

# Corporate Management Committee

**Thursday 24 September 2020 at 7.30pm**

**This meeting will be held remotely via MS  
Teams with audio access to the public for the  
Part I items via registered dial-in only**

## Members of the Committee

Councillors N Prescott (Chairman), J Gracey (Vice-Chairman), A Alderson, I Chaudhri, D Cotty, L Gillham, M Heath, J Hulley, R King, M Maddox, D Whyte and M Willingale.

In accordance with Standing Order 29.1, any Member of the Council may obtain remote access via MS Teams to the meeting of this Committee, but may speak only with the permission of the Chairman of the Committee, if they are not a member of this Committee.

## AGENDA

### Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr J Gurmin, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425624). (Email: [john.gurmin@runnymede.gov.uk](mailto:john.gurmin@runnymede.gov.uk))**.
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).

Continued.....

4) You are only permitted to hear the debate on the items listed in Part I of this Agenda, which contains matters in respect of which reports have been made available for public inspection. You will not be able to hear the debate for the items in Part II of this Agenda, which contains matters involving Exempt or Confidential information in respect of which reports have not been made available for public inspection. If you wish to hear the debate for the Part I items on this Agenda by audio via MS Teams you must register by 10.00 am on the day of the meeting with the Democratic Services Team by emailing your name and contact number to be used to dial-in to [democratic.services@runnymede.gov.uk](mailto:democratic.services@runnymede.gov.uk)

5) **Audio-Recording of Meeting**

As this meeting will be held remotely via MS Teams, you may only record the audio of this meeting. The Council will not be recording any remote meetings.

**LIST OF MATTERS FOR CONSIDERATION**  
**PART I**

**Matters in respect of which reports have been made available for public inspection**

	<b><u>Page</u></b>
1. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP	4
2. APOLOGIES FOR ABSENCE	4
3. DECLARATIONS OF INTEREST	4
4. BUDGET MONITORING UPDATE 2020 (TO FOLLOW)	4
5. PROPOSED REVIEW OF RUNNYMEDE'S COUNCIL TAX SUPPORT SCHEME	4
6. DISCRETIONARY GRANT FUNDING: EMERGENCY ASSISTANCE POLICY	21
7. EGHAM GATEWAY WEST – NAMING AND COLOUR BRANDING OF THE RESIDENTIAL BUILDINGS	31
8. REOPENING HIGH STREETS SAFELY FUND	33
9. RECRUITMENT OF INDEPENDENT PERSONS – MEMBER CODE OF CONDUCT AND DISCIPLINARY ACTION	61
10. EXCLUSION OF PRESS AND PUBLIC	87

**PART II**

**Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

**a) Exempt Information**

11. LITERARY INSTITUTE, EGHAM – PROPOSED LEASE	88
12. BARBARA CLARK HOUSE REGENERATION PROJECT	96

**b) Confidential Information**

(No reports to be considered under this heading)

1. **NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATIONS OF INTEREST**

If Members have an interest in an item, please record the interest on the form circulated with this Agenda and e-mail it to the Legal Representative or Democratic Services Officer by 5.00 p.m. on the day of the meeting. **Members are advised to contact the Council's Legal section prior to the meeting if they wish to seek advice on a potential interest.**

Members are reminded that a non-pecuniary interest includes their appointment by the Council as the Council's representative to an outside body and that this should be declared. Membership of an outside body in their private capacity as a director, trustee, committee member or in another position of influence thereon **should be regarded as a disclosable pecuniary interest, as should an appointment to an outside body by the Council as a trustee.**

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when obtaining remote access to the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must withdraw from the meeting if the interest is a disclosable pecuniary interest or if the interest could reasonably be regarded as so significant as to prejudice the Member's judgement of the public interest.

4. **BUDGET MONITORING UPDATE 2020  
(ASSISTANT CHIEF EXECUTIVE – PETER MCKENZIE)**

To follow.

5. **PROPOSED REVIEW OF RUNNYMEDE'S COUNCIL TAX SUPPORT SCHEME  
(HOUSING BENEFITS TECHNICAL MANAGER - ED BOWEN)**

**Synopsis of report:**

**To review Runnymede's Council Tax Support scheme to ensure it is up to date and relevant, incorporating the roll out of Universal Credit to Runnymede's residents.**

**To align the Council Tax Support Scheme with Housing Benefit and Universal Credit regulations to simplify the administration of claims within Benefits and make it easier for the Council's most vulnerable residents to understand how they can apply for financial assistance with their Council Tax.**

**To consider the four options proposed and to consult with stakeholders on the preferred options put forward by Officers.**

**To appoint an external company to carry out the required consultation with stakeholders on at a cost of £4,525, if options 2, 3 or 4 are selected.**

**This report was submitted to the Housing Committee on 9 September 2020 for information. Any amendments arising from that Committee's consideration of this report will be reported to this Committee.**

**Recommendations:**

**The Corporate Management Committee considers the relevant options on changes to Runnymede's Council Tax Support Scheme and starts the consultation with stakeholders in October 2020 on preferred options 2 & 3 before deciding on which scheme to implement from 1 April 2021.**

**The Committee agrees to the creation of a £50,000 hardship fund to help those most in need utilising part of the Government grant received for dealing with the impacts of Coronavirus.**

**The Committee approves a supplementary revenue estimate of £4,525 to conduct a thorough consultation with stakeholders on the proposed changes. This will come from savings made from a vacant post (Housing Benefits System Support Analyst) within the Housing Benefit Service.**

**Officers report back to Committee in 17<sup>th</sup> December 2020 on the results of the consultation and how the new Council Tax Support scheme will be implemented from April 2021.**

## 1. Context of report

1.1 When Council Tax Support (CTS) was introduced on 1st April 2013, the budget provided to local authorities by Government was reduced by 10%. For Runnymede BC this meant a reduction in funding of approximately £460K. This figure was 10% of the 2012-13 expenditure on Council Tax Benefit (CTB) of around £4.6M.

1.2 The table below details expenditure on CTS, savings made and caseload since April 2013. Table 1: CTS expenditure and caseload

Financial Year	CTS Expenditure (£)	Savings (£) - from baseline of £4.6m	Pensioner Caseload	Working Age Caseload
2013-14	3,990,550	609,450	2,143	1,815
2014-15	3,814,169	785,831	2,032	1,793
2015-16	3,843,567	756,433	1,976	1,854
2016-17	3,862,122	737,878	1,802	1,854
2017-18	3,935,861	664,139	1,696	1,843
2018-19	4,121,480	478,520	1,675	1,864
2019-20	3,777,263	822,737	1,565	1,565
2020-21*	3,953,897	646,103	1,541	1,661

\* as at 8 June 2020

1.3 In 2018, consultation took place on a revised scheme, reducing the expenditure and generating greater savings, whilst still protecting the most vulnerable customers. The intention was that this scheme would be in place for the years 2019/20 and 2020/21.

1.4 The reasons for a review were, despite a reduction in the pensioner caseload of approximately 447 claims (21%) between 2013 and 2018, and a fairly static working age caseload, the level of expenditure had not yet exceeded the level of grant from the Government – assuming the reduction in grant had not increased from the original 10% cut of £460K. However, with Council Tax increasing each year (the increase accelerated by the Surrey County Council Adult Social Care funding rises) it would not be long before the scheme exceeded the Government grant. Therefore, the scheme was reviewed to ensure that there is not a financial burden on the general taxpayer of Runnymede BC as a result of funding the CTS scheme.

1.5 The scheme introduced for the financial years 2019/20 to 2020/21, made the following changes for Working Age customers:

- The vulnerable will pay at least 10% of the charge, everyone must pay at least 20%;
- CTS entitlement calculated at less than £10.00 per week will not be paid, except for the vulnerable where £5.00 per week will be maintained;
- Backdating remains at three months;

- Earnings disregards will be reduced by £5.00 per week – matching the levels in the Housing Benefit scheme;
- Allowed temporary absence outside of the UK will be reduced to four weeks – matching the Housing Benefit scheme;
- Entitlement will be withdrawn entirely for those in properties in Bands F, G and H;
- For those in Band E the maximum CTS will continue to be restricted to the Band D charge;
- The capital limit will be reduced from £16,000 to £10,000 – except for the vulnerable;
- A Minimum Income Floor will be introduced for those who are self-employed, along with a one-year start up period;
- Non-dependent deductions will be increased to match the levels set by the Government in the Prescribed Requirements;
- Entitlement to the Family Premium removed for new CTS applications received after 1<sup>st</sup> April 2019;
- Clarification of the calculation of income and the applicable amount for Universal Credit claimants;
- The rules were also updated so that a claim for Universal Credit (UC) can be taken as an initial claim for CTS.

1.6 What remained unchanged:

- War Pensions, Child Benefit and child maintenance continue to be disregarded in full
- Those of pension age continue to be protected from all changes

**2. Report and options considered**

2.1 Councillors are reminded that when CTB was abolished from April 2013, a prescribed CTS scheme for those of pension age was introduced by the Government. This ensured pensioners were not affected, at all, by the reduction in funding for CTS. The consequence is that the 10% reduction in funding falls entirely on working age CTS recipients.

2.2 Vulnerable group - Customers who receive an enhanced disability premium, or severe disability premium or a disabled child premium in the calculation of their entitlement to CTS, are classed as vulnerable and therefore able to hold up to £16,000 in capital, get up to 90% of their liability rebated and have a minimum award of £5.00 per week.

2.3 Any amendment to the CTS scheme has an impact on collection of the Council Tax. The table below shows Runnymede Borough's reported in-year collection rate for Council Tax. It displays each year CTS has been in place alongside the spend and total caseload.

Table 2: Council Tax collection

Financial Year	Council Tax Collection rate	CTS Expenditure (£M)	Total Caseload
2013-14	98.6%	3,990,550	3,958
2014-15	98.4%	3,814,169	3,825
2015-16	99.0%	3,843,567	3,830
2016-17	99.0%	3,862,122	3,656
2017-18	98.36%	3,935,861	3,539
2018-19	98.31%	4,121,480	3,539
2019-20	98.44%	3,777,263	3,130
2020-21	Target 98%	3,953,897*	3,202*

\* as at 8 June 2020

- 2.4 This demonstrates that with the revised scheme we had actually improved the collection rate and during the first year we had no appeals to the Valuation Tribunal Service. The various changes to the scheme and fluctuations in the caseload, particularly among the working age population, has not had a negative impact on the ability to collect the Council Tax
- 2.5 The impact of Coronavirus highlighted a number of issues with the existing scheme - significantly increased demand for the service from those excluded by the changes in 2019, increase in Universal Credit claimants leading to a rise in caseload and expenditure. The modelling included in this report has to be based upon the existing caseload. However, the long-term effects and resumption of pre-Covid normality are difficult to predict. The country is in for a period of recession, and increased unemployment as many businesses and sectors of the economy may never recover to their pre-Covid form, and so the purpose of this report is to propose a number of recommendations to cover the next two-year period.
- 2.6 We have conducted a survey of the other local authorities in the County, to establish the schemes they have for 2020/21, and asked if they are considering making any changes to the scheme for 2021. The results can be found at Appendix 'D' attached.
- 2.7 Councillors are asked to consider if amendments to the existing scheme are appropriate to extend the scheme for a further two years, to ensure that:
- there is not a financial burden on the general taxpayer of RBC, as a result of funding a CTS scheme
  - that the scheme remains fair and equitable to all sections of the community
  - that the scheme keeps pace with changes to Universal Credit and Housing Benefit.
- 2.8 Options
1. Scheme unchanged - make no changes without increasing or decreasing the entitlement for any group of customers. This proposal is to keep the scheme in its current successful form, as it has led to increased collection rates and no appeals.
  2. In response to the Covid-19 crisis that has impacted some of our residents who requested additional help and are likely to need assistance in the future. This proposal is to maintain the scheme in its current form and include a discretionary hardship fund of £50,000.
  3. The Minimum Income Floor for self-employed customers applies an assumed income based on 35 hours work per week at the appropriate National Minimum Wage (NMW) level, less tax and National Insurance (£263.40 per week for a person aged 25+) when they stated they earn less than NMW. Sensible flexibility in the application would then mirror more closely the Universal Credit scheme. There is a significant cost which could be offset by counting child maintenance as an income.
  4. During the Covid-19 lockdown 37 residents were unable to get any help towards their council tax liability because they live in Band F or G dwellings. This proposal reinstates the limit to the value of Band D, at a cost that could be offset in part, by making non-dependent deductions a flat £10 per week rate, reduce the backdating period to one month, currently 3 months, and decrease the capital limit to £10,000 for those in the vulnerable group.
- 2.9 The Northgate modelling tool was run in the test system on 8<sup>th</sup> June 2020. The modelling tool reported, in respect of imported claim data, total expenditure of:

Table 3: Key baseline data at 8 June 2020

Group	Amount of CTS spend
Pensionable	£1,969,573
Vulnerable	£1,078,975
Working Age Emp	£109,999
Working Age Other	£795,350
Total number of claims with non-zero award	3,202
Total annual awards	£3,953,897

2.10 The Northgate modelling tool is based upon a snapshot of the caseload at a given time. The following assumptions have been made based upon historical data, current legislation and the caseload as at 8<sup>th</sup> June 2020:

- Council Tax increase. Based on the current limits to the increase of Band D by preceptors and Runnymede, the modelling assumes an increase in the value of Band D to £2,026.93 or 3.86% (£5 on the Runnymede precept).
- Applicable amounts and premiums are likely to rise for the disabled and pension age caseload. However, working age amounts might be frozen at the 2020 level.
- Incomes from welfare benefits and pensions are likely to rise for pensioners and the disabled. Modelling here is therefore based on an uplift of incomes in proportion to the increase from 2019.

