



**Spelthorne
Borough Council**

Council Meeting
Thursday, 17 July 2025



9 July 2025

Please reply to:

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To the Councillors of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held at The Council's Offices, Knowle Green, Staines-upon-Thames on **Thursday, 17 July 2025** commencing at **7.00 pm** for the transaction of the following business.

Daniel Mouawad
Chief Executive

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

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

AGENDA

Description	Page nos.
1. Apologies for absence To receive any apologies for non-attendance.	
2. Minutes To confirm as a correct record the minutes of the Council meeting held on 22 May 2025.	7 - 18
3. Disclosures of Interest To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.	
4. Announcements from the Mayor To receive any announcements from the Mayor.	
5. Announcements from the Leader To receive any announcements from the Leader.	
6. Announcements from the Chief Executive To receive any announcements from the Chief Executive.	
7. Questions from members of the public The Leader, or their nominee, to answer any questions raised by members of the public in accordance with Standing Order 13.	
8. Changes to the Allocation of Seats for Committees Following the Ashford Town By-election, Council is asked to approve the revised: 1. Representation of the different political groups on Committees (8a) 2. Members to Committees (8b); and 3. Chairs and Vice-chairs to Committees (8c) a) Allocation of Seats on Committees Pursuant to Section 15 of the Local Government and Housing Act 1989, Council is asked to agree the representation of the different political groups on Committees.	

To follow

b) Appointments of Members to Committees

In accordance with the Council's Constitution, to appoint the members to serve on the Committees

To follow

c) Appointment of Chairs and Vice-Chairs

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

To follow

9. Second Home Council Tax Premium

Council is asked to approve the application of a Council Tax Premium of 100% in respect of second homes with effect from 01 April 2027. 19 - 30

10. Counter Fraud, Bribery and Corruption Strategy

Council is asked to: 31 - 48

1. Acknowledge the annual review of the Council's Counter Fraud, Bribery and Corruption Strategy; and
2. Approve the update of the Council's Constitution with the revised Counter Fraud, Bribery and Corruption Strategy.

11. Recruitment of Independent Member of the Audit Committee

To finalise the recommendation to Council for the appointment of a second Independent Member of the Audit Committee. To Follow

Report to follow.

12. Amendments to the Constitution

Council is asked to approve the proposed changes to the Constitution as set out in the report. 49 - 84

13. Amendments to the Constitution – New Protocol on Members Relations

Council is asked to adopt the protocol on relations between members as part of the Council's Constitution. 85 - 96

14. Reports from the Committee Chairs

To receive and agree the reports from the Committee Chairs. 97 - 112

Report of the Audit Committee on 10 July 2025 will follow.

15. Motions

To receive any motions from Councillors in accordance with Standing Order 16. 113 - 114

One motion was received for this Council meeting (as attached).

16. General questions

The Leader, or their nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 14.

MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

**Minutes of the Annual Council Meeting of Spelthorne Borough Council
held in the Council Chamber, Council Offices, Knowle Green, Staines-
upon-Thames on Thursday, 22 May 2025 at 7.00 pm**

Present:

Councillors:

J.T.F. Doran	J. Button	S.C. Mooney
M. Arnold	J.P. Caplin	L. E. Nichols
M.M. Attewell	D.C. Clarke	K.E. Rutherford
C. Bateson	S.M. Doran	D. Saliagopoulos
S.N. Beatty	S.A. Dunn	J.R. Sexton
M. Beecher	R.V. Geach	J.A. Turner
S. Bhadye	K.M. Grant	B. Weerasinghe
M. Bing Dong	K. Howkins	H.R.D. Williams
H.S. Boparai	N. Islam	P.N. Woodward
T. Burrell	M.J. Lee	
J.R. Boughtflower	A. Mathur	

Apologies: Councillors L.H. Brennan, R. Chandler, D.L. Geraci, A. Gale, M. Gibson and S. Gyawali

Councillor M. Buck, The Mayor, in the Chair

46/25 Election of Mayor

The retiring Mayor, Councillor M Buck welcomed all members and guests to the Annual Meeting of the Council.

The Mayor gave a thank you speech as follows:

“Fellow councillors, officers, distinguished guest and above all the incredible people of Spelthorne.

Today, I stand before you for the final time as your Mayor. I do so, not only with farewell in my heart, but with humbleness, deep gratitude and with immense pride on what we have built and achieved together.

When I began this incredible journey as your Mayor, I remembered when I first wore the chain of office, I knew I was not just accepting a role in the Council, I was embracing a very important responsibility. On that day I made a solemn promise to serve with compassion, with integrity and with a deep commitment to every resident whilst focussing on the community and our beautiful borough. Today, as I conclude this chapter, I say with all humility that I kept my promises. I have not just performed my duties, but I safeguarded the values of this Borough with the highest regard. I honoured our traditions, I upheld our civic pride and I presided with utmost fairness, with dignity and respect.

For me, being Mayor is not about status or ceremony, it's not about my personal enjoyment or taking any financial advantage. It's about service to the community. All my community engagements were visible. My words were sincere. But most importantly my intentions were pure. I remained a-political throughout. I served not for recognition or applause, but with devotion to our people. It was a profound opportunity for me to give back to the community that embraced me with open arms and trusted me with their heart.

My mayoral year has been more than a year of public service. It has been a year of purpose. A year where I stood not above the people, but with the people. I walked through every corner of Spelthorne, I shook hands not only with dignitaries, but with those who were deprived and often forgotten. I listened to the dreams, the concerns and learnt from the wisdom of our residents. From school children, our youth to our eldest citizen, some even over 103 years young, I saw in every face the beating heart of Spelthorne. Everyone holds a story, and every person deserves to be seen.

Together with the residents of Spelthorne, we celebrate our successes and achievements. This year we celebrated Spelthorne's 50th Anniversary, making half a century of unitary, resilience and community service. We honoured our past, we embraced our present but we dare to imagine our future.

My mayoral year was filled with events, activities and celebrations which I have been updating you on throughout the year and thank you for your participation. However, I would like to mention a few highlights where we revived a forgotten tradition which was once an historical and civic pride linking the city of London to Staines which was the commemoration of the London Stone which is standing at the memorial garden in Staines by the side of the river. I had the privilege of welcoming the Lord Mayor of London and his delegation, coming by the river in their wonderful fleet of flotillas rekindling an ancient bond that reminded us that Spelthorne has a rich history which we are very proud of.

Building community spirit was one of my focuses. We raised funds to support causes close to my heart, supporting not only my nominated charities but another fifteen charities, especially the quiet one, the small ones, the unsung heroes working in silence, and transforming lives of people every day. They

reminded me that true service is not in the spotlight, but in the shadows where compassion meets action.

I also recognised nearly 20 dedicated individuals with the Spelthorne Civic Awards for their outstanding contribution to voluntary service and we also celebrated two other amazing groups recognised by the King with the Kings Aware for voluntary services. During my mayoral year, our unsung heroes were acknowledged with respect and dignity for going above and beyond serving the community as volunteers because we know they do it without any expectation, they do it just out of passion for their community.

The businesses in the Borough have been the lifeblood of our high streets and the future of our economy. I had the honour of meeting many of you, opening a dozen of new businesses, celebrating excellence through our Business Awards, and planting the seeds of tomorrow's entrepreneurs through our business plan competition. Your residence is an inspiration and I am eager to do more to champion our business community.

I also took great pride in reviving a relationship that was at risk of fading, the cherished friendships with our twinning towns. Over the years and after Brexit those bonds weakened but I put a lot of time and efforts to reignite that friendship with new energy and purpose. Last month we held a civic ceremony to celebrate 35 years of twinning with Melun and 15 years with Grand Port.

Today, we have moved beyond the symbolic friendship to a meaningful cooperation. We have been talking about business partnerships, cultural exchange, educational and sporting opportunities and more. Our twinning with our French and Mauritian partners is now stronger than ever and more exciting too. Tomorrow morning the Mayor who is to be elected tonight will be going to Melun for a weekend of friendships and celebrations with the French and their wider European twinning family. This is what we call unity and friendship reborn and I am proud of reviving this connection.

This year there were many events bringing people together in the Borough. We raised awareness on several health and environmental issues, we celebrated VE day, Staines-upon-Thames Day, Festival of Light and many more; we accomplished a lot for the community.

I will not measure my achievements by numbers or how much money we have raised. I will measure it by something deeper, how many hearts I touched, how many lives I uplifted, how many moments we created that reminded people they are not forgotten, that their life matters and that they are loved.

I leave this role knowing one eternal truth, nothing lasts forever. Yesterday, another Mayor sat in this chair, tomorrow another will take the chain. Every journey has a beginning and a destination. My journey as your mayor was never about where it will end. It was about service and the legacy we leave behind. Today I leave knowing that I served tirelessly, not for recognition but

because it felt it was the right thing to do. This was not just a year of service, it was my mission, my sacred duty. I am honoured beyond words to have fulfilled this.

And whilst my time as mayor concludes, my mission continues. I will not step away, I will step forward. I will continue to listen, to advocate, to fight for what is just and I will continue to stand with the people of Spelthorne in unity, with respect and in hope.

To the people of Spelthorne, you are the soul of this Borough. Thank you for opening up your homes, your shops, your offices, your events and your hearts to me.

To all my fellow councillors and leaders of all political or independent groups, Councillors Sexton, Button, Boughtflower, Beecher and Nichols and to Councillor Bateson I want to thank you for your collaboration and support, I hope we had a great time together.

To our hard working officers, Daniel and his team, Lee, Terry and in particular to the Council's Monitoring Officer, Linda Heron, Karen and her team and all officers and staff of the Council, I thank you for your unwavering support during my mayoral year.

To everyone who has walked this journey with me, my charity committee, my PA, council colleagues, deputy mayor, past mayors, volunteers, residents, community champions and all the distinguished guests in the gallery, thank you for supporting me throughout my mayoral year.

Finally, to my wife, Madhuri, thank you for being by my side throughout this journey and for supporting me every step of the way.

To conclude, during my mayoral year, I worked with humility to promote the greater good of our community whilst staying true to the principles of righteousness and service.

- I have not just marked time – I have made a difference
- I have not just celebrated – I have built something lasting
- And I have not just served – I have fulfilled a successful mission

May the spirit of unity, compassion and hope continue to guide Spelthorne's future.

Thank you for giving me the opportunity to serve you.

May God bless you all and may God bless Spelthorne".

It was moved by Councillor Button and seconded by Councillor Beecher that Councillor J Doran be appointed Mayor for the Municipal Year 2025-26

It was moved by Councillor Clarke and seconded by Councillor Boughtflower that Councillor Woodward be appointed Mayor for the Municipal Year 2025-26

In favour of Councillor J Doran - 19 votes

In favour of Councillor Woodward - 14 votes

Council **resolved** that Councillor J Doran be appointed Mayor for the Municipal Year 2025-26.

A short adjournment took place to hand over the robes and Badge of Office to the new Mayor.

Councillor J Doran made the Declaration of Acceptance of Office as Mayor of the Borough of Spelthorne and took the Chair. He presented Councillor Buck with his past Mayor's Badge.

(Councillor J Doran, The Mayor, in the Chair)

The Mayor invited the retiring Mayor's Consort, Mrs M Buck, to present his Consort with the Mayor's Consort Badge. The Mayor then invited his Consort, Mrs S Doran, to present Mrs M Buck with the past Mayor's Consort Badge.

47/25 Minutes

The minutes of the Council meeting held on 25 April 2025 and the Extraordinary Council meeting held on 06 May 2025 were agreed as a correct record.

48/25 Disclosures of Interest

Councillors Attewell, Boparai, Mooney, Sexton and Weerasinghe advised they were also Surrey County Councillors.

49/25 Election of Deputy Mayor

It was moved by Councillor Nichols and seconded by Councillor S Doran that Councillor Dunn be appointed Deputy Mayor for the Municipal Year 2025-26.

Council **resolved** that Councillor Dunn be appointed as Deputy Mayor for the Municipal Year 2025-26.

Councillor Dunn made the Declaration of Acceptance of Office as Deputy Mayor of the Borough of Spelthorne and announced that her husband, Mr Richard Dunn, would be the Deputy Mayor's Consort. The Mayor presented Councillor Dunn with the Deputy Mayor's Badge.

The Mayor's Consort presented the Deputy Mayor's Consort Badge to the Deputy Mayor's Consort.

50/25 Announcements from the Mayor

The Mayor made the following announcements:

Evening all

I would like to say thank you for electing me as Mayor – I feel honoured with your trust in me.

I shall endeavour to uphold the best traditions for Spelthorne, working hand in hand with the Deputy Mayor Cllr, Sandra Dunn and with these unsettled times around Local Government Reorganisation I expect this to be a busy year for us all.

On a separate note, I would like to mention my four charities for my mayoral year:

1. Surrey care Trust - Based at the Lord Knyvett Hall and the Stanwell Community Allotment, the Stanwell Community Group is a powerhouse community programme led by Surrey Care Trust volunteers.

together, they support the Stanwell community to:

- Encourage pride in the neighbourhood
- Represent the diverse community
- Support residents to get involved through events, regular activities, and celebrations
- Encourage good physical and mental health and wellbeing
- Reduce social isolation and increase social connections

Over the past year, over 1,500 adults, children, and families took part in activities ranging from a Lantern Parade, celebrating Diwali, Family Fundays and of course, activities delivered from the award-winning Stanwell Community Allotments.

2. 1st Stanwell Air Scout Group

They provide Scouting to boys and girls aged 6 to 14 in Stanwell, Surrey, in the Beaver, Cub and Scout sections.

Scouting offers challenge and adventure to 400,000 young people aged 6-25 across the UK. They believe in helping their members fulfil their potential by working in teams, learning by doing and thinking for themselves. They are working to make Scouting available to all and are passionate about what they do.

The sort of adventure Scouting offers is the chance to experience something different and the opportunity to challenge yourself. When a Beaver Scout wakes up the morning after a sleepover, or a Cub Scout has just got over her fear of heights by completing her first abseil – that's adventure.

3. Families Thriving Together

They offer free accessible and inclusive parenting support for everyone, breaking down barriers and reducing stigma. At Families Thriving Together, they encourage communities to come together with the common issue of parenting, normalise parenting support and reduce the stigmas attached to attending parenting programmes.

4. Spelthorne Museum

Spelthorne Museum has a range of exhibits and displays, using many finds from local archaeological excavations, to tell the story of Spelthorne from the last Ice Age to modern times:

- the London Stone, a 1738 Fire Engine, a Victorian kitchen
- special exhibitions that change during the year
- local interest features as the 'Window on Spelthorne'

The museum is entirely set up and run by volunteers and has an interesting history itself.

Last but not least, I would like to mention a few events for my mayoral year.

1. Afternoon Tea - I will look at doing this twice, as it's a good fundraiser for charity.
2. Kempton races is always a winner with the councillors and again a good fundraiser.
3. Quiz night at the Magpie.
4. Summer evening garden party.
5. The Mayors Ball – the biggest fundraiser for the year.

Please support me in my mayoral year and let's raise as much as we can for these four worthy local charities.

Thank You”.

51/25 Election of Leader of the Council

It was moved by Councillor Bateson and seconded by Councillor Williams that Councillor Sexton be appointed Leader of the Council for the Municipal Year 2025-26.

Councillor Boughtflower requested a record vote.

