



Please reply to:

Contact: Christeen Abee
Service: Committee Services
Direct Line: 01784 444229
E-mail: c.abee@spelthorne.gov.uk
Date: 22 November 2024

Notice of meeting

Standards Committee

Date: Monday, 2 December 2024

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames
TW181XB

To the members of the Standards Committee

Councillors:

Gareth Young (Chair)	J.R. Boughtflower	M.J. Lee
Dylan Price (Vice-Chair)	J.T.F. Doran	S.C. Mooney
M.M. Attewell	D.L. Geraci	
C. Bateson	K.M. Grant	

Substitute Members: Councillors S.A. Dunn, T. Burrell, K.E. Rutherford and O. Rybinski

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

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

Agenda

Page nos.

1. **Apologies and Substitutes**
To receive any apologies for absence and notification of substitutions.
2. **Minutes** 3 - 4
To confirm as a correct record the minutes of the meeting held on 2 October 2024.
 - a) Minutes of the Standards Sub-Committee 5 - 6
To note the minutes of the Standards Sub-Committee Hearing held on 17 October 2024.
3. **Disclosures of Interest**
To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.
4. **Amendments to the Constitution** 7 - 76
To consider making a recommendation to Council to approve the proposed changes to the Constitution.
5. **Member Development Strategy 2025-2027** 77 - 94
To consider adoption of the Member Development Strategy 2025-2027, and reconstituting the Member Development Steering Group.
6. **Consultation on Enabling Remote Attendance and Proxy Voting at Local Authority Meetings** 95 - 112
To consider a response to the Ministry of Housing, Communities and Local Government on their consultation on enabling remote attendance and proxy voting at Local Authority meetings.
7. **General Update on Standards Matters** 113 - 118
To receive an update on general standards issues.

**Minutes of the Standards Committee
2 October 2024**

Present:

Councillors:

M.M. Attewell

J.T.F. Doran

M.J. Lee

C. Bateson

D.L. Geraci

S.C. Mooney

J.R. Boughtflower

K.M. Grant

24/24 Minutes

The minutes of the Standards Committee meeting held on 10 April 2024 was agreed as a correct record of proceedings.

25/24 Disclosures of Interest

There were none.

26/24 Amendments to the Constitution

The Committee **resolved** to recommend to Council that they approve the proposed changes to the Constitution as set out in Appendix 1.

This page is intentionally left blank

**Minutes of the Standards Sub-Committee
17 October 2024**

Present:

Young (Chair)

Councillors:

T. Burrell

S.A. Dunn

M.J. Lee

557/24 Disclosures of Interest

There were none.

558/24 Determination of Complaint against Councillor Sexton

The Standards Sub-Committee (Hearings), having reviewed the evidence before it, **RESOLVED** that:

1. Spelthorne Borough Councillor Jo Sexton had breached paragraph 1.2 of the Council's Member Code of Conduct which relates to treating local authority employees with respect to the role they play and abiding by the Member -Officer Relations Protocol set out in Part 5c of the Constitution.
2. Spelthorne Borough Councillor Jo Sexton had not breached paragraph 2.1 of the Council's Code of Conduct which relates to bullying any person.

The Sub-Committee considered the sanctions available and decided that

1. Councillor Jo Sexton should issue a private apology to the complainant; and
2. the Monitoring Officer to publish the Sub-committee's findings in respect of Councillor Jo Sexton on the Council's website.

This page is intentionally left blank

Standards Committee



2 December 2024

Title	Amendments to the Constitution
Purpose of the report	To make a recommendation
Report Author	Karen Limmer, Interim 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 Council to: Approve the proposed changes to the Constitution as set out in Appendix 1.
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"> Officers have identified some changes to the Constitution to provide clarity on decision-making and reflect current legislation. 	<ul style="list-style-type: none"> To ensure the Constitution facilitates efficient and effective decision-making, thereby supporting 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 Appendix 1 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 Officers have identified amendments which are required to clarify responsibilities for decision-making and reflect new legislation.
- 2.3 The proposed amendments relate to:
- the terms of reference of Committees (Part 3b of the Constitution),
 - the Scheme of Officer Delegation (Part 3d) and
 - Contract Standing Orders (Part 4e)
- 2.1 Terms of reference of Committees – The Corporate Policy and Resources Committee has responsibility for Corporate Complaints and receives the annual performance report on complaints. The Community Wellbeing Committee was recently appointed ‘Member Responsible for Complaints’. This appointment arose from a recommendation to CPRC on 9 September 2024 in a report on Housing Complaints Performance and the Housing Ombudsman’s Complaint Handling Code.
- 2.2 The report stated:
- “The Complaint Handling Code requires one member (or committee) of the governing body to have lead responsibility for complaints. This role is responsible for ensuring the governing body receives regular information on complaints that provides insight and learning on the Council’s complaint handling performance.*
- The Member Responsible for Complaints (MRC) will be responsible for ensuring that future annual self-assessments of compliance with both Ombudsmen’s Codes, (Housing Ombudsman and Local Government and Social Care Ombudsman [LGSCO]) are scrutinised and challenged. This forms part of their role in embedding a positive complaint handling culture across the organisation.*
- The LGSCO Code also advises the appointment of an MRC with an equivalent role, (to that of the MRC under the Housing Ombudsman’s Code) although the LGSCO is yet to provide a detailed suggested role profile. Complaints falling within the jurisdiction of the LGSCO relate to every service of the Council with the exception of social housing. These complaints far outweigh the number of complaints handled by MTVH (the Housing Company appointed by the Council to manage its social housing i.e. Harper House and White House) in the last year about social housing.*
- ... it is proposed to appoint one MRC to cover both Ombudsmen’s jurisdictions.”*
- 2.3 Although appointment of the Community Wellbeing and Housing Committee as MRC for social housing complaints is appropriate, the requirement is to appoint one MRC to scrutinise all complaints relating to any service of the Council. In 2023-24 we received just 2 complaints about social housing and 42 about other services.
- 2.4 It is proposed to amend the terms of reference to delegate Corporate Policy and Resources Committee as the “Member responsible for Complaints” to avoid possible duplication of scrutiny and reporting on complaint performance.

- 2.5 Scheme of Delegation – to accord with the Statutory Guidance issued by the Government which relates to Special Severance Payments, it is proposed to delegate to the Head of Paid Service in consultation with the Leader to sign off severance payments of £20,000 to £100,000 and to delegate to the Chief Finance Officer to sign off severance payments below £20,000. These relate to payments which may be considered on termination of employment following previous government proposals to limit exit payments in the public sector, which were then rescinded.
- 2.6 Contract Standing Orders – a new public procurement regime has been created by the Procurement Act 2023. It is necessary therefore to update Contract Standing Orders to reflect this new piece of legislation.
- 2.7 The proposed changes to the Constitution were discussed with the Committee System Working Group on 20 November 2024. The Working Group suggested a minor amendment to the Contract Standing Orders to require advertising of contracts over £30,000 instead of £25,000.
- 3. Constitutional amendments**
- 3.1 Attached at **Appendix 1** is a summary of all the amendments which are recommended for approval. The amendments relate to a number of the Parts which make up the Constitution. Clean copies of these amended Parts are attached as appendices. Tracked change versions of these documents are available to councillors in the Mod.Gov app library.
- 4. Legal comments**
- 4.1 It is considered that the proposals in the Appendix to this report will meet one of the purposes of the Constitution as set out in Article 1:
- (a) to enable decisions to be taken efficiently and effectively;
- 4.2 The new public procurement regime created by the Procurement Act 2023 (the Act) was due to start on 28 October 2024. On 12 September 2024, government announced that the Procurement Act 2023 will now commence on 24 February 2025 - a delay of four months, to allow time for a new National Procurement Policy Statement (NPPS) to be produced.
- 5. Risk considerations**
- 5.1 If the Constitution is not updated to reflect current legislation, the Council exposes itself to the risk of legal challenge. If we fail to comply with the Procurement Act 2023, there is a risk that contracts may be invalid.
- 5.2 If the responsibility for complaints is not clarified in the terms of reference for Committees, there is a risk of confusion as to the correct reporting body and the possibility of duplication of work with the consequent impact that has on resources.
- 6. Timetable for implementation**
- 6.1 A recommendation from Standards Committee will be considered by Council at its meeting on 12 December 2024.
- 6.2 The amendments will take effect upon agreement by Council and the Constitution will be updated and published as soon as reasonably practicable.
- 7. Contact**

7.1 Gill Scott, Corporate Governance Support Officer (g.scott@spelthorne.gov.uk)

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

Background papers: There are none.

Appendices:

Appendix 1 – Summary of proposed Constitution amendments

Followed by:

Part 3(b) Terms of Reference

Part 3(d) Delegations to Officers

Part 4(e) Contract Standing Orders

Explanation of proposed Constitution Changes December 2024

Page 11

Section	Current Text	Proposed	Reason for change
Part 3b – Terms of Reference			
Amend	Corporate Policy and Resources Committee has responsibility for Corporate Complaints and receives the annual report on complaints. Community Wellbeing Committee has recently been appointed ‘Member Responsible for Complaints’	Corporate Policy and Resources Committee to be appointed ‘Member Responsible for Complaints’	To delegate one Committee to have responsibility for complaints performance to avoid the possibility of duplication of work.
Section	Current Text	Proposed	Reason for change
Part 3d – Delegations to Officers			
New	Sections 6.6 and 6.7 – new delegations for special severance payments	Delegation to Head of Paid Service in consultation with the Leader to sign off severance payments of £20,000 to £100,000. Delegation to Chief Finance Officer to sign off severance payments below £20,000	To accord with the statutory guidance relating to special severance payments.
Section	Current Text	Proposed	Reason for change
Part 4e – Contract Standing Orders (SO)			
Amend		Reviewed to align with Procurement Act 2023	To reflect current legislation.

This page is intentionally left blank

TERMS OF REFERENCE

All Committees will have the following functions in relation to those areas of responsibility falling within the remit of each Committee:

- To work at meeting the Council's corporate objectives, as set out in the Corporate Plan and set strategic priorities within the Budget and Policy Framework, for services within its remit
- To adopt, monitor and review Council policies and strategies which fall within the remit of that Committee.
- To take decisions within the budget framework including contract and virement decisions.
- Where there are significant budgetary implications, to make recommendations to the Corporate Policy and Resources Committee on changes to existing policies, or the adoption of new policies, with the exception of changes to previously approved, or the addition of new policies falling within the Policy Framework. These are reserved to Council.
- Each Committee is limited in authority to grant expenditure to £1 million for any particular project (with the exception of decisions on Community Infrastructure Levy funds allocation by the Corporate Policy and Resources Committee) without seeking approval from full Council. Any project must be taken as a whole, and the project cannot be sub-divided into its constituent parts with each being authorised separately to avoid this limit set by this rule.
- To recommend to Council any expenditure on a project within the Capital Programme where the cost of the project as a whole exceeds £1million.
- To review and have oversight of the agreed Project Initiation Document and other relevant project reporting documentation in relation to service projects within the Committee's remit.
- To consider and propose budget priorities and actions on the delivery of Council services within each Committee's remit, within the overall policy and budgetary framework agreed by the Council.
- To consider periodic budgetary monitoring and variation reports in respect of the functions within the Committee's remit and make any recommendations to the Council as necessary.
- To consider Motions referred to the Committee by Council under Standing Order 16.6, in accordance with the rules of debate at Standing Order 18.
- To review and scrutinise budget proposals relevant to the Committee's functions and make recommendations to the Corporate Policy and Resources Committee, or in the case of that Committee, make recommendations to Council.
- To review and scrutinise service delivery in line with the strategic direction set above and in particular ensuring that best value in service delivery is being obtained for the community.
- To undertake scrutiny and monitor the performance of external bodies who deliver services to the community.

