

## MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 20 April 2023 at 7.00 pm

### Present:

#### Councillors:

D. Saliagopoulos	R.D. Dunn	S.C. Mooney
M.M. Attewell	S.A. Dunn	L. E. Nichols
C.F. Barnard	T. Fidler	R.J. Noble
C. Bateson	N.J. Gething	O. Rybinski
I.J. Beardsmore	M. Gibson	J.R. Sexton
M. Beecher	K.M. Grant	R.W. Sider BEM
S. Buttar	H. Harvey	B.B. Spoor
J. Button	K. Howkins	S.J Whitmore
R. Chandler	T. Lagden	
J.T.F. Doran	A.J. Mitchell	

**Apologies:** Apologies were received from Councillors C.L. Barratt, R.O. Barratt, J.R. Boughtflower, A. Brar, A.C. Harman, I.T.E. Harvey, N. Islam, V.J. Leighton, V. Siva and J. Vinson

Councillor S.M. Doran, The Mayor, in the Chair

### **31/23 Minutes**

The minutes of the Council meeting held on 23 February 2023 and the carry over meeting held 02 March 2023 were agreed as a correct record of proceedings.

### **32/23 Disclosures of Interest**

Councillors Attewell, Mooney and Sexton declared that they were also Surrey County Councillors.

### **33/23 Announcements from the Mayor**

The Mayor made the following announcements:

“Since the last Council Meeting, I have attended three Mayor's Balls, attended Mayor of Runnymede's Afternoon Tea in the Picture Gallery at Royal Holloway, hosted the 6th Sunbury Beavers Group in the Chamber for a question and answer session which Cllr. Sandra Dunn organised and helped me with, attended a Holli Festival event (Hindu), invited to and attended

Kempton Park Racecourse, Stanwell Moor Easter Fun Day, WI Easter Saturday Coffee Morning to raise funds for MacMillan, visited a dementia care home in Stanwell, attended Surrey Annual Armed Forces Covenant Conference held at Pirbright.

On Tuesday, I was present at the 40<sup>th</sup> annual Spelthorne Civic Awards. Every single one of those awarded fully deserves their recognition for putting our communities first. I have been truly humbled, throughout my year as Mayor, to see first-hand the work many of our local volunteers do in our Borough. Their work is truly inspiring and I would encourage all residents to do what they can in the service of others

I would like to thank everyone who attended my Mayor's Music Night at Sunbury Cricket Club, attended my Charity Ball and for the money that was raised for my two charities, Spelthorne Mental Health Association and Stanwell Family Centre at both events. Everyone that attended has told me that they thoroughly enjoyed both events and a "great time was had by all". This follows up the Night with Elvis in October, which was highly successful.

Over the course of the year, I have attended 100 events across the Borough and in the wider area of Surrey. It has been a thoroughly enjoyable year and I have seen first-hand the great community spirit that exists in Spelthorne. I am delighted to say that we have raised over £25,000 for Stanwell Family Centre and Spelthorne Mental Health; two fantastic local charities.

I would like to thank Maxine Cole, Cllr Robin Sider and Cllr Bob Noble for their invaluable support and the important roles they played in making my Mayor's Ball the success that it was and once again to thank everyone else that contributed to the evening just by being there.

I would like to thank the members of my Mayor's Committee for all their hard work and all the help and support that they have given me. Also, Maxine Cole the Mayor's PA who has gone the extra mile for me. I would also like to give special thanks to my Consort, Cllr John Doran, who has taken on his duties with aplomb and provided magnificent support for me.

There is one more event - this Friday, 21st April - my Ladies Afternoon Tea at Squires Garden Centre, Shepperton - at this event there will be demonstration of how to make a hanging basket - the funds raised again going to my chosen charities.

Over the Coronation weekend I have been invited to and accepted 8 invites to Coronation Street Parties".

### **34/23 Announcements from the Leader**

The Deputy Leader made the following announcements:

"As we approach the end of this four-year municipal year, I would like to take the opportunity to thank all the councillors for their hard work and dedication to our Borough. You have been a voice for your residents and worked

tirelessly to improve services and the environment for your own wards and Spelthorne as a whole.

