

Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

Stage 1

Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	17/09/26
Relevant Group Head review	Y	
MAT+ review (to have been circulated at least 5 working days before Stage 2)		
This item is on the Forward Plan for the relevant committee	N	
	Reviewed by	
Finance comments (circulate to Finance)	AB	22/09/26
Risk comments (circulate to Lee O'Neil)	LO	22/09/26
Legal comments (circulate to legal@spelthorne.gov.uk)	LH	19/09/26
HR comments (if applicable)		

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

Stage 2

Report checklist – responsibility of report owner

ITEM	Completed by	Date rec'd
Monitoring Officer commentary – at least 5 working days before MAT	L Heron	19/09/26
S151 Officer commentary – at least 5 working days before MAT	T.Collier	20/09/26
Commissioner engagement	Cmmr Tm	21/09/26
	Delete as applicable:	N/A
Relevant MAT member sign-off	LH	19/09/26
Report reviewed by Management Team		

Extraordinary Council Meeting

29 September 2026

Title	Charter Trustees for the Borough of Spelthorne
Purpose of the report	To make a decision
Report Author	<i>Linda Heron, Group Head Corporate Governance and Monitoring Officer</i>
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 Council decision.
Recommendations	Council is asked to: Confirm that a request for the establishment of Charter Trustees for Spelthorne, in the form set out in Appendix 1, be submitted to the Ministry of Housing Communities and Local Government.
Reason for Recommendation	The recommendation in this report would provide a means of maintaining the Office of Mayor of Spelthorne preserving the Borough's civic heritage after 1 April 2027.

1. Executive summary of the report (*expand detail in Key Issues section below*)

What is the situation	Why we want to do something
- On 1 April 2027 Spelthorne Borough Council will cease to exist and will become part of West Surrey Council - There are no parishes in the Borough of Spelthorne - The Office of Mayor Spelthorne of Spelthorne will end on 1 April 2027	In order that the ceremonial Office of Mayor of Spelthorne can continue after 1 April 2027
This is what we want to do about it	These are the next steps

• Ensure that the civic responsibilities of the Council are preserved	• Confirm intention for the creation of Charter Trustees by way of secondary legislation
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2. Key issues

- 2.1 Spelthorne Borough Council was formed on 1 April 1974 under the Local Government Act 1972 and was awarded borough status from inception, allowing the Chair of the Council to hold the title of Mayor.
- 2.2 Spelthorne Borough Council will cease to exist as a sovereign council and will become part of West Surrey Council on 1 April 2027.
- 2.3 In order for the Office of Mayor of Spelthorne to continue after 1 April 2027, a request must be made to the Ministry of Housing Communities and Local Government (MHCLG) for the relevant secondary legislation to be made to enable creation of charter trustees for Spelthorne.
- 2.4 Charter Trustees are established to preserve historic civic traditions, most notably the Office of Mayor, civic regalia, ceremonial functions and honorary freedoms where a borough, district or city council has been abolished and no parish or town councils exist to assume those responsibilities. There are no parishes within the Borough of Spelthorne, and it is therefore proposed that the Charter Trustee Area will cover the entirety of Spelthorne.
- 2.5 Trustee members must be councillors from the relevant principal authority. In this instance the relevant principal authority will be West Surrey Council. Charter trustees for Spelthorne will consist of councillors elected to West Surrey Council representing the former borough area; a separate election will not be required. Councillors representing one of the Wards within Spelthorne area can hold the office of a charter trustee until the next election to West Surrey Council or until they cease to be councillors, whichever is the sooner.
- 2.6 Charter trustee is a non-political role established to safeguard and promote the historic and ceremonial traditions associated with the area; charter trustees do not have any decision-making powers.
- 2.7 Each year charter trustees may elect a Mayor and Deputy Mayor from among their members. Proposed functions and responsibilities of charter trustees are set out in Appendix 2. The Charter Trustees Regulations 2009 set out the applicable detailed operational rules and procedural matters.
- 2.8 Spelthorne Borough Council has no authority to establish a Charter Trustee Area; this is a matter for MHCLG to consider. The Secretary of State can agree the creation of a Charter Trustee through a Section 7 Order under the Local Government and Public Involvement in Health Act 2007. It is proposed that a request in the draft form set out in Appendix 1 be submitted to MHCLG via the relevant LGR workstream. The deadline for submission is 30 September 2026.

3. Options appraisal and proposal

- 3.1 **Option 1.** Agree the recommendations in this report.

To preserve the Council's civic heritage and ceremonial arrangements, the Council could seek the establishment of charter trustees through a request to MHCLG. Charter trustees will be responsible for the mayoralty, civic regalia and the Freemen of the Borough.

- 3.2 **Option 2.** Do nothing. The Council may choose to take no action. This means that the Office of Mayor or Spelthorne will end on 1 April 2027.
- 3.3 **Option 3.** Do not agree the recommendations in this report. This option would have the same implications as Option 2.
- 3.4 **Option 4.** A Town or Parish Council could have been established for a defined area within the Borough of Spelthorne through the Community Governance Review (CGR) process. This would have enabled the continuation of local civic traditions and ceremonial functions. However, as the CGR process typically takes approximately 18 months to complete, this option is no longer a practical or viable option to be completed within the life of this Council.