### Option 1

2.11 In the first option to do nothing, there is a 3.86% increase in the Council Tax; pension age and disabled applicable amounts and premiums are increased in line with estimated CPI alongside payments for pensions and disability benefits.

### Option 2

2.12 Maintain the scheme in its current form and include a discretionary hardship fund of £50,000.

2.13 Since the lockdown due to the Coronavirus, we had many customers contact us seeking help to pay their Council Tax. We have also seen the impact of the rise in applications for Universal Credit, the furloughing schemes and redundancies.

2.14 In 2013, Surrey County Council granted Runnymede £24,000 to be spent as a hardship fund for those affected by the transition from council tax benefit to CTS. It took 6 years for Runnymede to spend this allocation. However, since April 2019 Runnymede does not have a hardship fund of its own and has instead relied upon Section 13A(1)(c) of the Local Government Finance Act 1992, to reduce council tax liability.

2.15 In 2019, we paid out £751.46 to one customer affected by a downturn in their business who was unable to access CTS due to the Minimum Income Floor (MIF). This was the amount of CTS he would have qualified for based upon his revised income.

2.16 The Government granted Runnymede Borough Council £337,832 to fund hardship payments. This is capped at £150 per working age household who are entitled to some CTS during the year 2020/21.



- 2.17 Members might also be interested to consider Appendices 'D' and 'E' attached which contain the survey of Surrey Councils where four have a Discretionary Fund and a note from colleagues at Guildford Borough Council on the implementation of a minimum income floor (Appendix 'E' attached).
- 2.18 Utilising part of the Government grant received for dealing with the impacts of coronavirus, the Committee are asked to agree to the creation of a £50,000 Discretionary hardship fund to be administered over two years commencing 1<sup>st</sup> April 2021.
- 2.19 The hardship fund would be used to help those most in need due to the economic impact of coronavirus but excluded from council tax support or are receiving less than their full liability.

### **Option 3**

- 2.20 Allow flexibility in the application of the Minimum Income Floor for self-employed customers, the cost of which could be offset by counting child maintenance as an income.
- 2.21 From 1 April 2019, the revised scheme, for persons who are self-employed and of working age, the Council introduced a Minimum Income Floor (MIF). This change mirrors provisions within the Universal Credit rules. As a result of this change, the income used in calculating entitlement to CTS, for an applicant who is self-employed (or their partner if they have one) will be the higher of:
- their actual income
  - or
  - an assumed income based on 35 hours work per week at the appropriate National Minimum Wage level, less tax and National Insurance (£263.40 per week for a person aged 25+)
- 2.22 Since April 2019, this has been a contentious issue, it has caused two complaints from customers who have seen their support reduced.
- 2.23 Although the recommendations below do not improve the situation for the customers who complained, they do provide sensible flexibility in the operation of the MIF without losing the control it exerts over the total spend on CTS.
- 2.24 Under the Universal Credit regulations, the Department for Work and Pensions are able to tailor the work requirement to meet the situation of the customer before them. For example, the number of hours a customer is expected to work might be less for someone who is expecting a baby or recovering from an illness.
- 2.25 From Universal Credit we can adopt some of the following rules, such as the circumstances in which a claimant is treated as having limited capability for work and work-related activity.
- 2.26 It is proposed that the MIF is not applied to those in the following groups:
- Where an applicant is partly self-employed and partly employed, the MIF will only be applied if net earnings from both self-employment and employed work are less than the amount derived from multiplying the National Minimum Wage by 35 hours.
  - Receiving certain treatments for example chronic renal failure
  - In hospital undergoing treatment or recovering from treatment
  - Prevented from working by law
  - A risk to self or others – suffering an illness, disease or disability that poses a substantial risk to themselves and or others
  - Terminally ill

- Are parent or guardian and living with a child under 3
- Pregnant and less than 12 weeks until due date
- Given birth within the last 15 weeks
- Caring for a severely disabled person
- Claiming UC and have limited capability for work element
- Under threat of domestic violence
- Have had to stop work temporarily due to sickness longer than 7 days covered by a Doctor's medical certificate ('fit note').

- 2.27 We could also consider adding to this list categories for those affected by flooding or terrorism.
- 2.28 During the Coronavirus lockdown, self-employed customers would have continued to be treated as self-employed, even though they could not carry out their activities. Therefore, between 1st April and 1st June 2020, we treated customers as if they were in their first year of self-employment, and temporarily lifted the operation of the MIF. This allowed us to help 43 customers at a cost £13,345 for 10 weeks. Over 52 weeks estimated cost would be £69,394.
- 2.29 To offset some of the cost of this easement, Members could look to reduce other claimants' entitlements. The biggest saving would be from treating child maintenance as income. Though not the first Borough in Surrey to do this, it would not be an easy decision as some parents feel this money should only be used for the child's benefit and may lead to an increase in child poverty.
- 2.30 Absent parental contributions to claimants can be quite significant ranging from £5.00 per week to £171.00 which is significant when considered with the total income received. Under the current RBC CTS scheme and Housing Benefit regulations, child maintenance is disregarded as an income. By removing the disregard this would generate a substantial saving of £32,332.04.

#### **Option 4**

- 2.31 Allow claims for those in Band F and G, limited to the value of Band D, make non-dep deductions flat £10 per week rate, reduce the backdating period to one month, currently 3 months, and decrease the capital limit to £10,000 for those in the vulnerable group.
- 2.32 Currently, those in Bands F, G and H are excluded from CTS. Those in Band E have the amount of CTS capped at the value of Band D.
- 2.33 During the Coronavirus lockdown, we had 38 customers contact us because they could not access CTS.
- 37 in Bands F and G
  - 1 in Band H
- 2.34 This proposal is to re-introduce CTS for those in Bands F and G, capped at Band D. It is not possible to display in the modelling, how much these 37 customers might obtain in 2021, as we could not capture their incomes and circumstances because of the bar to entitlement. In 2019 the saving was estimated at £45,760, withdrawing entitlement to 26 customers.
- 2.35 However, assuming with all other parameters being unchanged, except for uprating of council tax values, incomes and applicable amounts, the absolute maximum those 37 in Bands F and G would have been entitled to is 90% of Band D, an increase of around £67,500.
- 2.36 A non-dependant is defined as an adult who lives with the customer, but is not liable to pay Council Tax, such as an adult child, relative or friend. A non-dependant

deduction (NDD) represents the amount they would contribute towards household costs, including Council Tax, and is based on the gross income of that individual or couple.

- 2.37 Some groups are excluded from deductions, either because of the claimant's circumstances, such as they are blind, or the type of income of the non-dependant, such as those in receipt of state pension. Many disabled claimants and non-dependants and carers are excluded from NDD.
- 2.38 This proposal eases the administration of the benefit by adopting a single flat rate of £10.00 for NDD, where one of the existing varied rates would have applied.
- 2.39 NDDs are currently based on the gross wage of the non-dependant. They range from £4.05 to £12.40.
- 2.40 This proposal eases the administration, and thereby the cost of the benefit by adopting a single flat rate of £10.00 for NDD where one of the existing varied rates would have applied.
- 2.41 Assuming with all other parameters being unchanged, except for uprating of council tax values, incomes and applicable amounts, this change would result in a decrease of around £3,778.
- 2.42 Customers who claim CTS can request their claim be treated as if it had been made up to three months earlier. This is counted from the day they request their claim be backdated.
- 2.43 By having the claim treated as made on an earlier date, it in turn means the entitlement begins on the following Monday, or the day the customer first became liable to pay council tax.
- 2.44 In order to backdate a claim, the customer must demonstrate continuous good cause for the delay in claiming, and that good cause lasted for the whole of the period they wish their claim to be backdated.
- 2.45 Housing Benefit can only be backdated one-month; therefore, this proposal brings the scheme into line with those regulations.
- 2.46 It is not possible to present the effect in the modelling tool. However, based upon the 14 claims backdated during the year 2019/20 we can estimate the potential saving at £1,560.32.
- 2.47 Currently, those in the vulnerable group are allowed to hold £16,000 in capital before CTS is removed. This is the same as for pensioners. Reducing the capital limit to £10,000 brings the capital limit into line with the rest of the working age caseload.
- 2.48 Reducing the capital threshold would generate a saving of £5,301.40.

### **3. Policy framework implications**

- 3.1 Currently, RBC have a discretionary Housing payment policy, CTS scheme and discretionary council tax policy. The proposed action would amend and support those policies in order to provide flexibility in the scheme to continue to deliver a scheme that helps the most vulnerable, while limiting the financial impact on the wider community.

### **4. Resource implications**

- 4.1 During the Coronavirus pandemic the Government have provided local authorities with funding to offset some of the impacts of the virus to "help councils in England

continue to deliver crucial frontline services, support those most in need and meet new spending pressures so they can deliver for residents". The increase in claimants during the pandemic makes using some of this money a sensible approach.

4.2 The introduction of a £50,000 discretionary fund could be administered by the existing benefit team as part of the other benefit functions and Discretionary Housing Payment scheme.

4.3 Given the comparisons with adjustments that would make the scheme more generous, it is a cheaper alternative, retains greater control over the expenditure while preserving what has proved to be a successful CTS scheme.

## 5. **Legal implications**

5.1 Before the RBC CTS scheme can be revised outlined in options 3 and 4, there would need to be consultation with major preceptors, partners and the general public on the possible options for change.

5.2 The scope of the consultation is prescribed by paragraph 3(1) of Schedule 1A of the Local Government Finance Act 1992 (inserted by the Local Government Finance Act 2012).

5.3 This consultation would need to run for approximately six weeks to give sufficient opportunity for interested parties to comment. To try and obtain as broad a range of consultation responses as possible, it would be prudent to include a sample of the current CTS working age caseload as well as some residents not in receipt of CTS. Officers suggest engaging an independent market research company, tasking them to seek the views of approximately 1,000 residents.

5.4 Once the consultation responses are known and a proposed revised scheme is in place, it would need to be agreed by the Council by 9<sup>th</sup> February 2021 at the latest, for adoption from 1 April 2021.

## 6. **Equality implications**

6.1 Councillors need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010, as part of the decision-making process. The three aims the authority must have due regard for are:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic

6.2 The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief, sex or sexual orientation.

6.3 An EIA will need to be conducted if Members chose options 3 or 4, or any combination of those options.

## 7. **Environmental/Sustainability/Biodiversity implications**

7.1 Not applicable.

## 8. **Conclusions**

- 8.1 Having looked at the various options, Officers recommend the Committee consider options 2 & 3 as viable updates to the current CTS scheme.
- 8.2 The table at Appendix 'A' demonstrates how options 2 & 3 extend the safety net for the next two years while the effects of coronavirus dissipate and residents and businesses of the borough return to normal, whilst ensuring the Council does not overspend against the CTS budget. The table at Appendix 'B' shows the potential monetary value of each element and the table at Appendix 'C' shows the potential changes in monetary value of each element.
- 8.3 To fund a Discretionary hardship scheme, it is recommended that the Committee approve the allocation of the utilisation of the Government grant received for dealing with the impacts of coronavirus in advance of 1<sup>st</sup> April 2021.

**(To resolve)**

**Background papers**

The results of the modelling are summarised in the tables in Appendix 'A'

Based on the current caseload and assuming increases outlined above, the CTS spend is broken down as follows, for options 1 – 4 as a potential cost of the revised scheme

Option 1: No change - The figure below represents an increase in total expenditure of £118,864 above the spend as at 8<sup>th</sup> June 2020.

#### Option 1 modelling results

Pensionable	£2,067,845.52
Vulnerable	£1,093,798.16
WorkingAgeOther	£809,945.24
WorkingAgeEmp	£101,172.24
Total	£4,072,761.16

Option 2: Discretionary Fund - The figure below represents an increase in total expenditure of £168,864 above the spend as at 8<sup>th</sup> June 2020.

#### Option 2 modelling results

Pensionable	£2,067,845.52
Vulnerable	£1,093,798.16
WorkingAgeOther	£809,945.24
WorkingAgeEmp	£101,172.24
Hardship Fund	£50,000.00
Total	£4,122,761.16

Option 3: Flexibility in the Self-employed MIF and remove Child Maintenance disregard. The figure above represents an increase in total expenditure of £155,930 above the spend as at 8<sup>th</sup> June 2020.

#### Option 3 modelling results

Pensionable	£2,067,845.52
Vulnerable	£1,086,400.64
WorkingAgeOther	£794,623.44
WorkingAgeEmp	£160,957.52
Total	£4,109,827.12

Option 4: Band F & G, flat rate Non dependant deduction, limit backdating to one month and reduce the capital limit. The figure below represents an increase in total expenditure of £175,726 above the spend as at 8<sup>th</sup> June 2020.