For	Councillors J Doran, Dunn, Arnold, Bateson, Beatty, Beecher, Boparai, Buck, Burrell, Button, Caplin, S Doran, Geach, Grant, Nichols, Rutherford, Sexton, Turner, Williams – 19 Votes
Against	0
Abstain	Councillors Attewell, Bhadye, Bing Dong, Boughtflower, Clarke, Howkins, Islam, Lee, Mathur, Mooney, Saliagopoulos, Weerasinghe, Woodward – 13 Votes

Council **resolved** that Councillor Sexton be appointed as Leader of Spelthorne Borough Council for the Municipal Year 2025-26.

52/25 Announcements from the Leader

The Leader made the following announcements:

“On 9 May, Surrey’s district and borough councils, including Spelthorne, submitted proposals to government on the future of local government. Nine of us back three unitary authorities. Others, including the county council, prefer two. We firmly believe local councils should stay local. Bigger, centralised structures risk losing touch with the people they serve. Now, we await the government’s decision this autumn.

Earlier this month, Commissioners were appointed following the 2024 best value inspection. I welcome them and am determined to restore Spelthorne’s financial health. We’ll work together to deliver real, lasting improvements.

We have approved our new Housing, Homelessness and Rough Sleeping Strategy - a five-year plan to make sure every resident has a safe, affordable place to call home and early support if they are at risk of losing it.

On top of that, our new Leisure and Culture Strategy is in place. While leisure is often seen as optional, we know it’s essential for health, happiness, and a connected community.

We have also introduced a new Public Space Protection Order to tackle antisocial behaviour including misuse of bikes, e-scooters, catapults and face coverings. It's not a silver bullet, but it's one more way we're keeping Spelthorne safe. Signs will go up around the borough from 4th June.

And finally, Spelthorne in Bloom is now open! If you're proud of your garden or allotment, get your entry in by 20 June. It's a brilliant celebration of community spirit".

53/25 Election of Deputy Leader

It was moved by Councillor Nichols and seconded by Councillor Beecher that Councillor Bateson be appointed Deputy Leader of the Council for the Municipal Year 2025-26

Council **resolved** that Councillor Bateson be appointed Deputy Leader of the Council for the Municipal Year 2025-26.

The meeting adjourned at 20.20
The meeting reconvened at 20.34

54/25 Announcements from the Chief Executive

The Mayor invited the Chief Executive to speak to the Chamber.

The Chief Executive made the following announcements:

"Thank you, Mister Mayor. May I take this opportunity to extend a heartiest congratulations to yourself and Madame Deputy Mayor on your respective elections. May I also take this opportunity to join the Leader in extending a very warm welcome to Ministry colleagues and to Commissioners to Spelthorne. We look forward to working in close collaboration with them through the journey of Local Government Reorganisation, and in achieving Best Value. Thank you."

55/25 Establishment of Committees and Sub-Committee 2025/26

56/25 Allocation of Seats on Committees and Sub-Committees

Council **resolved** to agree the allocations of seats to each political party as outline in the Supplementary Agenda and to increase the number of seats on the following Committees by one to ensure that each group received its full allocation of seats:

Corporate Policy and Resources Committee

Commercial Assets Sub-Committee.

57/25 Appointment of members to Committees and Sub-Committees

Council **resolved** to agree the appointments of members to the Committees as outlined in the Supplementary Agenda.

58/25 Appointment of Chairs and Vice Chairs to Committees

Council **resolved** to agree the appointment of Chairs and Vice-chairs to the Committees as outlined in the Supplementary Agenda.

59/25 Appointment of Named Substitutes to Committees

Council **resolved** to agree the nominations for Substitutes for Committees as outlined in the Supplementary Agenda.

60/25 Nomination to Outside Bodies

South West Middlesex Crematorium Board

It was proposed by Councillor Nichols and seconded by Councillor Bateson that Councillor Dunn serve as the Council's representative on the South West Middlesex Crematorium Board.

Council **resolved** that Councillor Dunn serve as the Council's representative on the South West Middlesex Crematorium Board.

No nominations were received for the appointment of a deputy to the Council's representative on the South West Middlesex Crematorium Board for 2025/26.

Surrey Police and Crime Panel

It was proposed by Councillor Button and seconded by Councillor Beatty that Councillor Burrell serve as the Council's representative on the Surrey Police and Crime Panel.

It was proposed by Councillor Boughtflower and seconded by Councillor Lee that Councillor Clarke serve as the Council's representative on the Surrey Police and Crime Panel.

Councillor Burrell – 17
Councillor Clarke – 13

Council **resolved** that Councillor Burrell serve as the Council's representative on the Surrey Police and Crime Panel.

61/25 Nomination to Outside Bodies - Surrey Leaders' Group

It was proposed by Councillor Sexton and seconded by Councillor Bateson and **resolved** that Councillor Buck's nomination to sit on the Adult and Health Select Committee be submitted to the Surrey Leaders' Group.

Councillor Saliagopoulos asked that it be put on the minutes that she did not agree with this resolution.

The meeting ended at 20.55

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Council Meeting – 17 July 2025

Second Home Premium

This item was considered at a meeting of the Corporate Policy and Resources Committee on 12 May 2025.

The Committee **resolved** to:

1. Approve the proposal for a premium on second homes Council Tax as outlined in Appendix A of the report; and
2. Recommend to Council to agree the application for a Council tax Premium of 100% in respect of second homes with effect from 01 April 2027.

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Corporate Policy and Resources Committee

Date of meeting 12 May 2025

Title	Second Home Council Tax Premium
Purpose of the report	To make a decision
Report Author	Sandy Muirhead Group Head Commissioning and Transformation
Ward(s) Affected	All
Exempt	No
Exemption Reason	N/A
Corporate Priority	Resilience Services
Recommendations	Committee is asked to: <ol style="list-style-type: none"> 1. Approve the proposal for a premium on second homes council tax as in appendix A; and 2. Recommend to Council to agree the application of a council tax premium of 100% in respect of second homes with effect from 1 April 2027
Reason for Recommendation	The Government granted Councils additional powers to levy a 100% council tax premium on second homes and the Council is looking to implement this levy on second homes in the Borough.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> In 2013 the Government gave all Councils the powers to charge additional council tax on long term empty properties after 2 years. Additional premiums were levied on empty properties with effect from April 2022. However, with effect from 1 April 2025 the Government has provided 	<ul style="list-style-type: none"> To ensure we maximise recovery from second homes s which could be left empty for much of the year rather than providing residential stock.

additional powers to councils to charge a premium of 100% additional council tax on second homes.	
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> With the additional powers granted Spelthorne Borough Council is proposing to levy a 100% premium on second homes with effect from 1 April 2027. 	<ul style="list-style-type: none"> To implement the revised approach to allowing charging a 100% premium on second homes.

- 1.1 This report seeks agreement to introduce a levy of 100% premium on second homes with effect from 1 April 2027 in line with Government legislation. This means second homes effectively pay double council tax.

2. Key issues

- 2.1 Since 2013 councils in England have had the power to charge additional council tax on long-term empty homes. For the purpose of council tax, long-term empty homes are dwellings which have been unoccupied and substantially unfurnished for a period. Spelthorne Council adopted the policy whereupon additional premiums were levied on empty properties with effect from April 2022.
- 2.2 In April 2024, the empty homes council tax premium was strengthened so that councils can charge the premium on homes that have been empty for 1 or more years (rather than the previous 2 years). How much is paid depends on how long the property has been empty.
- 2.3 The charging is based on premiums as provided in 2.4 as these unfurnished properties and therefore are not deemed as second homes. If a property has been empty and unfurnished for two years or more taxpayers are required to pay an empty home premium as noted in 2.4 on top of the full Council tax charge for the property.
- 2.4 From 1 April 2022 the following changes to the Council tax premium took effect on empty properties:-
- Properties empty between 2 and 5 years 2x Council tax (200%) will become payable
 - Properties empty between 5 and 10 years 3x Council tax (300%) will become payable
 - Properties empty over 10 years can be charged for up to 4 times the normal Council tax bill. I.e 400%.
- 2.5 Residents usually have to pay Council tax on another property owned or rented such as a holiday home and if it is not someone's main residence. These properties are furnished and do not have anyone living in them as their main home. Hence, they are known as **second homes**. The Council can decide whether a property is a second home. Due to the introduction of new rules from April 2025, councils will be able to use new powers to charge a premium of up to 100% additional council tax on second homes in their area, or parts of their area.

- 2.6 With the additional powers granted Spelthorne Council, in line with many other authorities, is looking to levy a 100% premium on second homes with effect from 1 April 2027. This will ensure we meet legislative requirements in terms of notice periods and allow us to take on board experience in other areas including in Surrey where implementation of the premium has generated a number of complaints.
- 2.7 However, research has been undertaken on other authorities and the approach suggested to levy a 100% premium on second homes seems to be standard despite it seems objections. Currently we have 76 properties in the Borough that would be affected. In comparison to tourist areas this is a relatively small proportion of our taxbase (0.2%).
- 2.8 More detail on the proposal is provided in Appendix A including exemptions.

3. Options analysis and proposal

- 3.1 **Option 1** (Recommended) To agree to levy a 100% premium on second homes in the Borough.
- 3.2 **Option 2** Not to introduce the levy and therefore not maximise Council tax on empty properties is detrimental to Council finances.

4. Financial management comments

- 4.1 No direct financial implications but could provide the Council and the precepting bodies (Surrey County Council and Surrey Police and Crime Commissioner) with extra funds from the 100% premium on second homes. This would be an extra £200k in income based on the current 76 properties of which Spelthorne would receive 9.5% i.e. £19k.

5. Risk management comments

- 5.1 Not to implement could mean a lower income to the Council than potentially could be the case.
- 5.2 As a new policy (though will be examples from councils that have implemented the second home premium earlier) there is a risk of challenges from residents. Test cases available will provide experience and learning which the Authority can take on board to mitigate this risk.
- 5.3 The proposal may result in council tax avoidance (e.g. transfer to a third party) as well as potential arrears and the associated debt recovery.
- 5.4 There is a potential risk of drop in council tax income if second homes are moved into the Business Rate system.

6. Procurement comments

- 6.1 There are none.

7. Legal comments

- 7.1 Section 80 of the Levelling Up and Regeneration Act 2023 permits local authorities to levy a 100% premium on second homes (i.e. a substantially furnished property where there is no resident). The decision to impose such premium must be made at least one year before the beginning of the financial year to which it relates, i.e. this increase will not take effect until 1 April 2027 at the earliest.

- 7.2 The Council is required by the legislation to give regard to the guidance issued by the Secretary of State when deciding whether to implement the council tax premium and take account of any exceptions. Please refer to background papers.
- 7.3 If the recommendation is accepted, the Council's decision should be published in at least one local newspaper within 21 days of the date of the decision.
- 8. Other considerations**
- 8.1 None
- 9. Equality and Diversity**
- 9.1 Any consideration around second homes takes account of any equality and diversity issues.
- 10. Sustainability/Climate Change Implications**
- 10.1 There are none directly from the policy.
- 11. Timetable for implementation**
- 11.1 Implementation will be in April 2027.
- 12. Contact**
- 12.1 Sandy Muirhead Group Head Commissioning and Transformation
- 12.2 John Rogers Principal NNDR Officer

Please submit any material questions to the Committee Chair and Officer Contact by two days in advance of the meeting.

Background papers:

[Guidance on the implementation of the council tax premiums on long-term empty homes and second homes - GOV.UK](#)

Appendices:

Appendix A, Second Homes Premium

Appendix A

Spelthorne Borough Council Tax Second Home Premium section 11B(1D) and 11C (4) of the Local Government Finance Act 1992

Date Effective: 1 April 2027

Council Tax

Review Date: January 2030

Version 1

Purpose/Introduction:

Since 2013 the Government gave all councils the powers to charge additional council tax on long term empty properties after 2 years in accordance with section 11B (1D) and 11C (4) of the Local Government Finance Act 1992. The intention was to encourage owners to bring the properties back into the housing market for occupation to combat housing shortages nationwide whilst obtaining further council tax payments to fund local services.

Therefore, Spelthorne Council adopted the following policy whereupon additional premiums were levied on empty properties with effect from 1 April 2022:

If a property has been empty and unfurnished for two years or more, taxpayers are required to pay an empty home premium on top of the full Council Tax charge for your property.

From 1st April 2022 the following changes to the Council Tax premium took effect.

- Properties empty between 2 and 5 years 200% Council Tax will become payable
- Properties empty between 5 and 10 years 300% Council Tax will become payable
- Properties empty over 10 years 400% Council Tax will become payable

However, properties occupied periodically (commonly referred to as “second homes”) and defined as properties which were substantially furnished and had no resident (1.e. not a person’s sole or main residence) were exempted from these premiums.

Now with effect from 1 April 2025, the Government has provided additional powers to councils to charge a premium of 100% additional council tax on second homes.

Second Home Premium Government Guidance

With the additional powers granted, Spelthorne Council, in line with the majority of other authorities, intend to levy a 100% premium on second homes with effect from 1 April 2027.

Where individuals own multiple homes, but the homes are let out or occupied by someone as their main home, it will not be considered as a “second home” for the purposes of the premiums and as such will not be liable for the premium.

The council tax system provides a number of specific exemptions from council tax. The exempt classes are set out in the Council Tax (Exempt Dwellings) Order 1992.

A dwelling that is exempt from council tax is not liable for a premium. Where a dwelling is no longer eligible for an exemption but remains no one's sole or main residence, it may become liable for a premium. In the case of an empty home, it may become liable for a premium after it has been empty for a continuous period of 1 year.

This time frame begins when the dwelling first becomes empty rather than when an exemption ends. A second home may become liable for the premium as soon as the exemption ends.

Exceptions that apply to all premiums

There will be exceptions to the premiums and therefore from 1 April 2027 the following statutory exceptions where a premium will not apply will be:

Class E – Armed Forces Accommodation

Definition: Property would be the main home of someone who lives elsewhere in accommodation provided by the Secretary of State for Defence for the purposes of armed forces accommodation, and which for that individual is job related.

Prohibition: The exception will apply as long as the definition is met.

Class F – Annexes used as part of the main home

Definition: Property that forms part of a single property that includes another property that is being used by a resident of the other property as part of their main residence. (e.g. annexes used as part of main home)

Prohibition: The exception will apply as long as the definition is met.

Class G* - Actively marketed for sale

Definition: Property that is being marketed for sale of a freehold, or leasehold for a term of seven years or more, at a price that is reasonable for the sale of that property, or where an offer to purchase has been accepted but has not yet been completed.

Prohibition: The exception will apply for up to 1 year from the date it meets the definition and will end either when the 1 year period has ended, when the dwelling has been sold or when the dwelling is no longer actively marketed for sale. A further period under class G cannot apply unless the property has been sold to a different owner. See 'Discretionary exceptions' for details where the 1 year may be extended.

Class H*- Actively marketed for let

Definition: Property that is being marketed for let under a tenancy on terms and conditions, including the proposed rent that is reasonable for the letting of that property, or where an offer to rent has been accepted but the tenancy has not started.

Prohibition: The exception will apply for up to 1 year from the date it meets the definition and will end either when the 1 year period has ended, when the dwelling has been let or when the dwelling is no longer actively marketed for let. A further period under class H cannot apply unless the property has been let for a continuous period of at least 6 months since the exception last applied. See 'Discretionary exceptions' for details where the 1 year may be extended.