Part 3 section (b)

- To encourage performance improvement in relevant services, consistent with Value for Money principles (defined in Part 4d Glossary of terms) and within the policy and budgetary framework agreed by the Council. This includes responding appropriately to statutory reports on external inspections and service reviews.
- To facilitate and encourage public participation in the Council's activities by engaging key stakeholders in the Council's processes for decision making.
- To oversee the publication of consultation papers on key issues and ensure that there is appropriate public consultation.
- To consult with local Ward councillors about policy developments or service initiatives which have a specific relevance to that Committee.
- To commission studies or the collection of information relating to policy issues (Corporate Policy and Resources Committee) or service delivery (Strategic Committees).
- To establish Working Groups and Task and Finish Groups to examine in detail specific issues or aspects of policy, procedure or service in accordance with the Working Group and Task and Finish Group procedure rules at Part 4i of this Constitution.
- In respect of matters that cross the remits of two or more Strategic Committees, the Chairs of the relevant Committees will agree which Committee will deal with the issue, in consultation with the relevant officer bringing the matter. If the Chair is not available, the Vice-Chair will be consulted. In the case of a conflict, the Corporate Policy and Resources Committee will be responsible for the matter.
- Where a function does not clearly fall within the remit of a Strategic Committee, the Corporate Policy and Resources Committee shall direct which Committee shall deal with the function, or deal with the matter itself.
- This Committee has responsibility for scrutinising matters referred to it by the Strategic Committees or councillors in accordance with the Council's Call-in Scheme (Part 4b of this Constitution).

CORPORATE POLICY & RESOURCES COMMITTEE

Membership

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

Functions

The Corporate Policy and Resources Committee exercises any function not delegated to another Committee, an officer or reserved to Council. In particular, it makes recommendations concerning the Council's budget to Council. The Committee will also carry out those statutory and non-statutory functions falling within its area of responsibility as set out below. Working within the Budget and Policy framework previously approved by Council, it will set strategic priorities for the services within the Committee's remit.

Where a function does not clearly fall within the remit of a Strategic Committee, this Committee shall direct which Committee shall deal with the function, or deal with the matter itself.

The Committee will recommend to Council new, or changes in previously approved, policies that fall within the Policy Framework as set out in Article 4 as well as making joint arrangements or delegating decision making to Chief Officers. However, this does not prevent that Committee from choosing to exercise the function itself.

Areas of responsibility include:

- Appointments to Outside Bodies
- Armed Forces Covenant
- Building Control
- Business and Financial Planning
- Compulsory Purchase Orders
- Contracts and Commissioning
- Council Insurance, Health and Safety
- Corporate Communications
- Corporate Complaints
- Customer Services
- Debt and Treasury Management
- Democratic Services
- Electoral Services
- Financial Services
- Human Resources
- Investment and Regeneration Assets
- Land Charges
- Legal Services
- ICT and Digital transformation
- Oversight of major (where the cost of the project as a whole exceeds £1 million) programmes and projects within the Capital programme.
- Performance Management

- Procurement
- Project Management
- Reserves Strategy
- Revenues and Benefits
- Risk Management
- Strategic Partnerships

And specifically:

- To make recommendations as appropriate on matters reserved to Council for decision including:
 - the Council's draft annual budget, including the capital and revenue budgets, prudential controls and council tax
 - the use of reserves
 - the Council's Community and Corporate Plans
 - the Council's Policy Framework
- To consider periodic budgetary monitoring and variation reports and make any recommendations to the Council as necessary.
- To be responsible for decision making in respect of the Council's fees and charges and consider recommendations from the other Strategic Committees on fees and charges for services falling within their remit.
- To act as the Council's shareholder representative on the Knowle Green Estates Board.
- To appoint a shareholder representative for any company set up by Spelthorne Borough Council, from that committee within whose remit the business of the company falls.
- To be responsible for decisions to proceed with asset acquisitions relating directly to Regeneration purposes only.
- To be responsible for decisions to proceed with freehold (or long leasehold) disposal of investment assets and/or commercial assets within the regeneration programme.
- To approve dilapidation settlements that exceed £500k.
- To receive quarterly reports on the Investment Sinking Fund Reserves and to be notified of any change of adverse impact and mitigation measures which are being taken to address.
- To be responsible for the oversight of major programmes and projects within the Capital Programme where the cost of the project as a whole exceeds £1 million.
- To be responsible for decision making in respect of the Council's services and activities other than those specifically delegated to other Committees or officers.
- To be responsible for decision making where there is a conflict in respect of matters that cross the remits of two or more Strategic Committees.
- To be responsible for decisions to adopt new policies or make changes to previously approved policies, falling outside the Policy Framework, where there are significant budgetary implications.
- To be responsible for decisions on Community Infrastructure Levy (CIL) funds allocation on those proposals related to major infrastructure projects where

Part 3 section (b)

significantly large sums of monies (approximately £1million or more) are being committed or on schemes which carry a degree of complexity as recommended by the CIL Task Group.

- To consider the Annual report from the Local Government and Social Care Ombudsman (LGSCO) and any maladministration findings of the body.
- To act as the Member Responsible for Complaints in accordance with the Complaint Handling Codes of the LGSCO and the Housing Ombudsman.
- To make a Compulsory Purchase Order and decide on the level of costs arising up to £1 million.
- To make appointments to outside bodies and charities where the appointment is not reserved to Council for decision.
- To be consulted by other committees on any issues raised relating to the performance and provision of services.
- This Committee has responsibility for scrutinising matters referred to it by the Strategic Committees or councillors in accordance with the Council's Call-in Procedure Rules (Part 4b of this Constitution).

COMMERCIAL ASSETS SUB-COMMITTEE

Objective

Within the overall policies and strategies set by the Council, to provide leadership, decision making and accountability for the management of the Council's Investment properties and commercial assets within the Council's regeneration programme.

Membership

A minimum of 4 Members reflecting political balance, with at least 1 member from each political party. An independent member will also be appointed.

Functions

1. Acquisitions relating directly to Regeneration purposes only (acquiring assets for alternative purposes is not covered via the Objectives of this Sub-Committee)
 - (a) To receive recommendations from officers (where officer/member delegation financial limits are exceeded) as to possible new strategic property acquisitions for regeneration purposes only.
 - (b) Following (a) above, to give an initial steer on whether to investigate further those potential acquisitions.
 - (c) Following (b) above and any subsequent reports from officers, to make recommendations to the Corporate Policy & Resources Committee to proceed with acquisitions in accordance with relevant Council procedure rules.

2. Disposals
 - (a) To receive recommendations from officers (where officer/member delegation financial limits are exceeded) as to the potential freehold (or long leasehold) disposal of investment assets and/or commercial assets within the regeneration programme.
 - (b) To receive recommendations from officers (where officer/member delegation financial limits are exceeded) as to the potential joint venture initiative involving investments assets and/or commercial assets within the regeneration programme.
 - (c) Following (a) or (b) above to give an initial steer on whether to investigate further those potential disposals or joint venture initiatives.
 - (d) Following (c) above and any subsequent reports from officers, to make recommendations to the Corporate Policy & Resources Committee to proceed with the particular freehold (or long leasehold) disposal or joint venture initiative in accordance with the relevant Council procedure rules.
 - (e) To receive recommendations from officers and approve (or otherwise) any proposals for the granting of a new or reversionary lease at an aggregated rent over the term which exceeds officer delegation levels.

3. Management of Investment Assets and Commercial Assets within the Regeneration Programme
- (a) To approve leasehold disposals (lettings) in investment assets (where officer/member delegation financial limits are exceeded.)
 - (b) To approve dilapidation settlements valued between £101k and £500k and make recommendations to Corporate Policy and Resources Committee for any that exceed £500k.
 - (c) To approve the change of use of investment assets including recommendations to the Corporate Policy and Resources Committee regarding alternative use or classification of the asset.
 - (d) To receive monthly update reports on the management of the investment assets in accordance with the adopted Asset Management Strategy, including rental income, potential letting opportunities, pending break option and lease expiries over the next 12-month period, significant assignments and any other estate management issues based on officer recommendations.
 - (e) To approve the exercise of a break option under the terms of lease of land or property where officer/member delegation financial limits are exceeded.
 - (f) To approve or agree to the surrender of a lease of land or property where officer/member delegation financial limits are exceeded.
 - (g) To approve new lettings where the rental income per annum (net of VAT) exceeds £100k.
 - (h) To approve lease renewals where the rent in the first year of the new lease is less than 50% of the passing rent of the previous lease, or where the financial impact exceeds £250k.
 - (i) To receive monthly arrears reports on each individual asset/tenant within the investment portfolio by rent quarters.
 - (j) To be notified of any potential arrears and issues being faced by individual tenants (including taking decisions on tenant requests to change from quarterly to monthly payments or rent deferment requests) where the rental income exceeds £100,000pa and to be advised of steps being taken by officers to mitigate that risk.
 - (k) To receive quarterly reports on the Investment Sinking Funds and to be notified of any change of adverse impact and mitigation measures which are being taken to address.
 - (l) To receive notification of and authorize any non-budgeted capital expenditure or any capital expenditure over £50,000. on the investment portfolio.
 - (m) To approve, the settlement of rent reviews, lease renewals or lease re-structuring negotiations in respect of the Investment assets where officer/member delegation financial limits are exceeded.
 - (n) To review, advise on and approve formal reporting of the investment portfolio to CPRC and/or full council to include Asset Investment Strategies, Business Plans, Key Performance Indicators, Risk Registers, and half yearly update reports.
 - (o) To agree the scope of the annual reporting on the Council's investment and regeneration portfolios with the Assets Team.

4. Frequency

Monthly day-time meetings. Where meetings are not necessary for lack of business they will be cancelled.

ENVIRONMENT & SUSTAINABILITY (E&S) COMMITTEE

Membership

At least 15 members reflecting political balance.

Functions

This committee has responsibility to carry out those statutory and non-statutory functions falling within its areas of responsibility as set out below. Working within the Budget and Policy framework previously approved by Council, it will set strategic priorities for the services within the Committee's remit.

Areas of responsibility include:

- Cemeteries
- Climate emergency response - including carbon management, mitigation and adaptation measures
- Community Infrastructure Levy (CIL) funds
- Emergency planning
- Environmental sustainability and biodiversity
- Fly tipping
- Grounds Maintenance
- Heathrow liaison
- The Local Plan
- Parking services and strategy
- Parks, open spaces, allotments and playgrounds
- Planning policy and enforcement
- Pollution control including air quality and contaminated land
- Street Cleansing
- Transport including Electric Vehicle strategy
- Waste strategy and management, including Recycling

And specifically:

- To consider and make recommendations on fees and charges in respect of those services falling within the Committee's areas of responsibility to Corporate Policy and Resources Committee.
- To consider all Community Infrastructure Levy (CIL) funds allocation and determination in all cases, except for those proposals related to major infrastructure projects where significantly large sums of monies are being committed or on schemes which carry a degree of complexity which will be referred for decision to Corporate Policy and Resources Committee, as recommended by the CIL Task Group.
- To scrutinise those aspects of the operation of Heathrow Airport that directly relate to this Committee's areas of responsibility.
- To establish the Community Infrastructure Levy Working Group with the membership and terms of reference as set out below

- To establish the Climate Change Working Group with the membership and terms of reference as set out below
- To review and scrutinise flood risk management

Working Groups Terms of Reference

Community Infrastructure Levy (CIL) Working Group

1. Remit

The CIL Working Group is a Councillor/Officer group set up to work jointly and collaboratively to advise the appropriate Committee on CIL generally and make recommendations on bids for CIL monies allocated to it by the Borough Council.

The CIL Working Group will assess bids for Strategic CIL funding and will recommend to the Environment & Sustainability (E&S) Committee for approval. Bid assessment will consider a number of factors including project cost, match funding, deliverability, and relevance to the identified infrastructure needs set out in the Infrastructure Delivery Plan (IDP).

In exceptional circumstances the Working Group may recommend bids to the Committee and Corporate Policy and Resource Committee (CPRC) should it be appropriate to do so.

2. Membership of the Working Group

The CIL Working Group comprises:

- The Leader of Spelthorne Borough Council
- The Chair of E&S Committee
- The Chairs of each of the five Local Spending Boards

The Chair of the Working Group will be nominated by the Working Group.