#### Option 4 modelling results

Pensionable	£2,067,845.52
Vulnerable	£1,154,421.56
WorkingAgeOther	£830,263.56
WorkingAgeEmp	£122,092.36
Total	£4,129,623.00

## Potential monetary value of each element

<b>Option</b>	<b>Original forecast total spend</b>	<b>Revised forecast total spend</b>	<b>Increase or decrease</b>
1. Maintain the scheme in its current form and include a discretionary hardship fund of £50,000.	£4,072,761.16	£4,102,761.16	+£50,000
2. Allow flexibility in the application of the Minimum Income Floor for Self-employed customers	£4,072,761.16	£4,142,155.16	+£69,394
3. Allow claims for those in Band F & G, limited to the value of Band D	£4,072,761.16	£4,140,261.16	+£67,500
4. Reduce the backdating period to one month	£4,072,761.16	£4,071,201.16	-£1,560
5. Make non-dependant deductions flat £10 per week rate	£4,072,761.16	£4,068,983.38	-£3,778
6. Count child maintenance as an income	£4,072,761.16	£4,040,429.12	-£32,332
7. Change capital limit for Vulnerable group to £10,000	£4,072,761.16	£4,067,459.24	-£5,302

## Potential changes in monetary value of the changes

Option	Gainers and losers	Real-life example																					
1. Maintain the scheme in its current form and include a discretionary hardship fund of £50,000.	Potential gainers only Based on the discretionary scheme in previous years the awards were: <table border="1" data-bbox="387 432 976 719"> <thead> <tr> <th>Year</th> <th>Total Fund</th> <th>Amount spent</th> </tr> </thead> <tbody> <tr> <td>2013</td> <td>£22,050.00</td> <td>£3,850.79</td> </tr> <tr> <td>2014</td> <td>£18,199.21</td> <td>£3,000.60</td> </tr> <tr> <td>2015</td> <td>£15,019.28</td> <td>£3,403.58</td> </tr> <tr> <td>2016</td> <td>£11,297.94</td> <td>£3,966.32</td> </tr> <tr> <td>2017</td> <td>£7,208.05</td> <td>£4,965.37</td> </tr> <tr> <td>2018</td> <td>£2,220.26</td> <td>£1,386.02</td> </tr> </tbody> </table>	Year	Total Fund	Amount spent	2013	£22,050.00	£3,850.79	2014	£18,199.21	£3,000.60	2015	£15,019.28	£3,403.58	2016	£11,297.94	£3,966.32	2017	£7,208.05	£4,965.37	2018	£2,220.26	£1,386.02	Ms C, a single parent with two children aged 8 and 13, had been living in Temporary Accommodation after fleeing domestic violence. When moved to a permanent home, she had additional travel costs to and from work and her children's schools and was struggling to pay rent as well as Council Tax.  £24.95 Council Tax liability a week. £4.99 per week granted for 6 months Total £120.00.  CTS Before: £19.96                      CTS After: £24.95
Year	Total Fund	Amount spent																					
2013	£22,050.00	£3,850.79																					
2014	£18,199.21	£3,000.60																					
2015	£15,019.28	£3,403.58																					
2016	£11,297.94	£3,966.32																					
2017	£7,208.05	£4,965.37																					
2018	£2,220.26	£1,386.02																					
2. Allow flexibility in the application of the Minimum Income Floor for Self-employed customers	Potential gainers only	Mr I is an Uber driver. Due to the lockdown preventing travel by his fare paying passengers, he claimed Universal Credit and his self-employed income fell by 83%.  £33.27 Council Tax liability a week. £21.25 per week granted for 1 <sup>st</sup> April to 20 <sup>th</sup> June Total £250.19.  CTS Before: £0.00                      CTS After £21.25																					
3. Allow claims for those in Band F & G, limited to the value of Band D	Potential gainers only	Mr V lives in a Band G. He is unable to work and claims Employment Support Allowance of £110.75 and has just over £3,000 in savings.  £62.38 Council Tax liability a week. £26.16 per week granted, total £1,360.32 . CTS Before £0.00                      CTS After £26.16																					
4. Reduce the backdating period to one month	Potential loses range from £13.62 per week to £33.11	Ms G had her claim backdated for the period 1 <sup>st</sup> January to 1 <sup>st</sup> March 2020, when her husband was involved in car accident. Due to the trauma and confusion they had not applied for CTS in good time.  £37.43 Council Tax liability a week.																					



		<p>They would lose £56.68 (£14.17 per week for 4 weeks)</p> <p>CTS Before £26.58                      CTS After £26.58</p>																								
5. Make non-dependant deductions flat £10 per week rate	<p>Potential loses range from £5.95 to £1.20 per week, and gains from 50p to £2.60</p> <p>138 customers affected  85 would see the NDD increase from £5.95  37 would see the NDD increase by £1.20  9 would see the NDD decrease by 0.50  7 would see the NDD decrease by £2.60</p>	<p>Mrs B lives with her daughter and son aged 18. Mrs B receives Universal Credit of £129.84, child benefit, and Carers Allowance totalling £218.16. Her son's gross earnings are £251.83.</p> <p>£37.43 Council Tax liability a week.  Her son would now be required to contribute £10.00 per week towards the council tax.</p> <p>CTS Before £21.69                      CTS After £11.69</p>																								
6. Count child maintenance as an income	<p>Potential loses range from 50p to £46.15 per week.</p> <p>134 customers affected  50p to £5.00 per week 21 customers  £5.00 to £10.00 per week 39 customers  £10.00 to £20.00 to per week 57 customers  More than £20.00 per week 17 customers</p>	<p>Miss J has a disabled daughter and receives £57.69 in maintenance. Her other income is £67.25 Carers Allowance and £74.35 Income Support</p> <p>£37.43 <i>Council Tax liability a week.</i>  The removal of the disregard, would reduce CTS entitlement by £11.53 each week.</p> <p>CTS Before £25.89                      CTS After £14.36</p>																								
7. Change capital limit for Vulnerable group to £10,000	<p>Potential loses range from £19.47 to £32.90 per week. 7 customers affected:</p> <table border="1"> <thead> <tr> <th>Capital</th> <th>Group</th> <th>CTS before</th> </tr> </thead> <tbody> <tr> <td>£10,628.95</td> <td>VULNERABLE</td> <td>£23.32</td> </tr> <tr> <td>£11,146.61</td> <td>VULNERABLE</td> <td>£32.90</td> </tr> <tr> <td>£13,810.89</td> <td>VULNERABLE</td> <td>£19.48</td> </tr> <tr> <td>£14,009.64</td> <td>VULNERABLE</td> <td>£25.26</td> </tr> <tr> <td>£14,200.32</td> <td>VULNERABLE</td> <td>£31.10</td> </tr> <tr> <td>£15,039.64</td> <td>VULNERABLE</td> <td>£23.32</td> </tr> <tr> <td>£15,351.61</td> <td>VULNERABLE</td> <td>£22.46</td> </tr> </tbody> </table>	Capital	Group	CTS before	£10,628.95	VULNERABLE	£23.32	£11,146.61	VULNERABLE	£32.90	£13,810.89	VULNERABLE	£19.48	£14,009.64	VULNERABLE	£25.26	£14,200.32	VULNERABLE	£31.10	£15,039.64	VULNERABLE	£23.32	£15,351.61	VULNERABLE	£22.46	<p>Mr S receives Employment Support Allowance and Personal Independence Payments of £226.30. He lives in supported accommodation due to his needs and currently pays £13.00 per month.</p> <p>£24.95 Council Tax liability a week.  If he loses entitlement to CTS he would have to pay £130.10 per month.</p> <p>CTS Before £22.46                      CTS After £0.00</p>
Capital	Group	CTS before																								
£10,628.95	VULNERABLE	£23.32																								
£11,146.61	VULNERABLE	£32.90																								
£13,810.89	VULNERABLE	£19.48																								
£14,009.64	VULNERABLE	£25.26																								
£14,200.32	VULNERABLE	£31.10																								
£15,039.64	VULNERABLE	£23.32																								
£15,351.61	VULNERABLE	£22.46																								

Authority	Banded scheme or Banded scheme for UC claimants only	Accept claim for UC as intention to claim CTS	2AR Removed	Backdating	Minimum Weekly Award	Capital Limit	Max Award Level	Restricted to Band D	Restricted to Band E	Band F - H Excluded	Band G - H Excluded	Count as Income Child Benefit & Maintenance	Min. Income Floor (S.Employed)	Family Premium Restricted	Personal Allow. & Premiums (Mirror HB)	Temp. Absence Outside of GB Restricted	Earnings Disregard Increased	Claim On-line	Flat rate Non-Dep Deductions	18 - 21 year olds excluded	Removal of applicable amount for third and subsequent children	Misc.
Elmbridge			No	1 Month	N/A	£16,000	90% (95% if child under 5 or working 16hrs+)	<input type="checkbox"/>	No	No	<input type="checkbox"/>	No	No	No		No	No	<input type="checkbox"/>		No	No	
Epsom & Ewell	No	<input type="checkbox"/>	<input type="checkbox"/>	3 Months	N/A	£10,000	80%	No	No	No	No	No	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	No		No	<input type="checkbox"/>	We have a Discretionary hardship Fund to act similar to DHPs.
Guildford			<input type="checkbox"/>	1 Month	£10.00	£6,000	100%	<input type="checkbox"/>	N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	<input type="checkbox"/>		No	<input type="checkbox"/>	Discretionary Hardship Fund
Mole Valley			No	6 Months	N/A	£16,000	100%	No	No	No	No	No	No	No		No	No	No		No	No	Default scheme?
Reigate & Banstead		<input type="checkbox"/>	No	3 Months - 6 months for vulnerable	£5 - no minimum for vulnerable	£10000 - £16000 for vulnerable	90% (100% for vulnerable)	No	Yes, but not for vulnerable	No	No	No	No	No		No	Yes	<input type="checkbox"/>		No	No	
Runnymede	No	<input type="checkbox"/>	<input type="checkbox"/>	3 Months	£10 (£5 for 'vulnerable')	£10,000 (£16,000 'vulnerable')	80% (90% for 'vulnerable')	<input type="checkbox"/>	No	No	No	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	No	No	No	No	
Spelthorne			No	3 Months	N/A	£16,000	75% (90% if disabled)	No	No	No	No	No	No	No	Yes	No	No	No		No	No	
Surrey Heath			<input type="checkbox"/>	3 Months	£5.00	£6,000	70%	<input type="checkbox"/>	No	No	No	No	No	No		No	No	No		No	No	Hardship Fund

Authority	Banded scheme or Banded scheme for UC claimants only	Accept claim for UC as intention to claim CTS	2AR Removed	Backdating	Minimum Weekly Award	Capital Limit	Max Award Level	Restricted to Band D	Restricted to Band E	Band F - H Excluded	Band G - H Excluded	Count as Income Child Benefit & Maintenance	Min. Income Floor (S.Employed)	Family Premium Restricted	Personal Allow. & Premiums (Mirror HB)	Temp. Absence Outside of GB Restricted	Earnings Disregard Increased	Claim On-line	Flat rate Non-Dep Deductions	18 - 21 year olds excluded	Removal of applicable amount for third and subsequent children	Misc.
Tandridge			No	6 Months	N/A	£16,000	100%	No	No	No	No	No	No	No		No	No	No		No	No	Hardship Fund
Waverley			<input type="checkbox"/>	6 Months	N/A	£16,000	100%	No	No	No	No	No	No	No		No	No	No		No	No	
Woking			<input type="checkbox"/>	6 Months	£5.00	£10,000	100%	<input type="checkbox"/>	No	No	No	No	No	No		No	No	<input type="checkbox"/>		No	No	
Kingston			<input type="checkbox"/>	1 Month	N/A	£16,000	100%	No	No	No	No	No	No	<input type="checkbox"/>		No	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## Guildford Borough Council note in the implementation of a Minimum Income Floor

### \*1Minimum Income Floor

- The minimum income floor is an assumption that, after an initial set up period of 12 months, a person who is self-employed works for a specific number of hours for a set wage. Where this assumed income exceeds the actual income, we use the assumed income to calculate entitlement to LCTS. We request annual income and review annually. Where annual figures are not available we accept whatever can be provided for a shorter period of time, and make a note to review this sooner. Our minimum income floor increases in line with the minimum wage in place on 1 January of the scheme year. Claimants that are disadvantaged by the rule can apply for help from the Discretionary Hardship Fund.
- We have not had a lot of queries since introducing the minimum income floor. We would expect significant issues to materialise through requests for help from the Discretionary Hardship Fund or via difficulties with Council Tax collection, and this has not been the case.
- During 2017 Surrey Welfare Rights provided feedback on the way our scheme worked compared to Universal Credit (UC), especially regarding carers and the disabled who were self-employed. In response, we looked more closely at these cases and concluded that:
  - the numbers affected are small as claimants need to satisfy multiple criteria: be carers and self-employed working for less than 35 hours per week on less than the minimum wage.
  - we have a satisfactory mechanism in place through our Hardship Fund to ensure that no one suffers financially.
  - a further review of our scheme was likely with the roll out of UC and that it was appropriate to consider Surrey Welfare Rights suggestions at that time.
- Universal Credit uses a minimum income floor, with some modification where claimants are disabled or carers. This has not been without criticism. On 10 May 2018 the House of Commons Work and Pensions Committee published a report “Universal Credit: supporting self-employment”. This looks at the difficulties of balancing support for entrepreneurship with protecting the public purse. The minimum income floor is intended to incentivise the self-employed to increase their earnings and develop their business, while ensuring that the Government does not subsidise unsustainable low-paid self-employment indefinitely. It highlighted some issues:
  - The DWP has no plans to publish any significant analysis of UC’s effect on self-employment until at least autumn 2019.
  - The DWP calculates UC awards monthly, but the self-employed have volatile incomes and the result is that they do not receive the same help as the employed. The report suggests longer reporting periods of up to a year where claimants demonstrate irregular payment patterns.
  - For the first year of self-employment claimants are exempt from the minimum income floor. The report suggests that in some instances this period should be extended and that a taper off could also be used.
- We will consider our treatment of the self-employed when we carry out our more fundamental review of the scheme.