* Actively marketed for sale or let (Class G and Class H)

There are a number of factors the council will take into consideration when assessing whether a dwelling is being actively marketed for sale or let. These may include:

- whether the dwelling is clearly advertised for sale or let
- whether the dwelling is being marketed at a fair market value
- whether there are any artificial barriers on the dwelling preventing sale/let
- whether the dwelling has an Energy Performance Certificate (EPC)
- whether the owner is taking any other reasonable steps to market the dwelling for sale or let

Class I – Following Probate

Definition: Property that is or was previously under exempt class 'F' (following death).

Prohibition: The exception will apply for up to 1 year from the date probate is granted or letters of administration are issued, running concurrently with any class 'F' exemption. A further period under class I cannot apply unless the property has been subject to a further exempt class 'F' period. The exception ceases to apply if the property is transferred to the beneficiaries or is sold or let. See 'Discretionary exceptions' for details where the 1 year may be extended.

Exceptions that apply only to long term empty premises (substantially unfurnished)

Class M – Undergoing major repairs

Definition: Property that requires or is undergoing major repairs or undergoing structural alteration to render it habitable.

Prohibition: The exception will apply for up to 1 year from the date it meets the definition. Where major repairs are completed in less than 12 months, the

exception will still apply to the dwelling for up to 6 months or until the end of the 12 months, whichever is sooner. The exception cannot apply again unless the property has been sold. If the dwelling is substantially furnished and becomes a second home without a resident, then this exception will end. Exceptions that apply only to second home premiums (substantially furnished and no resident)

Class J – Job related homes

Definition: Property is unoccupied as the qualifying person is required to live elsewhere in England, Scotland or Wales in job related accommodation provided by a person's employer for the purposes of performing their work. It must be necessary for the duties of employment to live in that specific property (for example, headteachers for boarding schools who are required to live in school accommodation). Needing to be located nearer to a place of work would not be eligible. Your main or second home is provided by your employer and you need to live there for your job.

Prohibition: The exception will apply as long as the definition is met.

Class K – Caravan pitches and boat moorings

Definition: Property that consists of a pitch occupied by a caravan, or a mooring occupied by a boat.

Prohibition: The exception will apply as long as the definition is met.

Class L – Seasonal Homes

Definition: Property where occupation is restricted by a planning condition that:

- a) Prevents occupancy for a continuous period of at least 28 days in any one year; or
- b) specifies that the dwelling may be used for holiday accommodation only; or
- c) prevents occupancy as a person's sole or main residence.

Prohibition: The exception will apply as long as the definition is met.

Discretionary Exceptions:

Extension to time limited exceptions (Class G, H & I)

For the time limited statutory exceptions (Class, G, H & I) the Council may extend the exception period where it is clear from the specific circumstances that the taxpayer has genuinely been trying to bring the property back in to use as a sole/main residence throughout the whole exception period. In deciding the Council will consider:

- A local professional agent with specialist knowledge of the locality must have been engaged throughout the original exception period.
- Whether any accepted offer of sale(s) has fallen through during the exception period. If yes, what was the reason the sale(s) did not complete?
- Have any rejected offers to purchase or rent the property been received? If Yes - why were those offers refused?.
- Was the original and current sale price or rental in line with sale or rental prices for similar properties in the locality? Has action been taken to reduce the price/rental ?

- Is the property restricted for sale/let only to certain demographics (for example, retirement properties above a certain age)
- Has the property been put up for sale by public auction?
- Has there been a genuine expression of interest in transferring management of a property to the Council with a view to letting the property to local people with housing needs?

For those owners who are experiencing particular legal or technical issues which is preventing the sale or letting of the property

- Is there a legal difficulty or issue which is preventing the sale or letting of the property? A Solicitor's or Legal Conveyancer's letter should be produced in evidence detailing the reasons preventing sale or letting.
- Is a sale or letting being delayed by the actions of a Public Body? Full details must be provided.

Any extension will be time limited based on the specific circumstances and will be for a maximum of up to twelve months. Only one extension will be considered.

Extensions will not generally apply where major repairs or undergoing structural alteration overrun or take longer than twelve months.

Awaiting a planning decision or appeal will not be considered as reason to grant an extension.

Other Exceptions

An exception may also be applied at the discretion of the council in other circumstances where the taxpayer has made their best endeavours to bring the property back in to use as a sole/main residence and/or the reason it is unoccupied is exceptional and beyond their control. The award of an exception under this criterion is likely to be the exception rather than the rule. Awaiting a planning decision or appeal will not be considered as reason to grant an exception.

Change in Circumstances

The Council may need to revise the decision to grant an exception to the Premium if it becomes aware that the circumstances of an applicant have materially changed. Individuals must immediately advise the Council of any change in circumstances affecting the decision within 21 days of the change. Failure to do so may result in the exception being revoked in full.

Appeals

If an individual believes they have been inappropriately charged a premium on their dwelling, they should contact us.

If the individuals are not satisfied with our response, they may be able to appeal to the Valuation Tribunal.

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Agenda Item- Counter Fraud, Bribery and Corruption Strategy

Recommendation from the Audit Committee- 08 May 2025

Committee **resolved** to recommend to the Council that the Constitution be updated with the revised Counter Fraud, Bribery and Corruption Strategy.

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Audit Committee

8 May 2025



Title	Counter Fraud, Bribery and Corruption Strategy
Purpose of the report	To make a decision and a recommendation to the Council
Report Author	Linda Heron, Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not Applicable
Corporate Priority	All priorities
Recommendations	<p>Audit Committee is asked to:</p> <ol style="list-style-type: none"> 1. Acknowledge the annual review of the Council's Counter Fraud, Bribery and Corruption Strategy; 2. Approve the proposed amendments to the Council's Counter Fraud, Bribery and Corruption Strategy; and 3. Recommend to the Council that the Constitution be updated with the revised Counter Fraud, Bribery and Corruption Strategy.
Reason for Recommendation	To support the Council's commitment to reducing fraud by providing effective counter fraud arrangements.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> The Council's Counter Fraud, Bribery and Corruption Strategy sets out the Council's commitment to dealing effectively with fraud, bribery, and corruption. 	<ul style="list-style-type: none"> To ensure that the Council's fraud management response is in line with good practice.
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> To review the strategy annually and consider any necessary updates and areas of focus. 	<ul style="list-style-type: none"> The Audit Committee is required to review the Council's Counter Fraud, Bribery and Corruption Strategy and make any recommendations for change to the Council.
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- 1.1 This report provides the Committee with the updated Counter Fraud, Bribery and Corruption Strategy for consideration.
- 1.2 The strategy was previously reviewed by the Internal Audit Manager and reported to Audit Committee in March 2024. Shortly after that the internal audit function at the Council was outsourced to the Southern Internal Audit Partnership and the post-holder left the Council. As a result, the proposed (minor) revisions have not been presented to the Council for approval and the Constitution has not been updated.

2. Key issues

- 2.1 The Audit Committee is required to review the Council's Counter Fraud, Bribery and Corruption Strategy annually and make any recommendations for change to the Council as the strategy forms part of the Council's Constitution.
- 2.2 The strategy is in line with best practice and continues to underpin the Council's commitment to dealing effectively with all forms of fraud, bribery, and corruption, demonstrating the important role it plays in the overall corporate governance framework.
- 2.3 As part of this review, senior managers (the Management Team, the Group Heads and service managers) have had an opportunity to feed back any comments on the current strategy document (version approved by Full Council in May 2023).
- 2.4 The proposed changes reflect current developments. For ease, the proposed amendments are shown in track change (Appendix 1). Clean copy of the revised strategy accompanies this report at Appendix 2.
- 2.5 Best practice principles as set out in the Chartered Institute of Public Finance and Accountancy (CIPFA) 'Managing the risk of fraud and corruption', and 'Fighting Fraud and Corruption Locally – a strategy for the 2020s' have been considered as part of the strategy review, and current activity is deemed as proportionate relative to the perceived risk and size of the authority.

3. Options analysis and proposal

- 3.1 To consider the current position and accept the amendments proposed to the Counter Fraud, Bribery and Corruption Strategy (Recommended option).
- 3.2 To make further amendments to the Counter Fraud, Bribery and Corruption Strategy.
- 3.3 To make no changes to the strategy, thereby not reflecting the current position.

4. Financial management comments

- 4.1 Whilst there are no financial implications arising directly from this report, resources are required to implement and carry out any necessary preventative/detection/investigatory work which places constraints on the existing budgets.
- 5. Risk management comments**
- 5.1 Associated risks and consequences of fraud, bribery and corruption include financial losses (potentially high value), reputational damage to the authority, corporate liability offence associated with bribery, harm to staff or the local community, and reduced public services for the borough's residents.
- 6. Procurement comments**
- 6.1 None arising directly from this report.
- 7. Legal comments**
- 7.1 Legal implications contained in the body of this report.
- 8. Other considerations**
- 8.1 Reigate and Banstead Borough Council delivered Counter Fraud Services to the Council from 2022, which contract has expired on 31 March 2025. Renewal contract is under discussion.
- 9. Equality and Diversity**
- 9.1 Fraud, bribery and corruption risks should be considered in all areas of operation as fraudulent activity can result in Council services being diverted away from communities who need them.
- 10. Sustainability/Climate Change Implications**
- 10.1 There are none arising directly from this report.
- 11. Timetable for implementation**
- 11.1 There is no specific timetable as implementation of the strategy remains ongoing with annual review and reporting.
- 12. Contact**
- 12.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer
l.heron@spelthorne.gov.uk

Background papers:

CIPFA Managing the risk of fraud and corruption

CIPFA Fighting Fraud and Corruption Locally – a strategy for the 2020s

Appendices:

Appendix 1

Track change version of Counter Fraud, Bribery and Corruption Strategy (reviewed April 2025)

Appendix 2

APPENDIX 1 2

COUNTER FRAUD, BRIBERY AND CORRUPTION STRATEGY

Introduction

1. This Strategy is applicable to Members and staff. The Borough of Spelthorne is committed to providing a high standard of service and accountability. An important aspect of this is a strategy which protects against fraud, bribery and corruption within the Council itself and from external sources.

In this context

Fraud means - the illicit gaining of cash or other benefit by deception;

Corruption means - the dishonest influencing of actions and decisions.

Bribery means – the offering, giving or soliciting of an inducement or reward which may influence a person to perform a function or activity improperly.

2. The Council recognises that it is already subject to a high degree of external scrutiny of its affairs by a variety of parties. This includes the general public, Council Tax / Business Rates payers, service users, the Local Government Ombudsman, Central Government, in particular, HM Revenue and Customs, the Ministry Department for Levelling Up, Housing, and Communities and Local Government (DLUHC), the Department for Business and Trade ~~(DBT)~~ and the Department for Work and Pensions.
3. It also has external auditors who advise whether the Council has in place adequate arrangements for the prevention and detection of fraud, bribery and corruption.
4. While this external scrutiny assists in protecting against fraud, bribery and corruption the Council believes a clear statement of its own strategy is needed.

5. The Chartered Institute of Public Finance & Accountancy (CIPFA) produced “Fighting Fraud & Corruption Locally (FFCL) – 2020’s Strategy and a “Code of Practice on Managing the Risk of Fraud and Corruption” to assist local authorities in addressing fraud risks. This central guidance informed the preparation of this strategy.

- 5.6. The key elements of the Council's strategy to combat fraud, bribery and corruption are:

- An open and honest culture (Section 1)
- Adequate preventative measures (Section 2)
- Systems for detection and investigation (Section 3)

- ~~Understanding and awareness within the Council and the adoption of a "whistleblowing" policy~~ Awareness and Training (Section 4)

1. Culture

1.1 The Council expects Members and staff at all levels to behave with integrity and propriety and to act within the law and the regulations, procedures and practices laid down in relation to the conduct of the Council's business. The Council believes this is achieved best through the promotion of an atmosphere of honesty and openness.

1.2 The Council encourages Members and staff to raise any concerns they have about fraud, bribery and corruption immediately as they occur. It will treat all concerns raised, seriously and in confidence. This is covered with all staff as part of their induction process.

1.3 The Council has three senior officers who have particular responsibility for regulating the conduct of the Council and its activities. These are:

Chief Finance Officer	Responsible for the financial management, audit and financial probity of the Council and also for its proper personnel policies and practices.
Monitoring Officer	Responsible for the legal probity and avoidance of maladministration or injustice by the Council.
Chief Executive	Responsible as Head of Paid Service for the overall management and direction of the Council and for ensuring adequate staff resources for services.

1.4 In addition each Group Head and senior manager have responsibility for the proper organisation and conduct of their service area. It is important that Managers and officers at all levels do not become complacent about the risk of fraud as this may have an impact in terms of the robustness of controls applied in practice. Please refer to the section on systems below.

~~10.1.5~~ Concerns should be raised with any of the above officers under section **1.3 8** ~~or with the Council's Internal Audit Manager.~~

~~11.1.6~~ More detailed guidance and advice on how to raise any concerns relating to fraud, bribery and corruption is contained in the Council's Confidential Reporting Code (whistleblowing policy).

~~12.1.7~~ If anyone feels they are unable to raise their concerns through any of the above routes, under the Confidential Reporting Code they may contact 'Protect' -(020

3117 2520 – advice line), a registered charity whose services are free and strictly confidential.

2. Prevention

13.2.1 The adoption of proper and adequate measures to prevent fraud, bribery and corruption is the responsibility of Members, Chief Executive, Deputy Chief Executives, Group Heads and other managers. Preventative measures can be classified under two broad headings - Codes/Procedures and Systems.

1.(i) Codes/Procedures

All Members and staff need to be aware of, and have ready access to, the Council's agreed policies and procedures e.g. Financial Regulations, Standing Orders, Codes of Conduct, Code of Corporate Governance and any relevant practice and procedure documents. ~~A review of the Council's Constitution has been led by the Group Head of Corporate Governance. The Governance Framework continues to be developed and enhanced to reflect the Council's significant property/asset portfolio.~~

In particular staff must observe the Council's Code of Conduct for Staff (a copy of which is made available to all staff) and any relevant professional codes.

References will be taken up for all permanent and temporary staff to verify their suitability, honesty and integrity. Other vetting should be applied which gives due consideration to the nature of the appointed position.

The Members Code of conduct is kept under review by the Standards Committee. Members ~~are~~ **will be** supplied with a copy of any relevant code, policy and procedure and advised of their responsibilities.

2.(ii) Systems

The Council has and will maintain in place systems and procedures which incorporate internal controls, including adequate separation of duties to ensure that, as far as possible, errors, fraud, bribery and corruption are prevented.

The Chief Finance Officer has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure the proper administration of the Council's financial affairs. Financial procedures detail key financial systems and provide guidance which underpins the Council's Financial Regulations.

Chief Executive, Deputy Chief Executives, Group Heads and managers are responsible for ensuring that appropriate internal controls are properly maintained to minimise the risk of errors, fraud, bribery and corruption.

A ~~detailed~~ analysis of the risks associated with any service and how they are being addressed has been integrated into the annual service planning process to enable greater alignment across corporate processes. Managers are responsible for ensuring that fraud, bribery and corruption risks are minimised and Internal Audit (delivered by Southern Internal Audit Partnership) will advise through the provision of independent assurance.

3. Detection and investigation

~~14.3.1~~ Concerns should be reported to one of the individuals referred to in paragraphs ~~81.3 and 10~~ above or in accordance with the Council's whistleblowing policy.

~~15.3.2~~ A detailed investigation of any concerns raised will be undertaken ~~with the assistance of the Council's Internal Audit Service~~. The Group Head of Corporate Governance holds responsibility for responding to allegations of bribery and corruption relating to Members. The Council will deal with any instances of fraud, bribery or corruption swiftly. Disciplinary action will be taken if appropriate after the police have been informed/involved, and the relevant Committee informed where necessary. Where the Council has adopted a prosecution policy for any business area (e.g. Housing Benefit Fraud or Housing register) this will be followed. Any lessons learnt from Investigations undertaken relating to systematic weaknesses will be highlighted and should feed back into improving fraud prevention/detection measures.