The following Officer representation will apply:

- Strategic Planning Manager
- Infrastructure Delivery Co-ordinator

The Working Group will reserve the right to draw in representatives from other Borough, County, and external service areas as required to assist it in its work.

3. Meetings

The Strategic CIL Bidding Round will run between the months of April and June. The Working Group will meet as soon as practical after the close of the Bidding Round to consider applications. Once recommendations have been decided, these will be taken to the appropriate Committee as soon as practical for final decision-making. Where possible, final decisions should be published between September and October.

The Working Group may also meet as required throughout the year to discuss Strategic CIL allocations and to ensure effective and timely allocation of CIL monies.

4. Objectives

The Working Group objectives are:

- To ensure overall programming of infrastructure projects agreed by the appropriate Committee.

- To advise and recommend to the appropriate Committee schemes that will have maximum benefits to the community.
- To monitor receipts and expenditure of CIL monies, including the maintenance of reserves in the fund of approximately £1 million.

The Working Group will be responsible for:

- Recommending projects to the appropriate Committee which require CIL funding from resources allocated to it, following assessment in accordance with the agreed criteria.
- Regular monitoring and reporting to the E&S Committee on the delivery of projects including revisions to timescales and expenditure.
- Reporting to the E&S after completion of each project.

5. Output

Regular project progress updates to the E&S Committee on CIL priorities and funding of projects.

Adopted 26 April 2023

Climate Change Working Group

The Spelthorne Climate Change Working Group will consist of 7 members.

The Terms of Reference for the Working Group are:

1. To implement the climate change strategy and action plan agreed in 2022 to deliver our target of carbon neutrality by 2030.
2. To make recommendations to Environment and Sustainability Committee on areas for improvement which can impact on 'climate change' and to identify, and make recommendations on, developing new environmental policies where required which will help move the Council and Borough towards carbon neutrality by 2030.
3. To report to c appropriate action plans and targets to deliver the Council's 2030 target of zero carbon emissions.
4. To monitor progress with delivering the action plans and achieving targets and report on progress to Environment and Sustainability Committee on a quarterly basis.
5. To consider government and wider authorities' consultation on documents relating to 'climate change' and assist Environment and Sustainability Committee in formulating its response.
6. For members of the Working Party to act as 'climate change' champions by leading by example and advocating action on climate change. The Council has an important community leadership role to play regarding the 'climate change' agenda.
7. To identify areas for further research and invite presentations, workshops and discussions with experts as appropriate to help inform the Council's policies and action plans.

8. The Climate Change Working Group will consider the best way of engaging with key partners and work closely with the Government, the Environment Agency, Surrey County Council, local businesses, residents and other partners across the county and Borough to meet the target of making the Borough carbon neutral by 2030.
9. To consider and formulate a communication strategy to promote the Council's activities on climate change.
10. To monitor flood risk and actions to mitigate.

Membership and Proceedings of the Working Group on Climate Change

1. To be a cross party working group
2. The Chair of the Environment and Sustainability Committee or appointee will chair the Group.
3. The Group will appoint its own vice chair from within its membership.
4. The meetings of the Working Group will be internal and confidential to the Council. At the Chair's discretion, some of the meetings will be open to all members of the Council to attend, particularly those to which outside speakers have been invited, to ensure wide engagement across the organisation.
5. The Working Group, can co-opt an external member to the Group, as required, to deal with, specialist areas. However, it remains the decision of the full Working Group as to what targets are recommended.
6. The Working Group will meet at least 4 weeks before an Environment and Sustainability Committee but potentially more frequently depending on workload and actions required.
7. The Working Group should aim to deliver a consensual view to Environment and Sustainability Committee Where this is not possible it should aim to report fairly on the divergent views of the group. Voting is not considered appropriate or necessary. Proactive and innovative suggestions are encouraged.
8. Liaison and engagement with a wide range of stakeholders is welcomed. The Working Group should seek a wide body of opinion to inform its considerations including exchanging views on pertinent matters and receiving suggestions as to how climate change can be addressed in areas over which Spelthorne Borough Council has limited control or significant influence.

Adopted 27 June 2023

BUSINESS, INFRASTRUCTURE AND GROWTH (BIG) COMMITTEE

Membership

At least 11 members reflecting political balance

Functions

This committee has responsibility within the overall policies and strategies set by the Council, to provide leadership, decision making and accountability for the management of the Council's municipal, strategic regeneration (non-income producing) and development asset portfolios.

Also to carry out those statutory and non-statutory functions falling within its areas of responsibility as set out below. Working within the Budget and Policy framework previously approved by Council, it will set strategic priorities for the services within the Committee's remit.

Areas of Responsibility:

- Business partnerships
- Business transformation, support and inward investment
- Economic development
- Heathrow liaison
- Infrastructure scrutiny
- Markets
- Tourism
- Town centre viability and regeneration
- Management of the municipal, strategic regeneration (non-income producing) and development asset portfolios as defined in the Asset Management Strategy.

And specifically:

- To consider and make recommendations on fees and charges in respect of those services falling within the Committee's areas of responsibility to Corporate Policy and Resources Committee.
- To be responsible for the management of the strategic regeneration portfolio at such time as those assets are no longer held for income producing purposes.
- To consider and make recommendations to Council on proposals for achieving residential outcomes on assets within the Council's development portfolio through Joint Venture contracts/programmes, including the transfer of units/schemes to Knowle Green Estates or Registered Providers.
- To consider and make recommendations to Council on the disposal of assets in the development portfolio.
- To consider proposals to change the community use of a municipal asset, subject to inviting members of the Community Wellbeing and Housing Committee to attend

any meeting at which the matter is due to be discussed, to make their representations on the proposals.

- To scrutinise and provide observations and comments to the relevant authorities responsible for delivering those infrastructure projects which affect the local economy.
- To scrutinise those aspects of the operation of Heathrow Airport that directly impact this Committee's areas of responsibility.

COMMUNITY WELLBEING & HOUSING (CWH) COMMITTEE

Membership

At least 11 members reflecting political balance.

Functions

This committee has responsibility to carry out those statutory and non-statutory functions falling within its areas of responsibility as set out below. Working within the Budget and Policy framework previously approved by Council, it will set strategic priorities for the services within the Committee's remit.

Areas of Responsibility

- Affordable, social housing and homelessness provision
- Arts and culture strategy
- Asylum seekers and refugees
- Civil Enforcement (JET)
- Community Day Centres
- Community safety and crime & disorder
- Community Transport (Spelride)
- Disabled Facilities Grants
- Environmental Health excluding pollution control and contaminated land
- Family Support
- Home Improvement Agency
- Housing Benefits/Council Tax Support
- Housing Options including allocations
- Housing policies and strategies
- Leisure and sports contracts
- Licensing matters (including HMO licensing) save for those specifically reserved to the Licensing Committee
- Management and maintenance of council owned housing and services to tenants
- Private sector and social housing enforcement including housing conditions
- Public Halls
- Services for older people
- Supported living independently – including meals on wheels
- Voluntary and community sector strategy and liaison
- Workplace Health & Safety enforcement of businesses in the community

And specifically:

- To consider and make recommendations on fees and charges in respect of those services falling within the Committee's areas of responsibility to Corporate Policy and Resources Committee.
- To establish the Grants Panel with membership and terms of reference as set out below.
- To make decisions on grants funding to organisations in the voluntary and community sector

- To receive periodic reports from Spelthorne Healthy Communities Board on funding decisions. The Board's membership and terms of reference are set out below for completeness.
- To exercise the Council's statutory scrutiny responsibilities arising under the Police and Justice Act 2006 in relation to crime and disorder.

Spelthorne Healthy Communities Board

1. Purpose

The purpose of the group is to improve the Health and Wellbeing in Spelthorne. The group will discuss and determine the Health & Wellbeing priorities for Spelthorne with targets and performance reviews outlined in the Spelthorne Health & Wellbeing Strategy. The group will raise awareness and communicate Health & Wellbeing information in Spelthorne and will provide an annual report to the joint committee of Spelthorne Borough Council and Surrey County Council.

2. Membership

We will invite representatives from the following organisations:

- (a) Spelthorne Borough Council including the Chair of the Community Wellbeing and Housing Committee and Group Head for Community Wellbeing, and representatives from relevant Council departments
- (b) Surrey County Council representatives including Adult Social Care and Children's Services. A SCC councillor who is appointed by Joint Committee at the start of each municipal year.
- (c) Voluntary organisations such as Voluntary Support North Surrey, Action for Carers and Catalyst
- (d) A representative from North West Surrey Clinical Commissioning Group
- (e) A representative from one of the third sector community care borough wide forums or groups (for, children with disabilities, older people and adults with physical and sensory disabilities—Appendix 1) or a suitable representative from the community.
- (f) Other members from relevant organisations will be invited where appropriate and dependant on topical projects. These may include Surrey and Borders Partnership NHS Foundation Trust, or Ashford & St Peter's Hospital's NHS Trust

Members commit to attending meetings or to ensure that they send a representative at an appropriate level if they are unable to attend a meeting.

3. Terms of Reference

The responsibilities of the Health and Wellbeing Group are:

- (a) To oversee progress towards the Spelthorne priorities as outlined in the Spelthorne Health & Wellbeing Strategy and to identify any new priorities that should be addressed. The group will provide periodic reports to the Community Wellbeing and Housing Committee.
- (b) To develop an action plan for the Health and Wellbeing Strategy outlining clear targets; to be monitored quarterly and reviewed annually. Produce criteria to enable performance as red/amber/green.
- (c) To consider any issues raised by members of the group or the wider community and to determine what needs to be done to resolve these issues.
- (d) To provide an opportunity for the sharing of relevant information between agencies.

- (e) To link to other local, partnership groups as appropriate
(These responsibilities are underpinned by a statement of principles on equalities (shown in Appendix 2) to ensure that the work of the group pays due regard to issues of discrimination, equality of opportunity and the promotion of good relations between people from different backgrounds.

Grants Panel

1. Purpose of the Panel

The Grants Panel provides an opportunity for people with specialist skills and knowledge to contribute to the development of the community, voluntary and faith sector by granting annual and one-off funding.

The Grants Panel Advisory Panel is designed to ensure that Spelthorne Borough Council meets the highest standards when considering applications and awarding grants and consistently supports those organisations which help to deliver the Council's corporate priorities and enhance the quality of life in the Borough.

It will:

- a) assess grant applications and make recommendations to the Community Wellbeing and Housing Committee (CWHC) as to whether they should be funded.
- b) maintain an overview of the reach of Spelthorne Council's grant-making and suggest ways in which any gaps might be addressed
- c) Review the performance of grant recipients on an annual basis where a Service Level Agreement is in place
- d) Signpost applicants to alternative sources of funding
- e) Co-ordinate regular events to promote funders and grant sources to the CVS sector.

2. Terms of Reference

The Terms of Reference for the Grants Panel are:

- a) A minimum of 3 elected members and three Spelthorne Council officers with relevant skills or knowledge will comprise the panel
- b) These will be appointed to the panel by being proposed and seconded by existing panel members and following a vote of existing members. Members should be nominated on the basis of specific skills that they will bring to the panel.
- c) a quorum shall be four members
- d) the chair must be an elected member and will be elected by majority vote
- e) Councillors on the Panel will be asked to register/declare any interests before considering the applications and making any recommendations.
- f) all decisions will be made by a majority vote and in instances of there being no majority, the chair will gain the power to make one casting vote

Part 3 section (b)

- g) the Panel will meet at least once a year, though “virtual” meetings may be held via telephone or email exchange at any time. The quorum and voting rules will still apply and, normally, at least 5 working days will be allowed from the start to the conclusion of such meetings, in order to allow an adequate opportunity for all Panel members to take part.
- h) Panel members will be expected to attend at least 50% of “physical” meetings. Members missing three consecutive meetings without giving good reason may be deemed to have resigned and their position may be filled
- i) the Panel may invite anyone to attend a meeting(s) to give specialist input
- j) the annual revenue grants process will be the subject of a report to CWHC and acceptance by Full Council at its annual budget-setting meeting

POLICE AND CRIME COMMISSIONER'S PANEL

Membership

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

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

Functions

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

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

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

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

REGULATORY COMMITTEES

AUDIT COMMITTEE

(7 councillors reflecting political balance and one independent non-voting member)

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

LICENSING COMMITTEE

Membership

13 members reflecting political balance

Each Member of the committee is required to: complete in full an Induction Programme, undertake regular training including the legislation governing hearings under the Licensing Act 2003, the Gambling Act 2005 and in relation to hackney carriages and private hire; and attend development updates in relation to the licensing function. Any Member not undertaking these training activities will be unable to serve on the Licensing Sub-Committee until such time that the full training requirement has been met.