Thank you also to Cllr Susan Doran who has thrown herself into her role as Mayor this year with such energy, warmth and compassion. And special thanks also to all the wonderful staff here at Spelthorne whose willingness to go the extra mile for residents is seen every single day.

As a Council, we have been able to achieve so much in the last four years. The Spelthorne Business Hub opened in 2021 and has provided a vibrant community for new and small businesses. The Youth Hub, established in 2022, is supporting young people to find work and development opportunities. The completion of the White House and Harper House is delivering excellent support for homeless residents and the delivery of more affordable homes is helping local people to settle in the area. Our Local Plan is well on track and has been submitted to the Secretary of State. Work has started on our new leisure centre, a fantastic energy efficient facility which will provide the best sport and fitness opportunities for our residents. More recently we have been helping residents affected by the rising cost-of-living. And of course, the support given to residents during the Covid pandemic is something we can all be very proud of. These are just a few examples of how much has been achieved.

It is gratifying that our work has also been recognised by others and we have received numerous awards in recent years, including those for our legal services, parks and open spaces, support for local businesses, and commitment to the Armed Forces to name just a few.

On a personal note, I feel incredibly privileged to have led a Council that genuinely cares and works alongside residents to build a strong vibrant borough. As a nation we have faced some extremely challenging times in recent years, but we have always shown a sense of confidence and a belief in our ability to tackle these challenges – this has always been the Spelthorne way.

Finally, to those of you who will not be standing again in the May elections, I would like to wish you all a very fond farewell. Even though you are stepping down from your political roles, I know many of you will still be closely involved with your local communities and will continue to help in different ways. I wish you every success for the future. On behalf of myself, the residents, and the staff here at Spelthorne, thank you for all you have done”.

The Mayor invited retiring councillors to speak, and the Council heard speeches from Councillor R Sider BEM, Councillor C Barnard, Councillor H Harvey, and Councillor S Buttar.

### **35/23 Announcements from the Chief Executive**

The Chief Executive made the following announcements:

“It has been - by any measure - a remarkable municipal term - half of which has been dominated by a global pandemic.

We can rightly be proud of how this authority mobilised to preserve the lives of more than 17,000 extremely vulnerable residents for two long, bruising years.

Recently, our Corporate Peer Challenge Review acknowledged the ‘brilliant’ exemplary work that we undertake to keep our communities at the heart of everything we strive to do.

The Spelthorne Civic Trust embroidered award - on display at the back of this chamber - is testament to how closely we have worked with our communities and volunteers across our borough.

Our work has repeatedly been recognised externally with a wide array of awards, including a Gold award for our armed forces commitment in the Defence Employer Recognition Scheme, a Quest Award for outstanding leisure service, Lexcel quality marks for governance services, Gold Exemplar award for IT, numerous Green Flag and South East in Bloom awards for our gardens, parks and cemeteries, a Cabinet Office shortlisting (one of only two local authorities) for the ‘Government Property Project of the Year’ award and an MJ Award shortlisting for the Best Council Housing Team for the steps we have taken towards eradicating homelessness in the Borough. Most recently, this authority was also awarded the all-England Local Council ‘future-ready’ award by the Federation of Small Businesses.

Whichever way you view it, our work has made a qualitative difference on the ground, now and for future generations. From securing homes for vulnerable and homeless residents with the completion of our single homeless hostel and emergency bed and breakfast family provision to delivering affordable homes across the Borough, such as those in the West Wing of this very building – that is the physical manifestation of our commitment to local people. For some, seeing is believing and our magnificent new Leisure Centre is rising-up to symbolise this authority’s commitment to net-zero in building the world’s first full scale wet and dry leisure centre built to Passivhaus standard.

Madam Mayor, I am incredibly proud of Team Spelthorne, its commitment, its professionalism, and its dedication to serving our communities and our businesses and we can all take immense pride in the knowledge that this authority’s work is recognised alongside the best in the country.

I would therefore like to place on record my heartfelt appreciation as the Head of Paid Services for what we have collectively achieved and to formally thank each Member in this Chamber for the role you have played in this endeavour.

