

Minutes of Cabinet

20 February 2019

Present:

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination
Councillor A.C. Harman, Deputy Leader and Communications
Councillor M.M. Attewell, Community Wellbeing
Councillor C. Barnard, Planning and Economic Development
Councillor J.R. Boughtflower, Corporate Management
Councillor M.P.C. Francis, Housing
Councillor D. Patel, Environment and Compliance
Councillor O. Rybinski, Customer Service, Estates and Transport
Councillor H.R.D. Williams, Finance

Apologies:

Councillor Williams apologised for his lateness.

2567 Minutes

The minutes of the Cabinet meeting held on 30 January 2019 were agreed as a correct record.

2568 Disclosures of Interest

There were none.

2569 Recommendation of Members' Development Steering Group - Induction Programme

Cabinet considered a recommendation from the Members' Development Steering Group outlining an induction programme for new and re-elected councillors following the elections in May 2019.

The programme proposed covered all aspects of a councillor's role using a range of training methods.

Resolved to approve the Induction Programme as set out in Appendix A.

Reason for decision:

To provide councillors with the necessary training and skills to enable them to effectively fulfil the demands of the role.

2570 *Capital Strategy Report

Cabinet received the draft Capital Strategy for consideration and recommendation to Council for approval. The purpose of the Capital Strategy is to set out the Council's future need to incur capital expenditure and explain the rationale, set out how we manage risk and ensure we have the appropriate skills and resources to manage the activity.

Resolved to recommend that Council approves the Capital Strategy.

Reasons for decision:

Councils are required to have a Capital Strategy in place before the end of the current financial year.

2571 *Capital Programme 2019/20 to 2022/23

Cabinet considered a report on the Capital Programme 2019/20 to 2022/2023, in the light of the available resources and corporate priorities. The report covered progress on current schemes and included future schemes for consideration. The report also provided information on the availability of resources to continue moving forward with the proposed capital schemes within the Programme.

All bids to go on the Capital Programme had been critically assessed and reviewed by Management Team and Cabinet to ensure they met the new criteria of Capital expenditure.

Resolved to recommend that Council approves:

1. the Capital Programme for 2019/20 to 2022/2023 and
2. the Prudential Indicators for 2019/20 to 2022/2023.

Reason for decision

To allow the authority to spend its capital resources for the financial year 2019/20.

2572 *Revenue Budget 2019/20

Cabinet considered the Revenue Budget for 2019/20.

The revenue budget for 2019/20 presented a positive picture; a balanced budget has been proposed without the use of reserves, investment made to retain staff and resourcing issues addressed. The Council's operational service assets were maintained and revenue contributions made to Capital.

Resolved to recommend that Council approves:

1. Continuing the Council's Local Council Tax Support Scheme with the current rules and regulations.
2. Continuing the complete disregard of war pension / armed forces pension income from benefit calculations.
3. The growth and savings items as set out in the report's appendices.
4. The Council Tax Base for the whole council area for 2019/20. [Item T in the formula in Section 31b(3) of the local government Finance Act 1992, as amended (the "act")] should be 39,688.00 band D equivalent dwellings and calculate that the Council Tax requirement for the Council's own purpose for 2019/20 is £202.44 Per Band D equivalent dwelling.

5. A £5 or 2.53% increase on Band D in the Spelthorne Borough Council element of the Council Tax for 2019/20. Moreover:
- The revenue estimates as set out in Appendix 1 be approved.
 - No Money, as set out in this report is appropriated from General Reserves in support of Spelthorne's local Council tax for 2019/20.
 - To agree that the Council Tax base for the year 2019/20 is 39,688.00 band D equivalent dwellings calculated in accordance with regulation 3 of the Local Authorities (Calculation of Council tax base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.

That the following sums be now calculated by the Council for the year 2019/20 in accordance with Section 31 to 36 of the Local Government Act 1992.

A	107,042,500	Being the aggregate of the amount which the council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
B	99,008,100	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A(3) of the Act
C	8,034,400	Being the amount by which the aggregate at (A) above exceeds the aggregate at (B) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year

D	202.44	Being the amount at (C) above divided by the amount at 5c (above), calculated by the Council in accordance with Section 31B(1) of the act, as the basic amount of its Council Tax for the year (including Parish precepts)
E	0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
F	202.44	Being the amount at (D) above less the result given by dividing the amount at (E) above by the amount at 5c (above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings on those parts of its area to which no Parish precept relates.

That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011.

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
134.96	157.45	179.95	202.44	247.43	292.41	337.40	404.88

Being the amounts given by multiplying the amount at (F) above by the number which in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the sum which in that proportion is applicable to dwellings listed in valuation band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different band.