### \*2Payments from the Discretionary Hardship Fund are:

- means tested (an assessment of income and expenditure)
- awarded for a maximum of one year at a time
- not usually for more than 75% of any Council Tax Benefit lost
- not awarded if non-essential expenditure exceeds the loss of Council Tax Benefit incurred
- not backdated.

6. **DISCRETIONARY GRANT FUNDING: EMERGENCY ASSISTANCE POLICY  
(DIGITAL, CUSTOMER AND COLLECTION SERVICES – LINDA NORMAN)**

**Synopsis of report:**

**Following the Coronavirus pandemic, the Government has allocated Surrey County Council £788,015 Emergency Assistance Grant for Food and Essential expenditure.**

**This additional funding is intended to help local authorities to continue to support those struggling to afford food and other essential expenditure over the coming months due to Covid-19.**

**The Government anticipates that most of this money will be spent within 12 weeks of receipt of funding.**

**It is proposed that the County would allocate £55,447 to Runnymede to target those in most need at a local level.**

**In accordance with the grant conditions, the Government is asking local authorities to:**

- **Use discretion on how to identify those in most need**
- **Use the funding from July onwards to meet immediate need and help those who are struggling to afford food and essential spending due to Covid-19**
- **Use the funding for existing schemes and other support which delivers the outcomes where need is greatest**

**With the success of the Runnymede Foodbank, it is proposed to allocate £5,447 to the foodbank to ensure it is able to maintain current demand over the next three months and to use the remaining £50,000 as a Discretionary Hardship Fund which clearly sets out the criteria and rationale for administering this local scheme. This includes an officer panel and a review process should the resident feel aggrieved with the original decision.**

**The Council has developed the Discretionary Grant Funding; Emergency Assistance Policy to clearly layout how this funding will be allocated. This policy will assist those families in most need whilst making sure the Council has a clear robust process in place to protect public funds.**

**Recommendations:**

- i) **The Committee approves the allocation of £5,447 of the grant funding to the Runnymede Foodbank**
- ii) **The Committee approves Runnymede's Discretionary Grant Funding; Emergency Assistance Policy attached at Appendix 'F' and officers start administering the scheme as quickly as possible.**

**1. Introduction**

1.1 On 10 June 2020, The Prime Minister announced a grant of £63 million for local authorities in England to help those who are struggling to afford food and other essentials due to COVID-19. The funding is a one-off contribution for the 2020-21 financial year and is made under Section 31 of the Local Government Act 2003. Surrey County Council has been granted an allocation of £788,015. The proposal is to split the allocation of spend in the following way:

- 648K to the 11 District and Boroughs;
- 60k to the Surrey Crisis Fund; and,

- 80k to the Bookham Food Distribution Hub
- 1.2 Runnymede has been allocated £55,447. This additional funding is intended to help local authorities to continue to support those struggling to afford food and other essentials over the coming months due to COVID-19. The government anticipates that most of the funding will be spent within 12 weeks of receipt of the funding (expected at the end of July).
- 1.3 In accordance with the grant conditions, in utilising the funding the Council should:
- use discretion on how to identify and support those most in need
  - use the funding from July onwards to meet immediate need and help those who are struggling to afford food and essentials due to COVID-19
  - use the funding for existing schemes and other support which deliver the outcomes and where the need is greatest
- a. Having discussed the criteria with DEFRA, they have deliberately left it flexible as the intention is for local authorities to use their discretion to identify those most in need. Although examples have been given around food and essential supplies, these were not exclusive and there may be other essential expenditure such as housing costs or other priority living expenses that people need support to maintain their homes. They are happy for Runnymede to develop its own policy to meet the needs of local residents who have been severely impacted by the pandemic.
- b. The Council already has a Discretionary Housing Payment (DHP) policy and a Council Tax Hardship (CTH) policy which are specifically designed to support residents with housing and Council Tax costs and were both recently reviewed in May 2020. In addition, the Government introduced a 'new burdens fund' to ensure those working age claimants were supported through the pandemic with a one-off payment of £150 towards their Council Tax.
- c. However, there are many families that do not qualify for either Housing Benefit, Universal Credit or Council Tax Support and have also not qualified for any of the other Government support packages for various reasons. They now face extreme hardship and are unable to meet their day to day living expenses. It is therefore proposed that the Discretionary Grant Funding; Emergency Assistance money is predominantly used to assist these families but will also supplement both the DHP and CTH policy where it is appropriate to do so.

## 2. Report

- 2.1 During the pandemic, Runnymede Foodbank has been very successful supporting vulnerable families who are unable to buy food and other essential items. They have also had a very proactive fundraising campaign to enable them to sustain the current level of support and expand assistance to other boroughs such as Spelthorne, Surrey Heath and Elmbridge. It is therefore proposed that £5,447 of the Discretionary Grant Funding; Emergency Assistance fund is allocated to the foodbank to be used 31 October 2020 as per the Government's criteria for expenditure.
- 2.2 The remaining £50,000 should be set aside and used as part of the Council's Discretionary Grant Funding; Emergency Assistance Policy to support vulnerable residents, who have been affected by adverse circumstances beyond their control by alleviating some of the financial burden they are under.
- 2.3 The Government's measures to relieve the financial impact on residents has been announced over a very short period and therefore the Council need to react quickly, requiring flexible policies to meet Government's expectations whilst being transparent and robust to protect public funds.

2.4 The aim of the Discretionary Grant Funding; Emergency Assistance Policy attached at Appendix 'F' will be to have a clear and precise process in place that will assist those families who have been adversely affected by the pandemic and have not been able to claim assistance from any other scheme.

### **3. Policy Framework implications**

3.1 The policy links to the Council's Corporate Business Plan of supporting our communities.

3.2 The policy has been created in light of guidance issued by the Government with regards to administration and expediency.

### **4. Financial and Resource implications**

4.1 Runnymede's Discretionary Grant Funding; Emergency Assistance Policy is funded from Surrey County Council's allocation from central government.

4.2 The Government expect most of the funding to be distributed within 12 weeks from the end of July 2020 so is time limited and needs a clear application process to maximise take-up of the funding.

### **5. Legal Implications**

5.1 The Government is making a one-off contribution for the 2020/21 financial year under Section 31 of the Local Government Finance Act 2003

5.2 Powers have also been granted under the Localism Act 2011 which allow Runnymede to grant discretionary relief that would benefit the local community.

### **6. Equality Implications**

6.1 An Equality Screening form is attached at Appendix 'G'. A full Equality Impact Assessment is not considered necessary as it is expected that this policy will have a positive impact on Runnymede's most vulnerable residents.

### **7. Environmental/biodiversity/sustainability implications**

7.1 This policy will support those families that have been adversely impacted by the Coronavirus who are facing financial hardship and have not been able to access other support streams.

7.2 If relief is not given, many families may not be able to sustain their ongoing living commitments which may lead to arrears on essential living commitments that could result in enforcement action being taken or potentially losing the family home.

### **8. Recommendation**

8.1 The Committee approves the allocation of £5,447 of the grant funding to the Runnymede Foodbank

8.2 The Committee approves Runnymede's Discretionary Grant Funding; Emergency Assistance Policy and officers start administering the scheme as soon as possible.

#### **Background papers**

Appendix 'F' – Discretionary Grant Funding; Emergency Assistance Policy

Appendix 'G' - Equality Screening Form

# Discretionary Grant Funding Emergency Assistance Policy

September 2020



Runnymede Borough Council  
Runnymede Civic Centre  
Station Road  
Addlestone  
Surrey  
KT15 2AH  
[www.runnymede.gov.uk](http://www.runnymede.gov.uk)

**Runnymede**  
BOROUGH COUNCIL 



## Contents

<b>Content</b>	<b>Page</b>
<b>Introduction</b>	1
<b>Discretionary Grant Funding Scheme</b>	1
<b>Who will benefit?</b>	1
<b>Eligibility for scheme</b>	1
<b>Administering the scheme</b>	2
<b>Managing the process</b>	3
<b>Appeal rights</b>	3

## Introduction

In response to the Coronavirus, COVID-19, the Government have announced they will be making a one-off contribution for the 2020/21 financial year to help those who are struggling to afford food and other essential expenditure and is made under Section 31 Local Government Finance Act 2003. Runnymede Borough Council has been allocated £55, 447 to support families who have been adversely impacted.

Powers have also been granted under the Localism Act 2011, which allow Runnymede to set up a local scheme for the granting of discretionary relief where such relief would be of benefit to the local community.

## Discretionary Grant Funding; Emergency assistance Scheme

The Government is asking local authorities to prioritise support for local communities:

- To use their discretion on how to identify and support those in most need
- To use the funding to meet immediate need preferably within 12 weeks of funding allocation being distributed
- Help those who are struggling to afford food and essential expenditure due to the impact of Covid 19
- Use the funding for existing schemes, such as the Discretionary Housing Payment, Council Tax Hardship fund or other support which deliver positive outcomes and where the need is greatest.

## Who will benefit from this scheme?

This grant is primarily aimed at:

- Residents who have been severely impacted by Coronavirus and have had no other central or local government support
- Those who do not qualify for Universal Credit, Housing Benefit or Council Tax Support and whose household income has been reduced significantly since March 2020.
- Alleviating poverty
- Safeguarding families in their own homes
- Avoiding homelessness
- Assisting with a one-off unexpected, unavoidable expense for example eg broken washing machine, broken cooker, new school shoes etc

## Eligibility for scheme

This grant funding is for those residents that are **not** eligible for other support schemes. People who have received cash grants from any central government COVID-related scheme are ineligible for funding from the Discretionary Grants Fund; Emergency Assistance . Such grant schemes include but are not limited to:

- Small Business Grant Fund
- Retail, Hospitality & Leisure Grant Fund
- Housing Benefit
- Universal Credit
- Council Tax Support
- £150 Covid -19 working age claimant fund
- Business Rates Discretionary Grant Fund Grant

People who are in receipt of the Coronavirus Job Retention Scheme **are** eligible to apply for this scheme. People are eligible for the Self-employed Income Support Scheme (SEISS) **are** also able to apply for this.

## Administering the scheme

The Council has a duty to carefully consider every application on its individual merits, considering the relevant circumstances affecting each resident.

The Council will identify as many people as possible who are likely to qualify and will invite them to apply using a standard application form.

However, due to the nature of the criteria it may not be possible to identify everyone in need and therefore the Council will publicise the scheme through the Council's website and social media.

Residents will be required to make a written application with supporting documentary evidence to the Council by 15 October 2020. If the resident is unable to meet any of the criteria, they should clearly explain why.

The level of discretionary relief awarded will be capped at up to £2000 per family to ensure as many people as possible are supported. Government guidance proposes that this money is targeted towards recipients who are struggling to afford food and other essential expenditure. Given the ambiguity of this criteria, expressing this in a more transparent manner will help potential applicants understand if they will be eligible and what level of award they can expect.

Therefore, the Council has reflected on the potential affect the loss of income could have whilst maintaining essential expenditure and will consider grants where the reduction in income is over 25%.

Type of support	Impact on income Loss over 25%	Comments
Rent or mortgage arrears	2 months payments (Maximum £2,000)	Where the property is owned by the Council, the payment will be made direct to the rent account
Council Tax arrears	80% of Band Value (maximum £2,000)	Payment will be made direct to the Council Tax account
Utility bills (gas electric & water) where non-payment would cause enforcement action	£350	Proof of potential action being considered
School Uniform	£250 per child	Quote from school or supplier required
Replacement of essential white goods	Up to £500 per item	Proof of damaged goods and quote for repair
Travel expenses: Rail ticket Car maintenance MOT Tax Insurance	Up to £350	Quote for garage, insurance company etc required
Computer expense to support child's educational needs	Up to £350	Letter from school confirming requirement quote of model required

If the fund is oversubscribed with applications received, the Council reserves the right to amend the grant levels to a pro-rata basis based on the applications received and approved to ensure the grants are distributed equitably.