Our innovative and enterprising commercial work has invested over £40million in this 4 year municipal term into non-discretionary services supporting our most vulnerable members of our community – though to put our financial success as well as future challenges into perspective, I should now like to hand over to the Council’s Section 151 Officer, Terry Collier”.

The Section 151 Officer made the following announcements:

“The four years of this Council cycle has seen unprecedented external economic challenges particularly as a result of COVID-19 Pandemic, the tragic events in Ukraine and the Cost of Living Crisis. Whilst the associated increased inflationary pressures have added to the pressures on our budget moving forwards, this has been the case for all public sector bodies. Whilst some of our income streams, particularly car parking have not fully recovered since the economic impacts of the Pandemic and may never recover; overall relative to most councils we are in a better financial position than others, and have been able to protect the services we provide to our residents.

Council, over the last four years has also made some important decisions with regard to the height and massing of its own development schemes particularly in Staines-upon-Thames, which has reduced the annual income from Knowle Green Estates by over one million pounds. This will make balancing future annual budgets more challenging as Council will have to make some difficult choices in the future.

The Council at its Extraordinary Council Meeting on 2nd February 2023, took the responsible step in addressing the financial viability of the residential pipeline (and avoiding undermining the ability of the Council to provide discretionary services) by:

- committing to seek to maximise Homes England funding for affordable and key worker units,
- making Thameside and Benwell Phase 2 private rental,
- accelerating Tothill affordable residential; and
- agreeing to a capital injection for Knowle Green Estates.

Whilst the Council are facing a more challenging budget process over the next 4 years, it is still financially better placed than most Councils. Our investment assets continue to deliver a net income contribution of £10.8m per annum to support the provision of services to our residents. Without this income, the resilience of the ability of our services would be significantly weakened and we would have to significantly scale back discretionary services such as community centres. As the Chief Executive has commented, cumulatively since 2016 this equates to well over £40m extra funding being available to support our services.

Whilst we are well placed compared to many local authorities, over the next four year Council cycle we are going to need to focus on closing budget gaps over the medium term period. Some of this will come from income including future investment rental uplifts and investments in areas such as EV charging which have the potential to bear fruit. We will need to focus on continuing to explore opportunities for collaboration with other councils and partners, look at how we can lever better terms when we purchase goods and services, look at how we can align seeking to cut our carbon impact with generating ongoing revenue benefits. Importantly, the next Council is going to need to focus much

on prioritising and recognising that if we wish to enhance services in one area we will need to look at how we make efficiencies in other areas.

Unsurprisingly, given the external economic challenges, we have witnessed a certain amount of churn of tenants. This has temporarily reduced the occupancy rate across our investment assets portfolio below 90%, and is the reason why we are budgeting to make some use of the sinking funds we have built up over the last seven years to address a dip in net rental income over this year and next financial year, before we recommence building those reserves up again. This is applying the sinking fund reserves for the earmarked purpose they were set aside from the rental income streams to act as a safety net to protect the Revenue Budget from short term dips in rental income. We anticipate the sinking funds balance at the end of 2022-23 will be approximately £37m. Despite the economic pressures of first the pandemic and now the cost of living crisis, we have continued to do well in collecting the asset investment rental invoiced in 2021-22 when we collected 99.8%. So far for 22-23 we have collected 98.9% and expect to collect the majority of the rental still outstanding.

The Assets team have responded pro-actively to the turn over of some tenants and last month CPRC agreed Heads of Terms with a tenant who will take occupation from July of three floors at the Hammersmith Grove Development. The Development Sub-Committee have approved a deal with a tenant to take occupation of one floor in one of our other properties, and we have a potential tenant to occupy half of a floor in one of our properties. These incoming tenants will potentially reduce the void percentage in terms of rental income from 15% to 8%. We are looking at options for short term lets to voluntary and other sectors to offset holding costs of vacant space until longer term income producing lettings are in place.

We will be reviewing and refreshing the modelling of our sinking funds reserves to ensure that we continue to have sufficient levels set aside to meet future pressures over the next 50 years.

