. This is the smallest number of residents within an HMO which requires planning permission.

**Table 8 - Planning applications for HMOs by ward determined between 30 September 2019 and 1 October 2023**

<b>Ward</b>	<b>Numbers of planning applications approved</b>	<b>Numbers of planning applications refused</b>
Ashford Common	1	0
Ashford East	0	0
Ashford North & Stanwell South	5	0
Ashford Town	0	0
Halliford and Sunbury West	0	0
Laleham and Shepperton Green	2	0
Riverside and Laleham	0	0
Shepperton Town	0	0
Staines	1	2

Staines South	1	1
Stanwell North	0	1
Sunbury Common	1	0
Sunbury East	1	0
<b>Grand Total</b>	<b>10</b>	<b>4</b>

- 3.13 Table 8 above show the spread of applications determined by ward in Spelthorne. This is also portrayed in the maps contained in appendices 3 and 4.
- 3.14 The Planning Officers and Planning Enforcement Officers work closely with the Environmental Health Officers and Environmental Health Regulatory Officers who are responsible for the licensing of HMOs that fall within Spelthorne Borough Council's mandatory HMO licensing scheme. The two Departments share information about licence applications and planning applications as well as intelligence about potential HMOs.
- 3.15 A licence for an HMO is required from Environmental Health under the mandatory scheme in the following circumstances:
- The dwelling is occupied by five or more people who form two or more households; and
  - all or some of the occupants share bathroom, toilet, or kitchen facilities.
- 3.16 It should be noted that before the licensing regime change (which was from the October 2018) a licence was only required for HMOs in three or more storey buildings. Consequently, a much larger number of HMOs now fall within the Environmental Health licensing process.
- 3.17 When determining whether to grant a licence for an HMO, Environmental Health are not able to take into consideration whether or not the property has or requires planning permission to operate as an HMO. Environmental Health does, however, consult with Planning on any licence applications received and notify them when granting a licence so that Planning can take appropriate enforcement action for unlawful development. Environmental Health also strongly advise HMO licence applicants to contact Planning where Planning Permission isn't in place and may be required.
- 3.18 Additionally, since 1 April 2024 when Environmental Health moved to a risk-based system to determine the duration of an HMO licence, the absence of planning consent for an HMO of 7 or more occupants has become a criteria resulting in a high score in the risk assessment. This would in turn lead to the licence being granted for the minimum period of one year, and the licence would be accompanied by a condition requiring that Planning Consent be obtained before the end of the licence term.
- 3.19 The following table shows the number of HMOs licensed by Environmental Health, by ward as well as the number of potential HMOs that have come to the attention of Environmental Health through complaints and enquiries. It should be noted that there is an overlap with the information in tables 1, 2 and 3 above.



3.20 Table 9 - Number of HMOs that have been licensed, and the number of potential HMOs brought to the attention of Environmental Health, by Ward.

Ward	Number of licensed HMOs* (2023-24)	Potential HMOs**			
		2019 - 2020	2020 - 2021	2021 - 2022	2023- 2024
Ashford Common	14	5	7	3	4
Ashford East	11	7	5	1	5
Ashford North & Stanwell South	35	10	5	2	0
Ashford Town	14	7	1	4	4
Halliford and Sunbury west	0	1	0	0	1
Laleham and Shepperton Green	3	0	0	0	0
Riverside and Laleham	5	5	1	1	1
Shepperton Town	1	1	1	0	1
Staines-upon-Thames	17	7	7	6	1
Staines-upon-Thames South	6	6	1	2	1
Stanwell North	16	10	4	2	4
Sunbury Common	16	4	4	0	1
Sunbury East	3	0	0	0	0
<b>Grand Total</b>	<b>141</b>	<b>63</b>	<b>36</b>	<b>22</b>	<b>23</b>

\*Note this includes licence renewals that are in the system being processed

\*\*This 'Potential HMOs' data has recently been extracted from the EH database for the years shown. The data relates to all service requests and enquiries which indicate the properties might be HMOs. From analysis of the data at this time it is not known if they are HMOs and if so whether need to be licensed.

3.21 Of the potential HMOs listed within table 9 above, several of the HMOs have since been licensed or have applications pending:

- 01/10/2019 - 30/09/2020, 38 Potential HMOs of which 11 are now licensed, and 0 are pending (which were not licensable at that time).
- 01/10/2020 - 30/09/2021, 31 Potential HMOs of which 4 are now licensed, and 0 are pending.
- 01/10/2021 - 30/09/2022, 24 Potential HMOs of which 5 are now licensed, and 4 are pending.
- 01/10/2022 - 30/09/2023, 44 Potential HMOs of which 0 are now licensed, and 3 are pending.
- 01/10/2023 - 31/03/2024, 5 Potential HMOs of which 1 is pending.

- 3.22 The information shows that the highest number of licensed HMOs is within the wards Ashford North & Stanwell South, then Staines-upon-Thames and then Stanwell North and Sunbury Common.
- 3.23 Maps showing the distribution of licensed HMOs throughout Spelthorne and then the distribution of licensed HMOs by ward are included as Appendix 5 to this report. The maps were created in November 2023 based on the up-to-date information on licensed HMOs at that time.
- 3.24 For the years 2019 to 2024, tables 10,11, 12, 13 and 14 below provide a summary of the complaints relating to known HMOs received by Environmental Health about matters relating to accumulations of rubbish, antisocial behaviours, noise, bonfires, vermin, and pests. It should be noted that there is some overlap of complaints received by Planning and Environmental Health.

Table 10: Complaints received by Environmental Health about known HMOs between 1 October 2019 and 30 September 2020

Ward	No. of Complaints	No. of Households in Ward	No. of complaints as a % of households	Complaint Type
Riverside & Laleham	0	2846	0.00	
Ashford North & Stanwell South	0	3140	0.00	
Ashford Town	0	2703	0.00	
Ashford Common	1	3324	0.03	Rats
Other Wards	0	27999	0.00	
<b>Grand Total</b>	<b>1</b>	<b>40012</b>	<b>0.002</b>	

Table11: Complaints received by Environmental Health about known HMOs between 1 October 2020 and 30 September 2021

Ward	No. of Complaints	No. of Households in Ward	No. of complaints as a % of households	Complaint Type
Stanwell North	1	3250	0.03	Rubbish
Ashford Town	1	2968	0.03	Noise
Other Wards	2	33559	0.006	Overgrown garden, Rubbish
<b>Grand Total</b>	<b>4</b>	<b>39512</b>	<b>0.01</b>	

Table 12: Complaints received by Environmental Health about known HMOs between 1 October 2021 and 30 September 2022

Ward	No. of Complaints	No. of Households in Ward	No. of complaints as a % of households	Complaint Type
Ashford Common	0	3392	0.00	
Stanwell North	1	3390	0.03	Untidy Garden
Staines	1	4009	0.02	Noise alarm
Other Wards	1	31014	0.003	Rats
<b>Grand Total</b>	<b>3</b>	<b>41805</b>	<b>0.007</b>	

Table 13: Complaints received by Environmental Health about known HMOs between 1 October 2022 and 30 September 2023

Ward	No. of Complaints	No. of Households in Ward	No. of complaints as a % of households	Complaint Type
Ashford Common	8	3392	0.23	Untidy garden broken fence
Stanwell North	0	3390	0	
Staines	1	4009	0.02	Noise
Other Wards	7	31014	0.02	Anti social behaviour, rubbish, untidy garden
<b>Grand Total</b>	<b>16</b>	<b>41805</b>	<b>0.04</b>	

3.25 Table 14 below provides a summary of the complaints received by Environmental Health relating to residential properties in general (includes HMOs and non-HMOs) about matters relating to accumulations, antisocial behaviours, noise, bonfires, vermin and pests. It also shows what percentage of these complaints relate to HMOs.

Table 14: Complaints received by Environmental Health about all residential properties

Year	No. of Complaints Received	All complaints as a % of households	HMO complaints as a % of total complaints	Complaint type
2019 - 2020	661	1.86%	0.15% (1)	Rubbish Accumulation, noise, pests
2020 - 2021	984	2.35%	0.20% (2)	
2021 - 2022	759	1.81%	0.39% (3)	
2022 - 2023	788	1.88%	0.76% (6)	

2023 - 2024	586	1.40%	1.02% (6)	
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#### 4.0 Environmental Health controls of HMOs

- 4.1 Environmental Health have powers under various legislation such as the Environmental Protection Act, the Prevention of Damage by Pests Act and the Anti-social Behaviour, Crime and Policing Act 2014 to deal with noise and other nuisance; accumulations of rubbish; and along with our colleagues in Community Safety, to address complaints about anti-social behaviour (ASB) These powers apply to all residential properties in the Borough including licensed and unlicensed HMOs. There are also requirements under The Management of Houses in Multiple Occupation (England) Regulations 2006 that apply to all HMOs which include such matters as rubbish disposal and untidy gardens as well as conditions within the property.
- 4.2 Additionally, licensed HMOs are subject to programmed inspections to check compliance with relevant legislation and licence conditions relating to fire safety, amenities, and management. These licence conditions include matters that might adversely impact on nearby residents, particularly in relation to anti-social behaviour and accumulations of rubbish.
- 4.3 Spelthorne's HMO licence condition for ASB has recently been revised and strengthened following discussion with our Community Safety team, where it was agreed that HMO landlords should be taking more responsibility to manage anti-social behaviour from the residents of their HMO. A landlord guide to ASB has also been produced and is available on our website. The condition is as follows:
- The Licence Holder must take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour (ASB)\* by people occupying or visiting the premises; and for preventing the use of the premises for illegal purposes. These steps must include:
    - **Written contract**  
Ensuring that the tenancy agreement or terms of occupancy contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors, and that this clause is drawn to the attention of occupants when they take up residence.
    - **Dealing with complaints**  
Responding to complaints of anti-social behaviour that concern occupiers of the premises or their visitors. Where anti-social behaviour is discovered, the Licence Holder must inform the tenant responsible in writing of the matter within 2 days and warn them of the consequences of its continuation, which could include eviction. If the ASB continues, the Licence Holder must put further measures in place such as set up an acceptable behaviour contract\*\*.
    - **Prohibition of use of outbuildings**  
Ensuring that all outhouses, garages, and sheds are kept secured and used for their intended purpose. The Licence Holder must not allow them to be occupied as individual habitable rooms, kitchens, or bathrooms.

*\*ASB is behaviour causing harassment, alarm, or distress to one or more people who are not in the same household as the perpetrator. It covers a wide range of unacceptable behaviour, such as playing loud music, shouting, and screaming, threatening or abusive behaviour, taking/selling drugs, using racist or homophobic language, allowing the build-up of refuse in the property or garden, parking illegally or inappropriately.*

*\*\*For further information, visit the Council's website (<https://www.spelthorne.gov.uk/article/16974/Antisocial-behaviour>) or refer to Spelthorne's landlord guide to ASB.*

#### 4.4 Spelthorne's HMO licence condition for rubbish is as follows:

Ensure that waste bins, which are provided by the Council in line with our bin allocation policy, are made available for all residents of the accommodation. Ensure that suitable refuse bins are provided within the accommodation including within all kitchens. Additional arrangements should be made for the storage and disposal of household waste from the property to ensure compliance with Spelthorne Borough Council's refuse and recycling disposal scheme. For further details about the scheme please go to <https://www.spelthorne.gov.uk/rubbishwasterecycling> or contact Neighbourhood Services on 01784 446411 or email at [neighbourhoodservices@spelthorne.gov.uk](mailto:neighbourhoodservices@spelthorne.gov.uk).

### 5.0 New risk-based HMO licensing scheme

5.1 In April 2024, the HMO licensing scheme changed to a risk-based system so that the duration of a new or renewal HMO licence is determined by the landlord's level of compliance, the condition of the property, and the risks posed by the HMO to its occupants and neighbours.

- Landlords who provide well-managed, safe accommodation, to a good standard, will receive a 5-year licence.
- Properties calculated as being medium risk by virtue of confidence in management and the level of property defects found during inspection will receive a 3-year licence.
- Properties calculated as being of high risk will only receive a 1-year licence.

5.2 The purpose of the changes to the mandatory scheme is to drive up standards by rewarding compliant landlords with the maximum licence period while those less compliant landlords of HMOs of a poorer standard that take more Council resource (for example by needing to be inspected more frequently), will be granted a shorter licence meaning they pay more.

### 6.0 Additional HMO Licensing

6.1 Another option (other than Article 4) is to increase the scope of HMOs that would need to be licensed by way of setting up an additional licensing scheme. This would require all HMOs of 3 or more occupants within certain or all areas of the Borough to have a licence from the Council to operate. Additional Licensing is a

decision that has to be granted by the Secretary of State upon successful application that includes strong evidence-based reasoning for invoking the Scheme, based on HMO mismanagement and Anti-Social Behaviour (ASB).

- 6.2 The current data showing evidence of mismanagement and ASB in Spelthorne Borough is not sufficient to warrant making such an application.
- 6.3 Currently no other Surrey authorities have either an additional licensing scheme or an Article 4 direction in place for HMOs, and this includes Runnymede and Guildford who as university boroughs would be expected to have a significantly greater HMO population.

## **7.0 Consultations**

- 7.1 The following officers have been consulted on the consideration of whether an Article 4 direction should be made in respect of HMOs.

### Strategic Lead • Housing Options

- 7.2 At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs do fulfil a vital role in providing affordable accommodation for individuals and they are an essential part of the housing stock.
- 7.3 The housing benefit system is complex and most people under the age of 35 who do not live with a partner or children, will usually only be able to claim for a single room in a shared house. This is called the Local Housing Allowance shared accommodation rate (SAR), unless they fall in some exceptional categories, such as they are a care leaver, they have previously lived in a homeless hostel for at least 3 months, receiving the care component of Disability Living Allowance or Personal Independence Payment, are victims of domestic abuse or modern slavery, and a few other exceptions.
- 7.4 SAR limits the amount of housing support available through the benefits system for most single private renters under the age of 35. The SAR was introduced in 1996 and originally limited the Housing Benefit a single person under the age of 25 could receive to the average rent level for a room in a shared house. As part of the October 2010 Spending Review the Government announced the SAR's extension to cover single claimants up to age 35 from April 2012. This change was brought forward to 1 January 2012.
- 7.5 Universal Credit has been replacing Housing Benefit for working-age households since 2013 and retains the SAR in calculations of housing support.
- 7.6 In 2017, the Government abandoned plans to use LHA to calculate rental support in the social rented sector, so the SAR does not apply to people aged 35 and under renting from a local authority or registered housing association.
- 7.7 The SAR has been controversial since its introduction. Prior to its extension to the under-35s, draft regulations, an Impact Assessment and an Equality Impact

Assessments were published and referred to the Social Security Advisory Committee (SSAC) for consultation. The Impact Assessment said around 20% of the 1-bedroom LHA caseload (at March 2010) would receive, on average, £41 per week less benefit than under the previous rules.

- 7.8 The extension to under 35s was expected to affect around 63,000 people. Since its introduction, commentators and campaigning organisations have continued to point to shortages of shared rooms available to young benefit claimants, and shortfalls between benefit levels and rent.
- 7.9 Organisations such as Crisis have been calling for Government to invest in Housing Benefit “so that covers the true cost of rents”.
- 7.10 Due to the financial pressure, HMOs are in high demand and remain the only affordable options on privately rented market to those on housing benefit under the age of 35.

#### Neighbourhood Services

- 7.11 The Environmental Health service works together with Neighbourhood Services (NS) to improve waste management and collection from HMOs. HMOs are treated as a single dwelling for waste provision purposes and are provided with 1 x 240 litre rubbish bin and 1 x 240 litre recycling bin, both collected fortnightly and 1 x curbside food waste bin, collected weekly. However, where the provision is insufficient, NS has been working with Spelthorne Direct Services (SDS) to provide additional provision. SDS is able to offer HMOs a commercial waste collection service that can operate alongside the Council. The service can include a general waste and/or a dry mixed recycling service, generally on a weekly or fortnightly basis and can supply a range of bins from 240ltrs to 1100ltrs.. In most cases NS pass the details of SDS onto the Landlord, although, in some cases the Landlord requests that NS pass their details and SDS makes direct contact. This service is currently used by around a dozen HMOs.

#### Community Safety Manager

- 7.12 Spelthorne Borough Council’s Community Safety Team does manage a range of complaints regarding HMOs. While it is true that the complaints are not disproportionately high in relation to other complaints of anti-social behaviour, the nature of the complaints can often be complicated, particularly in HMOs where there is a short-term occupancy and a high turnover of tenants. It has been found that many of the total complaints in relation to HMOs relate to a small number of venues. Persistent re-offending is common in cases such as these. The Community Safety Team manages anti-social behaviour in partnership with other statutory partners under the Crime & Disorder Act 1998. When managed by the police, the full range of criminal law can be utilised. Often, cases are managed by the Community Safety Team by either warning or prosecuting offenders under S.43 Anti-Social Behaviour, Crime & Policing Act 2014. This allows authorised officers to issue a ‘Warning Notice’ to rectify behaviour that is having a detrimental

effect, of a persistent or continuing nature, on the quality of life of those in the locality. Failure to comply with the warning will lead to the issue of a Community Protection Notice that places conditions on the suspected party. If these conditions are not met, the Community Safety Team will prosecute. This method has been used on both landlords and tenants alike and is generally successful.

- 7.13 What has been noticed, however, is the lack of responsibility of some landlords when managing anti-social behaviour within their own HMO. It is clear in some cases that the landlord feels that they can solely rely on public services without the need to take remedial action in the first instance. This attitude often leads to an increase in anti-social behaviour as can be evidenced in some local cases. It has been found that some landlords appear to extricate themselves from such responsibilities. Good examples of landlord management include ASB clauses within tenancy agreements, posted acceptable conduct notices and expedient action to tackle ASB.

## **8.0 Options for Article 4 Direction**

- 8.1 There are four alternative options in relation to an Article 4 Direction which are set out below for consideration with commentary as to their appropriateness.

### **(i) That the Council introduces an Article 4 Direction across the whole Borough**

#### **Commentary**

- 8.2 The evidence over the past four years show that some wards (three in total) have received no complaints of HMOs which are permitted development (i.e. 3-6 occupants) whilst four others only received 1-3 complaints. On this basis, imposing an Article 4 Direction across the whole Borough would be unnecessary and excessive.

This option is not recommended.

### **(ii) That the Council introduces an Article 4 Direction across the wards of Ashford North & Stanwell South, Staines and Stanwell North (the wards with the highest number of complaints and applications) withdrawing the permitted development rights to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) with immediate effect.**

#### **Commentary**

- 8.3 There would be a compensation liability if an Article 4 Direction is introduced without 12 months' notice. The right to compensation arises if an application is made for planning permission for development formerly permitted by the General Permitted Development Order and this application is refused or granted subject to conditions. Compensation can be claimed:- (a) for abortive expenditure (such as expenditure incurred in the preparation of plans); and, (b) for depreciation of land value where the loss is directly attributable to the removal of permitted development rights – this would include loss of future profit; (Exeter City Council found that there would be a premium added to the value of a HMO property



compared to a dwelling and the council could be faced with significant compensation liabilities).

This option is not recommended.

- (iii) That the Council introduces an Article 4 Direction across the wards of Ashford North & Stanwell South, Staines and Stanwell North (the wards with the highest number of complaints and applications) withdrawing the permitted development right to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) coming into effect after 1 year of its introduction.**

#### **Commentary**

- 8.4 Such an approach would need to be justified by evidence. These three wards have had 6 or 7 complaints received by Planning Enforcement over the past four years where planning permission was not required and hence there were no planning controls. This equates to an average of 1.5 - 1.75 complaints per year for each ward. It is considered that given the low number of complaints received on HMOs which were permitted development, the evidence available to the Council is insufficient at this stage to justify the introduction of an Article 4 Direction which will require planning permission for a change of use from C3 to C4 from the date at which the Article 4 Direction comes into effect.
- 8.5 It should be noted that the introduction of an Article 4 Direction could indirectly result in a reduction in the supply of HMOs which in turn might impact on the groups who typically occupy this type of low cost accommodation. Local authorities will still be required to plan to meet the housing needs of those groups and this duty has recently increased following the Homelessness Reduction Act 2017 which came into effect in April 2018. Given the very low level of complaints received not requiring planning permission (which would be covered by an Article 4 Direction) as a proportion of the number of households (as shown in Table 5), a total of 0.025 complaints per household across the whole Borough, it is not considered that a non-imminent Article 4 Direction can be justified at present.
- Given the available data, this option is not recommended at this stage

- (iv) To continue to monitor HMOs and to review if the position changes within a year (1 May 2025)**

#### **Commentary**

- 8.6 It is considered that evidence available to the Council is insufficient at this stage to justify the introduction of an Article 4 Direction and it is recommended that if the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the CP&R Committee by 1 May 2025.
- This option is recommended.

- 8.7 HMOs provide a useful form of housing tenure. At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. The cost of living in an HMO is cheaper than self contained accommodation, which is beyond the affordability of many residents. HMOs do fulfil a vital role in providing affordable accommodation for individuals and they are an essential part of the housing stock. The introduction of an Article 4 Direction could indirectly result in a reduction in the supply of HMOs which in turn might impact on the groups who typically occupy this type of low cost accommodation. Local authorities will still be required to plan to meet the housing needs of those groups and this duty has increased following the Homelessness Reduction Act 2017 which came into effect in April 2018.
- 8.8 The Council already has existing powers to control some of the perceived negative effects of HMOs. This is in accordance with The Council's Corporate Plan which identifies under 'Addressing Housing Need' three actions for 2024/2025, one of which is to "work proactively with landlords and private housing providers of Homes of Multiple Occupation and temporary B&B accommodation to tackle poor conditions and anti-social behaviour". For example, Environmental Health has powers in the licencing process to control the number of occupants, ensure satisfactory conditions and amenities for the occupants, and to ensure that anti-social behaviour is properly managed by the licence holder. Additionally, they can also take action through other legislative powers in relation to noise, accumulations of rubbish and pests. Community Safety also have powers to control ASB from occupants. The Police and the Highway authority have powers to control dangerous or illegally parked vehicles and vehicles causing damage to highway verges and crime. Neighbourhood Services has powers to serve notices in relation to poor waste management.
- 8.9 The Police and the Highway authority have powers to control dangerous or illegally parked vehicles and vehicles causing damage to highway verges and crime. Neighbourhood Services has powers to serve notices in relation to poor waste management.
- 8.10 The introduction of an Article 4 Direction would need to be justified by evidence. Given the very low level of complaints received not requiring planning permission (which would be covered by an Article 4 Direction) as a proportion of the number of households, it is considered that there is insufficient evidence at this stage to justify the making of an Article 4 Direction. However, If the position changes and the number of complaints relating to HMOs which are permitted development and which are causing negative impacts on neighbours increases significantly, a further report will be brought to the CR&R Committee by 1 May 2025.

## **9. Financial Management Comments**

- 9.1 An introduction of an Article 4 Direction with immediate effect would have financial implications associated with the (a) for abortive expenditure (such as expenditure incurred in the preparation of plans); and, (b) for depreciation of land value where the loss is directly attributable to the removal of permitted development rights –

this would include loss of future profit. Any work associated with the introduction of an Article 4 Direction with it coming into force within one year would be absorbed within the existing workforce, although it may be necessary to seek external legal advice. Any planning application would attract a fee of £578.

## **10. Risk Management comments**

10.1

## **11. Procurement Comments**

11.1 There are no procurement issues.

## **12. Legal Comments**

12.1 The decision of the LPA to make an Article 4 direction can be subject to judicial review proceedings. If the proceedings are successful, the Article 4 direction could be quashed.

12.2 Judicial review is the procedure by which the courts examine the decisions of public bodies to ensure that they act lawfully and fairly. On the application of a party with sufficient interest in the case, the court conducts a review of the process by which a public body has reached a decision to assess whether it was validly made.

12.3 A claim for judicial review can be made on the following grounds:

### **12.3.1 Illegality**

Illegality arises when a decision-maker:

- Misdirects itself in law.
- Exercises a power wrongly.
- Acts **ultra vires**, in purporting to exercise a power that it does not have.

### **12.3.2 Irrationality**

A decision may be challenged as irrational, if:

- It is outside the range of reasonable responses of a public authority (this is sometimes phrased as being "so unreasonable that no reasonable authority could ever have come to it", using the standard of **Wednesbury unreasonableness**). The courts are very reluctant to find that a decision was irrational, particularly where the decision-maker is an expert.
- The decision-maker took into account irrelevant matters or failed to consider relevant matters.

### **12.3.3 Procedural unfairness**

This ground arises, if the decision-maker has not properly observed:

- The relevant statutory procedures, such as a failure to consult or to give reasons.

- The principles of natural justice in the decision-making process (for example, if the decision-maker has shown bias or has failed to hear an affected party).

#### **12.3.4 Legitimate expectation**

A public body may, by its own statements or conduct, be required to act in a certain way, where there is a legitimate expectation as to the way in which it will act.

- 12.4 Accordingly, to make sure that the Council is not exposed to any possible judicial review challenges it is critical that a decision on making an Article 4 direction not only complies with any legal requirements but is also based on strong and robust evidence so that the authority is able to defend and justify making such decision.

### **13. Other Considerations**

- 13.1 There are no other considerations.

### **14. Equality and Diversity**

- 14.1 In considering whether an Article 4 Direction should be introduced in Spelthorne, due regard should be given to the Human Rights Act 1998 and the Public Sector Equality Duty (Equality Act 2010). The addition of these considerations ensures the provision of robust reasoning and justification for any action taken or not taken in respect of an Article 4 Direction.

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

- 15.1 There are no sustainability/climate change issues.

### **16. Timetable for implementation**

- 16.1 It is recommended that:

HMOs are continued to be monitored by the Planning Enforcement team and an updated report is brought to the Environment and Sustainability Committee within a year (1 May 2025).

### **17. Contact**

- 17.1 For any queries regarding the Planning Enforcement aspect of HMOs, please contact Richard Jones, Planning Enforcement Team Leader on [r.jones@spelthorne.gov.uk](mailto:r.jones@spelthorne.gov.uk)
- 17.2 For Planning matters, please contact Esmé Spinks, Planning Development Manager on [e.spinks@spelthorne.gov.uk](mailto:e.spinks@spelthorne.gov.uk)

17.3 For queries relating to Environmental Health, please contact Tracey Wilmott-French, Senior Environmental Health Manager or Susan Turp, Principal Environmental Health Officer on

[s.turp@spelthorne.gov.uk](mailto:s.turp@spelthorne.gov.uk)

[t.wilmott-french@spelthorne.gov.uk](mailto:t.wilmott-french@spelthorne.gov.uk)

### **Appendices:**

Appendix 1 – HMOs which did not require planning permission 2019 – 2023

Appendix 2 – HMO planning applications determined 2019 - 2023

Appendix 3 - Planning Applications approved by ward 2019 - 2023

Appendix 4 - Planning Applications refused by ward 2019 – 2023

Appendix 5 – Maps showing distribution of licensed HMOs by ward\*

**Annex** – Report to Overview and Scrutiny Committee – 20 November 2018

### **Appendices to Annex**

Appendix 1 – Planning Applications for HMOs by ward determined April 2010 – May 2018

Appendix 2 - HMO complaints by ward where Planning Permission was not required (From April 2010)

Appendix 3 - Numbers of planning applications refused

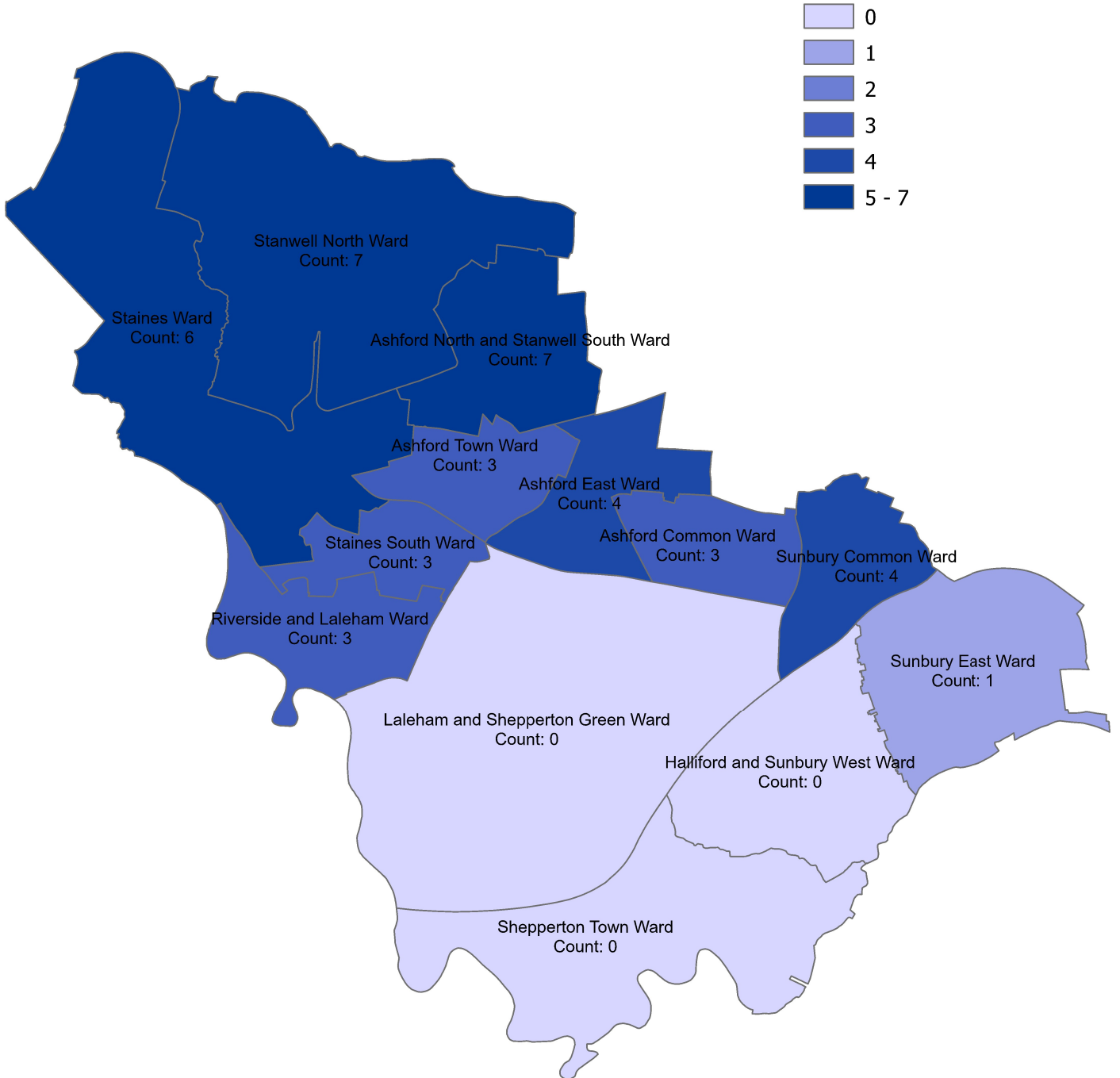
Appendix 4 - Numbers of planning applications approved

Appendix 5 - Numbers of HMO licenced premises (up to 6 residents)

Appendix 6 - Numbers of HMO licenced premises (7 residents or more - Planning Permission required)

*\*based on data collected on licensed HMOs in Nov 2023*

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HMO Complaints where planning permission was not required 2019 – 2023

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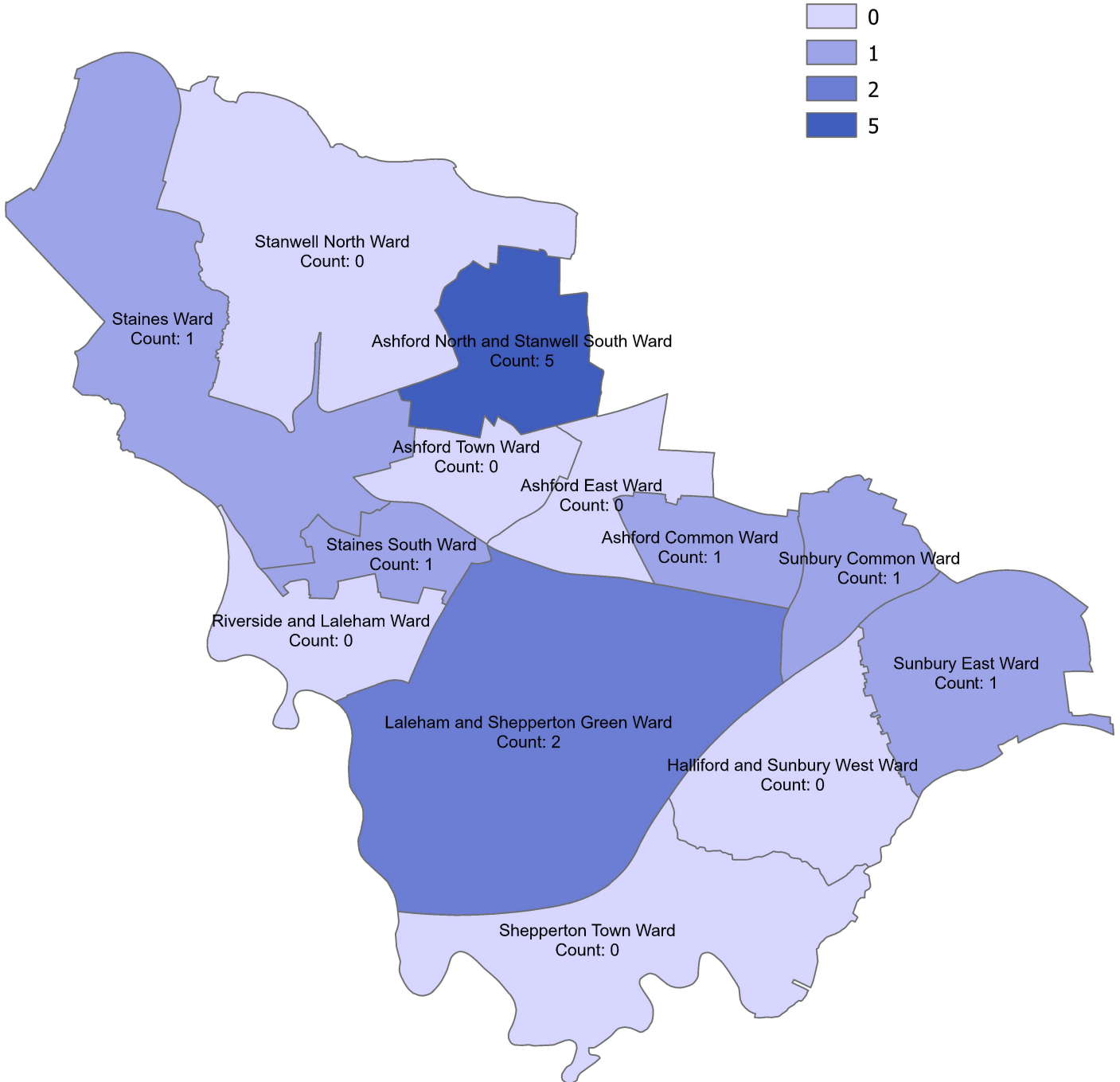
**Planning Applications for HMOs by ward determined 1 October 2019 – 30 September 2023**

<b>Site</b>	<b>Ward</b>	<b>Nos. of Residents/ bedrooms</b>	<b>Nos. of car spaces</b>	<b>Planning App No.</b>	<b>Decision</b>
1 Astleham Road Shepperton TW17 0QX	Laleham And Shepperton Green	8	3	19/00655/FUL	Approved 31/07/19
25 Station Crescent Ashford TW15 3HX	Ashford North And Stanwell South	7	8	20/00099/FUL	Approved 30/03/20
11 Hogarth Avenue Ashford TW15 1QB	Ashford Common	7	4	20/00150/FUL	Approved 10/08/20
86 Long Lane Stanwell Staines-upon-Thames TW19 7AE	Ashford North And Stanwell South	7	4	18/00912/FUL	Approved 04/10/18
90 Ashford Crescent Ashford TW15 3EB	Ashford North And Stanwell South	3	2	20/00978/FUL	Approved 20/11/20

Site	Ward	Nos. of Residents/ bedrooms	Nos. of car spaces	Planning App No.	Decision
Brecknock Stanwell New Road Staines-upon-Thames TW18 4HY	Staines	8	2	21/00746/FUL	Approved 14/07/21
31 Worple Road Staines-upon-Thames TW18 1EF	Staines South	7	2	22/01017/FUL	Refused 20/10/22 (Committee decision overturn)
87 Groveley Road Sunbury-on-Thames TW16 7JZ	Sunbury Common	7	2	22/01549/FUL	Approved 13/01/23
2 Milton Drive Shepperton TW17 0JJ	Laleham And Shepperton Green	8	6	23/00171/FUL	Approved 26/04/23 (Committee decision)
56 Kingston Road Staines-upon-Thames TW18 4NL	Staines	14 in 2 x HMO buildings = 7 in each	0	23/00423/FUL	Refused 08/06/23 Appeal submitted, decision awaited
24 Stanwell Road Ashford TW15 3ER	Ashford North And Stanwell South	7	3	23/00552/FUL	Approved 21/06/23

<b>Site</b>	<b>Ward</b>	<b>Nos. of Residents/ bedrooms</b>	<b>Nos. of car spaces</b>	<b>Planning App No.</b>	<b>Decision</b>
Brookside 2 Spout Lane Stanwell Moor Staines-upon-Thames TW19 6BN	Stanwell North	9	2	23/00621/FUL	Refused 19/07/23
56 Stanwell Road Ashford TW15 3DU	Ashford North And Stanwell South	9	2	23/00639/FUL	Refused 12/07/23
150 Staines Road East Sunbury-on-Thames TW16 5AY	Sunbury East	8	4	23/00863/FUL	Approved 21/09/23
31 Cherry Tree Avenue Staines-upon-Thames TW18 1JB	Staines South	7	3	23/01155/FUL	Approved 06/11/23





Nos of planning applications approved by ward 01/10/2019 – 30/09/2023

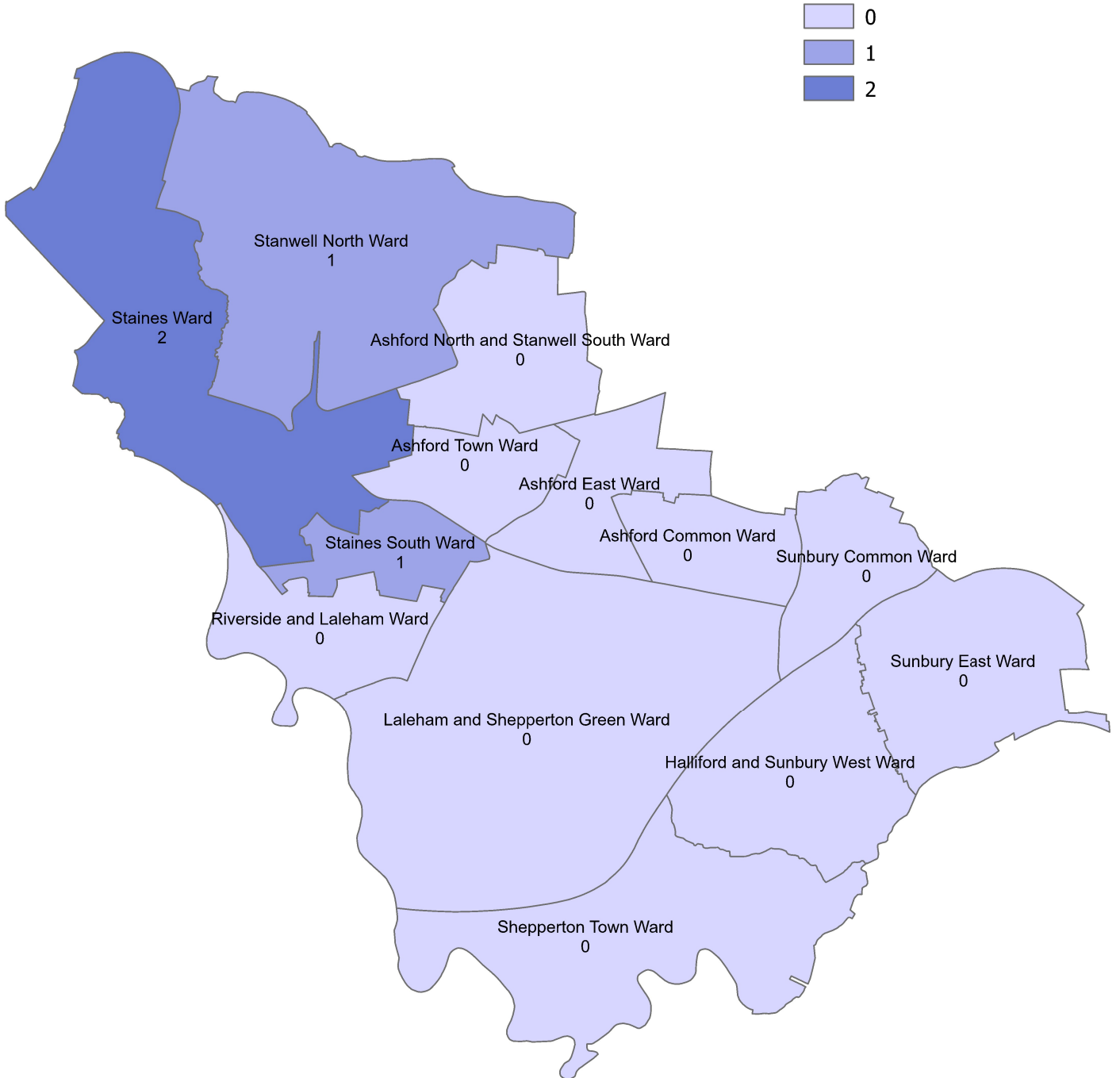
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Nos of planning applications refused by wards 01/10/2019 – 30/09/2023

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Appendix 5  
Maps showing distribution of licensed HMOs by ward\*

**Ashford Common Ward**



*\*based on data collected on licensed HMOs in Nov 2023*

# Ashford East Ward



# Ashford North and Stanwell South Ward



# Ashford Town Ward

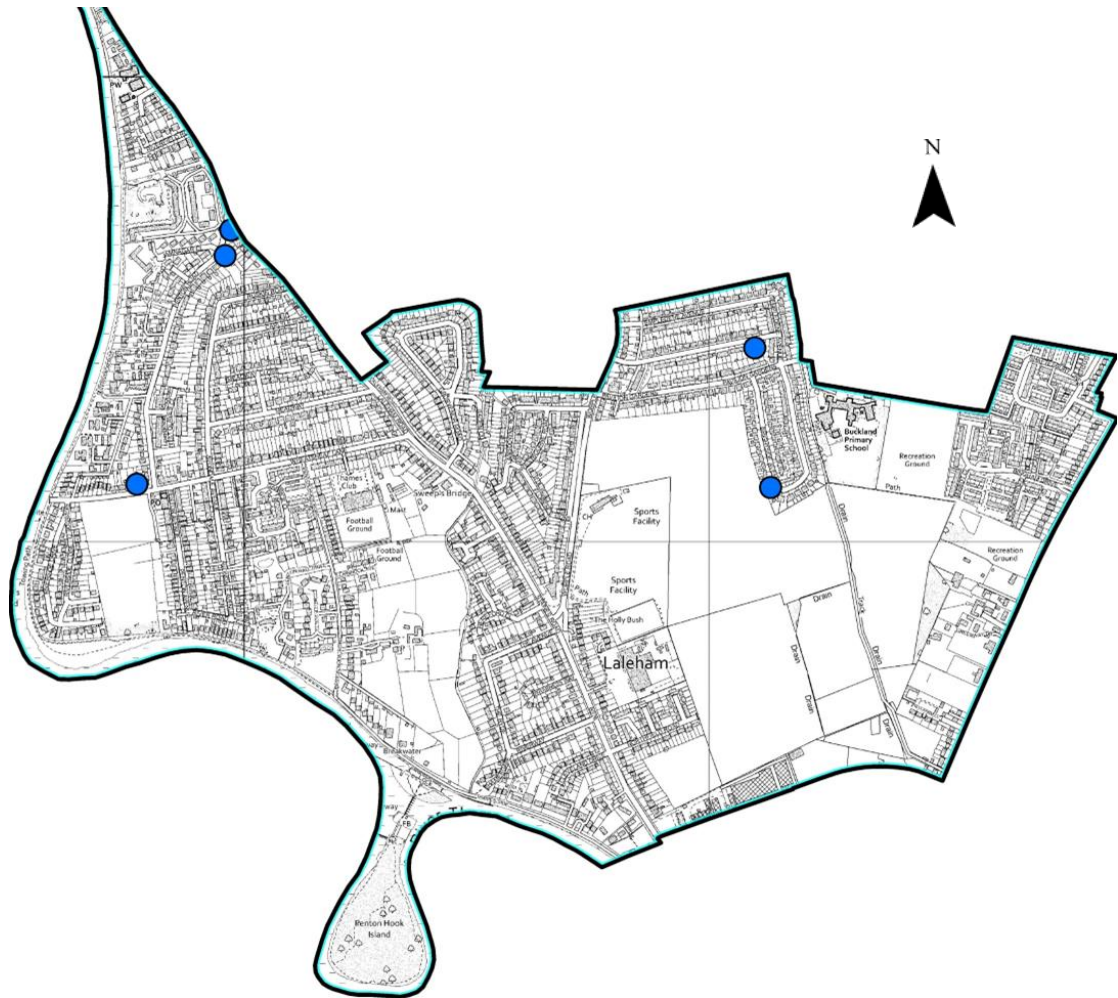




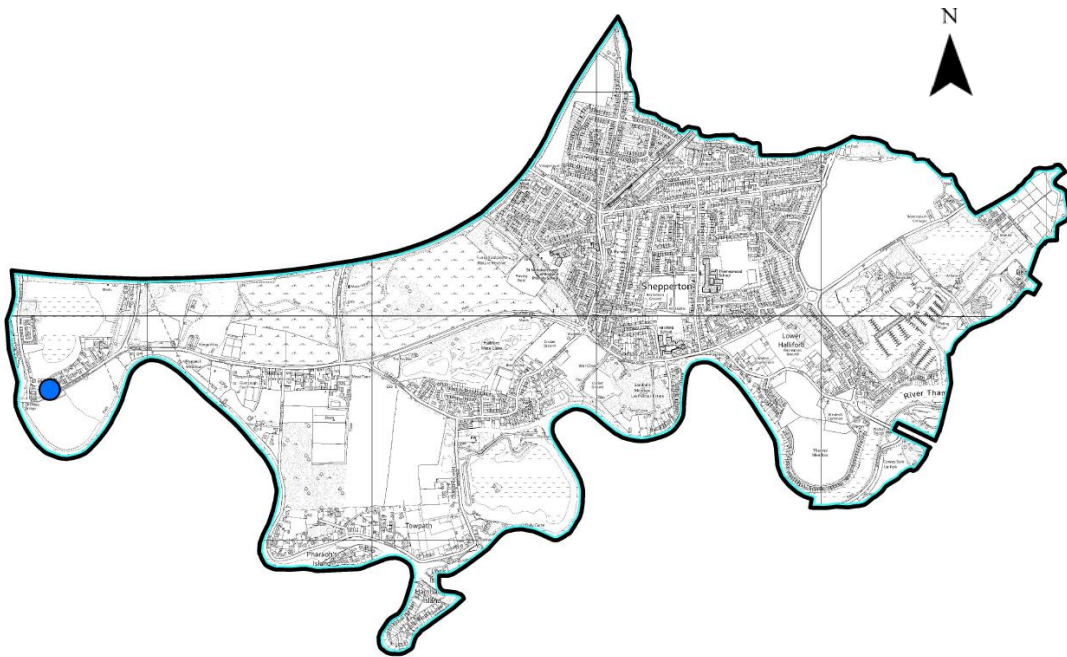
# Laleham and Shepperton Green Ward



# Riverside and Laleham Ward



# Shepperton Town Ward

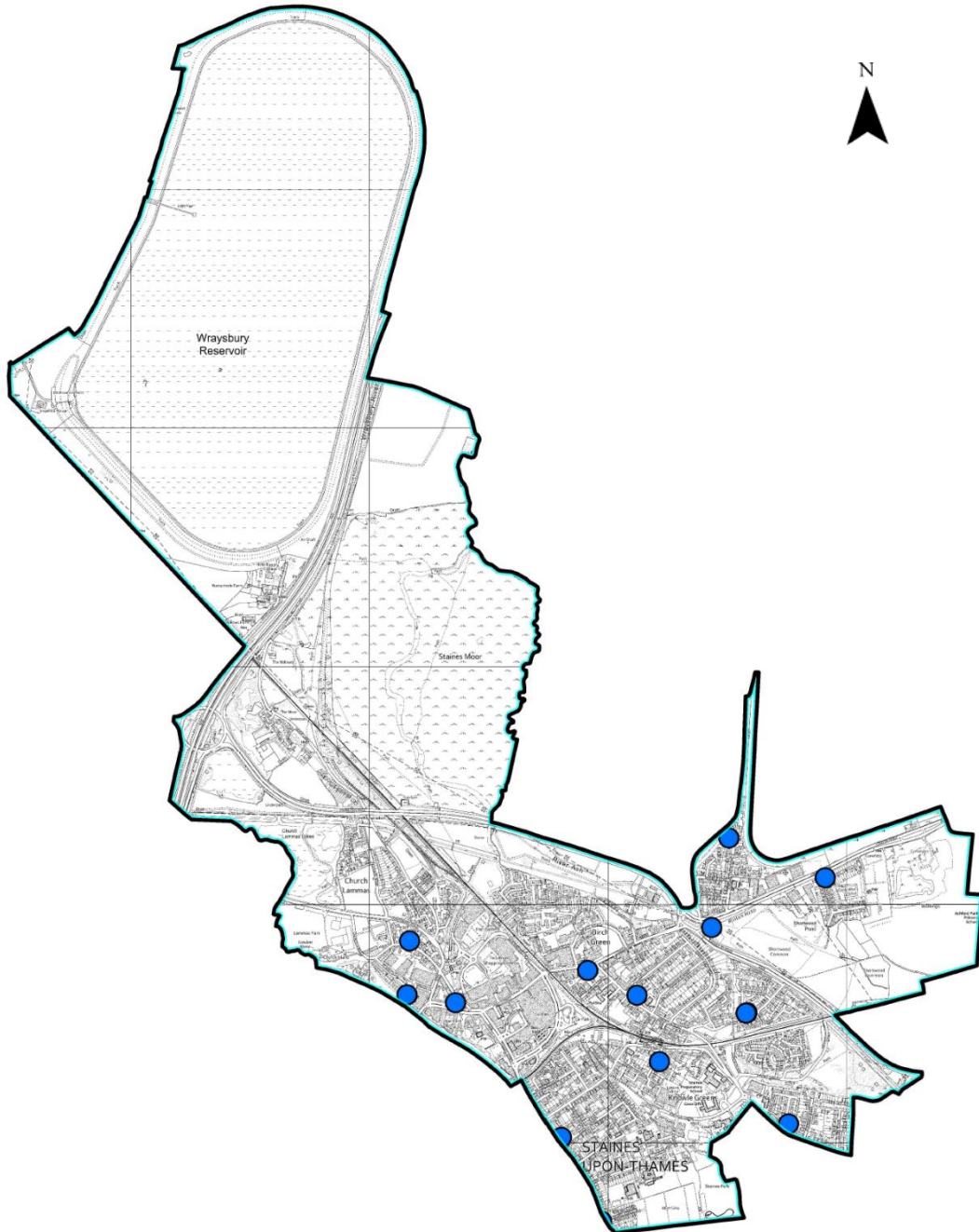




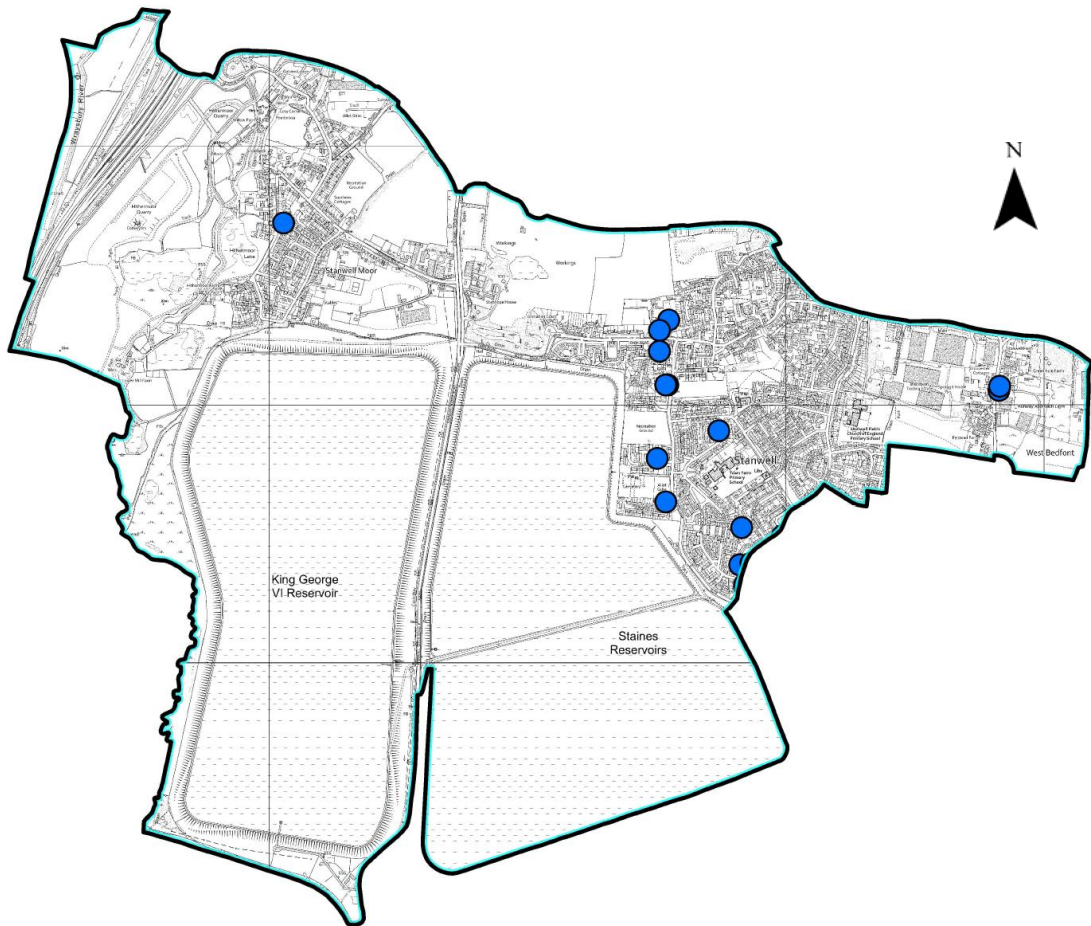
# Staines South Ward



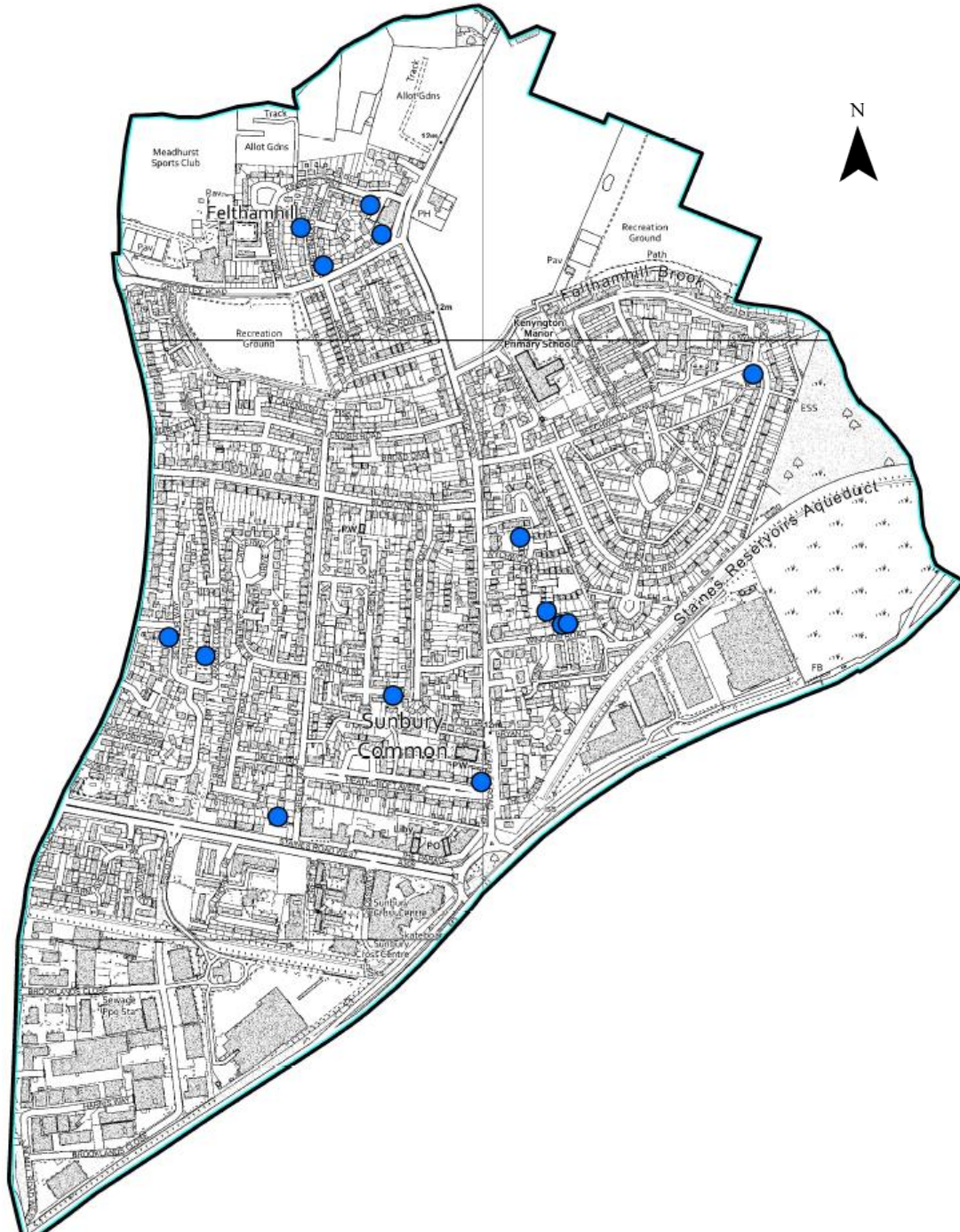
# Staines Ward



# Stanwell North Ward



# Sunbury Common Ward



# Sunbury East Ward



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*Please reply to:*

Contact: Gillian Scott  
Service: Committee Services  
Direct line: 01784 444243  
E-mail: [g.scott@spelthorne.gov.uk](mailto:g.scott@spelthorne.gov.uk)  
Date: 12 November 2018

## **Notice of meeting**

### **Overview and Scrutiny Committee**

**Date:** Tuesday, 20 November 2018

**Time:** 7.30 pm

**Place:** Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

#### **To: Members of the Overview and Scrutiny Committee**

Councillors:

S.C. Mooney (Chairman)	A.L. Griffiths	J.R. Sexton
J.G. Kavanagh (Vice-Chairman)	A.T. Jones	R.A. Smith-Ainsley
S. Capes	V.J. Leighton	B.B. Spoor
R. Chandler	D. Saliagopoulos	
A.E. Friday	A. Sapunovas	

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

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

[www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) [customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk) Telephone 01784 451499

## AGENDA

Description	Lead	Timings	Page Number.
<p><b>1. Apologies</b></p> <p>To receive any apologies for non-attendance.</p>	Chairman	7.30pm	
<p><b>2. Minutes</b></p> <p>To confirm the minutes of the meeting held on 11 September 2018 as a correct record. (copy attached).</p>	Chairman		5 - 10
<p><b>3. Disclosures of Interest</b></p> <p>To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.</p>	Chairman		
<p><b>4. Call-in of Cabinet decisions</b></p> <p>No Cabinet decisions have been called in.</p>	Chairman		
<p><b>5. Cabinet Forward Plan</b></p> <p>A copy of the latest Forward Plan is attached.</p> <p>If any members of the Committee have any issues they want to raise in relation to the Cabinet Forward Plan, please inform Terry Collier, Deputy Chief Executive, 24 hours in advance of the meeting with reasons for the request.</p>	Chairman		11 - 16
<p><b>6. Air Quality</b></p> <p>To consider the current impact of air quality on health in the Borough and the potential future impact from the Eco Park and Heathrow airport.</p>	Olivia Flint/ Cllr Patel	7.35pm	17 - 38
<p><b>7. Capital Monitoring Q2</b></p> <p>To receive and note the current Capital spend position.</p>	Laurence Woolven/ Cllr Williams	8.25pm	39 - 46
<p><b>8. Revenue Monitoring Q2</b></p> <p>To receive and note the current Revenue spend position.</p>	Laurence Woolven/ Cllr Williams	8.30pm	47 - 58



Description	Lead	Timings	Page Number.
<p><b>9. Capital Strategy</b></p> <p>To receive a presentation on the draft Capital Strategy and make recommendations to Cabinet.</p>	Terry Collier/ Cllr Williams	8.35pm	
<p><b>10. Budget Issues 2019/20 - 2020/21</b></p> <p>To consider the issues for the Budget 2019/20 to 2020/21.</p>	Terry Collier/ Cllr Williams	9.00pm	
<p><b>11. Houses in Multiple Occupation – Article 4 Direction</b></p> <p>To consider a report on the use of Article 4 Directions to manage conversions to Houses in Multiple Occupation.</p>	Esme Spinks/ Cllr Barnard	9.25pm	59 - 86
<p><b>12. Task Groups</b></p> <p>To discuss the role of Task Groups in undertaking in-depth reviews to enhance the impact of Overview and Scrutiny.</p>	Chairman	9.55pm	
<p><b>13. Work Programme</b></p> <p>To note the work programme and consider issues on the Cabinet Forward Plan which may be suitable for pre-decision scrutiny.</p>	Chairman	10.15pm	87 - 90

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**Minutes of the Overview and Scrutiny Committee  
11 September 2018**

**Present:**

Councillor S.C. Mooney (Chairman)  
Councillor J.G. Kavanagh (Vice-Chairman)

**Councillors:**

S. Capes	A.L. Griffiths	J.R. Sexton
R. Chandler	V.J. Leighton	R.A. Smith-Ainsley
A.E. Friday	D. Patel	B.B. Spoor

**Apologies:** Councillors K. Flurry, D. Saliagopoulos and A. Sapunovas

**In Attendance:** Councillor Ian Harvey, Leader of the Council

**207/18 Minutes**

The minutes of the meeting held on 10 July 2018 were approved as a correct record.