Functions

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

- c. The determination of an application for the transfer of a licence where relevant representations have been received from the Gambling Commission;
 - d. The determination of an application for a provisional statement where relevant representations have been received and not withdrawn;
 - e. The determination of an application for a review of a licence;
 - f. The determination of an application for club gaming / club machine permits where objections have been made and not withdrawn;
 - g. The cancellation of club gaming / club machine permits where relevant representations have been received and not withdrawn;
 - h. The decision to give a counter notice to a temporary use notice.
3. In relation to Part II Schedule 3 of the Local Government (Miscellaneous Provision) Act 1982:
- a. To grant or refuse applications for the grant, renewal or transfer of licences for sex establishments;
 - b. To grant or refuse applications for variations;
 - c. To attach such terms, conditions and restrictions to licences as is seen necessary and appropriate;
 - d. To revoke licences
 - e. To determine whether a charge should be made and where applicable, the level of such fees and charges for the issue, approval, consent, licence or permit, or other registration pursuant to powers set out in the Local Government (Miscellaneous Provisions) Act 1982.
4. In relation to taxi and private hire licensing:
- a. the adoption of all policies relating to taxi and private hire licensing.
 - b. In relation to the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 to revoke, refuse, to grant or renew, hackney carriage and private hire drivers and operators licences in circumstances where staff consider it appropriate to refer the matter to the Committee or Sub-Committee;
 - c. To determine whether a charge should be made and where applicable, the level of such fees and charges for the issue, approval, consent, licence or permit, or other registration pursuant to powers set out in the Local government (Miscellaneous Provisions) Act 1976 and the Local Government (Miscellaneous Provisions) Act 1982;
 - d. To determine applications for the revision of the taxi fare tariff pursuant to section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
5. The passing of a resolution that the schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.

Part 3 section (b)

6. To adopt, monitor and review relevant Council policies and strategies, where they do not require a Council decision under the Policy Framework at Article 4 of this Constitution.

7. To review and scrutinise service delivery and in particular ensuring that best value in service delivery is being obtained for the community.

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

PLANNING COMMITTEE

Membership

15 councillors reflecting political balance

Members must attend Development Control training at least annually. New Members must attend induction training on an introduction to Planning and Decision Making, and Appeals/Costs, as a minimum, before they can sit on the Committee. Members of the Committee are expected to attend all further training sessions provided on the Planning regime. Any Member not undertaking these training activities will be unable to serve on the Committee until such time that the minimum training requirement has been met.

Functions

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

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

STANDARDS COMMITTEE

Membership

9 councillors reflecting political balance + 2 Independent non-voting Members

Functions

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

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

- to keep an overview on the arrangements for dealing with complaints under the code of conduct, making alterations and publishing them where it considers necessary;
- to devise such further protocols and procedures as are necessary for the efficient management of complaints which have to be considered by a hearings panel;
- to consult with the Independent Person on any matters which have broad implications for the promotion of high standards by the Council;
- to make recommendations to Council on standing orders for the registration and declaration of Disclosable Pecuniary Interests and other interests; and,
- to make recommendations to Council on any revisions to the Members' Code of Conduct and the registration of interests.
- to consider any issues referred by the Monitoring Officer under the Disclosure and Barring Service Checks for Members Protocol (Part 5m).
- to establish the Committee System Working Group with the Terms of Reference set out below.
- to monitor and review the operation of the Constitution in accordance with Article 13.
- to promote, manage and agree a programme of member development.

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

- require the Member to apologise either privately or in public;
- require the Member to attend training;
- censure the Member;
- send a report to Council to censure the Member;
- require the Monitoring Officer to publish a report in the newspaper or on the Council's website about the councillor's conduct;
- withdraw privileges provided by the Council such as computer equipment, internet or email access;

- recommend to the councillor's group leader that the councillor be removed from a Committee, or an outside body (as appropriate); or,
- a combination of any of the above.

Working Groups' Terms of Reference

Committee System Working Group

Membership

The membership to comprise one councillor from each political group and any non-aligned members.

Responsibilities

Monitoring of objectives

To consider whether the system is meeting the Council's objectives. To recommend any amendments to the system to the Standards Committee where such is required to meet those objectives.

Recommendation of amendments

To consider whether any adjustments or amendments are required to ensure the smooth operation of the system and to make recommendations to the Standards Committee where required.

Decision Making

This working group has no formal decision-making powers. Any matters which require a Councillor decision will require a report to the Standards Committee for their decision.

APPOINTMENTS AND APPEALS COMMITTEE

Membership

5 members reflecting political balance. The members of this Committee may not also sit on the Investigating and Disciplinary Committee in respect of the same matter.

In undertaking the annual appraisal of the Chief Executive, a minimum of three councillors from at least two different political parties must attend.

Functions

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

- To make a recommendation to Council on the appointment of the Head of Paid Service (Chief Executive).
- To consider and determine the overall scheme and policies in relation to terms and conditions relating to the role of Head of Paid Service.
- To undertake the annual appraisal of the Chief Executive in accordance with the agreed Chief Executive Appraisal Procedure.
- To appoint other Chief Officers and Deputies as defined in Article 10.1, and in accordance with the Officer Employment Procedure Rules at Part 4(f) of this Constitution.
- To make a recommendation to Council on the designation of the Monitoring Officer and the Chief Finance Officer.
- To make a recommendation to Council on the appointment of the Independent Audit member.

Note: for the avoidance of doubt, Chief Officers and Deputy Chief Officers are posts at or above salary level Group Head.

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

INVESTIGATING AND DISCIPLINARY COMMITTEE

Membership

5 members reflecting political balance. The members of this Committee may not also sit on the Appointments and Appeals Committee in respect of the same matter. The quorum for this Committee is 3 provided those members present are of different political groups.

Responsibilities

1. To conduct an initial assessment of allegations against the Chief Executive, Chief Finance Officer or Monitoring Officer (together known as Statutory Officers), relating to (i) conduct, (ii) capability or (iii) some other substantial issue that requires investigation.
2. To consider whether it is appropriate to suspend a Statutory Officer if an allegation is such that if proven it would amount to gross misconduct or if the continuing presence at work of the Statutory Officer might compromise the investigation or impair the efficient exercise of the council's functions.
3. If an exceptional situation arises whereby allegations of misconduct by the Statutory Officer are such that their remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the authority, the following may suspend the Statutory Officer immediately, in an emergency:
 - In relation to serious allegations of misconduct against the Chief Executive, the Monitoring Officer and Chief Finance Officer jointly in consultation with the Chair of this Committee or
 - In relation to serious allegations of misconduct against the Monitoring Officer or Chief Finance Officer, the Chief Executive in consultation with the Chair of this Committee.
4. To agree or authorise any protocols which are necessary to manage the suspension of the Statutory Officer and the investigation.
5. To review the suspension of the Statutory Officer after a period of two months has elapsed.
6. To determine whether a detailed investigation of an allegation against the Statutory Officer relating to (i) conduct, (ii) capability or (iii) some other substantial issue is needed.
7. To appoint an Independent Investigator selected from the list maintained by the National Joint Secretaries, providing the necessary facilities, paying the remuneration and providing all available information about the allegations.
8. To consider the report of the Independent Investigator, and also give the Statutory Officer the opportunity to state their case and to question witnesses, where relevant, before making a decision.
9. To decide and issue sanctions short of dismissal for a Statutory Officer.

10. To receive advice from the Independent Panel in the event dismissal of a Statutory Officer is being considered.
11. Subject to receiving advice from the Independent Panel, to make any recommendations to Council for dismissal of a Statutory Officer.

INDEPENDENT PANEL

Membership

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

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

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

Functions

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

Appropriate training should be provided for Independent Panel members.

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

This page is intentionally left blank

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)

<p>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</p>	<p>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</p>
<p>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</p>	<p>Deputy Chief Executive responsible for Safeguarding</p>
<p>1.9 To undertake the function of Company Secretary for Knowle Green Estates Limited and any subsidiary companies</p>	<p>Group Head of Corporate Governance</p>
<p>1.10 To invite members:</p> <p>a) of the Licensing Committee to participate in meetings of Licensing Sub-Committees convened to determine various applications within the responsibility of the Licensing Committee; and</p> <p>b) of the Standards Committee to participate in meetings of Assessment Panels.</p>	<p>Group Head of Corporate Governance</p>
<p>1.11 To amend the membership of a political group's seats on any particular committee, at the request of the Group Leader.</p>	<p>Chief Executive</p>
<p>1.12 To be designated the Council's 'Appointed person' in accordance with s10(8) of the Party Wall Act 1996.</p>	<p>Building Control Manager</p>
<p>1.13 To authorise grant funding for the Spelthorne Business Forum on an annual basis, to ensure value for money.</p>	<p>Group Head Place, Protection and Prosperity</p>

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. <i>Financial impact to be based on contracted rental values.</i></p> <p>a. to d. <i>VAT should be disregarded when determining if a transaction falls under the stated thresholds.</i></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)

<p>monies expended in carrying out works in default under statutory powers, including interest payable thereon</p>	
<p>5.2 To raise in line with inflation any financial limits specified in these delegations to officers, contract standing orders or financial regulations</p>	<p>Chief Finance Officer</p>
<p>5.3 In connection with the provision of services under their control:</p> <ul style="list-style-type: none"> a. Expenditure of any type within approved budgets (subject to delegation 3.3 - as to signature of contracts); 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 c. Control, purchase and disposal of stores or surplus materials d. To enter into any arrangement with a creditor for payment to be made by way of instalment 	<p>Relevant budget holders</p>
<p>5.4 To implement all the Council's borrowing and investment strategies, in accordance with the Treasury Policy Statement and Capital Strategy</p>	<p>Chief Finance Officer</p>
<p>5.5 To determine the tax base, in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, as amended</p>	<p>Chief Finance Officer</p>
<p>5.6 To deal with applications for local council tax discounts in very exceptional cases. Such cases to include flooding and where committal action through the courts is not deemed appropriate. The latter will need to be supported by third party reports generally from a social worker or doctor</p>	<p>Chief Finance Officer or Group Head Commissioning and Transformation</p>
<p>5.7 To take all necessary steps relating to the demand, collection and recovery of council tax non-domestic rates and Business</p>	<p>Group Head Commissioning and Transformation</p>

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 (ll) the Building Control Manager</p>

Part 3 section (d)

<ul style="list-style-type: none">r. Animal Boarding Establishments Act 1963;s. Breeding of Dogs Act 1973;t. Breeding of Dogs Act 1991;u. Dangerous Wild Animals Act 1976;v. Hypnotism Act 1952;w. Smoke-free (Premises and Enforcement) Regulations 2006;x. Smoke-free (Signs) Regulations 2012y. Smoke-free (Exemptions and Vehicles) Regulations 2007z. Smoke-free (Penalties and Discounted Amounts) Regulations 2007;aa. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007;bb. Pollution Prevention and Control Act 1999;cc. Control of Pollution Act 1974;dd. Public Health (Control of Disease) Act 1984;ee. Private Security Industry Act 2001;ff. Meat (Sterilisation and Staining) Regulations 1982;gg. Clean Air Act 1993;hh. Land Compensation Act 1973 s.37;ii. Sunday Trading Act 1994;jj. Criminal Justice and Public Order Act 1994 ss.77 and 78;kk. Working Time Regulations 1998;ll. Building Regulations 2010;mm. Building (Approved Inspectors etc.) Regulations 2010;nn. Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;oo. Land Drainage Act 1991;pp. Scrap Metal Dealers Act 2013;qq. Sunbeds (Regulation) Act 2010;rr. The Caravan Sites and Control of	
--	--