Equally, by taking a pro-active approach to managing our retail centre at Elmsleigh, we are performing well with only one void at the centre and currently having collected 97.5% of the rent due for 2022-23 (a figure which will rise). We are excited to be moving forward proposals in partnership with Surrey County Council to relocate the library in the Elmsleigh centre and to secure a £4m investment from the County to ensure that our residents have a modern fit for purpose library close to the main footfall in the town.

Over the last four years, as has been mentioned by the Leader, the Council has delivered the Whitehouse single person facility (including move on units) and the 20 bed family emergency accommodation at Harper House, plus we have delivered 25 affordable rental units in the West Wing- to our knowledge we are the only Council in the country to have literally delivered affordable housing on its literal council offices door step. Additionally we deliver a 55 bed mixed tenure scheme at Benwell. Looking ahead to the next 4 years it is important that we deliver on our pipeline affordable, keyworker and PRS

schemes both to support the Council Housing Strategy objectives but also to protect the Council's financial position. Officers have been having very positive discussions with Homes England who have reiterated their keenness to become involved and provide grant support for our affordable housing delivery programme across the Borough. This grant will play a key part in underpinning the financial viability of our affordable and key worker schemes.

We are also seeking to address the challenges of ensuring that as a geographic area we make an appropriate contribution to ensuring that there is appropriate accommodation for recent Afghan and Ukrainian arrivals. As part of this, Development Sub-Committee on Monday approved using Local Authorities Housing Fund grant to part finance the acquisition of 4 homes within the borough to initially house such families. Once the Afghan/Ukrainian families move on we would then be free to use the accommodation to address general housing need. This scheme over the long term will deliver a surplus for the Council and its housing management company Knowle Green Estates.

During the last year we had the positive experience of the LGA Peer Review which has reinforced our intention of building on the Finance Team's upgrade to the Centros platform to focus on improving the usefulness of financial reports for their recipients, both councillors and managers. We are looking to make them more visual and moving more to a dashboard approach. Paul Taylor and his team have a two year implementation programme to address this.

The last four years has been very frustrating with respect to the speed it has taken to resolve matters with KPMG with respect to their 2017-18 Value for Money opinion. It was very positive that at the March Audit Committee KPMG reported that they had concluded their work and were issuing an unqualified opinion on the 2017-18 Statement of Accounts. Now the incoming auditors have a significant backlog catch up exercise which will also, over the next two years, be a significant drain on the time and resources of the finance team. As reported to the March Audit Committee, officers, particularly with a useful fresh perspective from Coralie Holman our new Group Head for Assets, are preparing an Action Plan to address areas for improvement identified by the Public Interest Report. As has previously been debated the Council legal advisers had a different view to the Auditors Legal Advisers, and we do not believe there are issues of substance to address but we are always looking at how we can improve the way we manage our assets

Over the last year, we have engaged positively with the Department of Levelling Up, Housing and Communities (DLUHC) and the Chartered Institute of Public Finance and Accounting (CIPFA) (as we have positively encouraged conversations previously with NAO, LGA and previous incarnations of DLUHC) to share with them our approach to mitigate risks with respect to our significant levels of debt associated with our Capital Programme. When we receive the feedback from DLUHC we will share it with councillors and report to Corporate Policy and Resources and Audit Committee. We will of course engage positively with any recommendations suggesting areas of focus for improvement which may be made by DLUHC post the elections. In seeking to

maintain the momentum of our residential and regeneration pipeline, in order to address the housing needs of our residents and support Government priorities, we will continue to seek to manage risk and moderate the proportion of the funding which will be required to come from borrowing”.

**36/23 Questions from members of the public**

The Mayor reported that, under Standing Order 14, one question had been received from a member of the public.

**Question from A McLuskey:**

“Why did Spelthorne Council agree to distribute money for Coronation street parties in a way which would palpably disadvantage local election candidates who were not councillors”?