That it be noted that for the year 2019/20 Surrey County Council and Surrey Police and Crime Commissioner have stated the following amounts in precepts issued to Spelthorne Borough Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below:

Precepts issued to the Council

	A £	B £	C £	D £	E £	F £	G £	H £
Surrey County Council	969.00	1,130.50	1,292.00	1,453.50	1,776.50	2,099.50	2,422.50	2,907.00
Surrey Police & Crime Commissioner	173.71	202.67	231.62	260.57	318.47	376.38	434.28	521.14

Reasons for Decision:

The Authority is required to set a balanced budget and a Council tax rate for the financial year 2019/20.

2573 Fees and Charges - 2019/20 - Key decision

Cabinet considered a report proposing the levels of the Council's fees and charges for 2019/20. The charges had been reviewed and taken into account inflation, market forces and other relevant factors. Car park charges remain at the 2018/19 rate to support local retailers and the business community.

Resolved to approve the charges as set out in Appendix A to the report.

Reasons for decision:

Fees are an important source of income for the authority and are of key importance in balancing the budget.

2574 Annual Revenue Grants 2019/20 - Key decision

Cabinet considered a report on the proposed grants to organisations in the voluntary and community sectors for 2019/20. The report outlined grant applications received and explained the benefits that the work of the voluntary sector provides to the local area and communities.

Alternative options considered and rejected by Cabinet:

Not to award grants as recommended.

Resolved to:

1. Agree the grants awards for 2019/20 as detailed in the report;
2. Note all other support to the voluntary/charity sector;
3. Note the development of Service Level Agreements (SLA's) for our top funded organisations.

Reasons for decision:

- To enable a number of charities to continue operating in the borough for the year ahead
- To maintain service levels where charities provide complementary activities to Council frontline services
- To enable new charities and community groups to begin working in the borough or expand their operations.

2575 *Pay Award 2019/20

Cabinet considered a report proposing a pay award of 2.5% to all staff, including those on protected salaries, personal salaries and apprentices. Following the move from national to local pay terms and conditions with effect from 1 April 2019, pay awards are decided by full Council.

Options considered and rejected:

To not approve the pay award or agree a lower pay award.

Resolved to recommend that Council approves the pay award of 2.5% to all staff for 2019/20.

Reason for decision:

To attract and retain staff and to ensure the award is comparative to other pay awards in the County.

2576 *Pay Policy Statement

Cabinet considered a report on the Annual Pay Policy Statement 2019/20. The statement sets out the Council's policies on a range of issues relating to the pay of its workforce, particularly its senior staff and the lowest paid employees.

Resolved to recommend that Council approves the Pay Policy Statement for 2019/20.

Reason for the decision:

Cabinet noted that the Localism Act 2011 required local authorities to publish an annual pay policy statement to increase transparency regarding the use of public funds to pay Council staff. The pay policy statement must be agreed by full council and published by 31 March each year.

2577 *Members' Allowances 2019

Cabinet received a report from the Independent Remuneration Panel which set out their findings following a review of the Members' Allowances Scheme for 2019/20.

Resolved to recommend that Council approves the Members' Allowances Scheme for 2019/20 as set out in Annex 1 to the Independent Remuneration Panel's report.

Reasons for recommendation:

The Council is required to make a scheme of allowances and the Independent Remuneration Panel is appointed by the Council to advise on the type of its allowances and the amounts to be paid.

2578 Capital Monitoring (Q3 Oct to Dec) & Projected Outturn

Cabinet considered a report on capital expenditure covering the period October to December 2018.

Resolved to note the current level of capital spend.

2579 Revenue Monitoring (Q3 Oct to Dec) & Projected Outturn

Cabinet considered a report on revenue covering the period October to December 2019. The forecast outturn shows a positive variance of £2.960m.

Resolved to note the current level of spend.

2580 Members' ICT 2019

Cabinet considered a report recommending the provision of a Council owned tablet computer to all councillors following the local elections in May 2019 and a reduced IT allowance of £250 for the four year term of office to cover any additional costs.

Resolved to approve:

1. The provision of a council owned tablet to councillors after the May 2019 election for use with Modern.Gov
2. Councillors receive an IT allowance of £250 to cover any additional costs for the four year term of office.

Reason for the decision

The use of an iPad or Tablet by councillors will result in efficiencies and financial savings for the Council.

2581 Food and Health and Safety Service Plans

Cabinet considered a report on the proposed food and health and safety service plans for 2019/20.

Resolved to adopt the proposed food and health and safety service plans for 2019/20.

Reason for the decision:

Cabinet noted that Local Authorities are required by the Food Standards Agency and the Health and Safety Executive to produce annual service plans for their food safety and health and safety services.

2582 Laleham Park Pavilion

Cabinet considered a report proposing the demolition of the existing Laleham Park pavilion and toilets and replacing them with a new toilet facility and a hardstanding area for mobile catering. There is provision of £200,000 in the 2018/19 capital programme for expenditure on the pavilion and it is considered that an additional sum of up to £50,000 is required for this project.

Other options considered and rejected:

To do nothing which would leave the health and safety concerns unresolved.