**208/18 Disclosures of Interest**

There were none.

**209/18 Call-in of Cabinet decisions**

No Cabinet decisions had been called in for review.

**210/18 Cabinet Forward Plan**

The Cabinet Forward Plan was noted.

**211/18 Treasury Management Strategy Annual report**

The Committee received the Treasury Management Strategy Annual Report on treasury performance for 2017/18, covering the Council's activities in the borrowing and investment market and the associated monitoring and control of risk.

Members asked about the Council's investment strategy and whether there was a target income or limit on borrowing. The Chief Finance Officer explained that the Council has reviewed and updated its borrowing limits and that the level of borrowing was based on the principle that it was prudent and financially sustainable. He explained that the strategy was driven by the need to offset the loss of grants from central government, the loss of services delivered by Surrey County Council and to fund housing delivery.

The Chief Finance Officer advised the Committee that a new requirement had been introduced for the Council to approve a Capital Strategy giving an overarching narrative on its financial assets, how they were managed, risk

mitigation and the rationale for the Strategy. The new Capital Strategy had to be in place by March 2019.

The Chairman suggested the Committee could have a role in pre-decision scrutiny of the Capital Strategy, to which members agreed.

The Leader, Councillor Ian Harvey, added that the purpose of the Council's property acquisitions strategy was to maintain and enhance the level of service the Council gave to residents and deliver housing. He confirmed that as long as cuts to funding or County Council services continued to be made, the Council would continue to look for further property acquisitions.

Resolved to:

- 1) Note the report; and
- 2) Include the Capital Strategy on the Overview and Scrutiny Committee work programme for consideration at its November 2018 meeting, or the meeting prior to its consideration at Council if this is later.

### **212/18 Update from Environment Agency on Temporary Flood Defence Schemes**

Tina Donaldson, Community Resilience Advisor with the Environment Agency (EA), gave a presentation (attached to these minutes) to update the Committee on the progress being made with temporary flood defence schemes for Spelthorne.

She explained the background and use of Temporary Defence Deployment Plans (TDDPs) which were now more sophisticated than those used in the floods of 2014. TDDPs were used where there was no permanent flood defence in place.

She detailed the work that had been done to identify the right locations for the barriers and then to prepare those areas to be ready to take the temporary defences when the need arose.

In identifying the three alignments in Spelthorne at Thameside (Littleton Lane), Chertsey Road (Shepperton Mead Farm) and Staines, the EA had undertaken modelling for the defences to ensure each alignment was effective and did not make flooding for other communities worse. They had consulted with relevant landowners and made residents aware where there was a direct impact on them from the barriers.

Ms Donaldson also updated the Committee on other EA work in Spelthorne involving management of floating Pennywort and maintenance work to weirs.

**Resolved** to note the update from the Environment Agency on Temporary Defence Deployment Plans and thank Tina Donaldson for attending.

### **213/18 Review of Community Safety**

The Group Head for Neighbourhood Services presented her report on a review of Community Safety for 2017-18 which covered the key issues facing the Spelthorne Safer Stronger Partnership in reducing crime and combatting anti-social behaviour. The report provided police data on specific crimes and highlighted the actions being taken to address the priorities of the Partnership covering: serious and organised crime, Closed Circuit Television, community engagement and water safety.

Temporary Borough Inspector Maxine Cilia gave an update on policing in Spelthorne since she took the post in February 2018 including: a dedicated police officer for Stanwell, resources allocated to safeguarding those at risk from high harm of 'cuckooing', working on the key priorities of dwelling burglary, high harm, domestic abuse, and making sure victims of crime are cared for properly.

Dawn Whiteman, Director of Housing and Lilian Buttle, anti-social behaviour manager at A2Dominion spoke about their initiatives in Stanwell to address anti-social behaviour and improve community engagement. These included: problem individuals referred to meet support needs; improving victim reporting of ASB via face-to-face opportunities through door-knocking and drop-in centre. Ms Whiteman gave an overview of activities and events held at the Stanwell Rose Community Centre around youth development, health and well-being and community cohesion and provided a pack for members with detail about these activities (attached to these minutes).

Surrey Police and Crime Commissioner David Munro gave a presentation (attached to these minutes) outlining his role, the structure of the police force in Spelthorne and his main concerns which included:

- Anti-social behaviour (Most residents do not come into contact with high impact crime)
- Burglary – this has gone up in Surrey and nationally, partly due to changes in categorisation. A lot of offenders had been arrested, charged and were in prison due to 'old fashioned' police work.
- Child Exploitation (CE)
- Domestic Abuse – still under reported and not taken seriously enough.
- Drugs/Alcohol offences - Running a campaign this autumn to remind people who is affected by users use of drugs
- Fraud
- Modern Slavery
- Unauthorised Encampments – police will treat criminality wherever it occurs but need evidence to charge any individual. The police think there is a serious gap in Surrey as there are no transit camps. This would give somewhere for the Travellers to go and it would enable the police to move unauthorised encampments on to such a site.

Members of the Committee asked questions about the crime data, community engagement, the 101 service and problems caused by the use of nitrous oxide gas cartridges.

Inspector Cilia offered to clarify some of the crime data, following the meeting. She detailed the community engagement work being done through local police panels, social media panels, initiating a cadet scheme in Spelthorne, Partnership Action Days (PADs) with the JET (Joint Enforcement) team, Crime Stoppers bus and promotion of police information by their Volunteer section.

Mr Munro stated that the 101 service was now working well following a lot of effort in making improvements. The number of calls had increased and in order that the service was sustainable into the future he wanted people to go online to report wherever possible.

He promised to take up the matter of youths using nitrous oxide canisters and the fact that these have not been included in recent legislation on psychoactive substances, which meant the police had no powers to deal with the problems caused by its use other than anti-social behaviour.

The Leader, Councillor Ian Harvey, commented that Surrey Leaders and Chief Executives were meeting at the end of the month to address the issue of a transit site in Surrey with other stakeholders.

**Resolved to:**

- 1) Note the report on a review of Community Safety, subject to receiving clarity on some of the police data
- 2) Commend A2D on their targeted work in Stanwell and
- 3) Thanked Inspector Cilia, David Munro, Dawn Whiteman and Lilian Buttler for attending the meeting.

**214/18 Corporate Project Management**

The Group Head for Commissioning and Transformation presented an update report on progress being made with Corporate Projects and responded to members questions on specific projects.

The Committee was pleased with the improvement in the way information was presented and noted that further improvements would be made.

**Resolved** to note the Corporate Project Management update.

**215/18 Work Programme**

An updated draft Work Programme was circulated at the meeting for the Committee's consideration and is attached.

The Committee had already identified at this meeting that it wished to review the draft Capital Strategy at its November 2018 meeting.

The Committee also agreed to include an item on task groups at the November 2018 meeting and that consideration of the Leisure Centre consultation be moved to the January 2019 meeting.

**Resolved** to approve the draft Work Programme for 2018-19 subject to the inclusion of:

- a) the Capital Strategy and Task Groups at the November 2018 meeting  
and
- b) the Leisure Centre consultation at the January 2019 meeting.

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# Spelthorne Borough Council

## Cabinet Forward Plan and Key Decisions



This Forward Plan sets out the decisions which the Cabinet expects to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Cabinet which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

The members of the Cabinet and their areas of responsibility are:

Cllr I.T.E. Harvey	Leader of the Council	<a href="mailto:Cllr.harvey@spelthorne.gov.uk">Cllr.harvey@spelthorne.gov.uk</a>
Cllr A.C. Harman	Deputy Leader	<a href="mailto:Cllr.harman@spelthorne.gov.uk">Cllr.harman@spelthorne.gov.uk</a>
Cllr. M.M. Attewell	Community Wellbeing	<a href="mailto:Cllr.attewell@spelthorne.gov.uk">Cllr.attewell@spelthorne.gov.uk</a>
Cllr C. Barnard	Planning and Economic Development	<a href="mailto:Cllr.barnard@spelthorne.gov.uk">Cllr.barnard@spelthorne.gov.uk</a>
Cllr J. Boughtflower	Corporate Management	<a href="mailto:Cllr.boughtflower@spelthorne.gov.uk">Cllr.boughtflower@spelthorne.gov.uk</a>
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Cllr H.R. Williams	Finance	<a href="mailto:Cllr.williams@spelthorne.gov.uk">Cllr.williams@spelthorne.gov.uk</a>

Whilst the majority of the Cabinet's business at the meetings listed in this Plan will be open to the public and press, there will inevitably be some business to be considered which contains confidential, commercially sensitive or personal information.

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of any of the Cabinet meetings listed below may be held in private where exempt and / or confidential information is due to be considered.

Representations regarding this should be made to [committee.services@spelthorne.gov.uk](mailto:committee.services@spelthorne.gov.uk)

Please direct any enquiries about this Plan to the Principal Committee Manager, Gillian Scott, at the Council offices on 01784 444243 or e-mail [g.scott@spelthorne.gov.uk](mailto:g.scott@spelthorne.gov.uk)

## Spelthorne Borough Council

### Cabinet Forward Plan and Key Decisions for 2 November 2018 to 31 March 2019

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 21 Nov 2018	Capital Monitoring Q2 July - September	Non-Key Decision	Public	Laurence Woolven, Chief Accountant Portfolio Holder for Finance
Cabinet 21 Nov 2018	Revenue Monitoring Q2 July - September	Non-Key Decision	Public	Laurence Woolven, Chief Accountant Portfolio Holder for Finance
Cabinet 21 Nov 2018 Council 13 Dec 2018	Calendar of Meetings 2019- 2020	Non-Key Decision	Public	Gillian Scott, Principal Committee Manager Leader of the Council
Audit Committee 1 Nov 2018  Cabinet 21 Nov 2018	Corporate Risk Management Review	Non-Key Decision	Public	Punita Talwar, Internal Audit Manager Portfolio Holder for Finance
Cabinet 21 Nov 2018	Meals on Wheels Contract Renewal	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Public	Jayne Brownlow, Deputy Group Head, Community Wellbeing Portfolio Holder for Community Wellbeing
Cabinet 21 Nov 2018	Exempt report - West Wing, Council Offices, Knowle Green, Staines - Key Decision	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Private	Nick Cummings, Property and Development Manager Leader of the Council

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 21 Nov 2018	Acquisition of Property Q	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Private	Nick Cummings, Property and Development Manager Leader of the Council
Cabinet 21 Nov 2018	Acquisition of Property R	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Private	Nick Cummings, Property and Development Manager Leader of the Council
Cabinet 11 Dec 2018 Council 13 Dec 2018	Capital Strategy Report	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance
Cabinet 11 Dec 2018	Public Space Protection Orders	Non-Key Decision	Public	Michael Graham, Head of Corporate Governance Portfolio Holder for Environment and Compliance
Cabinet 11 Dec 2018	Review of Polling Stations	Non-Key Decision	Public	Jayne McEwan, Electoral Services Manager Leader of the Council
Cabinet 11 Dec 2018	Staines Park as a Field in Trust	Non-Key Decision	Public	Nick Cummings, Property and Development Manager Leader of the Council
Cabinet 11 Dec 2018	Treasury Management Strategy - half yearly report	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 11 Dec 2018	Outline Budget 2019/20	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Public	Laurence Woolven, Chief Accountant Portfolio Holder for Finance
Cabinet 11 Dec 2018	Knowle Green Estates Ltd - Business Plan To decide on the strategy for the Company	Non-Key Decision	Private	Michael Graham, Head of Corporate Governance Leader of the Council
Cabinet 11 Dec 2018	Acquisition of Property S	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Private	Nick Cummings, Property and Development Manager Leader of the Council
Cabinet 30 Jan 2019 Council 21 Feb 2019	Pay Policy Statement	Non-Key Decision	Public	Sandy Muirhead, Group Head - Commissioning and Transformation Portfolio Holder for Corporate Management
Cabinet 30 Jan 2019 Council 21 Feb 2019	Treasury Management Strategy Statement	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance
Cabinet 30 Jan 2019	Fees and Charges - 2019/20	Key Decision It is likely to result in the Council incurring expenditure above or making savings of up to £164,000	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance
Cabinet 20 Feb 2019	6 Month Revenue Monitoring (Q3 Oct to Dec) & Projected Outturn	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer/ Cabinet Member
Cabinet 20 Feb 2019	6 Month Capital Monitoring (Q3 Oct to Dec) & Projected Outturn	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance
Cabinet 20 Feb 2019 Council 21 Feb 2019	Capital Programme 2019/20 (Final)	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance
Cabinet 20 Feb 2019 Council 21 Feb 2019	Revenue Budget 2019/20 (Final)	Non-Key Decision	Public	Terry Collier, Deputy Chief Executive Portfolio Holder for Finance



# Overview and Scrutiny Committee

## 20 November 2018



<b>Title</b>	Review of Air Quality		
<b>Purpose of the report</b>	To note		
<b>Report Author</b>	Olivia Flint, Principal Pollution Control Officer		
<b>Cabinet Member</b>	Councillor Daxa Patel	<b>Confidential</b>	No
<b>Corporate Priority</b>	Clean and Safe Environment		
<b>Recommendations</b>	<b>To note the information contained within the report</b>		

### 1. Key Issues

#### Background

- 1.1 In England there are national air quality objectives for seven pollutants. Previous assessments of local air quality in Spelthorne have enabled the Council to conclude that concentrations of carbon monoxide, benzene, 1,3-butadiene, lead, sulphur dioxide and PM<sub>10</sub> are compliant with the relevant national and European objectives.

**Table 1 National Air Quality Objectives**

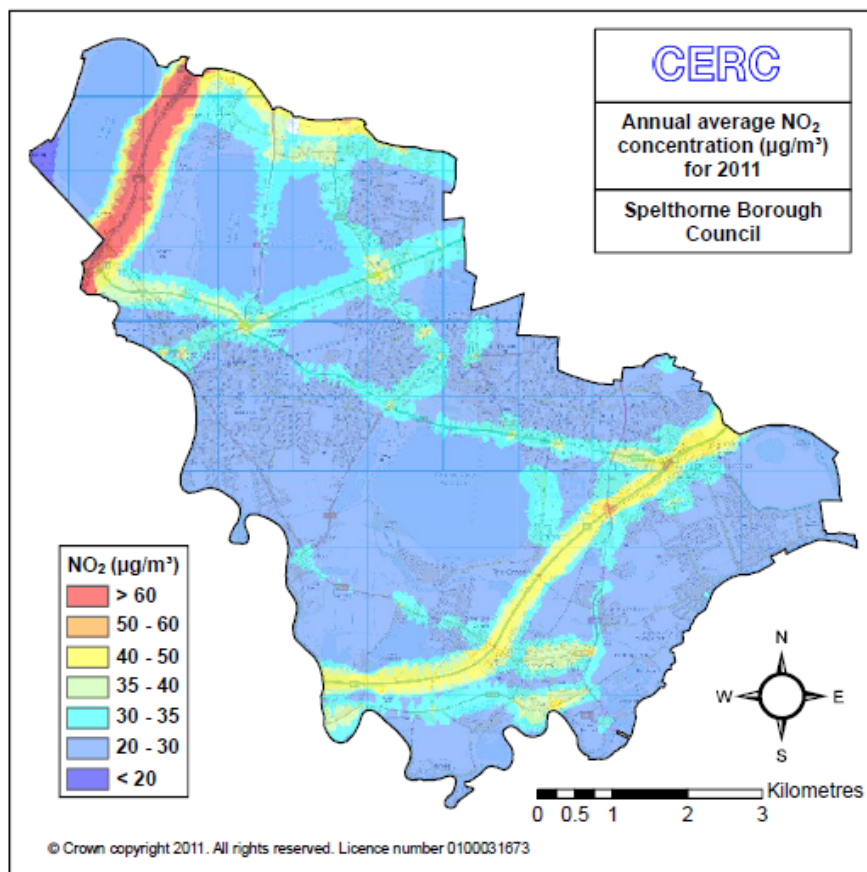
Pollutant	Air Quality Objective	
	Concentration	Measured as
<b>Nitrogen dioxide (NO<sub>2</sub>)</b>	200 µg/m <sup>3</sup> (not more than 18 times a year) 40 µg/m <sup>3</sup>	1 hour mean Annual mean
<b>Particles (PM<sub>10</sub>)</b>	50 µg/m <sup>3</sup> (not more than 35 times a year) 40 µg/m <sup>3</sup>	1 hour mean Annual mean

- 1.2 Monitoring of local air quality for levels of nitrogen dioxide, the principal pollutant of concern in Spelthorne, has been ongoing since 1996. In 2000 the Council declared the whole Borough of Spelthorne to be an air quality management area (AQMA) for both hourly and annual mean levels of nitrogen dioxide due to predicted exceedances of the national objectives. These objectives are shown in Table 1. Following further assessment in 2003 it was found that levels of hourly mean nitrogen dioxide were unlikely to result in members of the public being exposed to elevated levels of nitrogen dioxide above the objective, and so the AQMA for hourly mean nitrogen dioxide was withdrawn.
- 1.3 Since 2004 the annual levels of nitrogen dioxide have typically continued to exceed the standard at some, but not all monitoring locations around the Borough, especially alongside

major roads and busy junctions. Levels of air quality pollutants that residents are exposed to come from pollution generated within the Borough but also 'background' levels blown in from outside the area. For oxides of nitrogen up to around 25% of levels recorded at locations away from main roads can be from these background sources. The main source of nitrogen dioxide produced within the Borough is from road traffic exhaust fumes, accounting for about 80% of all oxides of nitrogen produced here. In contrast, for particulate matter up to 90% of levels monitored in the Borough actually come from background sources, produced elsewhere. Even at the busiest road junction only about a fifth of particles come from local road traffic. This presents a particular challenge for Spelthorne Borough Council to impact and influence local levels.

- 1.4 Modelling of annual nitrogen dioxide levels for 2011 is depicted in Figure 1, and shows the influence of road traffic on levels across the Borough, with major trunk routes such as the M25 and M3 motorways and A roads such as the A30, A308 and A244 being clearly demarcated with higher levels above the national air quality objective along the road corridors and junctions, and approaching the river crossings. This type of modelling is currently being repeated and the results will be published in early 2019.

**Figure 1 Modelled Annual Average NO<sub>2</sub> concentration for 2011**



### Air Quality Monitoring in Spelthorne

- 1.5 Spelthorne Borough Council undertakes non- automatic (passive) diffusion tube monitoring of NO<sub>2</sub> at 44 locations around the Borough shown in Appendix 1, Figure A1. Monthly results are used to calculate annual mean levels of nitrogen dioxide.
- 1.6 There are currently three continuous monitoring stations running in the Borough:
- Oaks Road, Stanwell – maintained by consultants from Riccardo-AEA on behalf of Heathrow Airport Ltd;



- Sunbury Cross – maintained by consultants from Riccardo-AEA and funded until December 2018 by the Council. A growth bid has been submitted to request continued funding of this monitoring site beyond December 2018;
- Haslett Road, Upper Halliford – maintained by consultants TRL and Fichtner on behalf of Suez, developers of the EcoPark incinerator.

1.7 A continuous monitoring station is a generic term for a cabinet which can contain a number of different analysers depending on which pollutants are to be monitored. Results from continuous monitoring can generate short-term averages such as 15 minute, hourly or daily averages, but also annual averages. Each of the three continuous monitoring stations in Spelthorne are set up to monitor nitrous oxides (reported as nitrogen dioxide) and particulates, as both PM<sub>10</sub> and PM<sub>2.5</sub>. There are no PM<sub>2.5</sub> monitors elsewhere in the whole of Surrey and PM<sub>10</sub> monitoring is only undertaken by Waverley at Farnham and Reigate & Banstead near Gatwick Airport.

### **Air Quality Monitoring Results in 2017**

- 1.8 In 2017, there were 4 monitoring locations where annual average nitrogen dioxide levels exceeded the national air quality objective, of 40 µg/m<sup>3</sup>. These locations were alongside busy roads and/ or near major junctions - SP8 and SP9 on the A308 Staines Road West approaching the junction with the M3 and A316 at Sunbury Cross; at SP29 on the Crooked Billet A30/A308/A3044 Staines Bypass junction; and at SP36 on Green Street, south of Sunbury Cross.
- 1.9 Nitrogen dioxide levels drop off significantly in a short distance from a road. A simple model can be used to predict air quality levels at the nearest relevant sensitive receptors to those monitoring locations in exceedance. Having done this, the level of nitrogen dioxide was estimated to drop below the 40 µg/m<sup>3</sup> objective at these locations in 2017.
- 1.10 There were four further locations, while below the objective in 2017, which were within 10% of the objective: SP5 Church Road, Ashford; SP34 School Road, Ashford; SP35 Vicarage Road, Sunbury; and SP51 Fairfield Avenue, Staines. The exceedances and these borderline locations are geographically spread across the 3 major towns of the Borough on main through roads close to major junctions.
- 1.11 Over a five year period there has been large inter-annual variations in results – in 2016 there were 13 monitoring locations where annual average nitrogen dioxide levels were in exceedance; 2015 being a good air quality year with only 4 exceedances preceded by two years that had elevated nitrogen dioxide levels, with 18 and 19 monitoring locations recording concentrations greater than the 40 µg/m<sup>3</sup> annual average objective in 2013 and 2014, respectively. For diffusion tubes, particularly roadside sites, the long term annual mean trend indicate little improvement in pollution levels for nitrogen as shown in **Appendix 2, figure A2.1**.
- 1.12 There were no recorded exceedances of the nitrogen dioxide hourly mean objective at any of the three operational continuous monitoring stations in 2017. The Oaks Road monitoring station has not recorded any exceedances of the hourly mean objective within the past 5 years.
- 1.13 Levels of annual mean PM<sub>10</sub> concentrations at each of the three continuous monitoring stations are well below the annual average air quality objective of 40µg/m<sup>3</sup>, at 33% to 52% of the air quality action level.
- 1.14 Results of monitoring over the past fifteen years indicate that there has been a noticeable trend of reducing concentrations of particulate matter (as PM<sub>10</sub>) as an annual average and in the number of days where the mean concentration is elevated above 50 µg/m<sup>3</sup> between 2003 and 2015. Since 2015 the particulate matter trend appears to have levelled out. This is shown in **Figures A2.3 and A2.4 in Appendix 2**.

- 1.15 There is no statutory obligation on councils to monitor fine particles (less than 2.5µm diameter), though it has been monitored at the Oaks Road site since 2003 with an annual average concentration of 9.21µg/m<sup>3</sup> in 2017. This result is well below the Government's proposed objective of 25µg/m<sup>3</sup>, and below the WHO guideline of 10µg/m<sup>3</sup>, albeit slightly higher than levels in 2015. Longer term levels of PM<sub>2.5</sub> at Oaks Road, like PM<sub>10</sub>, appear to show a gradual decline since 2003 as illustrated below, though this trend is less discernible over the last 5 years as shown in **Appendix 2, Figure A2.5**.
- 1.16 A full summary of monitoring results for 2017 is available on the Council's website: <https://www.spelthorne.gov.uk/article/2108/Air-quality---latest-reports> . Results of the continuous monitoring stations at Oaks Road and Sunbury Cross are reported in real-time on the Heathrow Airwatch website: <http://www.heathrowairwatch.org.uk/latest> .
- 1.17 Monitoring for 2018 at the continuous monitoring stations up to October 2018 is shown in **Appendix 2 Table A2.1** and indicates levels broadly consistent with those of 2017, though slightly worse for particulates (as PM<sub>10</sub>) at Oaks Road and Sunbury Cross. It is important to note that these figures are liable to change as seasonality of air quality means that higher levels are typically recorded over winter months, raising the final annual mean results.

## 2. How air quality impacts on health of residents.

- 2.1 There is good evidence that nitrogen dioxide is harmful to health. The most common outcomes are respiratory symptoms such as shortness of breath and cough. Nitrogen dioxide inflames the lining of the lung and reduces immunity to lung infections such as bronchitis. Studies also suggest that the health effects are more pronounced in people with pre-existing respiratory and heart conditions such as asthma, bronchitis, and Chronic obstructive pulmonary disease (COPD), compared to healthy individuals. Symptoms are usually only observed when NO<sub>2</sub> levels are very high, usually in short-term pollution incidents where hourly mean levels exceed the 200 µg/m<sup>3</sup> objective. This objective is not exceeded in Spelthorne (from comparison of both monitoring and modelling results). Nitrogen dioxide also reacts with hydrocarbons in the presence of sunlight to create ozone, and contributes to the formation of particles.
- 2.2 Particles or particulate matter (PM) are tiny bits of solids or liquids suspended in the air. They are a complex group of pollutants that vary in size, shape, composition and origin. These properties can also vary from place to place and time to time. Particles originating from road traffic include carbon emissions from engines, small bits of metal and rubber from engine wear and braking as well as dust from road surfaces. Others sources of particulates include material from building and industry as well as wind-blown dust, sea salt, pollens and soil particles.
- 2.3 Levels of particulates (as PM<sub>10</sub>, particles smaller than 10 micrometers) in Spelthorne are typically less than half the National Air Quality Objective for annual mean PM<sub>10</sub>. However, for particulates there is no threshold concentration below which there are no adverse effects on health. These particles are too small to see and cannot be filtered by the nose and throat, settling in the airway and deep in the lungs. Therefore, locally and nationally, there remains focus on continuing to reduce particulate levels. The health effects of particle air pollution have been widely studied, and include premature death and the worsening of heart and lung disease, often increasing admissions to hospital.

### Health Impacts at a National Scale

- 2.4 Research from 2009 by the Committee on the Medical Effects on Air Pollutants (COMEAP), an independent governmental advisory body, estimated the mortality burden of human-made air pollution in the UK at an annual effect equivalent to nearly 29,000 deaths. In July 2018 the Committee published an updated report with the range of estimates of the annual mortality burden of human-made air pollution in the UK estimated as an effect equivalent to 28,000 to 36,000 deaths per year.
- 2.5 The total NHS and social care cost in England due to PM<sub>2.5</sub> and NO<sub>2</sub> combined in 2017 was estimated to be £42.88 million (based on data where there is more robust evidence for an

association), increasing to £157 million when diseases are included where there is currently less robust or emerging evidence for an association.

- 2.6 Between 2017 and 2025, the total cost to the NHS and social care of air pollution for where there is more robust evidence for an association, is estimated to be £1.60 billion for PM<sub>2.5</sub> and NO<sub>2</sub> combined increasing to £5.56 billion if we include other diseases for which there is currently less robust evidence for an association
- 2.7 When all diseases are included (i.e. where there is robust and less robust evidence):
- In England, an estimated 2,248 new cases of disease per 100,000 population attributable to PM<sub>2.5</sub> is predicted between 2017 and 2035.
  - In England, an estimated 1,933 new cases of disease per 100,000 population attributable to NO<sub>2</sub> is predicted between 2017 and 2035.
- 2.8 In Autumn/ Winter 2018, detailed modelling is being undertaken by specialist consultants on behalf of the Council to provide:
- new pollutant maps (as per Figure 1) for nitrogen dioxide and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>),
  - to estimate the proportional sources of pollution; and also
  - to calculate health impacts of air pollution via calculation of the local mortality burden for each ward of the Borough.

This is a joint project of the Surrey Air Alliance, an air quality officers group of all eleven districts and borough Councils across Surrey and Surrey County Council, to provide consistent air quality information across the whole of Surrey. The health impact calculations shall comprise attributable deaths by ward; associated life-years lost by ward; and attributable health cost by pollutant.

- 2.9 Traffic modelling for the project is currently being undertaken by Surrey County Council with outputs to be provided to the specialist air quality consultant in November 2018. Outputs are anticipated to be available by Spring 2019.

### **3. What action can the Council take to raise awareness of air quality? Surrey AQ Schools Project**

- 3.1 In April 2018, Spelthorne Borough Council, as lead authority for a Surrey Air Alliance joint project, was awarded an Air Quality Grant of £145,188 by the Department of Food, Environment and Rural Affairs (defra) to implement a programme of air quality awareness within 40 schools in proximity to the Air Quality Management Areas (AQMAS) in Surrey.
- 3.2 The project will deliver a package of complimentary measures designed to raise awareness of air quality issues with primary and secondary school children (and their parents, staff and local communities around schools), encourage behaviour change and mode shift, and reduce vehicle idling particularly outside schools. Some of our measures such as the media campaign and the EcoSchools Summit on Air Quality issues will be countywide, and impact on all schools and/or all primary schools, but most will target children within the selected 40 schools with proximity to the AQMAS in the following administrative areas: Spelthorne Borough Council, Runnymede Borough Council, Elmbridge Borough Council, Woking Borough Council, Waverley Borough Council, Epsom & Ewell Borough Council, and Reigate & Banstead Borough Council.
- 3.3 The project's media campaign ran between 17 September and 14 October 2018 including
- Adverts on bus backs across Surrey;
  - Adverts at six bus stops outside schools in Spelthorne, Runnymede and Elmbridge;
  - Editorial articles in magazines such as Primary Times, Surrey Matters and other family magazines;

- Digital media including Facebook and Twitter accounts of Surrey County Council, participating schools and the Surrey districts and boroughs, including Spelthorne; and
- Radio adverts on Radio Heart, Jackie and Eagle.

3.4 In November 2018, a bespoke air quality themed Theatre in Education performing arts show will tour the participating schools to introduce the air quality issue to pupils and provide an anti-idling message. Past productions on recycling and road safety have been very effective at getting key messages to pupils and through them ('pester power') to their parents. This will be followed in January 2019 with an education package where a specialist contractor will provide education resources and deliver interactive activities and lessons, including air quality monitoring, at participating schools. There will also be additional cycle training offered to participating schools and an air quality themed Golden Boot sustainable travel to school challenge in June 2019.

**Figure 2 Photographs of Bus Stop Adshells**



3.5 All schools in Spelthorne qualify for the project, but only a handful are currently signed up. Officers continue to reach out to local schools through the Spelthorne Schools Federation to encourage our schools to participate in the project.

### **AirAlert**

3.6 Since 2015 Spelthorne has been part of the AirAlert scheme ([www.airalert.info/Surrey](http://www.airalert.info/Surrey)), a free service provided by the Council to help those with respiratory conditions manage their health when air quality is poor. On 20 to 30 days per year pollution levels are reached, usually for particulates or ozone, that are capable of causing short term health symptoms for people with pre-existing respiratory conditions. People who register for the free service receive an email, text or voicemail message, informing them the day before of an expected elevation of air pollution in their area. This enables them to make choices about what they do and how they manage their medication, so they can stay in control of their own health. Health advice in the AirAlert message is approved by UK experts and varies according to a simple air pollution index (low, moderate, high and very high).

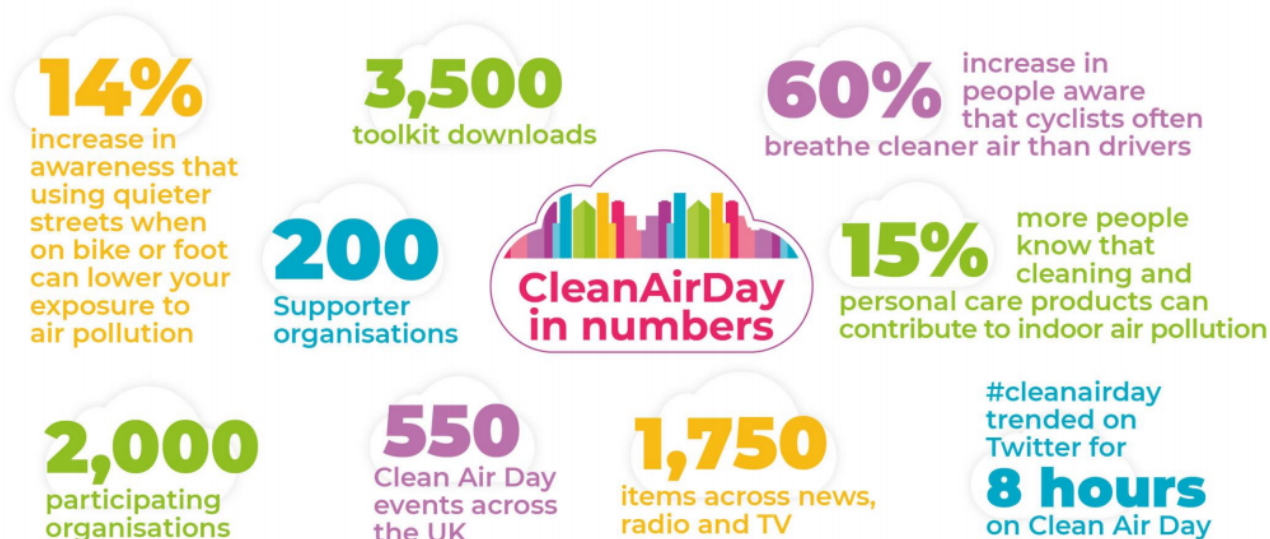
3.7 Spelthorne currently has 98 residents signed up to the scheme. While this is the third highest total of the seven participating Surrey local authorities, further promotion of the scheme is needed. Participation in the scheme has been funded thus far by S.106 developer contributions to air quality mitigation. This funding has now been exhausted and future funding will be required from revenue budgets.

3.8 A survey of AirAlert users showed that 88% of survey respondents found AirAlert a useful or very useful service, and two thirds had recommended it to someone else. They found the service helped them manage their symptoms and reduce their exposure to air pollution. They also reported increased confidence to participate in social and recreational activities.

## Participation in National Air Quality Campaigns

- 3.9 In June 2017, Spelthorne ran an event to support the first National Clean Air Day which included promotional messages via Facebook, Twitter and the Council's electronic newsletters; free cycling maintenance for Council staff and the opportunity to test drive an electric Nissan Leaf or Nissan Van.
- 3.10 The message of the National Clean Air Day was also promoted by Council staff at a stall at the Staines-upon-Thames Day event on 25 June 2017. We estimate that we were able to engage with in excess of 150 residents during the event day.
- 3.11 In early June 2018, Spelthorne ran a staff event to support National Cycling Week, again with free cycle check-ups and the opportunity to test drive a 100% electric Nissan Leaf.
- 3.12 On Clean Air Day in 2019 we can support the campaign through promotion on our social media and electronic publications. On 21 June 2018, #cleanairday trended on Twitter for eight hours. Subject to officer resources and budgetary funding in June 2019 we could host staff and/ or public events and activities. At least 550 events happened on the day in 2018, while some 1,750 broadcasts and press items were generated by the national campaign.

**Figure 3 National Clean Air Day 2018**



**Source:** Global Action Plan, Celebrating the impact of the UK's largest air quality campaign.

Available at <https://www.cleanairday.org.uk/Handlers/Download.ashx?IDMF=88367ca5-e3df-45a6-86bf-9d9f62496f3e>

## Electric Vehicle Charging

- 3.13 One of the air quality main actions by officers over the past two years has been in trying to establish a network of electric vehicle (EV) charging infrastructure around the Borough. The Government aspires that by 2040 every new car in the UK will be an ultra-low emission vehicle. Electric vehicles produce lower emissions (NOx) at the point of use (i.e. roadside) and overall carbon savings (~20%) even when electricity generation is factored in. Ultra-low emission vehicles can also reduce noise in urban areas. Spelthorne is lagging behind neighbouring authorities in statistics of new electric plug-in hybrid vehicle registrations as shown in **Appendix 3, Figure A3.1**. Published research shows that existing private EV owners rely mostly on home and workplace charging but public charging infrastructure is a key factor in purchase of EVs by both private and organisational buyers.
- 3.14 For every major new development in Spelthorne (>10 residential units and/or >1,000 sq.m. commercial floor space), Environmental Health recommend to the Local Planning Authority

that EV charging is provided in compliance with standards set out in the Surrey County Council Vehicular and Cycling Parking Guidance (January 2018). These standards are set out in **Appendix 3, Figure A3.2**.

- 3.15 Officers have been liaising with local businesses and charging installers to keep abreast of what electric charging provision is being driven by the private sector. From this work we are aware of proposals for rapid chargers at a number of petrol stations across the Borough and new fast charging at the Two Rivers Car Park in Staines-upon-Thames.
  - 3.16 There remains a role for the Council in facilitating rapid charging, providing destination charging and promoting uptake of ultra-low emission vehicles (ULEV) by local residents and businesses. Destination charging gives users an opportunity to top up whilst parked for 2-3 hours on an existing vehicle trip, such as at shopping centres, public car parks, leisure centres and supermarkets.
  - 3.17 To this end funding bids have been made to Defra's Air Quality Grant Fund (November 2016), Heathrow's Sustainable Transport Levy Fund (May 2017) and the Enterprise M3 Local Enterprise Partnership (LEP) Growth Fund (April 2018) to install fast chargers in selected Council car parks and some rapid chargers at strategic locations. Each of the applications were judged to be strong bids but were ultimately unsuccessful in over-subscribed grants.
  - 3.18 To date we have only been able to fund small scale electric vehicle charging infrastructure schemes in a piecemeal approach as and when funds have become available. In June 2017 eight public charge points were installed in the Elmsleigh and Tothill multi-storey car parks in Staines-upon-Thames. These were paid for by a small capital pot that had been allocated as match funding for the unsuccessful Defra funding application. In April 2018 a dual fast charger was installed at the main Council Offices at Knowle Green for workplace charging for Council employees. This was funded by a pooling of revenue funds from Environment Services, Environmental Health and Asset Management. As demand increases additional charging units can be connected to the new electrical infrastructure. Future funding will be needed to provide further charging units at Knowle Green and make provision at other Council buildings and operational bases.
  - 3.19 By providing a charging network in Spelthorne, businesses, visitors and residents can be confident about making an early switch to EV technology. The bid for grant funding from the Enterprise M3 LEP included a scheme to provide grants to Spelthorne businesses so that they could benefit sooner from fuel savings and achieving corporate and environmental/ low carbon aspirations. Selected low emission vehicles (vans, cars and motorcycles) are eligible for a plug-in grant from Government to reduce purchase costs. The Office of Low Emission Vehicles (OLEV) operate a workplace charging scheme with a small grant (£300) for installing EV chargers points dedicated for staff or fleet use. This though represents as little as 5-10% of costs to a business of installing charging infrastructure - making this a considerable disincentive for businesses to switch. Our scheme was to offer grants up to £4,500 towards the shortfall and help Spelthorne businesses realise a competitive edge. The bid application was match funded with money from the business rates retention fund. There is potential to explore whether the Council could proceed with the business grant scheme.
  - 3.20 Whilst officers can continue to seek external funding opportunities for development of a destination charging network, the Council may need to consider provision of EV charging in future upgrades to Council car parks to maintain attractiveness and compete with third party parking offerings.
- 4. What is the potential impact on air quality of Heathrow expansion?**
- 4.1 In the first quarter of 2018, Heathrow Airport Ltd (HAL) consulted on its proposal to expand the airport through construction of a third runway, new terminal capacity and other supporting infrastructure. At the end of June 2018, Parliament voted to pass the Airports National Policy Statement, new policy that sets out the criteria under which consent will be given for expansion of the airport. In Spring/ early Summer 2019 there will be a second

public consultation on expansion plans, ahead of HAL's application to the Planning Inspectorate for a Development Consent Order (DCO), a type of planning consent for nationally significant infrastructure, in 2020. The DCO process is expected to take about 18 months. If Heathrow is granted development consent, construction would begin in 2021 ahead of the new runway opening in 2026.

- 4.2 Aircraft make a very small to negligible contribution to local air quality once they reach a height of 1,000ft, which can occur rapidly after take-off. However, aircraft taxiing, the early stages of take-off, airport related traffic and airside vehicles and plant do contribute to local emissions.
- 4.3 Spelthorne supports, in principle, Heathrow Expansion because of the potential economic benefits and opportunities it is likely to bring to the local area. However, that support is entirely dependent on HAL making sure that any scheme comprehensively and effectively mitigates against impacts on noise, traffic, air quality, the wider environment, infrastructure and local road networks. Heathrow's consultation documents show that expansion will bring airport-related development into Spelthorne, impacting the communities of Stanwell Moor and Stanwell in particular.
- 4.4 While the new runway will be built to the north west of the existing airport boundary, some airport-related businesses currently located there (plus new supporting facilities and infrastructure required to serve an expanded airport, such as freight warehouses, hotels and offices) will be displaced to the south of the airport. Provision of taxiways and terminal capacity to the west of Terminal 5 will sever local roads and impact on the alignment and junctions of the M25. The main surface access to the expanded airport will be via Junction 14 of the M25, on the north west corner of our Borough. Airport parkway car parking for up to 25,000 cars is currently being proposed for land at Stanwell Moor in Spelthorne. Taxi feeder parks and car rental businesses (equivalent to a further 4,000 parking spaces) will also be relocated to the south of the airport. HAL have pledged that expansion will not increase airport related traffic from today's levels and that the current surface access proposals can increase the share of passengers accessing the airport via sustainable transport to at least 50% by 2030. Spelthorne is sceptical that this can be achieved, particularly without Southern Rail access. Even with no increase in overall traffic, with the main access to the airport being from J14 there will be a significant increase in traffic flows across the north of Spelthorne. The Council is concerned that there could be significant adverse impacts on local air quality and noise from this increased levels of road traffic in the north of the Borough, but also at existing air quality hotspots at key road junctions as additional vehicle journeys cut across the Borough and increase traffic congestion.
- 4.5 At this point HAL have not shared any air quality modelling or traffic flow data/ modelling. They have stated that they do not need any additional air quality monitoring to validate air quality modelling of a preferred scheme. Officers are liaising with independent air quality consultants about the need for additional air quality monitoring in Stanwell, Stanwell Moor and Staines-upon-Thames to support modelling work but also to provide monitoring throughout construction and operational phases of expansion. Officers have particular concerns about increased traffic flows through the A30 Crooked Billet roundabout junction (Staines-upon-Thames), the A30 through Ashford, and onto northern radial routes to the airport including the A3044, B378 and Long Lane/Short Lane. There is likely to be a need for additional continuous monitoring in some locations, which HAL may not recognise (nor fund). Any monitoring to inform traffic and air quality modelling will need to be in-situ as soon as possible (by early 2019). Costs to run each new continuous monitoring station would be between £10,000 – £20,000 depending on the pollutants monitored.
- 4.6 If the Development Consent Order is granted, the main construction period would commence in 2021. Some development works would occur prior to this date. Earthworks and runway construction would be on-going for 5 years, with the runway scheduled to open by the end of 2026. Construction of terminals and other ancillary sites (hotels, offices, freight warehouses, and car parks, for example) would be constructed over a 7 to 9 year period, through to at least 2030. As a consequence some off-site construction sites and contractors compounds in Spelthorne could be occupied for in excess of 9 years. As a

consequence, the Council is concerned about the potential land use and environmental impacts of the construction phase.

- 4.7 If Heathrow expansion proceeds, the Council will need to push HAL to ensure sufficient mitigation is provided to protect residents and minimise impacts from increased emissions resulting from expansion. It is likely that the Council will also need to engage with other stakeholders to introduce additional and/ or upgraded measures into its Air Quality Action Plan to further offset impacts.
- 4.8 Spelthorne is a member of the Heathrow Strategic Planning Group (HSPG), a group of public bodies and stakeholders responsible for the area most directly impacted by the future operation of Heathrow Airport. Through the HSPG and in its own right, the Council is working hard to secure the best possible outcomes for our residents and businesses. The Council's consultation responses to public consultations have been published on our dedicated Heathrow Expansion webpages: <https://www.spelthorne.gov.uk/heathrow> .
- 4.9 There are several other major schemes being proposed in the region that also have the potential to environmentally impact on Spelthorne, including:
- Western Rail Link to Heathrow – This Network Rail scheme is the new western rail access to Heathrow Airport, which involves the construction of a new 6.5km rail link between Langley Station (near Slough), on the Great Western Main Line, and Heathrow T5. One of the four construction compounds will be located at Bedfont Court – about 200m north of the Spelthorne boundary, just west of Heathrow Terminal 5. If consented, construction works here would be anticipated to start in 2022, through to the end of 2026. The new rail line and tunnelling will be entirely outside the area of Spelthorne, but some properties in the north of Stanwell Moor are within an area where they could be affected by dust if best practices are not followed. And whilst HGV routing will not pass through the Borough, there could still be traffic and air quality impacts in Spelthorne, especially as the construction works for the new rail line would overlap (in location and timeframe) with construction at Heathrow Airport if expansion for the third runway is permitted.
  - Southampton to London Pipeline – Esso are proposing to replace 56 miles of the 65 mile Southampton to London Pipeline. The existing underground pipeline crosses the River Thames at Chertsey into Spelthorne and runs north past Laleham, through Ashford and into the West London Oil Terminal at the Borough boundary with the London Borough of Hounslow. The preferred route of the new pipeline is being consulted on in autumn 2018, with a Development Consent Order application in 2019. If consented the project would start in 2021, again overlapping with proposed airport expansion.

## 5. **What is the potential impact on air quality of the EcoPark?**

- 5.1 The application for an Environmental Permit to operate the EcoPark gasification plant was accompanied by an air quality assessment based on detailed air quality modelling. This was undertaken to assess the impact of the operations of the proposed fluidised bed gasifier, gas engines and flare. The 2013 assessment included a review of baseline pollution levels, dispersion modelling of emissions from a number of sources on-site and determination of the significance of the impact of these emissions on local air quality. A review of the existing pollution levels showed that the annual mean concentrations of nitrogen dioxide are elevated in some areas close to the plant.
- 5.2 Under the conditions of the Environmental Permit, the gasification plant will have both daily and half hourly average limit values on emissions to air. The air quality assessment was undertaken on a worst case assumption that plant would continually operate at the proposed limits.
- 5.3 Emissions from the facility were not predicted to cause a breach of any assessment level for the protection of human health or ecosystems. The contribution of the gasification plant in operation was predicted to be insignificant for particulate pollution – 0.10% of the annual



mean standard for PM<sub>10</sub> and 0.16% for PM<sub>2.5</sub>. For nitrogen dioxide the process contribution was modelled to be just over 1% of the annual mean air quality objective.

- 5.4 The Environmental Permit for the EcoPark site has been granted by the Environment Agency, who will regulate compliance with pre-operational requirements and environmental conditions. The Anaerobic Digestion plant and gasifier are not operational yet and no Environment Agency required monitoring is underway.
- 5.5 A continuous monitoring station (recording levels of nitrogen dioxide, PM<sub>10</sub> and PM<sub>2.5</sub>) was installed in Upper Halliford from March 2016 to monitor ambient air quality levels downwind of the EcoPark site – a legacy of the efforts of the late Councillor Watts. This monitor will be in place throughout the ongoing construction phase, commissioning and for at least two years into the operational phase, i.e. to at least 2021.
- 5.6 Results from the continuous monitoring station at Haslett Road are higher than the Oaks Road and Sunbury Cross sites for particulates, but are still well below the annual mean objective, at 52% of the Air Quality Objective.
- 5.7 At Haslett Road there was an increase in the annual mean and number of days exceeding the daily mean in 2017 compared to 2016. A daily mean level of 50 µg/m<sup>3</sup> was exceeded on 10 days in 2017, compared to the objective requiring this level not to be exceeded more than 35 times per year.
- 5.8 Provision results at Haslett Road for the period up to the end of September 2018 indicate only three exceedances of the daily mean standard. Two of the days (2 and 3 March 2018) coincide with regionally elevated results associated with the 'Beast from the East' cold snap from the continent. The third daily exceedance (11 April 2018) also saw slightly elevated levels at Oaks Road and Sunbury Cross indicating a regional source rather than a local issue.
- 5.9 The average diurnal profiles of PM<sub>10</sub> and PM<sub>2.5</sub> indicate a peak during the overnight hours, which could be influenced by possible contributions from increased emissions from domestic heating (i.e. wood and solid fuel stoves) during the evenings.