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>	
--	--

Part 3 section (d)

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

Part 3 section (d)

	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 Council's 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

Part 3 section (d)

<p>Construction and Regeneration Act 1996 in accordance with the policies approved from time to time by the Council.</p>	
<p>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.</p>	<p>Group Head Community Wellbeing</p>
<p>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.</p>	<p>Group Head Community Wellbeing</p>
<p>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.</p>	<p>Group Head Community Wellbeing</p>
<p>10.5 Pursuant to the Housing Acts and all relevant Orders and Regulations thereunder:-</p> <ul style="list-style-type: none"> a. to serve notices requiring the abatement of overcrowding; b. to serve notices requiring the demolition of houses, subject to Demolition Orders, carry out demolition in default and recover the cost; c. to make a declaration of an area as a slum clearance area subject to legislative requirements for Slum Clearance Declarations d. to revoke Closing or Demolition Orders on the satisfactory completion of works to render the house free from serious hazards; e. to serve statutory notices requiring the execution of repairs, carry out work in default and recover the costs; f. to serve notice requiring the production of documents and for entry into premises for inspection, survey and works. g. to exercise the Council's powers under the Housing Act 2004 for the issue of/application for (as appropriate) 	<p>Senior Environmental Health Manager</p>

Part 3 section (d)

<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

Part 3 section (d)

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
11.1	<p>The management and letting of all sports, recreational and community facilities provided by the Council subject to the Community Lettings Policy, including:-</p> <p>a. the fixing of charges for special events not covered by the annual review of fees and charges;</p> <p>b. Negotiation of variations in charges for use of sports, recreational and community facilities within established policy;</p> <p>c. The power to waive fees and charges; and</p> <p>d. The setting of opening hours for facilities and the duration of sports seasons.</p>	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

Part 3 section (d)

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
<p>12.3 To authorise and determine payment of an appropriate commuted sum when taking over private lighting schemes under Section 161 of the Public Health Act 1875.</p>	Relevant Deputy Chief Executive
<p>12.4 The siting of bus shelters, bus stops, seats and other street furniture.</p>	Relevant Deputy Chief Executive
<p>12.5 The numbering and renumbering of premises in streets.</p>	Deputy Chief Executive with responsibility for Environmental Health & Building Control
<p>12.6 All necessary steps in connection with the removal and disposal of abandoned</p>	Group Head Neighbourhood Services

Part 3 section (d)

	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

Part 3 section (d)

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

Part 3 section (d)

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").	Planning Development Manager
14.3	Power to serve an enforcement notice under section 172 of the 1990 Act.	Planning Development Manager
14.4	Power to withdraw or vary any enforcement notice issued under section 173 A of the 1990 Act.	Planning Development Manager
14.5	Power to serve a stop notice under s183(1) of the 1990 Act	Planning Development Manager
14.6	Power to withdraw a stop notice under s183(7) of the 1990 Act	Planning Development Manager
14.7	Power to serve a planning contravention	Planning Development

Part 3 section (d)

	notice under s171C of the 1990 Act	Manager
14.8	Power to serve a temporary stop notice under s171E of the 1990 Act.	Planning Development Manager
14.9	Power to withdraw a temporary stop notice under s171E of the 1990 Act	Planning Development Manager
14.10	Power to serve a breach of condition notice under s187A of the 1990 Act	Planning Development Manager
14.11	Power to prosecute for demolition in a conservation area under s196D of the 1990 Act	Planning Development Manager
14.12	Power to seek an injunction under s187B of the 1990 Act.	Planning Development Manager
14.13	Power to issue a notice for untidy land under s215 of the 1990 Act.	Planning Development Manager
14.14	Power to issue a requisition for information under section s330 of the 1990 Act to require information as to interests in land.	Planning Development Manager
14.15	Power to take direct action under s178 of the 1990 Act	Planning Development Manager
14.16	Enforcement rights of entry without warrant under s196A of the 1990 Act.	Planning Development Manager
14.17	Power to authorise the stopping-up or diversion of a footpath, bridleway or restricted byway under s 257 of the 1990 Act.	Planning Development Manager
14.18	Power to extinguish public rights of way over land held for planning purposes under s 258 of the 1990 Act.	Planning Development Manager
14.19	Powers relating to the preservation of trees under s 197 to s214D of the 1990 Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.	Planning Development Manager
14.20	Power to confirm a Tree Preservation order where no objections have been raised.	Planning Development Manager
14.21	Power to issue screening and scoping opinions under the Environmental Impact Assessment Legislation.	Planning Development Manager
14.22	Power to issue a decision on the need for an Appropriate Assessment under	Planning Development Manager

Part 3 section (d)

the Habitats Directive.	
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

PROCUREMENT ACT 23 - CONTRACT STANDING ORDERS PROCEDURAL RULES								
<u>Whole Life Contract Value</u>	<u>Level of Authority to Proceed required</u>	<u>Support required from Procurement Team</u>	<u>Advertising the Opportunity</u>	<u>Approach to Market</u>	<u>Testing Market Capability</u>	<u>Evaluation by</u>	<u>Approval to Award Contract</u>	<u>Contract Required?</u>
Under £5,000	Budget Holder	No	Opportunity does not need to be advertised	Local ¹ suppliers must be sought. If no local suppliers can be found, then a regional suppliers should be sought. If the selected supplier is not Local or Regional ² then approval to proceed must be sought from Group Head and the variation must be added to the Exemption Report	Selected suppliers confirm prices in writing /email in advance	Budget Holder	No further approval required	No. Invoices and quotes to be retained in accordance with the retention policy.

¹ Local is defined as within the Borough of Spelthorne

² Regional is defined as in the wider County of Surrey.

[Type here]

PROCUREMENT ACT 23 - CONTRACT STANDING ORDERS PROCEDURAL RULES								
<u>Whole Life Contract Value</u>	<u>Level of Authority to Proceed required</u>	<u>Support required from Procurement Team</u>	<u>Advertising the Opportunity</u>	<u>Approach to Market</u>	<u>Testing Market Capability</u>	<u>Evaluation by</u>	<u>Approval to Award Contract</u>	<u>Contract Required?</u>
£5,000 - £30,000 (Inc VAT)	Procurement Business Case is approved by Group Head	No, except where the opportunity is to be advertised on Contracts Finder	Not required but if the value of contract is over £30,000 and is advertised, it must be advertised in Contracts Finder (Govt transparency requirements)	Requirement communicated to suppliers and confirmed in writing.	A minimum of 3 written quotes to be obtained and retained on file.	Budget Holder	Group Head	Yes. Support from Legal Services required.
£30,000 (Inc VAT) – (BELOW³ THRESHOLD TENDER)	Procurement Business Case and Procurement process must be approved by Group Head and MaT	Yes, Project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	Opportunity advertised on Elcom portal and on Contracts Finder (if over £30K)	Detailed Specification with required outcomes, outputs and KPIs. (Invitation to Tender, Request for Quotation or suitable Framework)	A minimum of 3 suppliers to be invited to tender. (Select 1 “Local” supplier)	Project Lead with Procurement	Deputy Chief Exec or Service Committee (if the requirement is strategic/critical)	Yes, support from Legal Services required unless a framework is used. <i>Contract made under seal if over £100,000.00</i>

³ Supplies and Services Threshold - £214,904, Works Threshold - £5,372,609.00 (inc VAT) as from 1st Jan 24. These figures are revised every two years.

[Type here]

PROCUREMENT ACT 23 - CONTRACT STANDING ORDERS PROCEDURAL RULES								
<u>Whole Life Contract Value</u>	<u>Level of Authority to Proceed required</u>	<u>Support required from Procurement Team</u>	<u>Advertising the Opportunity</u>	<u>Approach to Market</u>	<u>Testing Market Capability</u>	<u>Evaluation by</u>	<u>Approval to Award Contract</u>	<u>Contract Required?</u>
Over Procurement Act 2023 Threshold	Procurement Business Case and Procurement process must be approved by Group Head and MaT and appropriate Service Committee . The project must be on the Council's Forward Plan	Yes, Project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	Opportunity must (unless a suitable Framework is sought) be advertised on Find A Tender (FTS) via the Elcom portal and on Contracts Finder	Detailed Specification with required outcomes, outputs and KPIs. (Invitation to Tender or suitable Framework)	ITT (inclusive of Suitability Assessment Questionnaire) in accordance with the Procurement Act	Project Lead and /or subject matter experts and Procurement	Service Committee	Yes, support from Legal Services is required. Contract will be made under seal.

[Type here]

<u>CONTRACT STANDING ORDERS PROCEDURAL RULES</u> <u>Whole Life Contract Value</u>	<u>Level of Authority to Proceed required</u>	<u>Support required from Procurement Team</u>	<u>Advertising the Opportunity</u>	<u>Approach to Market</u>	<u>Testing Market Capability</u>	<u>Evaluation by</u>	<u>Approval to Award Contract</u>	<u>Contract Required?</u>
Procurements from an internal Spelthorne Framework Agreement (in accordance with the contract values above)	Procurement Business Case and Procurement process must be approved by Group Head and MaT	Yes, where the contract value exceeds £30,000.00. The project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	No	Detailed Specification with required outcomes, outputs and KPIs. In accordance with the specific Framework, ie, Mini Comp or Direct Award	In accordance with the framework conditions.	Project Lead and Procurement	In accordance with the expect contract value as above.	No. Use the Framework Terms and Conditions. Contract made under seal if above £100,000.00
Procurements from an external Framework Agreement (in accordance with the contract values above)	Procurement Business Case and Procurement process must be approved by Group Head and MaT	Yes, where the contract value exceeds £30,000.00. The project needs to be discussed at the Procurement Board and put on the Procurement Project Plan	No	Detailed Specification with required outcomes, outputs and KPIs. In accordance with the specific Framework, ie, Mini Comp or Direct Award	In accordance with the framework conditions.	Project Lead and Procurement	In accordance with the expect contract value as above.	No. Use the Framework Terms and Conditions. Contract made under seal if above £100,000.00

[Type here]

<u>CONTRACT STANDING ORDERS PROCEDURAL RULES</u> <u>Whole Life Contract Value</u>	<u>Level of Authority to Proceed required</u>	<u>Support required from Procurement Team</u>	<u>Advertising the Opportunity</u>	<u>Approach to Market</u>	<u>Testing Market Capability</u>	<u>Evaluation by</u>	<u>Approval to Award Contract</u>	<u>Contract Required?</u>
Variations to a Contract Over £100,000.00 NOTE: Not to exceed 50% of the original Contract value	Service Committee	Yes	No, but needs to be put on the internal Contract Database	Existing Supplier only	N/A	Project Lead	Service Committee	Variation to be included in the existing Contract – Legal
Extending a contract's duration	Service Committee	Yes – only if the existing contract has extension periods.	No, but needs to be put on the internal Contract Database	Existing Supplier only	N/A	Project Lead	Service Committee	Extension to contract to be included in the existing Contract – Legal

[Type here]

This page is intentionally left blank

Standards Committee



2 December 2024

Title	<i>Member Development Strategy 2025-2027</i>
Purpose of the report	To make a decision
Report Author	<i>Matthew Williams, Democratic Services Officer</i>
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	<i>N/A</i>
Corporate Priority	Community Addressing Housing Need Resilience Environment Services
Recommendations	Committee is asked to: <ol style="list-style-type: none"> 1. <i>Adopt the Member Development Strategy 2025 - 2027.</i> 2. <i>Agree the reconstitution of the Member Development Steering Group as set out in the Terms of Reference at Appendix A</i>
Reason for Recommendation	<i>To ensure there is a robust strategy in place for Member Development.</i>

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • There is currently no Member Development Strategy in place 	<ul style="list-style-type: none"> • Following the 2023 Induction Programme there was no strategy for any further development for Members. • A Member Development Strategy will ensure Members are provided with the right training to carry out their role effectively.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> • Put in place a member-led strategy for further development. 	<ul style="list-style-type: none"> • Adopt the Member Development Strategy 2025-2027.