4. Governance and Risk Considerations

- 4.1 Risk considerations are set out in the body of this report.
- 4.2 The final decision whether to establish charter trustee for Spelthorne rests with MHCLG. There remains a risk that MHCLG may decide not to make the relevant Order.

5. Financial implications

- 5.1 The Charter Trustees Regulations 2009 enable charter trustees to seek funding from West Surrey Council to meet the costs of carrying out their functions during the financial year in which the charter trustees are established.
- 5.2 From Year 2 onwards charter trustees are treated as a local precepting authority to council tax purposes and may levy a precept through the billing authority to meet the costs of their functions, such as administrative support which are limited. In year 1, any reasonable costs would be met by West Surrey. In most existing charter trustees areas the resulting council tax charge for a and D property is between £2 and £4 a year (on Spelthorne taxbase £2 equals approximately £83,000), a precept for Spelthorne Charter Trustees of say £1 Band D council tax would raise approximately £41.5k which would potentially be sufficient to cover likely administrative support costs.

6. Legal comments

- 6.1 Legal implications are set out in the body of this report.

Corporate implications

7. Commissioners' comments

- 7.1 Issue is not related to improvement objectives – report does not require review by Commissioners

8. S151 Officer comments

- 8.1 The S151 Officer confirms that all financial implications have been taken into account.

9. Monitoring Officer comments

- 9.1 The Local Government and Public Involvement in Health Act 2007 and the Charter Trustees Regulations 2009 enable the establishment of charter trustees following LGR. In areas without Town and Parish Councils such as Spelthorne, charter trustees are created to safeguard historic civic property, rights, privileges traditions and ceremonial functions. The decision to create the required Order rests with the MHCLG.

10. Procurement comments

- 10.1 There are no procurement implications arising from the recommendations in this report.

11. Equality and Diversity

- 11.1 It is considered that the recommendations in this report will not have any adverse impact on persons with protected characteristics.

12. Sustainability/Climate Change Implications

- 12.1 There are no sustainability and / or climate change implications arising directly from the recommendations in this report.

13. Other considerations

- 13.1 None arising immediately from the recommendations in this report.

14. Local Government Reorganisation Implications

- 14.1 The recommendations in this report are directly linked to the impact of the Local Government Reorganisation on the Office of Mayor of Spelthorne.
- 14.2 In accordance with the Charter Trustees Regulations 2009 West Surrey Council would be responsible for providing suitable accommodation to charter trustees. Officers may also be appointed for the proper discharge of the functions of charter trustees.

15. Timetable for implementation

- 15.1 To be submitted by no later than 30 September 2029.

16. Contact

16.1 Linda Heron l.heron@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:

Local Government Act 1972

Local Involvement and Public Involvement in Health Act 2007

Charter Trustees Regulations 2009

Appendices:

Appendix 1 – draft MHCLG submission

Appendix 2 – proposed functions and responsibilities of charter trustees

Appendix 1 — Draft MHCLG Submission

Proposed name of the charter trustee	Wards of the district that they would cover	Details of historic property, rights, or privileges to be preserved	Parish council covering the area at present (Yes / No)
Spelthorne	For the area comprising so much of the existing Borough of Spelthorne as is unparished, namely the East Surrey Council Wards of Ashford Common Ashford East Ashford North and Stanwell South Ashford Town Halliford and Sunbury West Laleham and Shepperton Green Riverside and Laleham Shepperton Town Staines South Staines Stanwell North Sunbury Common Sunbury East	Under the Charter of Incorporation for Spelthorne of 1 April 1974: Mayoralty To serve as the area's representative at civic and ceremonial functions, including precedence at civic events, the wearing of the mayoral insignia, and representing Spelthorne at public engagements. The Charter Trustees to preserve the chains and robes of office, and the official mace of office. The Charter Trustees to continue the tradition of the appointment of Honorary Freemen. Use of the Borough Coat of Arms.	No

Appendix 2 – Principal Functions and Responsibilities of Charter Trustees

- Preserve and maintain historic and ceremonial property associated with the former borough or city, including charters, insignia, regalia and civic plate.
- Undertake maintenance or improvement works relating to historic and ceremonial property.
- Appoint local officers of dignity where such appointments were traditionally made by the former borough or city council.
- Elect a Mayor and Deputy Mayor annually from among the Charter Trustees.
- Set an annual budget and issue a precept to the principal council to fund Charter Trustee functions.
- Maintain proper accounts and financial records of receipts and expenditure.
- Appoint officers as required to support the discharge of Charter Trustee functions.
- Establish committees and delegate functions to officers or committees where permitted by law.
- Preserve and promote the civic traditions, ceremonial functions and historic identity of the former borough or city.
- Work with the principal council to secure appropriate accommodation and administrative support for the discharge of their functions.
- Cease to exist if a parish or town council is established for the area and assumes the relevant ceremonial functions