**Background papers:** There are none

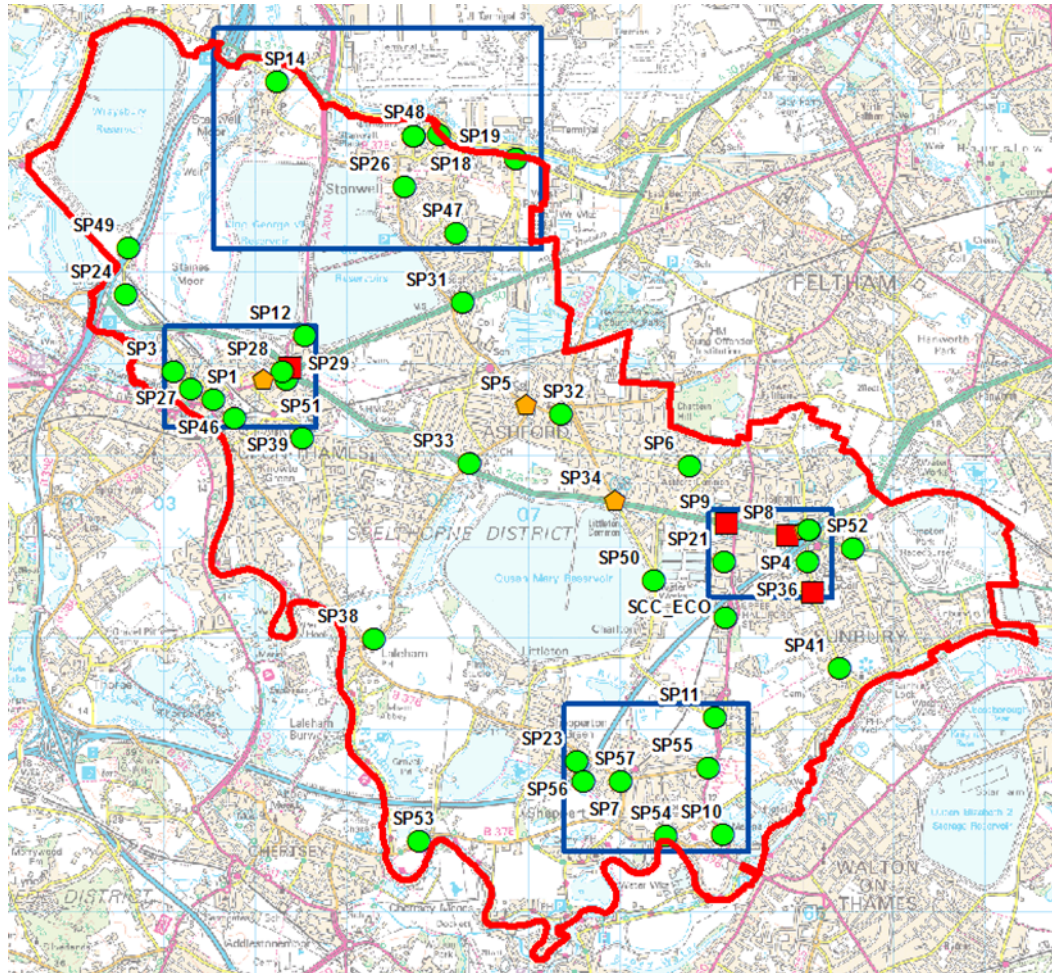
**Appendices:** Appendix 1 Plans of Air Quality Monitoring Locations

Appendix 2 Air Quality Monitoring Results Charts

Appendix 3 Electric Vehicle Figures

**APPENDIX 1 Plans of Air Quality Monitoring Sites in Spelthorne**

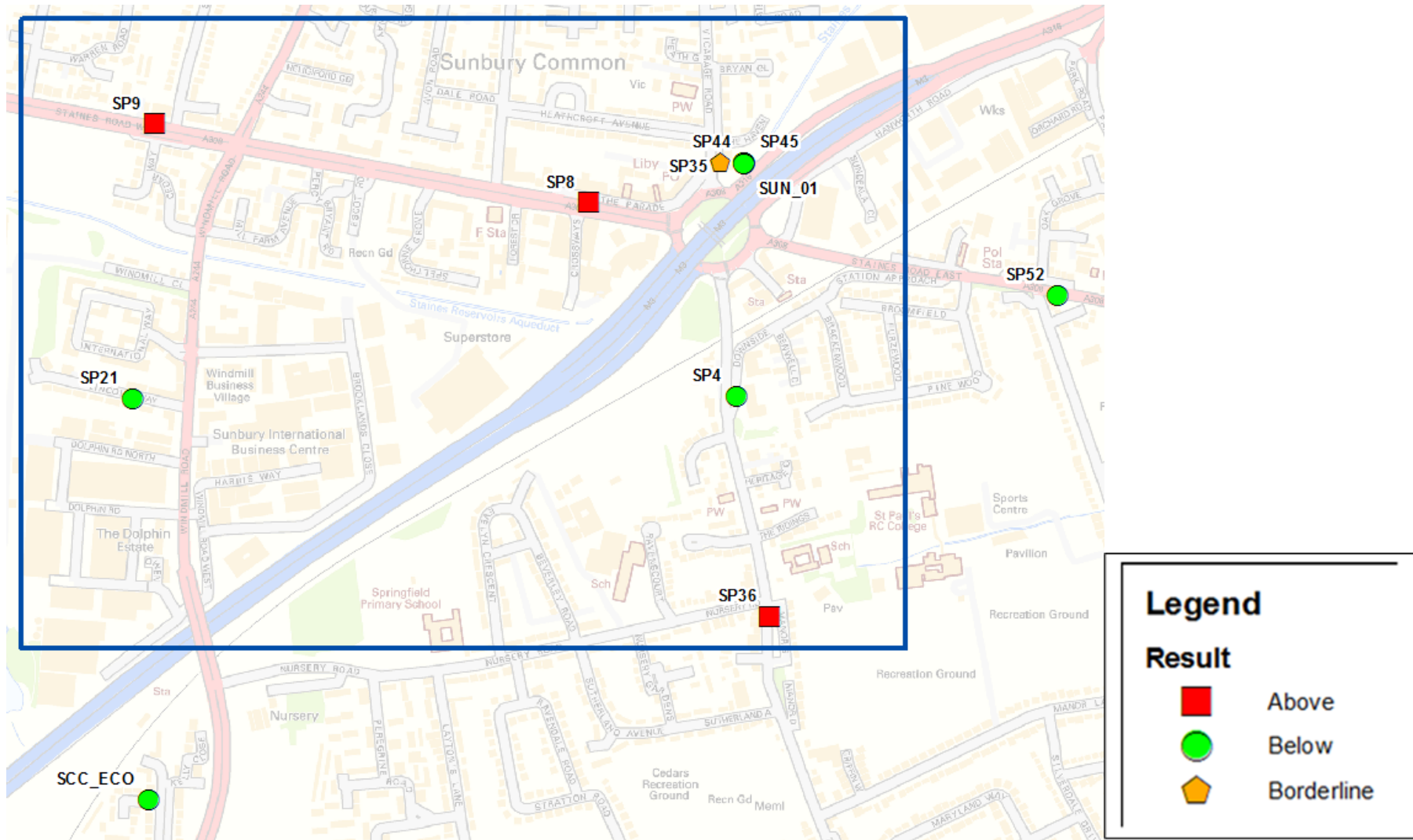
**Figure A1.1 Spelthorne wide monitoring locations**



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**Figure A1.2 Inset of Air Quality Monitoring in Sunbury**



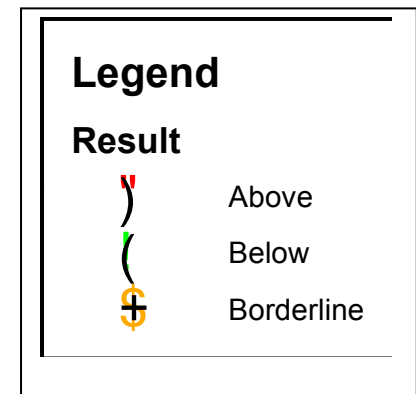
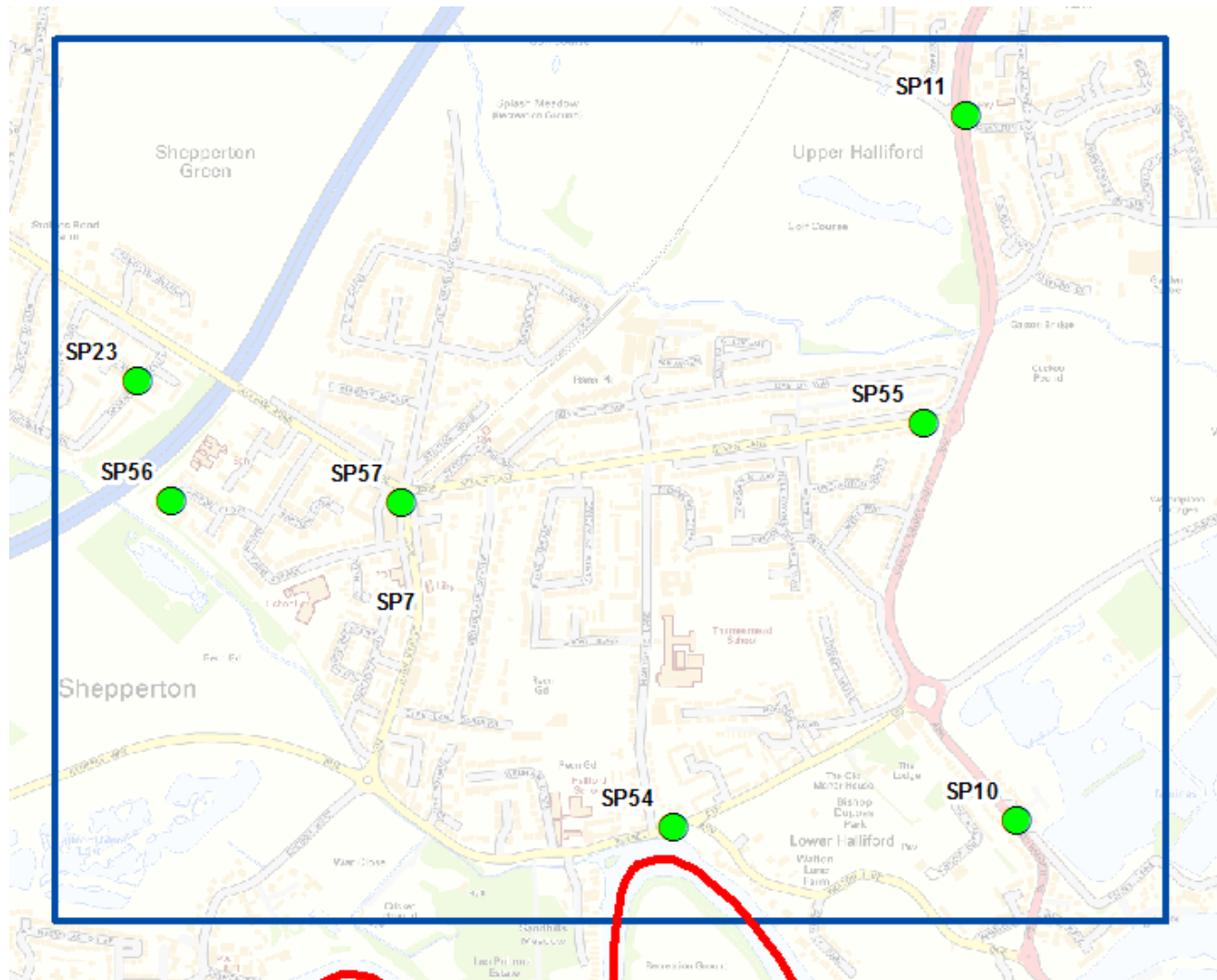
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**Figure A1.3** Inset of Air Quality Monitoring in Shepperton

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**Figure A1.4 Inset of Air Quality Monitoring in Staines-upon-Thames**

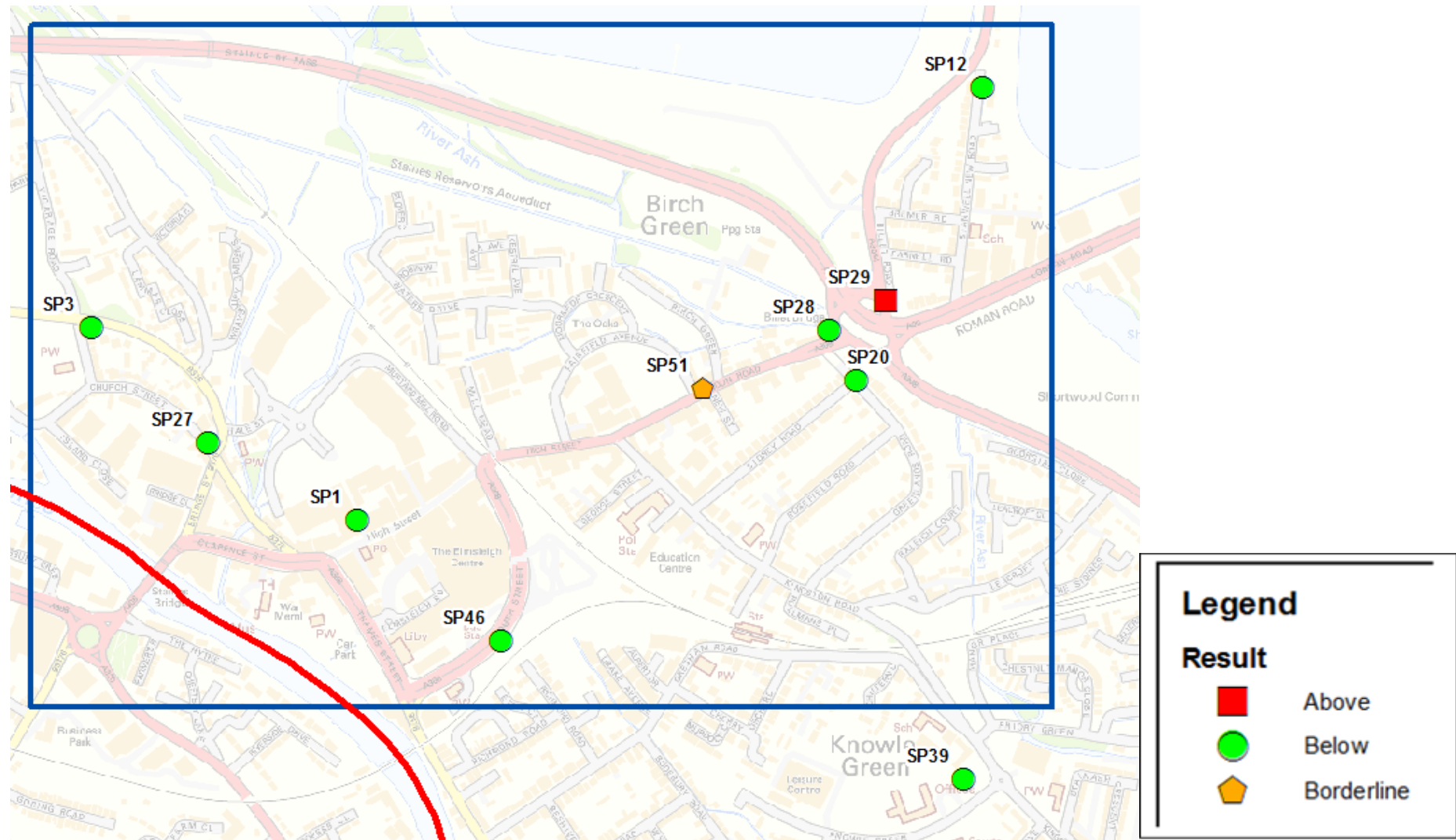
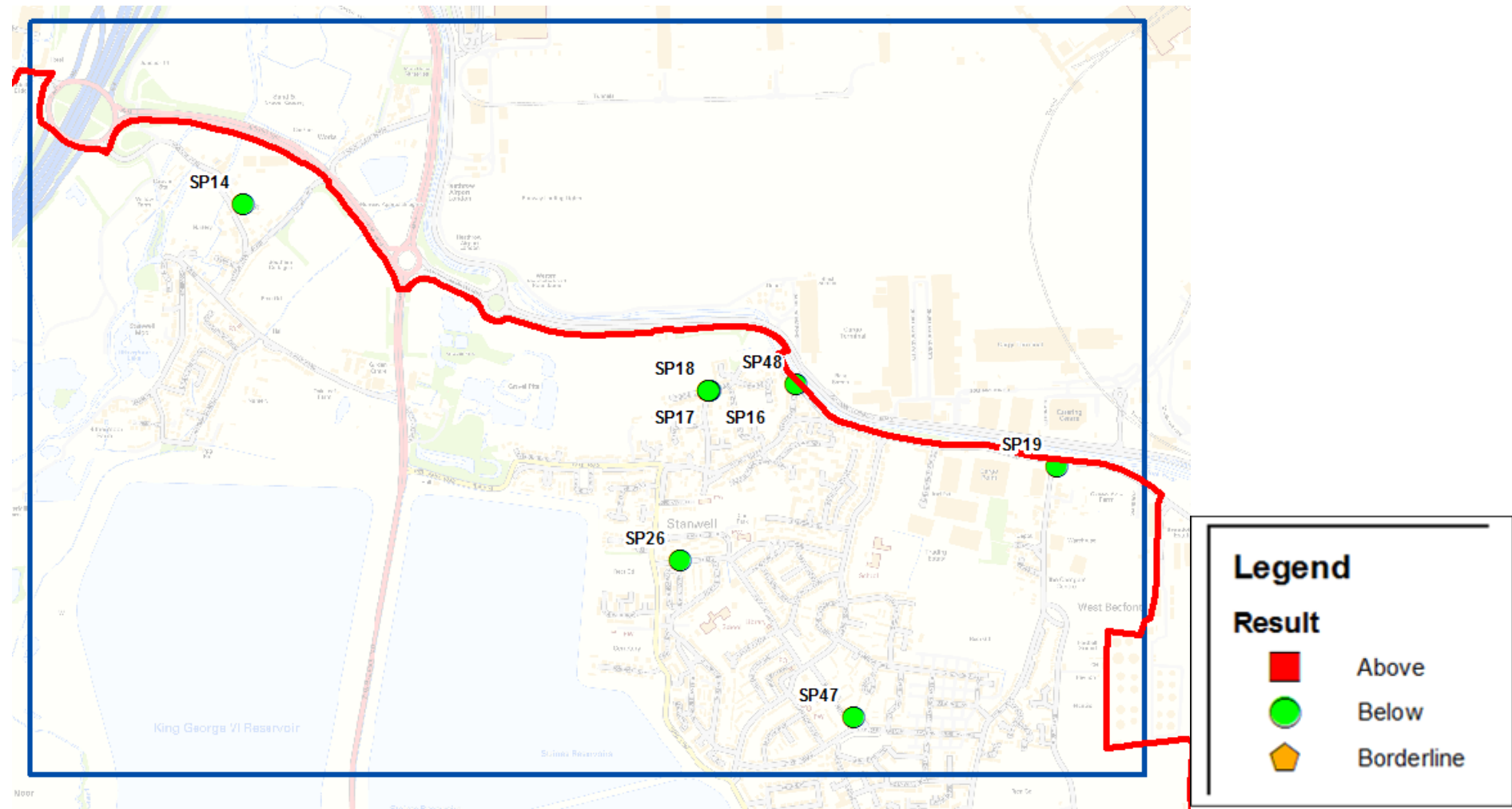
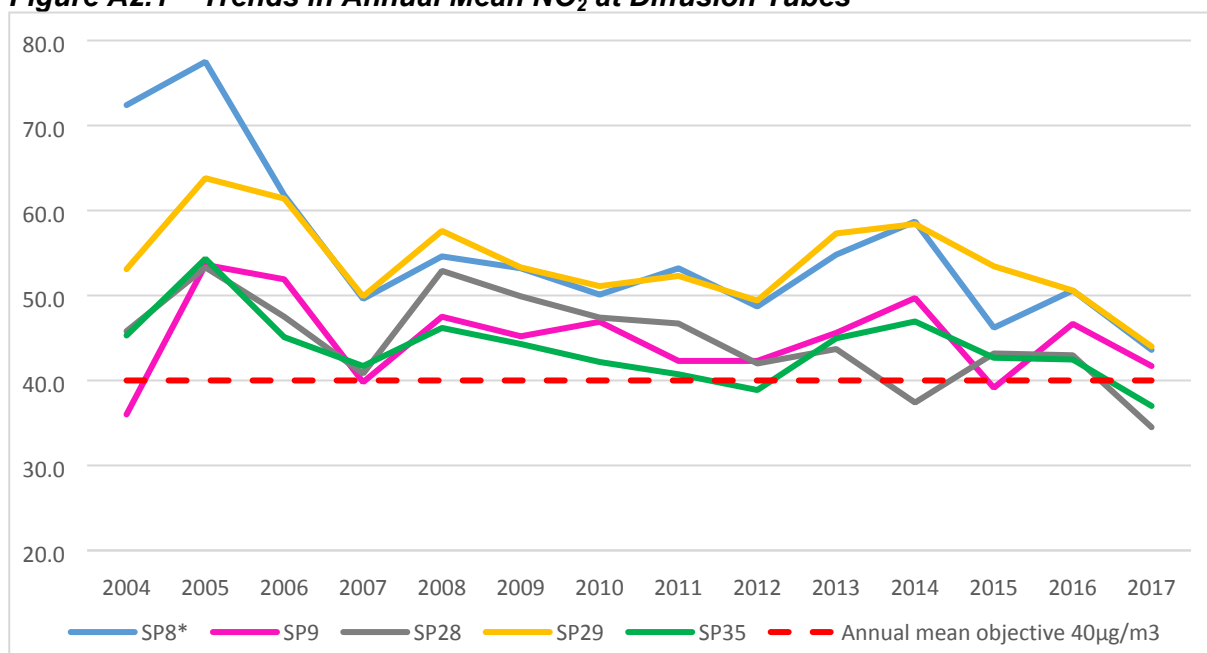


Figure A1.5 Inset of Air Quality Monitoring in Stanwell and Stanwell Moor



## APPENDIX 2 – Monitoring Results

**Figure A2.1 Trends in Annual Mean NO<sub>2</sub> at Diffusion Tubes**



\* Diffusion Tube SP8 was relocated in 2007 – taking it about 70m further from the Sunbury Cross junction but halving the distance from the kerb of the A308 Staines Road West

Figure A2.1 shows that after falling from a peak in 2005 annual mean nitrogen dioxide tubes in Spelthorne do not show a clear long-term trend of decreasing levels as might be expected due to a reduction in background concentrations.

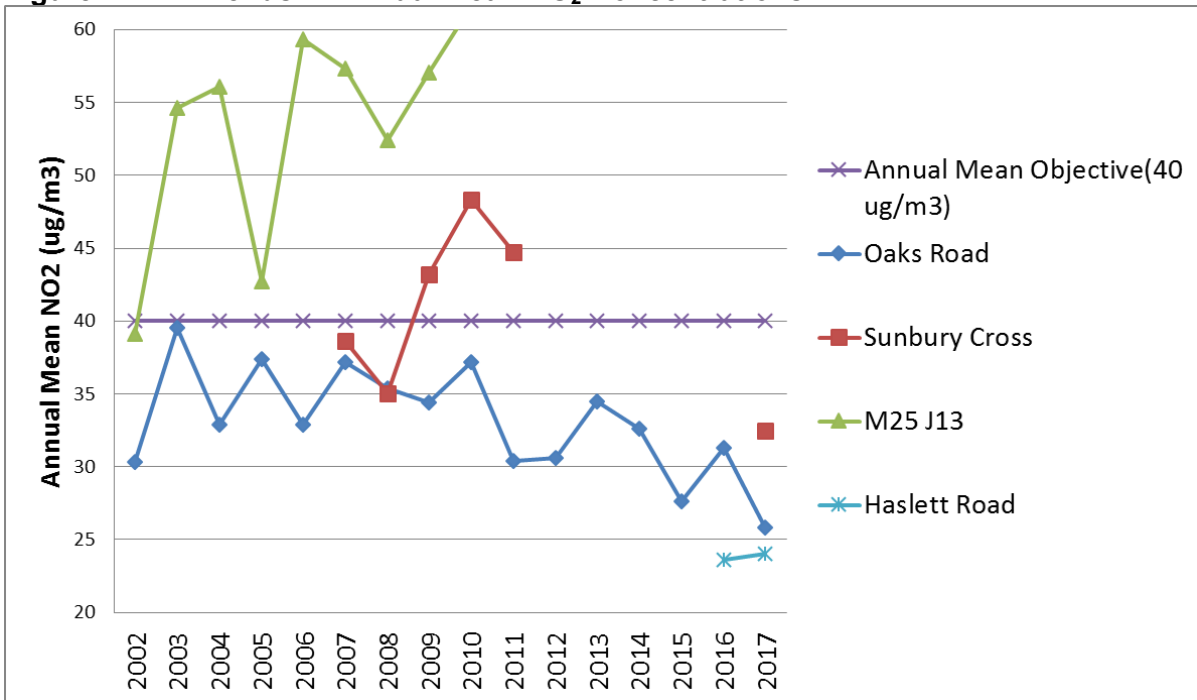
**Table A2.1 Provisional 2018 Period Mean results**

Location	NO <sub>2</sub> Annual Mean Concentrations (µg/m <sup>3</sup> )		PM10 Annual Mean Concentrations (µg/m <sup>3</sup> )		PM2.5 Annual Mean Concentrations (µg/m <sup>3</sup> )	
	2017	2018*	2017	2018*	2017	2018*
Oaks Road *	25.8	27	14.2	16	9.21	10
Sunbury Cross *	32.5	30	13.1	14	8.04	9
Haslett Road #	24.0	20.8	20.7	19.1	13.3	12.3
Objective	40	40	40	40	25	25

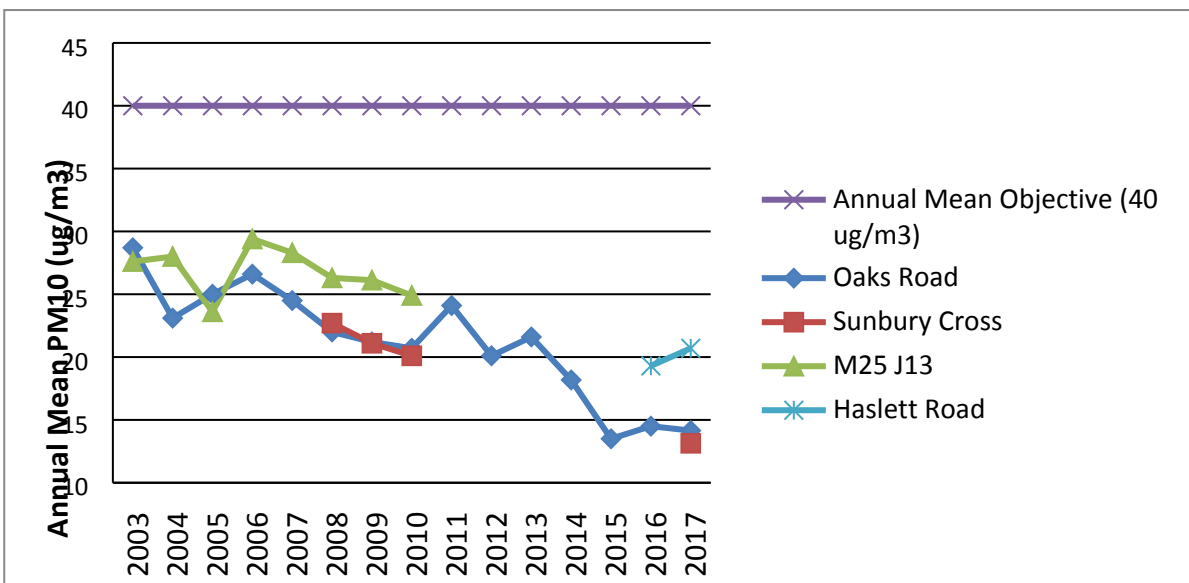
\* Provisional 2018 Period Mean for 1 January to 3 October 2018

# Provision 2018 Period Mean for 1 January to 30 September 2018

**Figure A2.2 Trends in Annual Mean NO<sub>2</sub> Concentrations**

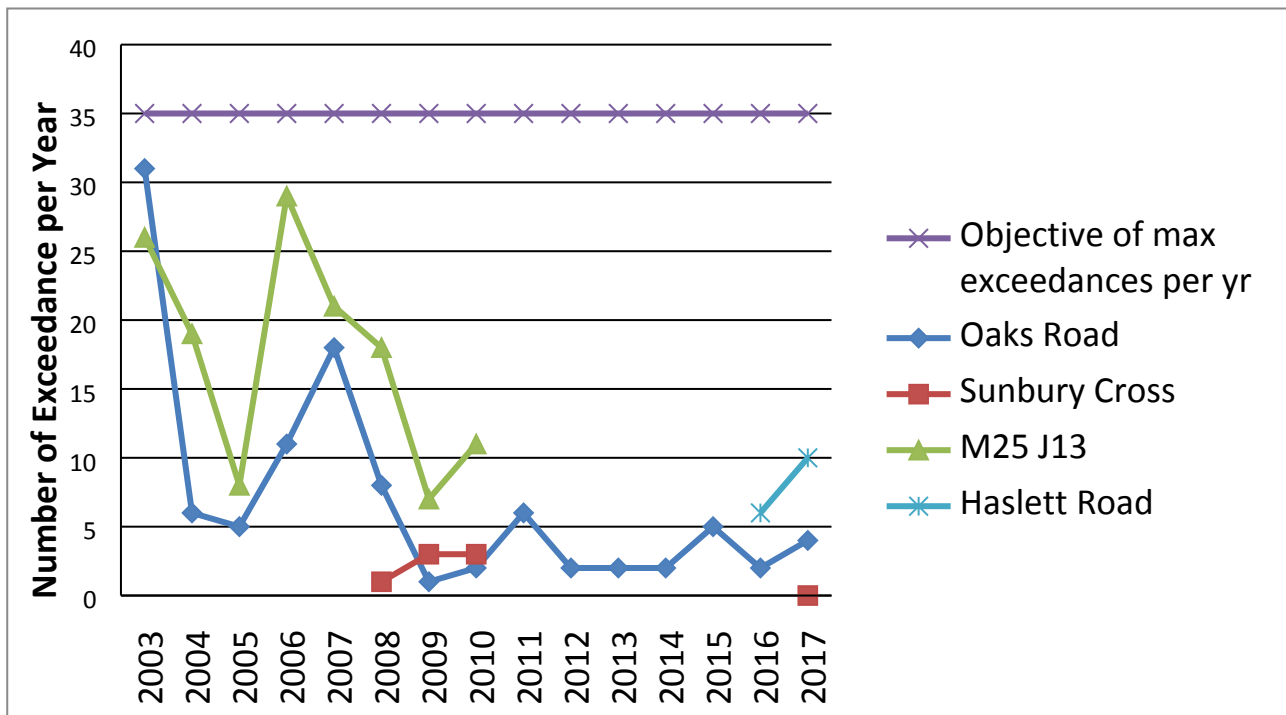


**Figure A2.3 Trends in Annual Mean PM<sub>10</sub> Concentrations**

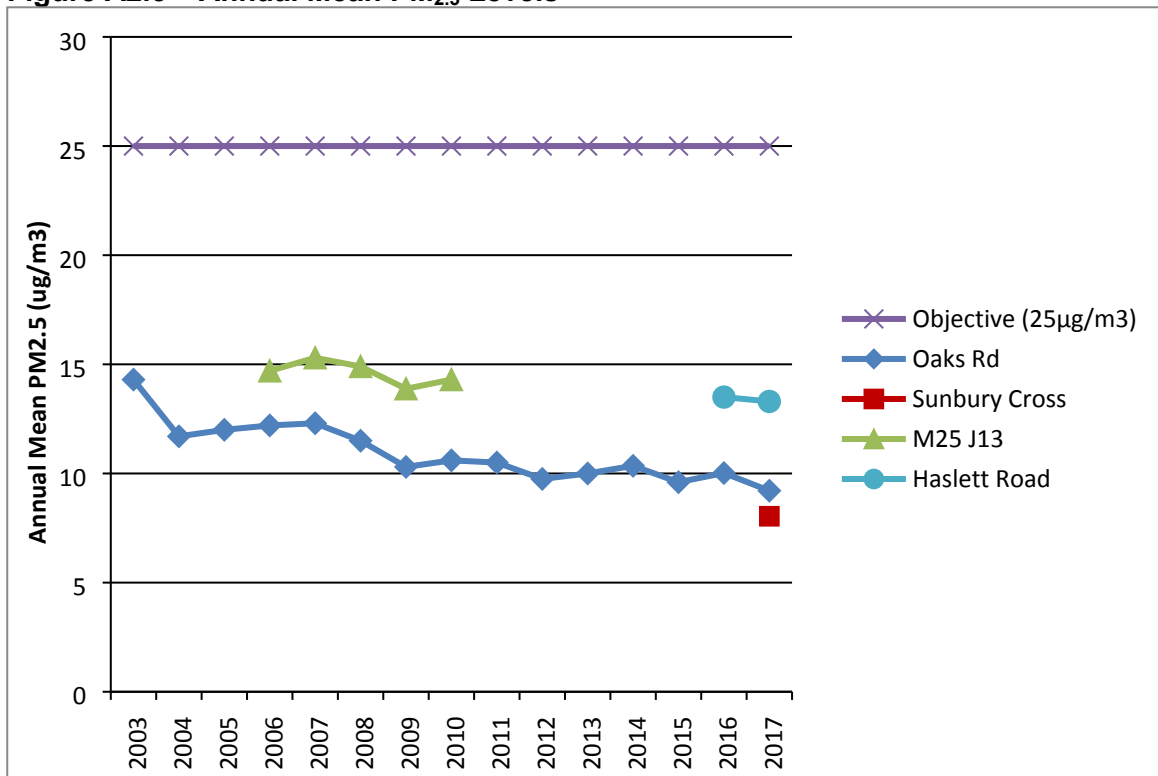




**Figure A2.4 Trends in Number of 24-Hour Mean PM<sub>10</sub> Results >50µg/m<sup>3</sup>**



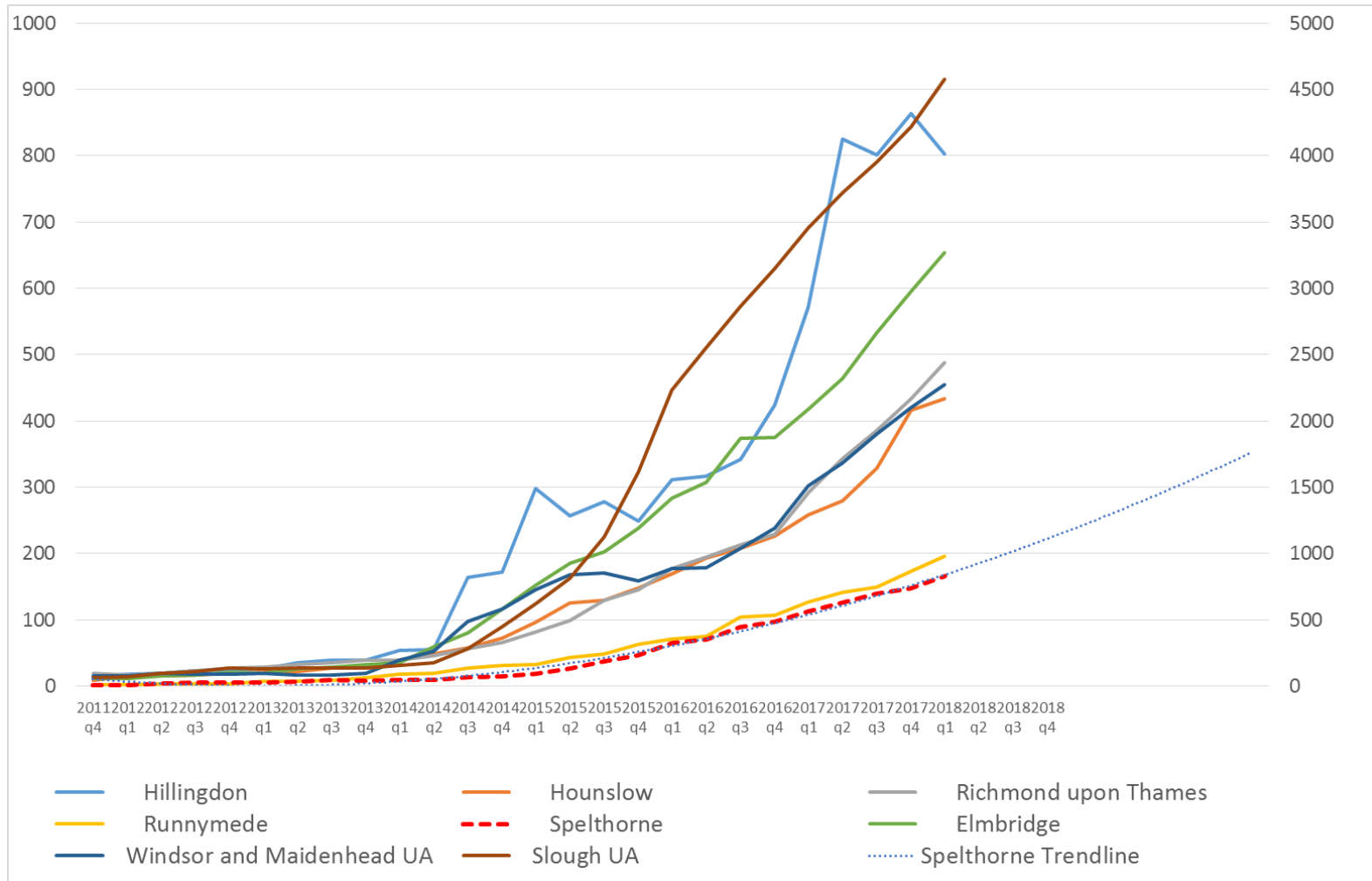
**Figure A2.5 Annual Mean PM<sub>2.5</sub> Levels**



## APPENDIX 3 – Electric Vehicle Figures

Figure A3.1 Vehicle Licensing Statistics for Electric Plug-in Cars, Vans and Quadricycles

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**Note:** Slough UA on secondary axis

**Source:** DfT statistics Table VEH0131, Plug-in cars, vans and quadricycles licensed at the end of the quarter, UK, by local authority of registered keeper <https://www.gov.uk/government/collections/vehicles-statistics>.

**Figure A3.2 Surrey Electric Vehicle Charging Standards for Major New Developments**

<b>Residential Development</b>	<b>EV Charging Requirement</b>	<b>Charge Point Specification</b>	<b>Power Requirement</b>
Houses:	1 fast charge socket per house.		
Flats/Apartments	20% of available spaces to be fitted with a fast charge socket	7kw Mode 3 with Type 2 Connector	230v AC 32 Amp Single Phase dedicated supply
C2 Care /Nursing Home			
C3 Elderly (Sheltered)	A further 20% of available spaces to be provided with power supply to provide additional fast charge socket	Feeder pillar or equivalent permitting future connection.	230v AC 32 Amp Single Phase dedicated supply
<b>Commercial Development (Offices / Employment Retail / Leisure Uses)</b>	<b>EV Charging Requirement</b>	<b>Charge Point Specification</b>	<b>Power Requirement</b>
B1 Offices, light Industry 500m>			
B2 General Industrial 500m>			
B8 Storage & Distribution 1000m>	10% of available spaces to be fitted with a fast charge socket	7kw Mode 3 with Type 2 Connector	230v AC 32 Amp Single Phase dedicated supply
D1 Doctors/Dentists practices			
D1 Schools/Colleges	A further 10% of available spaces to be provided with power supply to provide additional fast charge socket	Feeder pillar or equivalent permitting future connection.	230v AC 32 Amp Single Phase dedicated supply
A1 Retail 500m2>			
C1 Hotels			
D2 Sports Clubs, Health Clubs, Leisure Centres, Theatres, Cinemas, Conference Centres, 500m2>			

Sui Generis Uses	EV Charging Requirement	Charge Point Specification	Power Requirement
(Including all other uses not mentioned above).	Individual assessment / justification	Individual assessment/justification	To be determined by charge point specification
<b>High demand, Short Stay Land Uses</b>			
(Development with high demand and short stay characteristics in strategic locations (e.g. motorway service stations, large petrol filling stations).	20 % of available spaces to be fitted with a fast charge socket	7kw Mode 3 with Type 2 Connector	230v AC 32 Amp Single Phase dedicated supply
Large or major development and regeneration projects.	A further 10% of available spaces to be provided with power supply to provide additional fast charge socket	Feeder pillar or equivalent permitting future connection.	230v AC 32 Amp Single Phase dedicated supply
	1 or more rapid charge sockets	50kw Mode 4 (DC) Multi-standard charge point.	400v AC 100Amp Triple Phase dedicated supply

**Source:** Surrey County Council, January 2018, *Vehicular and Cycle Parking Guidance*. Available at: [https://www.surreycc.gov.uk/\\_data/assets/pdf\\_file/0005/155660/January-2018-Parking-Guidance-for-Development.pdf](https://www.surreycc.gov.uk/_data/assets/pdf_file/0005/155660/January-2018-Parking-Guidance-for-Development.pdf)

# Overview and Scrutiny Committee

20 November 2018



<b>Title</b>	Capital Monitoring Report		
<b>Purpose of the report</b>	To note		
<b>Report Author</b>	Laurence Woolven (Chief Accountant)		
<b>Cabinet Member</b>	Councillor Howard Williams	<b>Confidential</b>	No
<b>Corporate Priority</b>	Financial Sustainability		
<b>Recommendations</b>	Overview and Scrutiny Committee to note the current level of spend.		
<b>Reason for Recommendation</b>	Not applicable		

## 1. Expenditure to date and Estimated Outturn

- 1.1 Attached as Appendix A & B is the actual spend to date on capital covering the period April to September 2018.
- 1.2 For the period ending September 2018, capital expenditure including commitments was £326.1m, which represents 38.9% of the revised budget.
- 1.3 The projected outturn shows that we are anticipating to spend £329.8m which would be £508.7m under the revised budget of £838.5m.

### Councillor Harvey – Leader

- 1.4 The spend on the Acquisition of Assets scheme is forecast to be £497m under the revised budget. This could alter if further asset opportunities are identified.
- 1.5 To date committed expenditure in this area is £322.8m (39.4% of budget).

### Councillor Barnard – Planning and Economic Development

- 1.6 It is projected that this area could underspend by £12m, primarily as a result of works on some projects, notably the proposed Leisure Centre being deferred for further consideration.
- 1.7 Small Scale Area Regeneration is forecast to be £239k underspent, Edinburgh Drive Parade has been completed with 3 more parades still to be upgraded. Surrey County Council funding has ceased for future projects of this type.

- 1.8 To date committed expenditure in this area is £2.3m (14.5% of budget).

### **Councillor Boughtflower – Corporate Management**

- 1.9 This area is forecasting a net overspend of £24k, this is as a result of overspends on the Customer Services contact centre (£50k) and the Canon Printer (£57k) schemes being partially offset by underspends on the VDI project (£40k), Sharepoint upgrade (£35k) and the Customer Portal (£10k).
- 1.10 All other projects are expected to be completed in this financial year. It should be noted that committed expenditure to date on this area is £908.8k out of a budget of £1.474m including carry forwards (61.7%).

### **Councillor Francis – Housing**

- 1.11 The level of activity relating to disability facilities grants is higher than budget, this is partly offset by increased funding from MHCLG and A2 Dominion, however an overspend of £191.6k is currently predicted.

### **Councillor Patel – Environment and Compliance**

- 1.12 There is a small in year underspend of £14k anticipated on the Air Quality scheme, this would need to be carried forward for spending in 2019/20.
- 1.13 To date £434.3k has been committed in this portfolio (50.9% of budget).

## **2. Financial implications**

- 2.1 Any underspend on the approved Capital Programme enables the authority to invest the monies to gain additional investment income or can be used to fund additional schemes.

## **3. Timetable for implementation**

- 3.1 Bi monthly monitoring reports are prepared for Management team and incorporate revised actual figures.

**Background papers: None**

**Appendices: A&B**

## CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2018

Portfolio Member	ORIGINAL BUDGET	CARRY FORWARDS	SUPPLEMENTARY ESTIMATE	REVISED BUDGET	ACTUALS YTD	COMMITMENTS	MANAGERS PROJECTED OUTTURN	MANAGERS PROJECTION TO REVISED BUDGET
<b>Cllr Francis - Housing</b>	73,100	206,100	-	279,200	(348,668)	501	470,800	191,600
<b>Cllr Patel - Environment &amp; Compliance</b>	562,500	161,900	(29,800)	694,600	44,505	308,979	681,600	(13,000)
<b>Cllr Barnard - Planning and Economic Development</b>	13,625,500	-	2,882,200	16,507,700	1,114,400	1,276,586	4,516,600	(11,991,100)
<b>Cllr Harvey - Leader</b>	203,500,000	21,184,700	594,887,900	819,572,600	322,839,513	401	322,593,310	(496,979,290)
<b>Cllr Boughtflower - Corporate Management</b>	1,462,300	11,500	-	1,473,800	230,188	678,581	1,498,200	24,400
	<b>219,223,400</b>	<b>21,564,200</b>	<b>597,740,300</b>	<b>838,527,900</b>	<b>323,879,937</b>	<b>2,265,048</b>	<b>329,760,510</b>	<b>(508,767,390)</b>

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## CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2018

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Adjustments	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
<b>Housing Investment Programme</b>											
<b>Cllr Francis - Housing</b>											
Deborah Ashman & K Sinclair	40203	Disabled Facilities Mandatory	707,400	138,000	-	845,400	414,232	-	1,100,000	254,600	Potential commitments due to 6 month lag
Deborah Ashman & K Sinclair	40204	Disabled Facilities Discretion	29,600	-	-	29,600	5,000	501	29,600	-	Expenditure expected in the latter part of the financial year
		Less Specified Capital Grant	(707,400)	-	-	(707,400)	(770,400)	-	(770,400)	(63,000)	Increased grant
		<b>Net Cost of Disabled Facilities Grants</b>	<b>29,600</b>	<b>138,000</b>	<b>-</b>	<b>167,600</b>	<b>(351,168)</b>	<b>501</b>	<b>359,200</b>	<b>191,600</b>	
Deborah Ashman & K Sinclair	40209	Home Improvement Agency grant	83,000	-	-	83,000	-	-	83,000	-	Expenditure expected in the latter part of the financial year
		HIA Funding	(39,500)	-	-	(39,500)	-	-	(39,500)	-	
		<b>Total</b>	<b>43,500</b>	<b>-</b>	<b>-</b>	<b>43,500</b>	<b>-</b>	<b>-</b>	<b>43,500</b>	<b>-</b>	
<b>Total For HIP</b>			<b>73,100</b>	<b>138,000</b>	<b>-</b>	<b>211,100</b>	<b>(351,168)</b>	<b>501</b>	<b>402,700</b>	<b>191,600</b>	
<b>Other Capital Programme</b>											
<b>Cllr Francis - Housing</b>											
Deborah Ashman & K Sinclair	42044	CommunityBuildingsGrantScheme	-	3,100	-	3,100	2,500	-	3,100	-	
		<b>Total</b>	<b>-</b>	<b>3,100</b>	<b>-</b>	<b>3,100</b>	<b>2,500</b>	<b>-</b>	<b>3,100</b>	<b>-</b>	
Sandy Muirhead	42015	Landlord Guarantee Scheme	-	65,000	-	65,000	-	-	65,000	-	This project is expected to be completed by end of this financial year
		<b>Total</b>	<b>-</b>	<b>65,000</b>	<b>-</b>	<b>65,000</b>	<b>-</b>	<b>-</b>	<b>65,000</b>	<b>-</b>	
<b>Cllr Patel - Environment &amp; Compliance</b>											
Jackie Taylor	41025	Tennis Court Refurbishment	27,500	-	-	27,500	9,400	4,600	27,500	-	This project is underway and expected to be completed by end of this financial year
Jackie Taylor	41026	Laleham Park Upgrade	200,000	-	-	200,000	-	-	200,000	-	A way forward has been agreed by ward members, and officers are proceeding with build options. Build is expected to start late spring 2019.
Jackie Taylor	41030	Hengrove Park Improvement	-	11,900	-	11,900	-	-	11,900	-	Park's upgrade of equipment is expected during this financial year
Jackie Taylor	41505	GroundsMaintenanceProject	-	55,900	-	55,900	-	55,930	55,900	-	Delivery of Tractor is delayed and expected during this financial year.
Jackie Taylor	41609	Replacement Multi Use Vehicle	-	80,000	-	80,000	-	80,000	80,000	-	Delivery of Vehicle is expected by November 2018
Jackie Taylor	41620	Wheelie Bins	50,000	-	-	50,000	22,169	16,529	50,000	-	Bins will be ordered throughout the financial year depending on need as & when identified
Jackie Taylor	41624	InstallElecVehicleChargePoints	-	1,900	-	1,900	1,320	-	1,900	-	Electric Vehicle charging point is expected to be installed by end of October 2018
Jackie Taylor	41627	Solar PV For Staines Comm Cent	25,000	12,200	(29,800)	7,400	6,454	-	7,400	-	Currently work is in progress on the specifications. Project is expected to be completed by end of the financial year
Jackie Taylor	42027	Domestic Home Energy	30,000	-	-	30,000	417	4,920	30,000	-	Project is underway and expected to be completed by end of this financial year
Jackie Taylor	42043	Renewal of Toilet Facilities	60,000	-	-	60,000	4,745	-	60,000	-	Project is underway and expected to be completed by end of this financial year
Jackie Taylor	41621	CCTV Enhancement	145,500	-	-	145,500	-	147,000	147,000	1,500	Contract has been awarded to Runnymede BC and expected to be completed by end of this financial year. Overspent against this project is to be funded through other projects within Neighbourhood Services
		<b>Total</b>	<b>538,000</b>	<b>161,900</b>	<b>(29,800)</b>	<b>670,100</b>	<b>44,505</b>	<b>308,979</b>	<b>671,600</b>	<b>1,500</b>	
Lee O'Neil	41314	Air Quality	24,500	-	-	24,500	-	-	10,000	(14,500)	The project is in progress and Air quality data is expected by end of December 2018. Some work is expected in this financial year and remainder to be completed in next financial year.
		<b>Total</b>	<b>24,500</b>	<b>-</b>	<b>-</b>	<b>24,500</b>	<b>-</b>	<b>-</b>	<b>10,000</b>	<b>(14,500)</b>	
								<b>50.9%</b>			
<b>Cllr Barnard - Planning and Economic Development</b>											
Heather Morgan	41007	Stanwell Skate Park	-	-	-	-	(1,249)	-	-	-	Retention payment is expected to be paid in this financial year

## CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2018

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Adjustments	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Heather Morgan	41015	Runnymede Estates	55,600	-	-	55,600	-	-	55,600	-	Capitalised Planned Maintenance expenditure to be moved here at the end of the financial year.
Heather Morgan	41024	SpelthorneLeisurCenDevelopment	1,800,000	-	-	1,800,000	61,431	-	250,000	(1,550,000)	Development work is currently on hold until 2019. Current costs relating to consultancy services.
Heather Morgan	41622	Affordable Housing Opportunity	966,000	-	(622,800)	343,200	(0)	-	-	(343,200)	We will continue to look for the other opportunities and in touch with Registered Social landlords Partners
Heather Morgan	42010	KG Car Park Improvements	100,000	-	-	100,000	50,371	-	100,000	-	Anticipated to use the full budget in 2018/19. Phase one works to rear have been completed. Phase two work out to tender.
Heather Morgan	42017	Memorial Gardens	-	-	-	-	(2,256)	-	-	-	There are some retention payments are still due to Runnymede Borough Council
Heather Morgan	42034	Community Centre projects	100,000	-	-	100,000	462	-	100,000	-	Completion due end of March 2019 using full budget allocation. Project currently out to tender for construction.
Heather Morgan	42036	Plot 12&13 Towpath Car Park	41,200	-	15,000	56,200	-	-	15,000	(41,200)	Anticipated underspend
Heather Morgan	41328	Ashford MSCP Improvements	-	-	-	-	13,100	-	-	-	MAT has agreed this project to go ahead.
Heather Morgan	42039	Bugle	1,450,000	-	-	1,450,000	373,516	-	1,457,000	7,000	Project is under development and expected to be completed by end of the financial year (likely completion date Jan 2019).
Heather Morgan	42041	Churchill	570,000	-	-	570,000	387,908	-	630,000	60,000	Construction project completed.
Heather Morgan	42042	Ceaser Court	8,000,000	-	-	8,000,000	146,787	675,566	900,000	(7,100,000)	Planning permission & designing are underway. Project is expected to be completed by end of the 2019/20 financial year.
Heather Morgan		Thameside House	-	-	2,600,000	2,600,000	3,500	601,020	605,000	(1,995,000)	Preliminary design underway for residential development
Heather Morgan	42052	Whitehouse - Affordable Housing	175,000	-	680,000	855,000	-	-	175,000	(680,000)	Demolition work has been completed. Planning permission & designing work are underway. Cabinet approval of design fees for Affordable Housing and Hostel approved in July & September. Project due to be complete in 2020/21.
Heather Morgan		Whitehouse - Hostel	-	-	210,000	210,000	-	-	100,000	(110,000)	
Keith McGroary	41619	Small Scale Area Regeneration	605,800	-	-	605,800	80,830	-	230,000	(375,800)	Contract was awarded in spring 2017. 1 shopping parade has been completed and 3 are still outstanding. 5% surcharge to be applied by contractor due to over 12 months elapsing since contract awarded due to inflation. Each of the remaining 3 shopping parades required full S278 licences from SCC. The delay in the project has been solely due to the lack of licence to proceed. As of W/C 20 August the final licence for the parades was granted. Work is already well under way at Groveley Road. The remaining 2 parades will be completed at the very latest during the course of this financial year, probably earlier subject to weather conditions. Surrey's contribution to the projects is £101k; no further funding will be available for similar projects due to the cut backs made by SCC
		External Funding	(238,100)	-	-	(238,100)	-	-	(101,000)	137,100	
		<b>Total</b>	<b>13,625,500</b>	<b>-</b>	<b>2,882,200</b>	<b>16,507,700</b>	<b>1,114,400</b>	<b>1,276,586</b>	<b>4,516,600</b>	<b>(11,991,100)</b>	
											14.5%
<b>Cllr Harvey - Leader</b>											
Deborah Ashman & K Sinclair	42045	Ward Grants	-	44,200	28,900	73,100	20,000	-	73,100	-	Project is expected to be completed by end of this financial year
Heather Morgan	42038	Acquisition of Assets	203,500,000	21,140,500	594,859,000	819,499,500	322,819,513	401	322,520,210	(496,979,290)	Forecast showing if no more acquisitions are made in the current financial year.
		<b>Total</b>	<b>203,500,000</b>	<b>21,184,700</b>	<b>594,887,900</b>	<b>819,572,600</b>	<b>322,839,513</b>	<b>401</b>	<b>322,593,310</b>	<b>(496,979,290)</b>	
											39.4%
<b>Cllr Boughtflower - Corporate Management</b>											
Alistair Corkish	43003	New Software	20,000	-	-	20,000	667	5,000	20,000	-	Expenditure on various software enhancements throughout the financial year.
Alistair Corkish	43608	Other Hardware	38,000	-	-	38,000	5,068	7,018	38,000	-	Expenditure on various hardware enhancements throughout the financial year
Alistair Corkish	43611	Mobiles and Tablets	15,000	-	-	15,000	1,248	-	15,000	-	Expenditure expected later during this financial year
Alistair Corkish	43612	Mobile Device Management	10,000	-	-	10,000	-	-	10,000	-	The System requires upgrading which is expected to be completed by end of this financial year
Alistair Corkish	43621	VDI	90,000	-	-	90,000	12,515	-	50,000	(40,000)	Project is in progress and expected to be completed by end of this financial year
Alistair Corkish	43622	ICT Network	30,000	-	-	30,000	28,605	-	30,000	-	Project is in progress and expected to be completed by end of this financial year
Alistair Corkish	43624	Council Chamber Audio	-	-	-	-	1,186	-	1,500	1,500	Project has already been approved by MAT to go ahead and the initial installation of equipment has been completed. Additional Expenditure for goosenecks and lapel mic to be incurred which can be funded through other ICT projects.
Alistair Corkish	43625	Customer Portal	10,000	-	-	10,000	-	-	-	(10,000)	Currently in touch with Suppliers about possible options

## CAPITAL MONITORING REPORT AT 30 SEPTEMBER 2018

Portfolio Member / Service Head	Cost Centre	Description	Original Budget	Carry Forwards	Supplementary Adjustments	Revised Budget	Actuals YTD	Commitments	Managers Projected Outturn	Managers Projection to Revised Budget	Comments
Alistair Corkish	43626	Customer Services Contact Cent	40,000	-	-	40,000	-	-	90,000	50,000	Various quotes have been invited which will be looked at and the decision will be taken based on specific requirements. Overspends can be funded through other projects within ICT. Project is expected to be completed by end of this financial year
Alistair Corkish	43627	Oracle Upgrade	10,000	-	-	10,000	6,360	2,375	10,000	-	Project is in progress and expected to be completed by end of this financial year
Alistair Corkish	43628	Reception Terminals	8,000	-	-	8,000	-	-	8,000	-	This is part of Lima project which is expected to start later in the year and expected to be completed by end of this financial year
Alistair Corkish	43629	Sharepoint Upgrade	35,000	-	-	35,000	-	-	-	(35,000)	It's doubtful if this project happens in this financial year. New Business case has to be completed which has to be approved in order to progress further.
Alistair Corkish	43630	SQL Server	30,000	-	-	30,000	2,940	-	30,000	-	This project is in progress and expected to be completed by end of this financial year
Alistair Corkish	43631	Canon Printer						57,947	57,900	57,900	Project is approved by MAT and expected to be completed by this financial year
		<b>Total</b>	<b>336,000</b>	<b>-</b>	<b>-</b>	<b>336,000</b>	<b>58,590</b>	<b>72,340</b>	<b>360,400</b>	<b>24,400</b>	
Sandy Muirhead	42008	Project Lima	885,000	-	-	885,000	170,927	606,241	885,000	-	This project is in progress and expected to be completed by end of the financial year
Sandy Muirhead	43503	Agile Working	27,000	-	-	27,000	671	-	27,000	-	This project is interlinked with Project Lima which is to deliver office space reorganisation and consolidation, new modern furniture and storage functions. Project Lima is incorporating the roll-out of Virtual Desktop infrastructure which will create more flexible hotdesking opportunities. The Agile Working Project is therefore running alongside Lima particularly in relation to creating collaborative working spaces and providing technology to support group working.
Sandy Muirhead	43511	ScannersCorporateEDMS Roll out	31,000	-	-	31,000	-	-	31,000	-	This project will also be subsumed into an assessment of data capture and requirements for new scanners and is linked to corporate EDMS
Sandy Muirhead	43512	Sharepoint redesign & Relaunch	90,000	-	-	90,000	-	-	90,000	-	This project is under review and will be integrated with other ICT projects. This work with the go-ahead on project lima provides more opportunities for successful implementation.
Sandy Muirhead	43515	Corporate EDMS Project	93,300	11,500	-	104,800	-	-	104,800	-	Work on Phase II is being undertaken. Currently the full analysis is being undertaken to find out Licence requirements & software set up. This project is also linked with 'Project Lima' and expected to be completed by end of the financial year.
		<b>Total</b>	<b>1,126,300</b>	<b>11,500</b>	<b>-</b>	<b>1,137,800</b>	<b>171,598</b>	<b>606,241</b>	<b>1,137,800</b>	<b>-</b>	
								61.7%			
<b>Total For Other</b>			<b>219,150,300</b>	<b>21,426,200</b>	<b>597,740,300</b>	<b>838,316,800</b>	<b>324,231,105</b>	<b>2,264,547</b>	<b>329,357,810</b>	<b>(508,958,990) #</b>	
Total Expenditure			220,208,400	21,564,200	597,740,300	839,512,900	324,650,337	2,265,048	330,671,410	(508,841,490)	
Total Funding			(985,000)	-	-	(985,000)	(770,400)	-	(910,900)	74,100	
<b>GRAND TOTAL</b>			<b>219,223,400</b>	<b>21,564,200</b>	<b>597,740,300</b>	<b>838,527,900</b>	<b>323,879,937</b>	<b>2,265,048</b>	<b>329,760,510</b>	<b>(508,767,390)</b>	

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# Overview and Scrutiny Committee

## 20 November 2018



<b>Title</b>	Revenue Monitoring Report		
<b>Purpose of the report</b>	To note		
<b>Report Author</b>	Laurence Woolven (Chief Accountant)		
<b>Cabinet Member</b>	Councillor Howard Williams	<b>Confidential</b>	No
<b>Corporate Priority</b>	Financial Sustainability		
<b>Recommendations</b>	Overview and Scrutiny Committee to note the current level of spend		
<b>Reason for Recommendation</b>	Not applicable		

### 1. Key issues

1.1 This report provides a summary of the forecast outturn position for the 2018-19 financial year, based on income and expenditure up to the end of September 2018.

1.2 The forecast outturn below shows a positive variance of £1.147m.

	Revised Budget £'000	Forecast Outturn £'000	Variance £'000
Service level Expenditure	63,032	62,618	(414)
Housing Benefit Income	(31,221)	(31,171)	50
Service level Income	(9,664)	(10,523)	(859)
Salary budget saving ( <i>actual vacancy savings are reflected in services expenditure outturn</i> )	(300)	-	300
Net Acquisition Income	(7,866)	(8,090)	(224)
Other Income	(209)	(209)	-
External Financing	(5,257)	(5,257)	-
Revenue Carry forward	(711)	(711)	-
Council Tax Income	(7,804)	(7,804)	-
Net	-	(1,147)	(1,147)

## 2. Options analysis and proposal

2.1 The following highlights variances greater than 5% or £5k of the spend area.

### Leader

<b>Spend Area</b>	<b>Variance £'000</b>	<b>Comment</b>
Elections	(10)	No further expenditure expected provided there is no by election
Electoral Registration	(5)	Vacancy saving
Legal	(16)	Higher income due to more activity
<b>Total</b>	<b>(31)</b>	

### Deputy Leader

<b>Spend Area</b>	<b>Variance £'000</b>	<b>Comment</b>
Corporate Publicity	15	Additional staffing hours for Web related work
<b>Total</b>	<b>15</b>	

### Corporate Management

<b>Spend Area</b>	<b>Variance £'000</b>	<b>Comment</b>
ICT	(18)	Vacancy and software savings offset by loss of shared partnership funding
Corporate Management	(80)	Retention allowance payments lower than anticipated
<b>Total</b>	<b>(98)</b>	

## Housing

Spend Area	Variance £'000	Comment
Homelessness	60	Floating support service contribution and other Homelessness initiatives
Housing Benefits Admin	(15)	Vacancy saving
<b>Total</b>	<b>45</b>	

## Finance

Spend Area	Variance £'000	Comment
Audit	(24)	Savings expected due to vacancy (£23k) and counter fraud budget (£14k), although partly offset by £13k deficit on partnership income
<b>Total</b>	<b>(24)</b>	

## Planning and Economic Development

Spend Area	Variance £'000	Comment
Economic Development	(673)	Gigabit project (£500k) and electric car charging (£175k) not happening in 18/19. Budget will need to rolled forward to next year
Asset Management Administration	267	Thameside House costs partly offset by saving on Elmsleigh Lifts and by additional investment income from new acquisitions
Planning Policy	10	Training and Subscriptions
Planning Development Control	(311)	Additional resource in salary budget plus sharp increase in income from planning application fees and performance agreement
Building Control	(15)	Increased activity
Staines Town Centre Mgmt	20	Lower income from Elmsleigh Centre
<b>Total</b>	<b>(702)</b>	

## Environment & Compliance

Spend Area	Variance £'000	Comment
DS Management and Support	(21)	Additional income from shared services
Refuse Collection	(173)	Higher income expected due to increased take up on garden waste service
Waste Recycling	(194)	Contract fees no longer paid due to changes to the recycling credit system
Public Conveniences	(20)	Savings expected due to the closure of public convenience
Parks Strategy	(24)	Additional income through ward grants and use of recreation grounds
Grounds Maintenance	(36)	Additional income due to more activity
Car Parks	(100)	Higher income from increased usage of major car parks expected
Licensing	(46)	HMO License income higher than budgeted
Community Safety	12	Higher CCTV, Telephone maintenance payments to BT
<b>Total</b>	<b>(602)</b>	

## Community Well Being

Spend Area	Variance £'000	Comment
SPAN	31	Temporary staffing
Com Care Admin	35	No capital recharge of DFG work partly offset by vacancy saving
Day Centres	65	Higher cleaning, tutor and equipment expenses plus high needs income lower than anticipated
Meals on Wheels	25	Lower number of meals invoiced to date
Spelthorne Troubled Families	34	Family support funding from SCC lower, will seek additional funding from partners



SAT	(30)	Additional funding from SCC only confirmed in July 2018 and additional Spelride recharges for Fordbridge Day Centre
Leisure Administration	17	Community Care expenses
Spelthorne Leisure Centre	(15)	Increase in profit share forecast
Cemeteries	(60)	Income expected to exceed budget as a result of an increase in burials
<b>Total</b>	<b>102</b>	

### Customer Services, Estates and Transport

Spend Area	Variance £'000	Comment
Facilities Management	66	Reduced levels of income from Knowle Green
<b>Total</b>	<b>66</b>	

## 2.2 Asset Acquisitions

The table below shows the latest monitoring position for the acquired assets, the net income is used to meet additional expenditure resulting from reduced government grant, Surrey County Council funding and other pressures.