## Managing the process

Residents are required to provide a completed application form plus any such evidence, documents, receipts, financial statements including bank statements clearly showing the reduction in income, the essential expenditure, the name and bank account details etc. necessary to allow the Council to make an informed decision.

Once the application is received, it will be considered on its own merits by a panel of senior staff;

- Corporate Head of Customer, Digital & Collection Services
- Corporate Head of Community Services
- Head of Housing

Where insufficient information is provided, despite reminders, then no relief will be granted.

In all cases, the Council will notify the resident of decisions made.

Where an application is successful, the following will be notified to them in writing:

- the amount of relief granted and the date from which it has been granted;
- a requirement that the applicant should notify the authority of any change in circumstances that may affect entitlement to the grant.

Where relief is not granted then the following information will be provided, again in writing:

- an explanation of the decision within the context of the authority's statutory duty; and
- an explanation of the appeal rights (see below).

## Appeal rights

Whilst there is no formal right of appeal except by judicial review, in the interests of natural justice and to eliminate the risk of administrative error, applicants may seek a review of the decision from the Council.

Powers given to the authority for the granting, varying, reviewing and revocation of discretionary relief under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011 shall be delegated to the Assistant Chief Executive (Resources) in conjunction with the Corporate Head of Customer, Digital & Collection Services.

The amount of funding to be provided by the Council in respect of discretionary grant funding relief shall be determined by the Government's funding allocation and is approximately £55,000.

Where the authority receives a request from a resident for a review of the decision regarding the granting or refusal of discretionary funding grant, the case will be reviewed by the Assistant Chief Executive (Resources). This could include cases:

- where the applicant cannot provide evidence to satisfy all the criteria but can still demonstrate a significant loss of income and an unexpected significant expense.
- the applicant missed the deadline of 15 October 2020 due to exceptional circumstances and might qualify under the terms of the scheme.

## EQUALITY SCREENING

Equality Impact Assessment guidance should be considered when completing this form.

POLICY/FUNCTION/ACTIVITY	LEAD OFFICER
Discretionary Grant Funding; Emergency Assistance Policy	Linda Norman

**A. What is the aim of this policy, function or activity?** Why is it needed? What is it hoped to achieve and how will it be ensured it works as intended? Does it affect service users, employees or the wider community?

Powers have been granted under the Localism Act 2011, which allow for the granting of discretionary relief that would be of benefit to the local community.

On 10 June 2020, The Prime Minister announced a grant of £63 million for local authorities in England to help those who are struggling to afford food and other essentials due to COVID-19. The funding is a one-off contribution for the 2020-21 financial year and is made under Section 31 of the Local Government Act 2003. Surrey County Council has been granted an allocation of £788,015. The proposal is to split the allocation of spend in the following way:

- 648K to the 11 District and Boroughs;
- 60k to the Surrey Crisis Fund; and,
- 80k to the Bookham Food Distribution Hub

Runnymede has been allocated £55,447. This additional funding is intended to help local authorities to continue to support those struggling to afford food and other essentials over the coming months due to COVID-19. The government anticipates that most of the funding will be spent within 12 weeks of receipt of the funding (expected at the end of July).

The Council has developed the Discretionary Grant Funding; Emergency Assistance Policy to clearly layout how this funding will be allocated. This policy will clearly set out how the Council will administer the grant funding to assist the community whilst making sure the Council has a clear and robust process in place to protect public funds.

**B. Is this policy, function or activity relevant to equality?** Does the policy relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential for adverse impacts or unlawful discrimination.

This grant is primarily aimed at:

- Residents who have been severely impacted by Coronavirus and have had no other central or local government support
- Those who do not qualify for Universal Credit, Housing Benefit or Council Tax Support and whose household income has been reduced significantly since March 2020.
- Alleviating poverty
- Safeguarding families in their own homes
- Avoiding homelessness
- Assisting with a one-off unexpected, unavoidable expense for example eg broken washing machine, broken cooker, new school shoes etc

A written application does need to be made but it can be made online, in writing or with third party assistance. A small number of officers will process applications and they are skilled in obtaining sufficient information to support an application without it being intrusive.

Officers have had training on supporting customers with mental health issues and there will also be guidance for staff to assist in assessing applications to take into account individual circumstances.

An internal staff panel made up of the Corporate Head of Customer. Digital & Collection Services, the Corporate Head of Community Services & the Head of Housing has been established to discuss overall decision making on an individual basis. An appeal process to the assistant Chief Executive (Section 151 Officer) is in place for reviewing and monitoring purposes to ensure transparency of the process.

If the policy, function or activity is considered to be relevant to equality then a full Equality Impact Assessment must be carried out.

**C. If the policy, function or activity is not considered to be relevant to equality, what are the reasons for this conclusion?** What evidence has been used to make this decision? A simple statement of 'no relevance' or 'no data' is not sufficient.

A full Equality Impact Assessment is not considered necessary as it is expected that this policy will have a positive impact on all individuals who may be an affected characteristic under the Equalities Act

This screening assessment will need to be referred to the Equality Group for challenge before sign-off.

Date completed: 27.08.2020

Sign-off by senior manager: Linda Norman

7. **EGHAM GATEWAY WEST - NAMING AND COLOUR BRANDING OF THE RESIDENTIAL BUILDINGS (ASSETS AND REGENERATION – ALEX WILLIAMS)**

**Synopsis of report:**

The Egham Gateway West development comprises a mixture of commercial buildings and four residential blocks, one of which is intended for student use. This report relates to the naming and colour branding of the residential buildings in the development. To give the development an appropriate identity, the four building entrances in each accommodation block will be individually named and colour coded.

The local community have been involved which included groups of residents, Egham Museum, Ward Councillors, Royal Holloway, University of London, Egham Residents Association and the Chamber of Commerce. The report presents the best selection of names for consideration by the Committee.

**Recommendation:**

Members are recommended to select Group 1 from the list below to use as names for the four blocks in the development known currently as Egham Gateway West.

1. **Context of Report**

- 1.1. Work to construct the new buildings which will form Egham Gateway West is now in the early stages and to aid marketing and for ease of description, the buildings need to be named.
- 1.2. A process was undertaken whereby residents and stakeholder groups were asked for their opinions on the appropriate names which would be relevant to the town.
- 1.3. An initial report was laid before the Assets and Regeneration Member Working Group which recommended that names based on barons who were signatories to the Magna Carta be selected.

2. **Report on the process undertaken for naming each block of accommodation**

- 2.1. The Egham Gateway development has required careful consideration about the way it was designed and also the appropriateness of a new development in a historical town like Egham. This has resulted in many elements of the design drawing from existing buildings in the Town but also whilst using modern building techniques. The resulting four residential buildings each require to be named and for the naming to contribute to a theme that is consistent across the development. Other factors that influence the choice of names are to select names that are relevant for modern accommodation, have no conflicts with the names of other buildings in the area, do not promote or support the interests of an individual, company, etc and where individual names are concerned, the named person is no longer alive. Whilst not essential, it is helpful for naming the buildings to be the subject of community and stakeholder involvement.
- 2.2. The choice of name is required to inform the development of several aspects of the project that include: the specification for colours and the building naming in the building contract, utilities connections which are becoming urgent and the nomenclature used in the accommodation schedule and the contracts with the registered provider of the affordable housing, RBCI, private purchasers or residential units, etc. It will also inform the branding to be used in the residential sales marketing brochure to support off plan and completed sales. The Assets and Regeneration Member Working Group has overseen the further evolution of the Egham Gateway West development. It agreed that it would be helpful to engage with the local community through stakeholder groups and individuals, including Ward Members to

generate ideas for names, but it was made clear that the Council would retain the right to select the final naming.

- 2.3 Stakeholders contacted included: Ward Councillors, Council officers, Egham-by-Runnymede Historical Society, Egham Museum volunteers and Trustees, Royal Holloway University and student groups in the Town, Egham Residents Association, the Chamber of Commerce, and individual residents who expressed an interest.
- 2.4 Resident feedback was limited, and after taking into consideration commercial attractiveness, risk associated with using names of living or recently deceased residents and the Runnymede 'brand', officers shortlisted three alternative groups:
- Group 1 (Historic Buildings):**
- Block A: Corn Merchant House;  
Block B: Parish Hall;  
Block C: Gem House;  
Block D: Holloway View
- Group 2 (Magna Carta Barons):**
- Block A: Hardel House;  
Block B: Mandeville House;  
Block C: Fitzwalter House;  
Block D: Magna Carta Hall.
- Group 3 (UK Saints):**
- Block A: St Patrick's House;  
Block B: St David's House;  
Block C: St Andrew's House;  
Block D: St George's Hall.
- 2.5 The Assets and Regeneration Member Working Group meeting on the 11 March 2020 after considering all of the suggestions, recommended Group 2 – where all the names selected were Magna Carta derivatives as it was felt it would strengthen the Runnymede brand, the shields of the Barons would provide a colour-theme for the blocks and it would be sympathetic to Runnymede's historical past.
- 2.6 The selection of the actual names required checking with the Post Office to ensure there were no naming conflicts that could create postal confusion. Unfortunately, Mandeville House was deemed inappropriate due to Mandeville Court already being used in the same postcode area of Egham. Therefore, Mowbray House is proposed as an alternative.
- 2.7 With the passage of time, new senior officers have now become involved in this matter (Corporate Head of Assets and Regeneration, Communications and Marketing Manager). Officers believe it is important to highlight to this Committee a reputational risk associated with Group 2.
- 2.8 It has not been possible to carry out detailed historical research into the lives, actions, character or interests of the barons listed in Group B. Officers' concern is that acceptable religious or business activity in the 12<sup>th</sup> century may not be appropriate in the 21<sup>st</sup> century.
- 2.9 Attempts have been made to ascertain the activities of the three named barons but the Council does not have the resources to carry out in depth historical research. Requests to external people or bodies with experience in this area did not yield useful results.
- 2.10 The risk of choosing this group is that while the Council may not be fully aware of their background, other people in future may carry out research which shows an



unpalatable aspect of their lives and which would then affect the Council's reputation by association.

- 2.11 Taking on board the above, Officers would like to recommend that Group 1 using Egham's previous history would be an appropriate option. It will enable us to give a clear identity to each of the blocks and use this within our marketing material.
- 2.12 An appropriate colour scheme will be put together for each block and if agreed by Members we can develop further visuals with architects to create appropriate colour branding for use in the development.
- 2.13 It is essential that we get agreement on the naming of the blocks for this development to enable us to inform the utilities companies and commence the marketing of the Student Block C which is done one year prior to occupation.

### **3 Policy framework implications**

- 3.1 At its meeting on 15 December 2016, this Committee recommended a revised Property Investment Strategy 2016/17 to 2020/21 which was agreed by full Council on 9 February 2017. The Strategy prefers the Council to optimise value through the acquisition and management of commercial property assets.

### **4 Resource implications**

- 4.1 There are no specific resource implications arising from this report.

### **5 Legal implications**

- 5.1 There are no specific legal implications arising from this report.

### **6 Equality implications**

- 6.1 There are no specific equality implications arising from this report.

### **7 Biodiversity/Environmental/ Sustainability/ implications**

- 7.1 There are no specific biodiversity, environmental or sustainability implications arising from this report.

**(To resolve)**

### **Background papers**

None stated

## **8. REOPENING HIGH STREETS SAFELY FUND (ECONOMIC DEVELOPMENT - AZRA MUKADAM)**

### **Synopsis of report:**

**This report is to inform Members of the opportunity to support the local high street economy through the use of European Regional Development Funding (ERDF), which is being provided for Councils across England. The money will allow Local Authorities to put in place additional measures to establish a safe trading environment.**

**The report briefly sets out the parameters of the Reopening High Streets Safely Fund, and how RBC intend to use the funding to support the local towns in the borough. It also sets out the key ERDF contractual requirements and the grant criteria as well as identifying financial risk factors involved in use of the ERDF.**

**An application to show interest in taking up the grant funding was made by the deadline on 17<sup>th</sup> July 2020. The Council is currently awaiting to be assigned a Government Account Manager to agree the Grant Funding Agreement.**

**Recommendations:**

**To delegate authority to officers to approve and sign the Grant Funding Agreement and make applications for reimbursement to draw down ERDF grant.**

**1. Context of report**

- 1.1 In May the Government launched The Reopening High Streets Safely Fund to provide £50 million from the European Regional Development Fund (ERDF) to Councils across England to support the safe reopening of high streets and other commercial areas. Expenditure for reimbursement under this grant was eligible from 1 June. Runnymede Borough Council (RBC) were allocated £78,590 and had to submit an application to express interest in drawing down the funding and provide an action plan setting out how they would utilise the funding.
- 1.2 This report sets out the parameters of the Reopening High Streets Safely Fund, and how RBC intend to use the funding to support the three main towns in the borough. It also sets out the key ERDF contractual requirements and the grant criteria as well as identifying the draw down involved in use of the ERDF.