~~16.3.3~~ In the event that fraud is suspected on the part of contractors' employees or internally, by staff involved in agency or contract work on behalf of other bodies, procedures and responsibilities for reporting and initial investigation are the same as for staff. The Council will inform and involve employing contractors or agencies when appropriate.

17. Counter Fraud measures

~~3.4~~ -Given the significance of corporate fraud in national and local statistics and the cost to the taxpayer, the Council recognises the continued importance of collaborative working arrangements with other Councils/Partners to help prevent, deter, detect and investigate fraud, providing access to specialist skills and greater capacity to investigate fraud. The strategy to target areas of public fraud which are likely to generate greater financial returns (Business Rates and Social Housing) will continue. ~~Such initiatives have demonstrated positive financial fraud returns for Spelthorne (notional and cashable savings) and continue to do so.~~ For high-risk public fraud areas, ~~Internal Audit will continue to collaborate with the~~ Services will continue to be to promote awareness and encouraged to take up of counter fraud measures (these incorporate preventative as well as detective and investigatory approaches). It remains the responsibility and decision of Group Heads and Service Managers to pursue/implement ~~collaborative opportunities presented~~ the enabling measures to ensure sustained targeting of counter fraud measures. Some examples ~~regularly promoted (with some taken effect)~~ include enhanced- pro-active vetting of Housing register applications (preventative measure), periodical County Wide Single

Person Discount exercises led by Surrey to target Council Tax fraud, the use of Financial Investigator Resource to recover losses/assets (where appropriate), proactive fraud drives such as bulk data matching exercises with Registered Providers to target social housing fraud. ~~There has been strong commitment across teams to pursue the bulk data matching initiative with A2D and this is explained in more detail in other reports along with positive anticipated returns.~~

~~18.3.5~~ Counter fraud measures targeting illegal sub-letting and other types of ~~affordable social~~ housing fraud also contribute to the delivery of wider social benefits, enabling more social housing to be available to those people and members of the community who are genuinely ~~in~~ in need of a home, leading to a reduction in housing applicant waiting times, reduced temporary accommodation costs and ultimately the need for fewer houses to be built. Positive results (proven fraud) are publicised periodically to serve as a deterrent.

~~19.3.6 Whilst the Surrey Counter Fraud Board (SCFB) no longer meets on a regular basis, The~~ existing counter fraud networks provide useful points of contact. This enables the sharing of best practice and approaches in tackling public fraud and provides opportunities to pursue joint counter fraud initiatives such as data matching. The importance of engaging with members of the public to join the fight against fraud is recognised. ~~Periodical monitoring and analysis of Spelthorne's quantified fraud returns across categories and time intervals is included in Internal Audit reporting to Management Team and Audit Committee. These demonstrate financial savings (notional and where measurable cashable)/financial losses prevented for the Council and the wider public purse.~~

4. Awareness and Training

~~20.~~ The Council recognises the continuing effectiveness of the Counter Fraud, Bribery and Corruption Strategy depends largely on the awareness and responsiveness of Members and staff. It is essential that both Members and staff are made aware of the strategy when they join the Council for inclusion in their personal records and, in addition, have ready access to all other relevant documents, policies and procedures which regulate the Council's activities. Action will be taken on a regular basis to remind both Members and staff of the importance the Council places on preventing fraud and corruption and investigating irregularities. The Council has an on-line learning system with a specific Fraud Prevention module which all staff are required to complete annually. ~~Other Effective~~ methods for mandatory training and raising awareness including face to face and online training shall be periodically explored and delivered. For those Services administering areas that present higher risk of public fraud occurrence, ~~as well as Registered Providers,~~ periodical awareness raising, and training is delivered by the Service Provider (Reigate and Banstead Council). This serves as a reminder of the prevalence of fraud in these areas using anonymised case studies to bring the training to life and encourage reasonably informed suspicions to be referred by officers for investigation through correct channels. This promotes a zero tolerance to fraud culture across the Council. ~~Measures are taken to ensure the services procured from the external service provider continue to provide a targeted approach to counter fraud, proportionate to perceived risk.~~

~~21. In accordance with the Government's Serious and Organised Crime Strategy, local Police representatives have previously provided awareness raising sessions for staff and Members to identify areas where Spelthorne is at most risk of being targeted by serious and organised crime and highlight known vulnerabilities. During these sessions the importance of sharing intelligence with Law Enforcement Partners has been encouraged. Organised crime includes drug trafficking, human trafficking, child sexual exploitation, high value fraud and cyber-crime. Further consultation with the local police is ongoing and red flags /known risks will continue to be highlighted by the relevant Service Area (Community Safety) falling under Neighbourhood Services. Group Heads and Managers are responsible for assessing governance arrangements in place to combat risks in this area for their respective functions.~~

5. Conclusions

5.1 The Council has in place a network of systems and procedures to assist it in the fight against fraud, corruption and bribery. These arrangements will keep pace with any new developments. To this end, the Council will maintain a continuous overview of such arrangements.

5.2 This Strategy will be subject to annual review to ensure its currency.

APPENDIX 2

COUNTER FRAUD, BRIBERY AND CORRUPTION STRATEGY

Introduction

1. This Strategy is applicable to Members and staff. The Borough of Spelthorne is committed to providing a high standard of service and accountability. An important aspect of this is a strategy which protects against fraud, bribery and corruption within the Council itself and from external sources.

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Fraud means - the illicit gaining of cash or other benefit by deception;

Corruption means - the dishonest influencing of actions and decisions.

Bribery means – the offering, giving or soliciting of an inducement or reward which may influence a person to perform a function or activity improperly.

2. The Council recognises that it is already subject to a high degree of external scrutiny of its affairs by a variety of parties. This includes the general public, Council Tax / Business Rates payers, service users, the Local Government Ombudsman, Central Government, in particular, HM Revenue and Customs, the Ministry for Housing, Communities and Local Government, the Department for Business and Trade and the Department for Work and Pensions.
3. It also has external auditors who advise whether the Council has in place adequate arrangements for the prevention and detection of fraud, bribery and corruption.
4. While this external scrutiny assists in protecting against fraud, bribery and corruption the Council believes a clear statement of its own strategy is needed.
5. The Chartered Institute of Public Finance & Accountancy (CIPFA) produced “Fighting Fraud & Corruption Locally (FFCL) – 2020’s Strategy and a “Code of Practice on Managing the Risk of Fraud and Corruption” to assist local authorities in addressing fraud risks. This central guidance informed the preparation of this strategy.
6. The key elements of the Council's strategy to combat fraud, bribery and corruption are:
 - An open and honest culture (Section 1)
 - Adequate preventative measures (Section 2)
 - Systems for detection and investigation (Section 3)

- Awareness and Training (Section 4)

1. Culture

1.1 The Council expects Members and staff at all levels to behave with integrity and propriety and to act within the law and the regulations, procedures and practices laid down in relation to the conduct of the Council's business. The Council believes this is achieved best through the promotion of an atmosphere of honesty and openness.

1.2 The Council encourages Members and staff to raise any concerns they have about fraud, bribery and corruption immediately as they occur. It will treat all concerns raised, seriously and in confidence. This is covered with all staff as part of their induction process.

1.3 The Council has three senior officers who have particular responsibility for regulating the conduct of the Council and its activities. These are:

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Chief Executive	Responsible as Head of Paid Service for the overall management and direction of the Council and for ensuring adequate staff resources for services.

1.4 In addition each Group Head and senior manager have responsibility for the proper organisation and conduct of their service area. It is important that Managers and officers at all levels do not become complacent about the risk of fraud as this may have an impact in terms of the robustness of controls applied in practice. Please refer to the section on systems below.

1.5 Concerns should be raised with any of the above officers under section 1.3 .

1.6 More detailed guidance and advice on how to raise any concerns relating to fraud, bribery and corruption is contained in the Council's Confidential Reporting Code ([whistleblowing policy](#)).

1.7 If anyone feels they are unable to raise their concerns through any of the above routes, under the Confidential Reporting Code they may contact 'Protect' (020 3117 2520 – advice line), a registered charity whose services are free and strictly confidential.

2. Prevention

2.1 The adoption of proper and adequate measures to prevent fraud, bribery and corruption is the responsibility of Members, Chief Executive, Deputy Chief Executives, Group Heads and other managers. Preventative measures can be classified under two broad headings - Codes/Procedures and Systems.

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All Members and staff need to be aware of, and have ready access to, the Council's agreed policies and procedures e.g. Financial Regulations, Standing Orders, Codes of Conduct, Code of Corporate Governance and any relevant practice and procedure documents.

In particular staff must observe the [Council's Code of Conduct for Staff](#) (a copy of which is made available to all staff) and any relevant professional codes.

References will be taken up for all permanent and temporary staff to verify their suitability, honesty and integrity. Other vetting should be applied which gives due consideration to the nature of the appointed position.

The Members Code of conduct is kept under review by the Standards Committee. Members are supplied with a copy of any relevant code, policy and procedure and advised of their responsibilities.

(ii) Systems

The Council has and will maintain in place systems and procedures which incorporate internal controls, including adequate separation of duties to ensure that, as far as possible, errors, fraud, bribery and corruption are prevented.

The Chief Finance Officer has a statutory responsibility under Section 151 of the Local Government Act 1972 to ensure the proper administration of the Council's financial affairs. Financial procedures detail key financial systems and provide guidance which underpins the Council's Financial Regulations.

Chief Executive, Deputy Chief Executives, Group Heads and managers are responsible for ensuring that appropriate internal controls are properly maintained to minimise the risk of errors, fraud, bribery and corruption.

Analysis of the risks associated with any service and how they are being addressed has been integrated into the annual service planning process to enable greater alignment across corporate processes. Managers are responsible for ensuring that fraud, bribery and corruption risks are minimised and Internal Audit (delivered by Southern Internal Audit Partnership) will advise through the provision of independent assurance.

3. Detection and investigation

3.1 Concerns should be reported to one of the individuals referred to in paragraph 1.3 above or in accordance with the Council's whistleblowing policy.

3.2 A detailed investigation of any concerns raised will be undertaken. The Group Head of Corporate Governance holds responsibility for responding to allegations of bribery and corruption relating to Members. The Council will deal with any instances of fraud, bribery or corruption swiftly. Disciplinary action will be taken if appropriate after the police have been informed/involved, and the relevant Committee informed where necessary. Where the Council has adopted a prosecution policy for any business area (e.g. Housing Benefit Fraud or Housing register) this will be followed. Any lessons learnt from Investigations undertaken relating to systematic weaknesses will be highlighted and should feed back into improving fraud prevention/detection measures.

3.3 In the event that fraud is suspected on the part of contractors' employees or internally, by staff involved in agency or contract work on behalf of other bodies, procedures and responsibilities for reporting and initial investigation are the same as for staff. The Council will inform and involve employing contractors or agencies when appropriate.

3.4 Given the significance of corporate fraud in national and local statistics and the cost to the taxpayer, the Council recognises the continued importance of collaborative working arrangements with other Councils/Partners to help prevent, deter, detect and investigate fraud, providing access to specialist skills and greater capacity to investigate fraud. The strategy to target areas of public fraud which are likely to generate greater financial returns (Business Rates and Social Housing) will continue. For high-risk public fraud areas, the Services will continue to be encouraged to take up of counter fraud measures (these incorporate preventative as well as detective and investigatory approaches). It remains the responsibility and decision of Group Heads and Service Managers to pursue/implement the enabling measures to ensure sustained targeting of counter fraud measures. Some examples include enhanced pro-active vetting of Housing register applications (preventative measure), periodical County Wide Single Person Discount exercises led by Surrey to target Council Tax fraud, the use of Financial Investigator Resource to recover losses/assets (where appropriate), proactive fraud drives such as bulk data matching exercises with Registered Providers to target social housing fraud.

3.5 Counter fraud measures targeting illegal sub-letting and other types of affordable housing fraud also contribute to the delivery of wider social benefits, enabling more social housing to be available to those people and members of the community who are genuinely in need of a home, leading to a reduction in housing applicant waiting times, reduced temporary accommodation costs and ultimately the need for fewer houses to be built. Positive results (proven fraud) are publicised periodically to serve as a deterrent.

3.6 The existing counter fraud networks provide useful points of contact. This enables the sharing of best practice and approaches in tackling public fraud and provides opportunities to pursue joint counter fraud initiatives such as data matching. The importance of engaging with members of the public to join the fight against fraud is recognised.

4. Awareness and Training

The Council recognises the continuing effectiveness of the Counter Fraud, Bribery and Corruption Strategy depends largely on the awareness and responsiveness of Members and staff. It is essential that both Members and staff are made aware of the strategy when they join the Council for inclusion in their personal records and, in addition, have ready access to all other relevant documents, policies and procedures which regulate the Council's activities. Action will be taken on a regular basis to remind both Members and staff of the importance the Council places on preventing fraud and corruption and investigating irregularities. The Council has an on-line learning system with a specific Fraud Prevention module which all staff are required to complete annually. Other methods for mandatory training and raising awareness including face to face and online training shall be periodically explored and delivered. For those Services administering areas that present higher risk of public fraud occurrence periodical awareness raising, and training is delivered by the Service Provider (Reigate and Banstead Council). This serves as a reminder of the prevalence of fraud in these areas using anonymised case studies to bring the training to life and encourage reasonably informed suspicions to be referred by officers for investigation through correct channels. This promotes a zero tolerance to fraud culture across the Council.

5. Conclusions

5.1 The Council has in place a network of systems and procedures to assist it in the fight against fraud, corruption and bribery. These arrangements will keep pace with any new developments. To this end, the Council will maintain a continuous overview of such arrangements.

5.2 This Strategy will be subject to annual review to ensure its currency.

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Council Meeting – 17 July 2025

Amendments to the Constitution

This report was considered at a meeting of the Standards Committee on 11 June 2025.

It was **resolved** to recommend to Council to approve the proposed changes to the Constitution as set out in the report.

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Standards Committee

11 June 2025



Title	Amendments to the Constitution
Purpose of the report	To make a recommendation
Report Author	Linda Heron, Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Council decision.
Recommendations	Committee is asked to recommend to Council to: Approve the proposed changes to the Constitution as set out in this report.
Reason for Recommendation	To ensure that the Constitution is an effective and up to date document and to support good governance.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none">Councillors have requested some changes to the Scheme of Delegations to Officers (part 3(d) of the Constitution) to clarify principles for Council decision making.	<ul style="list-style-type: none">To ensure the Constitution supports good governance.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none">Recommend the changes as set out in this report for approval.	<ul style="list-style-type: none">Seek Council approval for the proposals.Once approved, the Constitution will be updated and published on the website.

- 1.1 This report seeks a recommendation to Council to approve proposed amendments to the Constitution, which have the support of the Committee System Working Group.

2. Key issues

- 2.1 The Committee System Working Group (CSWG) is responsible for considering whether any amendments are required to the Constitution and making recommendations on these to the Standards Committee.

- 2.2 Councillors have requested that certain delegations to officers in part 3(d) of the Constitution be amended to clarify responsibilities for decision making.
- 2.3 The proposed amendments relate to paras 14.2 and 14.12 in the Scheme of Officer Delegation (Part 3(d)).
- 2.4 The proposed changes to the Constitution were discussed with the Committee System Working Group in May 2025.