	Revised Budget £'000	Forecast Outturn £'000	Variance £'000
<b>Rental Income</b>	(31,306)	(39,831)	(8,525)
<b>Loan Interest Payable</b>	14,395	18,819	4,424
<b>Minimum Revenue Provision</b>	7,345	7,345	0
<b>Sinking Funds</b>	1,700	5,577	3,877
<b>Set Aside for specific revenue purposes</b>	335	559	(224)
<b>Net Income (used to fund Revenue budget)</b>	<b>(7,531)</b>	<b>(7,529)</b>	<b>0</b>

- 2.3 The increase in rental income is as a result of additional in year acquisitions, primarily three buildings in Reading, Slough and Uxbridge. These new acquisitions mean that the amount of loan interest payable also increases.
- 2.4 As the 2018/19 budget was already balanced, the bulk of this year's net income from these properties is able to be placed in sinking funds to cover future changes in circumstance, such as capital refurbishments or rent free periods. The sinking funds will be built up over a number of years in anticipation of when required. The sinking fund positions for the various acquisitions are as follows:

	<b>Balance 31/03/18 £'000</b>	<b>Movements 2018/19 £'000</b>	<b>Balance 31/03/19 £'000</b>
<b>BP Main Site</b>	2,690	500	3,190
<b>BP SW Corner</b>	505	150	655
<b>Elmbrook House</b>	173	50	223
<b>12 Hammersmith Grove</b>	1,308	900	2,208
<b>Stockley Park</b>	350	100	450
<b>Communications House</b>	0	536	536
<b>Thames Tower</b>	0	1,121	1,121
<b>Charter Building</b>	0	1,543	1,543
<b>Porter Building</b>	0	677	677
<b>Total</b>	<b>5,026</b>	<b>5,577</b>	<b>10,603</b>

- 2.5 £224k from the new acquisitions will be used to support the 2018/19 revenue budget and if necessary meet any additional asset management resources required to support the growing portfolio. Any unapplied resources would be carried forward and earmarked for asset management resources or the supplementing of sinking funds.
- 2.6 A review of the Council's approach to bad debt provision is under way, any impacts on the revenue budget will be reported in future monitoring reports.
- 2.7 The Outline Budget report will be presented to Cabinet in December, this report will take into account the impact of the acquisitions on future year's budgets.

### **3. Financial implications**

- 3.1 Financial implications are as set out within the report and appendices.

### **4. Other considerations**

- 4.1 There are none

## **5. Timetable for implementation**

5.1 Bi – monthly reports are produced for Management team

**Background papers: None**

**Appendices:**

**A and B**

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# APPENDIX A

## 2018/19 Net Revenue Budget Monitoring As at end of 30 SEPTEMBER 2018

	18/19	18/19	18/19	18/19
	Budget		Forecast	Variance
	Original	Revised	Outturn	to Revised
	£	£	£	£
Gross Expenditure	63,189,300	63,031,700	62,618,077	(413,623)
Less Benefits (offset by grant)				
Total Gross Expenditure excluding Benefits	63,189,300	63,031,700	62,618,077	(413,623)
Less Housing Benefit grant	(32,021,000)	(31,221,000)	(31,171,000)	50,000
Less Specific fees and charges income	(9,733,400)	(9,664,400)	(10,522,766)	(858,366)
<b>Net Expenditure - broken down as below</b>	<b>21,434,900</b>	<b>22,146,300</b>	<b>20,924,311</b>	<b>(1,221,989)</b>
Leader of the Council	1,404,000	1,408,300	1,380,210	(28,090)
Deputy Leader	563,400	573,100	588,500	15,400
Corporate Management	2,155,700	2,335,800	2,239,700	(96,100)
Housing	2,103,900	2,103,900	2,146,900	43,000
Finance and Customer Service	2,660,500	2,690,800	2,665,800	(25,000)
Planning and Economic Development	4,446,500	4,891,800	4,186,600	(705,200)
Environment and Compliance	5,691,200	5,730,700	5,137,091	(593,609)
Community Wellbeing	393,300	393,300	498,900	105,600
Transport	2,016,400	2,018,600	2,080,610	62,010
<b>NET EXPENDITURE AT SERVICE LEVEL</b>	<b>21,434,900</b>	<b>22,146,300</b>	<b>20,924,311</b>	<b>(1,221,989)</b>
Salary expenditure - vacancy monitoring	(300,000)	(300,000)	-	300,000
<b>NET EXPENDITURE</b>	<b>21,134,900</b>	<b>21,846,300</b>	<b>20,924,311</b>	<b>(921,989)</b>
<b>NET EXPENDITURE</b>	<b>21,134,900</b>	<b>21,846,300</b>	<b>20,924,311</b>	<b>(921,989)</b>
Asset Acquisition Income	(31,305,500)	(31,305,500)	(39,831,480)	(8,525,980)
Debt Interest Payable	14,395,300	14,395,300	18,819,005	4,423,705
Minimum Revenue Provision	7,344,700	7,344,700	7,344,700	-
Refurbishments Reserve Contributions	1,700,000	1,700,000	5,577,300	3,877,300
Interest earnings	(900,000)	(900,000)	(900,000)	-
Set aside for Independent Living	(56,000)	(56,000)	(56,000)	-
Revenue Contributions to Capital Outlay	747,000	747,000	747,000	-
<b>BUDGET REQUIREMENT</b>	<b>13,060,400</b>	<b>13,771,800</b>	<b>12,624,836</b>	<b>(1,146,964)</b>
Baseline NNDR Funding	(3,300,000)	(3,300,000)	(3,300,000)	-
Business Rates - Economic Development Set Aside	(1,000,000)	(1,000,000)	(1,000,000)	-
New Homes Bonus	(956,900)	(956,900)	(956,900)	-
<b>NET BUDGET REQUIREMENT</b>	<b>7,803,500</b>	<b>8,514,900</b>	<b>7,367,936</b>	<b>(1,146,964)</b>
2017/18 Revenue carry forward	0	(711,400)	(711,400)	-
Collection Fund Surplus/(deficit)	(48,100)	(48,100)	(48,100)	-
Income from Council Tax	(7,755,400)	(7,755,400)	(7,755,400)	-
<b>Net Position</b>	<b>-</b>	<b>-</b>	<b>(1,146,964)</b>	<b>(1,146,964)</b>

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<b>Appendix B</b>				
<b>REVENUE MONITORING 2018/19</b>				
<b>EXPENDITURE AND INCOME SUMMARY 30 SEPTEMBER 2018</b>				
<b>Results to 30-Sep-18</b>	<b>Budget</b>		<b>Forecast</b>	<b>Variance</b>
	<b>Original</b>	<b>Revised</b>	<b>Outturn</b>	<b>to Revised</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Leader of the Council</b>				
Employees	982,800	982,800	976,380	(6,420)
Other Expenditure	619,700	624,000	634,520	10,520
Income	(198,500)	(198,500)	(230,690)	(32,190)
	<b>1,404,000</b>	<b>1,408,300</b>	<b>1,380,210</b>	<b>(28,090)</b>
<b>Deputy Leader</b>				
Employees	137,600	137,600	153,600	16,000
Other Expenditure	431,800	441,500	451,500	10,000
Income	(6,000)	(6,000)	(16,600)	(10,600)
	<b>563,400</b>	<b>573,100</b>	<b>588,500</b>	<b>15,400</b>
<b>Corporate Management</b>				
Employees	1,604,000	1,612,300	1,513,100	(99,200)
Other Expenditure	596,000	767,800	736,000	(31,800)
Income	(44,300)	(44,300)	(9,400)	34,900
	<b>2,155,700</b>	<b>2,335,800</b>	<b>2,239,700</b>	<b>(96,100)</b>
<b>Housing</b>				
Employees	1,630,500	1,630,500	1,620,000	(10,500)
Other Expenditure	34,291,400	33,491,400	33,766,800	275,400
Housing Benefit grant income	(32,021,000)	(31,221,000)	(31,171,000)	50,000
Income	(1,797,000)	(1,797,000)	(2,068,900)	(271,900)
	<b>2,103,900</b>	<b>2,103,900</b>	<b>2,146,900</b>	<b>43,000</b>
<b>Finance and Customer Service</b>				
Employees	2,502,300	2,502,300	2,482,600	(19,700)
Other Expenditure	171,100	201,400	183,400	(18,000)
Income	(12,900)	(12,900)	(200)	12,700
	<b>2,660,500</b>	<b>2,690,800</b>	<b>2,665,800</b>	<b>(25,000)</b>
<b>Planning and Economic Development</b>				
Employees	2,062,300	2,062,300	2,006,340	(55,960)
Other Expenditure	3,712,700	4,158,000	3,778,000	(380,000)
Income	(1,328,500)	(1,328,500)	(1,597,740)	(269,240)
	<b>4,446,500</b>	<b>4,891,800</b>	<b>4,186,600</b>	<b>(705,200)</b>
<b>Environment and Compliance</b>				
Employees	5,308,500	5,314,500	5,471,100	156,600
Other Expenditure	4,272,700	4,237,200	3,888,247	(348,953)
Income	(3,890,000)	(3,821,000)	(4,222,256)	(401,256)
	<b>5,691,200</b>	<b>5,730,700</b>	<b>5,137,091</b>	<b>(593,609)</b>
<b>Community Wellbeing</b>				
Employees	1,747,500	1,747,500	1,763,600	16,100
Other Expenditure	681,400	681,400	742,300	60,900
Income	(2,035,600)	(2,035,600)	(2,007,000)	28,600
	<b>393,300</b>	<b>393,300</b>	<b>498,900</b>	<b>105,600</b>
<b>Transport</b>				
Employees	1,046,200	1,046,200	1,002,580	(43,620)
Other Expenditure	1,390,800	1,393,000	1,448,010	55,010
Income	(420,600)	(420,600)	(369,980)	50,620
	<b>2,016,400</b>	<b>2,018,600</b>	<b>2,080,610</b>	<b>62,010</b>
<b>NET EXPENDITURE AT SERVICE LEVEL</b>	<b>21,434,900</b>	<b>22,146,300</b>	<b>20,924,311</b>	<b>(1,221,989)</b>

<b>REVENUE MONITORING 2018/19</b>				
<b>EXPENDITURE AND INCOME SUMMARY 30 SEPTEMBER 2018</b>				
	<b>Budget</b>		<b>Forecast</b>	<b>Variance</b>
<b>Results to</b>	<b>Original</b>	<b>Revised</b>	<b>Outturn</b>	<b>to Revised</b>
<b>30-Sep-18</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Total Employees	17,021,700	17,036,000	16,989,300	(46,700)
Total Other Expenditure	46,167,600	45,995,700	45,628,777	(366,923)
Housing Benefit grant income	(32,021,000)	(31,221,000)	(31,171,000)	50,000
Total Income	(9,733,400)	(9,664,400)	(10,522,766)	(858,366)
	21,434,900	22,146,300	20,924,311	(1,221,989)
<b>Total Expenditure</b>	<b>63,189,300</b>	<b>63,031,700</b>	<b>62,618,077</b>	<b>(413,623)</b>
<b>Total Income</b>	<b>(41,754,400)</b>	<b>(40,885,400)</b>	<b>(41,693,766)</b>	<b>(808,366)</b>
<b>Net</b>	<b>21,434,900</b>	<b>22,146,300</b>	<b>20,924,311</b>	<b>(1,221,989)</b>



# Overview and Scrutiny Committee

20 November 2018



<b>Title</b>	Houses in Multiple Occupation – Article 4 Direction		
<b>Purpose of the report</b>	To note.		
<b>Report Author</b>	Esmé Spinks, Planning Development Manager		
<b>Cabinet Member</b>	Councillor Colin Barnard	Confidential	No
<b>Executive Summary</b>	<p>Under current planning legislation, permission is not required to convert a dwelling to a house in multiple occupation (HMO) providing it is occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.</p> <p>However, it is possible to make an Article 4 Direction under the Town &amp; Country Planning General Permitted Development Order to remove Permitted Development Rights for HMOs (which would mean that permission would be required for any HMO regardless of the number of occupants) in certain areas. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction, would be permitted development (i.e. does not require planning permission). Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights, such as the spread of HMOs, harms local amenity or the proper planning of an area.</p> <p>This report uses Planning and Environmental Health data to undertake a spatial analysis by ward of the numbers and types of HMOs which exist and the extent of the complaints received in Spelthorne. At present there appears to be a higher level of activity in the two wards of Ashford Town and Ashford North &amp; Stanwell South. Both wards have had five complaints received by Planning Enforcement over the past eight years where planning permission was not required and hence there were no planning controls.</p> <p>New licencing legislation came into effect on 1 October 2018. This will be the responsibility of Environmental Health. It is expected that this this will bring about improvements to the management and safety standards</p>		

	<p>in a high proportion of residential properties in the private rental sector within Spelthorne.</p> <p>It is considered that given the available data, evidence is insufficient at this stage to justify the introduction of an Article 4 Direction. Given the major recent changes to the EH legislation, it is recommended that HMOs continue to be monitored by the Planning Enforcement team and an updated report is brought to the Overview and Scrutiny Committee at the end of 2019.</p>
<p><b>Recommended Decision</b></p>	<p>It is recommended that the Committee notes:</p> <ul style="list-style-type: none"> <li>• The contents of this report,</li> <li>• That HMOs will be continued to be monitored by the Planning Enforcement team, and</li> <li>• That an updated report will be brought to the Overview and Scrutiny Committee at the end of 2019.</li> </ul>

## MAIN REPORT

### 1.0 Background

- 1.1 Under planning legislation, the Town and Country Planning Use Classes Order (UCO) 1987 as amended, sets land use activities into various use classes. Uses are grouped into classes A, B, C and D and *sui generis* (a use class like no other and not within a specified class). Within each group, there are further subdivisions of use classes; some 16 in total. Planning permission is normally required to change from one use class to another although there are exceptions where the legislation does allow some changes between uses (the Town and Country Planning General Permitted Development Order 2015, as amended).
- 1.2 Dwellings fall within use class C3 of the UCO. Houses in multiple occupation (HMOs) are contained within both Use Class C4 or *sui generis*. Class C4 defines an HMO as:
- Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.*
- 1.3 A HMO larger than this (i.e. with 7 or more unrelated people) is classed as a *sui generis* use and planning permission is always required for this.
- 1.4 Use Class C4 was introduced in April 2010. This change was made in response to concerns around the impact of concentrations of HMOs in certain areas in terms of anti-social behaviour, crime, parking and pressure on facilities particularly in university and coastal towns.

- 1.5 However in October 2010, further measures were introduced to allow changes of use between family houses (Class C3) and small shared houses (Class C4) to take place freely without the need for planning permission.
- 1.6 Consequently it is currently permitted to change from a Class C3 dwelling house to Class C4 HMO property without planning permission. It is also permitted to change a Class C4 HMO property back to a Class C3 dwelling house without planning permission.
- 1.7 However, converting dwellings to an HMO, when classed as sui generis (i.e. seven or more occupants) will require planning permission. Likewise a conversion from a large HMO to any other use will also require planning permission.
- 1.8 When the planning restrictions were freed up in October 2010, it was made clear by the government that *“in those areas experiencing problems with uncontrolled HMO development, local authorities will be able to use their existing direction making powers to restrict this freedom of movement by requiring planning applications.”*
- 1.9 In 2013 the Communities and Local Government Select Committee considered the issue of high concentrations of HMOs as part of its inquiry into the private rented sector. The Committee concluded that controlling the spread of HMOs should be a matter for local determination and supported the use of Article 4 Directions to manage conversions to HMO. The Government agreed with the Committee’s recommendation.
- 1.10 Directions are made under the Article 4 Direction of the Town & Country Planning General Permitted Development Order. They remove Permitted Development Rights for certain types of specified development in certain areas. Article 4 Directions do not stop development; they simply mean that planning permission is required for the specified development which, without the Article 4 Direction would be permitted development (i.e. does not require planning permission).
- 1.11 Article 4 Directions are intended for use in exceptional circumstances where evidence suggests that development under Permitted Development rights, such as the spread of HMOs, harms local amenity or the proper planning of an area.
- 1.12 The National Planning Policy Framework (NPPF) requirements for removing permitted development rights requires the planning authority to demonstrate that the removal is necessary to protect local amenity or the wellbeing of a particular geographic area (NPPF, Para 200).
- 1.13 Advice on making an Article 4 Direction is set out by Government in the Planning Practice Guidance (PPG). It states that:  
  
*“The use of article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified”.*

The advice further states that there should be a particularly strong justification for the withdrawal of permitted development rights relating a number of different scenarios including those covering the entire area of a local planning authority.

1.14 In procedural terms there are two types of Article 4 Directions:-

- Non-Immediate Direction – permitted development rights are withdrawn 12 months from service of the direction after a period of consultation.
- Immediate Direction – permitted development rights are withdrawn immediately, but must be confirmed within six months after a period of consultation. The Council becomes liable for abortive expenditure or other loss or damage attributable to withdrawal of the permitted development rights, if a subsequent application is refused. The 'other loss or damage' would include the difference in the value of the site, and would expose the Council to potentially significant financial liability.

1.15 Consequently if the Article 4 takes effect less than one year from issue, compensation is payable to affected landowners. After one year, there is no compensation. For this reason, the use of as immediate Article 4 direction is not advocated.

## 2.0 **Assessment**

2.1 All planning enforcement complaints received relating to HMOs which did not require planning permission because they contained six residents or less have been recorded. In addition, the records of any Environmental Health (EH) complaints which planning did not receive have also been recorded. The date of April 2010 was taken as a starting point as this was when the new Use Class C4 was introduced. The combined results are shown by ward in the following table. Any ward not listed did not have any HMO complaints recorded.

Table 1 - HMO complaints by ward where Planning Permission was not required Between April 2010 and May 2018

Ward	Numbers of Complaints	Numbers of Households	Number of complaints as a % of households
Ashford Common*	2	3,324	0.06
Ashford East	4	2,959	0.135
Ashford North & Stanwell South	5	3,140	0.16
Ashford Town	5	2,703	0.185
Laleham & Shepperton Green	1	3,326	0.03
Riverside & Laleham	2	2,846	0.07
Staines	1	3,528	0.028
Staines South	2	2,899	0.069
Stanwell North	4	3,250	0.12
Sunbury Common*	3	3,163	0.095
Other Wards	0	8,374	0
<b>Grand Total</b>	<b>29</b>	<b>39,512</b>	<b>0.073</b>

\* 2 complaints in Sunbury Common and 1 complaint in Ashford Common were received by Environmental Health and not Planning Enforcement.

- 2.2 In addition, the number of planning applications for HMOs (containing seven or more residents) by ward which have been determined between April 2010 and July 2018 are set out in table 2 below:

Table 2 - Planning applications for HMOs by ward determined Between April 2010 and July 2018

Ward	Numbers of planning applications approved	Numbers of planning applications refused
Ashford Common	2	
Ashford East		1
Ashford North & Stanwell South	3	1
Ashford Town	2*	2*
Staines	1	
Stanwell North		1
Sunbury East	1*	1*
Sunbury Common	1	
<b>Grand Total</b>	<b>10</b>	<b>3</b>

\* All three applications, two in Ashford Town and one in Sunbury East were refused permission but allowed on appeal.

A full list of the site details are contained as appendix 1

2.3 The Planning Officers and Planning Enforcement Officers work closely with the Environmental Health Officers who are responsible for issuing a licence for HMOs. A licence is required from Environmental Health under the following circumstances:

- it has three or more storeys (including basements and attics);
- it is occupied by five or more people who form two or more households; and
- all or some of the occupants share bathroom, toilet or kitchen facilities

2.4 It should be noted that as from the 1 October 2018, all HMOs with five or more people must have a licence regardless of the number storeys, and includes certain types of flats.

2.5 The following table shows the number of HMOs licenced by Environmental Health, by ward. It should be noted that there is an overlap with the information in tables 1 and 2 above.

Table 3 - Number of HMOs licenced by Environmental Health, by Ward.

<b>Ward</b>	<b>Numbers of HMO licenced premises (up to 6 residents)</b>	<b>Numbers of HMO licenced premises (7 residents or more (Planning Permission required))</b>	<b>Total</b>
Ashford Common	1		1
Ashford North & Stanwell South	1	1	2
<b>Ashford Town</b>	<b>4</b>	<b>3</b>	<b>7</b>
Riverside and Laleham	1	1	2
Shepperton Town	1		1
<b>Staines</b>	<b>1</b>	<b>5</b>	<b>6</b>
Staines South	2		2
<b>Stanwell North</b>	<b>5</b>		<b>5</b>
Sunbury Common	2		2
<b>Grand Total</b>			<b>28</b>

2.6 Ward Plans depicting the information on the tables above are shown on the pages overleaf. The information shows that the highest level of activity is within the wards of Ashford Town and Ashford North & Stanwell South.

### 3.0 Issues

- 3.1 At a time when house prices remain high and access to finance limited, sharing a dwelling with others will continue to be an attractive option. HMOs do fulfil a vital role in providing accommodation for individuals and it is clear that HMOs are an essential part of the housing stock.
- 3.2 However there are concerns that as well as providing much needed affordable accommodation to residents, HMOs can also have negative effects. Impacts, either real or perceived from complaints received include the following:
- Noise and anti-social behaviour
  - Imbalanced and unsustainable communities
  - Negative impact on the physical environment
  - Pressures upon parking provision
  - Growth in private rented sector at the expense of owner-occupation
  - Increased crime, and
  - Pressure upon local community facilities.
- 3.3 A total of 10 properties have been granted planning permission for HMOs since 2010 including three allowed on appeal. A further three applications have been refused planning permission where no appeal has been lodged. There are four applications which are currently in the system and have not been determined.
- 3.4 In addition, 29 complaints were received over the same period relating to HMOs which did not require planning permission because the number of residents were six or less.

### 4.0 Options

4.1 There are five alternative options in relation to an Article 4 Direction which are set out below for consideration with commentary as to their appropriateness.

- (i) That the Council introduces an Article 4 Direction across the whole Borough.

#### Commentary

4.2 There is no evidence of any HMOs in some wards and some of the other wards have only one or two HMOs. In addition, two wards have had no complaints at all and a further five wards have only had one or two complaints over the past eight years. On this basis, imposing an Article 4 Direction across the whole Borough would be unnecessary and excessive.

4.3 This option is not recommended.

- (ii) That the Council introduces an Article 4 Direction across the wards of Ashford Town and Ashford North & Stanwell South (the wards with the highest number of complaints and applications) withdrawing the permitted development rights

to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) with immediate effect

Commentary

- 4.4 There would be a compensation liability if an Article 4 Direction is introduced without 12 months' notice. The right to compensation arises if an application is made for planning permission for development formerly permitted by the General Permitted Development Order and this application is refused, or granted subject to conditions.

Compensation can be claimed:-

(a) for abortive expenditure (such as expenditure incurred in the preparation of plans); and,

(b) for depreciation of land value where the loss is directly attributable to the removal of permitted development rights – this would include loss of future profit; (Exeter City Council found that there would be a premium added to the value of a HMO property compared to a dwelling and the council could be faced with significant compensation liabilities).

- 4.5 This option is not recommended.

- (iii) That the Council introduces an Article 4 Direction across the wards of Ashford Town and Ashford North & Stanwell South (the wards with the highest number of complaints and applications) withdrawing the permitted development right to convert a dwellinghouse (C3) to a House in Multiple Occupation (C4) coming into effect after 1 year of its introduction.

Commentary

- 4.6 Such an approach would need to be justified by evidence. Both wards have had five complaints received by Planning Enforcement over the past eight years where planning permission was not required and hence there were no planning controls. It is considered that evidence available to the Council is insufficient at this stage to justify the introduction of an Article 4 Direction which will require planning permission for a change of use from C3 to C4 from the date at which the Article 4 Direction comes into effect.

- 4.7 It should be noted that the introduction of an Article 4 Direction could indirectly result in a reduction in the supply of HMOs which in turn might impact on the groups who typically occupy this type of low cost accommodation. Local authorities will still be required to plan to meet the housing needs of those groups and this duty has recently increased following the Homelessness Reduction Act 2017 which came into effect in April 2018. Given the very low level of complaints received not requiring planning permission (which would be covered by an Article 4 Direction) as a proportion of the number of households (as shown in Table 1), a total of 0.073 complaints per household across the whole Borough, it is not considered that a non-imminent Article 4 Direction can be justified at present.

- 4.8 Given the available data, this option is not recommended at this stage.



- (iv) That the Council does not introduce an Article 4 Direction

Commentary

- 4.9 Not introducing an Article 4 Direction would result in the Council having no planning control over HMOs of six residents or less as is the case at present. However, the Council already has existing powers to control some of the perceived negative effects of HMOs. For example Environmental Health has powers in relation to noise, rubbish and size of bedrooms and communal areas. The Police and the Highway authority have powers to control dangerous or illegally parked vehicles and vehicles causing damage to highway verges and crime. Neighbourhood Services has powers to serve notices in relation to poor waste management.
- 4.10 Given the changes to the licencing regulations and the unknown effects, this option is not recommended at this stage.
- (v) To review the position within a year (1 October 2019) from the change in EH regulations
- Commentary
- 4.11 From 1 October 2018, all HMOs with five or more people must have a licence from Environmental Health regardless of the number storeys, and this includes certain types of flats. This is a considerable change from the previous licencing regime which only applied to buildings of three storeys or more. Currently there are 28 licensed HMOs by Environmental Health in Spelthorne.
- 4.12 A provisional licensable HMO database has been developed by Environmental Health which holds some 450 property addresses. At this time the actual properties that will be captured by the new 'licensable HMO' definition is unknown, but it is estimated that some 200 or more dwellings may require a HMO licence to operate.
- 4.13 The extended scope of the HMO definition will bring a significant increase in the number of HMOs that will require a licence by EH to operate. Overall it is expected that this this will bring about improvements to the management and safety standards in a high proportion of residential properties in the private rental sector within Spelthorne. The Environmental Health Department is seeking additional resources to cover the additional work associated with the changes.
- 4.14 As it is considered that evidence available to the Council is insufficient at this stage to justify the introduction of an Article 4 Direction and given the major imminent changes to the EH legislation, it is recommended that HMOs are continued to be monitored by the Planning Enforcement team and an updated report is brought to the Overview and Scrutiny Committee at the end of 2019.
- 4.15 This option is recommended.

## **5.0 Recommendation**

- 5.1 It is recommended that HMOs are continued to be monitored by the Planning Enforcement team and an updated report is brought to the Planning Committee at the end of 2019. This will allow for the implications of the changes to the licencing of HMOS to be assessed.

**Planning Applications for HMOs by ward determined April 2010 – May 2018**

Site	Ward	Nos. of Residents /bedrooms	Nos. of car spaces	Planning App No.	Decision
Inglewood Hall Green Street Sunbury On Thames	Sunbury East	15	6	13/00289 /FUL	Refused 23.04.13 Appeal allowed 29.10.13
13 - 15 High Street Staines-upon-Thames	Staines	10	7	14/00260 /COU	Approved 02.06.14
136A Chesterfield Road Ashford	Ashford Town	8	4	15/00248 /FUL	Refused 07.04.15 Appeal allowed 08.01.16
16 Springfield Road Ashford	Ashford Town	9	2	15/01478 /FUL	Refused 23.12.15 Appeal allowed 17.08.16
93 Stanwell Road Ashford	Ashford North and Stanwell South	13	3	16/00431 /FUL	Refused 06.05.16
1 Haven Road Ashford	Ashford East	14	4	16/01701 /FUL	Refused 06.04.17
11 Edward Way Ashford	Ashford North and Stanwell South	7	1	17/01850 /FUL	Approved 26.02.18
28 Oaks Road Stanwell	Stanwell North	9	6	18/00088 /FUL	Refused 12.03.18
496 London Road Ashford	Ashford North and Stanwell South	7	2	18/00093 /FUL	Approved 14.03.18
187 Ashridge Way Sunbury on Thames	Sunbury Common	7	3	18/00422 /FUL	Approved 04.06.18

<b>Site</b>	<b>Ward</b>	<b>Nos. of Residents /bedrooms</b>	<b>Nos. of car spaces</b>	<b>Planning App No.</b>	<b>Decision</b>
7 Maxwell Road Ashford	Ashford Common	7	3	18/00424 /FUL	Approved 31.05.18
158 Feltham Hill Ashford	Ashford Common	7	4	18/00551 /FUL	Approved 12.06.18
32 Desford Way Ashford	Ashford North and Stanwell South	7	4	18/00599 /FUL	Approved 02.07.18



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**Appendix 1**

**Planning Applications for HMOs by ward determined April 2010 – May 2018**

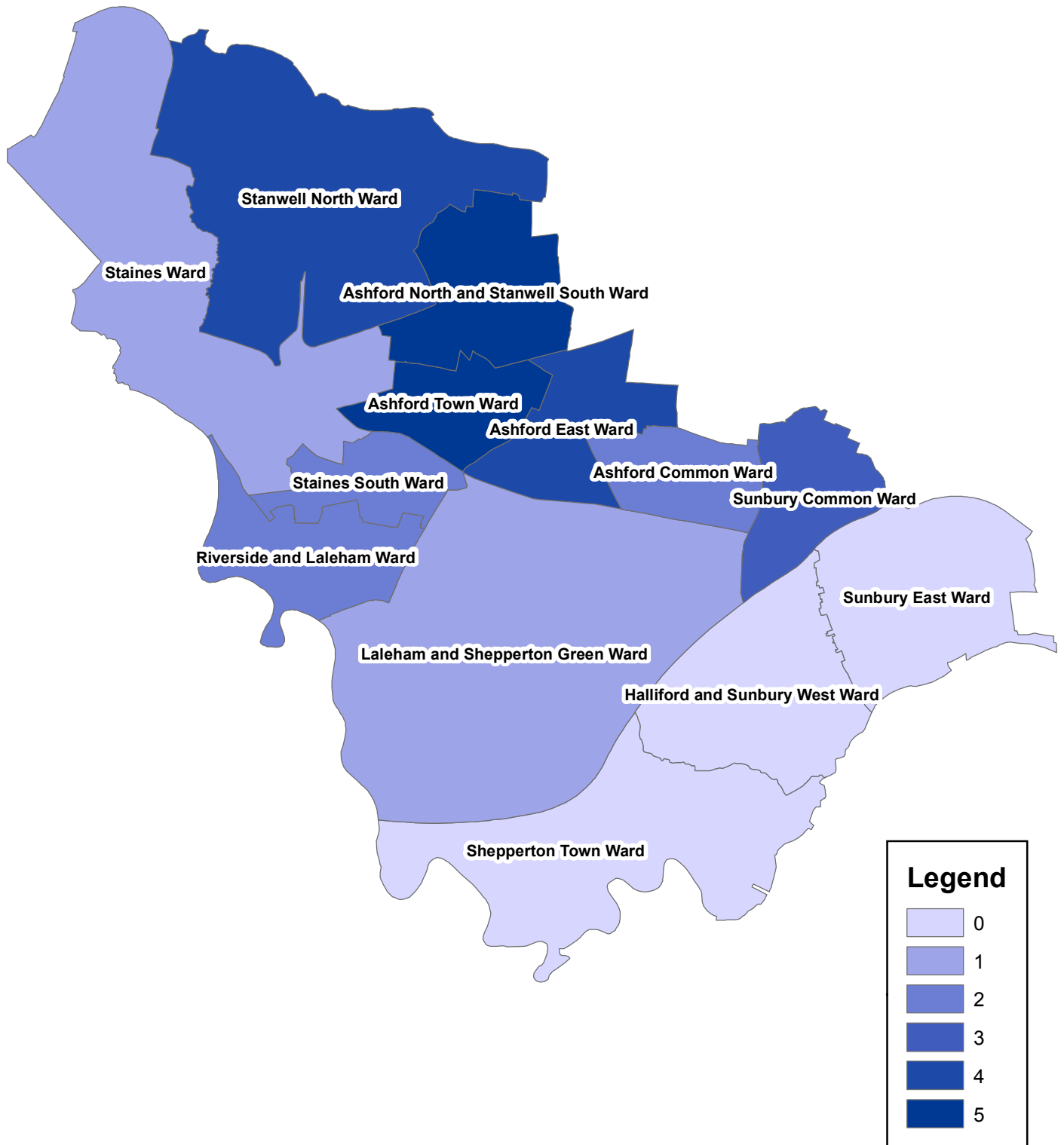
<b>Site</b>	<b>Ward</b>	<b>Nos. of Residents /bedrooms</b>	<b>Nos. of car spaces</b>	<b>Planning App No.</b>	<b>Decision</b>
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13 - 15 High Street Staines-upon- Thames	Staines	10	7	14/00260 /COU	Approved 02.06.14
136A Chesterfield Road Ashford	Ashford Town	8	4	15/00248 /FUL	Refused 07.04.15 Appeal allowed 08.01.16
16 Springfield Road Ashford	Ashford Town	9	2	15/01478 /FUL	Refused 23.12.15 Appeal allowed 17.08.16
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11 Edward Way Ashford	Ashford North and Stanwell South	7	1	17/01850 /FUL	Approved 26.02.18
28 Oaks Road Stanwell	Stanwell North	9	6	18/00088 /FUL	Refused 12.03.18
496 London Road Ashford	Ashford North and Stanwell South	7	2	18/00093 /FUL	Approved 14.03.18

<b>Site</b>	<b>Ward</b>	<b>Nos. of Residents /bedrooms</b>	<b>Nos. of car spaces</b>	<b>Planning App No.</b>	<b>Decision</b>
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7 Maxwell Road Ashford	Ashford Common	7	3	18/00424 /FUL	Approved 31.05.18
158 Feltham Hill Ashford	Ashford Common	7	4	18/00551 /FUL	Approved 12.06.18
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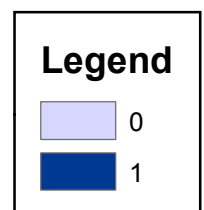
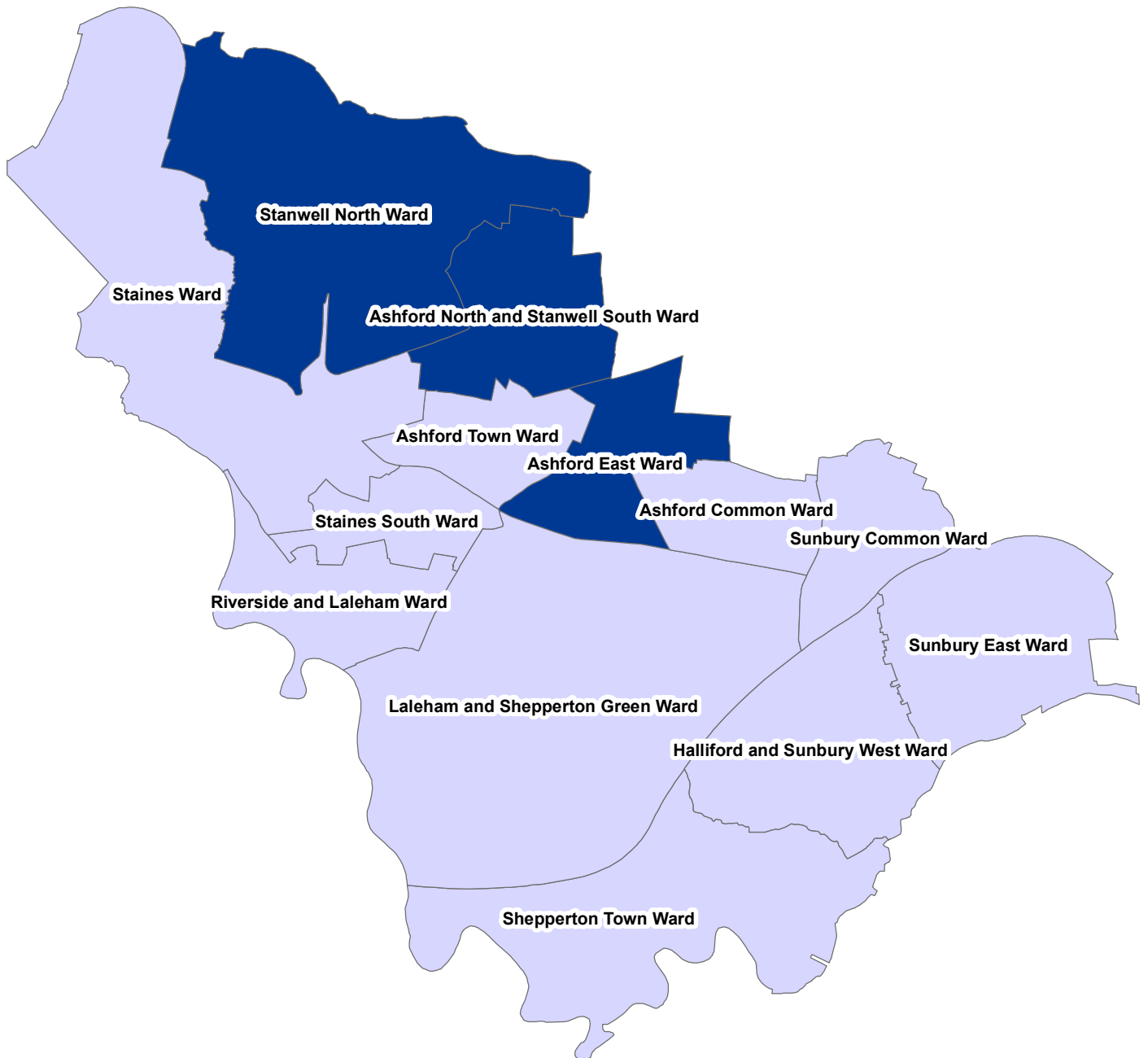
HMO complaints by ward where Planning Permission was not required (From April 2010)

Scale 1:60,000

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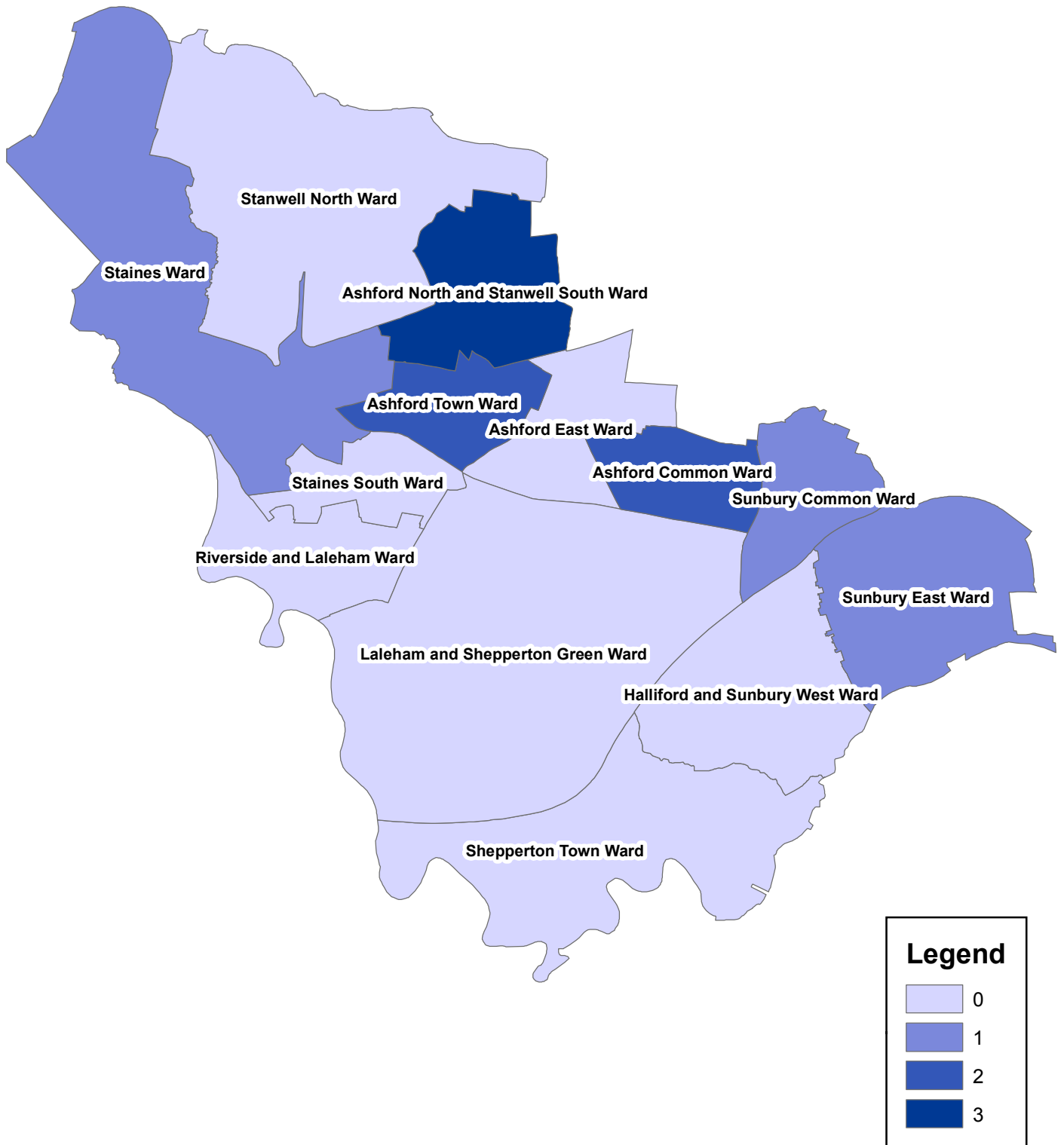
Numbers of planning applications refused

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Numbers of planning applications approved

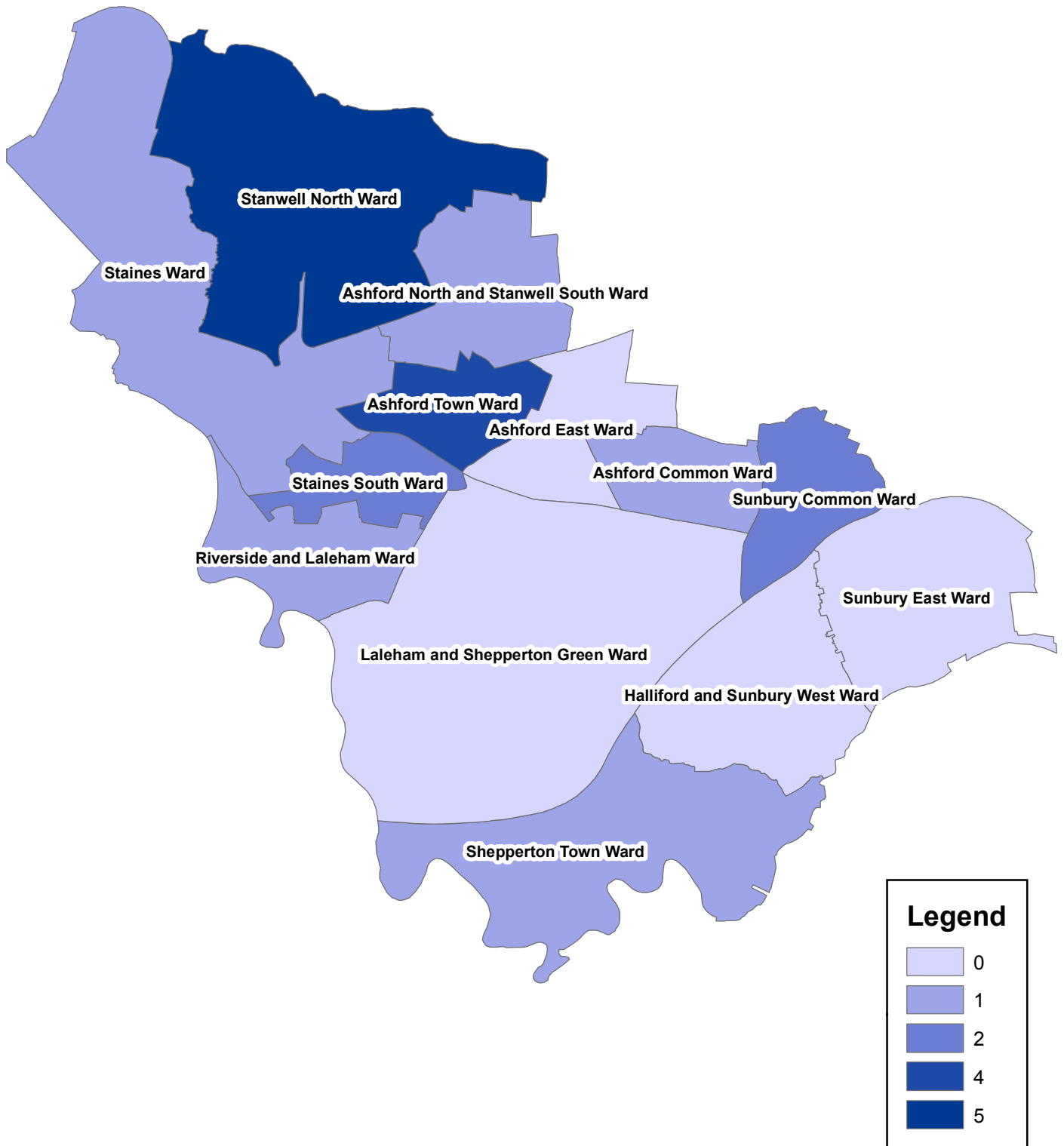
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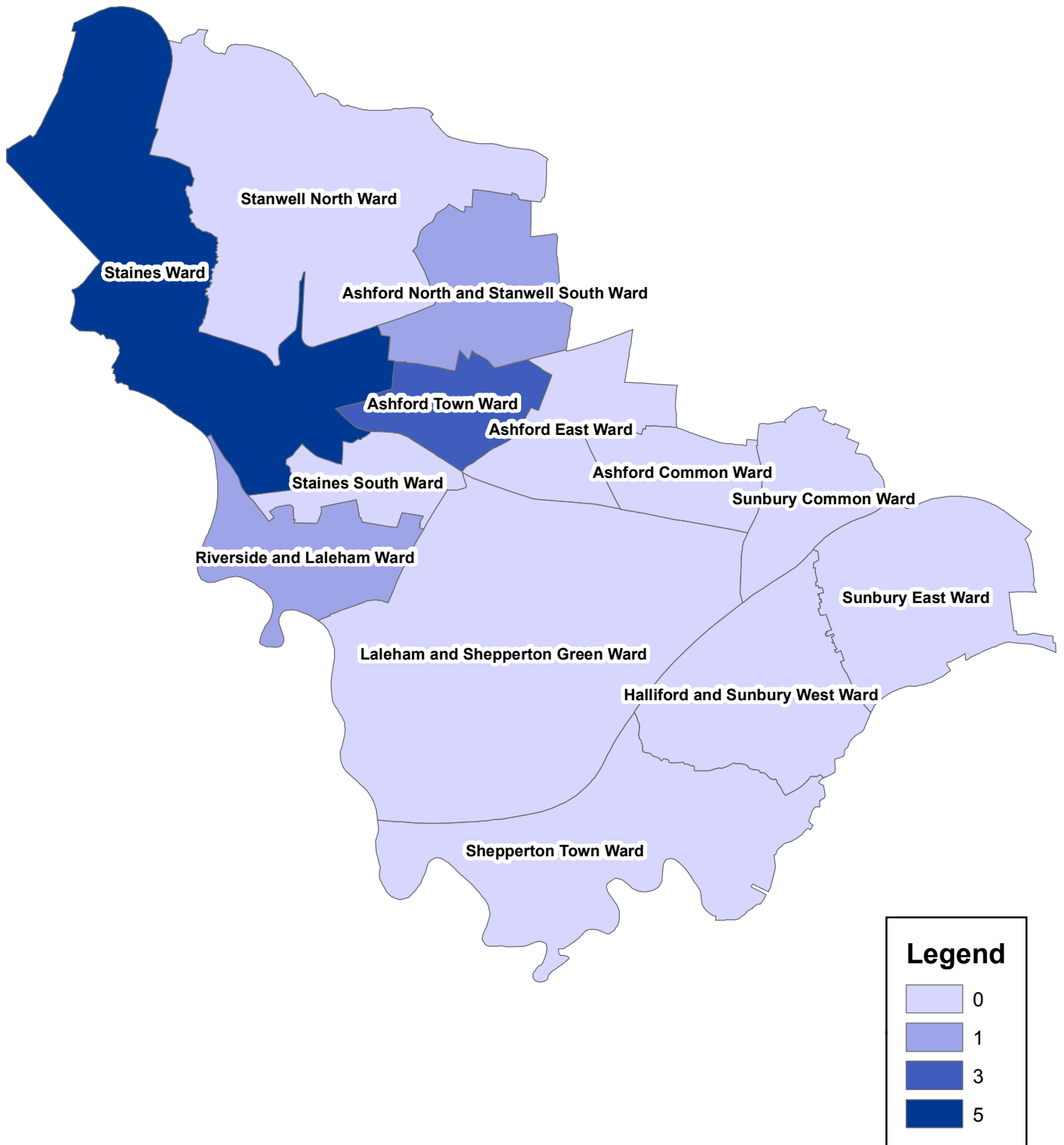
Numbers of HMO licenced premises (up to 6 residents)

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Numbers of HMO licenced premises (7 residents or more - Planning Permission required)

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Overview and Scrutiny Committee Work Programme 2018-2019

<b>Date of Meeting</b>	<b>ISSUE</b>	<b>Lead Officer</b>	<b>Outcome</b>
11 September 2018	1. Minutes	Chairman	Agreed.
	2. Update on temporary flood defences	Environment Agency	Update from the Environment Agency noted.
	3. Review of Community Safety	Jackie Taylor / Cllr Harvey	The review of community safety matters and the enforcement work of partner agencies for the period 2017/18 noted with actions for Insp. Cilia and David Munro to follow up on some matters raised by Committee.
	4. Treasury Management Annual Report	Anna Russell / Cllr Williams	Noted the outturn report on Treasury Management for 2017/18 and requested that pre-decision scrutiny of Capital Investment Strategy be added to the Committee work programme.
	5. Project Management update	Sandy Muirhead/Cllr Boughtflower	Noted an update on the status of current Council projects and Sandy Muirhead to follow up on member questions.
	6. Work Programme	Chairman / Terry Collier	Noted the work programme with the addition of pre-decision scrutiny of Capital Investment Strategy and discussion on task groups at the November meeting and inclusion of Leisure Centre consultation review at January 2019 meeting.

Overview and Scrutiny Committee Work Programme 2018-2019

<b>Date of Meeting</b>	<b>ISSUE</b>	<b>Lead Officer</b>	<b>Objectives</b>
20 November 2018	1. Minutes	Chairman	To agree the minutes of the previous meeting.
	2. Houses in Multiple Occupation – Article 4 direction	Esme Spinks / Cllr Barnard	To consider a report on the use of Article 4 Directions to manage conversions to Houses in Multiple Occupation.
	3. Air quality	Tracey Willmott-French / Cllr Patel	To consider the current impact of air quality on health in the Borough and the potential future impact from the Eco Park and Heathrow airport.
	4. Budget Issues 2019/20 to 2020/21	Terry Collier / Cllr Williams	To consider the issues for the Budget 2019/20 to 2020/21.
	5. Capital Strategy	Terry Collier / Cllr Williams	To consider the draft Capital Investment Strategy and make recommendations to Cabinet.
	6. Capital and Revenue Monitoring Report Q2	Laurence Woolven / Cllr Williams	To receive and note the current Capital and Revenue spend position.
	7. Task Groups	Chairman	To discuss the role of Task Groups in undertaking in-depth reviews to enhance the impact of Overview and Scrutiny.
	8. Work Programme and Cabinet Forward Plan	Chairman / Terry Collier	To note the work programme and consider issues on the Cabinet Forward Plan which may be suitable for pre-decision scrutiny.

Overview and Scrutiny Committee Work Programme 2018-2019

<b>Date of Meeting</b>	<b>ISSUE</b>	<b>Lead Officer</b>	<b>Objectives</b>
15 January 2019	1. Minutes	Chairman	To agree the minutes of the previous meeting.
	2. Leisure Centre consultation	Lee O'Neil / Cllr Harvey	To review lessons learned from the first round consultation.
	3. Heathrow and southern light railway	Heather Morgan / Cllr Harvey	To consider Heathrow Airport Ltd's preferred masterplan option and Spelthorne's bid for a southern light railway from Staines-upon-Thames to Heathrow Airport.
	4. Capital and Revenue Monitoring Reports and projected outturn	Laurence Woolven / Cllr Williams	To receive and note the current Capital and Revenue spend position.
	5. Treasury Management half-yearly report	Laurence Woolven / Cllr Williams	To note the Treasury Management situation.
	6. Project Management update	Sandy Muirhead/Cllr Boughtflower	To receive an update on the status of current Council projects.
	7. Housing Options	Deborah Ashman/Karen Sinclair/Cllr Francis	To review the Housing choices for applicants joining the Housing Register.
	8. Work Programme and Cabinet Forward Plan	Chairman / Terry Collier	To note the work programme and consider issues on the Cabinet Forward Plan which may be suitable for pre-decision scrutiny.

Overview and Scrutiny Committee Work Programme 2018-2019

<b>Date of Meeting</b>	<b>ISSUE</b>	<b>Lead Officer</b>	<b>Objectives</b>
19 March 2019	1. Minutes	Chairman	To agree the minutes of the previous meeting.
	2. Review of parking in Ashford	Lee O'Neil / Cllr Patel	To consider the outcomes from the survey undertaken into the parking situation in Ashford.
	3. Capital and Revenue Monitoring Q3	Laurence Woolven / Cllr Williams	To note the current Capital and Revenue spend to January 2019.
	4. Fly Tipping	Jackie Taylor/Cllr Patel	To review the impact of changes to Surrey County Council's waste services on fly tipping in the Borough
	5. Recycling and Waste collections	Jackie Taylor/Cllr Patel	To consider satisfaction rates for the Council's waste services
	6. Corporate Project Management		
	7. Work Programme and Cabinet Forward Plan	Chairman / Terry Collier	To note the work programme and consider issues on the Cabinet Forward Plan which may be suitable for pre-decision scrutiny.



# Corporate Policy & Resources Committee

15 April 2024



<b>Title</b>	<i>Update to Community Lettings Policy</i>
<b>Purpose of the report</b>	To make a decision. To seek approval to replace wording in a Council policy
<b>Report Author</b>	<i>Coralie Holman – Group Head Assets</i>
<b>Ward(s) Affected</b>	All
<b>Exempt</b>	No
<b>Exemption Reason</b>	This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006 Paragraph 3 – 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 any lease, contract or other type of negotiation with the tenant or developer, who could then know the position of the Council.
<b>Corporate Priority</b>	Community
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ol style="list-style-type: none"> <li>1) Agree the Council Administration’s proposal to allow the consideration of new community development in the Council’s recreation grounds and green open spaces</li> <li>2) Approve changes to wording within the Community Lettings Policy dated November 2022. Within section 5 to replace the wording <i>‘New development on recreation grounds or other green open spaces will not be considered’</i> with <i>‘New community development on recreation grounds or other green open spaces will only be considered when it is appropriate to do so and there is no net adverse impact to the Biodiversity of the location. If it can be demonstrated by the person/organisation making the application, in consultation with Councillors, that there is benefit to the wider community, the matter will be considered in more detail. All applications being progressed will be subject to a viability assessment and due diligence, as set out in Appendix 6 and taken to the</i></li> </ol>

	<i>Council's Corporate Policy and Resources Committee for determination'.</i>
<b>Reason for Recommendation</b>	<b>The Council's Administration wish the current policy to be updated to facilitate the consideration of new community development on Council owned land when it is appropriate to do so, and proposals have been determined as being viable and met the criteria of other specified due diligence.</b>

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>The current Community Lettings Policy was produced in November 2022 and prohibits the development of new community assets on recreation grounds and other green spaces.</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>The stance on new development has now altered and the Council's current Administration wish to have the ability for new community development to be considered in appropriate circumstances.</li> </ul>
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>Whilst it is not necessary to amend the whole policy, it is felt appropriate to replace the wording which states new development will not be considered with wording that permits consideration of new development, when it is appropriate to do so, proposals are assessed as being viable and certain due diligence checks have been satisfied.</li> </ul>	<ul style="list-style-type: none"> <li>For this committee to consider the wishes of the Administration.</li> <li>Approve the replacement wording to update the Community Lettings Policy as set out in the recommendation of this report, together with a new Appendix 6 to be attached to the existing policy which sets out the viability assessment and due diligence that will be undertaken to determine if new build proposals are supported by the Council.</li> <li>To consider the proposed due diligence requirements that will determine, on an application-by-application basis whether proposals are appropriate as shown in Appendix 2 of this report</li> </ul>

## 2. Key issues

- 2.1 In November 2022 a Community Lettings Policy was agreed and adopted by the Council. The purpose of the Community Lettings policy is to establish a transparent and positive framework that sets out the Council's desired

objectives for long-term community asset usage across its municipal assets portfolio.

- 2.2 This policy is used to robustly evaluate current and proposed community usage arrangements through a cross service evaluation criteria and procedure.
- 2.3 Through implementation of the policy and procedure, the Council will ultimately gain a robust methodology to inform and influence long-term community asset usage decisions.

### **3. Current position**

- 3.1 The current policy clearly states new development on Council owned recreation grounds and other green spaces will not be considered.
- 3.2 The stance on new development has now altered and the Council's current Administration wish to have the ability for new community development to be considered in appropriate circumstances.
- 3.3 Due to the timescales sought by the Administration to implement these changes, it is not possible to undertake a comprehensive review of the entire policy, hence an amendment to the current policy wording is proposed, supported by a new policy Appendix which sets out criteria any interested party would need to demonstrate they could meet.
- 3.4 The circumstances upon which it is considered appropriate to consider new community development will revolve around the assessment of the proposals to ensure they are viable and that criteria of other due diligence has been fully met. The criteria is set out in Appendix 2 of this report (if approved this will become a new Appendix 6 attached to the current policy).

### **4. Next Steps**

- 4.1 If the proposed changes to the policy are approved, there will need to be a 'stand still' period of circa 1 month prior to new applications being considered. During this period the Council will need to determine which recreation grounds and green open spaces it considers may be suitable for new community development. There will be no obligation for the Council to consider new community development on any sites it deems are not suitable.
- 4.2 These sites should then be openly advertised to ensure there is full transparency and all interested parties have an opportunity to submit expressions of interest and develop proposals accordingly. This will avoid any challenge about opportunities not being open to all.
- 4.3 As set out above, all new building proposals will be considered and determined against a new Appendix 6 (Appendix 2 in this report) which will be attached to the Community Lettings Policy. This new Appendix will be applicable to new build proposals only and will be determined on a simple pass/fail decision.
- 4.4 Any applications that pass the viability assessment criteria in the new Appendix 6, will then be subject to the existing processes and scoring of applications as currently included within the policy.
- 4.5 It is acknowledged this may cause some duplication to applicants, however in order to facilitate a swift amendment to the policy to allow for new build applications, a full review of the policy has not been completed due to the timescales and resource this would take. At the next full review of the policy

estimated to commence in Autumn 2024 all existing processes and scoring will be refined to remove any duplication.

## 5. Options

- 5.1 **It is recommended** the following wording is deleted ‘**New development on recreation grounds or other green open spaces will not be considered**’ and replaced with ‘**New community development on recreation grounds or other green open spaces will only be considered when it is appropriate to do so and there is no net adverse impact to the Biodiversity of the location. If it can be demonstrated by the person/organisation making the application, in consultation with Councillors, that there is benefit to the wider community, the matter will be considered in more detail. All applications being progressed will be subject to a viability assessment and due diligence, as set out in Appendix 6<sup>(1)</sup> and taken to the Council’s Corporate Policy and Resources Committee for determination**’.