<ul style="list-style-type: none"> Reinstate the Member Development Steering Group 	<ul style="list-style-type: none"> Agree to reinstate the Member Development Steering Group
---	--

1.1 Having a Member Development Strategy will help put in place the correct training to support Councillors, create a suitable Induction Programme for 2027 following elections, and aim to facilitate Councillor engagement with training sessions.

2. Key issues

2.1 The 2023 Member Induction Programme was put together by Committee Services based on the 2019 Induction Programme, input by the LGA, and research into what other Councils offered. Member input was sought once the draft programme had been completed.

2.2 A key aspect of the proposed Member Development Strategy is the reinstatement of the Member Development Steering Group, with the view that they would take a lead on identifying training needs for existing Councillors as well as working with officers to create the Induction Programme for 2027.

2.3 Attendance at non-mandatory training sessions for 2023 varied between 44.7% and 73.7%, with the average attendance being 63.2% (25 councillors). Members of the Member Development Steering Group would be expected to take a lead on encouraging attendance at training sessions.

2.4 Feedback forms were sent out to all attendees following the first eight training sessions in 2023. A total of twelve forms, from five different councillors, were received. The Member Development Strategy highlights the need for alternate arrangements for obtaining feedback from members following training sessions.

3. Options analysis and proposal

3.1 Option 1: Adoption of the Member Development Strategy 2025 – 2027 as set out at Appendix A (Recommended Option)

Option 2: Amend the Member Development Strategy 2025 – 2027 and then adopt.

Option 3: Choose not to progress with a Member Development Strategy.

4. Financial management comments

4.1 In 2023 a budget of £20,000 had been set aside for delivery of the Induction Programme and ongoing member development. To date £5954.97 has been spent on member training.

5. Risk management comments

5.1 Lack of comprehensive training could result in sub-optimal decision making leading to reduced value to the local taxpayer and communities served in delivering corporate priorities.

6. Procurement comments

7. Compliance with Contract standing orders is required if external training is sought.

8. Legal comments

9. The Monitoring Officer needs to ensure that members are appropriately trained in all aspects of the Council's business.

10. Other considerations

10.1 There are no other considerations.

11. Equality and Diversity

11.1 The Member Development Strategy aims to make all training more accessible by considering alternate options including hybrid sessions and training taking place at different times.

12. Sustainability/Climate Change Implications

12.1 The Member Development Strategy aims to introduce more hybrid options for attendance at training sessions therefore reducing the need for members and trainers to travel to the council offices.

13. Timetable for implementation

13.1 Standards Committee – 2 December 2024

Council – 12 December 2024

First meeting of Member Development Steering Group – January 2025 (TBC)

14. Contact

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

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

Background papers:

The 21st Century Councillor, C. Morgan et al, 2016

Appendices:

Appendix A – Member Development Strategy

Appendix B – Review of 2023 Members Induction Training

Appendix C – Indicative Timetable

This page is intentionally left blank

Member Development Strategy 2025- 2027

1 Introduction

- 1.1 The purpose of this document is to outline the Council's approach to Member development.
- 1.2 To ensure equal access to training and development opportunities is provided to all Members in accordance with equal opportunities legislation and Council policies.

2 Member Development Steering Group

- 2.1 As a key part of the strategy, the Member Development Steering Group should be reinstated.
- 2.2 The Steering Group will meet quarterly.
- 2.3 The Steering Group to be composed of one Councillor from each group and relevant officers.
- 2.4 The Terms of Reference of the Steering Group to be:
 - a) To lead on member development activities/needs and ongoing arrangements for member development with the assistance of the Democratic Services Team;
 - b) To review and monitor the Council's Member Development Strategy and make recommendations to the Standards Committee;
 - c) To identify Member training needs and propose suitable training;
 - d) To ensure training supports the Corporate Plan;
 - e) To recommend to Council the budget provision required for members development;
 - f) To champion member development at Spelthorne and encourage member engagement in training sessions;
 - g) To aid in the production of a comprehensive induction programme;
 - h) To aid in ensuring members complete feedback on training sessions.

3 Member Development Needs

- 3.1 **Induction:** all members to be provided with the necessary training to undertake their role efficiently and effectively as soon as practicable following their election. Following elections, the 2023 Member Induction Plan was put together taking on board the feedback received following the 2019 Induction. Feedback was sought on the 2023 sessions, a summary of which can be found at Appendix B.

- 3.2 Induction training will ensure new Members are aware of Spelthorne's required standards and internal/external workings and relationships.
- 3.3 Councillors elected at a by-election will be provided access to recordings of the induction sessions along with any other relevant materials. A sign-off sheet to be provided to the Councillor by which they can self-certify to say that they have watched the session. 1-to-1 sessions may be appropriate for those councillors sitting on a regulatory committee, e.g. Planning.
- 3.4 **Role Specific Training:** Mandatory training will be provided for councillors sitting on a regulatory committee (Licensing, Planning. Sessions on Charing Skills will be made available to all Councillors with it being mandatory for Chairs and Vice-Chairs.
- 3.5 **Generic Skill Development:** Further development opportunities to be made available throughout the municipal cycle.
- 3.6 Sessions to focus on any changes in policy (e.g. sessions relating to changes to planning law) or following input from the Member Development Steering Group.
- 3.7 Specific training will be focussed on the skills identified in '*The 21st Century Councillor*' study by North West Employers and Birmingham University
- 3.8 Skills identified in the Study were as follows:

Foundational Skills were broken down into two broad categories:

Knowledge-based skills:

- Understanding specific policy areas
- Different roles and responsibilities of councillors
- Understanding the Corporate Plan

Practical Skills:

- Public speaking
- Charing skills
- Social media training

Relational Skills were broken down into three sub-categories:

Connective Skills:

- Influencing
- Negotiating
- Listening

Digital Skills:

- Use of new digital technologies

Reflective Skills:

- Resilience
- Setting boundaries
- Emotional Intelligence

3.9 All training development will be consistent with the Council's Corporate Plan, strategies and policies.

4 Members ICT Training Area and Library

4.1 Recordings of the Induction Sessions, along with Presentation materials, will be available on the Members ICT Training Area.

4.2 Committee specific information, member briefings, and presentations to be made available through the Members library.

5 External Sources

5.1 Clear signposting to suitable external sources of training available to all councillors.

5.2 Links to LGA workbooks to be provided.

6 Budget

6.1 A budget for training to be allocated for each municipal cycle and held by the Democratic Services Manager.

7 Evaluation

7.1 While evaluation forms were sent out following the Induction Sessions in 2023, the response rate was very poor. New options for gathering feedback should be considered including online options.

7.2 Exit interviews / questionnaires to be issued to all councillors not standing for re-election in 2027.

8 Pre-Election information/sessions

8.1 Ahead of the Borough elections in 2027, an 'open' event will be held for prospective councillors providing information on the role of a councillor, the training provided and support available.

9 Increasing Member engagement

9.1 To improve member engagement in training sessions, further consideration should be given to alternate ways of providing training including:

- Hybrid sessions

- Offering sessions at alternate times
- Ensuring sessions are relevant

9.2 Use of experienced Councillors to deliver sessions will be considered where appropriate.

10 Review of Strategy

10.1 The Strategy will be reviewed in 2027 and refreshed for the next municipal cycle.

10.2 Democratic Services will keep a Training Record for each Councillor. The Training Record will be a public document, viewable on the Council website.

10.3 An indicative timetable of key events is included at Appendix C

DRAFT

Review of 2023 Members' Induction Programme

Feedback forms were sent out to Members following the preliminary training sessions. In total 259 forms were sent out, relating to the first eight training sessions, with only 12 (4.6%) completed forms being received, with some members expressing that they did not feel that completing the forms was worthwhile and that *“going to the training sessions is time consuming enough without having to give an opinion on everything”*.

Completed forms received related to the following training sessions:

New Councillor Induction Day, 11 May 2023 – 4 forms

Working within a Committee System, 15 May 2023 – 2 forms

IT Training, 16 May 2023 – 2 forms

Finance Briefing, 18 May 2023 – 2 forms

Being an Effective Councillor (LGA), 24 May 2023 – 2 forms

No completed forms were received relating to Members' Code of Conduct, 22 May 2023, Planning Training, 30 May 2023, and Licensing Training, 7 June 2023.

While twelve completed forms were received, this related to responses from only 5 different Councillors

A summary of responses follows:

New Councillor Induction Day

How Helpful was this course seminar?

Very Helpful	
Helpful	
Of some help	2 (50.0%)
Of no help	
No response	2 (50.0%)

How would you rate the following:

	Trainer	Contents	Structure	Visual Aids	Videos	Handouts	Facilities	Location
Excellent	1 (25.0%)	1 (25.0%)	1 (25.0%)	1 (25.0%)			1 (25.0%)	1 (25.0%)
Good							1 (25.0%)	1 (25.0%)
Fairly Good	1 (25.0%)	1 (25.0%)						
Poor			1 (25.0%)					
No response	2 (50.0%)	2 (50.0%)	2 (50.0%)	3 (75.0%)	4 (100.0%)	4 (100.0%)	2 (50.0%)	2 (50.0%)

Was there anything you would liked to have been included?

“More chance of interaction between councillors”

“Introduction to how to deal with resident query”

Was there anything you would liked to be excluded?

“Talks by Chief Executive and other senior officers were too long”

“2-hour lunchbreak, genuinely terrifying new Councillors, telling scary tales to intimidate us”

What new skills and knowledge can you bring immediately to your role as Councillor as a result of this training?

“None”

“This was extremely helpful! Gave a great overview of many services and gave a good opportunity to meet the team.”

Any other comments?

“When you provide food please ensure it is clearly labelled. Vegetarian sandwiches should be kept separate from meat ones.”

“This induction day was a shocking waste of the new Councillors time. It showed total disrespect to our schedules by timetabling a 2 hour lunch. It was filled with scaremongering and doom and gloom. There was ZERO positively worded messages or guidance on HOW to be a force for good. Really did NOT enjoy this day.”

Working within a Committee System

How Helpful was this course seminar?

Very Helpful	
Helpful	
Of some help	1 (50.0%)
Of no help	
No response	1 (50.0%)

How would you rate the following:

	Trainer	Contents	Structure	Visual Aids	Videos	Handouts	Facilities	Location
Excellent	1 (50.0%)	1 (50.0%)	1 (50.0%)	1 (50.0%)			1 (50.0%)	1 (50.0%)
Good							1 (50.0%)	1 (50.0%)
Fairly Good	1 (50.0%)	1 (50.0%)	1 (50.0%)					
Poor								
No response				1 (50.0%)	2 (100.0%)	2 (100.0%)		

Was there anything you would liked to have been included?

“Not sure. The talk seemed fairly general. It should maybe have been more specific to the situation in Spelthorne.”

Was there anything you would liked to be excluded?

No response

What new skills and knowledge can you bring immediately to your role as Councillor as a result of this training?

“None as I’m already aware of the situation.”

“Extremely Valuable and will assist in navigating through the structure of the Council and how it all works.”

Any other comments?

No response

IT Training

How Helpful was this course seminar?

Very Helpful	
Helpful	
Of some help	1 (50.0%)
Of no help	
No response	1 (50.0%)

How would you rate the following:

	Trainer	Contents	Structure	Visual Aids	Videos	Handouts	Facilities	Location
Excellent	1 (50.0%)							
Good				1 (50.0%)			2 (100.0%)	2 (100.0%)
Fairly Good	1 (50.0%)	2 (100.0%)	2 (100.0%)					
Poor								
No response				1 (50.0%)	2 (100.0%)	2 (100.0%)		

Was there anything you would liked to have been included?

“More specific help. We have to get used to new computers. The talks were probably too general rather than giving individual help where needed.”

Was there anything you would liked to be excluded?