3. Constitutional amendments

- 3.1 The proposed amendments identify the scope of the delegated authority to the Planning Development Manager and the circumstances in which decisions should be referred to the Planning Committees.
- 3.2 Para 14.2 Part 3(d) of the Constitution:

Agreement for any variation and to determine any application under section 106A of the Town and Country Planning Act 1990 (the 1990 Act) **save for major variations relating to affordable housing development and / or financial contributions exceeding £0.5M**

- 3.3 Para 14.12 Part 3(d) of the Constitution:

Power to seek an injunction under s187B of the 1990 Act **unless breach of planning control relates to affordable housing development and / or financial contributions exceeding £0.5M**

4. Financial management comments

- 4.1 None in the context of this report.

5. Risk management comments

- 5.1 None arising directly from this report.

6. Procurement comments

- 6.1 None arising directly from this report.

7. Legal comments

- 7.1 The Council has a statutory duty to keep its Constitution updated (section 9P Local Government Act 2000).
- 7.2 It is considered that the proposals in this report will meet one of the purposes of the Constitution as set out in Article 1 para 1.3:
 - (5) to enable decisions to be taken efficiently and effectively

- 7.3 Amendments to the Constitution are a matter for full Council decision.

8. Other considerations

- 8.1 None.

9. Equality and Diversity

9.1 No specific implications arising directly from this report.

10. Sustainability / Climate Change Implications

10.1 None.

11. Timetable for implementation

11.1 A recommendation from Standards Committee will be considered by Council at its meeting on 17 July 2025.

11.2 The amendments will take effect upon agreement by Council and the Constitution will be updated and published as soon as reasonably practicable.

12. Contact

12.1 Linda Heron, Group Head Corporate Governance l.heron@spelthorne.gov.uk

Please submit any material questions to the Mayor and Officer Contact by two days in advance of the meeting.

Background papers: None.

Appendices:

Appendix 1 – Part 3(d) Delegations to Officers

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DELEGATIONS TO OFFICERS	
Column 1 – Function	Column 2 – Authorised Officer
1. GENERAL	
<p>1.1 To carry out responsibilities for any function which the Council has not reserved to itself or delegated to a Committee or Sub Committee in this Constitution and which Council has not authorised another officer to carry out in this Scheme of Delegation.</p> <p>Decisions taken in accordance with this delegation will be reported to the next available ordinary Council meeting.</p>	Chief Executive or a Deputy Chief Executive or a Group Head in consultation with the relevant Chair and Vice-Chair.
<p>1.2 To enter land and premises for the purpose of inspections, surveys, testing and examinations as required pursuant to any powers or functions of the Council under any enactment</p>	Any Group Head, the Medical Advisor, the Property Inspector for Council Tax and Business Rates, the Senior Environmental Health Manager or such other officer who maybe authorised in writing by the above named
<p>1.3 To serve notices to obtain particulars of a person's interest in land</p>	Group Head of Corporate Governance, Senior Environmental Health Manager or Planning Development Manager or other such officer who may be authorised in writing by the above named
<p>1.4 To serve notice under any enactment (not separately authorised under this scheme of delegations) and to take follow up action</p>	Group Head of Corporate Governance Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager
<p>1.5 To authorise officers to conduct directed surveillance or the use of covert human intelligence sources in accordance with the Regulation of Investigation Powers Act 2000</p>	Strategic Planning Manager, Planning Development Manager and Senior Environmental Health Manager
<p>1.6 To administer simple cautions</p>	Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager

Part 3 section (d)

1.7 To respond to routine and technical consultations from the Local Government Association, the MHCLG, other Government bodies or departments and any other bodies	Chief Executive, Deputy Chief Executive. Strategic Planning Manager, Planning Development Manager or Senior Environmental Health Manager or such officer who may be authorised in writing by the above named
1.8 Under the provisions of the Children Act 1989 and the Council's Safeguarding Children and Vulnerable Adults Policy and Procedures, to undertake responsibility for making contact with Social Services and for making decisions and referrals, including making Disclosure and Barring Service (DBS) checks on officers or other persons seeking employment with children, young people or vulnerable adults	Deputy Chief Executive responsible for Safeguarding
1.9 To undertake the function of Company Secretary for Knowle Green Estates Limited and any subsidiary companies	Group Head of Corporate Governance
1.10 To invite members: a) of the Licensing Committee to participate in meetings of Licensing Sub-Committees convened to determine various applications within the responsibility of the Licensing Committee; and b) of the Standards Committee to participate in meetings of Assessment Panels.	Group Head of Corporate Governance
1.11 To amend the membership of a political group's seats on any particular committee, at the request of the Group Leader.	Chief Executive
1.12 To be designated the Council's 'Appointed person' in accordance with s10(8) of the Party Wall Act 1996.	Building Control Manager
1.13 To authorise grant funding for the Spelthorne Business Forum on an annual basis, to ensure value for money.	Group Head Place, Protection and Prosperity

Part 3 section (d)

2 LEGAL AND LEGAL PROCEEDINGS	
Column 1 – Function	Column 2 – Authorised Officer
2.1 To instigate, conduct and settle proceedings, complaints, or disputes (administrative, criminal or civil) on the Council's behalf in any Court, Tribunal or other body or by way of local resolution, and/or in relation to any matters associated thereto, but in respect of settlements this is limited to £50,000 and anything above this level be referred to the Corporate Policy and Resources Committee.	Group Head of Corporate Governance
2.2 To instigate and conduct legal proceedings for any offence or any matter arising under: <ul style="list-style-type: none"> a. legislation which gives the Council a right or duty to prosecute b. any order notice or licence issued in pursuance to any legislation under which the Council has powers or duties c. any other order or regulation under which the Council has powers or duties 	Group Head of Corporate Governance
2.3 To accept service of proceedings on behalf of the Council	Group Head of Corporate Governance (or Chief Finance Officer in respect of insurance claims)
2.4 To instruct Counsel, Solicitors or relevant agents to represent or advise the Council	Group Head of Corporate Governance (or any Chartered Town Planner in respect of planning matters)
2.5 To take necessary action, including legal proceedings, for the recovery of possession of the Council's land and premises or for protecting the interests of the Council in any land or common land	Group Head of Corporate Governance
2.6 Authority to make a formal complaint at the Magistrates Court and to appear in the Magistrates and County Courts on behalf of the Council for the recovery of Council Tax, non domestic rates, other revenues and penalties, including formal proof of debt in bankruptcy cases, liquidations and debt proceedings	Group Head Commissioning and Transformation, Senior Recovery Officer, Recovery Officer or Technical and System Support Officer

Part 3 section (d)

2.7 To represent the Council at the Local Valuation Tribunal	Group Head Commissioning and Transformation or Technical and System Support Officer
2.8 To appear on behalf of the Council in all proceedings before any Court or Tribunal	All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff authorised in writing by the Group Head of Corporate Governance
2.9 To appear on behalf of the Council in proceedings in the Magistrates Court in respect of offences in the Council's car parks	All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff authorised in writing by the Group Head of Corporate Governance, the Group Head Neighbourhood Services and any member of the Car Parks staff authorised in writing by the Group Head Neighbourhood Services.
2.10 To instigate legal proceedings under Section 1 of the Crime and Disorder Act 1998 in respect of anti-social behaviour orders.	Group Head of Corporate Governance
3 AUTHORITY TO SIGN AND SEAL DOCUMENTS	
Column 1 – Function	Column 2 – Authorised Officer
3.1 Authority to sign all legal documents relating to recovery of monies due to the Council	Chief Executive, Chief Finance Officer, Group Head of Corporate Governance, Group Head Community Wellbeing or Group Head Commissioning and Transformation.
3.2 Authority to sign all legal documents for the acquisition or disposal of land (unless under seal)	Chief Executive, Chief Finance Officer or Group Head of Corporate Governance
3.3 Authority to sign all contracts and agreements (unless under seal) for expenditure within their service budget or for no value within their service area PROVIDED that Contract Standing Orders	Chief Officers, Group Head of Corporate Governance, other Group Heads, Planning Development Manager, Strategic Planning Manager or Senior

Part 3 section (d)

have been followed including legal advice being obtained for contracts over £20,000	Environmental Health Manager
3.4 To affix the Council's common seal	Chief Executive, Chief Finance Officer or Group Head of Corporate Governance
4 LAND ISSUES	
Column 1 – Function	Column 2 – Authorised Officer
<p>4.1 In respect of properties leased/licensed to or by the Council:</p> <ul style="list-style-type: none"> a. to refuse or consent to assignments or sub-lettings, including changes to Trustees or Directors details, subject to satisfactory references; b. to negotiate, approve and document rent reviews; c. to agree low level less than best value rents/licence fees for community groups where proper justification has been acquired and documented; d. to agree to variations to any of the terms or covenants; subject to valuation advice where appropriate; e. to renew leases which have security of tenure under the Landlord and Tenant Act 1954; f. to serve notices for renewals or terminations of leases under the Landlord and Tenant Act 1954; g. to settle terms of management arrangements and any variations to them; h. to agree to the grant of Licences to Alter i. in consultation with the Chair of Commercial Assets Sub-Committee, to agree dilapidation settlements up to £100k. 	Group Head for Assets
<p>4.2</p> <ul style="list-style-type: none"> a. To approve new lettings where the rental income per annum (net of VAT) does not exceed £100k. b. To approve lease renewals where the rent 	<p>Group Head for Assets in consultation with the Chief Finance Officer.</p> <p><i>(Note: for lettings granted under the</i></p>

Part 3 section (d)

<p>in the first year is more than 50% of the passing rent of the previous lease, subject to the financial impact not exceeding £250k.</p> <p>c. To approve freehold or leasehold disposals or acquisitions of land or interests in land not exceeding an estimated value of £100k per transaction.</p> <p>d. To approve the exercise of a break option under the terms of lease of land or property where the financial impact does not exceed the value £100k.</p> <p>e. To accept or agree a surrender where the land or property is no longer required by the Council or the Landlord/Tenant as appropriate, where the financial impact does not exceed £100k.</p> <p>f. to make the application for planning permission in relation to Regulation 3 of the <u>Town and Country Planning General Regulations 1992</u>, on behalf of the Council as developer, where the financial impact does not exceed the value £100k for the whole project.</p> <p><i>Notes:</i></p> <p>a. to c. Financial impact to be based on contracted rental values.</p> <p>a. to d. VAT should be disregarded when determining if a transaction falls under the stated thresholds.</p>	<p><i>Community Lettings Policy, there must also be consultation with the Chairs and Vice Chairs of Corporate Policy and Resources and Community Wellbeing and Housing Committees.)</i></p>
<p>4.3 Urgent Action</p> <p>In relation to a new letting, to take a decision which is so urgent that it cannot wait until the next scheduled meeting of the Committee and where the decision is not in contravention of established policies. In following this procedure, the Group Head for Assets is required to seek the approval of the Chair and Vice-Chair of the Business, Infrastructure and Growth Committee if the matter would ordinarily fall within the remit of the Committee or in the case that any aspect of the letting could be considered sensitive. The use of such urgent action must be reported to the next relevant Committee meeting.</p>	<p>Group Head for Assets</p>

Part 3 section (d)

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

Part 3 section (d)

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

Part 3 section (d)

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

Part 3 section (d)

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

Part 3 section (d)

	management structure to approve all matters relating to the organisation, appointment (other than appointments at, or above, grade Group Head) and management (including disciplinary action) of staff in accordance with the Council's staff policies and procedures	Executive or Group Heads
6.3	To implement national awards affecting wages, salaries and conditions of service	Chief Executive, Relevant Deputy Chief Executive or Group Head Neighbourhood Services for local rate overtime
6.4	To administer the Council's car loan scheme	Chief Finance Officer
6.5	To agree redundancy payments under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 in cases approved by Management Team	Chief Executive in consultation with the Leader of the Council
6.6	To approve and sign off special severance payments of £20,000 and above but not exceeding £100,000 (Payments of £100,000 and above are reserved to Council)	Head of Paid Service, with a clear record of the Leader's approval and that of any others who have signed off the payment.
6.7	To approve and sign off special severance payments below £20,000	Chief Finance Officer

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

Part 3 section (d)

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

Part 3 section (d)

r.	Animal Boarding Establishments Act 1963;	
s.	Breeding of Dogs Act 1973;	
t.	Breeding of Dogs Act 1991;	
u.	Dangerous Wild Animals Act 1976;	
v.	Hypnotism Act 1952;	
w.	Smoke-free (Premises and Enforcement) Regulations 2006;	
x.	Smoke-free (Signs) Regulations 2012	
y.	Smoke-free (Exemptions and Vehicles) Regulations 2007	
z.	Smoke-free (Penalties and Discounted Amounts) Regulations 2007;	
aa.	Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007;	
bb.	Pollution Prevention and Control Act 1999;	
cc.	Control of Pollution Act 1974;	
dd.	Public Health (Control of Disease) Act 1984;	
ee.	Private Security Industry Act 2001;	
ff.	Meat (Sterilisation and Staining) Regulations 1982;	
gg.	Clean Air Act 1993;	
hh.	Land Compensation Act 1973 s.37;	
ii.	Sunday Trading Act 1994;	
jj.	Criminal Justice and Public Order Act 1994 ss.77 and 78;	
kk.	Working Time Regulations 1998;	
ll.	Building Regulations 2010;	
mm.	Building (Approved Inspectors etc.) Regulations 2010;	
nn.	Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;	
oo.	Land Drainage Act 1991;	
pp.	Scrap Metal Dealers Act 2013;	
qq.	Sunbeds (Regulation) Act 2010;	
rr.	The Caravan Sites and Control of	

Part 3 section (d)

<p>Development Act 1960;</p> <p>ss. Mobile Homes Act 2013;</p> <p>tt. Water Industry Act 1991;</p> <p>uu. Environmental Protection (Control on Ozone-Depleting Substances) Regulations 2011;</p> <p>vv. Waste (England and Wales) Regulations 2011</p> <p>ww. Tattooing of Minors Act 1969</p> <p>xx. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018</p> <p>yy. Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and any subsequent related legislation.</p> <p>zz. The Business and Planning Act 2020</p> <p>aaa. Town Police Clauses Act 1847</p> <p>bbb. Highways Act 1980</p> <p>ccc. Policing and Crime Act 2017</p> <p>ddd. Live Music Act 2012</p> <p>eee. Deregulation Act 2015</p> <p>fff. Police, Factories & c. (Miscellaneous Provisions) Act 1916</p> <p>ggg. Licensing Act 2003</p> <p>hhh. Gambling Act 2005</p> <p>iii. Zoo Licensing Act 1981</p> <p>jjj. Environmental Damage Regulations (Prevention and Remediation) (England) Regulations 2015</p> <p>kkk. Control of Pollution (Amendment) Act 1989</p> <p>lll. Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020</p> <p>mmm. Environment Act 1995 (section 108[(1) and (4)a–m])</p> <p>nnn. Noise and Statutory Nuisance Act 1993 (Schedule 2)</p>	
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Part 3 section (d)

ooo. Public Health (Control of Disease) Act 1984 ppp. Clean Air Act 1993 (section 56)	
7.3 To exercise the Council's functions under the Acts listed in 7.2 to this Scheme of Delegations and any other acts subsequently enacted.	Senior Environmental Health Manager
7.4 Subject to the Terms of Reference of the Licensing Committee to exercise all functions relating to the Licensing Act 2003.	Senior Environmental Health Manager
7.5 To determine statutory minor variations to Premises Licences, including where representations are received, under the Licensing Act 2003.	Licensing Manager
7.6 To adjourn a Licensing Sub-Committee, for administrative reasons.	Licensing Manager
7.7 Subject to the Terms of Reference of the Licensing Committee to exercise all functions relating to the Gambling Act 2005	Senior Environmental Health Manager
7.8 Under the Licensing Act 2003 and the Gambling Act 2005 to make a decision on whether a representation is irrelevant, frivolous or vexatious	Environmental Health Manager
7.9 To exercise all powers of the Council under sections 19-22 of the Criminal Justice and Police Act 2001 concerning closure of unlicensed premises	Senior Environmental Health Manager (in consultation with the Chair and Vice-Chair of Licensing Committee)
7.10 Authority under the Food Safety Acts, and any associated Regulations to make application for Emergency Prohibition Orders for appropriate premises and to issue certificates that the measures specified by the Prohibition Orders have been carried out. 7.11 European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020	Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds

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	relating to retained EU regulations including numbers 178/2002, 852-854/2004, 2017/625 and 2073/2005, which relate to food and feed	
7.12	To exercise the Council's powers under the Food Safety and Hygiene (England) Regulations 2013 and relevant EU Directives and any associated regulations to serve/apply for (as appropriate) hygiene improvement notices, hygiene prohibition orders, hygiene emergency prohibition notices and orders, remedial action notices and detention notices	All Environmental Health Staff identified for this purpose by the Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
7.13	To exercise the Councils powers under the Official Feed and Food Control (England) Regulations 2009, including (but not limited to) detention, destruction, special treatment and the re-dispatch of feed and food, the service of notices, the procurement of samples of food and to take other appropriate measures'	Senior Environmental Health Manager or authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
7.14	Authority in relation to Waste Disposal to pass on to commercial customers the full increased costs of all future Landfill Taxes imposed by Central Government.	Senior Environmental Health Manager, Group Head Neighbourhood Services
7.15	To make minor changes to the Building Control Charges Scheme No. 1.	Building Control Manager
7.16	To issue fixed penalty notices under section 33(1)(a) of the Environmental Protection Act 1990, to persons whom the officer has reason to believe have committed a small-scale fly tipping offence.	Group Head of Neighbourhood Services and Senior Environmental Health Manager
7.17	To authorise appropriate officers to issue Fixed Penalty Notices under section 34(2)(a) of the Environmental Protection Act 1990 to persons whom the officer has reason to believe has failed to comply with their duty of care in the disposal of controlled waste.	Group Head of Neighbourhood Services

Part 3 section (d)

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

9. FREEDOM OF INFORMATION, ENVIRONMENTAL INFORMATION REGULATIONS AND DATA PROTECTION	
Column 1 – Function	Column 2 – Authorised Officer
9.1 To add documents to the Council's publication scheme	Data Protection Officer/Information Governance Co-ordinator
9.2 To determine whether any requests under the above acts are repeated or vexatious	Data Protection Officer/Information Governance Co-ordinator
9.3 To determine whether any exemptions apply under the above Acts and Regulations	Data Protection Officer /Information Governance Co-ordinator
9.4 To review decisions made to place items in Part II of agendas and to authorise the disclosure of such items where the reasons for confidentiality no longer apply or where it would be in the public interest to disclose of such items.	Group Head of Corporate Governance in consultation with the Leader of the Council
10. HOUSING AND COMMUNITY CARE MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
10.1 To approve mandatory/discretionary grants under the Housing Grants,	Group Head Community Wellbeing

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Construction and Regeneration Act 1996 in accordance with the policies approved from time to time by the Council.	
10.2 To exercise the powers and the functions of the Council under the Housing Grants and Regeneration Act 1996 and any regulations made thereunder.	Group Head Community Wellbeing
10.3 Authority to require repayment of mandatory/discretionary grants in accordance with Government guidelines and within the timescales laid down in the Council's approved policies.	Group Head Community Wellbeing
10.4 Under the Local Government and Housing Act 1989 repayment of grant provisions, authority to waive the requirement to repay grant in any case where the owner disposes of their property, in order to go to live in sheltered housing or a residential care home, as his/her only or main residence.	Group Head Community Wellbeing
<p>10.5 Pursuant to the Housing Acts and all relevant Orders and Regulations thereunder:-</p> <ul style="list-style-type: none">a. to serve notices requiring the abatement of overcrowding;b. to serve notices requiring the demolition of houses, subject to Demolition Orders, carry out demolition in default and recover the cost;c. to make a declaration of an area as a slum clearance area subject to legislative requirements for Slum Clearance Declarationsd. to revoke Closing or Demolition Orders on the satisfactory completion of works to render the house free from serious hazards;e. to serve statutory notices requiring the execution of repairs, carry out work in default and recover the costs;f. to serve notice requiring the production of documents and for entry into premises for inspection, survey and works.g. to exercise the Council's powers under the Housing Act 2004 for the issue of/application for (as appropriate)	Senior Environmental Health Manager

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<p>Improvement Notices, Prohibition Orders, Hazard Awareness Notices, Emergency Remedial Action Notice, Emergency Prohibition Orders and empty property management orders and in respect of houses in multiple occupation, to:</p> <ul style="list-style-type: none"> i. make interim and final management orders; ii. serve notices requiring compliance with management regulations, the execution of works, including the provision of facilities and fire escapes; iii. make directions to prevent or reduce overcrowding; iv. carry out works in default of compliance with (e)(i), (ii) and (iii) above and to recover the costs. v. To determine and issue licences under the Housing Act 2004 	
<p>10.6 To discharge the duties or exercise the powers of the Council under the Housing Act 1996 Parts VI and VII with regard to the allocation of housing accommodation, operation of the housing register, provision of housing advice, and matters relating to homelessness and the arrangement of accommodation for households where necessary under the legislation.</p>	<p>Group Head Community Wellbeing</p>
<p>10.7 The placing of homeless persons in bed and breakfast or other temporary accommodation and the fixing, collection and recovering of contributions therefore</p>	<p>Group Head Community Wellbeing</p>
<p>10.8 To make nominations to housing association accommodation of applicants on the Housing Register, in accordance with the Council's bands scheme.</p>	<p>Group Head Community Wellbeing</p>
<p>10.9 To make nomination to housing association accommodation outside the bands scheme to applicants considered as special cases.</p>	<p>Group Head Community Wellbeing</p>
<p>10.10 To make nominations to housing association accommodation of persons</p>	<p>Group Head Community Wellbeing</p>

Part 3 section (d)

nominated by other local authorities/housing associations under any mobility scheme in which the Council agrees to participate.	
10.11 To agree terms for the lease from private landlords of premises to be used for the provision of temporary accommodation for the homeless.	Group Head Community Wellbeing
10.12 Administration of the Spelthorne Personal Alarm Network Scheme ("SPAN") and the negotiation of service charges with other public bodies.	Group Head Community Wellbeing
10.13 To take any necessary action to deal with illegal encampments on Council owned land and on privately owned land, with the owner's permission.	Group Head of Corporate Governance
10.14 To exercise the Council's power and functions in relation to determination and payment of Housing Benefit, rent allowances and Council Tax benefit and recovery of housing benefit overpayments in accordance with the regulations.	Group Head Community Wellbeing
10.15 The carrying out of such duties necessary for the prosecution, administrative penalties and formal cautioning in cases where housing benefit fraud is detected.	Group Head Community Wellbeing
10.16 The initial decision to decide Discretionary Housing Payments	Appeals and Review Officer and Housing Benefit Manager
10.17 Review of a Discretionary Housing Payments decision	Group Head Community Wellbeing
10.18 The requisition of the supply of water, gas, electricity, telephones and other services necessary for properties provided or to be provided for housing purposes.	Group Head Community Wellbeing
10.19 To exercise the Council's powers and functions in relation to Community Care and related issues.	Group Head Community Wellbeing

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10.20 To undertake day to day management of Day/Community Centres and the Meals on Wheels Service.	Group Head Community Wellbeing
11. LEISURE AND ASSOCIATED MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
<p>11.1 The management and letting of all sports, recreational and community facilities provided by the Council subject to the Community Lettings Policy, including:-</p> <ul style="list-style-type: none"> a. the fixing of charges for special events not covered by the annual review of fees and charges; b. Negotiation of variations in charges for use of sports, recreational and community facilities within established policy; c. The power to waive fees and charges; and d. The setting of opening hours for facilities and the duration of sports seasons. 	Group Heads Neighbourhood Services and Community Wellbeing
11.2 The promotion of musical, artistic, cultural, sporting and community activities, including negotiation of sponsorship arrangements.	Group Head Community Wellbeing
11.3 The management of allotments, including entering into management agreements for sites, lettings, mal-cultivation notices, notices to quit and decisions on applications for permission to erect structures by tenants or allotment associations.	Group Head Neighbourhood Services
11.4 The management of cemeteries, including the allocation, re-allocation and grant of grave spaces, including the repurchase of grave spaces and other associated matters.	Group Head Neighbourhood Services
11.5 The administration of Leisure Development Grants to be made to	Group Head Community Wellbeing

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Voluntary Organisations, in accordance with the policy guidelines approved from time to time by the Community Wellbeing and Housing Committee.	
12. ENVIRONMENT AND PUBLIC AMENITIES MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
<p>12.1 To determine applications made in respect of land under the control of the Council for the following:-</p> <ul style="list-style-type: none"> a. Placing of structures. b. Erection of directional signs. c. Erection of banners. d. Street trading consent under Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982. e. Fun runs, marathons, filming and other similar activities. 	Senior Environmental Health Manager or Group Head Neighbourhood Services
<p>12.2 In relation to the Council's Car Parks:-</p> <ul style="list-style-type: none"> a. to authorise proceedings in respect of offences against any car park regulations; and b. to determine applications by outside bodies or persons for use of the car parks, subject to any consent not prejudicing the normal use of the car park. 	Deputy Chief Executive
12.3 To authorise and determine payment of an appropriate commuted sum when taking over private lighting schemes under Section 161 of the Public Health Act 1875.	Relevant Deputy Chief Executive
12.4 The siting of bus shelters, bus stops, seats and other street furniture.	Relevant Deputy Chief Executive
12.5 The numbering and renumbering of premises in streets.	Deputy Chief Executive with responsibility for Environmental Health & Building Control
12.6 All necessary steps in connection with the removal and disposal of abandoned	Group Head Neighbourhood Services

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	vehicles under the Refuse Disposal (Amenity) Act 1978.	
12.7	To make representations to Surrey County Council regarding the provision of tendered bus services under the Transport Act, 1985.	Relevant Deputy Chief Executive
12.8	To exercise the Council's powers under the following provisions of the Local Government (Miscellaneous Provisions) Act, 1976:- a. Section 23 (in relation to dangerous trees); b. Section 25 (in relation to dangerous excavations).	Deputy Chief Executive with responsibility for Environmental Health & Building Control
12.9	To institute proceedings in the County Court or High Court to gain possession of highway land occupied by caravans, tents or other residential structures.	Group Head of Corporate Governance
12.10	To make objections on amenity grounds to applications submitted to the Traffic Commissioners for Goods Vehicle Operators Licences.	Relevant Deputy Chief Executive or Group Head Neighbourhood Services
12.11	To make minor amendments to the Pavement Policy	Group Head Place, Protection and Prosperity in consultation with the Chair of the Licensing Committee.
12.12	To make minor amendments to the Hackney Carriage and Private Hire Licensing Policy.	Senior Environmental Health Manager
12.13	To issue Private Hire Vehicle and Hackney Carriage licences where applicants comply with the criteria agreed from time to time by the Council or relevant Committee.	Senior Environmental Health Manager
12.14	Immediate revocation of a Hackney Carriage driver and Private Hire driver licenses in accordance with the Council's adopted procedure. Power to revoke is under section 61 Local Government (Miscellaneous Provisions) Act 1976.	Senior Environmental Health Manager in consultation with the Chair and Vice-Chair of Licensing Committee
12.15	To suspend Hackney Carriage driver	Senior Environmental Health

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and Private Hire driver Licences in accordance with the Council's adopted procedure. Power to suspend is under section 61 Local Government (Miscellaneous Provisions) Act 1976	Manager in consultation with the Chair and Vice-Chair of Licensing Committee
12.16 To suspend Hackney Carriage and private hire vehicle licenses in accordance with the Council's adopted procedure. Power to suspend a vehicle is section 60 of Local Government (Miscellaneous Provisions) Act 1976)	Senior Environmental Health Manager
12.17 To administer the hackney carriage and private hire licensing Penalty Points Scheme and issue penalty points in accordance with the Scheme	Senior Environmental Health Manager
12.18 To determine appeals against penalty points under the Council's Penalty Points Scheme	Senior Environmental Health Manager in conjunction with the Deputy Chief Executive
12.19 To administer the applications for Pavement Licensing	Senior Environmental Health Manager
12.20 To administer the Licensing Act 2003	Senior Environmental Health Manager
12.21 To administer House to House Collections under the House to House Collections Act 1939	Senior Environmental Health Manager
12.22 To administer Scrap Metal licensing under Scrap Metal Dealer's Act 2013	Senior Environmental Health Manager
12.23 To administer Gambling licensing under Gambling Act 2005	Senior Environmental Health Manager
12.24 To administer Sex Establishments under Local Government (Miscellaneous Provisions) Act 1982	Senior Environmental Health Manager
12.25 To administer Street Collections under Police, Factories & Miscellaneous Provisions) Act 1916	Senior Environmental Health Manager
12.26 To exercise the Council's powers under clause 21 of the Town Police Clauses Act 1847	Deputy Chief Executive

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12.27 To arrange for the discharge of the Council's statutory functions relating to burials and cremations	Senior Environmental Health Manager or Group Head Neighbourhood Services
12.28 To exercise the Council's functions in respect of investigations and enforcement under the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005)	Joint Enforcement Team and Senior Environmental Health Manager
12.29 To exercise the Council's functions and to serve Notices under the Anti-Social Behaviour, Crime and Policing Act 2014.	Deputy Chief Executive
13.BYELAWS	
Column 1 – Function	Column 2 – Authorised Officer
13.1 To grant authority in writing to any named person (not being a council officer or police constable) to enforce the Byelaws made by the Council	Chief Executive

14.PLANNING AND DEVELOPMENT MANAGEMENT	
14.1 Subject to the Terms of Reference of the Planning Committee, to exercise all functions relating to town and country planning and development management and the following:	Planning Development Manager
14.2 Agreement for any variation and to determine any application under section 106A of the Town and Country Planning Act 1990 (the "1990 Act") save for major variations relating to affordable housing development and / or financial contributions exceeding £0.5M.	Planning Development Manager
14.3 Power to serve an enforcement notice under section 172 of the 1990 Act.	Planning Development Manager
14.4 Power to withdraw or vary any enforcement notice issued under section 173 A of the 1990 Act.	Planning Development Manager
14.5 Power to serve a stop notice under s183(1) of the 1990 Act	Planning Development Manager