**2. Report**

- 2.1 Runnymede Borough Council have been allocated £78,590 ERDF from The Reopening High Streets Safely Fund to be used towards supporting their high streets to put in place additional measures to establish a safe trading environment.
- 2.2 In light of the Government announcement that high streets could begin to reopen from the 15 June 2020, Runnymede BC developed an action plan (see Appendix 'H' attached) setting out how they would take a joined-up approach to supporting their local businesses to reopen in a safe and secure way, and how they would assist in building confidence in local businesses by providing the right tools in line with Government guidance on utilising ERDF. An application to express interest in drawing down this funding was submitted on 17 July (see Appendix 'I' attached).
- 2.3 The funding has strict criteria and can be used for four main areas:
- i) Support to develop an action plan for how the local authority may begin to safely reopen their local economies.
  - ii) Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely including:
    - online and digital.
    - media and press activities
    - print and publications such as posters and leafleting campaigns
  - iii) Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely
  - iv) Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely
- 2.4 In line with the Reopening of High Streets Safely (RHSS) scheme, the Council will be developing a town team by identifying stakeholders within the community and business sector to help support boosting the local economy and working on future projects.
- 2.5 There are significant ERDF contractual requirements and Members should be aware that there is a non-refundable penalty at the 'grant claim' and auditing stage if

Councils do not adhere to the strict guidelines. Officers will work closely with the Government Account Manager to minimise this risk wherever possible.

- 2.6 Runnymede have so far spent some money on essential street signage to support keeping social distancing when on the high streets, and costs towards printing of information flyers for small and medium sized enterprises (SME)s to begin to reopen businesses safely. A breakdown of cost is stated in Appendix 'I'.

### 3. **Policy framework implications**

- 3.1 In line with the Corporate Business Plan 2016-2020, the use of the ERDF will aim to support key priorities such as 'Improving our Economy' and 'Enhancing Our Environment'. The ERDF brings an opportunity through the following:
- 3.1.1 To collaboratively work with Local Enterprise Partnerships, Chambers of Commerce, Runnymede Business Partnerships and other local authorities to maximise resources
- 3.1.2 To facilitate additional business support for local businesses
- 3.1.3 To continue developing our community resilience to effectively assist in an emergency
- 3.2 As stated in the Corporate Business Plan 2016-2020, the *borough's towns should be vibrant and interesting places for all residents and visitors*. The ERDF will reinforce supporting some of the main strands of the overall corporate strategy.
- 3.3 To continue to support towns that are going through a regeneration project, i.e. Egham Gateway by supporting the existing SMEs.
- 3.4 To support the SMEs to reduce retail and leisure expenditure leakage from Runnymede into the surrounding area and via online channels

### 4. **Resource implications**

- 4.1 Grant guidance recommends four main activity strands that can be supported:
- i) Development of an action plan using the COVID 19 recovery framework as directed by Institute of Place Management (IPM). This is not necessary but will help planning.
  - ii) Communications and public information – marketing, signage, advertising
  - iii) Business facing campaign – Business information support, marketing support, advice in line with Government guidance
  - iv) Temporary public realm changes – movement of street furniture, pedestrianisation of areas, widening pavements etc.
- 4.2 The grant period runs from June 2020 – March 2021, after which, all temporary changes must cease.
- 4.3 Grant activities that are out of scope are:
- Cannot be used to top up existing roles
  - No permanent physical changes to the high street
  - Cannot provide businesses with financial support, cost of PPE or any other purchases

Cannot be used for promotional/ place marketing purposes i.e. Markets or events

- 4.3 A breakdown of the costs for various signage and marketing materials are available at request along with the ERDF grant application form.
- 4.4 The proposed costings so far are £15,500 approximately, well below the total allocated sum to the Council.
- 4.5 Current spend to date has been £2,190.
- 4.6 All expenditure will be scrutinised and must adhere to the ERDF procurement guidance. All local authorities are at risk of 100% rejection at claims or audit stages.

5. **Legal implications**

- 5.1 Under section 8 (State Aid ) of the ERDF Grant Action Plan RBC have undertaken the required evaluation of the Project and can reasonably conclude that the Grant for the Project Activities will not constitute State Aid (within the meaning set out in Article 107(1) of the TFEU and the relevant case law).
- 5.2 Procurement of all services and supplies for this grant will follow the strict guidelines given by the ERDF procurement policies, and those of RBC procurement practices.

6. **Equality implications**

- 6.1 The proposed use of the ERDF complies with the Council's Equalities Policy in providing a fair and transparent procurement process.

**(To resolve)**

**Background Papers**

Background emails and quotations held on file.

## Appendix H (Action Plan)

### Summary

In light of the Government announcement that high streets can begin to reopen from the 15 June 2020, Runnymede BC need to begin taking a joined-up approach to how they will support their local businesses to reopen in a safe and secure way. RBC need to consider how they build confidence in local businesses by ways of providing the right tools in line with Government guidance. This in turn will encourage residents and the wider community to begin to revisit their local towns and villages. This report identifies the work already carried out by RBC during this crisis period. It also identifies areas of work needed if they are to successfully support the local economy and its communities to become resilient in its approach going forward.

### Introduction

In May 2020, the Government announced Councils across England are to share £50m of additional funding to from Reopening High Streets Safely fund (RHSSF) to support the safe reopening of high streets and other commercial areas. The money will allow LAs to put in place additional measures to establish a safe trading environment.

<https://www.gov.uk/government/publications/reopening-high-streets-safely-fund-guidance>

The funding is to enable additional measures to establish support for a safe trading environment for both businesses and customers, in particular, the main town centres of Addlestone, Chertsey and Egham.

### Eligible activities for support

The guidance recommends four main activity strands that can be supported

1. Development of an action plan using the COVID 19 recovery framework as directed by Institute of Place Management (IPM)
2. Communications and public information
3. Business facing campaign
4. Temporary public realm changes

### Activities that are out of scope:

The funding

1. Cannot be used to top up existing roles
2. No permanent physical changes to the high street
3. Cannot provide businesses with financial support, cost of PPE or any other purchases
4. Cannot be used for promotional/ place marketing purposes

### Action plan

<b>Action Plan for Reopening of High Streets</b>		
Funding strand	Specific activity	Service Area Resources
Developing an action plan to support reopening of the High streets	<ul style="list-style-type: none"> <li>• Develop a Town Centre Partnership team</li> <li>• Engage with community stakeholder for input</li> <li>• Regular meetings with outcomes recorded</li> </ul>	Economic Development  Community Development  Commercial services  Communication & Marketing  Chamber of Commerce  Councillors  Community Leaders
Communications and public business information	<ul style="list-style-type: none"> <li>• Comms &amp; marketing plan</li> <li>• Social media management</li> <li>• Business Runnymede platforms</li> <li>• Marketing campaign 'Live Local'</li> <li>• Advertising in magazine</li> <li>• Mail drop for seasonal events</li> </ul>	Communications & Marketing  Economic Development  Commercial Services  Community Development  Environmental Health
Public Realm Interventions	<ul style="list-style-type: none"> <li>• Social distancing signage</li> <li>• SMEs using pavement to expand their business appeal</li> <li>• Possible road closure</li> <li>• Notice boards</li> <li>• Bins signage</li> </ul>	Communications & Marketing  Commercial Services  Economic Development  Procurement  DSO  Environmental Health  GIS
Business Engagement	<b>Business Runnymede to :</b> <ul style="list-style-type: none"> <li>• Create marketing toolkits</li> <li>• Webinar training</li> </ul>	Communication & Marketing  Economic Development  Commercial Services

	<ul style="list-style-type: none"> <li>• 'Live local' campaign tie in</li> <li>• Developing working groups for businesses &amp; community stakeholders</li> <li>• Producing Business support packs with useful materials to support reopening safely</li> </ul>	<p>Community Development</p> <p>Chamber of Commerce</p> <p>Community Stakeholders</p>
--	---	---



HM Government



**European Union**

European Regional  
Development Fund

# Reopening High Streets Safely Fund

## Grant Action Plan

<b>Local Authority Name</b>	<b>Name of Lead Contact</b>	Rachel Raynaud
	<b>Telephone Number</b>	01932 425501
	<b>Email Address</b>	Rachel.raynaud@runnymede.gov.uk
	<b>Name of Deputy Contact</b>	Azra Mukadam
	<b>Telephone Number</b>	01932 425683
	<b>Email Address</b>	Azra.mukadam@runnymede.gov.uk



**1. Proposed Activity:**

**A) Please complete the table below to reflect the activities you propose to use the RHSS Fund for.**

No.	Area of Scope	Using bullet points briefly set out the specific activities you will undertake	Briefly set out how the activity does not duplicate existing activity	Total Indicative Budget £ per item Gross
1	Support to develop an action plan for how the local authority may begin to safely reopen their local economies.	<ul style="list-style-type: none"> <li>To support building a brand-new Town Team (TT) with support from the Egham Chamber of Commerce for Addlestone and Chertsey, we would like to make a promotional video on the benefits of joining the TT</li> <li>Regular meetings with stakeholders from the TT to push forward the 'Live Local' message</li> </ul>	<b>We currently have no Town Centre Partnership Team</b>	
2	Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely	<p>Marketing campaign 'Live Local' through:</p> <ul style="list-style-type: none"> <li>In line with Central Governments guidelines to support reopening of the high street, leaflet drops were carried out, providing SMEs support on where to get the most recent information on how to reopen their businesses safely</li> <li>Social media updates following Govt. advice for high streets</li> <li>Street signage to reinforce social distancing and wearing of masks</li> <li>SME specific support packs to include window stickers, posters, instructions on online 'Live local' campaign to support increase of customer reach</li> <li>Animated messages to be used on existing digital boards in Addlestone Town</li> </ul>	<ul style="list-style-type: none"> <li>Leaflets were produced as a response to the COVID 19 crisis.</li> <li>The campaign of 'Live Local' is a new campaign to support reopening of the high streets</li> <li>The focus of this campaign is to build confidence to the community to support local economy.</li> <li>This will be the first time all towns within the borough will be coordinating one message.</li> <li>Currently the towns do not have regular shopping events</li> <li>Animated messages to be used on the digital boards to shop</li> </ul>	<p>Flyer print cost £260.00</p> <p>Signage for Social distancing £1690</p> <p>Social media targeted posts £500</p> <p>Graphic designs artwork for presentation packs, social media awareness images,</p>

		<ul style="list-style-type: none"> <li>• Marketing campaign to encourage wearing correct PPE and how to dispose of used PPEs once worn</li> <li>• 90' video clip promoting the need for a Town Team and the advantages of being involved</li> </ul>	<p>safely by keeping social distance and wearing masks</p> <p>Promo clip to be used on the Business Runnymede website directly aimed at local SMEs and the wider community</p>	<p>animation for digital boards £3000</p> <p>90' promo clip £2700 approx.</p> <p>PPE campaign Street signage x 50 £1700</p> <p>Posters &amp; information sheets for shops x 300 £160 Window stickers X 300 £1000</p>
3	<p>Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely.</p>	<ul style="list-style-type: none"> <li>• Using the materials provided in the SME specific packs to raise awareness and confidence to customers that they can shop safely</li> <li>• Online campaigns supporting local businesses to promote their own social media pages</li> <li>• Seasonal magazines or Christmas mail drops to approximately 37,000 households</li> </ul>	<ul style="list-style-type: none"> <li>• This campaign is in direct response to the Government's guidance to support reopening of high streets.</li> </ul>	<p>As above</p> <p>Mail Drop by Royal Mail approximate cost £4,500</p>

4	Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely.	<ul style="list-style-type: none"> <li>• Temporary street signage to support social distancing during the COVID-19 period</li> <li>• Using permanent digital screens and temporary removable digital boards to carry the campaign messages</li> </ul>	<ul style="list-style-type: none"> <li>• Currently there are no seasonal events that require road closures by closing off areas it allows people to have more room to move around safely</li> </ul>	As above
---	--	---	---	----------

**B) At Risk Expenditure**

Indicative amount of eligible expenditure you intend to incur between 01/06/20 and the date of the Funding Agreement with CLGU
£??
Please lists the costs you are incurring at risk before the signing of the Funding Agreement
<ul style="list-style-type: none"> <li>• Flyer print cost £260.00</li> <li>• Signage for Social distancing £1690</li> </ul>

### C) Alignment with COVID-19 Plans

Please describe how the above planned activity contributes to a national, regional or local COVID-19 plan and provide a copy of the plan.

#### Local Plan:

##### Runnymede BC

Using the Institute of Place Management (IPM) Recovery Framework, support of reopening of the high streets was developed around the four crisis stages. The framework is used as a live document and one that will be flexible and changeable according to our local needs. It lays out how the planning for reopening of high streets will tie into the wider work that has already been done by Runnymede Borough Council. During the crisis period, Officers were deployed to manage welfare calls supporting the most vulnerable in the community. Business rates and government grants and schemes were administered by Officers, and street cleansing and refuse collections have been increased. Runnymede is currently updating their Pandemic Flu Plans but has not yet released the plans. Please refer to an email attached to this application to confirm this.