“For most people I believe over half of the course would not be anything new i.e. Outlook and Teams. Plus the IT team when hading over laptops gave Councillors a good idea of the general systems. So I would suggest perhaps doing the training in two halves – basic and more advanced so that those perhaps not very confident can do both and others could pick just the second which could be 30 minutes.”

What new skills and knowledge can you bring immediately to your role as Councillor as a result of this training?

“Getting to know my new computer.”

“I didn’t learn anything as nothing was new to me.”

Any other comments?

No response

Finance Briefing

How Helpful was this course seminar?

Very Helpful	
Helpful	
Of some help	1 (50.0%)
Of no help	
No response	1 (50.0%)

How would you rate the following:

	Trainer	Contents	Structure	Visual Aids	Videos	Handouts	Facilities	Location
Excellent								
Good	1 (50.0%)	1 (50.0%)	1 (50.0%)	1 (50.0%)			2 (100.0%)	2 (100.0%)
Fairly Good	1 (50.0%)	1 (50.0%)	1 (50.0%)					
Poor								
No response				1 (50.0%)	2 (100.0%)	2 (100.0%)		

Was there anything you would liked to have been included?

“The training should have been simpler, more basic for those of us without a financial background.”

“At this stage it is too early to know what else would be useful to know. But I feel like that we got a lot of good news and perhaps we would need to also know some of the bad news.”

Was there anything you would liked to be excluded?

“Financial jargon.”

What new skills and knowledge can you bring immediately to your role as Councillor as a result of this training?

“None. I’ve been struggling to understand the Council’s finances for the past four years and I’m not there yet.”

“It is general background knowledge that is required for general decision making.”

Any other comments?

No response

Being an effective Councillor (LGA)

How Helpful was this course seminar?

Very Helpful	1 (50.0%)
Helpful	
Of some help	
Of no help	
No response	1 (50.0%)

How would you rate the following:

	Trainer	Contents	Structure	Visual Aids	Videos	Handouts	Facilities	Location
Excellent								
Good			1 (50.0%)	1 (50.0%)			1 (50.0%)	1 (50.0%)
Fairly Good	1 (50.0%)							
Poor		1 (50.0%)						
No response	1 (50.0%)	1 (50.0%)	1 (50.0%)	1 (50.0%)	2 (100.0%)	2 (100.0%)	1 (50.0%)	1 (50.0%)

Was there anything you would liked to have been included?

No response

Was there anything you would liked to be excluded?

No response

What new skills and knowledge can you bring immediately to your role as Councillor as a result of this training?

“It was interesting getting an opinion from other council representatives. Especially as they were from other Councils, who had both done the peer review. Hopefully the peer review can be an annual event to tack and monitor progress or regress.”

“I didn’t find this helpful.”

Any other comments?

“The course felt a bit self-indulgent. The speakers regularly spoke about other councils and I could not find much relevance or assistance from the course content. Considering how much time we are giving up I didn’t have much patience as I felt my time could have been better spent.”

Given the lack of responses, it is difficult to know what weight to give to any of the above comments and feedback.

What went well:

- Service Marketplace evening – lots of positive verbal feedback from councillors and officers.
- Generally good level of engagement at training sessions.
- Recording of training sessions was well received

What did not go well:

- Training 'fatigue' set in quickly amongst councillors.
- Poor attendance at some sessions
- Lack of enforcement around mandatory attendance of some sessions

Improvements/Amendments for 2027?

- Expand the service Marketplace – opportunity to showcase other services
- New Councillor Induction Day – afternoon session - hold a 'mock' Council session (cover standing orders, motions, best practice etc)
- Reduce the overall number of sessions / spread out the sessions / allow members to attend virtually (where appropriate).

This page is intentionally left blank

Indicative timetable

Date	Action	Other actions to consider
November 2024	Draft Member Development Strategy 2025-2027 presented to Standards Committee	
12 December 2024	Member Development Strategy 2025-2027 presented to Council for adoption	Membership of Steering Group to be agreed
January 2025	First meeting of Steering Group	Items to be considered: Election of Chair for 2025 Areas for further development Review of Induction 2023
April 2025	Meeting of Steering Group	Areas for further development
July 2025	Meeting of Steering Group	Areas for further development
October 2025	Meeting of Steering Group	Areas for further development
January 2026	Meeting of Steering Group	Items to be considered: Election of chair for 2026 Start drafting Induction Programme 2027 Review of Member Development Strategy
April 2026	Meeting of Steering Group	Alternate options for delivering sessions Alternate options for seeking feedback
July 2026	Meeting of Steering Group	Review of Members Handbook 2023 and suggestions for updating
October 2026	Meeting of Steering Group	Areas for further development
November / December 2026	'Open' event for prospective Councillors	
January 2027	Meeting of Steering Group	Items to be considered: Final review of Member Development Strategy 2027-31 and Induction Programme 2027
10 February 2027	Draft Member Development Strategy 2027 - 2031 presented to Standards Committee Draft Induction Programme 2027	

25 February 2027	Member Development Strategy 2027 – 2031 presented to Council for adoption Induction Programme 2027 to be approved	
20 May 2027	Council to agree new membership of Steering Group	

Standards Committee



2 December 2024

Title	Consultation on Enabling Remote Attendance and Proxy Voting at Local Authority Meetings
Purpose of the report	To make a decision
Report Author	Karen Limmer Interim Group Head of Corporate Governance
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	n/a
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1. Note the report; and 2. Consider the proposed response to MHCLG.
Reason for Recommendation	MHCLG has issued an open consultation 'Enabling remote attendance and proxy voting at local authority meetings'. A draft response has been prepared.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • MHCLG issued a consultation following an announcement at Local Government Association conference on 24 October 2024 by the Secretary of State for Housing, Communities and Local Government. 	<ul style="list-style-type: none"> • Promote engagement in local democracy. • Modernise processes to provide some flexibility • Diversify representation • Enhance resilience in case of local or national emergencies
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> Respond to the consultation by 18 December 2024 	<ul style="list-style-type: none"> Respond to MHCLG
---	--

1.1 This report seeks to respond to the consultation issued by Ministry for Housing Communities and Local Government (MHCLG) on 24 October 2024 and which was announced by the Secretary of State at the LGA conference on 24 October 2024.

2. Key issues

2.1 The Consultation document in full is attached at Appendix A.

2.2 Members will recall that during lockdown in March 2020, local government encountered a number of difficulties in carrying out its business and the Government brought in provisions for meetings to be held remotely.

2.3 These provisions were temporary, in order to cover the situation where business could not be transacted in the normal way, as Standing Orders required members to be in attendance at meetings in order to vote. Those provisions did not continue but since then there has been strong lobbying to governments to amend the rules permanently.

2.4 This Consultation relates to proposals for both remote attendance and for proxy voting.

2.5 The Consultation has been circulated to all members for their input.

2.6 Since lockdown the use of technology for remote meetings has become common place and everyone is more familiar with the operation of the technology, but there still remain issues around confidentiality for example, and these would need to be addressed in specific guidance, as during lockdown.

2.7 The Consultation is also considering the use of proxy voting, as may be done by companies. This may well replace the way substitutes are provide for currently.

2.8 There are 13 questions in the consultation documents which is to be completed on line.

3. Consultation: Proposed response

3.1 Option 1: Attached at Appendix B is a proposed response which members of the Committee may amend to capture the views of all members.

3.2 Option 2: Decide not to respond.

4. Financial management comments

4.1 There are no financial implications.

5. Risk management comments

5.1 There are no risk issues.

6. Procurement comments

6.1 There are no procurement issues.

7. Legal comments

8. Following consultation, there may be changes to legislation to bring forward any new provisions. No timetable has yet been published. Any changes may also require amendments to the Constitution in due course.
9. **Other considerations**
 - 9.1 None.
10. **Equality and Diversity**
 - 10.1 The Consultation document sets out the relevant considerations.
11. **Sustainability/Climate Change Implications**
 - 11.1 n/a
12. **Timetable for implementation**
 - 12.1 A Response is required to be submitted by 18 December 2024.
13. **Contact**
 - 13.1 Karen Limmer Interim Monitoring Officer K.Limmer@spelthorne.gov.uk

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

Background papers: none

Appendix A: Consultation document

Appendix B: Draft response

This page is intentionally left blank

Open consultation

Enabling remote attendance and proxy voting at local authority meetings

Published 24 October 2024

Applies to England

Contents

1. [Scope of this consultation](#)
2. [Basic information](#)
3. [Ministerial foreword](#)
4. [Who we would like to hear from](#)
5. [The proposal for remote attendance](#)
6. [Proxy voting](#)
7. [About this consultation](#)
8. [Annex A: Personal data](#)

© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at <https://www.gov.uk/government/consultations/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings/enabling-remote-attendance-and-proxy-voting-at-local-authority-meetings>

Scope of this consultation

Topic of this consultation

This short consultation seeks views on the detail and practical implications of allowing remote and hybrid attendance and proxy voting at local authority meetings in England.

Scope of this consultation

Government is consulting on introducing powers for local authority members to apply to the relevant authority for a dispensation to attend formal council meetings remotely and vote by proxy in certain circumstances.

If any changes to legislation are made as a result of this consultation would apply to England only local authorities meaning:

- a county council
- a unitary authority
- a London borough council
- a district council
- the Common Council of the City of London
- the Greater London Authority
- the Council of the Isles of Scilly
- a parish council
- a joint board continued in being by virtue of section 263(1) of the 1972 Act
- a parish meeting constituted under section 13 of the Local Government Act 1972
- Transport for London, Para.5 of Schedule 10 of the GLA 1999 allows the GLA to regulate its own procedures and committees
- an authority established under section 10 of the Local Government Act 1985
- a joint authority established under Part 4 of the Local Government Act 1985
- a joint committee constituted to be a local planning authority under section 29 of the Planning and Compulsory Purchase Act 2004
- a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009
- a combined county authority established under section 9 of the Levelling Up and Regeneration Act 2023
- a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, or created by an order under section 4A of that Act
- a National Park authority as referenced at section 184 of the LGA 1972 and/or established under section 63 of the Environment Act 1995
- the Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988
- a conservation board established under section 86 of the Countryside and Rights of Way Act 2000
- a police and crime panel established under section 28 of the Police Reform and Social Responsibility Act 2011

Geographical scope

The questions in this consultation apply to all relevant local authorities in England as defined above.

They do **not** apply to authorities in Wales, Scotland or Northern Ireland.

Impact assessment

If any policy changes are made following this consultation they will be subject to appropriate assessment. No impact assessment has been conducted at this time.

Basic information

This is an open consultation. We particularly seek the views of individual members of the public; prospective and current local authority members/representatives; all relevant local authorities defined above; and those bodies that represent the interests of local members/representatives at all levels.

Body/bodies responsible for the consultation

The Local Government Capability and Improvement Division in the Ministry of Housing, Communities and Local Government is responsible for conducting this consultation.

Duration

This consultation will last for 8 weeks from 24 October 2024.

Enquiries

For any enquiries about the consultation please contact:
remoteteam@communities.gov.uk

How to respond

You can only respond to this consultation through our online consultation platform, Citizen Space. [Respond via Citizen Space](#).

Ministerial foreword

The government has set out its intention to reset the relationship between central and local government as partners in delivering better outcomes for the communities we collectively represent. Key to this is supporting the sector to modernise democratic engagement, raise

standards and widen the range of candidates standing for council by removing unnecessary barriers.

The attendance of elected members at local authority meetings is a core part of the democratic process at the local level and is integral to members carrying out their functions effectively. In addition to the value of members coming together to debate and discuss the issues which impact the lives of the people they represent; it is also important that local residents have the opportunity to engage directly with the people they have elected to take key decisions on their behalf.

At the same time, the government recognises that there are circumstances in which it may not always be possible for members to attend council meetings in person. It is with this in mind that the government intends to amend the law to introduce provisions for remote attendance at local authority meetings.

The intent is that this increased flexibility will strike the balance between the principle that significant in-person engagement remains vitally important, and a recognition that there will sometimes be a need to accommodate members' requirements to attend council meetings remotely. We hope it will encourage a wider diversity of people willing and able to stand and actively participate in local democracy by creating improved conditions where meetings are accessible and inclusive.