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14.6	Power to withdraw a stop notice under s183(7) of the 1990 Act	Planning Development Manager
14.7	Power to serve a planning contravention notice under s171C of the 1990 Act	Planning Development Manager
14.8	Power to serve a temporary stop notice under s171E of the 1990 Act.	Planning Development Manager
14.9	Power to withdraw a temporary stop notice under s171E of the 1990 Act	Planning Development Manager
14.10	Power to serve a breach of condition notice under s187A of the 1990 Act	Planning Development Manager
14.11	Power to prosecute for demolition in a conservation area under s196D of the 1990 Act	Planning Development Manager
14.12	Power to seek an injunction under s187B of the 1990 Act unless breach of planning control relates to affordable housing development and / or financial contributions exceeding £0.5M.	Planning Development Manager
14.13	Power to issue a notice for untidy land under s215 of the 1990 Act.	Planning Development Manager
14.14	Power to issue a requisition for information under section s330 of the 1990 Act to require information as to interests in land.	Planning Development Manager
14.15	Power to take direct action under s178 of the 1990 Act	Planning Development Manager
14.16	Enforcement rights of entry without warrant under s196A of the 1990 Act.	Planning Development Manager
14.17	Power to authorise the stopping-up or diversion of a footpath, bridleway or restricted byway under s 257 of the 1990 Act.	Planning Development Manager
14.18	Power to extinguish public rights of way over land held for planning purposes under s 258 of the 1990 Act.	Planning Development Manager
14.19	Powers relating to the preservation of trees under s 197 to s214D of the 1990 Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.	Planning Development Manager
14.20	Power to confirm a Tree Preservation order where no objections have been raised.	Planning Development Manager

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14.21	Power to issue screening and scoping opinions under the Environmental Impact Assessment Legislation.	Planning Development Manager
14.22	Power to issue a decision on the need for an Appropriate Assessment under the Habitats Directive.	Planning Development Manager
14.23	Powers relating to the protection of important hedgerows under the Hedgerows Regulations 1997 (S.I. 1997/1160).	Planning Development Manager
14.24	Powers relating to high hedges under Part 8 of the Anti-Social Behaviour Act 2003	Planning Development Manager
14.25	To grant relief and exemptions under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager or Planning Development Manager
14.26	To issue all notices, orders and apply surcharges and/or interest under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager Planning Development Manager or Group Head of Corporate Governance
14.27	To determine reviews of the calculation of a chargeable amount under the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager or Planning Development Manager
14.28	To require any owner or relevant person to provide the Council with such further information, documents or materials as considered relevant under regulation 108A of the Community Infrastructure Levy Regulations 2010 (as amended).	Strategic Planning Manager or Planning Development Manager
14.29	Agreement of any amendments to the Local List of Requirements for the validation of planning applications.	Planning Development Manager
14.30	Power to object or make representation against a goods vehicle (operator's) licensing application in accordance with the Goods Vehicles (Licensing of Operators Act 1995 and the Goods Vehicles (Licensing of Operators) Regulations 1995.	Planning Development Manager

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Council Meeting – 17 July 2025

Amendments to the Constitution – New Protocol on Relations Between Members

This item was considered at a meeting of the Standards Committee on 11 June 2025.

It was **resolved** to recommend to Council that they adopt the Protocol on relations between Members and that this forms part of the Council's Constitution.

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Standards Committee

11 June 2025



Title	Amendments to the Constitution – new Protocol on relations between Members
Purpose of the report	To make a recommendation
Report Author	Linda Heron, Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Council decision.
Recommendations	Committee is asked to: <ol style="list-style-type: none"> 1. Consider and approve the proposed Protocol on relations between Members; and 2. Recommend to Council that the Protocol on relations between Members is adopted in the Constitution.
Reason for Recommendation	To ensure that the Constitution is an effective and up to date document and to support high standard of conduct by councillors.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> Councillors have requested some changes to the Scheme of Delegations to Officers (part 3(d) of the Constitution) to clarify principles for Council decision making. 	<ul style="list-style-type: none"> To ensure the Constitution supports high standards of conduct by councillors.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> Recommend the changes as set out in Appendix 1. 	<ul style="list-style-type: none"> Seek Council approval for the proposals. Once approved, the Constitution will be updated and published on the website.

- 1.1 This report seeks a recommendation to Council to approve proposed amendments to part 5(c) of the Constitution, which have the support of most of the Committee System Working Group.

2. Key issues

- 2.1 The Committee System Working Group (CSWG) is responsible for considering whether any amendments are required to the Constitution and making recommendations on these to the Standards Committee.
- 2.2 The current Protocol on Member – Officer Relations has been in place for some time and can be found in part 5(c) of the Constitution.
- 2.3 The Council is required to promote and maintain high standards of conduct by its elected members (section 27 of the Localism Act 2011), and to this end the Council has adopted Councillor Code of Conduct setting out the expected standards of behaviour.
- 2.4 The Council is also required to have in place arrangements for dealing with and investigating allegations of misconduct under the Councillor Code of Conduct (section 28 of the Localism Act 2011). These arrangements are set out on the Council's website under "Making a complaint against a councillor".
- 2.5 In view of the increased number of complaints under the Councillor Code of Conduct received during the municipal year 2024-25 and following feedback from this Committee at its meeting on 12 February 2025, it is proposed to adopt a new Protocol on relations between Members as part of the Council's Constitution.
- 2.6 The proposed changes to the Constitution were discussed with the Committee System Working Group in April 2025.

3. Constitutional amendments and options analysis

- 3.1 It is proposed to introduce a new section in part 5(c) of the Constitution titled "Protocol on relations between Members" and which is set out in full in Appendix 1.
- 3.2 The proposed new Protocol is seeking to promote, support and maintain effective and respectful working relationships between the elected members without impacting on legitimate political debate.
- 3.3 Briefly, the Protocol sets out guiding principles in section 3 and contains a section on matters relating to political debate in (section 4), meetings between Group Leaders (section 5), access to information (section 6), conflict resolution (section 7) and pre-election period (section 8).
- 3.4 **Option 1:** to approve the new Protocol on relations between Members and recommend to Council that the Protocol be adopted in the Constitution.

The proposed Protocol will enable the Group Leaders to handle and resolve a large proportion of complaints between members without the referral to the Monitoring Officer. This will strengthen the Council's ability to promote and maintain high standards of conduct by its elected members.
- 3.5 **Option 2:** to make amendments to the proposed Protocol on relations between Members.

The proposed Protocol has been discussed with the Committee System Working Group. Each Group Leader then wider consulted on the proposals within their respective Group, and the majority of the Groups confirmed support.

- 3.6 **Option 3:** to not approve the proposed Protocol on relations between Members.

The Council will continue to rely on the existing framework for promoting and maintaining high standards of conduct by its elected members and the complaints between councillors that would have been dealt with by the Group Leaders under the proposed Protocol will need to be referred to the Monitoring Officer for assessment and investigation.

4. Financial management comments

- 4.1 None in the context of this report.

5. Risk management comments

- 5.1 None arising directly from this report.

6. Procurement comments

- 6.1 None arising directly from this report.

7. Legal comments

- 7.1 The Council has a statutory duty to promote and maintain high standards of conduct by its elected members (s.27 of the Localism Act 2011).
- 7.2 It is considered that the proposals in this report will meet one of the purposes of the Constitution as set out in Article 1 para 1.3:

(4) help councillors represent their constituents more effectively

- 7.3 Amendments to the Constitution are a matter for full Council decision.

8. Other considerations

- 8.1 None.

9. Equality and Diversity

- 9.1 No specific implications arising directly from this report.

10. Sustainability / Climate Change Implications

- 10.1 None.

11. Timetable for implementation

- 11.1 A recommendation from Standards Committee will be considered by Council at its meeting on 17 July 2025.
- 11.2 The amendments will take effect upon agreement by Council and the Constitution will be updated and published as soon as reasonably practicable.

12. Contact

- 12.1 Linda Heron, Group Head Corporate Governance l.heron@spelthorne.gov.uk

Please submit any material questions to the Mayor and Officer Contact by two days in advance of the meeting.

Background papers: None.

Appendices:
Appendix 1 – Protocol on relations between Members

Protocol on relations between Members

1. Introduction

- 1.1 In each case, behaviour under this Protocol will be judged objectively. That is to say, it will be judged based on what a reasonable person knowing all the facts would conclude from observing the behaviour.
- 1.2 The Council will formally adopt this Protocol for inclusion in the Spelthorne Borough Council Constitution and a copy will be published on the Council website.

2. Interpretation

- 2.1 In this Protocol “Member” includes all elected Members of the Council.

3. Guiding Principles

- 3.1 Members shall attempt to resolve matters informally by raising issues with their Group Leader in the first instance who, in turn, shall raise that issue with the relevant Group Leader and the parties will make reasonable endeavours to achieve informal resolution.
- 3.2 In addition to the Councillor Code of Conduct, Spelthorne Borough Councillors have indicated that they wish to work towards the following standards:-

Public Behaviour

- Show respect to each other, accepting a presumption that everyone is acting in good faith.
- Not to make personal or offensive comments about each other.
- Not to publish anything insulting about each other.
- Not to make malicious allegations against each other.
- Not to publish or spread any false information about each other.

Behaviour in committees:

- Treat each other with dignity and respect, and show courtesy in all meetings and contacts, both formal and informal.
- Show respect to and comply with the decisions of the Chair / the Mayor and Vice-Chair.

Confidentiality:

- Keep the confidentiality of exempt papers and any other documents which are not public.
- Return or securely destroy confidential papers.
- Not to use confidential information for purposes other than intended.

Local members

- Work with any joint ward member and/or members of adjoining wards for the benefit of the locality.
- If dealing with any matter relating to another ward:
 - Explain to anyone seeking assistance that he/she is not the local member; and
 - Inform the local member, unless it would lead to a breach of confidentiality.

4. Political Differences and personal criticism

- 4.1 This Protocol is not intended to restrict or discourage legitimate, political debate. However, it is also in the interests of local people that there are cordial working relationships between members of different Political Groups. These working relationships will be assisted if they are supported by a clear set of guidelines and it is these that this Protocol is intended to provide. The relationship between the members of different Political Groups will also be supported if all Members adhere to high standards of courtesy and mutual respect in their dealings with one another.
- 4.2 As with their relations with officers, in their dealings with fellow Members, it is important that robust debate of the issues at stake can take place without personal criticism of another person who holds a different point of view. Courtesy and civility must be maintained at all times.
- 4.3 Members' integrity should not be questioned by other Members in public in any media and nor should they be subject to any name-calling or abuse. Questioning a fellow Member's integrity is likely to be a particularly serious matter and must never occur unless there is a very exceptional justification; for example, if there is very clear documentary evidence to substantiate any allegation made. Even in these circumstances it will rarely be appropriate to question a Member's integrity publicly without first pursuing other established procedures which are available for the investigation of allegations of ethical misconduct. Members will note the requirement to comply with the confidentiality obligations set out in both (i) the Members' Code of Conduct, and (ii) the Council's Arrangements for dealing with allegations of misconduct).
- 4.4 The principles contained in this section must be adhered to in meetings of the Council and any Committee meeting, or any other meeting at which members of the public or third parties are entitled to be present. This principle must also be observed in all dealings with the press and other media which should not under any circumstances be used to undermine or personally criticise fellow Members whether or not those Members are named or identified in any press or other media article or briefing.

5. Meetings between Group Leaders

- 5.1 The Leader of any Group may request a meeting with the other Group Leader(s) at any reasonable time to discuss issues relating to current and/or forthcoming Council business, or any issues engaged by this Protocol. Following such a request, the Group Leaders will use all reasonable endeavours to meet as soon as is reasonably practicable thereafter.
- 5.2 Actions agreed at these meetings will be noted (unless the Group Leaders agree otherwise). The record of the meetings may be made by an officer appointed by the

Monitoring Officer who, if not present for the whole meeting, will be invited in to record the agreed outcomes and actions.

6. Members' access to information and to Council documents

- 6.1 This is covered in the Council's Constitution in the Access to Information Rules (part 4(g)) and in the Member – Officer Relations Protocol (part 5(c)).
- 6.2 Members may share with other Members of the Council (but not third parties) exempt information unless expressly prohibited from doing so by the person or body providing the information but must ensure that any recipient Member is aware that the information may not be disclosed to any party outside the Council (see paragraph 7.3 below).

7. When things go wrong

- 7.1 From time to time the relationship between Members may break down or become strained. It will always be preferable to resolve matters informally through conciliation, and where necessary with the informal assistance of the Group Leaders. Where this is not the case, and a Member reasonably considers that another Member has acted in breach of this Protocol, the procedure in paragraph 7.2 will be followed.
- 7.2 If attempts at resolving matters informally have not been successful where a Member reasonably considers that another Member has acted in breach of this Protocol, then:-
 - (a) the Member must make a written complaint to the other Member and copy that complaint to the relevant Group Leader(s). This must specify all incidents that the complainant intends to refer to, accompanied where reasonably possible by evidence in support, and set out the alleged breach of this Protocol;
 - (b) the Member who has been complained about shall (within 10 working days) respond in writing to the complainant and copy that response to the relevant Group Leader(s);
 - (c) the relevant Group Leader(s) shall (within 10 working days (or as soon thereafter as is reasonably practicable)) meet to discuss the complaint. If they both/all consider that the complaint is unreasonable, frivolous, or vexatious, that shall be the end of the matter and the Group Leaders shall inform the complainant accordingly.
 - (d) If they both/all consider that the complaint is of a technical or minor nature, they may invite the Member who has been complained against to make a written apology, in a form (and within a timescale) agreed between the relevant Group Leaders. Once that apology has been made that shall be the end of the matter unless the Member subsequently acts in a manner at variance with that apology;
 - (e) If any of the relevant Group Leaders considers the complaint is of a more serious nature than mentioned in the previous paragraph, or if the Member complained against fails to give the requisite apology, the relevant Group Leader(s) shall agree a suitable course of action which may include referral to the Monitoring Officer (if the threshold for dealing with allegations under the Councillor Code of Conduct has been reached);

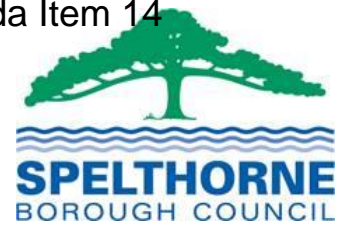
- (f) both the Complainant and the Member complained about shall be advised in writing by the relevant Group Leader(s) of their decision;
- (g) a Complainant may at any time withdraw a complaint by notice in writing to the other Member and copy that notice to Group Leaders.

7.3 Exceptions may be made to the procedures set out in paragraph 7.2 above if to do otherwise would conflict with the Council's policy on "Whistle blowing" or potentially prejudice a criminal investigation (whether in progress or reasonably contemplated in the future) or the complaint relates to a breach of the Councillor Code of Conduct where it shall be lodged as a formal complaint and the arrangements for dealing with allegations of misconduct shall be followed.

8. Complaints made during the Pre-Election Period

8.1 Complaints made by Members about other Members in connection with electoral matters in the run up to local elections (and any other relevant election) will be dealt with in accordance with the relevant legislative provisions that apply to the conduct of elections and in majority of the cases will require referral to the Electoral Commission.

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Commercial Assets Sub-Committee

Decisions taken at the meeting held on Monday, 28 April 2025.

Meeting Time:

1.30 pm

Meeting Venue:

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

PRESENT: Councillor Lawrence Nichols (Chair), Councillor Malcolm Beecher, Councillor Tony Burrell, Councillor Denise Saliagopoulos and Councillor Howard Williams

9. VARIATION OF LEASE, THAMES TOWER

The Sub-Committee **resolved** to:

- 1) Approve the grant of a reversionary lease extending the term of the existing lease in accordance with the Heads of Terms set out in Appendix 1; and
- 2) Authorise the Group Head of Assets in consultation with the Chair and Vice-Chair of the Commercial Assets Sub-Committee to agree to any variations to the proposed terms; and
- 3) Authorise the Group Head of Corporate Governance to enter the Reversionary Lease, Deed of Variation and any associated legal documentation.