**Response from Deputy Monitoring Officer:**

“Even in pre-election periods, the Council is legally obliged to continue to conduct ordinary business. In any given municipal year, the Borough operates a Neighbourhood Grant system and this year it encompasses the ability to also support local coronation festivities taking place. The Borough Council was recently written to by central government promoting councils to undertake their utmost in supporting this momentous event. The use of better neighbourhood grants is well within business as usual which has been allocated from the Council and not from any political party. It should be noted that the deadline to apply for a temporary road closure to hold a street party for the celebration was on 17 March 2023, prior to the commencement of the pre-election period.”

**37/23 Counter Fraud, Bribery & Corruption Strategy**

Council considered a report that sought approval to amendments to the Council’s Counter Fraud, Bribery and Corruption Strategy.

Council **resolved** to:

1. Approve and endorse the changes to the Council’s Counter Fraud, Bribery and Corruption Strategy; and
2. Approve the update of the Council’s Constitution to reflect the revised strategy.

**38/23 Appointment of Independent Persons 2023-2027**



Council considered a report that sought approval to the re-appointment of the existing Independent Person and the appointment of two further persons.

Council **resolved** to:

1. Approve the re-appointment of:
  - a) Vivienne Cameron
  - b) Bill Donnelly
  - c) John Smith and;
  
2. Approve the appointment of:
  - a) Andrea Armstrong
  - b) Jane Clarke

as Independent Persons for a four year term of office expiring in May 2027.

### **39/23 Exclusion of Press and Public**

It was proposed by Councillor Mitchell and Seconded by Councillor Gething and **resolved** that the public and press be excluded during consideration of the following items, in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in being able to undertake even-handed negotiations and finalising acceptable contract terms:

Item 11 – The Review of Appraisal Process for the Chief Executive

### **40/23 Review of Appraisal Process for Chief Executive**

Council considered recommended draft changes to the Chief Executive Appraisal Procedure and considered approval to changes to the Council's Constitution to incorporate the changes for this procedure.

Proposed Councillor A Mitchell  
Seconded Councillor N Gething

That this item be deferred until the Council meeting scheduled for 13 July 2023 so that it could be considered by Council after the Local Elections in May 2023.

Councillor A Mitchell requested a named vote.

For: Councillors Gething, Mitchell, Sexton (3)

Against: Councillors M Attewell, C Barnard, C Bateson, I Beardsmore, M Beecher, S Buttar, J Button, R Chandler, J Doran, S Doran, R Dunn, S Dunn, T Fidler, M Gibson, K Grant, H Harvey, K Howkins, T

Lagden, S Mooney, L Nichols, R Noble, O Rybinski, R Sider, B Spoor, S Whitmore. (25)

Abstain: Councillor D Saliagopoulos (1)

The motion to defer this item **FELL**.

Councillor A Mitchell requested a named vote on the original motion.

For: Councillors M Attewell, C Bateson, I Beardsmore, M Beecher, J Button, R Chandler, J Doran, S Doran, R Dunn, S Dunn, T Fidler, M Gibson, K Grant, K Howkins, T Lagden, S Mooney, L Nichols, J Sexton, B Spoor, S Whitmore (21)

Against: Councillors C Barnard, S Buttar, N Gething, H Harvey, T Mitchell, R Noble, O Rybinski, R Sider (8)

Abstain: (0)

**RESOLVED** to approve changes to the Council's Constitution to incorporate the changes to the Chief Executive Appraisal Procedure.

#### **41/23 Reports from the Committee Chairs**

The Chairs of the Committees presented reports which outlined the matters their Committees had considered since the last Council meeting.

Council **resolved** to note the Chair's reports.

#### **42/23 Motions**

In accordance with Standing Order 16 the Council received one written Notice of Motion.

Councillor Sider moved and Councillor Barnard seconded the following motion:

"This Council is concerned to learn that Spelthorne Sports Council has been disbanded and will no longer hold its annual sports award evenings, and that this is seen to be a retrograde step which will deprive young people of being recognised for their sporting abilities and achievements in the Borough and that the Council should consider and endeavour to re-instate this important event in the Borough calendar at the earliest opportunity."