In addition, we are seeking views on the possible introduction of proxy voting for those occasions when an elected member, due to personal circumstances, may be unable to attend even remotely, for example during maternity, paternity or adoption leave.

In line with the government's commitment to working with local government to establish partnerships built on mutual respect, genuine collaboration, and meaningful engagement, this short consultation seeks your views on the detail and practical implications of this proposition to inform our ongoing policy development.

Who we would like to hear from

Responses are invited from local authority elected members, all types and tiers of authorities, and local authority sector representative organisations. We are also particularly keen to hear from those members of the public who have point of view based on their interest in accessing local democracy in their area or standing as a candidate for local government at any tier to represent their local community at some future point.

Question 1

Please tick all that apply - are you responding to this consultation as:

a) an elected member – if so please indicate which local authority type(s) you serve on

- Town or Parish Council
- District or Borough Council

- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

b) a council body – if so please indicate which local authority type

- Town or Parish Council
- District or Borough Council X
- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

c) a member of the public

d) a local government sector body – please state

The proposal for remote attendance

The government intends to legislate to give local authorities the flexibility to allow elected members to attend formal council meetings remotely. We believe that this modernising measure of providing broad flexibility to enable remote attendance will have the dual positive impacts of diversifying the representation of those willing and able to stand for elected office and enhance the resilience of local authorities in the face of local or national emergencies.

The intent is that this legislative change would give local authorities the flexibility to allow members to attend remotely.

Question 2

Do you agree with the broad principle of granting local authorities powers to allow remote attendance at formal meetings?

Yes/No YES

If you answered No to the above question please go directly to question 4.

Question 3

If you answered Yes to the above question, do you think that there should be specific limitations on remote attendance?

Please tick all the options below that correspond with your view and use the free text box for any other comments.

a) Any formal meeting allowing remote attendance should have at least two thirds of members in physical attendance.

b) Members should only be able to attend council meetings remotely in exceptional circumstances, such as those who are medically or physically unable to attend, or for reasons of local or national emergencies.

c) There should be no limitations placed upon councils with regard to setting arrangements for remote attendance of council meetings, up to and including full remote attendance. **YES**

d) [Free text box]

Question 4

If you are an elected member can you anticipate that you personally may seek to attend some of your council meetings remotely?

- Yes **YES**
- no
- I am not an elected member

Question 4a

If you answered No please use the free text below

[Free text box]

Question 4b

If you answered Yes, could you indicate below which of the following options best describes your likely pattern of attending meetings remotely

- very occasionally
- from time to time **YES**
- regularly but not always
- all the time

Question 5

If you are responding to this consultation on behalf of a council as a whole, what proportion of the council's current elected members are likely to seek to attend council meetings remotely over the course of a year?

- less than 10%
- more than 10% but less than 50% **YES**
- more than 50% but less than 90%
- most of them 90% to 100%

Question 6

The government recognises that there may be cases in which it is necessary for councils to hold meetings fully remotely. Do you think there should be limitations placed on the number of fully remote meetings councils should be able to hold?

a) Councils should be able to allow full remote attendance at up to half of council meetings within a twelve-month calendar period.

b) Councils should only have the flexibility to change a meeting from in-person to online, or vice versa, due to unforeseen and exceptional circumstances.

c) Councils should not have the flexibility to conduct fully remote meetings to ensure there is always an in-person presence. **YES**

d) [Free text box] **We need to consider the role of the public in attending meetings particularly when asking questions or addressing the committee.**

Question 7

Do you think there are there any necessary procedural measures that would help to ensure a remote or hybrid attendance policy is workable and efficient?

Please tick all the options that correspond with your view and use the free text box for any other comments.

a) Councils should be required to publish a list of attendees joining the meeting remotely and give notice if a meeting is being held with full remote attendance. **YES**

b) Councils should be required to ensure that standard constitutional arrangements are followed for hybrid and fully remote meetings. **YES**

c) Councils should be required to make arrangements to ensure restricted items (where a council decision is taken in private to protect confidentiality) are managed appropriately and to require remotely attending members to join from a private location. **YES**

d) Other [Free text box]

Question 8

Do you think legislative change to allow councillors to attend local authority meetings remotely should or should not be considered for the following reasons?

Tick all the statements below that apply to your point of view.

Should be considered because

Should not be considered because

It is a positive modernising measure.

Councillors should be physically present at all formal meetings.

YES

It would likely increase the diversity of people willing and able to stand for election in their local area, making councils more representative of the communities they serve.

It could lead to a significant number of councillors habitually attending remotely and ultimately reduce the effectiveness of councils.

YES

Councils would be more resilient in the event of local or national emergencies which prevent in-person attendance.

It would be more difficult for councillors to build personal working relationships with colleagues, and engage with members of the public in attendance at meetings.

YES

AGREE

Should be considered because

Should not be considered because

Free text box – please state any other reasons

Free text box – please state any other reasons

Question 9

In your view, would allowing councillors to attend formal local authority meetings remotely according to their needs particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities?

Please tick an option below:

- it would benefit members
- it would disadvantage members
- neither

Please use the text box below to make any further comment on this question.

[Free text box]

Proxy voting

Proxy voting is a form of voting whereby a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence.

It is possible some members may find that, due to their personal circumstances, they are temporarily unable to participate in meetings even if remote attendance provisions are in place. Provisions for proxy voting could provide additional flexibility to those who really need it on a time-limited basis, allowing affected members to indirectly exercise their democratic duty, participate in their local authority's governance, and ensure that their views are taken into consideration. In the context of local authorities, the representative would have to be another elected member of the local authority.

Question 10

In addition to provisions allowing for remote attendance, do you consider that it would be helpful to introduce proxy voting?

- Yes **YES**
- no
- unsure

Question 11

If yes, for which of the following reasons which may prohibit a member's participation in council meetings do you consider it would be appropriate?

Please select all that apply:

- physical or medical conditions **YES**
- caring responsibilities **YES**
- parental leave or other responsibilities **YES**
- other [Free text box]

Question 12

Are there circumstances in which you feel proxy voting would not be appropriate?

[Free text box]

Question 13

If you think proxy voting is appropriate, are there any limitations you think should be placed upon it?

[Free text box] **There should be a limit of occasions per annum when this is used by an one councillor.**

About this consultation

This consultation has been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the UK General Data Protection Regulation, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Annex A: Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018. Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

4. With whom we will be sharing your personal data

We use a third-party platform, Citizen Space, to collect consultation responses. In the first instance, your personal data will be stored on their secure UK-based servers.

5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for 2 years from the closure of the consultation.

6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a) to see what data we have about you
- b) to ask us to stop using your data, but keep it on record
- c) to ask to have all or some of your data deleted or corrected
- d) to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

7. Your personal data will not be sent overseas

8. Your personal data will not be used for any automated decision making

9. Your personal data will be stored on a secure government IT system

Your data will be transferred to our secure government IT system as soon as possible after the consultation has closed, and it will be stored there for the standard 2 years of retention before it is deleted.

All content is available under the [Open Government Licence v3.0](#), except where otherwise stated

[© Crown copyright](#)

This page is intentionally left blank

Standards Committee



2 December 2024

Title	General update on Standards Matters
Purpose of the report	To note
Report Author	Karen Limmer Interim Group Head of Corporate Governance
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	n/a
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	Committee is asked to: To note the Report
Reason for Recommendation	Not applicable

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> To provide an update to members on standards issues. 	<ul style="list-style-type: none"> To comply with the Localism Act 2011.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> To ensure the Constitution and all proper process and procedures are in place. 	<ul style="list-style-type: none"> To review the Forward Plan.

1.1 This report seeks to update members on a number of standards issues.

2. Key issues

2.1 This Committee's terms of reference include the promotion and maintenance of high standards of conduct by councillors and any co-opted members.

2.2 To further this role and function, this report sets out a number of current issues.

2.3 There have been a number of changes to the Constitution over the last year to improve decision making at all meetings of the Council and its Committees

and to clarify the Scheme of Delegation. These continue to be kept under review and will be brought forward at regular intervals and some further proposed amendments are the subject of a further report on the Agenda.

- 2.4 There continues to be a number of Code of Conduct issues, brief details of which are set out in the Members Briefing pack. These include the use of social media, what happens during an election period and post-election, the responsibility for complaints, and behaviour generally.
- 2.5 A review of the rules relating to Gifts and Hospitality has taken place and no changes are currently proposed, other than a reminder to all members and staff, particularly at this time of the year.
- 2.6 A Code of Conduct review has also been considered. The Local Government Association has not brought forward any changes since the introduction of its model Code in 2021 and it is not proposed to review the Code at this point in time.
- 2.7 It is intended that a review of the Arrangements for Dealing with Complaints against Members will be brought to the next Standards Committee for consideration by all members. These are being externally reviewed to ensure that they are fully compliant with the recommendations of the Committee On Standards in Public Life, and taking into account best practice from other local authorities.
- 2.8 Some changes affecting councils were announced recently by the Deputy Prime Minister and Secretary of State for Communities, Housing and Local Government for consultation. These concerned changes to available sanctions against councillors following breaches of the Code of Conduct. These may include disqualification or suspension which had been repealed in the Localism Act 2011. The Consultation has not yet been issued. When it is this will be reported to this Committee to gather the Council's views and respond back to government. It is generally thought that the sanctions available currently are not sufficient in certain cases.
- 2.9 The second proposed change relates to virtual attendance at council meetings and is the subject of a separate report on this Agenda.
- 2.10 The Corporate peer review also picked up a number of governance/standards issues which will be the subject of further report to ensure that the Council is addressing these actions.
- 2.11 These matters have been put on a Forward Plan of work for this Committee, as well as a number of others, and Members are invited to add items as they wish.

3. Options analysis and proposal

4. This report is to note only. Members may wish to add matters to the Forward Plan.

5. Financial management comments

- 5.1 There are no financial issues arising from this report.

6. Risk management comments

- 6.1 The Council is required by the Localism Act 2011 to promote standards of conduct by councillors.
- 6.2 Any failure to have the appropriate processes and procedures in place increases risks around governance of the authority.
- 7. Procurement comments**
- 7.1 There are no procurement issues.
- 8. Legal comments**
- 8.1 The Council is required to comply with the Localism Act 2011 and to promote standards within the Council.
- 9. Other considerations**
- 9.1 None
- 10. Equality and Diversity**
- 11. n/a
- 12. Sustainability/Climate Change Implications**
- 12.1 n/a
- 13. Timetable for implementation**
- 13.1 The Forward Plan sets the matters to be brought forward to this Committee.
- 14. Contact**
- 14.1 Karen Limmer Interim Group Head of Corporate Governance

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

Background papers: none

Appendices: Forward Plan

This page is intentionally left blank



Spelthorne Borough Council Services Committees Forward Plan and Key Decisions

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

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

Please direct any enquiries about this Plan to CommitteeServices@spelthorne.gov.uk

Spelthorne Borough Council

Standards Committee Draft Forward Plan for 2 December 2024

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Standards Committee 02 12 24	Amendments to the Constitution	Non-Key Decision	Public	Karen Limmer, Interim Monitoring Officer
Standards Committee 02 12 24	Consultation on enabling remote attendance and proxy voting at local authority meetings	Non-Key Decision	Public	Karen Limmer, Interim Monitoring Officer
Standards Committee 02 12 24	General Update on Standards matters	Non-Key Decision	Public	Karen Limmer, Interim Monitoring Officer
Standards Committee 02 12 24	Member Development Strategy	Non-Key Decision	Public	Matthew Williams, Democratic Services Officer
Standards Committee 22 01 25	Conflicts of Interest Guidance	Non-Key Decision	Public	Karen Limmer, Interim Monitoring Officer
Standards Committee 22 01 25	Protocol for Councillor and Officer Engagement with Applicants and Developers	Non-Key Decision	Public	Karen Limmer, Interim Monitoring Officer
Standards Committee 22 01 25	Appointment of Standards Committee Vice-Chair	Non-Key Decision	Public	Karen Limmer, Interim Monitoring Officer