Attached to this application is:

- Email for evidence of the current position of the **Pandemic Flu Plan**
- **Runnymede Recovery Framework for Reopening of the High Street** (Note that this document lays out wider plans and initial ideas)
- **National and Regional Plan**

Surrey SLRF Emergency Response Plan states the overall planning involved at a regional level. Please refer to section 6. page 31-32 for coordinating groups to support the recovery plans at a regional level

**Locations of activity**

Please list the High Street (and Neighbourhood Shopping Area) locations that you intend to support with this activity and give details of which strand of activity will be implemented at each location. *Insert more rows if required.*

Type High Street / Neighbourhood Shopping Area	Name of location	Postcode(s)
A cluster of 15 or more retailer within 150 metres <b>Support activity:</b> Street signage	Station Road Addlestone	KT15 1AH

<p>Business support packs  Social media support  Digital messages on boards  PPE campaign  Business support information flyers</p>		
<p>A cluster of 15 or more retailer within 150 metres  <b>Support activity:</b>  Street signage  Business support packs  Social media support  PPE campaign  Business support information flyers</p>	<p>Guildford Street &amp; London Road Chertsey</p>	<p>KT16 9AD</p>
<p>A cluster of 15 or more retailer within 150 metres  <b>Support activity:</b>  Street signage  Business support packs  Social media support  PPE campaign  Business support information flyers</p>	<p>High Street Egham</p>	<p>TW20 9HP</p>
<p><b>Neighbourhood shopping</b> area 15 retailers or more within 150 metres  <b>Support activity:</b>  Street signage  Business support packs  Social media support</p>	<p>The Broadway New Haw</p>	<p>KT15 3HX</p>

PPE campaign (*need to clarify with EDRF Advisor)		
<b>Neighbourhood shopping</b> area 14 retailers or more within 150 metres <b>Support activity:</b> Street signage Business support packs Social media support PPE campaign (*need to clarify with EDRF Advisor)	Station Parade Virginia Water Station Approach Virginia Water	GU25

**D) Permissions**

Please confirm that you will have all the necessary permissions in order to carry out the temporary public realm changes and that you will be able to evidence this upon request. Tick to confirm:

**2. Stakeholder Engagement**

Briefly set out how you have engaged with business organisations, Local Highway and Transport Authorities, lower tier authorities such as parish councils, and other relevant stakeholders when considering how to use the RHSS funding.

**A) Please list which organisations and sectors you have engaged with?**

SCC highways
Local SMEs
Egham Chamber of Commerce
Local Councillors
<b>B) Please provide details of the engagement activities these stakeholders have been involved with?</b>
<p>Permission from SCC highways for street signage application &amp; permission</p> <p>Engagement with SMEs through the Loyalty card scheme to discuss their current challenges</p> <p>Contacted Egham Chamber of Commerce through meetings and emails on supporting SME's through funding</p> <p>Contact with councillors to look at forming a Town Team Partnerships for Addlestone and Chertsey inviting members from the business and community sections of these towns</p>

**C) Delivery Partners**

See Grant Action Plan Guidance for details on the role of Delivery Partners and their associated requirements.

- i. Do you intend to include any other tier of local government as a Delivery Partner(s)? Yes / **No**
- ii. If yes, please complete the following table:

Name of Delivery Partner (please insert rows as required)	What RHSS project activity will they deliver?	Why are they the most appropriate body to deliver the activity?
N/A		

- iii. For each Delivery Partner you are required to secure a Service Level Agreement for their RHSS Fund activity.



Name of Delivery Partner (please insert rows as required)	Please confirm that you have a signed SLA with each Delivery Partner	
	Yes – Submit with Grant Action Plan	No – provide date when SLA will be submitted

### 3. Outputs

Please indicate the volume for each output your activity will address.

	Output	Number of outputs
<b>P14</b>	Number of CV-19 Action Plan	1
<b>P15</b>	Number of CV-19 Public Information Campaigns	3
<b>P16</b>	Number of CV-19 Business Facing Campaigns	3

<b>P17</b>	Number of CV-19 Communication Officers	None
<b>P18</b>	Number of High Streets with Temporary CV-19 Adaptations	3
<b>P19</b>	Number of Neighbourhood Shopping Areas with Temporary CV-19 Adaptations	2

#### 4. Claims

i. Please complete the table with the start and end date for the expenditure associated with the RHSS Fund activity.

<b>Start Date</b>	June 2020
<b>End Date</b>	March 2021

ii. Please select the claim quarter(s) in which you plan to submit a grant claim and insert a forecast value for each claim.

<b>Claim</b>	<b>Claim Submission Period</b>	<b>Tick to indicate a claim submission in this period</b>	<b>Claim Forecast Value £ (Gross)</b>
20Q3	July 2020 – September 2020		£4000 approximately
20Q4	October 2020 – December 2020		£4000 approximately
21Q1	January 2021 – March 2021		<b>TBC will know more as the project develops</b>

21Q2	March 2021 – May 2021		TBC will know more as the project develops
------	-----------------------	--	--

iii. Please indicate whether you plan to claim the 4% Management and Admin from within your grant allocation

Yes	
No	No

iv. If you propose to claim staff costs in line with the RHSS Fund Guidance, please complete the table below

Area of Scope	Role Title	Salary	Cost to be Claimed

5.

**Monitoring and Evaluation:** Please indicate all of the monitoring methods you will utilise to demonstrate the impact of the project activities.

Monitoring Method	Tick to confirm	Brief description
Footfall counts	✓	Manual footfall count three times across the funding period recovery period ( <a href="#">IPM</a> : footfall baseline) Surveys to SMEs to engage the levels of customers across the period

<b>Businesses reopening</b>	✓	Using the current database on local retail businesses in the towns to help assess what businesses existed before the COVID 19 crisis
<b>Businesses closed</b>	✓	Monitor the businesses that have closed since and over the recovery period through regular visits to the towns across the period.
<b>Other</b>		

## 6. Financial Management and Control

### a.

**Describe the financial management and control procedures for the project; including the process for compiling, authorising and ensuring only eligible and defrayed expenditure is included in RHSS claims**

The Council will set up a dedicated set of cost codes for this project to ensure that the costs are monitored and controlled properly. The coding and authorising of expenditure will be undertaken only by those staff authorised to do so under this project and the Council's existing Financial Procedures will be adhered to at all times. The project manager will have full access to the Council's Financial Information System to monitor costs as and when they are incurred.

The Council operates a purchase to pay system that means expenditure will only be incurred following the issuing of a valid Runnymede purchase order. If invoices arrive for goods or services not yet received, or for items with no purchase order, they will not be paid.

**Please describe the document management system for the project and how the audit trail will be maintained and accessible for the period required under the terms of the Funding Agreement, this includes retrieving original invoices and ensuring evidence of costs incurred is available.**

The Council's purchase to Pay & Financial Management System holds the images of all invoices paid (and orders raised) and has an audit trail for every transaction. These are kept in perpetuity.

- b. Please indicate whether or not the RHSS funded activities will result in any **Fixed and or Major Assets** ~~YES~~ / NO
- c. If Yes you are required to list the potential assets, and describe the system(s) in place to record asset details in compliance with ERDF Guidance

N/A

- d. **VAT** – Please advise whether or not the project budget includes any VAT you cannot recover from HMRC (recoverable VAT). Note we may need confirmation of this by way of a letter from the council's finance department.? YES / NO
- e. **VAT** – If irrecoverable VAT will be claimed, please describe how this is captured through the claims procedure and how your financial processes will ensure that it is not being claimed as part of the normal VAT return.

**N/A (no irrecoverable VAT)**

**7. Procurement:** Please provide details of all the procurements you have and/or will undertake in relation to RHSS eligible expenditure.

**Applicants should note that procurements will be tested in detail in the lifetime of a project and by different independent bodies. In the event of non - compliance/irregularity financial penalty will be imposed in line with EU guidance. This can be up to 100% of the procurement expenditure.**

**It remains the responsibility of the Local Authority to ensure all procurements are compliant.**

Anticipated value of the contract	Brief description of works, supplies or services that will be provided under the contract	What procurement process do you anticipate using to select the supplier? (Please tick)				Procurement status (Please tick)	
		OJEU	Advertised	Three Quotes	Direct Award	Procurement in progress/ to be started	Procurement completed
£260	Printing of information flyers directly aimed at SMEs	✓					✓
£1690	'Social Distancing' temporary signage for town centre			✓			✓
£1690	Street Signage for 'face masks'			✓		✓	
£2700	Promo clip to be used on the Business Runnymede website directly aimed at local SME's			✓		✓	
£3000	Animated messages to be used on the digital boards to shop			✓		✓	
£500	Social media targeted post on Facebook	✓				✓	
	<b>The above list is not yet finalised and will be developing through the life span of the project</b>						

**8. State Aid:** This section **MUST** be completed in conjunction with section 8 of the accompanying Grant Action Plan Guidance. CLGU has conducted its own analysis of the State Aid position of the RHSS project and concluded that there is no State Aid due to the nature of the RHSS eligible activities. This position has been set out in Annex A of the accompanying Grant Action Plan Guidance. However it is the responsibility of each Local Authority in receipt of RHSS funding to ensure that they are compliant with State Aid law.

- i. Have you read and understood CLGU’s State Aid position as set out in Annex A of the Grant Action Plan Guidance? **YES / ~~NO~~**
- ii. Have you completed your own State Aid analysis? **~~YES~~ / **NO** N/A**
- iii. Does your State Aid analysis agree with CLGU’s position that there is no State Aid associated with RHSS funded activity? **YES / NO**

iv. If yes, and you will deliver the project such that there is no State Aid:

Describe how you will ensure that there is no State Aid
N/A

v. If you have conducted your own State Aid analysis and concluded that there *would be* State Aid, you must complete **Annex A State Aid Analysis** below.

**9. Policies and Documents**

- i. It remains the responsibility of the Council to ensure that the policies are fit for purpose. RHSS Fund will not provide formal approval of policies.

Policies and Documents Required	Tick to confirm you have attached	Policies and Documents Required	Tick to confirm you have attached
Counter Fraud Policy	✓	Sustainable Development	
Conflict of Interest Policy and Register		Document Retention	✓
Equal Opportunities	✓	Risk Register	✓

- ii. Please confirm that you have read and understood the ERDF Guidance including but not limited to Eligibility, State Aid, Branding and Publicity and Procurement and that you will deliver the project in compliance with the requirements.

Select to confirm:



## Declaration & Signature

I declare that I have the authority to represent [*Runnymede Borough Council*] in submitting the Grant Action Plan.

I understand that RHSS Fund acceptance of this Grant Action Plan does not in any way signify that the proposed activity described above is eligible and compliant with the requirements of the RHSS Fund.

On behalf of [*Runnymede Borough Council*] and having carried out full and proper inquiry, I confirm to the RHSS Fund:

- That the information provided in this application is accurate.
- I am not aware of any relevant information, which has not been included in the application, but which if included is likely to affect the eligibility and compliance of the activity.

I confirm to the RHSS Fund:

- That I shall inform the RHSS Fund if, prior to any RHSS funding being legally committed to [*Runnymede Borough Council*], I become aware of any further information which might reasonably be considered as material to the RHSS Fund in deciding whether to enter into a Funding Agreement.
- I am aware that if the information given in this application turns out to be false or misleading, the Reopening High Streets Safely Fund may demand the repayment of funding and/or terminate the RHSS funding agreement.

I confirm that I am aware that checks can be made to the relevant authorities to verify this declaration and any person who knowingly or recklessly makes any false statement for the purpose of obtaining grant or for the purpose of assisting any person to obtain grant is liable to be prosecuted. A false or misleading statement will also mean that approval may be revoked, and any grant may be withheld or recovered with interest.

**Local Authorities should be aware that any expenditure incurred before the signing of an RHSS Grant Funding Agreement is entirely at their own risk and may render the project ineligible for support.**

<b>Signed</b>	<b>OMITTED AS IT CONTAINS PERSONAL DATA</b>	<b>Name (print)</b>	<b>Mrs Rachel Raynaud</b>
<b>Position</b>	<b>Corporate Head of Planning Policy and Economic Development</b>	<b>Date</b>	<b>17 July 2020</b>

## Annex A – State Aid Analysis

State Aid Law	
i.	Please list all the organisations (if known) which may benefit from the funding of the project. If they are not known, list the types of organisations that might benefit from the funding.
N/A	
ii.	<p>For each organisation or type of organisation that may benefit from the project, (including the Local Authority and any Delivery Partners) identify whether they meet the State Aid test. If you believe an organisation or type/ group of organisations is outside the scope of State Aid, please provide the reasons.</p> <p>Local Authorities may wish to refer to the European Commission’s “Notion of State Aid” guidance and the Ministry of Housing, Communities and Local Government’s European Regional Development Fund guidance on State Aid law available at <a href="https://www.gov.uk/government/publications/european-structural-and-investment-funds-state-aid-documents">https://www.gov.uk/government/publications/european-structural-and-investment-funds-state-aid-documents</a>.</p>

iii. For each beneficiary and or type of beneficiary that the Local Authority regards as being in receipt of State Aid, identify which exemption(s) they will be using to provide the aid in accordance with State Aid law<sup>1</sup>.

Name of beneficiary or type of beneficiaries	Name of Exemption	Scheme reference number

Where a project is funded under an exemption based on the General Block Exemption Regulations (651/2014), the Local Authority is required to either (a) confirm that the project falls within the scope of Regulation 6(5) or (b) to submit a separate document to demonstrate incentive effect in line with Regulation 6(2) containing the following information:

- (a) the applicant undertaking's name and size
- (b) a brief description of the project, including start and end dates
- (c) the location of the project
- (d) a full list of the project costs used to determine the allowable level of funding
- (e) the form of the aid
- (f) the amount of public money needed for the project.