Councillor T Fidler proposed the following amendment, which was seconded by Councillor S Dunn:

“This Council is concerned to learn that Spelthorne Sports Council has been disbanded and will no longer hold its annual sports award evenings, and that this is seen to be a retrograde step which will deprive young people of being recognised for their sporting abilities and achievements in the Borough and that the Council should consider and endeavour to ~~re-instate~~ **reincorporate** this important event in the Borough calendar at the earliest opportunity.”

This amendment was accepted by the original proposer.

The motion was carried.

**Resolved:**

This Council is concerned to learn that Spelthorne Sports Council has been disbanded and will no longer hold its annual sports award evenings, and that this is seen to be a retrograde step which will deprive young people of being recognised for their sporting abilities and achievements in the Borough and that the Council should consider and endeavour to reincorporate this important event in the Borough calendar at the earliest opportunity.

**43/23 General questions**

The Mayor reported that one general question had been received, in accordance with Standing Order 14, from Councillor R Sider BEM. This was considered with the question submitted from Councillor R Sider BEM that had been deferred from the previous Council meeting.

**Question One from Councillor R Sider BEM:**

Will the Leader of the Council share my concerns that Health and Safety legislation is having a serious effect on the morale of volunteers who are striving throughout the year to raise much needed funds for charity and other good causes.

**Response from the Deputy Leader, Councillor Mitchell:**

The invaluable role of organisations in delivering events across the borough to support our communities is, I know, applauded across this Chamber. Those events help bring residents in our towns and villages together, and I don't think any of us would want to see them disappear because of the poor morale of volunteers. However, this needs to be balanced against a range of statutory health and safety requirements that must be in place to protect the public. Sadly, when things do go wrong the consequences can be serious. Many of us may recall some of the tragic deaths that have occurred because of poor health and safety practices at public events, such as children being killed by inflatables which have not been secured properly. As a Council, I do not believe that any of us would want to be in a position where this happened on our watch.

Well organised and well-run events bring significant benefits to communities. However, to protect public health and well-being, local authorities are legally required to take steps to ensure that event organisers effectively manage the health and safety of all attendees, staff, and people off-site who may be

affected by the event, as well ensuring compliance with other relevant legal requirements relating to food safety, animal welfare, noise control, and licensing. These duties also extend to Spelthorne as a landowner and any failure at events held on our land could result in the Council being liable for contributory negligence in respect of an accident or incident occurring.

In most instances, public events are run by people who have experience of organising them and understand the process well. However, we do appreciate that the necessary form filling and processes can be daunting for some. Our officers across the Council have therefore recently been working together to review the documentation to improve and speed up the process, and our website has also been updated to provide more information and clear guidance for anyone considering arranging such events.

**Question Two from Councillor R Sider BEM:**

Will the Leader of the Council join me in congratulating the Council Housing Team in being finalists in the category of Best Council Services Team in the Local Government MJ Achievement Awards 2023, being held in London in June 2023, and agree with me that this in itself is both a remarkable and outstanding achievement for such a small authority as Spelthorne, and reflects the care and attention that the housing team give to our residents, and will he wish them every success on behalf of all Members of the council in this national competition.

**Response from the Deputy Leader, Councillor Mitchell:**

We entered the competition as we felt that as a wider Council Team, we had a lot of good work practice examples and achievements to share. We're delighted to be shortlisted for this prestigious award.

The entry recognises our achievements in producing creative solutions to substantial national challenges, such as - the success of KGE and the number of developments already delivered as well as impressive development delivery programme, the success of White House and Harper House in response to the demand for quality emergency accommodation with support, the success of our Step Down/Up Scheme, our approach to homelessness prevention and success rate in prevention of homelessness, our use of various funding streams to provide support to our most vulnerable clients (floating support, housing first style intensive support and more), our planned street property acquisition programme, our collaborative work with partner agencies and effective contract management, amongst other successes.

In the last 6 months, the housing team was also shortlisted for the prestigious UK Housing Award, where we got to the top 8 teams, but sadly didn't win. We're currently also shortlisted for the Local Government Award in the category of "Housing Project of the Year" and we await judges' decision in June 2023 as well as the outcome of the MJ Award will also be announced in June 2023.