<sup>(1)</sup> Refers to a new appendix 6 within the Community Lettings policy

- 5.2 **It is not recommended** to undertake a whole sale review of the entire policy as it the remainder of the Policy remains suitable to robustly evaluate all other current and proposed community usage arrangements.

- 5.3 **It is not recommended** to continue to prohibit new development on the Council’s recreation grounds and other green spaces as this may prevent suitable and much needed community facilities being delivered that meet a number of the Council’s Corporate Priorities, but the Council is unable to directly deliver directly.

## 6. Financial Terms

- 6.1 There is no direct financial cost in respect of undertaking the proposed changes to the policy. But allowing community organisations to undertake community development where appropriate with financially robust proposals, may ease pressures on the Council’s budgets. The due diligence process will assess the financial viability of any proposals being considered.

## 7. Risk Management

- 7.1 Approving this change will require thorough evaluation of all proposals, otherwise the Council may be required to take on facilities which the original operator is unable to sustain the running costs, thus creating additional financial liabilities for the Council in terms of repairs and maintenance and other vacant building costs i.e. Business Rates.

## 8. Procurement comments

- 8.1 Not Applicable

## 9. Legal comments

- 9.1 Sections 120 to 123 of the Local Government Act 1972 confer the power on the Council to acquire, appropriate and dispose of land for the purpose of any of its functions. Any disposal of open space must comply with the statutory procedure under section 123 of the Local Government Act 1972.

9.2 The Legal Services ([g.legal@spelthorne.gov.uk](mailto:g.legal@spelthorne.gov.uk)) will advise and assist with the review of all applications for development and will carry out all relevant due diligence (including but not limited to title review).

9.3 The Legal Services will assist in the preparation of any necessary documentation.

**10. Other considerations**

10.1 None

**11 Equality and Diversity**

11.1 None

**12 Sustainability/Climate Change Implications**

12.1 All applications for new build will need to meet sustainability criteria as set out in the due diligence criteria

**13 Timetable for implementation**

13.1 Immediately if approved.

**14 Contact**

14.1 Coralie Holman Group Head Assets [c.holman@spelthorne.gov.uk](mailto:c.holman@spelthorne.gov.uk)

**Background papers:**

**Appendix 1 – Community Lettings Policy**

**Appendix 2 – Due Diligence Criteria, (which is proposed to be a new Appendix 6 attached to the Community Lettings Policy)**

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# **Community Lettings** **Policy**

**November 2022**

# **Community Lettings Policy**

## **1. Introduction**

The Council's municipal asset portfolio assets comprises some 668 assets, the biggest category of which consists of land (50%) but also includes buildings, and structures within the borough of Spelthorne. The assets are held by the Council to provide benefits to those who live and work in Spelthorne. The assets are varied including public recreation grounds, play parks, allotments, open space, highway land, grazing land, bridges, war memorials, public art, bowling greens, cemeteries, leisure centres, car parks, community halls, the depot, nurseries, day centres, public toilets, park buildings (pavilions and changing rooms), the nursery and scout & guide huts (N.B. this list is not exhaustive and does not include miscellaneous land that may be considered for future community use).

The Council's portfolio of assets are held to; support direct service delivery, support delivery by partners including the voluntary sector, stimulate economic activity and regeneration and support the Council's budgets. The Council has a duty to act as custodian of community assets whilst supporting and facilitating third sector development through community use agreements/leases.

The Council defines a Community Asset as a building and/or land that has a community use and from which a community-based activity or service to the community is or could be delivered. Where a Community Asset is considered suitable for beneficial use by a third party through a lease agreement the Community Letting Procedure is to be applied. The Community Letting Policy sets out the leasing procedure for all lettings of Community Assets.

For the purpose of this policy the term Community Letting refers to the allocation of a lease of a Community Asset to a community organisation for 5 years or more.

## **2. Purpose of the policy**

The purpose of the Community Lettings policy is to establish a transparent and positive framework that sets out the Council's desired objectives for long-term community asset usage. This policy will be used to robustly evaluate current and proposed community usage arrangements through the establishment of a cross service evaluation criteria and procedure. The procedure will:

- source information across services to respond to queries from organisations in a timely manner.
- ensure that Elected Members and officers understand how the evaluation of community asset usage can benefit both the Council and local communities.

Through implementation of the policy and procedure, the Council will ultimately gain a robust methodology to inform and influence long-term community asset usage decisions.

## **3. Objectives**

The objectives of this policy are:



- to ensure a transparent, equitable process for the assessment of community assets and their future use
- to maximise the benefit of Council owned assets for local communities
- to maximise the utilisation of community assets through shared usage arrangements
- to provide long-term sustainability for services and assets to ensure due consideration is given to assets that are already highlighted for potential investment by external sources
- to provide value for money for the Council and residents
- to provide a stimulus for partnership working
- to enhance the Council's reputation

#### 4. Local policy context

The Council will adopt an agreed method of assessing the benefits of current use vs proposed community use that is strategically linked to the Council's corporate priorities. The Corporate Plan 2021-2023 lists the following corporate priorities:

**Community** – To build strong relationships with our residents and businesses and helping to forge links within those communities so that they feel empowered, included, supported, safe and healthy.

**Affordable Housing** – To deliver housing that meets the needs of all sections of our communities, building new homes, helping people to stay in their existing accommodation and ensuring that none of our residents are homeless.

**Recovery** – To provide support and guidance to our residential and business communities to enable them to recover from the significant effects of the COVID-19 pandemic.

**Environment** – To work with our communities and partners to minimise our effects on the environment, play our part in tackling the threat of climate change and to maintain a clean, green, attractive Borough which recognises and protects diversity.

**Service Delivery** – To deliver efficient and effective services which meet the changing needs of our communities, adapting to meet new challenges, new ways of working and different ways of interacting with our communities.

The Asset Management Plan for Spelthorne Borough Council sets out the Council's commitment to undertaking a comprehensive review of the municipal asset portfolio. The key issues to be identified are:

- the suitability of the building/ location for the delivery of the service
- whether the service is needed for the long-term
- whether the property occupied represents or could represent value for money.

The findings from this review together with the Corporate Priorities and other adopted Council policies will be used to assess the potential future use of the asset. It will assist in identifying if an asset can be considered a Community Asset and whether the Community Letting Procedure will apply.

## 5. Principles of the Community Lettings Policy

The policy on Community Lettings is underpinned by the following principles:

- any proposed community letting must support the aims and priorities of the Council as set out in an adopted policy e.g. Corporate Plan, Asset Management Plan, Health and Wellbeing Strategy
- any community asset usage criteria and procedure must support the overall policy objectives
- recognise the Council's dual roles as a supporter of the third sector but also as a steward of publicly owned assets
- all Council service areas and Elected Members will endorse and help deliver this agenda
- the policy will be maintained and delivered by a Corporate Working Group consisting of representatives from Asset Management, Community Wellbeing and Neighbourhood Services.

This policy will be supported by a robust evaluation criteria and procedure as set out in this document and appendices.

For clarity:

- This policy applies to the grant of a lease (the grant of legal interest in land which gives exclusive possession for a fixed period of time) of five or more years but will exclude licences or other tenancy arrangements. All leases of less than five years or other tenancy arrangements are subject to the approval process under the Council's Constitution.
- This policy will also apply to lease renewals or where we have a vacant property which is surplus to Council requirements. As an authority we do need to ensure that every opportunity is offered out to other community organisations regardless of whether or not there is a current tenant whose lease term is coming to an end to ascertain which community use might be best for the premises and community. The only situation where this would not apply would be when the tenant has a legal right to renew their lease under the Landlord and Tenant Act 1954 or there are other legal or technical reasons why this cannot be done.
- At lease expiry if a current tenant is seeking to renew the lease the Asset Management Team (and/or Corporate Working Group where appropriate) will review the conduct of the tenant during the lease term. The tenant's conduct will be reviewed and scored (Appendix 5) taking into account the following factors;
  - rent payment history
  - compliance with lease terms
  - community use
  - occupancy levels
  - tenant funded alterations and investment in the asset
  - landlord and tenant relations

- tenant and neighbour relations

On reviewing the tenant's past performance in line with the above criteria. Ward Councillors will be asked to approve the officer's recommendation on whether or not the Council is willing to renew the lease. If supported then an Exceptional Circumstances Form will be completed and forwarded to the Chair and Vice Chair of the Corporate Policy and Resources Committee for final approval. If not supported by Ward Councillors then the Community Letting Procedure will apply and the asset will be advertised to allow other expressions of interest.

- On occasion an existing tenant may apply to take a lease of additional space within the same building or within the curtilage of the asset that they already occupy. In such circumstances the Asset Management Team (and/or Corporate Working Group where appropriate) will review the tenants conduct using the criteria outlined above (Appendix 5). Before reviewing the tenant's conduct the additional space to be granted to the tenant must be for a use that is a continuation of the permitted use under the existing lease and the term to be granted should be no greater than the tenant's unexpired term. If these circumstances apply the Asset Management team (having consulted with the Corporate Working Group) will make a recommendation to the Ward Councillors and if approved an exemption to the Community Letting Procedure will be granted by an Exceptional Circumstances Form agreed by the Chair and Vice Chair of the Corporate Policy and Resources Committee. If the Ward Councillors do not recommend the letting then approval will not be granted to the tenant and the Asset Management Team have the option to apply the Community Letting Procedure and advertise the asset to allow other expressions of interest
- On occasion an existing tenant may apply to carry out works to extend the building which they occupy which will require the grant of a supplemental lease. The grant of the supplemental lease will not require the opportunity to be openly advertised under the Community Letting Policy. The decision to grant approval for any extension to the premises and any supplemental lease will be subject to the approval of the Ward Councillors and the Corporate Policy and Resources Committee.
- Prior to applying the Community Letting Policy each individual asset will be looked at in its own right to identify what type of organisation would be suitable for the property (e.g., a small toilet might be suitable for a business or a community use and this will be determined prior to advertising). Ward Councillors will be notified of the intention to advertise the asset to let under the Community Letting Policy. If the asset has the potential for re-purposing the options will be presented to the Ward Councillors to decide on the most appropriate use of the asset. If the re-purposing requires capital expenditure, then further approval may be required under the Council's Constitution. If approval is granted by either the Ward Councillors or the relevant Committee, officers will proceed with the Community Letting Policy Procedure documented in this policy to identify a suitable tenant.
- From time-to-time officers receive requests from members of the public who would like to take a lease of a building or structure which is not in use and/or is in a poor state of repair. This may involve re-purposing the original building for an alternative use. The Corporate Working Group will assess the individual asset to see what type of organisation or use would be suitable for the building and location and what repair

works would need to be undertaken to facilitate such use. The options for re-use or re-purposing and the potential to let the building as a Community Asset will be presented to the Ward Councillors. Ward Councillors will approve the potential use and where the Community Letting Policy applies (i.e. the grant of a lease for 5 years or more) the Community Letting Procedure will apply and the asset will be advertised to invite expressions of interest. The applicant will have an opportunity to apply to the advert. In some circumstance the re-purposing of an asset may require further approval under the Council Constitution.

- Occasionally, the Council may receive applications from third parties or community groups looking to develop a new asset on Council land. New development on recreation grounds or other green open spaces will not be considered. Ward Councillors will be notified of all expressions of interest.
- Occasionally there may be exceptional circumstances which Ward Councillors consider should take precedence over parts of this policy and procedure or there may be circumstances where a letting enquiry does not fit within the scope of the policy. If this is the case, the relevant officer(s) should consult with the Chair and Vice Chair of the Corporate Policy and Resources Committee for a decision. If exceptional circumstances apply then an Exceptional Circumstances Form should be completed and signed providing detailed reasons as to why the policy is not being followed.
- It should be noted that where an asset is located on the ward boundary, Ward Councillors of both wards impacted should be consulted.

## **6. Policy Ownership and Review**

Asset Management will have overall ownership of the Community Lettings policy and procedures. All enquiries regarding the use or development of community assets received by officers or Elected Members will be referred to the Asset Management Team. This is to ensure the enquiry can be processed in line with this policy and procedure and will include cross service evaluation. It should be made clear by officers and Elected Members to all enquiries that community lettings are subject to the policy. Engagement with officers does not constitute consent under the policy. Officers from Community Wellbeing, Neighbourhood Services and any other relevant department will contribute to Stage 1 Assessment Scoring Forms as required. The Officer Panel that has responsibility for making recommendations will consist of the Group Heads for Community Wellbeing, Regeneration and Growth and the Property and Development Manager.

This policy is to be reviewed on an annual basis.

## **Community Lettings Procedure**

This procedure sets out a framework for letting Community Assets. It outlines the stages of the decision-making process plus the assessment criteria and processes at each stage.

## **STAGE 1 - Advertising available asset and initial application and assessment**

The authority will only consider advertising an asset where:

- The Council owns a freehold or long leasehold interest in the property
- It has already undergone assessment for current benefit to community users and value for money using the adopted policy criteria
- It is not already identified in Councils strategies or service delivery plans for future external investment to enhance its current usage. The exception to this would be a proposal that includes the same activity as the current usage e.g., an application could be considered from a football club that wants to make use of a pavilion that has been highlighted for investment in the Councils Playing Pitch Strategy.

### **Stage 1 Procedure:**

#### **Stage 1a**

Assets identified for potential Community Letting following the review of the Council's property portfolio will be advertised on the Council's website for a period of 1 month. An indication of the lease and rent terms the Council would be looking for will be posted as part of the advertisement. At the same time as the advert is placed on the website, Council officers will advise Elected Members by email as well as residents associations and any other community groups that the Council may be aware of. Community groups and organisations will be invited to express their interest in leasing the asset by completing a Stage 1 Further Information Form (for an example see **Appendix 1**). The Stage 1 Further Information Form will be available on the website along with the Scoring Matrix Form which they will be scored against (for an example see **Appendix 2**). This will ensure there is full transparency around the process which will be undertaken.

Asset Management will initially assess all Stage 1 enquiries using the 'Further information Form' and 'Stage 1 Scoring Matrix Form' (**Appendix 1&2**). See attached Flow Chart for further details (**Appendix 3**). Where necessary, Community Wellbeing, Neighbourhood Services or other departments will be asked to contribute to provide missing information.

As a result of this initial assessment officers will make recommendations for stage 1b.

There will be 3 key factors to be considered within stage 1 but the individual criteria which expressions of interest will be scored against may vary depending on the asset being advertised.

The Applicant, unless otherwise agreed by the Chairs of Corporate Policy and Resources Committee as part of the pre assessment process should be

- Appropriately constituted, for example, a registered charity, a community interest company or a charitable incorporated organisation, a not-for-profit company; a co-operative, sports club or CASC (Community Amateur Sports Club).
- Community-led, i.e. its governance arrangements must ensure that members of the community are able to influence its operation and decision making processes.

### **Stage 1 Criteria:**

The three key factors to be considered within the Stage 1a Community Letting Policy/procedure criteria are:

- a. The current benefits to the local community provided by the organisation and/or asset versus those to be gained from new or increased access to the community asset.
- b. The alignment of any new usage proposal with the Council's strategic values and objectives.
- c. The impact of the current and/or proposed usage on the sustainability of the asset and service.

Stage 1 assessment of proposals via the Scoring Matrix Form will take into account these factors, considering both the likelihood and impact of failure.

### **Stage 1b**

Those successful at Stage 1a will be assessed by the Corporate Working Group. This group will undertake a basic options appraisal to compare current and proposed usage facts and decide which applications should move to stage 2. Once this process has been completed Asset Management will advise those applicant(s) that have been successful in moving to Stage 2.

Stage 1 will be completed within 4 weeks of the closing date of the advert.

## **STAGE 2 - Consideration for Community Letting**

### **Stage 2 Procedure:**

#### **Stage 2a:**

Successful applicants from stage 1 are invited to submit a detailed business plan. The level of detail in the business case will be to a large extent determined by the size of the asset and the community offering being put forward (for example a community café in a disused toilet will require less than an organisation looking to take on a whole community hall). A health and safety questionnaire will also need to be completed where appropriate. These should be submitted by the applicants within 2 weeks of being advised they have advanced to stage 2 of the process. Where this deadline cannot be achieved the applicant should advise the Council why and how long this will take.

#### **Stage 2b:**

The business plans and health and safety questionnaires are reviewed by the Corporate Working Group and assessed for a second time. A full financial review will be undertaken by the Finance team.

This process will be completed in 4 weeks. If, as a result of additional requests for information or a large number of business case submissions, this 4-week turnaround cannot be achieved the Council will write and advise all applicants in writing of the date of the extended deadline by which that assessment will be complete

### **Stage 2 Criteria:**

A successful Stage 2 full business case will need to evidence the following criteria:

#### **Community Use**

The proposed use of the asset is genuinely for the benefit of the local community and offers real potential for the development of a sustainable, successful, and independent community organisation.

The asset will benefit residents, including less advantaged groups and provide affordable membership costs.

#### Strategic Direction

The proposed use of an asset reflects the outcomes and objectives of the Council's Corporate Plan and Asset Management Plan.

#### Local Provision

The application demonstrates that there is supply and demand for the service and no surplus duplication within the local area.

#### Finance

The applicant provides a business plan that demonstrates:

- Value for money for the Council
- Security /sustainability of service to ensure continued utilisation and prevention of anti-social behaviour
- An ability to maintain and manage the building to a high standard and complying with all statutory regulations and other terms in the lease

### **STAGE 3 – Community Letting Recommendation**

These assessments will be used to determine if there is a suitable applicant which the Corporate Working Group can recommend. If there is a suitable applicant, a report including the Stage 1 Scoring Matrix Form, the relevant business case, health and safety questionnaire and officer recommendation will be made to the Chair and Vice Chair of the Corporate Policy and Resources Committee providing the matter falls within the office of delegations under the Constitution. Where Committee authority is required under the Constitution, Council officers will submit a report to the Corporate Policy and Resources Committee for consideration.

The successful applicant will be notified in writing on the decision of the Council and liaison will then take place with the Assets and Legal teams on drawing up the necessary legal documentation including heads of terms. If the Community Asset is within a public open space, further advertising requirements will need to be observed to comply with public open space legislation before a letting is finalised.

### **ELECTED MEMBER INVOLVEMENT**

Requests or approaches received by an Elected Member relating to any Community Asset will need to be referred directly to the Assets team as they need to have full sight of every potential opportunity that has come to the Council no matter by what route. It will then be for the Assets team to manage the process in accordance with the policy.

Where an Elected Member has had any personal involvement, this will be recorded on the stage 1 Scoring Matrix Form which will be considered by the Committee or Chairs and Vice Chairs as required at stage 3. Elected Members with such involvement will not be party to the final decision-making process.

## **REVIEW PROCESS**

All those unsuccessful applicants who reached stage 2 will then be notified that they have not been successful. Any applicants not satisfied with the final decision will need to contact the Council and go through the Councils Corporate Complaints Procedure <https://www.spelthorne.gov.uk/article/16560/Comments-compliments-and-complaints>

## **APPENDICES**

Appendix 1: Stage 1 Further Information Form

Appendix 2: Stage 1 Scoring Matrix Form

Appendix 3: Flow Chart for the Community Letting Procedure

Appendix 4: Community Letting Flow Charts

Appendix 5: Community Letting Policy Tenant Scorecard



## Appendix X – New Community Development Due Diligence Questions and Considerations

### Which Recreation Ground/Green Space

- Why this specific location
- accessibility for visitors/modes of public transport/parking provision
- Are there any similar facilities locally/how far away is the closest
- How will competition be addressed
- Why do you consider there is a need for this type of facility in this location
- What is the catchment area and number of residents you propose the facility will serve, how much of this catchment and how many residents live within walking distance ie 1/2 a mile of the location

### Financial Business Case

- Who will the operator be
- What is the financial strength and experience of the operator
- Will the operator have experience of developing as well as operating the proposed facility
- Are previous year financial accounts available for assessing profit and loss and balance sheet strength
- A Medium Term Business Plan will need to set out annual and projected income and operational costs
- Whilst we cover the business case in more detail below, how will the venture be funded

### Building Size and Design

- What size building will be required, in terms of floor area and height
- What type of construction is the building intended to be
- Does the building design and size comply with planning requirements
- Will you use consultants to produce scaled plans and construction costs for the building
- What specialist advice and surveys will be required to obtain planning approval and deliver the building
- Will the design and materials of the building be sustainable and address climate change requirements
- What is your approach to meeting or exceeding Biodiversity Net Gain legislative requirements

## Medium Term Business Case

- A business plan will need to demonstrate an understanding of and provide realistic budget projections to make allowance for annual running costs of the building including but not limited to, NNDR, utility costs, insurances, repairs and maintenance, health and safety and statutory compliance
- Will there be provision for reserves to be built up for future refurbishment/improvement projects for the facilities
- Consideration of plans to grow usage and increase turnover
- What provision will be made for seasonal trade and reduced turnover in bad weather/out of season when costs will not reduce in line with drops in income
- What will your customer base be

## Funding Sources & Legal Structure

- How will capital and operational funding costs be met, what provision will be made for contingency costs
- Will the facility generate sufficient income from fees & charges without the need for continued external funding
- What ownership structure is proposed for a new building
- Is a specific length of lease required specifically if external funding is sought
- What legal entity will be the owner/operator of the building and business
- What would happen if the business failed

## Staffing/Management and operation

- What are the proposed operating hours of the facility
- How will the facility be staffed ie volunteers or salaried staff
- What security measures will be in place out of opening hours ie on call staff, out of hours security etc
- What support would you require from the Council



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# Corporate Policy & Resources Committee



15 April 2024

<b>Title</b>	<i>To note the audited financial statements for Knowle Green Estates (KGE) for the year end 31 March 2023</i>
<b>Purpose of the report</b>	To note
<b>Report Author</b>	<i>Paul Taylor Chief Accountant</i>
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Corporate Priority</b>	Community Addressing Housing Need Resilience Environment Services
<b>Recommendations</b>	<b>Committee is asked to note the report and in particular the unqualified audit report.</b>
<b>Reason for Recommendation</b>	<p>The Board of Directors of Knowle Green Estates Ltd approved the accounts for the year ended 31 March 2023 on 18 October 2023 following a meeting with the External Auditors.</p> <p>The Auditors provided an unqualified audit report and the accounts have been filed at Companies House and with His Majesty's Revenue &amp; Customs (HMRC), where there is no Corporation Tax to pay.</p>

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>This Committee is responsible for the oversight over Knowle Green Estates (KGE).</li> <li>Every year the accounts of KGE are subject to an independent audit and this report looks back over the trading year ended 31 March 2023.</li> </ul>	<ul style="list-style-type: none"> <li>As part of good governance, this Committee manages the relationship with KGE on behalf of Council.</li> <li>The KGE Board have discharged their duties and obtained an unqualified audit report for the year end 31 March 2023.</li> </ul>

<ul style="list-style-type: none"> <li>Note that the external auditors gave an unqualified audit opinion for the year end 31 March 2023.</li> <li>Whilst the company is trading at a loss, at the extraordinary Council meeting on 3 February 2023, council agreed to extend up to five years of financial support to KGE, whilst the Council suspends its direct housing delivery projects and seeks joint venture partners to complete the projects and deliver the much needed housing to the residents of the borough.</li> </ul>	
<p><b>This is what we want to do about it</b></p>	<p><b>These are the next steps</b></p>
<ul style="list-style-type: none"> <li>To review the report and its appendices.</li> <li>Question managers and the Directors about the results contained in the financial statements, the comments in the management letter and the Directors response in the Letter of Representation, noting that this was a straightforward audit assignment.</li> <li>Focus on the figures for 2022-23, as the previous year has been noted by the Committee.</li> </ul>	<ul style="list-style-type: none"> <li>That the Committee note the report.</li> </ul>

## 2. Summary of the report

2.1 The unqualified audited accounts for the year ended 31 March 2023 were approved by the Knowle Green Estates (KGE) Board on 18 October 2023 and filed at Companies House and there was no Corporation Tax to pay.

2.2 A summary of the profit and loss account on page 6 of Appendix A is shown below, noting that under Company Law, losses are shown as a negative figure and profits are shown as a positive figure, which is the reverse situation when reporting under the Chartered Institute of Public Finance Accountancy Code for Local Authorities:

	<b>2022-23</b>	<b>2021-22</b>
<b>Profit/(loss) for the year</b>	(£896,857)	£144,334

<b>Total Comprehensive Income/(Expenditure) for the year</b>	£1,232,724	£3,464,975
<b>Total equity</b>	£4,411,839	£3,179,115

- 2.3 The main reasons for the loss being incurred was due to:
- (a) An increase of (£499k) in the depreciation charge, as Benwell 1 and West Wing are now fully operational.
  - (b) An increase of (£700k) in loan interest charges following the transfer of the West Wing in the summer of 2022 and the delay in getting the tenants in to the property in December 2022.
  - (c) A repayment of (£163k) to HMRC in respect of VAT.
  - (d) Offset by an increase in rental income of £350k.
- 2.4 The main reason for the improvement in total equity performance from 2021/21 to 2022/23 is due to the improvement to the property valuations, based on full occupancy and strong rental streams from private renters and affordable housing.
- 2.5 The positive movement is reflected in the revaluation reserve, noting that this reserve is an unusable reserve, as defined by the CIPFA Prudential Code.
- 2.6 The above is in line with the financial information communicated to Council in respect of KGE.

### 3. Key issues

- 3.1 Following a meeting with Tracey Wickens, the Senior Statutory Auditor at MGI-Midgely Snelling, the KGE Board of Directors formally accepted and signed the accounts (Appendix A) on 18 October 2023.
- 3.2 Also attached is the Management Letter from the Auditor, See Appendix B, which states that:
- (a) There was no change in the audit process.
  - (b) There were no significant findings coming from the audit.
  - (c) Some commentary on internal controls:
    - i) There are still some challenges with Bluebox (a Tenancy based application) when producing final accounts, as there has been little development work carried out by the Assets team to develop the software to deliver a recognisable trial balance from the system, making it a labour intensive process, and delaying the production of the audited accounts a consolidated Council accounts.  
  
This is still being addressed by the Board of Directors.
    - ii) The two sums referred to come from the previous year, which was audited by Azets, and therefore, there should have been sufficient information in the audit files to deal with matter.  
  
Officers subsequently review the journals from the previous auditors and ascertained that figures were as follows:

- 3.3 £10,793 – this was written off in year end 2021, by agreement with the auditors and the Board.
- 3.4 £4,134 – this was deferred income from 2021 and should be written to the profit and loss account.

However, these have not been reflected in the trial balance and the Chief Accountant is dealing with this matter in February.

Please note that both adjustments are favourable and under the company's materiality levels and will be adjusted accordingly going forward.

- 3.5 The auditors also provided confirmation:
- (a) of an anticipated clean audit report being issued, subject to final checks and submissions.
  - (b) that the auditors agree with the Directors views on:
    - i) Going concern
    - ii) Accounting policies and disclosures
  - (c) that there were no related party issues.
  - (d) that all third-party confirmations were received.
  - (e) of MGI-Midgley Snellings independence.
- 3.6 As part of the normal audit process, the Directors discussed, reviewed and signed the Letter of Representation, (Appendix C).
- 3.7 This letter sets out key affirmations that the Directors have made during the audit process and is a standard request from external auditors.
- 3.8 Where adjustments are material, the Board requested that the financial statements were amended to reflect these adjustments, As a result of these adjustments the Spelthorne Borough Council Group accounts will need to be updated to reflect these favourable adjustments.

#### **4. Financial implications**

- 4.1 There are no further financial implications in respect of the financial accounts.

#### **5. Risk considerations**

- 5.1 The property valuations are based on a variety of data, and does not reflect the best valuation, i.e., an offer to buy the premises or company, which could be higher or lower than the asset carrying value included in the audited financial accounts for the year ended 31 March 2022.
- 5.2 The Bluebox financial system, is not widely recognised within the finance profession and it has been difficult for the Finance Team to support the Assets Team to deliver timely year end accounts, management accounts and budgets. Officers are in discussion to look at moving the accounts production to Centros, where greater resilience and support can be provided.
- 5.3 Delays to the Development Projects has put financial pressure on KGE, and at the Extraordinary Council Meeting it requested a refinancing package, including the purchase of equity shares, to match the potential Homes England Funding and reduce the Loan to Property Value to 50%, as current PWLB interest rates are circa 5% and expected to rise further in mid-June, when the Bank of England meet to review the Base Rate.



- 5.4 The original projections approved by the KGE Board in June 2021, where prepared on the assumptions that Thameside House and Victory Place would be occupied from January 2024 and November 2023 respectively, as neither development has commenced yet, this is putting pressure on KGE, not only from a cashflow perspective, but also in its ability to establish a truly independent Board, as it is unable to generate the cashflow to support this additional expenditure.
- 5.5 Since the change of Council policy on 22 March 2022 – Transferring property to KGE at cost - this has ensured that there is no chance of a loss materialising upon transfer to KGE, in the Council's accounts.
- 5.6 To reduce the financial risk on KGE being unable to afford to manage any of the Council's development properties, since the last property was transferred in December 2021, viability assessment are now carried out on each development, which will include modelling over a 50 year period different scenarios, such as, changes in interest rates, loan term, rent increases and capital cost.
- 6. Options analysis and proposal**
- 6.1 Not applicable
- 7. Financial management comments**
- 7.1 As per section 2 and 3 above.
- 8. Procurement comments**
- 8.1 There are no Procurement implications in this report
- 9. Legal comments**
- 9.1 It is a requirement under section 441 of the Companies Act 2006 for accounts to be filed every year at Companies House.
- 9.2 As the sole shareholder of SDS, the Council should have sufficient oversight of the company's activities. This report assists with providing financial oversight and gives assurance that KGE is financially sound, with the continued support of the Council.
- 10. Other considerations**
- 10.1 Detail any other considerations to be taken into account.
- 11. Equality and Diversity**
- 11.1 Detail how the recommended proposals will impact equality and diversity and mitigation measures being taken.
- 12. Sustainability/Climate Change Implications**
- 12.1 Detail how the proposal will support/impact sustainability/climate change issues.
- 13. Timetable for implementation**
- 13.1 Set out a timetable, if required, showing when the proposal in the report will be implemented.
- 14. Contact**
- 14.1 [p.taylor@spelthorne.gov.uk](mailto:p.taylor@spelthorne.gov.uk)

**Background papers:** There are none.

**Appendices:**

**Appendix A** – Signed Audited Accounts for Knowle Green Estates for the year end 31 March 2023.

**Appendix B** – Management Letter

**Appendix C** – Letter of Representation

Company registration number 10170860 (England and Wales)

**KNOWLE GREEN ESTATES LTD**  
**ANNUAL REPORT AND FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31 MARCH 2023**

# KNOWLE GREEN ESTATES LTD

## COMPANY INFORMATION

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<b>Directors</b>	T Collier A Fillis D Levy L Nichols	(Appointed 21 June 2023)
<b>Secretary</b>	F Hussain	
<b>Company number</b>	10170860	
<b>Registered office</b>	Council Offices Knowle Green Staines-Upon-Thames Middlesex TW18 1XB	
<b>Auditor</b>	MGI Midgley Snelling LLP Ibex House Baker Street Weybridge Surrey KT13 8AH	

# KNOWLE GREEN ESTATES LTD

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Balance sheet	7
Statement of changes in equity	8
Notes to the financial statements	9 - 14

# KNOWLE GREEN ESTATES LTD

## DIRECTORS' REPORT

### FOR THE YEAR ENDED 31 MARCH 2023

---

The directors present their annual report and financial statements for the year ended 31 March 2023.

#### Principal activities

The principal activity of the company continued to be that of providing affordable housing lettings for families, keyworkers and private individuals who are resident in the Borough of Spelthorne.

#### Directors

The directors who held office during the year and up to the date of signature of the financial statements were as follows:

T Collier	
S Buttar	(Resigned 30 May 2023)
A Fillis	
D Levy	
L Nichols	(Appointed 21 June 2023)
P Der Man	(Appointed 22 April 2022 and resigned 9 September 2022)

#### Statement of directors' responsibilities

The directors are responsible for preparing the annual report and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

#### Statement of disclosure to auditor

So far as each person who was a director at the date of approving this report is aware, there is no relevant audit information of which the company's auditor is unaware. Additionally, the directors individually have taken all the necessary steps that they ought to have taken as directors in order to make themselves aware of all relevant audit information and to establish that the company's auditor is aware of that information.

#### Small companies exemption

This report has been prepared in accordance with the provisions applicable to companies entitled to the small companies exemption.

**KNOWLE GREEN ESTATES LTD**

**DIRECTORS' REPORT (CONTINUED)**

**FOR THE YEAR ENDED 31 MARCH 2023**

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On behalf of the board

..... *T Collier*

T Collier  
Director

Date: *18/10/23*

# KNOWLE GREEN ESTATES LTD

## INDEPENDENT AUDITOR'S REPORT

### TO THE MEMBERS OF KNOWLE GREEN ESTATES LTD

---

#### Opinion

We have audited the financial statements of Knowle Green Estates Ltd (the 'company') for the year ended 31 March 2023 which comprise the statement of comprehensive income, the balance sheet, the statement of changes in equity and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 *The Financial Reporting Standard applicable in the UK and Republic of Ireland* (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 March 2023 and of its loss for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

#### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Conclusions relating to going concern

In auditing the financial statements, we have concluded that the directors' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the company's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the directors with respect to going concern are described in the relevant sections of this report.

#### Other information

The other information comprises the information included in the annual report other than the financial statements and our auditor's report thereon. The directors are responsible for the other information contained within the annual report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

#### Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of our audit:

- the information given in the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the directors' report has been prepared in accordance with applicable legal requirements.



# KNOWLE GREEN ESTATES LTD

## INDEPENDENT AUDITOR'S REPORT (CONTINUED) TO THE MEMBERS OF KNOWLE GREEN ESTATES LTD

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### **Matters on which we are required to report by exception**

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the directors' report. We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption in preparing the directors' report and from the requirement to prepare a strategic report.

### **Responsibilities of directors**

As explained more fully in the directors' responsibilities statement, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, the directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

### **Auditor's responsibilities for the audit of the financial statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

The extent to which our procedures are capable of detecting irregularities, including fraud, is detailed below.

In planning and designing our audit tests, we identify and assess the risks of material misstatements within the financial statements, whether due to fraud or error. Our assessment of these risks includes consideration of the nature of the industry and sector, the control environment and the business performance along with the results of our enquiries of management, about their own identification and assessment of the risks of irregularities. We are also required to perform specific procedures to respond to the risk of management override.

As a result of this assessment, we considered the opportunities and incentives that may exist within the company for fraud and identified that the greatest area of risk was in relation to management override and valuation of properties.

We have obtained an understanding of the legal and regulatory frameworks that the company operates in from discussions with the director and our knowledge of the company and its industry sector. We have focused on the provisions of those laws and regulations that have a direct effect on the determination of material amounts and disclosures in the financial statements. The key laws and regulations we considered in this context included the UK Companies Act and local tax legislation.

# KNOWLE GREEN ESTATES LTD

## INDEPENDENT AUDITOR'S REPORT (CONTINUED)

### TO THE MEMBERS OF KNOWLE GREEN ESTATES LTD

---

We performed the following audit procedures after consideration of the above risks which included the following:

- enquiry of management of actual and potential litigation and claims;
- reviewing correspondence with HMRC and the company's legal advisors;
- reviewing financial statement disclosures and testing to supporting documentation to assess compliance with applicable laws and regulations;
- performing analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business;
- reviewing meeting minutes between the directors and employees during the year; and
- review of revaluation of properties owned by the company.

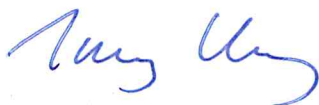
The engagement partner has assessed that all engagement team members were made aware of the relevant laws and regulations and potential fraud risks and were reminded to remain alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

Because of the inherent limitations of an audit, there is a risk that we will not detect all irregularities, including those leading to a material misstatement in the financial statements or non-compliance with regulation. The risk increases the more that compliance with a law or regulation is removed from the events and transactions reflected in the financial statements, as we will be less likely to become aware of instances of non-compliance. The risk is also greater regarding irregularities occurring due to fraud rather than error, as fraud involves intentional concealment, forgery, collusion, omission or misrepresentation.

A further description of our responsibilities is available on the Financial Reporting Council's website at: <https://www.frc.org.uk/auditorsresponsibilities>. This description forms part of our auditor's report.

#### Use of our report

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.



**Tracey Wickens**  
**Senior Statutory Auditor**  
For and on behalf of MGI Midgley Snelling LLP

Date: 31/10/2023

**Chartered Accountants**  
**Statutory Auditor**

Ibex House  
Baker Street  
Weybridge  
Surrey  
KT13 8AH

# KNOWLE GREEN ESTATES LTD

## STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 31 MARCH 2023

	2023 £	2022 £
<b>Turnover</b>	1,140,166	781,359
Administrative expenses	(1,357,254)	(536,373)
<b>Operating (loss)/profit</b>	(217,088)	244,986
Interest receivable and similar income	20	-
Interest payable and similar expenses	5 (812,389)	(100,652)
<b>(Loss)/profit before taxation</b>	(1,029,457)	144,334
Tax on (loss)/profit	132,600	-
<b>(Loss)/profit for the financial year</b>	(896,857)	144,334
<b>Other comprehensive income</b>		
Revaluation of tangible fixed assets	2,981,145	4,052,176
Tax relating to other comprehensive income	(851,564)	(731,535)
<b>Total comprehensive income for the year</b>	1,232,724	3,464,975

The profit and loss account has been prepared on the basis that all operations are continuing operations.

# KNOWLE GREEN ESTATES LTD

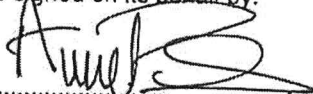
## BALANCE SHEET

AS AT 31 MARCH 2023

	Notes	2023		2022	
		£	£	£	£
<b>Fixed assets</b>					
Tangible assets	6		35,478,410		32,996,900
<b>Current assets</b>					
Debtors	7	145,889		78,679	
Cash at bank and in hand		21,297		155,855	
			167,186		234,534
<b>Creditors: amounts falling due within one year</b>	8	(1,343,955)		(616,295)	
<b>Net current liabilities</b>			(1,176,769)		(381,761)
<b>Total assets less current liabilities</b>			34,301,641		32,615,139
<b>Creditors: amounts falling due after more than one year</b>	9		(28,439,303)		(28,704,489)
<b>Provisions for liabilities</b>			(1,450,499)		(731,535)
<b>Net assets</b>			4,411,839		3,179,115
<b>Capital and reserves</b>					
Called up share capital	10		1		1
Revaluation reserve	11		5,450,222		3,320,641
Profit and loss reserves			(1,038,384)		(141,527)
<b>Total equity</b>			4,411,839		3,179,115

These financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies regime.

The financial statements were approved by the board of directors and authorised for issue on 18-Oct-23 and are signed on its behalf by:



A Fillis  
Director

Company Registration No. 10170860

# KNOWLE GREEN ESTATES LTD

## STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 31 MARCH 2023

	Share capital	Revaluation reserve	Profit and loss reserves	Total
	£	£	£	£
<b>Balance at 1 April 2021</b>	1	-	(285,861)	(285,860)
<b>Year ended 31 March 2022:</b>				
Profit for the year	-	-	144,334	144,334
Other comprehensive income:				
Revaluation of tangible fixed assets	-	4,052,176	-	4,052,176
Tax relating to other comprehensive income	-	(731,535)	-	(731,535)
Total comprehensive income for the year	-	3,320,641	144,334	3,464,975
<b>Balance at 31 March 2022</b>	1	3,320,641	(141,527)	3,179,115
<b>Year ended 31 March 2023:</b>				
Loss for the year	-	-	(896,857)	(896,857)
Other comprehensive income:				
Revaluation of tangible fixed assets	-	2,981,145	-	2,981,145
Tax relating to other comprehensive income	-	(851,564)	-	(851,564)
Total comprehensive income for the year	-	2,129,581	(896,857)	1,232,724
<b>Balance at 31 March 2023</b>	1	5,450,222	(1,038,384)	4,411,839



# KNOWLE GREEN ESTATES LTD

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2023

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### 1 Accounting policies

(Continued)

#### 1.6 Financial instruments

##### **Basic financial assets**

Basic financial assets, which include debtors and cash and bank balances, are initially measured at transaction price including transaction costs and are subsequently carried at amortised cost using the effective interest method unless the arrangement constitutes a financing transaction, where the transaction is measured at the present value of the future receipts discounted at a market rate of interest. Financial assets classified as receivable within one year are not amortised.

##### **Basic financial liabilities**

Basic financial liabilities, including creditors, bank loans, loans from fellow group companies and preference shares that are classified as debt, are initially recognised at transaction price unless the arrangement constitutes a financing transaction, where the debt instrument is measured at the present value of the future payments discounted at a market rate of interest. Financial liabilities classified as payable within one year are not amortised.

#### 1.7 Equity instruments

Equity instruments issued by the company are recorded at the proceeds received, net of transaction costs. Dividends payable on equity instruments are recognised as liabilities once they are no longer at the discretion of the company.

#### 1.8 Taxation

The tax expense represents the sum of the tax currently payable and deferred tax.

##### **Current tax**

The tax currently payable is based on taxable profit for the year. Taxable profit differs from net profit as reported in the profit and loss account because it excludes items of income or expense that are taxable or deductible in other years and it further excludes items that are never taxable or deductible. The company's liability for current tax is calculated using tax rates that have been enacted or substantively enacted by the reporting end date.

##### **Deferred tax**

Deferred tax liabilities are generally recognised for all timing differences and deferred tax assets are recognised to the extent that it is probable that they will be recovered against the reversal of deferred tax liabilities or other future taxable profits. Such assets and liabilities are not recognised if the timing difference arises from goodwill or from the initial recognition of other assets and liabilities in a transaction that affects neither the tax profit nor the accounting profit.

The carrying amount of deferred tax assets is reviewed at each reporting end date and reduced to the extent that it is no longer probable that sufficient taxable profits will be available to allow all or part of the asset to be recovered. Deferred tax is calculated at the tax rates that are expected to apply in the period when the liability is settled or the asset is realised. Deferred tax is charged or credited in the profit and loss account, except when it relates to items charged or credited directly to equity, in which case the deferred tax is also dealt with in equity. Deferred tax assets and liabilities are offset when the company has a legally enforceable right to offset current tax assets and liabilities and the deferred tax assets and liabilities relate to taxes levied by the same tax authority.

# KNOWLE GREEN ESTATES LTD

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2023

### 1 Accounting policies

(Continued)

#### 1.9 Employee benefits

The costs of short-term employee benefits are recognised as a liability and an expense, unless those costs are required to be recognised as part of the cost of stock or fixed assets.

The cost of any unused holiday entitlement is recognised in the period in which the employee's services are received.

Termination benefits are recognised immediately as an expense when the company is demonstrably committed to terminate the employment of an employee or to provide termination benefits.

### 2 Judgements and key sources of estimation uncertainty

In the application of the company's accounting policies, the directors are required to make judgements, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised where the revision affects only that period, or in the period of the revision and future periods where the revision affects both current and future periods.

### 3 Exceptional item

	2023	2022
	£	£
<b>Expenditure</b>		
Backdated VAT - exceptional item	163,244	-
	<u>163,244</u>	<u>-</u>

During the year, it was identified that VAT had been incorrectly reclaimed which was repaid to HMRC on discovery.

### 4 Employees

The average monthly number of persons (including directors) employed by the company during the year was:

	2023	2022
	Number	Number
Total	4	4
	<u>4</u>	<u>4</u>

### 5 Interest payable and similar expenses

	2023	2022
	£	£
Interest payable and similar expenses includes the following:		
Interest payable to group undertakings	812,389	100,652
	<u>812,389</u>	<u>100,652</u>



# KNOWLE GREEN ESTATES LTD

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2023

### 6 Tangible fixed assets

	Land and buildings £
<b>Cost or valuation</b>	
At 1 April 2022	32,996,900
Revaluation	2,521,500
	<hr/>
At 31 March 2023	35,518,400
	<hr/>
<b>Depreciation and impairment</b>	
At 1 April 2022	-
Depreciation charged in the year	499,635
Revaluation	(459,645)
	<hr/>
At 31 March 2023	39,990
	<hr/>
<b>Carrying amount</b>	
At 31 March 2023	35,478,410
	<hr/> <hr/>
At 31 March 2022	32,996,900
	<hr/> <hr/>

The fair value of the properties has been arrived at on the basis of an independent valuation carried out in December 2022 by Wilks Head & Eve (WHE), RICS registered Chartered Surveyors. The surveyors completed the valuation report in accordance with the Existing Use Value (EUV) basis. A further valuation at the balance sheet date was deemed unnecessary where market conditions hadn't fluctuated since and appropriate and reliable market information existed for the directors to ascertain their own valuation.

Land and buildings are carried at valuation. If land and buildings were measured using the cost model, the historic cost amounts would have been £29,146,014 (2022: £29,146,014).

Value of land in the freehold land and buildings is £7,573,280 (2022: £7,068,980).

### 7 Debtors

<b>Amounts falling due within one year:</b>	<b>2023</b>	<b>2022</b>
	£	£
Trade debtors	25,020	33,088
Amounts owed by group undertakings	52,607	-
Other debtors	68,262	45,591
	<hr/>	<hr/>
	145,889	78,679
	<hr/> <hr/>	<hr/> <hr/>

# KNOWLE GREEN ESTATES LTD

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2023

<b>8</b>	<b>Creditors: amounts falling due within one year</b>		
		<b>2023</b>	<b>2022</b>
		<b>£</b>	<b>£</b>
	Trade creditors	6,551	10,459
	Amounts owed to group undertakings	1,187,594	546,630
	Taxation and social security	707	-
	Other creditors	149,103	59,206
		<u>1,343,955</u>	<u>616,295</u>

<b>9</b>	<b>Creditors: amounts falling due after more than one year</b>		
		<b>2023</b>	<b>2022</b>
		<b>£</b>	<b>£</b>
	Other creditors	28,439,303	28,704,489
		<u>28,439,303</u>	<u>28,704,489</u>

The long term intercompany loans provided by Spelthorne Borough Council (Parent) are secured by fixed charges over all the assets of the company.

The tangible assets purchased in 2019 and 2022 were funded by loans from Spelthorne Borough Council. The loan agreements were entered in March 2019 and March 2022 for a period of 50 years, with the interest rate taken from the Public Works Loan Board lending facility.

Creditors which fall due after five years are as follows:

		<b>2023</b>	<b>2022</b>
		<b>£</b>	<b>£</b>
	Payable by instalments	27,206,901	27,409,288
		<u>27,206,901</u>	<u>27,409,288</u>

<b>10</b>	<b>Called up share capital</b>				
		<b>2023</b>	<b>2022</b>	<b>2023</b>	<b>2022</b>
	<b>Ordinary share capital</b>	<b>Number</b>	<b>Number</b>	<b>£</b>	<b>£</b>
	<b>Issued and fully paid</b>				
	Ordinary share of £1 each	1	1	1	1
		<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>

<b>11</b>	<b>Revaluation reserve</b>		
		<b>2023</b>	<b>2022</b>
		<b>£</b>	<b>£</b>
	At the beginning of the year	3,320,641	-
	Revaluation surplus arising in the year	2,981,145	4,052,176
	Deferred tax on revaluation of tangible assets	(851,564)	(731,535)
	At the end of the year	<u>5,450,222</u>	<u>3,320,641</u>

# **KNOWLE GREEN ESTATES LTD**

## **NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)**

***FOR THE YEAR ENDED 31 MARCH 2023***

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### **12 Events after the reporting date**

In February 2023, the Department of Levelling Up and Housing announced a package for grant funding to Local Authorities to obtain accommodation for families with housing needs who have arrived in the UK from Ukraine. Two properties were identified after the year end and these will be transferred to Knowle Green Estates Ltd upon exchange of contract.

### **13 Parent company**

Knowle Green Estates Limited is a private company limited by shares and incorporated in England and is a wholly owned subsidiary of Spelthorne Borough Council who's registered office is Spelthorne Borough Council, Knowle Green, Staines-Upon-Thames, TW18 1XB.

# KNOWLE GREEN ESTATES LTD

## DETAILED PROFIT AND LOSS ACCOUNT

FOR THE YEAR ENDED 31 MARCH 2023

	2023		2022	
	£	£	£	£
<b>Turnover</b>				
Sales		1,140,166		781,359
<b>Administrative expenses</b>				
Management charge	367,262		310,708	
Waste	1,983		1,750	
Landscape / gardening	12,572		11,774	
Unexpected property related costs	-		525	
Non exec directors fees	10,300		10,264	
Letting costs	24,420		25,435	
Security	602		-	
Rates	7,616		22,853	
Cleaning	22,995		18,238	
Pest control	2,962		427	
Power, light and heat	85,798		15,253	
Repairs and maintenance	93,181		51,030	
Legal and professional fees	22,712		1,470	
Accountancy	500		1,750	
Audit fees	12,900		18,600	
Bank charges	1,434		2,299	
Insurances	20,139		1,624	
Advertising	1,200		-	
Telecommunications	4,853		3,435	
Other office supplies	789		-	
Sundry expenses	157		-	
Depreciation	499,635		38,938	
Backdated VAT - exceptional item	163,244		-	
		(1,357,254)		(536,373)
<b>Operating (loss)/profit</b>		(217,088)		244,986
<b>Interest receivable and similar income</b>				
Bank interest received	20		-	
		20		-
<b>Interest payable and similar expenses</b>				
Interest payable to group companies		(812,389)		(100,652)
<b>(Loss)/profit before taxation</b>		(1,029,457)		144,334

**Report to management**  
**PRIVATE AND CONFIDENTIAL**

Our ref: TKW/MP/S1160/643422

Board of Directors  
Knowle Green Estates Limited  
Council Offices, Knowle Green  
Staines – Upon – Thames  
TW18 1XB

16 October 2023

Dear Sir/Madam

**REPORT TO MANAGEMENT – KNOWLE GREEN ESTATES LTD**

During the course of our audit for the year ended 31 March 2023 a number of matters arose which we consider should be brought to your attention.

Accompanying this letter is a memorandum noting these points together with any recommendations we have for possible improvements which could be made.

These matters came to light during the course of our normal audit tests which are designed to assist us in forming our opinion on the financial statements. Our tests may not necessarily disclose all errors or irregularities and should not be relied upon to do so. However, if any irregularity did come to our attention during our audit tests, we would, of course, inform you immediately.

We have complied with the Financial Reporting Council's Ethical Standard and all threats to our independence, as identified to you in our planning communication letter dated 6 January 2023, have been properly addressed through appropriate safeguards. No additional facts or matters have arisen during the course of the audit that we wish to draw to your attention and we confirm that we are independent and able to express an objective opinion on the financial statements.

This report has been prepared for the sole use of the directors of Knowle Green Estates Ltd and must not be shown to third parties without our prior consent. No responsibilities are accepted by MGI Midgley Snelling LLP towards any party acting or refraining from action as a result of this report.

Finally, we would like to express our thanks to all of the company's staff who assisted us in carrying out our work.

Yours faithfully

*MGI Midgley Snelling LLP*

**SIGNIFICANT MATTERS RELEVANT TO OUR AUDIT FOR THE YEAR ENDED 31 MARCH 2023**

**Audit approach**

There were no changes to our audit approach as set out to you in our letter dated 8 June 2023.

**Summary of significant audit findings**

<b>Significant risk area identified at planning</b>	<b>Findings and recommendations</b>
<p><b>Revenue recognition</b> Under ISA (UK) 240 there is a presumed risk of fraud in relation to revenue recognition. The presumption is that the company could adopt accounting policies or recognise sales in such a way as to lead to a material misstatement in the reported revenue position.</p>	<p>We carried out a review and testing of revenue recognition policies, including proof in total calculations for a sample of properties, cut off on invoicing was also checked.</p> <p>From the testing performed, no issues were identified.</p>
<p><b>Management override of controls</b> Under ISA (UK) 240 there is a presumed risk that management and directors have the ability to process transactions or make adjustments to financial records outside of the normal financial control processes. Such transactions could lead to a material misstatement in the financial statements.</p>	<p>We carried out a review of accounting estimates, judgements and decisions made by management. We performed testing of journal entries, cash book entries and a review of unusual significant transactions.</p> <p>From the testing performed, no instances of management override of controls were identified.</p>
<p><b>Valuation of fixed assets</b> The company holds property at a revalued amount in the accounts, which is subsequently depreciated until a new valuation of the property has been prepared. Incorrect valuation of the property may lead to overstatement of the balance sheet.</p>	<p>We have reviewed the property against valuations provided and the directors' review for the current year, as well as the movement in value of similar properties in the recent period. The depreciation rate has also been reviewed for fixed assets to confirm reasonable rates are used.</p> <p>From the testing performed and after discussions with management, no issues were identified on fixed asset valuation.</p>
<p><b>Other areas where issues were identified during the audit</b></p>	<p><b>Findings and recommendations</b></p>
<p><b>Going concern</b> Under ISA (UK) 570, the company's going concern has been considered.</p>	<p>From our review of forecasts and after discussions with management, we concur with management's assessment that it is appropriate to continue to adopt the going concern basis and there are no material uncertainties relating to going concern which should be disclosed in the financial statements.</p>

<p><b>Security charges for the loans</b></p> <p>The loan agreements state that there are charges on them.</p>	<p>From a review of Companies House, we cannot see that the charges have been registered. Please ensure the charges are registered with Companies House to keep the register of charges up to date.</p>
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**Internal controls**

The purpose of the audit was for us to express an opinion on the financial statements. The audit included consideration of internal controls relevant to the preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of internal control. Our audit is, therefore, not designed to identify all control weaknesses and the matters reported below are limited to those deficiencies that we have identified during the audit.

Control weakness identified	Potential implications and recommendations
<p>Accounting is all completed on Bluebox which is a tenancy management software. This does not operate well as a reliable financial reporting software and up to date financial information is not immediately available without adjustments made by spreadsheet.</p>	<p>Export of information from Bluebox into a more proprietary book keeping software would mean that reliable company financial information can be maintained without the need of using spreadsheets to reconcile information.</p>
<p>Included within the account are unknown figures, which should be reconciled.</p> <p>Within trade creditors is an unreconciled amount of £10,793.</p> <p>Within amounts due to parent company is an unknown debit amount of £4,134.</p>	<p>To reduce the risk of errors in the accounts, all closing balance sheet codes should be reconciled, any differences or unknown amounts should be investigated and corrected if necessary.</p>
<p>Included on the balance sheet is a VAT balance of £707.05. As the company has deregistered from VAT during the year, this account should be zero.</p>	<p>An unknown VAT balance is included on the balance sheet. As the company is deregistered for VAT no balance would be expected. To review and correct as necessary.</p>

**Summary of audit differences and draft letter of representation**

We have attached a draft letter of management representations required in connection with our audit.

Attached to the letter of management representations is a schedule of all of the unadjusted misstatements noted during our work. We would be grateful if you could review these and confirm (as point 6 in the letter of representation) that you are satisfied that none of these need to be adjusted for in the financial statements.

**Anticipated audit report**

We anticipate that we will issue an unmodified audit report for the year, subject to the satisfactory clearance of any outstanding/unresolved the matters outlined in this report.

**Going concern**

We concur with management's assessment that it is appropriate to continue to adopt the going concern basis and there are no material uncertainties relating to going concern which should be disclosed in the financial statements.

**Accounting policies, estimates and disclosures**

The accounting policies used in preparing the financial statements are unchanged from the previous year.

Our work included a review of the adequacy of disclosures in the financial statements and consideration of the appropriateness of the accounting policies and estimation techniques adopted by the company. We found the disclosed accounting policies, significant accounting estimates and the overall disclosure and presentation to be appropriate for the company.

**Related parties**

We are not aware of any related party transactions which have not been disclosed.

**Confirmations from third parties**

All requested confirmations have been received.

**Independence**

In accordance with our profession's ethical guidance and further to our planning communication letter to you dated 8 June 2023 confirming audit planning arrangements there are no further matters to bring to your attention in relation to our integrity, objectivity and independence.

The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed primarily for the purpose of expressing our opinion on the financial statements. We do not accept any responsibility for any loss occasioned to any third party acting or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.



MGI Midgley Snelling LLP  
Chartered Accountants  
Ibex House  
Baker Street  
Weybridge  
Surrey  
KT13 8AH



18 October 2023

Dear Sirs

The following representations are made on the basis of enquiries of management and staff with relevant knowledge and experience such as we consider necessary in connection with your audit of the company's financial statements for the year ended 31 March 2023. These enquiries have included inspection of supporting documentation, where appropriate, and are sufficient to satisfy ourselves that we can make each of the following representations. All representations are made to the best of our knowledge and belief.

#### **General**

1. We have fulfilled our responsibilities as directors, as set out in the terms of your engagement letter dated 31 March 2023 under the Companies Act 2006, for preparing financial statements in accordance with applicable law and United Kingdom Accounting Standards (UK Generally Accepted Accounting Practice), for being satisfied that they give a true and fair view and for making accurate representations to you.
  2. All the transactions undertaken by the company have been properly reflected and recorded in the accounting records.
  3. All the accounting records have been made available to you for the purpose of your audit. We have provided you with unrestricted access to all appropriate persons within the company, and with all other records and related information requested, including minutes of all management and shareholder meetings.
  4. The financial statements are free of material misstatements, including omissions.
  5. We have considered the adjustments in Appendix 1. We confirm that, in our judgement, these adjustments are appropriate given the information available to us. We further confirm that we have now made these adjustments to the financial statements.
  6. The effects of uncorrected misstatements (as set out in the Appendix 2 to this letter) are immaterial both individually and in total.
- Internal control and fraud

7. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and error, and we believe that we have appropriately fulfilled these responsibilities. We have disclosed to you the results of our risk assessment that the financial statements may be misstated as a result of fraud.

8. We have disclosed to you all instances of known or suspected fraud affecting the entity involving management, employees who have a significant role in internal control or others where fraud could have a material effect on the financial statements.

9. We have also disclosed to you all information in relation to allegations of fraud or suspected fraud affecting the entity's financial statements communicated by current or former employees, analysts, regulators or others.  
Assets and liabilities.

10. The company has satisfactory title to all assets and there are no liens or encumbrances on the company's assets, except for those that are disclosed in the notes to the financial statements.

11. All actual liabilities, contingent liabilities and guarantees given to third parties have been recorded or disclosed as appropriate.

12. We have no plans or intentions that may materially alter the carrying value and, where relevant, the fair value measurements or classification of assets and liabilities reflected in the financial statements.