NOTES:-

- (1) *Members are reminded that the “call-in” procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
 - (c) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*
- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Corporate Policy and*

Resources Committee for review (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.

- (4) The members exercising the right of call-in must not be members of the Committee which considered the matter.*
- (5) When calling in a decision for review the members doing so must demonstrate the following exceptional circumstances:*
 - a. Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or*
 - b. Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or*
 - c. Evidence that explicit Council Policy or legal requirements were disregarded.*
- (6) Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until the call-in procedure has been exhausted.*
- (7) The Chief Executive, in consultation with the relevant officer, will determine if the interests of the Council or Borough would be prejudiced by a delay in implementing a decision such that the call-in cannot wait until the next ordinary meeting of the Corporate Policy and Resources Committee.*
- (8) Where the call-in cannot wait until the next ordinary meeting, the Monitoring Officer will arrange an extraordinary meeting of the Corporate Policy and Resources Committee to review the decision subject to call-in at the earliest possible opportunity.*
- (9) In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.*
- (10) In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Corporate Policy and Resources Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
- (6) The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 1 May 2025.*

Report of the Chair on the Work of the Planning Committee

This report gives an overview of the key items considered by the Committee at its meetings on 30 April 2025, 28 May 2025 and 25 June 2025

1. Planning Committee Meeting – 30 April 2025

- 1.1 The Committee considered one application.
- 1.2 Application No. 25/00214/HOU - Erection of a single storey rear extension to the rear of existing extension, with first storey rear extension above.
- 1.3 The application was **approved** subject to conditions as set out in the recommendation section of the report.

2. Planning Committee- 28 May 2025

- 2.1 The Committee considered one application.
- 2.2 Application No. 25/00423/PAP – Prior approval notification for the erection of two floors of residential flats on top of the existing detached block of flats. The proposed third and fourth floor extension would consist of 4 apartments per floor with associated parking and refuse facilities.
- 2.3 The application was **overturned** and **refused** for the following reason:
The proposed development is considered to be detrimental and harmful to the character of the street scene due to height and scale and would be harmful to the amenity of existing occupants of Maynard Court due to loss of light and privacy, contrary to paragraph 135 (c) and (f) of the NPPF 2024.

3. Planning Committee – 25 June 2025

- 3.1 The Committee considered two applications.
- 3.2 Application No 25/00508/FUL – Temporary change of use of land for car parking in support of temporary film-making operations.
- 3.3 The application was **overturned** and **refused** for the following reason:
The application amounts to inappropriate development with the Green Belt under the NPPF and there are no very special circumstances that will outweigh any harm.

3.4 Application Nos 25/00308/RVC – Variation of Conditions 2 (Approved Plans) and 3 (Materials) of planning approval 24/01052/FUL for ‘External Alterations including new openings at lower ground level, access ramps and railings to create an external play area’ to allow for amendments to the approved plans including extension to the fence line to extend across the widened ramp that replaces existing staircase; the installation of an entrance gate within the proposed fence line extension; increase in railing height from 1.3m to 1.8m; and for the materials to be approved as part of this application and with a subsequent compliance condition.

and 25/00307/RVC – Variation of Conditions 2 (Approved Plans) and 3 (Materials) of approval 24/01053/LBC for ‘Internal and External Alterations including new openings at lower ground level, access ramps and railings to create an external play area’ to allow for amendments to the approved plans including internal alterations to openings and layout; extension to the fence line to extend across the widened ramp that replaces existing staircase; the installation of an entrance gate within the proposed fence line extension; increase in railing height from 1.3m to 1.8m; and for the materials to be approved as part of this application and with a subsequent compliance condition.

3.5 The application was **approved** subject to conditions as set out in the recommendation section of the report.

Report of the Chairman on the work of the Audit Committee

This report gives an overview of the key items considered by the Committee at its meeting on 08 May 2025.

At the Audit Committee held on 08 May 2025, the following business was considered:

1. Internal Audit Charter and Internal Audit Plan 2025-26

1.1 The Committee considered the Internal Audit Charter and Internal Audit Plan

1.2 The Committee **resolved** to:

- Suggest amendments to the report and agreed to consider and approve at the next Committee the final Internal Audit Charter 2025-26
- Approve the Internal Audit Plan 2025-26

2. Internal Audit Progress Report

2.1 The Committee considered the Internal Audit Progress Report

2.2 The Committee **resolved** to agree they had been informed and assured of Internal Audit Progress.

3. Action Plan to address the Annual Audit Report

3.1 The Committee considered the Action Plan to address the Annual Audit Report

3.2 The Committee **resolved** to consider the progress against the action plan and responses to the 2023-24 External Auditor's Annual Report

4. Action Plan to address the Audit Findings Report

4.1 The Committee considered the Action Plan to address the Audit Findings Report

4.2 The Committee **resolved** to agree that they had been informed and assured as to the progress against the Action Plan and responses to the 2023-24 External Auditor's Audit Findings Report.

5. Consolidated Action Plan

5.1 The Committee considered the Consolidated Action Plan

5.2 The Committee resolved to consider the draft consolidated Action Plan relating to recommendations made in key external reviews of the Council and acknowledged the progress to date.

6. Corporate Risk Management

6.1 The Committee considered the Corporate Risk Register

6.2 The Committee **resolved** to consider the significant strategic risks and issues highlighted in this report and present these to the Corporate Policy and Resources Committee, ensuring continued wider reporting of the Corporate Risk Register and actions across other Committees.

7. Counter-Fraud, Bribery and Corruption Strategy

7.1 The Committee considered the Counter-Fraud, Bribery and Corruption Strategy.

7.2 The Committee **resolved** to:

- Acknowledge the annual review of the Council's Counter Fraud, Bribery and Corruption Strategy;
- Approve the proposed amendments to the Council's Counter Fraud, Bribery and Corruption Strategy; and
- Recommend to the Council that the Constitution be updated with the revised Counter Fraud, Bribery and Corruption Strategy

Decisions taken at the meeting held on Monday, 12 May 2025.

Meeting Time:

7.00 pm

Meeting Venue:

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

PRESENT:

2. MINUTES

The minutes of the meeting held on 24 April 2025 were agreed as a correct record.

5. MINUTES OF THE REORGANISATION AND TRANSFORMATION BOARD

The Committee **resolved** to acknowledge the minutes of the Reorganisation and Transformation Board.

6. 2024-25 BUDGET CARRY FORWARD REQUESTS*

The Committee **resolved** to agree and approve the requests for the 2024/25 Revenue and Capital expenditure to be carried forward to 2025/26 as follows:

- a) The Revenue carry forward requests totalling up to £24,291 as set out in Appendix A to the report; and
- b) The Capital carry forward requests totalling £3000,00 as set out in Appendix A to the report.

7. 2024-25 CAPITAL OUTTURN

The Committee **resolved** to acknowledge the Capital Outturn of £463k projected overspend against the Council's Estimated Capital Programme for 2024/25 as at 31 March 2025.

8. 2024-25 REVENUE OUTTURN*

The Committee **resolved** to acknowledge the forecast outturn for 2024/25 as at 31 March 2025 and approved the following:

1. The £3,112k underspend for the year to 31 March 2025, before the recommendations below, as set out in table 2.1 of the report.
2. Approve the following transfers to reserves:
 - a) £2,300k to Business Rates (National Non-Domestic Rates) Equalisation Reserve; and
 - b) £812k to the General Fund Reserve

9. SUNDRY DEBT WRITE OFFS*

The Committee **resolved** to approve the Sundry Debt write off set out totalling £6,854.52 which relates to irrecoverable Bed and Breakfast and Independent Living High Needs accounts.

10. SECOND HOME PREMIUM*

The Committee **resolved** to:

1. Approve the proposal for a premium on second homes Council Tax as in Appendix A of the report; and
2. Recommend to Council to agree the application of a Council Tax premium of 100% in respect of second homes with effect from 01 April 2027

11. USE OF COMMUTED SUMS

The Committee considered all the options within the report for the commuted sum usage and **resolved** to:

1. agree Options 1 and 2 as outlined in the report as their preferred options; and
2. authorise the Strategic Housing Lead to explore further the preferred options and to prepare a report for this Committee to consider and make a recommendation to Council.

12. FREEHOLD DISPOSAL OF ASHFORD CEMETERY LODGE*

The Committee **resolved** to:

1. Agree to the disposal of Ashford Cemetery Lodge to Knowle Green Estates for the provision of affordable housing at a sale price of £273,611.00; and
2. Delegate authority to the Group Head of Corporate Governance to complete any necessary documentation in connection with the disposal on the terms set out in the report.

13. CORPORATE RISK MANAGEMENT

The Committee **resolved** to note the significant strategic risks and issues highlighted in the report.

14. FORWARD PLAN

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

15. ASSET INVESTMENT STRATEGY 2025/26 (INCLUDING AMALGAMATED BUSINESS PLANS)*

The Committee **resolved** to approve the Asset Investment Strategy which set out the priorities and key focuses for proactive management of the Council's Investment and Regeneration Portfolio during 2025/26.

18. LOCAL AUTHORITY HOUSING FUND (LAHF) ACQUISITIONS*

The Committee **resolved** to:

1. Approve the acquisition of the 4 properties as outlined in the confidential report,
2. Agree that the net cost would be financed by the application of capital receipts,
3. Delegate authority to the Group Head of Corporate Governance to complete any necessary documentation in connection with the acquisition of the 4 properties,
4. Approve the subsequent transfer of the properties to Knowle Green Estates (KGE) at the purchase prices stated in the report, net of the Local Authority Housing Fund (subject to KGE Board approval); and
5. Delegate authority to the Group Head of Corporate Governance to complete any necessary documentation to complete the transfer of the properties set out in the report to KGE.

NOTES:-

- (1) *Members are reminded that the "call-in" procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
 - (c) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*
- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Corporate Policy and Resources Committee for review (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.*

- (4) *The members exercising the right of call-in must not be members of the Committee which considered the matter.*
- (5) *When calling in a decision for review the members doing so must demonstrate the following exceptional circumstances:*
 - a. *Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or*
 - b. *Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or*
 - c. *Evidence that explicit Council Policy or legal requirements were disregarded.*
- (6) *Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until the call-in procedure has been exhausted.*
- (7) *The Chief Executive, in consultation with the relevant officer, will determine if the interests of the Council or Borough would be prejudiced by a delay in implementing a decision such that the call-in cannot wait until the next ordinary meeting of the Corporate Policy and Resources Committee.*
- (8) *Where the call-in cannot wait until the next ordinary meeting, the Monitoring Officer will arrange an extraordinary meeting of the Corporate Policy and Resources Committee to review the decision subject to call-in at the earliest possible opportunity.*
- (9) *In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.*
- (10) *In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Corporate Policy and Resources Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
- (11) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on **16 May 2025**.*

Decisions taken at the meeting held on Tuesday, 3 June 2025.

Meeting Time:

7.00 pm

Meeting Venue:

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

PRESENT: Councillor Sue Doran (Chair), Councillor Maureen Attewell (Vice-Chair), Councillor Michelle Arnold, Councillor Chris Bateson, Councillor Malcolm Beecher, Councillor Mary Bing Dong, Councillor Med Buck, Councillor Sandra Dunn and Councillor Kathy Grant

5. LEISURE OPERATING CONTRACT: REVIEW OF FIRST 6 MONTHS

The Committee **resolved** to:

- 1) Agree to proceed with Option 2 as outlined in the report and requested additional information on safeguarding arrangements at Eclipse Leisure Centre; and
- 2) Consider the contents of the report and acknowledged the performance of the leisure operator for the period October 2024 to March 2025.

NOTES:-

- (1) *Members are reminded that the “call-in” procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
 - (c) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*
- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Corporate Policy and*

Resources Committee for review (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.

- (4) The members exercising the right of call-in must not be members of the Committee which considered the matter.*
- (5) When calling in a decision for review the members doing so must demonstrate the following exceptional circumstances:*
 - a. Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or*
 - b. Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or*
 - c. Evidence that explicit Council Policy or legal requirements were disregarded.*
- (6) Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until the call-in procedure has been exhausted.*
- (7) The Chief Executive, in consultation with the relevant officer, will determine if the interests of the Council or Borough would be prejudiced by a delay in implementing a decision such that the call-in cannot wait until the next ordinary meeting of the Corporate Policy and Resources Committee.*
- (8) Where the call-in cannot wait until the next ordinary meeting, the Monitoring Officer will arrange an extraordinary meeting of the Corporate Policy and Resources Committee to review the decision subject to call-in at the earliest possible opportunity.*
- (6) In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.*
- (7) In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Corporate Policy and Resources Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
- (8) The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 06 June 2025.*

Decisions taken at the meeting held on Tuesday, 17 June 2025.

Meeting Time:

7.00 pm

Meeting Venue:

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

PRESENT: Councillor Malcolm Beecher (Chair), Councillor Kathy Grant (Vice-Chair), Councillor Chris Bateson, Councillor Sean Beatty, Councillor Simon Bhadye, Councillor Tony Burrell, Councillor Darren Clarke, Councillor Sue Doran, Councillor Joanne Sexton, Councillor John Turner, Councillor Howard Williams and Councillor Paul Woodward

4. APPROVAL TO CONDUCT STATUTORY CONSULTATION ON SPELTHORNE DESIGN CODE

The Committee **resolved** to agree that the publication version of the Spelthorne Design Code be published for a six-week public consultation under Regulation 12 of the Town and Country Planning (Local Planning) Regulations 2012, with an amendment to reference the recently published article by Dr J Paul in a footnote with a caveat that the Council did not commission the report.

5. HOUSING DELIVERY TEST ACTION PLAN 2024

The Committee **resolved** to

1. Approve the Housing Delivery Test Action Plan 2024; and
2. Agree publication of the Housing Delivery Test Action Plan 2024 on the Council's website.

6. GREY BELT ASSESSMENT ADVICE NOTE

The Committee **resolved** to:

1. Accept and adopt the Grey Belt advice note for Development Management officers and the Planning Committee, to assist and guide decision making on relevant sites and applications.

7. PROJECT GREEN HORIZON

The Committee **resolved** to support the initiation of the Project Green Horizon Programme and approve the initiation/undertaking of the first three projects under the programme, subject to the amendments suggested at the meeting being incorporated.

8. GREEN INITIATIVES FUND BID - HYDROMX PILOT PROJECT

The Committee **resolved** to:

1. Approve the Hydromx Pilot Project; and
2. Approve as Revenue expenditure the spend of £10,100 from the Green Initiatives Fund (GIF).

NOTES:-

- (1) *Members are reminded that the “call-in” procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
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- (9) *In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Corporate Policy and Resources Committee.*

- (10) *In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Corporate Policy and Resources Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
- (6) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 23 June 2025.*

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Proposed by Councillor Boparai
Seconded by Councillor Rutherford

This Council resolves to:

Support Brent Council's plan for Gambling Reform, which calls for government reforms to address gambling premises posing risks to local welfare and safety. The council will lobby the government to place all gambling premises in a single planning category, consider local social and health factors, introduce a statutory levy on gambling operators, and restrict gambling advertising and promotions.

This includes writing to the Secretary of State for Culture, Media and Sport, promote campaigns, and work with local health and voluntary sector partners. Joining and promoting the Coalition to End Gambling Ads (CEGA) and any similar national or local campaigns aimed at reducing gambling harm and reforming the law.

Working with local health and voluntary sector partners to signpost residents to gambling addiction support and education initiatives.

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