Resolved to recommend to Council:

1. *That the capital programme provision of £200,000 for expenditure on Laleham Pavilion is carried forward to 2019/20.
2. *That the capital provision be increased by £50,000 to a total of £250,000.

Cabinet resolved, subject to the above, to:

3. Agree to allocate the capital budget to demolition of the pavilion, and creation of a new toilet facility and hardstanding
4. Agree to spend part of the budget now on the design stage
5. Give delegated authority to the Group Head for Regeneration and Growth, in consultation with the Leader and the Portfolio Holder for Neighbourhood Services, to agree the works and appoint contractors to undertake the demolition and build.

2583 Leader's announcements

The following are the latest service updates from various Council departments.

The Council's Capital Strategy has been published and property investment FAQs have been added to the website and social media accounts to explain the reasons behind the ambitious, yet prudent, strategy and what is enabling us to achieve.

The Council has responded to Heathrow's latest consultation on proposed changes to airspace and future operations. These changes will have an impact on the whole Borough, not just those towns and villages closest to the airport, and don't just relate to a third runway: they include changes to existing airport operations including the potential for an additional 25,000 flights.

Our response to the consultation includes the following points:

- We oppose an increase in flights before the third runway is operational and interim measures that will result in newly overflowed areas
- The Compton route, which results in low flying planes across our Borough, should be removed as soon as possible.
- A night-time ban should mean just that, except for emergencies, and fines for breaches of the ban should be used to compensate affected communities.

The consultation closes on 4 March 2019.

Comprehensive responses were also sent in respect of Surrey County Council's recent consultations which proposed changes to five County Council service areas. Whilst we understand the financial pressure that the County Council is under, we will continue to look carefully at the changes to these services and make representations, where appropriate, to minimise adverse impacts.

The Council has been working with partners to improve the CCTV coverage in Sunbury with new cameras being installed at Spelthorne Grove and Sunbury Cross roundabout. There are further plans to improve CCTV coverage in other parts of the Borough.

Clare Road shopping parade is the latest area to benefit from improvements following works to the shopping parades in Edinburgh Drive and Groveley Road. Works to improve Woodlands Parade, Ashford are expected to start soon.

The Council has been working on an initiative called "Every ward at its best" which is a project to deal with problem sites across the borough which could be an annoyance or an eyesore to residents and which would benefit from a fresh approach. The aim of the project was to help tackle these low level issues in a way that could lead to small but noticeable improvements to the Borough.

A Spelthorne restaurant owner was convicted of food hygiene offences and ordered to pay a total of £3,970 including fines, a victim surcharge and prosecution costs.

During the recent cold snap, the Council helped four street homeless clients into emergency accommodation, with an opportunity to explore ways to help them in the longer term.

The Council's website has been refreshed to make it easier for people to find information that's relevant to them and easier to view on mobile devices.

2584 Urgent items

The Chairman agreed to take an urgent confidential item on the acquisition of property U at the end of the agenda.

The matter was urgent as the Council had only received confirmation of the opportunity to bid after the agenda had been published.

2585 Exempt Business

Resolved to move the exclusion of the Press and Public for the following items in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by

the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

2586 Exempt report - Acquisition of Property U

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Cabinet considered a confidential report on the proposed acquisition by Knowle Green Estates Ltd of a residential property in the borough.

Alternative options considered and rejected by the Cabinet:

1. Formally agree not to submit a bid
2. Purchase the property and seek a long term tenant

Resolved that Cabinet:

1. Approve the acquisition of the residential property identified in this report to be held in the name of its subsidiary Knowle Green Estates Ltd, and offered to the Council as emergency accommodation.
2. Recommend to Knowle Green Estates Board that the reduced nightly rate is charged to the Council, as per paragraph 2.5 of this report.
3. Authorise the Chief Financial Officer to make prudent financing arrangements for the transaction
4. Authorise the Chief Financial officer to determine with Knowle Green Estates Ltd the most financially prudent way of financing the transaction between the Council and the Company, noting this may include a Council loan to Knowle Green Estates for the full amount of the funds at cost
5. Formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader, Cabinet Member for Finance, Portfolio Holder for Housing, Portfolio Holder for Corporate Management and Portfolio Holder for Community Wellbeing).
6. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the asset in the name of Knowle Green Estates Ltd.

Reason for recommendation

To improve the quality of emergency accommodation within the borough for vulnerable homeless households, thereby avoiding costly emergency placements away from Spelthorne.

NOTES:-

- (1) Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule 16, the “call-in” procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.**
- (2) Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.**
- (3) Within five working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to “call in” a decision;**
- (4) To avoid delay in considering an item “called in”, an extraordinary meeting of the Overview and Scrutiny Committee will be convened within seven days of a “call in” being received if an ordinary meeting is not scheduled in that period;**
- (5) When calling in a Cabinet decision for review the members doing so should in their notice of “call in”:-**
 - Outline their reasons for requiring a review;**
 - Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;**
 - Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and**
 - Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.**
- (6) The deadline of five working days for “call in” by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 28 February 2019.**