13. We confirm that the value of the properties owned by Knowle Green Estates Ltd are as follows;

Property name	Amount (£)
Churchill Way	£1,008,987
Bugle House	£3,084,781
82 Cranford Road	£521,586
42 Kingston Road	£411,556
West Wing	£9,689,000
Benwell Phase 1	£20,762,500

#### Accounting estimates

14. The methods, data and significant assumptions used by us in making accounting estimates, and their related disclosures, are appropriate to achieve recognition, measurement and disclosure that is reasonable in the context of the applicable financial reporting framework.



Knowle Green  
Estates Ltd

### **Loans and arrangements**

15. The company has not granted any advances or credits to, or made guarantees on behalf of, directors other than those disclosed in the financial statements.

### **Legal claims**

16. We have disclosed to you all claims in connection with litigation that have been, or are expected to be, received and such matters, as appropriate, have been properly accounted for and disclosed in the financial statements.

### **Laws and regulations**

17. We have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.

### **Related parties**

18. Related party relationships and transactions have been appropriately accounted for and disclosed in the financial statements. We have disclosed to you all relevant information concerning such relationships and transactions and are not aware of any other matters which require disclosure in order to comply with the requirements of company law or accounting standards.

### **Subsequent events**

19. All events subsequent to the date of the financial statements which require adjustment or disclosure have been properly accounted for and disclosed.

### **Going concern**

20. We believe that the company's financial statements should be prepared on a going concern basis on the grounds that current and future sources of funding or support will be more than adequate for the company's needs. We also confirm our plans for future action(s) required to enable the company to continue as a going concern are feasible. We have considered a period of twelve months from the date of approval of the financial statements. We believe that no further disclosures relating to the company's ability to continue as a going concern need to be made in the financial statements.

### **Specific matters**

21. In particular, we make the following representations in relation to the financial statements for the year ended 31 March 2023:

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Knowle Green Estates Ltd, Council Offices, Knowle Green, Staines-upon-Thames, TW18 1XB  
xxxxxxxxx@xxxxxxxxxxxxxxxxx.co.uk Telephone: 01784 446296

Knowle Green Estates Ltd is a local authority company registered in England and Wales (number 10170860) controlled by Spelthorne Borough Council.  
Registered office at Council Offices, Knowle Green, Staines-upon-Thames, TW18 1XB



Knowle Green  
Estates Ltd

a. We confirm that a balance of £29,574,290 is due to the parent, Spelthorne Borough Council as at 31 March 2023.

We acknowledge our legal responsibilities regarding disclosure of information to you as auditors and confirm that so far as we are aware, there is no relevant audit information needed by you in connection with preparing your audit report of which you are unaware.

Each director has taken all the steps that they ought to have taken as a director in order to make themselves aware of any relevant audit information and to establish that you are aware of that information.

Yours faithfully

T Collier T COLLIER

Signed on behalf of the board of directors

Dated 18/10/23



## Knowle Green Estates Ltd

### Appendix 1

	Profit increase /(decrease)	Assets increase /(decrease)	Liabilities increase /(decrease)	Shareholders' funds
	£	£	£	£
Profit/(Loss) per draft financial statements	(778,599)			
Deferred tax liability	(718,964)		718,964	
Westwing loan adjustment to principal and interest	(5,948)	(8,036)	(2,088)	
Benwell House loan adjustment to principal and interest	50,809	75,305	24,496	
Reversing accruals	61,330		(61,330)	
Accruals adjustments	(150,227)		150,227	
Reallocating principal loan repayments to SBC	252,893		(252,893)	
Depreciation adjustment	(39,990)	(39,990)		
Bank difference corrected	(7,080)	(7,080)		
Electricity recharge to SBC	47,000		(47,000)	
Revaluation of property	2,521,500	2,521,500		
Total adjustments	2,011,323	2,541,699	530,376	
Revised profit/(loss) per the financial statements	1,232,724			-

### Appendix 2

	Profit increase /(decrease)	Assets increase /(decrease)	Liabilities increase /(decrease)	Shareholders' funds
	£	£	£	£
Revised profit/(loss) per financial statements as presented to the Board	1,232,724			
Over accrual of Smith & Byford repairs	1,159		(1,159)	
Late posted invoices	(3,115)		3,115	
Total adjustments	(1,956)	-	1,956	-
Potential revised profit/(loss) per the financial statements	1,230,768			

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# Corporate Policy & Resources Committee

15 April 2024



<b>Title</b>	<i>To note the audited financial statements for Spelthorne Direct Services Ltd (SDS) for the year end 31 March 2023</i>
<b>Purpose of the report</b>	To note
<b>Report Author</b>	<i>Terry Collier Chief Finance Officer</i>
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Corporate Priority</b>	Community Addressing Housing Need Resilience Environment Services
<b>Recommendations</b>	<b>Committee is asked to note the report, and particularly the unqualified audit report.</b>
<b>Reason for Recommendation</b>	<p>The Board of Directors of Spelthorne Direct Services Ltd approved the accounts for the year ended 31 March 2023 on 14 December 2023.</p> <p>The Auditors provided an unqualified audit report and the accounts have been filed at Companies House and with His Majesty’s Revenue &amp; Customs (HMRC), where there is no Corporation Tax to pay.</p>

## 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>• This Committee is responsible for the oversight over Spelthorne Direct Services (SDS).</li> <li>• Every year the accounts of SDS are subject to an independent audit.</li> <li>• This report is a backward looking and focuses on the year to 31 March 2023.</li> <li>• Note that the external auditors gave an unqualified (no significant</li> </ul>	<ul style="list-style-type: none"> <li>• As part of good governance, this Committee manages the relationship with SDS on behalf of Council.</li> <li>• The SDS Board have discharged their duties and obtained an unqualified audit report for the year end 31 March 2023.</li> </ul>

<p>findings of concern) audit opinion for the year end 31 March 2023.</p> <ul style="list-style-type: none"> <li>• After depreciation and interest charges, the Company made a profit of £46k (2021-22: £10k) for the year to 31 March 2023.</li> </ul>	
<b>This is what we want to do about it</b>	<b>These are the next steps</b>
<ul style="list-style-type: none"> <li>• To review the report and its appendices.</li> <li>• Question managers and the Directors about the results contained in the financial statements, the comments in the management letter and the Directors response in the Letter of Representation, noting that this was a straightforward audit assignment.</li> <li>• Focus on the figures for 2022-23, as the previous year has been noted by the Committee.</li> </ul>	<ul style="list-style-type: none"> <li>• That the Committee note the report.</li> </ul>

## 2. Summary of the report

2.1 The unqualified audited accounts for the year ended 31 March 2023 were approved by the Spelthorne Direct Services Ltd (SDS) Board on 14 December 2023 and filed at Companies House.

2.2 There was no Corporation Tax to pay.

2.3 A summary of the profit and loss account on page 5 of Appendix A is shown below, noting that under Company Law, losses are shown as a negative figure and profits are shown as a positive figure, which is the reverse situation when reporting under the Chartered Institute of Public Finance Accountancy Code for Local Authorities:

	<b>2022-23</b>	<b>2021-22</b>
<b>Turnover</b>	£373,587	£199,598
<b>Profit/(loss) for the year</b>	£35,316	£58,893
<b>Total equity</b>	£45,658	£10,342

2.4 The business continues to grow steadily, given that it is a start-up business and the main changes during the year were as follows:

- (a) Turnover almost doubled in the year as a result of winning a substantial contract.



- (b) During the year, a new vehicle was acquired, and depreciation increased by £24k.
- (c) Direct cost increased by £83k.
- (d) Wages increased by £67k.

As the business grows, costs tend to take on a stepped change model, i.e., when a new contract is obtained, it is important that the company takes on resources to deliver the contract, in doing so, this provides spare capacity that takes time to fully cover new cost base, until additional contracts are obtained.

Budget monitoring for 2023-24 is forecasting a significantly higher profit than budgeted as turnover is substantially ahead of budget, with no further stepped increase in costs.

### **3. Key issues**

- 3.1 Following a meeting with Tracey Wickens, the Senior Statutory Auditor at MGI-Midgely Snelling, the SDS Board of Directors formally accepted and signed the accounts (Appendix A) on 14 December 2023.
- 3.2 Also attached is the Management Letter from the Auditor, which states that:
  - (a) There was no change in the audit process.
  - (b) There were no significant findings coming from the audit.
  - (c) There was feedback on the bank reconciliation, which highlights a small difference, upon review this issue was successfully resolved and no cash was at risk.

However, these have not been reflected in the trial balance and the Chief Accountant is dealing with this matter in February.

Please note that both adjustments are favourable and under the company's materiality levels and will be adjusted accordingly going forward.

- 3.3 The auditors also provided confirmation:
  - (a) of an anticipated clean audit report being issued, subject to final checks and submissions.
  - (b) that the auditors agree with the Directors' views on:
    - i) Going concern
    - ii) Accounting policies and disclosures
  - (c) that there were no related party issues.
  - (d) that all third-party confirmations were received.
  - (e) of MGI-Midgely Snellings' independence.
- 3.4 As part of the normal audit process, the Directors were asked to review and sign the attached Letter of Representation (Appendix C). This letter sets out key affirmations that the Directors have made during the audit process.
- 3.5 Where adjustments are material, the Board requested that the financial statements were amended to reflect these adjustments. As a result of these

adjustments the Spelthorne Borough Council Group accounts will need to be updated to reflect these favourable adjustments.

**4. Financial implications**

4.1 There are no further financial implications in respect of the financial accounts.

**5. Risk considerations**

5.1 There are no significant risk issues to draw to this Committee's attention.

**6. Options analysis and proposal**

6.1 Not applicable

**7. Financial management comments**

7.1 Explain the key financial headlines linked to appropriate data in appendices (if required).

**8. Procurement comments**

8.1 There are no Procurement implications in this report.

**9. Legal comments**

9.1 It is a requirement under section 441 of the Companies Act 2006 for accounts to be filed every year at Companies House.

9.2 As the sole shareholder of SDS, the Council should have sufficient oversight of the company's activities. This report assists with providing financial oversight and gives assurance that SDS is financially sound.

**10. Other considerations**

10.1 Detail any other considerations to be taken into account.

**11. Equality and Diversity**

11.1 Detail how the recommended proposals will impact equality and diversity and mitigation measures being taken.

**12. Sustainability/Climate Change Implications**

12.1 Detail how the proposal will support/impact sustainability/climate change issues.

**13. Timetable for implementation**

13.1 Set out a timetable, if required, showing when the proposal in the report will be implemented.

**14. Contact**

14.1 [T.Collier@spelthorne.gov.uk](mailto:T.Collier@spelthorne.gov.uk)

**Background papers:** There are none.

**Appendices:**

**Appendix A** – Signed Audited Accounts for Spelthorne Direct Services for the year end 31 March 2023.

**Appendix B** - Management Letter

**Appendix C** – Letter of Representation



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Company registration number 12700913 (England and Wales)

**SPELTHORNE DIRECT SERVICES LTD**  
**ANNUAL REPORT AND FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 31 MARCH 2023**

**SPELTHORNE DIRECT SERVICES LTD****COMPANY INFORMATION**

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<b>Directors</b>	J C Taylor P L P Taylor	(Appointed 19 July 2022)
<b>Secretary</b>	F I Hussain	
<b>Company number</b>	12700913	
<b>Registered office</b>	Council Offices Knowle Green Staines-Upon-Thames Middlesex TW18 1XB	
<b>Auditor</b>	MGI Midgley Snelling LLP Ibex House Baker Street Weybridge Surrey KT13 8AH	

**SPELTHORNE DIRECT SERVICES LTD****CONTENTS**

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## SPELTHORNE DIRECT SERVICES LTD

### DIRECTORS' REPORT

**FOR THE YEAR ENDED 31 MARCH 2023**

---

The directors present their annual report and financial statements for the year ended 31 March 2023.

#### Principal activities

The company's principal activity during the period is the collection, treatment and disposal of non-hazardous waste and combined facilities support activities.

#### Directors

The directors who held office during the year and up to the date of signature of the financial statements were as follows:

J C Taylor	
T M Collier	(Resigned 19 July 2022)
P L P Taylor	(Appointed 19 July 2022)

#### Statement of directors' responsibilities

The directors are responsible for preparing the annual report and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

#### Statement of disclosure to auditor

So far as each person who was a director at the date of approving this report is aware, there is no relevant audit information of which the company's auditor is unaware. Additionally, the directors individually have taken all the necessary steps that they ought to have taken as directors in order to make themselves aware of all relevant audit information and to establish that the company's auditor is aware of that information.

#### Small companies exemption

This report has been prepared in accordance with the provisions applicable to companies entitled to the small companies exemption.

On behalf of the board

.....  
 J C Taylor  
 Director

Date: ..... 14/12/2023



# SPELTHORNE DIRECT SERVICES LTD

## INDEPENDENT AUDITOR'S REPORT

### TO THE MEMBERS OF SPELTHORNE DIRECT SERVICES LTD

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#### Opinion

We have audited the financial statements of Spelthorne Direct Services Ltd (the 'company') for the year ended 31 March 2023 which comprise the profit and loss account, the balance sheet and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 *The Financial Reporting Standard applicable in the UK and Republic of Ireland* (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 March 2023 and of its profit for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

#### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Conclusions relating to going concern

In auditing the financial statements, we have concluded that the directors' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the company's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the directors with respect to going concern are described in the relevant sections of this report.

#### Other information

The other information comprises the information included in the annual report other than the financial statements and our auditor's report thereon. The directors are responsible for the other information contained within the annual report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

#### Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of our audit:

- the information given in the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the directors' report has been prepared in accordance with applicable legal requirements.

## SPELTHORNE DIRECT SERVICES LTD

### INDEPENDENT AUDITOR'S REPORT (CONTINUED)

#### TO THE MEMBERS OF SPELTHORNE DIRECT SERVICES LTD

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##### **Matters on which we are required to report by exception**

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the directors' report. We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption in preparing the directors' report and from the requirement to prepare a strategic report.

##### **Responsibilities of directors**

As explained more fully in the directors' responsibilities statement, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, the directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

##### **Auditor's responsibilities for the audit of the financial statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

The extent to which our procedures are capable of detecting irregularities, including fraud, is detailed below.

In planning and designing our audit tests, we identify and assess the risks of material misstatements within the financial statements, whether due to fraud or error. Our assessment of these risks includes consideration of the nature of the industry and sector, the control environment and the business performance along with the results of our enquiries of management, about their own identification and assessment of the risks of irregularities. We are also required to perform specific procedures to respond to the risk of management override.

As a result of this assessment, we considered the opportunities and incentives that may exist within the company for fraud and identified that the greatest area of risk was in relation to management override.

We have obtained an understanding of the legal and regulatory frameworks that the company operates in from discussions with the directors and our knowledge of the company and its industry sector. We have focused on the provisions of those laws and regulations that have a direct effect on the determination of material amounts and disclosures in the financial statements. The key laws and regulations we considered in this context included the UK Companies Act and local tax legislation.

## SPELTHORNE DIRECT SERVICES LTD

### INDEPENDENT AUDITOR'S REPORT (CONTINUED)

#### TO THE MEMBERS OF SPELTHORNE DIRECT SERVICES LTD

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We performed the following audit procedures after consideration of the above risks which included the following:

- enquiry of management of actual and potential litigation and claims;
- reviewing correspondence with HMRC and the company's legal advisors;
- reviewing financial statement disclosures and testing to supporting documentation to assess compliance with applicable laws and regulations;
- performing analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud;
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business; and
- reviewing meeting minutes between the directors and employees during the year.

The engagement partner has assessed that all engagement team members were made aware of the relevant laws and regulations and potential fraud risks and were reminded to remain alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

Because of the inherent limitations of an audit, there is a risk that we will not detect all irregularities, including those leading to a material misstatement in the financial statements or non-compliance with regulation. The risk increases the more that compliance with a law or regulation is removed from the events and transactions reflected in the financial statements, as we will be less likely to become aware of instances of non-compliance. The risk is also greater regarding irregularities occurring due to fraud rather than error, as fraud involves intentional concealment, forgery, collusion, omission or misrepresentation.

A further description of our responsibilities is available on the Financial Reporting Council's website at: <https://www.frc.org.uk/auditorsresponsibilities>. This description forms part of our auditor's report.

#### Use of our report

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

**Tracey Wickens**  
**Senior Statutory Auditor**  
 For and on behalf of MGI Midgley Snelling LLP

22/12/2023  
 Date: .....

**Chartered Accountants**  
**Statutory Auditor**

Ibex House  
 Baker Street  
 Weybridge  
 Surrey  
 KT13 8AH

## SPELTHORNE DIRECT SERVICES LTD

### PROFIT AND LOSS ACCOUNT

*FOR THE YEAR ENDED 31 MARCH 2023*

	2023 £	2022 £
<b>Turnover</b>	373,587	198,588
Cost of sales	(109,401)	(26,851)
<b>Gross profit</b>	264,186	171,737
Administrative expenses	(235,039)	(107,607)
<b>Operating profit</b>	29,147	64,130
Interest receivable and similar income	2	-
Interest payable and similar expenses	4 (14,792)	(5,237)
<b>Profit before taxation</b>	14,357	58,893
Tax on profit	20,959	-
<b>Profit for the financial year</b>	35,316	58,893

The profit and loss account has been prepared on the basis that all operations are continuing operations.

## SPELTHORNE DIRECT SERVICES LTD

### BALANCE SHEET

AS AT 31 MARCH 2023

	Notes	2023		2022	
		£	£	£	£
<b>Fixed assets</b>					
Tangible assets	5		356,956		63,734
<b>Current assets</b>					
Debtors	6	76,229		25,857	
Cash at bank and in hand		118,956		77,654	
		195,185		103,511	
<b>Creditors: amounts falling due within one year</b>	7	(113,483)		(53,903)	
<b>Net current assets</b>			81,702		49,608
<b>Total assets less current liabilities</b>			438,658		113,342
<b>Creditors: amounts falling due after more than one year</b>	8		(393,000)		(103,000)
<b>Net assets</b>			45,658		10,342
<b>Capital and reserves</b>					
Called up share capital	9		1		1
Profit and loss reserves			45,657		10,341
<b>Total equity</b>			45,658		10,342

These financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies regime.

The financial statements were approved by the board of directors and authorised for issue on 14/12/2023 and are signed on its behalf by:

J C Taylor  
Director

Company Registration No. 12700913

# SPELTHORNE DIRECT SERVICES LTD

## NOTES TO THE FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 31 MARCH 2023

#### 1 Accounting policies

##### Company information

Spelthorne Direct Services Ltd is a private company limited by shares incorporated in England and Wales. The registered office is Council Offices, Knowle Green, Staines-Upon-Thames, Middlesex, TW18 1XB.

##### 1.1 Accounting convention

These financial statements have been prepared in accordance with FRS 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" ("FRS 102") and the requirements of the Companies Act 2006 as applicable to companies subject to the small companies regime. The disclosure requirements of section 1A of FRS 102 have been applied other than where additional disclosure is required to show a true and fair view.

The financial statements are prepared in sterling, which is the functional currency of the company. Monetary amounts in these financial statements are rounded to the nearest £.

The financial statements have been prepared under the historical cost convention. The principal accounting policies adopted are set out below.

##### 1.2 Going concern

At the time of approving the financial statements, the directors have a reasonable expectation that the company has adequate resources to continue in operational existence for the foreseeable future given the continued support from Spelthorne Borough Council. The directors feel that this facility is sufficient to enable the company to continue to trade over the next twelve months from the date of signing the accounts.

##### 1.3 Turnover

Turnover is recognised at the fair value of the consideration received or receivable for goods and services provided in the normal course of business, and is shown net of VAT and other sales related taxes. The fair value of consideration takes into account trade discounts, settlement discounts and volume rebates.

##### 1.4 Tangible fixed assets

Tangible fixed assets are initially measured at cost and subsequently measured at cost or valuation, net of depreciation and any impairment losses.

Depreciation is recognised so as to write off the cost or valuation of assets less their residual values over their useful lives on the following bases:

Plant and equipment	10 - 20% straight line basis
Computers	20% straight line basis

The gain or loss arising on the disposal of an asset is determined as the difference between the sale proceeds and the carrying value of the asset, and is credited or charged to profit or loss.

##### 1.5 Cash and cash equivalents

Cash and cash equivalents are basic financial assets and include cash in hand, deposits held at call with banks, other short-term liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities.

##### 1.6 Financial instruments

###### Basic financial assets

Basic financial assets, which include debtors and cash and bank balances, are initially measured at transaction price including transaction costs and are subsequently carried at amortised cost using the effective interest method unless the arrangement constitutes a financing transaction, where the transaction is measured at the present value of the future receipts discounted at a market rate of interest. Financial assets classified as receivable within one year are not amortised.

# SPELTHORNE DIRECT SERVICES LTD

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

### FOR THE YEAR ENDED 31 MARCH 2023

#### 1 Accounting policies

(Continued)

##### **Basic financial liabilities**

Basic financial liabilities, including creditors, bank loans, loans from fellow group companies and preference shares that are classified as debt, are initially recognised at transaction price unless the arrangement constitutes a financing transaction, where the debt instrument is measured at the present value of the future payments discounted at a market rate of interest. Financial liabilities classified as payable within one year are not amortised.

#### 1.7 Equity instruments

Equity instruments issued by the company are recorded at the proceeds received, net of transaction costs. Dividends payable on equity instruments are recognised as liabilities once they are no longer at the discretion of the company.

#### 1.8 Taxation

The tax expense represents the sum of the tax currently payable and deferred tax.

##### **Current tax**

The tax currently payable is based on taxable profit for the year. Taxable profit differs from net profit as reported in the profit and loss account because it excludes items of income or expense that are taxable or deductible in other years and it further excludes items that are never taxable or deductible. The company's liability for current tax is calculated using tax rates that have been enacted or substantively enacted by the reporting end date.

##### **Deferred tax**

Deferred tax liabilities are generally recognised for all timing differences and deferred tax assets are recognised to the extent that it is probable that they will be recovered against the reversal of deferred tax liabilities or other future taxable profits. Such assets and liabilities are not recognised if the timing difference arises from goodwill or from the initial recognition of other assets and liabilities in a transaction that affects neither the tax profit nor the accounting profit.

The carrying amount of deferred tax assets is reviewed at each reporting end date and reduced to the extent that it is no longer probable that sufficient taxable profits will be available to allow all or part of the asset to be recovered. Deferred tax is calculated at the tax rates that are expected to apply in the period when the liability is settled or the asset is realised. Deferred tax is charged or credited in the profit and loss account, except when it relates to items charged or credited directly to equity, in which case the deferred tax is also dealt with in equity. Deferred tax assets and liabilities are offset when the company has a legally enforceable right to offset current tax assets and liabilities and the deferred tax assets and liabilities relate to taxes levied by the same tax authority.

#### 1.9 Employee benefits

The costs of short-term employee benefits are recognised as a liability and an expense, unless those costs are required to be recognised as part of the cost of stock or fixed assets.

The cost of any unused holiday entitlement is recognised in the period in which the employee's services are received.

Termination benefits are recognised immediately as an expense when the company is demonstrably committed to terminate the employment of an employee or to provide termination benefits.

#### 1.10 Retirement benefits

Payments to defined contribution retirement benefit schemes are charged as an expense as they fall due.

## SPELTHORNE DIRECT SERVICES LTD

### NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

#### FOR THE YEAR ENDED 31 MARCH 2023

#### 2 Judgements and key sources of estimation uncertainty

In the application of the company's accounting policies, the directors are required to make judgements, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised where the revision affects only that period, or in the period of the revision and future periods where the revision affects both current and future periods.

#### 3 Employees

The average monthly number of persons (including directors) employed by the company during the year was:

	2023 Number	2022 Number
Total	5	3

#### 4 Interest payable and similar expenses

	2023 £	2022 £
Interest payable and similar expenses includes the following:		
Interest payable to group undertakings	14,792	5,237

#### 5 Tangible fixed assets

	Plant and machinery etc £
<b>Cost</b>	
At 1 April 2022	76,880
Additions	324,845
At 31 March 2023	401,725
<b>Depreciation and impairment</b>	
At 1 April 2022	13,146
Depreciation charged in the year	31,623
At 31 March 2023	44,769
<b>Carrying amount</b>	
At 31 March 2023	356,956
At 31 March 2022	63,734



## SPELTHORNE DIRECT SERVICES LTD

### NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2023

<b>6 Debtors</b>			<b>2023</b>	<b>2022</b>
			£	£
<b>Amounts falling due within one year:</b>				
Trade debtors			55,269	25,856
Other debtors			1	1
			<u>55,270</u>	<u>25,857</u>
			<b>2023</b>	<b>2022</b>
			£	£
<b>Amounts falling due after more than one year:</b>				
Deferred tax asset			20,959	-
			<u>20,959</u>	<u>-</u>
<b>Total debtors</b>			<u>76,229</u>	<u>25,857</u>
<b>7 Creditors: amounts falling due within one year</b>			<b>2023</b>	<b>2022</b>
			£	£
Trade creditors			12,989	17,244
Amounts owed to parent undertakings			16,936	24,708
Taxation and social security			14,864	4,413
Other creditors			68,694	7,538
			<u>113,483</u>	<u>53,903</u>
<b>8 Creditors: amounts falling due after more than one year</b>			<b>2023</b>	<b>2022</b>
			£	£
	<b>Notes</b>			
Amounts owed to parent undertakings			393,000	103,000
			<u>393,000</u>	<u>103,000</u>
Amounts included above which fall due after five years are as follows:				
Payable other than by instalments			393,000	103,000
			<u>393,000</u>	<u>103,000</u>
<b>9 Called up share capital</b>			<b>2023</b>	<b>2022</b>
			Number	Number
<b>Ordinary share capital</b>			£	£
<b>Issued and not fully paid</b>				
Ordinary share of £1 each			1	1
			<u>1</u>	<u>1</u>

## SPELTHORNE DIRECT SERVICES LTD

### NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

#### FOR THE YEAR ENDED 31 MARCH 2023

#### 10 Financial commitments, guarantees and contingent liabilities

At the date of the balance sheet, the company had an outstanding commitment of £200 (2022: £Nil) due in relation to employers pension costs.

#### 11 Capital commitments

Amounts contracted for but not provided in the financial statements:

	2023	2022
	£	£
Acquisition of tangible fixed assets	-	280,458
	<u>          </u>	<u>          </u>

As at 31 March 2022 the company had a capital commitment of £280,458. The commitment related to the purchase of a waste refuse vehicle which was delivered in August 2022.

#### 12 Parent company

Spelthorne Direct Services Limited is a private company limited by shares and incorporated in England and is a wholly owned subsidiary of Spelthorne Borough Council who's registered office is Spelthorne Borough Council, Knowle Green, Staines-Upon-Thames, TW18 1XB.

## SPELTHORNE DIRECT SERVICES LTD

### DETAILED PROFIT AND LOSS ACCOUNT FOR THE YEAR ENDED 31 MARCH 2023

	2023		2022	
	£	£	£	£
<b>Turnover</b>				
Sales		373,587		198,588
<b>Cost of sales</b>				
<i>Purchases and other direct costs</i>				
Direct costs	103,251		26,851	
Waste disposal	6,150		-	
Total purchases and other direct costs	109,401		26,851	
Total cost of sales		(109,401)		(26,851)
<b>Gross profit</b>		264,186		171,737
<b>Administrative expenses</b>				
Wages and salaries	99,219		32,241	
Social security costs	10,774		3,135	
Temporary staff	8,505		13,724	
Subcontract labour	-		1,313	
Staff training	4,525		345	
Staff pension costs	2,468		1,290	
Rent	600		-	
Cleaning	60		-	
Insurance	2,182		-	
Computer running costs	2,131		4,718	
Hire of equipment (not operating lease)	-		1,225	
Motor running expenses	39,190		18,693	
Travelling expenses	-		80	
Postage, courier and delivery charges	131		243	
Professional subscriptions	11,638		9,374	
Audit fees	10,000		3,500	
Bank charges	1,894		884	
Bad and doubtful debts	668		-	
Printing and stationery	1,680		445	
Advertising	2,967		4,888	
Telecommunications	1,090		950	
Entertaining	288		208	
Sundry expenses	2,206		892	
Storage costs	1,200		1,200	
Depreciation	31,623		8,259	
		(235,039)		(107,607)
<b>Operating profit</b>		29,147		64,130
<b>Interest receivable and similar income</b>				
Bank interest received	2		-	
		2		-

**SPELTHORNE DIRECT SERVICES LTD****DETAILED PROFIT AND LOSS ACCOUNT (CONTINUED)****FOR THE YEAR ENDED 31 MARCH 2023**


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	2023		2022	
	£	£	£	£
<b>Interest payable and similar expenses</b>				
Interest payable to group companies		(14,792)		(5,237)
		<u>          </u>		<u>          </u>
<b>Profit before taxation</b>		<u>14,357</u>		<u>58,893</u>

**Report to management**  
PRIVATE AND CONFIDENTIAL

Our ref: TKW/MP/S1160/643422

Board of Directors  
Spelthorne Direct Services Limited  
Council Offices, Knowle Green  
Staines – Upon – Thames  
TW18 1XB

7 November 2023

Dear Sir/Madam

**REPORT TO MANAGEMENT – SPELTHORNE DIRECT SERVICES LTD**

During the course of our audit for the year ended 31 March 2023 a number of matters arose which we consider should be brought to your attention.

Accompanying this letter is a memorandum noting these points together with any recommendations we have for possible improvements which could be made.

These matters came to light during the course of our normal audit tests which are designed to assist us in forming our opinion on the financial statements. Our tests may not necessarily disclose all errors or irregularities and should not be relied upon to do so. However, if any irregularity did come to our attention during our audit tests, we would, of course, inform you immediately.

We have complied with the Financial Reporting Council's Ethical Standard and all threats to our independence, as identified to you in our planning communication letter dated 10 August 2023, have been properly addressed through appropriate safeguards. No additional facts or matters have arisen during the course of the audit that we wish to draw to your attention and we confirm that we are independent and able to express an objective opinion on the financial statements.

This report has been prepared for the sole use of the directors of Spelthorne Direct Services Ltd and must not be shown to third parties without our prior consent. No responsibilities are accepted by MGI Midgley Snelling LLP towards any party acting or refraining from action as a result of this report.

Finally, we would like to express our thanks to all of the company's staff who assisted us in carrying out our work.

Yours faithfully

*Nai Midgley Snelling LLP*

## SIGNIFICANT MATTERS RELEVANT TO OUR AUDIT FOR THE YEAR ENDED 31 MARCH 2023

### Audit approach

There were no changes to our audit approach as set out to you in our letter dated 10 August 2023.

### Summary of significant audit findings

Significant risk area identified at planning	Findings and recommendations
<p><b>Revenue recognition</b> Under ISA (UK) 240 there is a presumed risk of fraud in relation to revenue recognition. The presumption is that the company could adopt accounting policies or recognise sales in such a way as to lead to a material misstatement in the reported revenue position.</p>	<p>We carried out a review and testing of revenue recognition policies, including transaction testing from source documents and cut off testing.</p> <p>From the testing performed, no issues were identified.</p>
<p><b>Management override of controls</b> Under ISA (UK) 240 there is a presumed risk that management and directors have the ability to process transactions or make adjustments to financial records outside of the normal financial control processes. Such transactions could lead to a material misstatement in the financial statements.</p>	<p>We carried out a review of accounting estimates, judgements and decisions made by management. We performed testing of journal entries and cash book entries, including a review of unusual significant transactions.</p> <p>From the testing performed, no instances of management override of controls were identified.</p>
Other areas where issues were identified during the audit	Findings and recommendations
<p><b>Going concern</b> Under ISA (UK) 570, the company's going concern has been considered.</p>	<p>From our review of forecasts and after discussions with management, the company looks in a positive going concern position.</p> <p>We concur with management's assessment that it is appropriate to continue to adopt the going concern basis and there are no material uncertainties relating to going concern which should be disclosed in the financial statements.</p>

### Internal controls

The purpose of the audit was for us to express an opinion on the financial statements. The audit included consideration of internal controls relevant to the preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of internal control. Our audit is, therefore, not designed to identify all control weaknesses and the matters reported below are limited to those deficiencies that we have identified during the audit.

Control weakness identified	Potential implications and recommendations
<p><b>Bank difference</b> We noted during testing that there was a small difference on the bank.</p>	<p>Errors can creep into the accounts when bank account balances do not agree to bank statements, therefore we recommend a monthly reconciliation is prepared to ensure the bank per the accounting records are in line with the bank statement and any timing differences are identified.</p>

### Summary of audit differences and draft letter of representation

We have attached a draft letter of management representations required in connection with our audit.

Attached to the letter of management representations is a schedule of all of the unadjusted misstatements noted during our work. We would be grateful if you could review these and confirm (as point 6 in the letter of representation) that you are satisfied that none of these need to be adjusted for in the financial statements.

### Anticipated audit report

We anticipate that we will issue an unmodified audit report for the year, subject to the satisfactory clearance of any outstanding/unresolved the matters outlined in this report.

### Going concern

We concur with management's assessment that it is appropriate to continue to adopt the going concern basis and there are no material uncertainties relating to going concern which should be disclosed in the financial statements.

### Accounting policies, estimates and disclosures

The accounting policies used in preparing the financial statements are unchanged from the previous year.

Our work included a review of the adequacy of disclosures in the financial statements and consideration of the appropriateness of the accounting policies and estimation techniques adopted by the company. We found the disclosed accounting policies, significant accounting estimates and the overall disclosure and presentation to be appropriate for the company.

### Related parties

We are not aware of any related party transactions which have not been disclosed.

### Confirmations from third parties

All requested confirmations have been received.

### Independence

In accordance with our profession's ethical guidance and further to our planning communication letter to you dated 10 August 2023 confirming audit planning arrangements there are no further matters to bring to your attention in relation to our integrity, objectivity and independence.

**Independence (continued)**

The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed primarily for the purpose of expressing our opinion on the financial statements. We do not accept any responsibility for any loss occasioned to any third party acting or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.





PLEASE TRANSFER TO COMPANY LETTER HEAD

Midgley Snelling LLP  
Chartered Accountants  
**DIRECT**  
Services  
Baker Street  
Weybridge  
Surrey  
KT13 8AH



Dear Sirs

The following representations are made on the basis of enquiries of management and staff with relevant knowledge and experience such as we consider necessary in connection with your audit of the company's financial statements for the year ended 31 March 2023. These enquiries have included inspection of supporting documentation, where appropriate, and are sufficient to satisfy ourselves that we can make each of the following representations. All representations are made to the best of our knowledge and belief.

#### General

1. We have fulfilled our responsibilities as directors, as set out in the terms of your engagement letter dated 31 March 2023 under the Companies Act 2006, for preparing financial statements in accordance with applicable law and United Kingdom Accounting Standards (UK Generally Accepted Accounting Practice), for being satisfied that they give a true and fair view and for making accurate representations to you.
2. All the transactions undertaken by the company have been properly reflected and recorded in the accounting records.
3. All the accounting records have been made available to you for the purpose of your audit. We have provided you with unrestricted access to all appropriate persons within the company, and with all other records and related information requested, including minutes of all management and shareholder meetings.
4. The financial statements are free of material misstatements, including omissions.
5. We have considered the adjustments in Appendix 1. We confirm that, in our judgement, these adjustments are appropriate given the information available to us. We further confirm that we have now made these adjustments to the financial statements.
6. The effects of uncorrected misstatements (as set out in the Appendix 2 to this letter) are immaterial both individually and in total.

#### Internal control and fraud

7. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and error, and we believe that we have appropriately fulfilled these responsibilities. We have disclosed to you the results of our risk assessment that the financial statements may be misstated as a result of fraud.
8. We have disclosed to you all instances of known or suspected fraud affecting the entity involving management, employees who have a significant role in internal control or others where fraud could have a material effect on the financial statements.

White House, Datchet, Kingston Road, Ashford, Surrey, TW15 3SE

01784 605620

VAT # - 353008528 Company Reg # - 12700913

www.spelthorndirectservices.co.uk

9. We have also disclosed to you all information in relation to allegations of fraud or suspected fraud affecting the entity's financial statements communicated by current or former employees, analysts, regulators or others.

**Assets and liabilities**

10. The company has satisfactory title to all assets and there are no liens or encumbrances on the company's assets, except for those that are disclosed in the notes to the financial statements.
11. All actual liabilities, contingent liabilities and guarantees given to third parties have been recorded or disclosed as appropriate.
12. We have no plans or intentions that may materially alter the carrying value and, where relevant, the fair value measurements or classification of assets and liabilities reflected in the financial statements.

**Accounting estimates**

13. The methods, data and significant assumptions used by us in making accounting estimates, and their related disclosures, are appropriate to achieve recognition, measurement and disclosure that is reasonable in the context of the applicable financial reporting framework.

**Loans and arrangements**

14. The company has not granted any advances or credits to, or made guarantees on behalf of, directors other than those disclosed in the financial statements.

**Legal claims**

15. We have disclosed to you all claims in connection with litigation that have been, or are expected to be, received and such matters, as appropriate, have been properly accounted for and disclosed in the financial statements.

**Laws and regulations**

16. We have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.

**Related parties**

17. Related party relationships and transactions have been appropriately accounted for and disclosed in the financial statements. We have disclosed to you all relevant information concerning such relationships and transactions and are not aware of any other matters which require disclosure in order to comply with the requirements of company law or accounting standards.

**Subsequent events**

18. All events subsequent to the date of the financial statements which require adjustment or disclosure have been properly accounted for and disclosed.

**Going concern**

19. We believe that the company's financial statements should be prepared on a going concern basis on the grounds that current and future sources of funding or support will be more than adequate for the company's needs. We also confirm our plans for future action(s) required to enable the company to continue as a going concern are feasible. We have considered a period of twelve months from the date of approval of the financial statements. We believe that no further disclosures relating to the company's ability to continue as a going concern need to be made in the financial statements.



20. All In particular, we make the following representations in relation to the financial statements for the year ended 31 March 2023:

**DIRECT SERVICES**

- a. We confirm that no holiday pay accrual is necessary for inclusion in the financial statements;
- b. We confirm that an amount of £409,936 is due to the parent company, Spelthorne Borough Council as at 31 March 2023.

We acknowledge our legal responsibilities regarding disclosure of information to you as auditors and confirm that so far as we are aware, there is no relevant audit information needed by you in connection with preparing your audit report of which you are unaware.

Each director has taken all the steps that they ought to have taken as a director in order to make themselves aware of any relevant audit information and to establish that you are aware of that information.

Yours faithfully

.....  
Signed on behalf of the board of directors

Dated..... 14/12/23 .....

APPENDIX 1

Reconciliation of draft to final accounts

	Profit increase /(decrease) £	Assets increase /(decrease) £	Liabilities increase /(decrease) £	Shareholders' funds £
Profit/(loss) per draft financial statements	<u>34,373</u>			
Depreciation on motor vehicles	(20,099)	(20,099)		
Depreciation adjustment on plastic bins	83	83		
Deferred Tax	20,959	20,959		
Total adjustments	<u>943</u>	<u>943</u>	-	-
Revised profit/(loss) per financial statements as presented to the Board	<u>35,316</u>			



	Profit increase /(decrease) £	Assets increase /(decrease) £	Liabilities increase /(decrease) £	Shareholder funds £
Revised profit/(loss) per financial statements as presented to the Board	35,316			
Difference on audit accrual	(750)		750	
Holiday leave accruals	(536)		536	
Retained earnings adjustment in accruals written off	(300)		300	
<b>Total adjustments</b>	<b>(1,586)</b>	<b>-</b>	<b>1,586</b>	<b>-</b>
<b>Potential revised profit/(loss) per the financial statements</b>	<b>33,730</b>			

APPENDIX 2

Unadjusted errors or differences

Revised profit/(loss) per financial statements as presented to the Board

Board

Difference on audit accrual

Holiday leave accruals

Retained earnings adjustment in accruals written off

Total adjustments

Potential revised profit/(loss) per the financial statements



# Corporate Policy & Resources Committee



15 April 2024

<b>Title</b>	<b><i>2024-25 Treasury Management Strategy – addendum re Operational Boundary and Authorised Limit for external debt</i></b>
<b>Purpose of the report</b>	To note the breach of the Operational Boundary between 1 and 25 April 2024.  To recommend to Council that the Operational Boundary and Authorised Limit for external debt be increased.
<b>Report Author</b>	<i>Paul Taylor Chief Accountant</i>
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Corporate Priority</b>	Community Addressing Housing Need Resilience Environment Service Delivery
<b>Recommendations</b>	<b>Committee is asked to:</b> <ol style="list-style-type: none"> <li><b>1. Note that on 1 April the approved Operational Boundary for external debt was breached.</b></li> <li><b>2. Recommend to Council that the approved Operational Boundary for external debt be increased from £1,067m to £1,170m.</b></li> <li><b>3. Recommend to Council that the approved Authorised Limit for external debt be increased from £1,167m to £1,270m.</b></li> </ol>
<b>Reason for Recommendation</b>	<b>Since preparing the Treasure Management Strategy 2024-25 report which was approved by Council on 22 February 2024 a number of key assumptions have changed, as highlighted below, which has caused a breach in the Operational Boundary from 1 April and officers are recommending that the Operational Boundary and Authorised Limit be increased to reflect these changes.</b>

## 1. Definitions

- 1.1 The Operational Boundary for external debt - is based on the Council's prudent estimate of possible and likely borrowing levels in the financial year, but it is not the worst case scenario. Both the Operational Boundary and the

Authorised Limit are figures set by the Council in accordance with the Treasury Management Code of Practice issued by the Chartered Institute of Public Finance and Accountancy, taking into account the advice from both officers and external advisers and in the context of the Council's Capital Programme,

- 1.2 Authorised limit for external debt – is the maximum amount of debt that the Council can legally take out.
- 1.3 The Operational Boundary differs from the Authorised Limit in that it is based on expectations of the maximum external debt of the authority according to probable – not simply possible – events and is consistent with the maximum level of external debt projected by the authority's financial plans and budgets. This limit will be lower than the authorised limit because cash flow variations may lead to the occasional (but not sustained) breaches of operational boundary. Therefore, a short-term breach of the Operational Boundary is not fundamental in the way that a breach of the Authorised Limit would be.
- 1.4 This limit will be lower than the Authorised Limit because cash flow variations may lead to the occasional (but not sustained) breaches of operational boundary.
- 1.5 Sustained breaches of the Operational Boundary would give an indication that the authority may be in danger of stepping beyond the prudential boundaries it has set itself. It would be inadvisable to set an Operational Boundary at the level of the Authorised Limit since in those circumstances the Operational Boundary would be unable to alert the authority to the possibility of an imminent breach of the authorised limit.
- 1.6 The Authorised Limit in addition needs to provide headroom over and above the Operational Boundary, sufficient for example for unusual cash movements, such as short-term local authority cashflow loans

The Authorised Limit is certainly not a limit up to which an authority will expect to borrow on a regular basis. It is crucial that it is not treated as an upper limit for borrowing for capital expenditure alone since it must also encompass borrowing for temporary purposes. However, it does represent a limit beyond which a local authority must not borrow until prudential indicators are reviewed or amended.

**2. Summary of the report**

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>• Some key assumptions that were made by officers when preparing the Treasury Management Strategy report for 2024-25 in late December/early January have changed, due to outside economic factors, including delays with the completion of the leisure centre, moving final completion to 2025-26, projected decreases in Public</li> </ul>	<ul style="list-style-type: none"> <li>• The temporary breach of the Operational Boundary is an event that needs to be notified to Council.</li> <li>• Increasing the Operational Boundary and Authorised Limit provides Council; with greater flexibility on how to fund the leisure centre and deal with the changes in external economic factors.</li> </ul>



<p>works Loan Board (PWLB) 50-year fixed term interest rates to below the average yield from the Council’s investment portfolio.</p> <ul style="list-style-type: none"> <li>• The issue has arisen not because of a significant increase in the amount of Capital expenditure or borrowing to be undertaken but due to a change of approach of how elements within the Capital Programme will be financed.</li> <li>• Working with ArlingClose the Council’s financial advisors, Officers were also considering using some of the funds received from selling the Council’s short term investments and use them to take advantage of the early settlement discounts offered by the Public Works Loan Board (PWLB) and thus reduce the existing loans, through internal funding, which would have avoided the breach of the Operational Boundary and reduced the £1,068m existing PWLB loans to circa £1,140m, which would have kept the Council within the Operation Boundary.</li> <li>• This has caused a temporary breach to the approved Operational Boundary on 1 April 2024.</li> </ul> <p>Going forward the total level of borrowing is anticipated to steadily reduce</p>	
<p><b>This is what we want to do about it</b></p>	<p><b>These are the next steps</b></p>
<ul style="list-style-type: none"> <li>• Note that this is a temporary breach of the Operational Boundary due to external economic indicators and factors.</li> </ul>	<ul style="list-style-type: none"> <li>• To note the temporary breach of the Operational Boundary.</li> <li>• To recommend to Council that the approved Operational Boundary be increased from £1,067m to £1,170m.</li> </ul>

<ul style="list-style-type: none"> <li>Review the report, particularly section 3 which provides background information and section 4 which highlights what has changed.</li> </ul>	<ul style="list-style-type: none"> <li>To Recommend to Council that the approved Authorised Limit be increased from £1,167m to £1,270m.</li> </ul>
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### 3. Background

- 3.1 Both the Authorised Limit and the Operational Boundary for external debt need to be consistent with the authority's plans for capital expenditure and financing, and with its treasury management policy, strategy and practices.
- 3.2 Risk analysis and risk management strategies will also be taken into account when calculating both indicators.
- 3.3 The Operational Boundary for external debt is based on the authority's estimate of most likely, i.e. prudent, but not worst-case scenario and should equate to the maximum level of external debt projected by this estimate.
- 3.4 The setting of this Operational Boundary is a matter of careful judgement. If it is set too high, then it may be too near the authorised limit for there to be a margin sufficient to allow time to take corrective action before the authorised limit is breached. Alternatively, if it is set too low, it will be breached so frequently that it will cease to act as a credible warning indicator.
- 3.5 The establishment of the Operational Boundary and the Authorised Limit, and consequently the margin between them, will therefore be based on each authority's assessment of the risks that it faces. It is possible, for example, that the margin may be greater in an authority that has few or no investments since in those circumstances total gross debt may be more variable. .

### 4. Key issues

- 4.1 When completing the Treasury Management Strategy 2024-25 report that was approved by Council on 22 February 2024 officers requested that the Operational Boundary and Authorised Limits be set at £1,067m and £1,167m respectively.
- 4.2 This was based on several assumptions concerning the funding of the Leisure Centre and the projected Public Works Loan Board (PWLB) fixed interest rate, together with the option of liquidating the Council's £33m Pooled Fund Investment to provide sufficient cash proceeds to fund the Leisure Centre and avoid the need to take out additional loans, together with the requirement for net Local Authority borrowing, to cover short term weekly and monthly fluctuations in the Councils cashflow (please note that any surplus cash is also lent out on the Local Authority Exchange). Also, the Council has approved an additional £17m of housing stock under the Local Authority Housing funding programme, where up to 40% of the property costs are funded from central Government. (Leaving £10m net of funding to be financed)
- 4.3 Since the initial report to Council, the completion of the Leisure Centre has been delayed and it looks like the completion date for phase II of the project has moved from 2024-25 to early 2025-26.

- 4.4 Further, the PWLB fixed interest rate has been predicted to fall beyond the levels forecast towards the end of 2023 and beginning of 2024 when the original report was produced.
- 4.5 This predicted trend in PWLB from an average 5%, changes the benefit of cashing in the Council's Pooled Investments which currently generate an income yield of just over 4%. With PWLB interest rates forecast to fall to below 4% in the next eighteen months, this now turns this decision from a net saving to a net cost to the Council.
- 4.6 External borrowing estimates for the year are shown below, noting that the LAHF Housing Programme 2a, which has been approved by Council (which eases housing pressures and will assist the housing revenue budget) represents new net borrowing, after the subsidy received from central Government, the other elements relate to a change of approach of how existing planned approved expenditure is financed:

<b>Operational Boundary for external Debt</b>	<b>£m</b>
Current Public Works Loan Board Loans	1,068
Current Leases	3
LAHF Housing Programme phases 1 & 2 (net) (36 properties)	7
LAHF Housing Programme 2a (net) (42 properties)	10
Leisure Centre	48
Short term Local Authority Borrowing	30
<b>Aggregate loans</b>	<b>1,166</b>

- 4.7 Therefore, officers are proposing the following changes:

<b>£m</b>	<b>Current</b>	<b>Proposed</b>
<b>Operational Boundary</b>	1,067	1,170
<b>Authorised Limit</b>	1,167	1,270

- 4.8 The proposed change to the Operational Boundary has no impact on any of the Council approved capital projects, and it is Council that must approve the final sign off on each project and how the project will be funded from reserves.

## **5. Options analysis and proposal**

- 5.1 It is possible for Council to acknowledge the breach of the Operational Boundary and leave the limits approved by Council in February unchanged. However, it is recommended that once a breach has occurred, officers review the Operational Boundary and if the breach is likely to be occurring throughout the year, Council should be asked to amend the agreed figures.

## **6. Financial management comments**

- 6.1 As explained above.

## **7. Risk management comments**

- 7.1 There are no risk implications to Council by increasing the Operational Boundary and Authorised Limit for external borrowing, as every capital project must come to Council for approval.
- 7.2 By deferring the disposal of the short term investments, officers have greater flexibility to manage the Council's finances over the next 12 months, as the loans taken out to cover the approved capital programme, will replenish operating cashflow.
- 7.3 Working with Arlingclose, the future trends for the PWLB interest rates is downwards and based on borrowing £65m for the Leisure Centre and LAHF projects, every 0.5% reduction in fixed term interest rates will save the Council approximately £15m in reduced loan repayments, over the term of the loan.
- 7.4 In the event that interest rates forecast show an upward trend, the reverse would happen, i.e., for every 0.5% increase in fixed interest rates beyond 5%, it would cost the Council £15m over the term of the loan. At this point, officers would be looking to liquidate the short term investments and use the funds to reduce external PWLB external loans.

## **8. Procurement comments**

- 8.1 There are no procurement implications.

## **9. Legal comments**

- 9.1 The Council has a statutory duty to make arrangements for the proper administration of its financial affairs under the Local Government Act 1972 (section 151). Consequently the Council has a legal duty to set a range of prudential and treasury management indicators for each financial year including the operational boundary and borrowing limit.

## **10. Other considerations**

- 10.1 There are none.

## **11. Equality and Diversity**

- 11.1 Not applicable

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

- 12.1 Not applicable

## **13. Timetable for implementation**

- 13.1 To go to Council on 25 April for approval and immediate implementation.

## **14. Contact**

- 14.1 Paul Taylor [p.taylor@spelthorne.gov.uk](mailto:p.taylor@spelthorne.gov.uk)

**Background papers:** Treasury Management Strategy 2024-25.

**Appendices:** There are none.

# Corporate Policy and Review Committee



15 April 2024

<b>Title</b>	LGA Corporate Peer Challenge – Progress Review
<b>Purpose of the report</b>	To note
<b>Report Author</b>	Daniel Mouawad – Chief Executive Terry Collier – Deputy Chief Executive
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	Community Addressing Housing Need Resilience Environment Services
<b>Recommendations</b>	<b>Committee is asked to:</b> Note the progress made in addressing the 12 recommendations from the Local Government Association’s Peer Review team following the completion of their Corporate Peer Challenge (CPC), as reviewed on the 16 <sup>th</sup> November 2023 ( <b>Appendix A</b> ), and to further note the current progress update as outlined in this report.
<b>Reason for Recommendation</b>	To ensure that the Council fully addresses the issues raised within the CPC report, which is designed to assist this authority to further improve the way it administers and delivers its services to our residents and businesses.

## 1. Summary of the report

### 1.1

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>The Council had a Corporate Peer Challenge Review take place 15-17 November 2022</li> <li>Following the Peer Review a detailed report with 12 recommendations was received in February 2023</li> </ul>	<ul style="list-style-type: none"> <li>The CPC report is designed to assist this authority to further improve the way it administers and delivers its services to our residents and businesses.</li> </ul>

<ul style="list-style-type: none"> <li>In November 2023 a follow Review visit took place to assess progress against the recommendations</li> </ul>	
<b>This is what we want to do about it</b>	<b>These are the next steps</b>
<ul style="list-style-type: none"> <li>To note the progress made in addressing the recommendations, both A) prior to the Review visit and B) subsequent to the visit</li> </ul>	<ul style="list-style-type: none"> <li>Following the reset to focus on continuing to make progress against the original CPC recommendations and the additional points raised in the report</li> <li>Future progress will be reported on an annual basis to Corporate Policy and Resources Committee</li> </ul>

In November 2022 Spelthorne took part in a Local Government Association (LGA) Corporate Peer Challenge (CPC). Following the CPC an Action Plan was developed to address the 12 recommendations contained within the CPC Team’s feedback as approved by the Corporate Policy and Resources Committee in April 2023. In November 2023, the LGA Corporate Peer Team re-visited to undertake a progress review.

## 2. Key issues

- 2.1 LGA Peer challenges are designed to support councils to drive improvements and efficiency and to assist local authorities to respond to local priorities and issues in their own way to the greatest effect. The CPC team visited Spelthorne from 15-17 November 2022 and the team consisted of peers from across the sector (including senior officers and two Council Leaders).
- 2.2 The Peer Team conducted more than 40 meetings involving over 125 people, including a range of Council employees and councillors as well as external stakeholders and partners. The CPC Team’s detailed feedback [final report \(PDF\) \[302KB\]](#), including 12 recommendations was received on 1 February 2023 and this was considered by Full Council on 23 February 2023 and an action plan was developed to address the recommendations.
- 2.3 The CPC concluded that "Spelthorne Borough Council has achieved many unique things of which they can be rightly proud, ranging from the high profile and strategic to the very local and small scale. Their Covid response was brilliant and a focus on supporting vulnerable people in their community is evident...The Council has a generally friendly and caring staff culture where cross-service working is very good. Partners and officers would benefit from a clear political direction and visibility from the Council for which it needs a cohesive, functioning Councillor cohort. There is an opportunity for councillors to have a clearer strategic vision for the future rather than spending so much time internally focused in the here and now."
- 2.4 The CPC Team would normally revisit the Council within a year after their report is published to assess progress. This is an integral part of the CPC process, designed to provide space for the Council’s senior leadership to update peers on the early progress made and to receive feedback on any new opportunities or challenges that may have arisen since the peer team were originally ‘on-site’ including any further support needs.
- 2.5 The Progress Review took place on 16 November 2023 and focussed on each of the recommendations from the CPC, under the following five theme headings:
- Vision and Priorities;
  - Member Behaviour and Member/Officer Relations

- Financial;
- Committee, Engagement; and
- Support.

To assist the peer team, a position statement was prepared (**Appendix B**) detailing the significant number of measures that had been advanced to address the issues outlined in the CPC Team's comments/recommendations.

- 2.6 Since the peer team were originally on site prior to the progress review visit, a total of 22 new Councillors have been elected to represent the Council (out of a cohort of 39). There has also been a change of political leadership with a new Independent Leader, and a new Liberal Democrat Deputy Leader, along with Group Leaders from the Liberal Democrats, Green and Labour Groups forming the administration. The new administration has striven to adopt a more inclusive approach to governing.
- 2.7 The peer team recognised that since the election, “the council has been focused on the Local Plan which has taken up a disproportionate amount of both member and officer time, limiting the opportunity for members to agree their shared priorities and political ambitions for the borough.” Whilst the peer team felt that the Corporate Plan had “not progressed as far as it should have been”, full Council adopted its five-year ‘CARES’ priorities and ‘PROVIDE’ values in December 2023 with the associated 135 actions across short, medium and long-term likewise agreed at February 2024 full Council.
- 2.8 The peer team appreciated that there is usually a bedding in period following a change of leader and administration. As Member / officer relations and behaviour was a key area of concern for the Peer Team when they originally visited in November 2022, it was “clear that opportunities to reset the relationship have been missed following the change of administration in May 2023” and “that relationships are worse than when the Peer Team were originally on-site”. The reset button was finally pressed on 15<sup>th</sup> January 2024. External consultant-led facilitated sessions have already taken place with further scheduled capacity building sessions to take place in the near future, focused on relationship building and team dynamics. In addition, the authority has utilised the DISC Personality System for the administration's leadership alongside officers to help understand the impact of behavioural characteristics and communication styles across Team Spelthorne.
- 2.9 The culture of the organisation is the primary reason why officers chose to work at SBC, as verified in the LGA staff survey as well as in the original peer review when it identified that the Council has a “friendly and caring staff culture where cross-service working is very good.” We are now focused on collectively working together towards maximising the potency of Team Spelthorne, making a positive difference for the residents and communities of the Borough, understanding what everyone brings to the table and how we can collectively harness that strength. Regular meetings are being held between the Monitoring Officer (MO) and Group Leaders to discuss standards issues and implement necessary actions in accordance with LGA Best practice. Members have agreed rules of engagement and all Group Leaders have undertaken to address bad behaviour from Members of their groups.
- 2.10 The peer team recognised that financial training and reporting has been tailored significantly on the implications of being an elected member for a local authority which operates a £1 billion property portfolio, alongside running council services. Due to the magnitude of the property portfolio and the enormity of some of the decisions being brought before members, finance reports are long, detailed, and complex. This can result in members not always being able to understand the financial implications of the decisions they are being asked to take. A Member Financial Reporting Group has therefore been set up which has created a summary template to be used for finance reports and agreed a number of other

actions. The council is also creating dashboard reports which are helpful for both officers and members in creating a more visual presentation of the organisation's financial position.

- 2.11 Spelthorne has continued to publish all its draft statement of accounts on time, being one of only thirty percent of councils to meet the 31 May 2023 target date for publishing the draft 2022-23 Statement of Accounts. The peer team recognised that the resolving of unaudited accounts is not in the Council's control. Since the November 2022 Peer review KPMG have signed off an unqualified opinion to the 2017-18 accounts. However, unaudited accounts is a national issue, and the government has recently indicated its intention, following consultation for a statutory backstop for outstanding external audits up to and including 2022-22 of 30<sup>th</sup> September 2024 for all councils across the land. Spelthorne, with the other Councils that make up the national backlog of approaching one thousand overdue audits, are in the hands of the process for clearing the backlog being implemented nationally and locally. Spelthorne will be subject to how the Financial Reporting Council, National Audit Office and the audit firms agree to prioritise scarce audit resources. Moving forwards, the Council is developing a good working relationship with its new external auditors (appointed by Public Sector Audit Appointments) Grant Thornton who will be auditing the 2023-24 Statement of Accounts which will be published by 31<sup>st</sup> May 2024.
- 2.12 Recognition by the peer team was given to the wide range of financial literacy amongst Members which makes it difficult to pitch financial reports at the right level for all Members. The comprehensive, mandatory post-election induction training for ALL Councillors encompassed 22 sessions including dedicated financial sessions one week after election. The LGA Finance Peer Review undertaken in 2020 clearly states that "This is a council that is focused on ensuring finance is given a very high level of visibility; clearly values the ability it has to take on new activities and services and views the commercial income it receives as a key enabler for this; operates suitable practice by adopting a shared approach to financial risk, with key systems owned and devolved appropriately; and where continuous improvement is seen as an organisational norm.
- 2.13 Following the CPC review, the authority also completed a full Corporate Establishment Review in July 2023 undertaken by The South East Employers Group (SEE). Its comprehensive terms of reference included the review of the complete organisational structure including contractors, rate of recruitment, digital transformation, shared services opportunities and recommendations from staff audits. The review concluded that in line with high performing authorities, Spelthorne; constantly reviews and innovates to meet the objectives of the Corporate Plan, achieves cost efficiencies and that staff have a sense of collective purpose and have trust in their senior managers in creating a safe environment to thrive.
- 2.14 Finally, in terms of support, the council has already engaged the LGA and other organisations to assist them with the recommendations that were made as part of the CPC. The LGA continues to provide additional support, advice, and guidance to the administration and has recently facilitated a pan-Surrey session focused on potential service integration.

### **3. Options analysis and proposal**

- 3.1 Option 1 - The Committee is asked to note the Progress Report (Appendix 1) and the subsequent development of the 12 recommendations outlined in the position statement (Appendix 2) as well as the further developments detailed in this report.
- 3.2 Option 2 - The Committee may wish to propose an alternative approach to further advance the 12 CPC recommendations.

### **4. Financial implications**

- 4.1 There was no additional costs for the LGA to undertake a CPC and their follow-up visit as the Council pays an annual £10,000 LGA subscription.



4.2 There will be some financial implications of pursuing a number of the actions proposed to address the CPC report recommendations. The sum is believed to be c£7,500.

**5. Risk considerations**

5.1 The CPC report makes a wide range of comments and recommendations which are designed to assist the Council in understanding its strengths and where improvements could be made. Failure to recognise those strengths and address some of the key issues raised, could potentially have significant financial, reputational and organisational implications for the Council (including risks to future recruitment and retention of staff).

**6. Legal considerations**

6.1 There are no direct legal considerations relating the consideration of the CPC Report and its progress report.

**7. Other considerations**

7.1 There are none.

**8. Equality and Diversity**

8.1 There are no direct equality and diversity considerations at this stage.

**9. Sustainability/Climate Change Implications**

9.1 There are no direct sustainability/climate change implications at this stage relating to the CPC recommendations.

**10. Reporting of future CPC action**

10.1 Future progress will be reported on an annual basis to CPRC.

**11. Contact**

Daniel Mouawad, Chief Executive: [dcm.cex@spelthorne.gov.uk](mailto:dcm.cex@spelthorne.gov.uk)

Terry Collier, Deputy Chief Executive: [t.collier@spelthorne.gov.uk](mailto:t.collier@spelthorne.gov.uk)

**Background papers: CPC Final Report (Link from 2.2)**

**Appendices:**

**Appendix A – CPC Review Report**

**Appendix B – Spelthorne Position Statement**

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# LGA Corporate Peer Challenge – Progress Review

Spelthorne Borough Council

16 November 2023

Feedback



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# 1. Introduction

The council undertook an LGA Corporate Peer Challenge (CPC) during 15-17 November 2022. The full report was published on 1 February 2023 and an Outline Action Plan was published on 17 July 2023 with a subsequent development of a Detailed Action Plan due to be published at a later date.

A Progress Review is an integral part of the Corporate Peer Challenge process, usually taking place approximately ten months after the CPC. It is designed to provide space for the council's senior leadership to:

- Update peers on the early progress made and to receive feedback on this including how the action plan aligns to the CPC's recommendations
- Consider peer's reflections on any new opportunities or challenges that may have arisen since the peer team were originally 'on-site' including any further support needs
- Discuss any early impact or learning from the progress made to-date

The LGA would like to thank Spelthorne Borough Council for their commitment to sector led improvement. This Progress Review was the next step in an ongoing, open, and close relationship that the council has with LGA sector support.

# 2. Summary of the approach

The peer team originally visited Spelthorne in November 2022 resulting in a detailed report and 12 recommendations. The council subsequently produced an Outline Action Plan setting out how the recommendations will be achieved, which was agreed at Spelthorne's Corporate Policy and Resources Committee on 17 July 2023.

The Progress Review at Spelthorne Borough Council took place on 16 November 2023 as an opportunity for the peer team to review the council's progress. Prior to coming on site, a position statement was sent to the peer team setting out progress on the recommendations under the following theme headings:

## Vision and Priorities

- **Recommendation 1:** All Members need to identify what they have in common in terms of shared priorities and objectives for your borough and your residents and use them to progress the delivery of your shared ambitions for Spelthorne.

- **Recommendation 2:** Then share your agreed political ambitions for the borough to create a longer-term vision embodied in a broadly agreed Corporate Plan.
- **Recommendation 5:** Take the time today to plan for tomorrow. Do not put off the 'non-urgent strategic' work you need to do.

### **Member/Officer Relations and Behaviour**

- **Recommendation 3:** Take the opportunity you now have, to reset the officer / member working relationship and agree how it will work differently going forward for the benefit of your residents.
- **Recommendation 4:** The discrete but complementary roles of officers and members need to be better understood by all to improve working relationships.
- **Recommendation 6:** Members need to respect officers' roles and give them the time and space to focus on delivering the important priorities you have agreed.
- **Recommendation 7:** Recognise the risk of continued poor behaviour by some members and the likely impact on the organisation and your reputation as a Council and a place. Take steps to address it.

### **Financial**

- **Recommendation 8:** Continue your efforts to address the issue of outstanding audits of the financial accounts.
- **Recommendation 10:** Engage in financial training for members to promote a better understanding of financial implications, project viability and creating robust business cases.

### **Committee**

- **Recommendation 9:** Review the working of the committee system by looking at best practice elsewhere to consider how to create a system that is fit for purpose.

### **Engagement**

- **Recommendation 11:** Improve the balance between communication and meaningful engagement whereby people feel listened to and heard. Use this in the context of evidence and need, to drive priorities and take people with you

## **Support**

- **Recommendation 12:** Consider how the LGA can continue to assist with the above recommendations on this reset journey.

## **Peer Team**

For this Progress Review, the following members of the original CPC team were involved:

- **Kathy O'Leary**, Chief Executive, Stroud District Council
- **Chris Hossack**, LGA Peer and former Conservative Leader of Brentwood Borough Council
- **Councillor Sarah Rouse**, LGA Improvement and Innovation Board member and former-Leader of Malvern Hills District Council
- **Sophie Poole**, Senior Regional Advisor, Local Government Association (Sophie Poole replaced Marcus Coulson, the original PCM who was unable to join the CPC).

## **Peer Meetings**

### **In preparation**

The peer team had a number of pre-conversations before coming on site, so that members and officers were able to feedback individually or with their group peers, on the council's progress on the recommendations. These conversations included:

One to one:

- **Daniel Mouawad** Chief Executive
- **Cllr Joanne Sexton** Leader
- **Cllr Chris Bateson**, Deputy Leader/Liberal Democrats
- **Cllr John Button** Labour Group Leader
- **Cllr Lawrence Nichols** Lib Dem Group Leader
- **Cllr Malcolm Beecher** Green Group Leader
- **Cllr John Boughtflower** Conservative Group Leader– the opportunity to meet was offered but not taken up

## Groups

- **Lee O'Neil** and **Terry Collier**, Deputy Chief Executives
- Group Heads, as set out below
- All councillors were also invited to an evening virtual drop in session

## On site

Once on site, the peer team collectively met the following senior members and officers together from the council:

### Senior Members

- **Cllr Joanne Sexton**, Leader/Leader of Independent Spelthorne Group
- **Cllr Chris Bateson**, Deputy Leader/Liberal Democrats
- **Cllr Malcolm Beecher**, Leader of the Green Group
- **Cllr Jon Button**, Leader of the Labour Group
- **Cllr Lawrence Nichols**, Leader of the Liberal Democrat Group

### Senior Officers

- **Daniel Mouawad**, Chief Executive
- **Terry Collier**, Deputy Chief Executive and Chief Finance Officer (s151)
- **Lee O'Neil**, Deputy Chief Executive

### Group Heads

- **Sandy Muirhead**, Group Head for Commissioning and Transformation
- **Coralie Holman**, Group Head for Assets
- **Karen Sinclair**, Group Head for Community Wellbeing
- **Jackie Taylor**, Group Head for Neighbourhood Services
- **Farida Hussain**, Head of Corporate Governance (Monitoring Officer)
- **Heather Morgan**, Group Head for Place, Protection and Prosperity
- **Karen Wyeth**, Principal Committee Manager
- **Jennifer Medcraft**, Head of Communications and Customer Experience



### 3. Progress Review – Feedback

The Peer Team welcomed the opportunity to return to Spelthorne to see what progress the council has made over the past year in meeting the recommendations from the original Corporate Peer Challenge Report.

Since the Peer Team were last on site in November 2022, there has been a change of political leadership. When the team originally visited the council, Spelthorne was under no overall control, and led by a Conservative minority administration. At the May 2023 election, a total of 22 councillors out of 39 were newly elected and the council remained under no overall control. However a new joint administration was formed with a new Independent Leader of the Council, Cllr Joanne Sexton, a new Liberal Democrat Deputy Leader of the Council, Cllr Chris Bateson (who is also the Deputy Leader of the Liberal Democrat Group), along with Group Leaders from the Green, Labour and Liberal Democrat Groups. The Peer Team understands the Conservative Group, were also invited to join the administration.

This change of political leadership from a Conservative minority authority to an administration led by a coalition of Group Leaders, has meant there has been a significant period of adjustment post-election for both members and officers since the original peer challenge, and a culture shift has been required to establish the new working arrangement.

#### **Vision and Priorities**

Following the May 2023 election, the council focused its attention on the Local Plan as the new administration's main manifesto commitment. However this appeared to have taken up a disproportionate amount of both member and officer time, limiting the opportunity for members to agree their shared priorities and political ambitions for the borough.

Engagement with group leaders in a strategic discussion about the Corporate Plan has taken place, which has resulted in the production of a high level document with a refreshed group of headings which was presented to the peer team. However, on the day of the review, the council did not produce a Corporate Plan setting out the detail of the strategy and actions that were due to be presented at full council in December 2023 and how it will be delivered for the residents of Spelthorne.

The Peer Team's view is that agreeing the vision and priorities of the council had not progressed as far as they should and that completion of a refreshed detailed

Corporate Plan must be a priority. The council recognises the need for there to be a correlation between the budget and Medium-Term Financial Plan (MTFP) so that the funds are available to deliver the Corporate Plan. However strategy and budget setting should be complementary, but the Peer Team sensed this was not the case and advised as such on the day. The Corporate Plan is also essential in ensuring that members and officers have a shared understanding about what the council's priorities are, and that officers are clear about their role in delivering them alongside service provision.

## **Member/Officer relations and behaviour**

Member / officer relations and behaviour was a key area of concern for the Peer Team when they visited in November last year and unfortunately it is where the least amount of progress has been made.

With four recommendations relating to member and officer relations and behaviour, the Peer Team invested a significant amount of time speaking separately to members and officers before coming on site, as well as collectively on the day of the Progress Review. In those discussions, it was clear that relationships had deteriorated further than when the Peer Team were originally on-site last year notwithstanding previous comments regarding a change in administration and political leadership.

It is appreciated that there is usually a bedding in period following a change of leader and administration. Opportunities to reset the relationship have been missed following the original Corporate Peer Challenge in November 2022 and following the change of administration in May 2023. This feedback provides the council a milestone opportunity, yet again, to work on resetting relationships. This opportunity should be seized as further opportunities to do so are limited.

While officer and members are cordial towards each other, it is evident that there are still a number of unresolved tensions on both sides due to a lack of understanding and respect around the roles and responsibilities, which has resulted in a breakdown in trust. The council informed the peer team that they use a personality profiling tool called DISC, to improve understanding of individual behavioural styles and how this could be used to both understand and relate to each other better. However it was evident, that more work is needed to extract the benefits of this personality profiling exercise and apply them to their relationships within the organisation.

It is important that both the officer and political leadership of the council take

responsibility for the current tensions and get an immediate grip on this. The Peer Team advised arranging a series of mediation sessions so a way forward can be agreed.

Until there is an acceptance that the solution to resolving the current differences lies with both the officers and members and that they are equally accountable for their actions, the current blame culture will continue. The council told the Peer Team efforts have been made to improve communication by introducing a portal for members case work, however at the time of the review, the Peer Team heard that there was dissatisfaction from members about the functionality and the system was being refreshed.

While the council has good relationships with its third sector partners, there is further potential for the council to explore partnership working or share services with other councils to reduce cost of delivery or generate income. Having a reputation as a reliable, stable and trusted partner is essential in achieving this. The Peer Team understands the council has partnership arrangements with London Borough of Sutton for insurance and Mole Valley District Council for finance. If the current situation around relationships and behaviour continues, this could impact on the Spelthorne's external reputation and credibility as a trusted and stable partner, in maintaining and establishing future partnerships.

While the Peer Team was pleased to hear that the Leader and the Chief Executive have started to build a more open working relationship since May, this needs to continue. There was also clear evidence on the review day that this needs to extend to all of the senior officers and members so that the council can start to create a culture of openness and transparency.

Refreshing the Corporate Plan will be a helpful platform to focus conversations around and work together on, as an officer/member team. Having clarity around roles and responsibility in its delivery and clear expectations around timescales would also help to alleviate some of the tensions that exist. Continuing to build on the post election member induction programme, with sessions that clearly set out roles and responsibilities of members and officers would also be helpful. The Peer Team were encouraged to learn that new officer inductions now involve meeting the political leadership as part of the Chief Executive's presentation. Further opportunities to improve communication and trust should continue.

An integral part of moving forward in this area is to learn from good practice in other local authorities and invest in the learning and development of the senior leaders and officers. The LGA provides a Leadership Academy and Leaders Programme to support members in their leadership roles. We recommend that this support is taken

advantage of at the earliest opportunity. The LGA also grant fund Solace's Ignite, Total Leadership and Springboard Programme for senior officers. The Chief Executive and Deputy Chief Executive are LGA peers. However there is an opportunity to extend this to a wider group of members and officers to become peers too and join a future Corporate Peer Challenge as part of the Sector Led Improvement offer, learn from other local authorities as well as sharing their own knowledge and experience.

## **Financial**

It is acknowledged that due to the ongoing national audit resource crisis, the council has not progressed any further in resolving five years of unaudited accounts which has not helped to build confidence in their financial position. Despite this, Spelthorne has continued to publish all of its draft statement of accounts on time, being one of only thirty per cent of councils to meet the 31 May 2023 target date for publishing the draft 2022-23 Statement of Accounts. The Audit Committee has also created an action plan to address the findings of the Public Interest Report (PIR) produced by KPMG, which was published after the Peer Team were on site in November 2022. The council's high level of borrowing continues to be a high profile risk. Members and officers need to jointly manage this risk. Particularly in light of the fast changing economic situation and ongoing volatile financial and political climate, now and in the future.

Following the Peer Team's visit in November last year, DLUHC (Department for Levelling Up, Housing and Communities) commissioned CIPFA (Chartered Institute of Public Finance and Accountancy) to undertake a Capital Review. The report is not yet publicly available and therefore the council was not able to share its contents.

Following discussions with a number of councillors in preparation for coming onsite, the peer team continues to be concerned that members do not fully understand the implications of being an elected member for a local authority which operates a £1 billion property portfolio, alongside running council services because of the complex investment strategy, the moving picture in local government finance and the time it takes for new members to fully understand the council finances.

Due to the magnitude of the property portfolio and the enormity of some of the decisions being brought before members, finance reports are long, detailed, and complex. This results in members not being able to understand the financial implications of the decisions they are being asked to take.

It is clear officers are taking steps to address this. A Member Financial Reporting

Group has been set up which has created a summary template to be used for finance reports produced. The finance team provide regular councillor budget briefings and updates on the budget position are provided at fortnightly all councillor briefings. In addition, the Chief Finance Officer and Chief Accountant have regular sessions to update the members of the administration who are finance leads, on the budget and council's financial position.

The council is also creating dashboard reports which are helpful for both officers and members in creating a more visual presentation of the organisation's financial position. However, there is a need to think through how to balance the reports and not to oversimplify the finances, as it is imperative that that the council can demonstrate that members have carried out their due diligence when making decisions.

Previously the council's approach to finance had less councillor engagement. However since moving to a committee governance model, councillors are getting more involved, and a more collaborative approach is developing the MTFs. Officers understand the importance of increasing members' understanding of the finances of the council. A member workshop to look at the council's asset strategy was recently organised and members that the Peer Team spoke to, were complimentary about the new summary reports and the finance training they had received. There is also an ambition to bring in specific external expertise to sit on subcommittees to help and advice members where required and this should be implemented as soon as possible.

Despite progress the need will remain for the organisation to continuously challenge itself in the context of the council's high financial risk and ensure members have the appropriate information and knowledge in order to be able to make effective decisions that are in the best interests of the people of Spelthorne.

A structured member induction programme consisting of 22 sessions including a focus on finance was provided after the May elections which was well received by those the Peer Team spoke to. With 22 out of 39 councillors newly elected it is important that the council continues to invest in member development, so all councillors are alive to their financial responsibilities as elected members.

The Peer Team would also advise that the council build in further member training around risk management and audit. In tandem with member development, using the council's Administrative Committee effectively to scrutinise Spelthorne's financial decisions and embedding this into the forward plan as a longer term piece of work, is imperative.

The LGA offers a series of Leadership Essential sessions for members who hold a leadership role in a range of areas including audit, and finance. Historically Spelthorne has engaged with the LGA on sector led improvement around finance. The peer team would encourage the continuation of this engagement as deemed appropriate by the council.

### **Committee**

Some progress has also been made on creating a committee system that is fit for purpose, with officers working with members to identify ways to make the system more efficient. The council has identified good practice in other authorities as part of a review. The number of committees has also been looked at to reduce duplication of the same issues going to different committees. A proposal has also been drafted and will go to Full Council with the intention for changes to be adopted at the beginning of the new municipal year.

Other changes include Chairs and Vice Chairs presenting reports at committee instead of officers, so that members are more accountable and taking ownership, and officers taking more of a supportive role providing further details if required.

### **Engagement**

While communications were clearly an area that everyone felt has significantly improved, this relates to information that is being broadcast to residents and communities.

The Peer Team heard how the council is working hard to engage with resident associations and is arranging both site visits as well as inviting groups to meet with members and officers at the council. There have also been moves to create a citizens panel. Officers also explained to the Peer Team that they conducted regular consultations in the event of any service or policy change.

However, there is an opportunity for the council to seek broader quantitative evidence and insight of its residents by conducting a borough wide resident survey. The Peer Team was told that the last resident survey was several years ago. This important insight would help inform the council in developing its Corporate Plan and prioritising its budget, understanding the priorities that matter to a wider group of residents, not just those who are already engaged with the council's activities.

The Peer Team also made the council aware of the LGA's benchmarking tool, LG Inform, where the council can compare its performance against other local authorities and understanding where its key areas of focus should be in terms of the

corporate plan.

## **Support**

In terms of support, the council has engaged the LGA to assist them with the recommendations that were made as part of the Corporate Peer Challenge Report. The LGA has already put in a significant amount of support particularly since the elections in May following a change of leadership.

The LGA has invested time during this period with mentoring for the Leader and Deputy Leader, Chair, and Vice Chair training, Effective Councillor training and Top Team development for officers and jointly with members and officers collectively. The Peer Team encourages that the council continues to work with the LGA including investing in further learning and development around leadership training for officers and members, both collectively and individually, which are set out in this report.

The authority also completed a full Corporate Establishment Review undertaken by The South East Employers Group (SEE)

## **4. Final thoughts and next steps**

The LGA has discussed some of the options available with the Chief Executive to continue helping the authority reset their journey. The LGA would propose a series of development sessions for both officers and members, as set out in this report. The council already uses DISC as a profiling and personality tool. The peer team would encourage the council to evaluate how this tool is helping to create an understanding between member and officer leadership. There are also other tools available to increase self-awareness and create better understanding of members and officers preferred styles of working which the council could explore, in collaboration with members.

We appreciate that senior managerial and political leadership will want to reflect on these findings and suggestions in order to determine how the organisation wishes to take things forward.

Under the umbrella of LGA sector-led improvement, there is an on-going offer of support to councils and the LGA will continue to engage with and support the council to achieve the recommendations. The LGA is well placed to provide additional support, advice, and guidance on a number of the areas identified for development and improvement and we would be happy to discuss this.

Will Brooks (Principal Adviser) is the main point of contact between the authority and the Local Government Association (LGA), and his e-mail address is [william.brooks@local.gov.uk](mailto:william.brooks@local.gov.uk)

**Development opportunities mentioned in the body of the report are set out below:**

### **Leadership Essentials**

'Leadership Essentials' is a series of series of programmes and workshops' designed as themed learning opportunities for councillors. Each event concentrates on a specific portfolio or service area or a specific theme.

- Adult social care:
- Audit Committees
- Being an effective cabinet member
- Children's services
- Communication and media: political leadership masterclass
- Cultural services
- Digitalisation
- Effective scrutiny
- Finance
- Finance for Non-Finance Cabinet Members
- Financial governance
- Getting your message across
- Leading Healthier Places
- Licensing
- Prevent and Counter-Extremism
- Risk Management Political Leadership Masterclass
- Sport and Physical Activity

<http://www.local.gov.uk/our-support/highlighting-political-leadership/leadership-essentials>

### **Leadership Academy**

The Leadership Academy is the LGA's flagship development programme for councillors in leadership positions. The programme is recognised by The Institute of Leadership, the UK's leading award-winning body for leadership and management.

<https://www.local.gov.uk/our-support/highlighting-political-leadership/leadership-academy>

### **Leaders Programme**

The Leaders' Programme is a modular cross-party leadership development



opportunity designed around the needs of council leaders.

<https://www.local.gov.uk/our-support/highlighting-political-leadership/lga-leadership-development-leaders-programme>

### **LGA and Solace Group managerial leadership programmes**

LGA sponsored programmes, including Ignite, Total and Springboard are designed by the Solace Group, to deliver managerial leadership programmes to ambitious rising stars and executive leaders in the public sector.

<https://www.local.gov.uk/our-support/councillor-and-officer-development/officer-development/lga-and-solace-group-managerial>

### **Political Awareness Training for officers**

The LGA South East Regional Team would be happy to discuss options for political awareness training for your staff.

### **LG Inform**

LG Inform is the local area benchmarking tool from the Local Government Association

<https://lginform.local.gov.uk/>

### **Becoming a Peer**

Details of how senior members and officers can become a peer and take part in Peer Reviews across the country, is set out below:

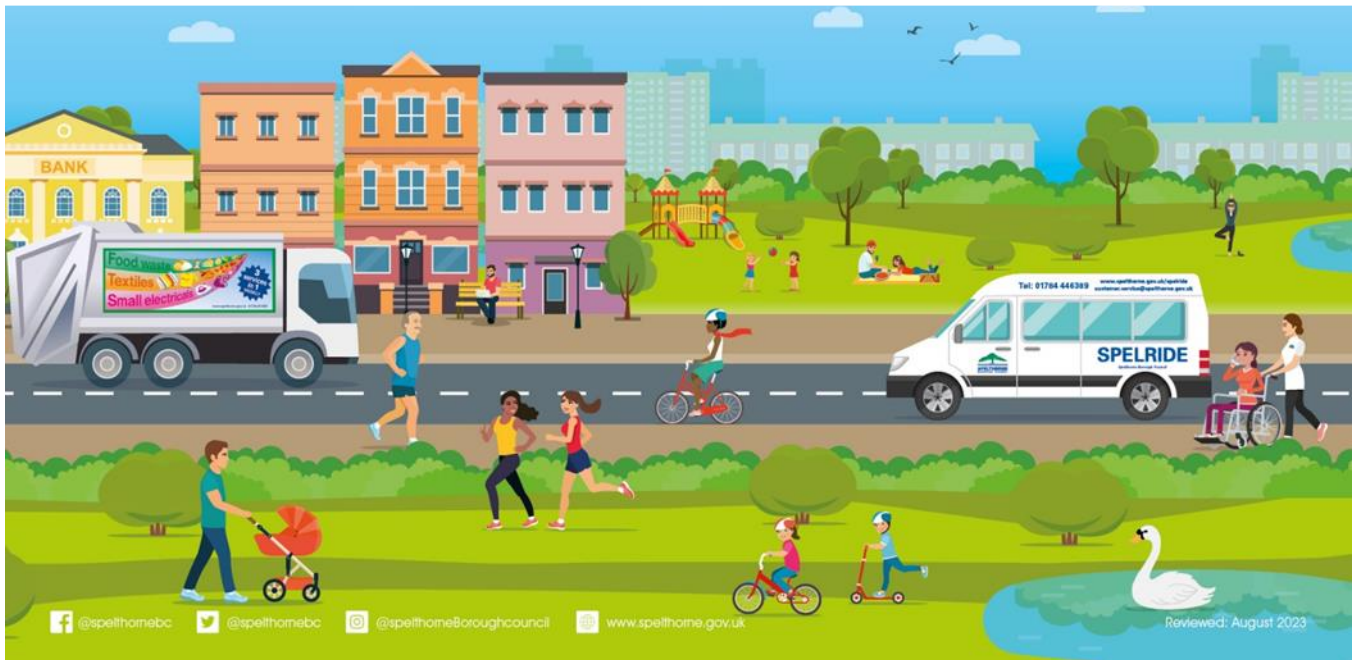
<https://www.local.gov.uk/our-support/council-assurance-and-peer-support/become-peer/express-your-interest#:~:text=Member%20peers&text=We%20ask%20that%20members%20interested,where%20we%20require%20more%20peers.>

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# Position Statement

November 2023



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**Key: GL: Administration Group Leaders**

**MAT: Management Team**

**MAT+: Management Team plus other Senior Managers**

## Context

In November 2022, Spelthorne Borough Council invited the LGA with a team of Senior Officers and Councillors to undertake a comprehensive [Local Government Association Corporate Peer Challenge](#). The team conducted more than 40 meetings involving over 125 people, including a range of Council Councillors and employees as well as external stakeholders and partners. The Peer Team concluded that:

*"Spelthorne Borough Council has achieved many unique things of which they can be rightly proud, ranging from the high profile and strategic to the very local and small scale. Their Covid response was brilliant and a focus on supporting vulnerable people in their community is evident.*

*"The Council has a generally friendly and caring staff culture where cross-service working is very good. Partners and Officers would benefit from a clear political direction and visibility from the Council for which it needs a cohesive, functioning Councillor cohort."*

In

Spelthorne, we place a lot of value on the work we do with our residents to understand what matters most to them and seek solutions together. The 2022-23 [Annual Report](#) demonstrates ways in which this authority have progressed our priorities and we are particularly proud of our work over the last 12 months to protect and support the most vulnerable residents. Despite the many challenges, both locally and nationally, that this Council has faced, we know what can be achieved when we work together with our communities and we will continue to make Spelthorne a place where everyone feels heard, respected and included. Some of our key highlights and achievements are presented on **pages 3, 7 and 20** demonstrating what this authority strives to achieve.

In July of this year, this authority also completed a full [Corporate Establishment Review](#) undertaken by The South East Employers Group (SEE). Its comprehensive terms of reference included the review of the complete organisational structure including contractors, rate of recruitment, digital transformation, shared services opportunities and recommendations from staff audits. The review concluded that in line with high performing authorities, "Spelthorne constantly reviews and innovates to meet the objectives of the Corporate Plan, achieves cost efficiencies and that staff have a sense of collective purpose and have trust in their senior managers in creating a safe environment to thrive."

At the end of the LGAs Corporate Peer Challenge the Peer Team presented 12 recommendations to the Council and the associated approach and progress are detailed in this report.

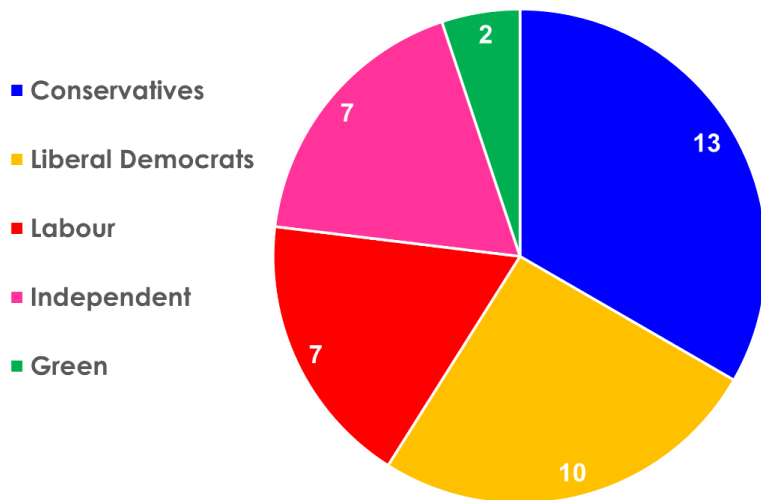


# 2022 - 2023 highlights



## Borough Elections

On the 4 May 2023 full [Borough elections](#) were held and resulted in a new Administration and change of Leadership. Councillor Joanne Sexton (Independents) is Leader of the Council and Councillor Chris Bateson (Liberal Democrat) is Deputy Leader. Further to a by-election in September 2023, out of the 39 cohort, a total of 22 new Councillors were elected to represent the Council.



## Vision and Priorities

**Recommendation 1:** All Members need to identify what they have in common in terms of shared priorities and objectives for your Borough and your residents and use them to progress the delivery of your shared ambitions for Spelthorne.

**Recommendation 2:** Then share your agreed political ambitions for the Borough to create a longer-term vision embodied in a broadly agreed Corporate Plan.

**Recommendation 5:** Take the time today to plan for tomorrow. Do not put off the 'non-urgent strategic' work you need to do.

## Outline approach

- a. Local Government Association (LGA) to be invited to come in at the outset after the May 2023 elections to help facilitate a number of sessions to get broad consensus on agreed vision and priorities.
- b. LGA to look at whether there is a broad Councillor consensus around a member led Council - where members and Officers work together as a team.
- c. Undertake a 'Strategy Day' for all Group Leader's (GL) with the LGA to find common ground that all GL's can sign up to (which can then be fed back by GLs to their groups).
- d. Use Induction Training Programme to set out the CARES priorities and PROVIDES values in the current Corporate Plan as a basis for the 'Strategy Day'.
- e. Agree at the first Council meeting after the May 2023 elections to continue with the CARES priorities for at least another year, to provide continuity and a basis for agreeing and setting a new strategy.
- f. New Corporate Plan needs to cover a longer period than four-years and needs to capture short, medium and long-term plans/priorities.
- g. Undertake a prioritisation exercise and determine what needs to give to generate capacity headroom for any new actions.
- h. Be clearer on celebrating our achievements.

## Progress

### LGA support

The LGA have actively supported Councillors and Officers following the May elections. A programme of support was developed and agreed with the Group Leaders (Independent, Lib Dem, Green, Labour) that control the Council. This included LGA reps supporting elements of a comprehensive Councillor induction training programme (**APPENDIX A**) delivered throughout May/June 2023. This induction programme introduced the 22 new Councillors to the 'CARES priorities' and 'PROVIDES values' outlined in the existing [Corporate Plan](#).



C A R E S



P R O V I D E

A programme of further LGA support has been developed and agreed with Leader/GLs. A number of elements have already been delivered including an LGA facilitated session with the 'Administration' GLs and a programme of LGA Leadership training which has been arranged for the Leader/Deputy Leader.

#### Common ground

Officers have facilitated several Corporate Plan focused sessions with the Leader/Deputy Leader over the summer to seek their views on refreshing the Corporate Plan based primarily around the CARES priorities.



Officers subsequently worked up some further ideas and on 7 September culminating in a session with GLs to discuss suggested changes. The LGA facilitated session on 13 September between GLs and MAT+ reinforced the need for prioritisation and working together based around the CARES priorities/PROVIDE values.

GLs subsequently had further discussions and decided on their top-5 priorities and objectives and advised the CX of these on 2 October.

GLs and MAT+ then met to discuss the Administration's proposed key priority areas and Officers are currently developing a new draft Corporate Plan based on GLs' priorities and objectives, with some suggested themes/actions for further consideration by GLs. A number of the priorities will be amended to reflect a change of emphasis, for example with the 'Affordable Housing' priority amended to reflect the need to address the wider housing need in the Borough. The previous 'Recovery' priority was focussed around the COVID pandemic and is currently proposed to change to 'Resilience' to focus on maintaining the Council's Financial Resilience in the context of cost of living and budget challenges. The Administration has agreed on the need for a five-year plan, which was also referenced at the LGA facilitated GL/MAT+ awayday discussion on 5 October.

**See page 7 for 2022-23 'Affordable Housing' and 'Recovery' priority achievements.**

### **Time today to plan for tomorrow**

The Council, as with most authorities across the sector, is currently facing a particularly challenging budget setting process for 2024/25 so it is important that the Council does not at this stage over specify a set of detailed actions under the new Corporate Plan that the Administration cannot ultimately deliver financially in the light of the emerging budget process. We are therefore currently discussing the idea of presenting a high-level outline plan to CPRC and Council before Christmas to announce the key priorities and themes for the Administration for the Municipal Term to 2028, whilst further refining in conjunction with Councillors the detail in parallel with the budget setting process and presenting these more detailed actions under each priority at the February 2024 Council (where the Administration could also reference some of those actions planned for the year ahead in the budget speech). This would demonstrate how the Administration is taking the measured steps needed to work within the challenging budget situation, setting its goals on identifying realistic targets/actions the Council can deliver by adapting budgets where there is some flexibility to align with those priorities.

## **'Affordable Housing' and 'Recovery' priority achievements 2022 - 2023**

## Affordable Housing

**£568k** successful bid from DLUHC for rough sleeper initiative to offer outreach services to prevent homelessness



Partnership working with Rentstart to find homes for single people and childless couples



**6**

Secured Rough Sleeping Accommodation Programme funding for 6 properties to house rough sleepers



rough sleepers into settled homes

Prevention of over **200** cases of homelessness



**11** Funding secured from Local Authority Housing Fund to acquire properties for refugees

**145** affordable homes granted planning permission by the Planning Team

Dedicated Tenancy Sustainment Officer to work with residents who require support, including finance, family support services and mental health services



New support services at the White House and Harper House and **27** residents moved on to live independently

Engagement with local sixth forms on housing advice for young people to raise awareness and tackle stigmatisation of homelessness



Housing Allocation consultation with **400** responses to help shape policy



Accommodation for Ex-Offenders with funding secured for **13** people into privately rented homes



Dedicated Tenancy Sustainment Officer to work with residents who require financial advice, family support services and mental health support



**Homes4 SPELTHORNE**

New Homes4Spelthorne website advising residents on the housing register available rented social housing in Spelthorne

## Recovery



**£218,850** in community grants distributed to **32** organisations

77 projects completed including software improvements generating savings of **£690k**



empower employ train

Council Tax discount for bands A to D to help offset increased energy costs



Leisure centres football back at pre-pandemic levels at **92%**, fitness membership at **91%** and swim lesson at **99%**

Spelthorne Direct Services delivering sustainable commercial waste services to **300** customers delivering profit that supports Council services

Launch of the **Jobs & Skills hub** - providing adults advice on training and employment opportunities

**99.4%**

rent collection rate for commercial and regeneration properties (12 months to end of March 2023)



Balanced budget for 2022-23 with £480k revenue underspend and added to reserves to strengthen resilience **£7m**

**£10m** net contribution from commercial assets supporting provision of discretionary services

**£37.8m** in sinking fund reserve



**£469k** issued to residents as part of the Household Support Fund and **349** discretionary housing payments amounting to **£381,443** to help residents with shortfalls in their rent

**£154,428**

discretionary rate relief awarded to organisations

**£60,000** awarded to Citizens Advice to support residents through hardship

Business coaching, social media training and website development with over **30** local businesses



**25k** Covid and cost-of-living grants distributed



## Local Plan



## Spelthorne Local Plan 2022 - 2037 and Staines Development Framework

The [Local Plan](#) has been one area where Councillors have sought to debate and agree their political ambitions. The new Councillor cohort elected in May 2023 requested a pause for 3 months in the Examination of the proposed new Local Plan in order that all Councillors could be brought up-to-speed/review the proposals.

This was agreed by the Inspector. Councillors have brought in a 'critical friend' to assist them with this process and Officers have provided a number of training sessions to enable new Councillors to understand the Local Plan process and proposals under the draft Plan under examination. The Government have since issued a direction requiring the Council [not to withdraw its current Plan](#). The Administration is currently considering its next steps.

## Going forward

The challenging budget position the Council faces for 2024/25 makes the need to prioritise resources all the more important and this is likely to be a theme that Councillors and Officers will need to return to throughout the next few months in setting the budget and launching the Corporate Plan.

Reporting progress with actions firmly focused on delivering the emerging Corporate Plan, we will be reporting our successes and other wider achievements to residents and businesses building on our recent nominations for a number of national awards.

## Officer/Member relations

**Recommendation 3:** Take the opportunity you now have to reset the Officer / Member working relationship and agree how it will work differently going forward for the benefit of your residents.

**Recommendation 4:** The discrete but complementary roles of Officers and Members need to be better understood by all to improve working relationships.

**Recommendation 6:** Members need to respect Officers' roles and give them the time and space to focus on delivering the important priorities you have agreed.

## Outline approach

- a. Consider how best to deliver the suggestion of a number of Councillor/Officer joint site visits, so that Councillors can further understand how officers work and the legislative background they have to work within.
- b. Schedule a further round table session where officers feed in views and GL's listen.
- c. Develop a separate logging system for councillor enquiries (to better manage the process, ensure fairness, understand trends, key issues and response times)
- d. Consider how to best bring new Councillors elected as a result of a by-election up to speed and briefed on the Council's processes, procedures and key policies.
- e. Officers to provide key information to Councillors and be able to articulate where delivery limitations exist, or where financial, service, resource or equity impacts prevail.

## Progress

### Working relationship

The new 'Administration' has striven to adopt a more inclusive approach to governing the Council. Building on that, an all-day strategic away-day for GL (Independent, Lib Dem, Green, Labour) / MAT+ took place in early September, led in the main by LGA facilitators. Collective discussions agreed to develop a 'One Team' approach between the administration GLs and officers and regular fortnightly Leadership / CEX / MAT meetings take place with documented agendas extending to c.25 items over several hours.

MAT continue to have fortnightly all-Councillor briefings to keep Members updated on current Corporate issues being addressed. Attendance is typically two-thirds of the Chamber; hence minutes are also shared with all Members. (**APPENDIX B** provides an example)

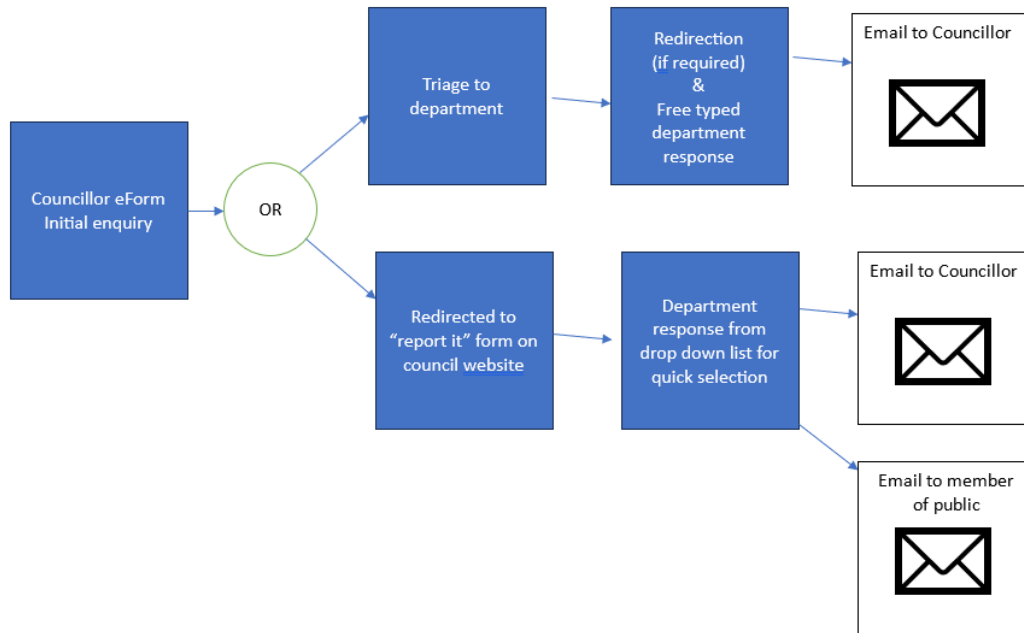
### Managing expectations

Officers have been looking at options for Asset Portfolio tours and ward 'walkarounds' with Councillors. The Asset tours are now taking place and a preliminary 'walkaround' has taken place, though expectations will need to be managed as this could lead to further pressure on services/officers to address any identified issues within short timescales and within existing already stretched budgets.



A new Councillor online reporting form (**see process on page 11**) was created for reporting/logging issues. Although in use currently, this was found as having scope to be improved upon, hence a revised form has been developed and is awaiting Administration 'sign off' following being test demonstrated to Members. When operational we will be able to analyse and report on trends more effectively, providing a tangible tracking system and further enhancing quantitative and qualitative Corporate data.

### **Councillor online reporting form process**



When Councillors join the Council, following the recent by-election, they receive a range of face-to-face training and other modules they can undertake including some on their own at home, similar to the key areas covered by the induction process for the new intake of Councillors joining after the May 2023 elections. This includes any training required for participation in specific Committees, such as Planning Committee.

## Going forward

Building on the commitment of the Administration to actively work as 'Team Spelthorne', the cycle of engagement is becoming more settled and far more productive. New Councillor forms and utilisation of existing regular engagement with the CEX / MAT provide ample opportunity to register and address issues important to the Administration and vice versa. Attention will need to be given to due process, operating within Constitutional Committee System Governance parameters.

## Behaviour

**Recommendation 7:** Recognise the risk of continued poor behaviour by some Members and the likely impact on the organisation and your reputation as a Council and a place. Take steps to address it.

## Outline approach

- a. Logging system and process (referred to previously) is needed to ensure that there is equity in how Councillors approach Officers, and issues and responses are logged. (see page 10)
- b. Councillors need to undertake necessary training and be suitably prepared for their public duties.
- c. Follow up on actions arising from Extraordinary Standards Committees.
- d. Ensure that the Council's Code of Conduct is fully adhered to and endorsed/actioned by GL's.
- e. Mandatory training for Councillors (e.g. on planning, licencing, finance etc) will be enforced. GL's will take up failure of any of their Cllrs to attend mandatory training within their groups and accept that non-attendance will mean Cllrs cannot sit on the relevant Committee.

## Progress

See comments re. Recommendation 6 above for general progress and on new Councillor reporting form (logging system). Significantly more mandatory training was required as part of the Councillors induction process that has successfully been delivered. New Officer Inductions now involve short face-to-face introductions to the Political Leadership of the Authority as part of the CEXs wider contextual presentation.

## Going forward

Collective endeavours continue to be taken to address occurrences of sub-standard conduct both in and outside of the Chamber as there is a general lack of trust in Officer professional advice. It is also incumbent on managers to ensure Officers remain subscribed to Continuous Professional Development (CPD) and relevant training, maintaining the CIM (Continuous Improvement Plan) process, addressing concerns, priorities and pressures as they arise. This way both Councillors' and Officers working as 'Team Spelthorne' can collectively achieve the priorities in our emerging Corporate Plan for our residents.

## Financial

**Recommendation 8:** Continue your efforts to address the issue of outstanding audits of the financial accounts.

**Recommendation 10:** Engage in financial training for Members to promote a better understanding of financial implications, project viability and creating robust business cases.



## Outline approach

- a. Ensure induction training is easily understandable and sufficiently focused on the role of Cllrs and Committees in budget setting, annual financial cycle, financial audit, investment portfolio and Knowle Green Estates and Spelthorne Direct Services.
- b. Review and refine training as required over time.
- c. Ensure all reports clearly spell out financial consequences of a course of action.
- d. Refine financial reports so that they are more visual and user friendly.

## Progress

### Financial accounts

At the March 2023 Audit Committee, KPMG confirmed their intention to issue an unqualified opinion on the 2017-18 Statement of Accounts. The Audit Partner signed off the 2017-18 Statement of Accounts on 19 June 2023. [Audited 2017-18 Statement of Accounts \(1\).pdf](#)

However, whilst Spelthorne has continued to publish all its draft statement of accounts on time, being one of only thirty percent of councils to meet the 31 May 2023 deadline for publishing the draft 2022-23 Statement of Accounts, we have now been caught by audit firms holding back to see what the Minister announces to address cutting through the national audit backlog (918 statements now beyond their audit sign off deadline). We continue to push BDO to engage and we have a meeting with BDO on 7 November 2023. The reality is that we are one of the Councils which is going to have its auditors issue disclaimers or qualifications on some of the backdated audits.

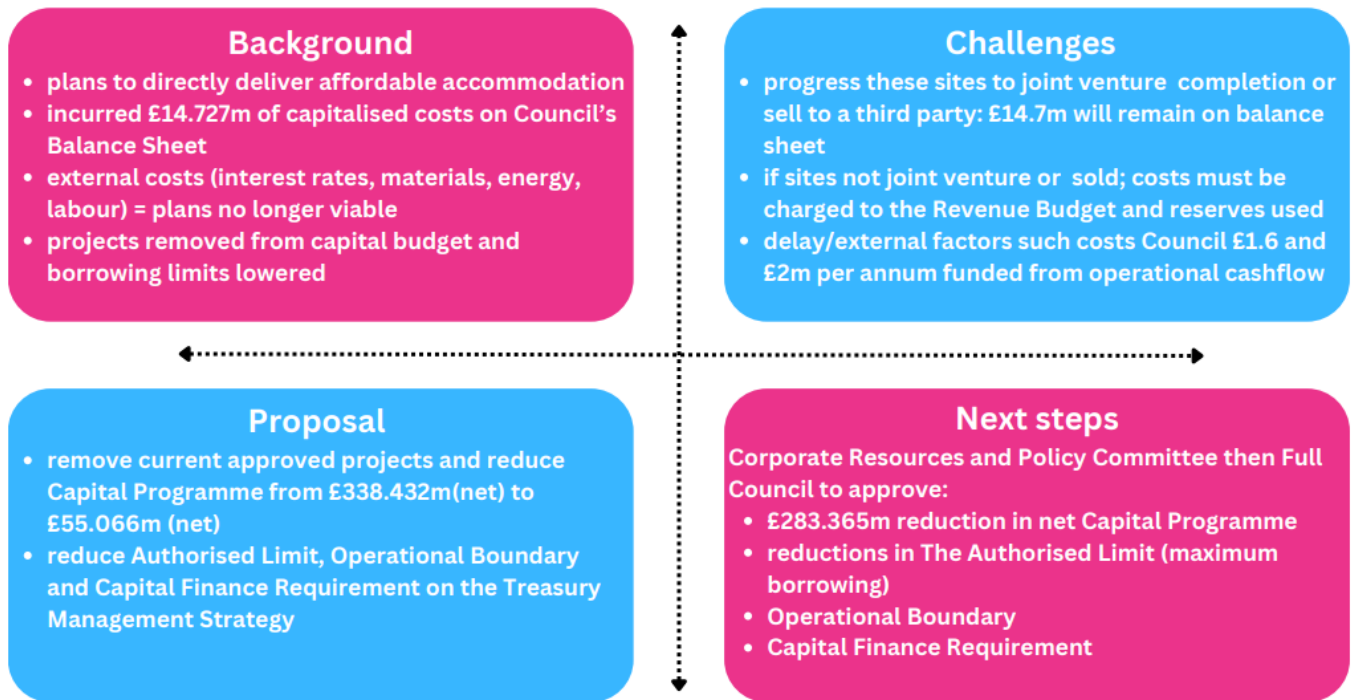
### Financial training

Training for Councillors on Local Government Finance, Spelthorne structure and services was undertaken on 18 May. Treasury Management training for Councillors will be provided in January by our Treasury Management advisers Arlingclose.

A Councillor/Officer Financial Reporting Working Group (FRWG) has been set-up and is discussing changes to reports to make financial details easier to understand, more visual and user friendly. In doing so, the Group has considered how private sector businesses get across their key messages and has agreed to pilot a new '4 blocker' approach (**see page 14**) for summarising key aspects of the beginning of reports. The four-blocker template will apply to all decision-making reports except those going to regulatory committees. We have discussed at the Group the potential of providing dashboard functionality (using Power BI) for both Councillors and budget managers.

### 4 blocker approach





## Budget cycle

The Finance Team have worked hard to streamline and make more efficient the Budget compilation process to facilitate an initial draft budget by the end of October to enable more time for Senior Officers and managers to consider options for closing the initial budget gaps. This has provided an additional six weeks for this option generation process, this is particularly timely given the additional budgetary pressures we are facing in the context of a cost of living and housing crisis. The Finance team continue to provide periodic all-Councillor Budget Briefings and more frequent updates on the Budget position are being provided at the fortnightly all-Councillor briefings. The Chief Finance Officer and Chief Accountant now have periodic budget/finance update sessions with the two members of the Administration acting as finance leads.

## Financial reporting

As part of encouraging and helping members to take more ownership for financial and asset proposals, at a recent assets' strategy workshop with leading members it was agreed that three of the Councillors would present the summary at the following Development Sub-Committee. This worked well and help improved the reception of the proposals both at that meeting and subsequent meetings. The Financial Reporting Group has discussed and is supportive of the proposal of having Chairs or Vice Chairs or lead members present reports at Committees. To an extent this would be returning to the approach which operated under the Cabinet system when portfolio holders presented reports at Cabinet.

## Going forward

Future training on finance is due to be discussed with the FRWG. This Group has agreed it would be useful to run a local government finance basics course for Councillors and consideration will also be given to offering similar training to managers.

Once the '4 blocker' approach has been trialled and refined this will be implemented within the Council report design structure.

## Committee

**Recommendation 9:** Review the working of the Committee system by looking at best practice elsewhere to consider how to create a system that is fit for purpose.

## Outline approach

- a. Use the opportunity created by the new cohort of Councillors elected in May 2023 to assist all Councillors to better understand the Committee System.
- b. Act upon the recommendations of the Committee System Review Group.
- c. Consider what is required in terms of Chairs' training to deal with Councillors who do not follow process and procedure.

## Progress

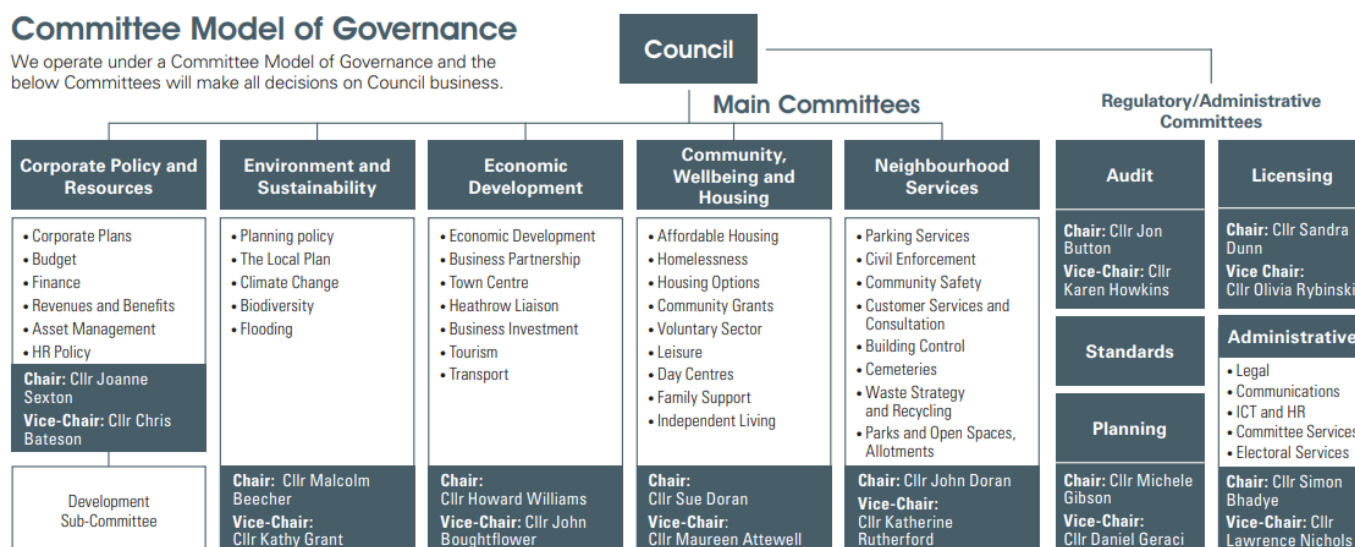
Comprehensive training on Committee system (**current model on page 17**) was provided during the Councillor induction process. A programme of training for the various Committees ran from 15 May to 27 July 2023. LGA Charing Skills training for Chairs and Vice-Chairs was provided on 18 July 2023.

The Committee System Working Group has been reformed following the changes in proportionality and continues to discuss any proposed Constitutional changes to the current Committee System. It is currently proposed to reduce the number of Committees by merging some of their functions.

The Committee System Working Group met last week to discuss changes that they and officers wanted to make to the Council's Constitution. These changes will be presented to the Standards Committee to be considered and recommendations to be made to December Council. Changes to merged Committee functions will have an effective implementation date that aligns with the Annual Council Meeting in 2024.

## Committee Model of Governance

We operate under a Committee Model of Governance and the below Committees will make all decisions on Council business.



## Going forward

Current Committee system 'streamlining' are currently under consideration, and all being equal, will benefit the operational efficiency of the current system. Along with a programme of additional training sessions e.g. Planning Committee training sessions planned up until Feb 2024, Councillors will be fully equipped to maintain organisational effectiveness.

## Engagement

**Recommendation 11:** Improve the balance between communication and meaningful engagement whereby people feel listened to and heard. Use this in the context of evidence and need, to drive priorities and take people with you.

## Outline approach

- a. Need to consider how we capture the views of those who do not engage, so that we get a wider understanding of the whole community, e.g. those who do not have housing, are in fuel poverty, youth who do not engage. Those who would otherwise fall through the safety net.
- b. Consider how we capture the views of the business community, and the younger demographic on issues that will affect them more over the medium/longer term.
- c. Look at whether there are existing forums/meetings that could be used more effectively.
- d. Ensure that we regularly feedback to our communities.

## Progress

The Leader has recommenced meetings with Residents' Associations and continues to look to involve a wider scope of RAs. The CEX also offers RAs his (and on occasion senior officers) attendance at their meetings around the Borough often in support of issues and Councillors.

The new Corporate Plan in development will include more focus on wider engagement and will (subject to Administration ratification) include additional work with the aim of engaging with younger people and the development of a new Youth Council/Parliament to improve engagement with a wide spectrum of younger people.

It is also planned to develop a Citizens' Panel to play a role in future Local Plan design code work. This will involve a cross-section of the Borough in terms of age, demographic, employment and ethnicity. Depending on the success of this initiative, this could potentially be rolled out more broadly corporately. The Panel will be launched alongside a new digital consultation tool to meet the aims of our revised [Engagement Strategy](#) and [Consultation Policy](#).

Greater use of Spelthorne Business Forum will be used to capture views of the business community in addition to the annual business budget and Economic Development consultations.

The Spelthorne Healthy Community Partnership, with membership that encompasses over 140 people from a broad spectrum of organisations across the Borough, has been set up and is thriving.

The purpose of the group is to listen to and collaboratively explore new ways of delivering services and interventions for our community that address the wider determinants of health and wellbeing. **See page 20 for 2022-23 'Community' priority achievements and partnership working examples.**


This model of governance is based on the principles of integration as cited in The Health & Care Act 2022 and encouraged in the Fuller Stocktake.




Going forward

Build on the successful launch of the Spelthorne Healthy Community Partnership, in developing a new Citizens panel and a Youth Parliament.

**Community priority achievements 2022 - 2023**



Community




Establishment of **Food & Welfare Network** bringing together voluntary sector and food banks in response to increase in demand

**Step Down/Up service** - providing temporary accommodation to medically fit patients to free up hospital beds


**£35k** cost of living payments provided to **35** vulnerable families



**50** referrals received to the **Family Support** team providing support to families with complex needs




**£68k** funding awarded from the Community Infrastructure Levy for improvements to grass football pitches




**Specsavers Surrey Youth Games**; bringing sports and healthy lifestyle opportunities to **40** children in deprived areas

**Boccia and Parasports** clubs for those with disabilities to participate in healthy activities



**40<sup>th</sup>** anniversary of the **Civic Trust Awards**, honouring residents for their voluntary service




Borough partnership for a Sanctuary Scheme for **survivors of domestic abuse**

Supporting **3,000** residents with hospital discharges in partnership with Runnymede, Elmbridge and Woking Council


Supporting **30 Afghan families** living in the borough helping them integrate into the local community and finding private rented homes

Community centres **6** days a week provision to reduce social isolation and the impact of fuel and food costs delivering over **3,000** activity sessions



Supporting **27** warm hubs during the winter

**102** families given **playscheme vouchers** for subsidised play over the summer holidays



**540** residents receiving help and advice through **Social Prescribing**

Providing **161** families with **Disabled Facilities Grants** so they can live independently

## Support

**Recommendation 12:** Consider how the LGA can continue to assist with the above recommendations on this reset journey.

## Outline approach

Engage the LGA for post-May 2023 elections to assist Councillors in developing the shared vision, priorities and objectives and other areas identified in the Peer Review report.

## Progress

The LGA were engaged from May 2023 to support the new intake of Councillors and the emerging new 'Administration' and has met with GLs and senior management, including the LGA facilitated awayday on 13 September 2023. LGA representatives continue to support the Leader directly and are also working with GLs. MAT continues to liaise with LGA representatives on an ad-hoc basis as and when advice/support is required. Senior Officers have also benefitted from LGA facilitated awayday dedicated training. The Leadership are scheduled to attend the LGA Leadership Programme.

## Going forward

Depending on future challenges this authority faces, it may well be necessary to seek further LGA support to help facilitate resolution. Currently, the 'Administration' is engaging with the DLUHC in relation to the Local Plan and has sought ongoing Counsel advice.

Utilise the LGA's expertise to support the Council in spring 2024 to undertake a full staff and Councillor survey to benchmark satisfaction against the 2022 survey.



# Corporate Policy & Resources Committee

15 April 2024



<b>Title</b>	Corporate Risk Register (Corporate Risk Management)
<b>Purpose of the report</b>	To note
<b>Report Author</b>	Punita Talwar, Internal Audit Manager
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	The report & Appendices A & B – Open Appendices C & D – Restricted access
<b>Exemption Reason</b>	
<b>Corporate Priority</b>	The Corporate Risk Register outlines significant strategic risks impacting the effective delivery of all corporate priorities (CARES). Community Addressing housing needs Resilience Environment Services
<b>Recommendations</b>	<b>Committee is asked to:</b> <b>1.Consider the significant strategic risks and issues highlighted in this report ensuring continued wider reporting of the Corporate Risk Register and actions across other Committees.</b>
<b>Reason for Recommendation</b>	<b>The Corporate Risk Register continues to ensure that the Council’s most significant risks in relation to achievement of corporate priorities and objectives are identified, managed, monitored, and reported.</b> <b>Continued visibility and ownership of the risks and issues raised in this report is recommended across the Council due to the significant and wide-reaching implications. This will support improved coordination in implementing risk management strategies.</b>

## 1. Summary of the report

What is the situation	Why we want to do something
-----------------------	-----------------------------

<p>The Corporate Risk Register continues to ensure that the Council's most significant strategic level risks in relation to achievement of corporate priorities and objectives are regularly identified, managed, monitored, and reported. The current reporting frequency coincides with the Audit Committee cycle and work programme.</p>	<p>Exposure to wider externalities and other unprecedented pressures are continuing to present competing levels of crises. The worsening financial and housing crisis across local government continues to have adverse and wide-reaching effects. Consequently, the Council continues to encounter some challenge in the context of delivering corporate priorities.</p> <p>The approaches being taken to proactively manage identified risks and mitigate impact are referred to in this report and related appendices.</p>
<p>This is what we want to do about it</p>	<p>These are the next steps</p>
<p>Continued relevance of the risks on the register is important, particularly during current times of accelerating levels of crises, often referred to as the poly-crises, and the rapid pace of change.</p> <p>The Corporate Risk Register and related process provides a mechanism for regular review of the register, ensuring it remains current.</p>	<p>The corporate management team and lead Committee hold collective ownership and accountability for ensuring these strategic corporate risks are effectively managed. In doing so they are supported by designated lead officers (at Group Head level) who are responsible for overseeing the day-to-day management of these risks and ensuring future risk management strategies are progressed/implemented.</p>

- 1.1 This report seeks to highlight significant strategic risks in delivering the Council priorities (CARES) and objectives, current strategies to manage risks (these are defined as current controls and current mitigations) as well as any future strategies to manage associated risks.
- 1.2 Exposure to wider externalities and other pressures are continuing to present competing levels of crises. The worsening financial and housing crisis across the local government sector continues to have adverse effects, impacting communities. Consequently, the Council continues to encounter some challenge in the context of delivering corporate priorities. The approaches being taken to proactively manage identified risks and mitigate impact are referred to in related appendices to this report.
- 1.3 The format and presentation of the Corporate Risk Register has been refreshed further to implementation of an in-house system. This has modernised the look and feel of the register and promotes more focused reporting of risk management, reinforcing designated lead officers and risk owners against each broad risk category/risk subject area. It incorporates a

Risk Dashboard for users of the system to filter risks by lead officer/risk category or subject area. It will also support future recording, collation and analysis of information in the register, and over time production of tailored reports can be explored.

## 2. Key issues

- 2.1 The corporate management team and lead Committee hold collective ownership and accountability for ensuring these strategic corporate risks are effectively managed. In doing so they are supported by designated lead officers (at Group Head level) who are responsible for overseeing the day-to-day management of these risks and ensuring future risk management strategies are progressed/implemented.
- 2.2 The format and presentation of the Corporate Risk Register has been refreshed following implementation of an in-house system and central record. This has modernised the look and feel of the register and promotes more focused reporting of risk management, incorporating a Corporate Risk Dashboard for system users. Each broader risk category heading in the register (of which there are nine) is broken down into a specific subject risk area. For example, under risk category 1a – Housing – Development and Targets, there are 4 subject risk areas comprising Alternative Development delivery options, Housing Development Programme, Timelines for Delivery and Local Plan. Guidance has been provided to Managers to support better differentiation between control and mitigation whilst recognising that these are both strategies to manage identified risks. It has also been a timely opportunity to remove surplus content in the register when articulating risk management strategies and therefore a data refresh has taken place.
- 2.3 The revised corporate risk register content is presented as appendices to this report and includes the following:
  - Appendix A - Identified risks along with current and future risk management strategies set out in one document. (There is no longer a separate Risk Action Plan as future risk management strategies are reported in the same document highlighting next steps in managing the risks).
  - Within Appendix A there is summary information (visually presented) in terms of the direction of travel for each subject risk area regarding any movement of either the RAG rating, risk score or indicative future risk score.
  - Appendix B sets out the positioning and ranking of current assessed risks relating to each subject risk area, applying the corporate risk scoring matrix. (Risk owners and Lead Officers have had an opportunity to review the proposed positioning of the risks on the matrix).
- 2.4 The key headlines and updates to report across the broad risk categories on the register deemed to be emerging from the current review are set out below:
  - Financial risk continues to present a common theme weaving through many of the risks on the register in view of ongoing funding challenges for local authorities, increased service demands (in particular the housing crisis is increasing the need to spend on temporary accommodation), managing accumulated capital costs of £10 to £15m arising from the suspension of direct delivery of the Housing Development programme as well as significant

annual holding costs being incurred on development sites, amid inflationary pressures, the Cost of Living and Cost of Doing Business Crisis and the long term impact of increased cost of debt (borrowing).

- Risk Category 1a – Housing(Development and Targets). Subject risk areas include Development Delivery Options/Timelines for Delivery/Housing Development Programme **(All Red RAG – Current risk score of 12 )**

The earlier section draws out some significant financial risk implications relating to this risk category. In terms of taking forward alternative development delivery options in working towards addressing housing need and delivering housing outcomes across the sites currently owned by the Council, this will be subject to formal approval/implementation of a Member driven strategy.

- Risk Category 1a – Housing (Development and Targets) . Subject risk area - Local Plan . **(Red RAG – Current risk score of 12 )**

The delays in adoption of the Local Plan and wider risk implications have been previously reported and remain in the risk register. Further assessments are underway regarding Greenbelt sites and the strategic flood risk assessment, taking account of the River Thames scheme modelling. Any proposed modifications that may arise will be subject to decisions and communicated to the Planning Inspector.

- Risk Category 3a – Financial Resilience - Commercial Assets **(Amber RAG - Current risk score of 9)**

The risks in this section have been reviewed for completeness and expanded to incorporate risk considerations around diversification of asset holdings and major lease expiry reviews. The corresponding risk management strategies have been included in the register.

The specific risks and issues highlighted recently by an external advisor and the Council's responses are included as a separate (exempt) item on the agenda. *(Please note separate JLL report for inclusion as an Appendix along with a table drawing out the key risks arising from that review and management's response)*

- Risk Category 4 - Financial Resilience and supporting Communities.

Subject Risk Area – Financial Pressures and increased costs **(Amber RAG - Current risk score of 9) ;**

Subject Risk Area – Financial Pressures – Cost of Living Crisis and increased demand on Council Services**(Red RAG – Current risk score of 12 )**

Subject Risk Area – Financial Pressures – restricted Borrowing Levels **(Amber RAG - Current risk score of 9)**

Some of the key financial pressures facing the authority have been highlighted earlier in this section of the report. Full Council have approved a balanced budget for 2024/25, and the additional budgetary challenges ahead particularly from 2026/27 are highlighted in the register. In managing and alleviating risks relating to financial pressures, a medium-term financial strategy is in place. Enhanced approaches to budget setting such as the introduction of Zero-Based Budgeting (ZBB) are planned for implementation as part of the 2025/26 budget process, and quarterly reporting on progress in achieving targets in delivering the cashable efficiency savings programme will

be coming into effect from 2024/25. The Council's financial reserves strategy and forecast is subject to periodical review, benchmarking analysis and reporting. The Surrey wide Financial resilience review undertaken set out the position across the County which was reported as generally positive and in the context of the national picture for local authorities.

### **3. Options analysis and proposal**

- 3.1 The revised register and related appendices are an accurate reflection of the high-level significant risks affecting the Authority, based on consultation with Managers and assessment of risk and controls in operation.
- 3.2 Option 1 - To consider the contents of the Corporate Risk Register including any new or expanded risk categories, residual risks highlighted, current risk management strategies (current control actions, current mitigating actions) and future risk management strategies. (preferred option); or
- 3.3 Option 2 - To recommend amendments to the Corporate Risk Register for consideration by the Corporate Risk Management Group.

### **4. Financial management comments**

- 4.1 As previously reported, there are major financial implications arising from several corporate risk categories on the register. This is explained further at para 2.4 above including examples of risk management strategies currently in place or planned to take forward.

### **5. Risk management comments**

- 5.1 The Council's corporate and strategic risks impacting the effective achievement of corporate priorities, represent the most significant risks facing the authority. The register contains nine broad strategic risk categories, comprising specific risk subject areas that align to the broader category. Risk descriptions and consequences are identified and articulated, as well as the current controls and current mitigation measures in place to manage these risks. Current controls are those actions intended to reduce the likelihood of occurrence of the risk event, whilst current mitigations are those actions intended to reduce the impact of a risk event should it occur. Taken together, current controls and current mitigating actions represent current risk management strategies. Future risk management strategies are also included in the register documentation.

### **6. Procurement comments**

- 6.1 Any procurement considerations relating to the risk categories on the register should be identified by the respective Risk Owners and lead officers and are likely to form part of separate reporting/communications.

### **7. Legal comments**

- 7.1 Some corporate risks facing the Council as identified on the register are driven or influenced by statutory requirements. For example, at risk category 8 - Equalities, Diversity and Inclusion refers to the Equality Act 2010.

### **8. Other considerations**

Whilst not currently referred to as a specific risk category on the Corporate risk register, the challenges facing the external audit sector have continued to present risks across the local government sector in terms of significant ongoing delays and backlogs in external audit assurance provision relating to

prior year accounts , and the subsequent limitations regarding audit coverage and opinions. The external audit review process relating to 2023/24 for Spelthorne has however commenced.

## **9. Equality and Diversity**

The Corporate Risk Register incorporates Equality, Diversity and Inclusion as a specific strategic risk category and sets out current controls and current mitigation measures in place, as well as future risk management strategies. There are no further areas of progress to report as part of the March review of the risk register.

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

10.1 There are none separate to those in the revised Corporate Risk Register, and some updates have been made under the broad risk category 6 as part of the March review of the register.

## **11. Timetable for implementation**

11.1 Future risk management strategies show lead Council officers responsible for progressing actions, together with target timescales for implementation. The register content is reviewed and updated three times a year in consultation with the corporate management team, Group Heads and Managers. It is coordinated, analysed, and reported by the Internal Audit Manager which includes identifying new risk descriptions, high level review of relevance of control and mitigation actions being reported in context of risk area, and proposing new risk management strategies in consultation with Managers where deemed appropriate.

## **12. Contact**

12.1 Please also refer to contact names provided for Risk owners/accountable officers as well as lead Officers who hold responsibility for implementing systems of internal control and mitigating actions to manage and alleviate the risks identified against each broad risk category and risk subject area.

**Background papers: There are none.**

### **Appendices:**

**Appendix A - Corporate Risk Register** – this includes related narrative content as well as (i) level of assessed risk i.e., Red/Amber/Green - RAG status of each risk category (ii) Numerical Risk score and Direction of Travel.

**Appendix B –Risk scoring matrix summary** – level of assessed risks in the register

**Appendix C-** RESTRICTED ITEM

**Appendix D-** RESTRICTED ITEM

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	1a - Housing – Development and Targets	
<b>Risk subject area</b>	Alternative Development delivery options	
<div style="display: flex; align-items: center; justify-content: center;"> <div style="background-color: red; color: white; padding: 10px; margin-right: 10px;">12</div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="background-color: red; color: white; padding: 2px 5px;">&lt;12</div> <div style="background-color: orange; color: white; padding: 2px 5px;">9&gt;</div> </div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 2/29/2024 4:48:07 PM
	<b>Corporate priorities</b>	Addressing Housing Need
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Coralie Holman

### Risk description

- In identifying alternative Development Delivery Options for Council Owned Development Sites, there are new risks to assess to determine whether such arrangements (for example Joint Ventures) represent financially viable solutions in the long term and that they do not accelerate the Council's financial risk exposure to an unacceptable level, consequently presenting further uncertainty and strain on the Council's financial sustainability.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Governance and reporting arrangements.
- Professional advice, expertise and input from officers across the Council, to guide and support on the implications of any proposed routes put forward.
- Scrutiny of decisions is embedded within the Committee system of governance, and a 'call in' procedure can be invoked if required.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Progressing new Member driven strategy in consultation with residents for delivering housing outcomes across the sites currently owned by the Council.

### Future actions

Type	Timeline	Description	Status	Comments
Mitigation	April 2024	Identification and rigorous assessment of alternative Development Delivery Options for Council Owned Development Sites, to ensure they represent financially viable and sustainable solutions in delivering development targets.	In Progress	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	1a - Housing – Development and Targets				
<b>Risk subject area</b>	Timelines for delivery				
<div style="display: flex; align-items: center; justify-content: center;"> <div style="background-color: red; color: white; padding: 10px; margin-right: 10px;">&lt;12</div> <div style="background-color: red; color: white; padding: 20px; font-size: 2em; margin-right: 10px;">12</div> <div style="background-color: orange; color: white; padding: 10px; margin-left: 10px;">9&gt;</div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 2/29/2024 5:00:57 PM			
	<b>Corporate priorities</b>	Addressing Housing Need			
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad			
	<b>Lead officer</b>	Coralie Holman			
<b>Risk description</b>					
<ul style="list-style-type: none"> <li>Further to the Council's decision to suspend direct delivery of the Housing development programme from mid-September 2023, this will further impact timelines for delivery of housing schemes and development targets (both affordable and general housing).</li> </ul>					
<b>Current control actions</b>					
These are specific actions to reduce the <u>likelihood</u> of a risk event or occurrence					
<ul style="list-style-type: none"> <li>Residual risk that may have to be accepted given the risk event occurrence and impact.</li> </ul>					
<b>Current mitigating actions</b>					
These are specific actions to reduce the <u>impact</u> of a risk event should it occur					
<ul style="list-style-type: none"> <li>Residual risk that may have to be accepted given the risk event occurrence and impact.</li> </ul>					
<b>Future actions</b>					
	Type	Timeline	Description	Status	Comments
	Mitigation	June 2024	Once strategy routes have been confirmed, monitoring mechanisms to be pursued of revised timelines for delivery of targets	Outstanding	



## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	1a - Housing – Development and Targets	
<b>Risk subject area</b>	Local Plan	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:38:03 PM
	<b>Corporate priorities</b>	Addressing Housing Need
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Heather Morgan

### Risk description

- Any further delays in the examination and adoption of the Local Plan are likely to continue to impact on the ability to bring forward the appropriate quantum of housing development.
- If the Local Plan process is not subject to robust challenge, this may not provide adequate opportunity to shape and finalise a plan at key stages to ensure it meets the (a) optimal interests of Spelthorne (b) all regulatory, legislative and professional requirements.
- Due to further pausing of the Local Plan Examination Hearings until Spring 2024, a number of specific risks and challenges include: (i) additional pressure on SBC Local Plan to meet the housing need of other boroughs (ii) a lack of certainty around Housing Delivery (iii) legal challenge (iv) prospect of unsuitable developments (v) financial impact to the Council from delays in adoption of the plan (vi) adverse publicity and reputational damage
- Increased possibility of central government intervention to facilitate progression of the plan if the Council does not take active steps to move forward at an appropriate pace. This could have significant implications in terms of the sovereignty of decision making by the Council.
- Current Environment Agency flood modelling (summer 2023) indicates a marginal increased level of flood risk across some parts of the borough of Spelthorne which could adversely impact property and land. These present important factors in pursuing delivery of Housing schemes/outcomes and impact decisions on how to proceed with Council owned sites.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Impact assessment of the revised NPPF on the Local Plan submitted for Examination (on the basis of the current draft NPPF), with options around possible next steps.
- Planning regulatory framework
- Planning Committee, Officer presentations/professional advice and Member decision making

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Local Planning inspectorate and independent examination/assessment .
- As a result of the Ministerial direction, monthly progress meetings are being held between senior officers from DLUHC and the Council.
- Strategic flood risk assessment (SFRA) as part of Local Plan process, informing decision making.
- Planning policies and guidelines

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Strategic flood risk assessment (SFRA) as part of Local Plan process, informing decision making.
- Impact assessment of the revised NPPF on the Local Plan submitted for Examination (on the basis of the current draft NPPF), with options around possible next steps.

### Future actions

Type	Timeline	Description	Status	Comments
• Control	TBD	Preparation and adoption of New Local Plan to meet future need and strengthen affordable Housing Policy	Outstanding	
• Mitigation	TBD	Preparation and adoption of New Local Plan to meet future need and strengthen affordable Housing Policy	Outstanding	
• Mitigation	Apr 2024	All schemes progressed on Council owned land considered against the flood risk to ensure appropriate mitigation is included within the scheme design.	Outstanding	
• Control	Apr 2024	Future review of the Strategic Flood Risk Assessment (SFRA) in light of the River Thames Scheme modelling as required	Outstanding	
• Mitigation	Apr 2024	Future review of the Strategic Flood Risk Assessment (SFRA) in light of the River Thames Scheme modelling as required	Outstanding	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	1a - Housing – Development and Targets		
<b>Risk subject area</b>	Housing Development Programme		
<div style="display: flex; align-items: center; justify-content: center;"> <div style="background-color: red; color: white; padding: 10px; margin-right: 10px;">12</div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="background-color: red; color: white; padding: 5px; margin-bottom: 5px;">&lt;12</div> <div style="background-color: orange; color: white; padding: 5px; margin-top: 5px;">9&gt;</div> </div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 2/29/2024 5:01:45 PM	
	<b>Corporate priorities</b>	Addressing Housing Need	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Coralie Holman	

### Risk description

- A number of factors have continued to very significantly affect the financial viability of each project (as previously reported) leading to rising overall costs, and risk of adverse financial position of the Council. In responding to this threat, the Council decided to suspend direct delivery of the Housing development programme from mid-September 2023. Options are being explored which will determine when accumulated capitalised costs of £10m to £15M will need to be charged to Revenue. In addition, holding costs of £1.6m per annum relating to the housing delivery schemes are continuing to be incurred until outcomes are delivered on the sites. This continues to have a significant financial impact on the Council's budgetary position.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Governance and reporting arrangements. Examples include progress reporting of Property Development projects to officer and Member groups.
- Established policies and framework

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Progressing new Member driven strategy in consultation with residents for delivering housing outcomes across the sites currently owned by the Council.
- Reserves strategy. Application of earmarked financial reserves to the Council's budget.
- Assessment of options incorporating mitigation of holding costs on development sites.

### Future actions

Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Mitigation . Finalisation and implementations of Member driven strategy for delivering housing outcomes across sites owned by the Council Outstanding

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	1b - Housing – Affordable	
<b>Risk subject area</b>	Housing Supply and Demand	
<div style="text-align: center;"> <div style="background-color: red; color: white; font-size: 2em; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">12</div> <div style="display: flex; justify-content: space-around; width: 100%; margin-top: 5px;"> <span style="background-color: red; color: white; padding: 2px 5px;">&lt;12</span> <span style="background-color: red; color: white; padding: 2px 5px;">12&gt;</span> </div> </div>	<b>Last review by</b>	s.nicholson@spelthorne.gov.uk 3/4/2024 11:46:49 AM
	<b>Corporate priorities</b>	Addressing Housing Need
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Karen Sinclair Housing Admin

### Risk description

- Lack of affordable housing supply increases homelessness with increased demand for temporary or social housing.  
The demand for temporary housing increased significantly over the last year and is expected to increase further. This is caused by the shrinking private rented sector, affordability of rent and the wider cost of living crisis.  
Long term prospect for increase in supply of housing appears bleak due to lack of interest from RPs to take s.106 units, the Council suspending its development and wider viability challenges for developers.
- Increased rate of determination of asylum seekers claims is resulting in more residents at the Asylum Seekers initial accommodation hotel in the Borough presenting to the Council seeking housing support.
- Geopolitical factors continue to present increased demand in supporting refugee communities and consequently managing the provision of suitable and secure housing.
- Housing provision (types of units) does not meet local resident needs or address client special needs for accommodation. Any delay in adopting the Local Plan does not assist in progressing a wide spread of units for differing needs. If fundamental housing needs are not met / maintained this may have a negative impact on the health and wellbeing of individuals / families.
- If information relating to housing need becomes out of date or is significantly inaccurate this could have implications for the effectiveness and implementation of housing and homelessness strategies

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- The review process for S106 agreements with Developers aims to capture additional affordable housing.
- Quarterly Strategic Action Plan monitoring and review relating to Housing and Homelessness Strategies. Member approved tenancy strategy.
- More robust eligibility criteria now applied in determining applicants for the Social Housing register, to reflect allocation policy.

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Homelessness Reduction Act incorporates proactive and preventative measures to support those at higher risk of homelessness
- Collaborative working with Registered Social Landlords and Partners to pursue delivery of affordable housing need and manage pipeline of units.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Council is lobbying for additional funding support in recognition of the resourcing and financial impact of more asylum seekers presenting in need of housing support.
- Spelthorne participates in the Local Authority Housing Fund capital funding programme (Rounds 1 and 2) to acquire properties to house homeless refugees, intended in the longer term to support general housing need.
- Applying Home Office funding and implementing wider schemes to provide additional support to refugees.

### Future actions

Type	Timeline	Description	Status	Comments
• Mitigation		Targeted exercise to identify potential tenancy fraud , with a view to freeing up social housing	In Progress	
• Mitigation		Acquisition of properties to support refugees forms an important strategy that the Council is pursuing. (Partly funded from the LAHF grant rounds 1 & 2).	In Progress	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	1b - Housing – Affordable	
<b>Risk subject area</b>	Housing provision and addressing need	
<div style="display: flex; align-items: center; justify-content: center;"> <div style="background-color: red; color: white; padding: 10px; margin-right: 10px;">&lt;12</div> <div style="background-color: red; color: white; padding: 20px; font-size: 2em; margin-right: 10px;">12</div> <div style="background-color: orange; color: white; padding: 10px; margin-left: 10px;">9&gt;</div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:39:54 PM
	<b>Corporate priorities</b>	Addressing Housing Need
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Karen Sinclair Housing Admin

### Risk description

- Housing provision (types of units) does not meet local resident needs or address client special needs for accommodation. Any delay in adopting the Local Plan does not assist in progressing a wide spread of units for differing needs. If fundamental housing needs are not met / maintained this may have a negative impact on the health and wellbeing of individuals / families.
- If information relating to housing need becomes out of date or is significantly inaccurate this could have implications for the effectiveness and implementation of housing and homelessness strategies

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Collaborative working with Registered Social Landlords and Partners to pursue delivery of affordable housing need and manage pipeline of units.
- The review process for S106 agreements with Developers aims to capture additional affordable housing.
- Quarterly Strategic Action Plan monitoring and review relating to Housing and Homelessness Strategies. Member approved tenancy strategy.
- More robust eligibility criteria now applied in determining applicants for the Social Housing register, to reflect allocation policy.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

### Future actions

Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	2 - Economy	
<b>Risk subject area</b>	Long Term uncertainty of macroeconomic environment	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:40:36 PM
	<b>Corporate priorities</b>	Resilience
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Heather Morgan

### Risk description

- Whilst Council actions aim to support businesses and the local economy, these actions alone can only have a limited impact due to the overarching effects and long-term uncertainty of the macroeconomic environment, market volatility and geopolitical factors over which the Council has incredibly little influence.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- The Economic Development Committee provides a mechanism for the Council's Economic Prosperity strategy to be periodically refreshed and reported.
- An Economic Prosperity Strategy has been developed (2023 – 2028) which addresses the key actions which face the borough. It incorporates a detailed strategy action plan detailing performance management measures in anticipating outcomes.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Whilst Council actions aim to support businesses and the local economy, these actions alone can only have a limited impact due to the overarching effects and long-term uncertainty of wider externalities.

### Future actions

Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	2 - Economy	
<b>Risk subject area</b>	Cost of doing Business crisis	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:41:22 PM
	<b>Corporate priorities</b>	Resilience
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Heather Morgan

### Risk description

- The potential for increased level of business failures amidst the growing 'Cost of doing business crisis' has led to closure of some retail and business units across the borough as a result of wider economic instability (inflationary pressures and increase in borrowing) and the need to pass on increased costs to the consumer. This impacts the economic prosperity of the borough and affects collections rates for business rate income, with reduced levels impacting finances and services available.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Government assisted Energy Bills Support Scheme (EBSS) to support increased energy costs / bills.
- Monthly monitoring of Collection fund - Business Rates and Council Tax collection rates. Regular reporting of these to Corporate Debt Group and as part of KPI's to Councillors
- Shared Prosperity Fund Investment Plan to support economic regeneration.

### Current mitigating actions


These are specific actions to reduce the impact of a risk event should it occur

- Approved Town Centres Strategy for 2023 which sets out key actions for smaller shopping areas and parades. These will provide targeted support and interventions, with timescales and measures of success identified.
- Local mitigating measures taken by the Economic Development team (to influence areas where a degree of local control can be applied). These include several measures to strengthen the resilience of local businesses in the face of future challenges.

### Future actions

Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	3 - Financial Resilience and Commercial Assets		
<b>Risk subject area</b>	Commercial investment portfolio		
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 2/29/2024 4:22:53 PM	
	<b>Corporate priorities</b>	Resilience, Services	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Coralie Holman	

### Risk description

- Evolving externalities arising since the aftermath of the pandemic now compounded by the Cost-of-Living crisis and inflation, both continue to increase the Council's exposure to financial risk, with possible implications for the investment portfolio, including loss of anticipated rental income and increased costs from vacant space within the commercial assets. This may impact on the financial position, and our ability to deliver discretionary services, leading in the worst-case scenario to the Council becoming financially unsustainable with associated reputational damage.
- If key commercial asset leases are not maintained or renewed this may have implications for maintaining flow of rental income. Where asset holdings are aligned to a specific sector or location this could be impacted by wider externality factors and potentially present limitations in deriving optimal value

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Overarching Asset Management Strategy
- Asset Investment Strategies for all assets focused on the coming 12 month period
- Medium term business plans that consider the assets over a 5 year period
- Capital Strategy includes key performance indicators (being developed further) with a particular focus on the investment portfolio.
- Performance management measures – developing KPIs which are reviewed annually and benchmarked against external, regional property indicators i.e., vacancy rates, market rentals, occupier demand.
- Governance reporting - Investment performance reported regularly to Councillors

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Sinking fund reserves strategy to support periods of tenancy voids and offset dips in rental income. Monitoring of contributions and overall amount of sinking fund balance held.

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Ten-year worst and expected case sinking fund scenario projections are reviewed fortnightly and will be shortly extended to a 20-year time frame.
- Periodical financial health check of tenants to support accurate forecasts
- Ongoing management of voids with a view to reducing the portfolio void rate. Assets team proactively working to fill voids quickly using external lettings agents, understanding market demand and the size of accommodation needed.
- Proactive monitoring of key lease renewals to secure ongoing rental income, or pursue options for alternative use
- Public Interest Report Action Plan implemented
- Invite external consultants with specialist expertise to critique approaches and share any learning points

Future actions					
Type	Timeline	Description	Status	Comments	
• Mitigation		SBC has participated in a review of capital risk mitigation with DLUHC and Chartered Institute of Public Finance and Accountancy (CIPFA) and is in the process of taking on board any improvement suggestions.	In Progress		
• Mitigation	August 2024	To explore and assess opportunities for further diversification of the Council's asset holdings	Outstanding		

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	4 - Financial Resilience and Supporting Communities		
<b>Risk subject area</b>	Financial Pressures - increased costs		
	<b>Last review by</b>	s.nicholson@spelthorne.gov.uk 2/29/2024 11:34:24 AM	
	<b>Corporate priorities</b>	Resilience	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Terry Collier	

### Risk description

- Significantly increased financial pressures faced by the Council, similar to other councils arising from the recent inflationary pressures on fuel, gas and electricity, staff pay pressures, significantly increased PWLB loan rates presenting higher borrowing costs, managing accumulated capitalized costs and annual holding costs relating to housing delivery schemes, and other external factors are collectively causing a significant increase in revenue costs and capital expenditure. Equally the housing crisis is increasing the need to spend on temporary accommodation to support residents

Potential risk as housing and cost of living crises continue to impact on households more of them will struggle to pay council tax bills

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Financial impact assessment modelling undertaken as proactive measure.
- Annual budget process incorporates review and scrutiny at several stages.  
Under COmmittee system process has been made more transparent  
For 2025-26 we will be implementing Zero Based Budgeting
- All Councillor Budget Briefings, undertaken 3 times a year setting out financial risks in context of budgetary position, informing budgetary process.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Inflationary pressure contingency reserve to assist with any anticipated budget deficit.
- Earmarked revenue reserves with forecast for the next four years. Financial Reserves strategy subject to regular review, with annual review and approval of the Reserves Strategy by Corporate Policy and Resources Committee

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Monitoring levels of reserves used at SBC and key financial performance indicators. Benchmarking and analysis of other Surrey Borough's and districts use of reserves. Also benchmarking through LG Improve
- Medium term financial strategy providing a framework for managing financial resources, in a planned and pro-active way. Enables measures to be implemented which may take time to deliver results ahead of when required. For example the Council is expecting additional pressures in 2026-27 if a Fair Funding Review and Business Rates reset happens then.
- Budget put forward for making efficiency savings over the next 4 years to further safeguard the authority. New targets have been incorporated into the 2024-25 Budget. Progress against savings targets will be reported on a quarterly basis to MATplus and councillors

Future actions				
Type	Timeline	Description	Status	Comments
• Mitigation		SBC has participated in a review of capital risk mitigation with DLUHC and Chartered Institute of Public Finance and Accountancy (CIPFA) and is in the process of taking on board any improvement suggestions.	In Progress	
• Mitigation		Progressing medium term financial strategy and efficiency savings plan.	In Progress	
• Mitigation		Monitoring and periodically reporting on outcomes of 4 year efficiency savings plan	In Progress	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	4 - Financial Resilience and Supporting Communities		
<b>Risk subject area</b>	Restricted borrowing levels		
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 2/29/2024 5:05:23 PM	
	<b>Corporate priorities</b>	Resilience	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Paul Taylor	

### Risk description

- As the Council's borrowing levels have necessarily become restricted in the context of wider financial and externality risk, this could impact how the Council responds to unexpected events or factors presenting uncertainty and therefore its financial resilience.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Revised Treasury Management Strategy approved with amendments to the prudential indicators

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Participated in a review of capital risk mitigation with DLUHC and Chartered Institute of Public Finance and Accountancy (CIPFA) and in the process of taking on board any improvement suggestions
- Participated in Surrey wide financial resilience review with commissioning of independent consultants to consider financial metrics as part of this assessment

### Future actions

Type	Timeline	Description	Status	Comments
Mitigation		Any outcomes or further learning arising from the Surrey wide financial review will continue to be considered.	In Progress	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	4 - Financial Resilience and Supporting Communities		
<b>Risk subject area</b>	Financial Pressures - Cost of Living Crisis and increased demand on Council Services		
	<b>Last review by</b>	s.nicholson@spelthorne.gov.uk 2/29/2024 12:34:45 PM	
	<b>Corporate priorities</b>	Resilience	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Terry Collier	

### Risk description

- Combined with reduced fee income and potential for lower collection rates of Business Rates and Council Tax (exacerbated further by the continued Cost-of-Living crisis) this could have an impact on the Council's ability to deliver services as well as creating greater demands on community services, leading to a negative impact on the Borough's residents and communities (economic, social, physical and mental wellbeing). This coincides with increased service demands, leading to further growth bids for resourcing which are not financially sustainable or affordable unless these can be offset by savings. Ongoing financial pressures, in worst case scenario, could lead to the Council becoming financially unsustainable

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Annual budget process incorporates Officer and Member review and scrutiny at several stages with measures to support production of balanced budget. Service planning process integrates with annual budget process.
- Medium term financial strategy providing a framework for managing financial resources.
- All Councillor Budget Briefings, undertaken 3 times a year setting out financial risks in context of budgetary position, informing budgetary process.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Budget put forward for making efficiency savings over the next 4 years to further safeguard the authority. Progress against this target is currently being re-assessed, and additional measures put in place to maintain clear focus on cashable savings.
- Cashable savings working group set up to target efficiencies and savings.
- Procurement Projects Board set up to ensure focus on delivering value for money from procurement.

### Future actions


Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Mitigation                      Progress against cashable savings will be incorporated into the quarterly budget monitoring reports.                      In Progress



## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	5 - Treasury Management	
<b>Risk subject area</b>	Return on Investments	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:43:05 PM
	<b>Corporate priorities</b>	Resilience, Services
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Paul Taylor

### Risk description

- If the Council receives a reduced return on long term investments and/or investments become insecure in the current / future economic climate, then this will have an adverse impact on the Council's financial position, weakening financial resilience. Currently interest rates are relatively high which has boosted returns, but it is expected that the Bank of England will start to reduce base rate later in 2024, when this happens rates we can achieve are likely to start to reduce

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Council's investments are managed internally in consultation with specialist advisors Arlingclose.
- Investments with approved institutions as per policy and strategy
- Aim to select counter parties of the highest credit quality. Credit ratings monitored. Credit Default Swaps (SDS) are monitored
- Approved Treasury Management Strategy for 2023-24. February 2024 Council has approved Strategy for 2024-25
- Application of professional (CIPFA) Code of Practice and Prudential and Treasury Management Codes
- Performance measurement and outturn reporting, as well as Investment Benchmarking
- Regular engagement with the Council's specialist advisors at Officer and Member level to enhance knowledge, subsequently informing decisions.

### Current mitigating actions


These are specific actions to reduce the impact of a risk event should it occur

- By investing in a balanced mix of unit funds linked to assets, bonds and equities this is intended to spread the risk and minimize the impact of occurrence of any adverse investment returns.

**APPENDIX A Corporate Risk Register - Spelthorne Borough Council**

Future actions					
Type	Timeline	Description	Status	Comments	
• Control	Jan 2024	Arlingclose to provide training session for councillors	Outstanding		

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	5 - Treasury Management				
<b>Risk subject area</b>	Borrowing				
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:43:53 PM			
	<b>Corporate priorities</b>	Resilience, Services			
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad			
	<b>Lead officer</b>	Paul Taylor			
<b>Risk description</b>					
<ul style="list-style-type: none"> <li>Significant rises in interest rates and increased cost of borrowing / loans influence the Council's treasury activities. This also presents positive opportunities in enabling great returns to be earned on the Council's surplus cash supporting the Revenue Budget.</li> </ul>					
<b>Current control actions</b>					
These are specific actions to reduce the <u>likelihood</u> of a risk event or occurrence					
<ul style="list-style-type: none"> <li>Approved Treasury Management Strategy for 2023-24.</li> <li>Application of professional (CIPFA) Code of Practice and Prudential and Treasury Management Codes</li> <li>Regular engagement with the Council's specialist advisors at Officer and Member level to enhance knowledge, subsequently informing decisions.</li> </ul>					
<b>Current mitigating actions</b>					
These are specific actions to reduce the <u>impact</u> of a risk event should it occur					
<ul style="list-style-type: none"> <li>Ongoing review and assessment of options with Treasury Management advisors regarding the Council's borrowing strategy in the context of interest rates rises and volatility.</li> <li>Fixed interest rate on most debt and for investment assets an interest equalization reserve is in place.</li> </ul>					
<b>Future actions</b>					
	Type	Timeline	Description	Status	Comments
	Control	Jan 2024	Arlingclose to provide training session for councillors.	Outstanding	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	6 - Climate Change	
<b>Risk subject area</b>	Climate Change threat and impact	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:44:46 PM
	<b>Corporate priorities</b>	Environment
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Sandy Muirhead

### Risk description

- Climate change represents a significant global threat driving social and economic disruption with far ranging consequences for socioeconomic stability. Climate change and extreme weather events impact health and safety, food systems, supply chains & procurement, economic productivity, and losses. Due to climate change, there is a specific risk to the Borough of Spelthorne in terms of more extreme heat and increased flooding, besides the more global threats such as severe storms (threat to loss of life and limb) impacting locally.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Environment and Sustainability Committee developed an action plan to move the Council towards net zero carbon emissions, aiming to get to Net Zero for Scope 1 and 2 emissions by 2030.
- Environment and Sustainability Committee will continue to explore ways to meet a carbon neutral target, and to promote climate change as an issue that needs to permeate all Council areas to ensure SBC reduce their carbon footprint and adapt to climate change.
- Surrey County Council have developed a strategy on Climate Change referred to as Greener Futures Delivery Plan which the Environment and Sustainability Committee have supported. Linked Spelthorne's Climate Change strategy where appropriate to Greener Futures Delivery Plan.
- Collaborative measures to support a coordinated approach to strategy implementation.
- Continuing to roll out Carbon Literacy training days and participating staff have committed to a range of carbon saving pledges. Member Induction training of June 2023 incorporated this area.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Funding resources secured to support strategy implementation and are being allocated and targeted to reduce the carbon footprint of the Council to help ensure SBC are net zero by 2030

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

Future actions					
Type	Timeline	Description	Status	Comments	
• Control		Within the legal constraints to implement the proposed supplementary planning guidance to assist in future properties being better adapted to both heat and cold.	Outstanding		
• Mitigation		Within the legal constraints to implement the proposed supplementary planning guidance to assist in future properties being better adapted to both heat and cold.	Outstanding		

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	6 - Climate Change	
<b>Risk subject area</b>	Responding and adapting to Climate Change	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:45:56 PM
	<b>Corporate priorities</b>	Environment
	<b>Risk owner</b>	Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Sandy Muirhead

### Risk description

- If the Council is not pursuing measures or seeking positive opportunities to mitigate and adapt to climate change, it could result in criticism / bad press / public demonstration and additional organisational pressures may result in a loss of focus around climate change and green initiatives. A lack of preparedness for the impacts of climate change may lead to Council Services no longer being sustainable or in a suitable position to operate in the future. The last 8 years have been the world's hottest and in the last summer there were 72,000 excess deaths in Europe due to the extreme heat. The UK is equally likely to see weather extremes going forward impacting on the economy and actions required by the Council e.g in times of severe flooding seriously draining the Council's resources.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Environment and Sustainability Committee developed an action plan to move the Council towards net zero carbon emissions, aiming to get to Net Zero for Scope 1 and 2 emissions by 2030.
- Environment and Sustainability Committee will continue to explore ways to meet a carbon neutral target, and to promote climate change as an issue that needs to permeate all Council areas to ensure SBC reduce their carbon footprint and adapt to climate change.
- Surrey County Council have developed a strategy on Climate Change referred to as Greener Futures Delivery Plan which the Environment and Sustainability Committee have supported. Linked Spelthorne's Climate Change strategy where appropriate to Greener Futures Delivery Plan.
- Collaborative measures to support a coordinated approach to strategy implementation.
- Continuing to roll out Carbon Literacy training days and participating staff have committed to a range of carbon saving pledges. Member Induction training of June 2023 incorporated this area.
- Carbon Footprint section on Service Plans which provides an opportunity for departments to support the Council's commitment to reducing carbon emissions and explain how they intend to adapt elements of their service delivery to achieve this.

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Funding resources secured to support strategy implementation and are being allocated and targeted to reduce the carbon footprint of the Council to help ensure SBC are net zero by 2030

### Future actions

Type	Timeline	Description	Status	Comments
• Control		Training is underway to raise awareness and enhance understanding of Climate Change issues across the Council (staff and Councillors).	Outstanding	
• Mitigation		Training is underway to raise awareness and enhance understanding of Climate Change issues across the Council (staff and Councillors).	Outstanding	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	6 - Climate Change		
<b>Risk subject area</b>	Integration into decision making		
<div style="display: flex; align-items: center; justify-content: center;"> <div style="background-color: red; color: white; padding: 10px; margin-right: 10px;">12</div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="background-color: red; color: white; padding: 2px 5px;">&lt;12</div> <div style="background-color: orange; color: white; padding: 2px 5px;">9&gt;</div> </div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 6:12:23 PM	
	<b>Corporate priorities</b>	Environment	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Sandy Muirhead	

### Risk description

- Where integration into wider Council decision-making is not evident this reduces the effectiveness of holistic approaches in delivering Spelthorne's strategy

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- All Committee reports include a section on Sustainability and Climate Change considerations which should be reflected upon by report authors to identify both positive and adverse impact of proposals being put forward by Officers requiring a Member decision.
- Through carbon literacy training of staff and the climate change and sustainability officers working with services across the Council, climate change is becoming embedded in service delivery.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

### Future actions

Type	Timeline	Description	Status	Comments
Control	December 2024	Mandatory Carbon literacy training programme underway across the Council	In Progress	



## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	6 - Climate Change	
<b>Risk subject area</b>	Targets for Climate Change	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:48:53 PM
	<b>Corporate priorities</b>	Environment
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Sandy Muirhead

### Risk description

- Inadequate mechanisms for monitoring and reporting on status provides limited insight regarding keeping on track in pursuing net zero carbon emissions and wider government reporting requirements.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- A Climate Change Working group made up of a cross party group of elected Members to focus on monitoring of actions towards carbon neutrality and initial assessment of ideas.
- Officer updates to Members on the progress of the Climate Change Action Plan.
- Annual Reporting of Carbon Emissions to Surrey County Council
- Quarterly KPI reporting
- Benchmarking and/or analysis of comparative energy savings achieved across Surrey Districts and boroughs

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

### Future actions

Type	Timeline	Description	Status	Comments
Control		Environmental Social Governance (ESG) assessment underway to develop future strategies for reporting requirements on climate change	Outstanding	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	7 - Corporate Capacity, Resources , Recruitment and Retention		
<b>Risk subject area</b>	Corporate capacity		
<div style="text-align: center;"> <div style="background-color: red; color: white; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center; font-size: 24px; font-weight: bold;">12</div> <div style="display: flex; justify-content: space-around; width: 100%; margin-top: 5px;"> <span style="background-color: red; color: white; padding: 2px 5px; font-size: 12px;">&lt;12</span> <span style="background-color: red; color: white; padding: 2px 5px; font-size: 12px;">12&gt;</span> </div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:50:13 PM	
	<b>Corporate priorities</b>	Resilience, Services	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Sandy Muirhead	

### Risk description

- Overstretched capacity could lead to increased staff fatigue / burnout / sickness levels arising. This may impact further on employee stress levels and mental / physical wellbeing, which may also lead to reductions in expected service delivery.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Management to address workload issues across teams, with continued prioritisation of tasks
- Corporate performance management systems operating across various levels, intended to promote golden thread and support delivery of corporate priorities and objectives.
- Annual Service Planning should refer to capacity pressures being experienced/foreseen by Service Managers/Group Heads (under risks section), so that any remedial action can be proposed and discussed
- Collaborative Working Group promoting partnerships and alternative service models with a view to supporting organisational resilience measures

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Various support systems operating in promoting and supporting staff wellbeing
- Corporate performance management systems operating across various levels, intended to promote golden thread and support delivery of corporate priorities and objectives.
- Management and HR monitoring of sickness absence levels related to stress or overstretched capacity provides corporate insight that could indicate any further remedial action required
- Participated in an LGA review of 2022 which raised findings regarding working Culture

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Corporate Establishment Review undertaken with some further actions identified/ pursued. This also overlaps with the other risks in this category relating to recruitment and retention

Future actions				
Type	Timeline	Description	Status	Comments
• Control		Demand Management and developing approaches to measure and monitor demand levels across the Council (NEW PROPOSED ACTION)	Outstanding	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	7 - Corporate Capacity, Resources , Recruitment and Retention		
<b>Risk subject area</b>	Recruitment and retention		
<div style="display: flex; align-items: center; justify-content: center;"> <div style="background-color: red; color: white; padding: 10px; margin-right: 10px; font-size: 24px; font-weight: bold;">12</div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="background-color: red; color: white; padding: 2px 5px; margin-bottom: 5px;">&lt;12</div> <div style="background-color: orange; color: white; padding: 2px 5px; margin-bottom: 5px;">9&gt;</div> </div> </div>	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:50:58 PM	
	<b>Corporate priorities</b>	Community, Addressing Housing Need, Resilience, Environment, Services	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Sandy Muirhead	

### Risk description

- Unsuccessful recruitment and ongoing unfilled vacancies in a challenging and competitive labour market leads to reduced availability of technical skills and relevant expertise is spread more thinly across Services. Staff shortages further exacerbate workload pressures across teams. The consequences of this risk are set out earlier under corporate capacity.
- Ineffective or inappropriate recruitment exacerbated by the skill shortages within the local government market could result in appointments that fail to effectively meet business need leading to reduced service quality and/or periods of ongoing vacancies.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Several measures have been underway for some time and previously reported. These relate to HR policies, financial enhancements for hard to fill posts, development and upskilling opportunities, schemes to support staff wellbeing, hybrid working patterns and flexible working arrangements to attract and incentivise staff to modern working practices, staff pay reviews, HR professional networking forums with a view to applying best practice learnt.
- Staff and member feedback including commissioning annual surveys to ascertain key concerns, issues and promote continuous improvement measures

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur


### Future actions

Type	Timeline	Description	Status	Comments
Control		Continue to explore new and innovative recruitment and retention strategies in a competitive market.	Outstanding	

**APPENDIX A Corporate Risk Register - Spelthorne Borough Council**

- Mitigation                      Continue to explore new and innovative recruitment and retention strategies in a competitive market.                      Outstanding
  
- Mitigation                      Continue to draw optimal value from all relevant hubs of expertise including externally conducted research in continuing to facilitate and promote a holistic approach to responding to recruitment and retention challenges and future-proofing the Council's workforce.                      Outstanding

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	8 - Equality, Diversity and Inclusivity	
<b>Risk subject area</b>	Legislative requirements	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:52:10 PM
	<b>Corporate priorities</b>	Community, Addressing Housing Need, Resilience, Environment, Services
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Sandy Muirhead

### Risk description

- If there is a failure to effectively adhere to the Equality Act (2010), this could lead to workplace practices and delivery of services that fail to incorporate necessary principles, standards and requirements in promoting equal opportunities, diversity and inclusivity. This may increase risks of discriminatory practices and consequentially, the Council could be subject to complaints or even claims resulting in reputational damage.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Training mechanisms to raise awareness and understanding such as the online Workrite module.
- All Committee reports include a section on Equality, Diversity and Inclusivity considerations to ensure this area is embedded into Council decision making . It should be carefully reflected upon by report authors to identify any implications and whether there is any specific impact for proposals being put forward requiring a Member decision.

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Equality Impact Assessments are completed as a requirement on initiation of new projects and strategies.


### Future actions

Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Control (This action is subject to resource allocation). Assign a lead Officer to support production of an Equality, Diversity, and Inclusivity Strategy for the Council. This will provide a more robust structured approach in delivering and embedding essential, principles, standards, and requirements in promoting equal opportunities, diversity, and inclusivity. Outstanding

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	8 - Equality, Diversity and Inclusivity	
<b>Risk subject area</b>	Coordinated approach	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:53:04 PM
	<b>Corporate priorities</b>	Community, Addressing Housing Need, Resilience, Environment, Services
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Sandy Muirhead

### Risk description

- If there is insufficient resource, skills or expertise to develop, promote and support implementation of E, D & I standards, progress in driving change and positive impact through a structured and coordinated approach may be limited.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Communications and engagement with staff, Members and the public to recognize and celebrate diversity
- Champions (Staff reps) to explore further positive approaches relating to E, D & I. Inclusivity Working Group meets regularly
- Corporate Values – (PROVIDE) are incorporated into the Council's equality and diversity objectives together with an internal equality and diversity policy.
- An Equality, Diversity and Inclusivity 'Statement of Intent' document has been reported.
- Internal and external websites have been updated with Equality and Diversity policy and statement published.
- Participated in Race Equality Week (Feb 2024) and promoted important messages to all staff

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

### Future actions


Type	Timeline	Description	Status	Comments
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## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

- Control (This action is subject to resource allocation). Assign a lead Officer to support production of an Equality, Diversity, and Inclusivity Strategy for the Council. This will provide a more robust structured approach in delivering and embedding essential, principles, standards, and requirements in promoting equal opportunities, diversity, and inclusivity. In Progress

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	9 - Working arrangements across LG tiers	
<b>Risk subject area</b>	Change Management	
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:54:23 PM
	<b>Corporate priorities</b>	Community, Addressing Housing Need, Resilience, Environment, Services
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad
	<b>Lead officer</b>	Heather Morgan

### Risk description

- If there is a lack of clarity or unified understanding around the wide-reaching implications of a County Deal this could make the task of planning, managing, communicating and implementing change challenging.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Ensure the appropriate level of resource is put in place and time is freed up from other parts of the organisation involved in the change management process if no additional financial or staff resources are available (this will require decision on what else not to do/deliver in another way on a temporary basis/apply a risk based approach to work)
- Ensure there is capacity and appropriately skilled staff are available, or skills are developed, to work effectively where the strategy of engagement and collaborative working has been agreed - to ensure that we are equal partners on any joint service delivery

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- To ensure that any decisions made on engagement/joint service delivery/moving services up to County meets our priorities they need to align with the Corporate Plan 2024 - 2028, our values and priorities

### Future actions

Type	Timeline	Description	Status	Comments
Mitigation	Apr 2024	Planning for potential change and ascertaining transitional and future arrangements for service delivery, decision making and strategic direction.	Outstanding	

## APPENDIX A Corporate Risk Register - Spelthorne Borough Council

<b>Risk category</b>	9 - Working arrangements across LG tiers		
<b>Risk subject area</b>	Strategic decisions		
	<b>Last review by</b>	p.talwar@spelthorne.gov.uk 3/5/2024 5:55:10 PM	
	<b>Corporate priorities</b>	Community, Addressing Housing Need, Resilience, Environment, Services	
	<b>Risk owner</b>	Admin Lee O'Neil Terry Collier Daniel Mouawad	
	<b>Lead officer</b>	Heather Morgan	

### Risk description

- The current governance structure may present limited opportunities for Spelthorne to influence future shaping and direction within the wider Surrey landscape. This could lead to strategic decisions being made that may not be in the best interests of Spelthorne's residents and local communities.

### Current control actions

These are specific actions to reduce the likelihood of a risk event or occurrence

- Look to influence the governance structure of the Growth Board by increasing Local Authority representation (currently one Leader and one Chief Executive) to sit at the decision making table, and ensure that our views are clearly understood by those represented and clearly relayed (via our Leader and Chief Executive)
- Look to influence the governance and representation at the Surrey Business Leadership Forum to ensure that our business voice is heard on future decision making around the economy (and the functions which Surrey will take over from the Enterprise M3 Local Economic Partnership)
- The Council needs to have a clear view on its priorities for collaboration (or not) so that business cases can be developed to help inform future service delivery and the resources which are required to deliver. This can then feed into the medium term financial strategy
- Ensure that there is early and wide engagement with all councillors in the autumn 2024 so there is a clear view from them in terms of 'red lines' - e.g. what the Council needs to deliver locally and we do not engage with Surrey on, where we can work to deliver improved outcomes for our communities

### Current mitigating actions

These are specific actions to reduce the impact of a risk event should it occur

- Leader and Chief Executive to actively engage with adjoining authorities to fully understand common approaches to levels of engagement with Surrey, and opportunities for sharing resources

### Future actions

Type	Timeline	Description	Status	Comments
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**APPENDIX A Corporate Risk Register - Spelthorne Borough Council**

- Mitigation Apr 2024 Planning for potential change and ascertaining transitional and future arrangements for service delivery, decision making and strategic direction. Outstanding
- Control June 2024 develop a terms of reference and set aside resources for a specific councillor/officer working group to work together to spearhead the Councils approach and response to the County Deal Outstanding

This is the matrix that forms part of the risk management policy. We currently assess the level of each risk category by plotting them on this matrix to provide a traffic light RAG rating. We also determine a numerical risk score by multiplying likelihood and impact scores. Please also refer to the next page for further detail on the approach and criteria applied.

When assessing the Council’s risks in terms of likelihood and impact, we take into account the national and global picture for wider externalities such as the macroeconomic environment and geopolitical factors. Spelthorne’s operations remain influenced by these external challenges and pressures, as is the case for other Councils. Due to these externalities, there are many activities that the Council cannot directly control/mitigate, or influence and continued recognition is important. **Red** risks require prompt, planned management action **Amber** risks require planned management action **Green** risks are accepted risks. RC = Risk category on the detailed register e.g., RC2 = Risk Category 2 – Economy. This is also referred to on the matrix for ease of reference.

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IMPACT	<b>4</b> (Catastrophic)				
	<b>3</b> (Major)			<b>13</b>	<b>11</b>
	<b>2</b> (Medium)				
	<b>1</b> (Trivial)				
		<b>1</b> (Rare)	<b>2</b> (Unlikely)	<b>3</b> (Likely)	<b>4</b> (Almost certain)
		<b>LIKELIHOOD</b>			

The numbers in the risk matrix above represent the total number of risk items within that level of risk. Click on the number for details of which risks are affected.

Category and Subject area

- ☐ **9 - Working arrangements across LG tiers**
  - 77 Strategic decisions
  - 76 Change Management
- ☐ **8 - Equality, Diversity and Inclusivity**
  - 69 Coordinated approach
  - 68 Legislative requirements
- ☐ **7 - Corporate Capacity, Resources , Recruitment and Retention**
  - 67 Recruitment and retention
  - 66 Corporate capacity
- ☐ **6 - Climate Change**
  - 65 Targets for Climate Change
  - 64 Integration into decision making
  - 63 Responding and adapting to Climate Change
  - 62 Climate Change threat and impact
- ☐ **5 - Treasury Management**
  - 75 Borrowing
  - 74 Return on Investments
- ☐ **4 - Financial Resilience and Supporting Communities**
  - 61 Financial Pressures - Cost of Living Crisis and increased demand on Council Services
  - 58 Restricted borrowing levels
  - 53 Financial Pressures - increased costs
- ☐ **3 - Financial Resilience and Commercial Assets**
  - 51 Commercial investment portfolio
- ☐ **2 - Economy**
  - 50 Cost of doing Business crisis
  - 49 Long Term uncertainty of macroeconomic environment
- ☐ **1b - Housing – Affordable**
  - 78 Housing provision and addressing need

**How risks are scored:**

We assess and score risks, with their current controls and current mitigations in place, for likelihood and impact as shown below:

Score	Impact	Likelihood (over 4 years or timescale deemed appropriate)
1	Trivial	Rare (once)
2	Medium	Unlikely (a few times / less than annual)
3	Major	Likely (several times / more than annual)
4	Catastrophic	Almost certain (many times a year)

Impact can be measured in many ways and will be specific to what you are assessing, but the most common are on objectives, finance, and reputation. We then plot the risk on the risk matrix model shown on the prior page to provide a RAG rating, to determine and prioritise the most significant risks for action. The risk action plan (refer to separate document) sets out how the authority is working towards further addressing and mitigating the risks.

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## **Spelthorne Borough Council Services Committees Forward Plan and Key Decisions**

This Forward Plan sets out the decisions which the Service Committees expect to take over the forthcoming months..

Please direct any enquiries about this Plan to [CommitteeServices@spelthorne.gov.uk](mailto:CommitteeServices@spelthorne.gov.uk).

## Spelthorne Borough Council

### Service Committees Forward Plan and Key Decisions for 1 April 2024 to 01 February 2025

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Corporate Policy and Resources Committee 03 06 2024	Annual Investment Strategy for 2024/25 Assets Investment & Regeneration Portfolio Strategy 2024/25 to 2028/29	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Coralie Holman, Group Head Assets
Corporate Policy and Resources Committee 15 04 2024  Council 25 04 2024	Calendar of Meetings 2024/25 Calendar of Meetings 2024/25	Non-Key Decision	Public	Matthew Williams, Committee Manager  Karen Wyeth, Principal Committee Manager
Corporate Policy and Resources Committee 15 04 2024	Houses of Multiple Occupancy Report	Non-Key Decision	Public	Esme Spinks, Planning Development Manager
Corporate Policy and Resources Committee 15 04 2024	Update to Community Assets Policy	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Corporate Policy and Resources Committee 15 04 2024	Unreasonably persistent, vexatious or abusive Complaints Policy	Non-Key Decision	Public	Gillian Scott, Corporate Governance Support Officer, Farida Hussain, Group Head- Corporate Governance
Corporate Policy and Resources Committee 15 04 2024	Peer Review Follow-Up Report	Non-Key Decision	Public	Daniel Mouawad, Chief Executive

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Corporate Policy and Resources Committee 15 04 2024	Extension of Funding under Round 1 and 2 of the Local Authority Housing Fund	Non-Key Decision	Confidential	Marta Imig, Housing Strategy and Policy Manager
Corporate Policy and Resources Committee 15 04 2024	Local Authority Housing Fund Round 3	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Confidential	Marta Imig, Housing Strategy and Policy Manager
Corporate Policy and Resources Committee 15 04 2024	Biodiversity Net Gain Sites	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	Gina Cook, Climate Change Officer, Anna Fjortoft, Biodiversity Officer
Council 25 04 2024	Increase in Operational Boundary	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 15 04 2024	Woodthorpe Road Play area upgrade	Non-Key Decision	Public	Catherine Munro, Deputy Group Head Neighbourhood Services
Corporate Policy and Resources Committee 15 04 2024	Debt Write Offs	Key Decision		Terry Collier, Deputy Chief Executive, Sandy Muirhead, Group Head - Commissioning and Transformation

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Audit Committee 19 03 2024  Corporate Policy and Resources Committee 15 04 2024	KGE Accounts	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 03 06 2024	Discretionary Rate Relief Policy	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Public	John Rogers, CS Principle NNDR Officer
Corporate Policy and Resources Committee 03 06 2024	2023-24 Revenue carry forward to 2024-25	Non-Key Decision	Confidential	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 03 06 2024  Council 18 07 2024	Waterfront Development Agreement	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Council 18 07 2024	Vehicle Replacement Programme	Non-Key Decision	Public	Jackie Taylor, Group Head - Neighbourhood Services
Corporate Policy and Resources Committee 08 07 2024	Hoarding Protocol	Non-Key Decision	Public	Stephen Mortimer-Cleevely, Strategic Lead, Independent Living

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Corporate Policy and Resources Committee 08 07 2024	Lloyds Bank Contract	Non-Key Decision	Private	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 09 2024	Fees & Charges	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 09 2024	Service Plans	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Corporate Policy and Resources Committee 01 11 2024	Growth Bids, Capital Bids & Savings Plan	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 11 2024	Outline Budget Report	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 01 2025	Government Funding	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 01 2025	Interest Income	Non-Key Decision	Public	Paul Taylor, Chief Accountant

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Corporate Policy and Resources Committee 01 01 2025	Investments, Regeneration & Municipal Portfolios	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 01 2025	Movement on Reserves (Including Sinking Fund)	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 02 2025	Capital Programme	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 02 2025	Detailed Budget TMS	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 02 2025	MTFP	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Corporate Policy and Resources Committee 01 02 2025	Reserves Strategy	Non-Key Decision	Public	Paul Taylor, Chief Accountant



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