<sup>1</sup> For notified schemes the answer should include the full name of the scheme and the Commission reference number.

iv. If you intend to use exemption(s) to deliver the Project, have you read the terms of the scheme and meet all the relevant terms.
Yes or No (N/A)
v. If you intend to use De Minimis, please outline what work has been undertaken to ensure that this is the most appropriate mechanism.
(N/A)
vi. Are you subject to an outstanding recovery order in respect of State Aid?
Yes or No (N/A)
vii. Describe the system in place for collecting and recording the required information for audits and returns?

9. **RECRUITMENT OF INDEPENDENT PERSONS – MEMBER CODE OF CONDUCT AND DISCIPLINARY ACTION (LAW AND GOVERNANCE – MARIO LEO)**

**Synopsis of report:**

**To see authority to proceed with recruitment of individuals to discharge the function of Independent Person in relation to the operation of the Council's Member Code of Conduct and provide assistance in the event that disciplinary action is taken against the Council's three statutory officers.**

**Recommendations:**

- (i) the Monitoring Officer be authorised to advertise a vacancy for the appointment of 2 Independent Persons and 1 Reserve Independent Person;**
- (ii) a panel comprising the Chairman and three other Members of the Standards and Audit Committee be set up to short-list and interview candidates, and to make a recommendation to Full Council for appointment of 2 Independent Persons and 1 Reserve Independent Persons; and**
- (iii) the allowance to be paid for acting as an Independent Person be the same as the Council would pay a co-opted Member of the Council**

**1. Context of report**

- 1.1 The Localism Act 2011 (the 2011 Act) made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Members. The date for implementation of those changes was the 1 July 2012.
- 1.2 The 2011 Act established a new category of Independent Persons that must be consulted at various stages if action is taken against an elected or co-opted Member for breaches of the Runnymede Member Code of Conduct. The Independent Person may be invited to attend meetings of the Standards and Audit Committee, but they are not co-opted onto the Committee.
- 1.3 In March 2015 the Government published Regulations requiring local authorities to amend their Standing Orders about disciplinary procedures for three statutory officers: Head of Paid Service; the Chief Finance Officer and the Monitoring Officer. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the 2015 Regulations) came into force on 11 May 2015. One aspect of those changes brought in by the 2015 Regulations was the involvement of an Independent Person when disciplinary action was taken against one of the three statutory officers.
- 1.4 The Government advised that the Independent Person appointed for the purposes of the Runnymede Member Code of Conduct could discharge the function of Independent Person in respect of disciplinary action against the statutory officers.

**2. Report and, where applicable, options considered**

- 2.1 The 2011 Act introduced a new regime to govern the conduct of elected and co-opted Members of local authorities. One element of the new regime was to require the participation of what the 2011 Act termed an Independent Person in the process.

- 2.2 The arrangements to be adopted by Council for dealing with Member Code of Conduct matters must include provision for the appointment by Council of at least one Independent Person. The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all Members of the Council (not just of those present and voting at a particular meeting). Thus, when nominations for appointment are put forward to a future meeting of Full Council at least twenty-one Members present at the meeting must vote in favour of the appointment of the candidates.
- 2.3 A person is considered not to be “independent” if–
- he/she is, or has been within the last 5 years, an elected or co-opted Member or an Officer of the Council or of any of the Parish Councils within its area;
  - he/she is, or has been within the last 5 years, an elected or co-opted Member of any Committee or Sub-Committee of the Council or of any of the Parish Councils within its area (which would preclude any of the current co-opted independent members of Standards and Audit Committee from being appointed as an Independent Person); or
  - he/she is a relative or close friend of a current elected or co-opted Member or Officer of the Council, or of any elected or co-opted Member of any Committee or Sub-Committee of such Council.
- 2.4 For this purpose, “relative” comprises–
- a) the candidate’s spouse or civil partner;
  - b) any person with whom the candidate is living as if they are spouses or civil partners;
  - c) the candidate’s grandparent;
  - d) any person who is a lineal descendent of the candidate’s grandparent;
  - e) a parent, brother, sister or child of anyone in Paragraphs (a) or (b);
  - f) the spouse or civil partner of anyone within Paragraphs (c), (d) or (e); or
  - g) any person living with a person within Paragraphs (c), (d) or (e) as if they were spouse or civil partner to that person.
- 2.5 The functions of the Independent Person(s) are–
- they must be consulted by the Council before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that Member (this means on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding);
  - they may be consulted by the Council in respect of a standards complaint at any other stage; and
  - they may be consulted by a Member or co-opted Member of the Council against whom a complaint has been made.
- 2.6 This causes some problems, as it would be inappropriate for an Independent Person who has been consulted by the Member against whom the complaint has been made, and who might as a result be regarded as prejudiced on the matter, to be involved in the determination of that complaint.
- 2.7 The 2011 Act gives discretion to appoint one or more Independent Persons but provides that each Independent Person must be consulted before any decision is taken on a complaint which has been investigated. Accordingly, there would appear to be an advantage in appointing more than one Independent Person. It is therefore proposed to appoint two Independent Persons and one reserve Independent Person.

- 2.8 When the Council appointed its first Independent Persons in 2012 it agreed to pay an allowance for the post. The current allowance paid for the post is the same that the Council would pay if it had any co-opted members and is currently £471 per annum. It must be clarified that Independent Persons are not co-opted Members and they can, if the Council wishes, be paid a different level of allowance.
- 2.9 In 2015 due to changes in the rules governing the taking of disciplinary action against what are termed the Council's three statutory officers which required the involvement of an Independent Person it was agreed to expand the role of the existing Independent Persons to discharge this new role in employment matters for senior staff.
- 2.10 In 2012 the Council appointed two persons to act as Independent Persons. In May 2019 one of those people stood down from the role due to becoming more involved in local politics which could have given rise to possible conflicts when dealing with matters.
- 2.11 Officers would propose undertaking a recruitment exercise to increase the number of Independent Persons the Council has available to it to discharge the various functions associated with the role. This process will involve drafting a Person Specification for role and advertising for people who meet the qualifying criteria to apply for the role. A panel comprising Members drawn from the Standards and Audit Committee will then be involved in drawing up a short list of candidates who will be invited for interview. The panel will then make a recommendation to Full Council to make the formal appointment to the position.
- 2.12 In order to seek to contain costs associated with this recruitment exercise it is proposed to initially advertise the opportunity on the Council's website. Should this exercise fail to produce adequate applications officers will consider alternative methods to advertise the position.
- 2.13 Attached at Appendix 'J' is the recruitment pack it is proposed to issue to use for the recruitment of persons to the position of Independent Person.

### **3. Policy framework implications**

- 3.1 There are no Policy implications flowing from the proposals contained in this report

### **4. Resource implications (where applicable)**

- 4.1 In the event that the Council is successful in recruiting three people to discharge this role there will be a cost implication associated with the payment of an allowance to those persons. The cost will be approximately £1,500 per annum which will be met from existing resources.

### **5. Legal implications**

- 5.1 Legal Implications associated with this report are set out in the body of the report.

### **6. Equality implications**

- 6.1 There are no equality implications associated with this report. Any recruitment process will be open to all persons subject to meeting the qualifying criteria.

### **7. Environmental/Sustainability/Biodiversity implications**

- 7.1 There are no Environmental/Sustainability/Biodiversity implications associated with the proposals contained in this report.

8. **Other implications (where applicable)**

8.1 None

9. **Conclusions**

9.1 As highlighted in the body of the report the need to appoint an Independent Person in respect of Member conduct matters and employment issues for senior officers is a legal requirement. The involvement of such external persons brings a degree of impartiality to the two processes.

**(To resolve)**

**Background papers**

None stated



# INDEPENDENT PERSON

## RECRUITMENT PACK

## Independent Person

### Information Contents

1. Appointment of Independent Person Outline
2. Role Profile
3. Person Specification
4. Application Form
5. Localism Act 2011 Part 1 Chapter 7

# **RUNNYMEDE BOROUGH COUNCIL**

## **APPOINTMENT OF INDEPENDENT PERSON**

Runnymede Borough Council (the Council) is looking to appoint two persons to serve as an Independent Person (and a reserve who may be called upon from time to time) to support in its arrangements for dealing with Standards matters and employment matters relating to senior officers of the Council.

The appointment of the Independent Person is a decision of Full Council and the term of appointment is a fixed Term Appointment up to 31<sup>st</sup> March 2023. Training will be provided prior to commencement of the post.

The Localism Act 2011 (the Act) places a duty on the Council to promote and maintain high standards of conduct for elected and co-opted members. This includes the requirement to have a Code of Conduct with which members must comply.

The Act also requires that the Council adopt arrangements for dealing with complaints on breaches of the Code of Conduct by Council members. This must include provision for the appointment of at least one Independent Person.

The Act states that the Independent Person will have the following functions:

- They must be consulted by the Council before it makes a finding as to whether a member has failed to comply with the Code of Conduct following investigation or decides on action to be taken in respect of that member;
- They may be consulted by the Council in respect of a standards complaint at any other stage; and
- They may be consulted by a member or co-opted member of the Council against whom a complaint has been made.

The essential qualities for the positions are that you should:

- be over 18 years of age
- have a commitment to public service
- have personal integrity and a commitment to upholding high standards
- be independent and impartial
- be able to critically assess written and oral evidence to reach balanced and objective decisions
- possess tact, diplomacy and good communication skills
- demonstrate excellent listening, problem solving and evaluation skills
- be reliable and committed
- have the ability and willingness to work with other members of other councils, their committees/panels and officers where necessary

It would also be helpful to have knowledge of how local government operates, awareness of the role of elected members, and a general understanding of the principles of the members' Code of Conduct and Standards Regime.

It is important that you are independent of the Council. Therefore, you should not, pursuant to Section 28(8) of the Localism Act 2011:

- be, or have been within the last five years, an elected or co-opted member or an officer of Runnymede Borough Council;
- be, or have been within the last five years, an elected or co-opted member of any committee or sub-committee of Runnymede Borough Council;
- be, a relative or close friend of a current elected or co-opted member or officer of Runnymede Borough Council, or of any elected or co-opted member of any committee or sub-committee of Runnymede Borough Council.

In addition to duties associated with the behaviour of elected and co-opted members the appointees may be required to participate in procedures relating to disciplinary action against certain senior officers of the Council. This role is set out in the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended) and in the Council's Constitution.

The Council reserves the right to remove an Independent Person from his/her post if their independence is in anyway compromised, and/or they bring the reputation of the Council into disrepute.

## Allowance and Expenses

The Independent Person will receive an annual allowance of £471-00 per annum, payable monthly which is increased annually.

In addition, expenses incurred in travelling can also be claimed in line with the rates for elected members.

## Application

You should complete **no more than** the attached application form, which will be acknowledged upon receipt. (You are not required to submit a CV)

Applications should be received by no later than **5.00 p.m. on Friday XXXXXX 2020** and be sent by post to:

Mario Leo  
Corporate Head of Law and Governance  
Runnymede Borough Council  
Civic Centre  
Station Road  
Addlestone  
Surrey  
KT15 2AH

Or by email to [mario.leo@runnymede.gov.uk](mailto:mario.leo@runnymede.gov.uk)

## Selection

Short listing for interview will be based upon an assessment of how applicants meet the criteria in the 'person specification' document (enclosed) that are evaluated on the basis of the application form.

It is suggested therefore, that you include information on how you consider you meet the criteria.

Selection will be through interview conducted by an interview panel and the decision to appoint following recommendation by the interview panel will be made by a meeting of the Full Council.

# ROLE PROFILE

**Responsible to:** The Monitoring Officer and the Council.

**Liaison with:** Members and co-opted Members and Officers of Runnymede Borough Council.

## **Responsibilities:**

1. To attend and participate in meetings of Committees and any sub-committees or associated meetings in an advisory capacity.
2. To provide advice to Members and Co-opted Members about whom a conduct complaint has been received and specifically to discharge the functions detailed in Section 28(7) of the Localism Act 2011.
3. To promote and maintain high standards of conduct by members.
4. To develop and apply knowledge of the Code of Conduct in relation to any and all matters relating to standards, including the assessment and determination of allegations of member misconduct under the Code of Conduct.
5. To analyse and exercise fair and impartial judgement and decision making on conduct issues.
6. To consult, liaise and maintain a professional working relationship with the council's Monitoring Officer, his / her appointed deputies and other officers of the council
7. To provide a view on the governance of the Council from an external perspective that will better enable the Council to assess conduct and standards issues.
8. To develop a firm understanding of the standards and wider governance framework within which the Council operates.
9. To participate in training events relevant to the work of standards within the Council.

10. To attend meetings of the Council when required and other functions in order to raise the profile of standards within Runnymede and Surrey.
11. To participate in any forum established for Independent Persons.
12. To develop and apply knowledge of the rules relating to employment matters concerning senior officers of the Council.
13. To undertake such other responsibilities as the Monitoring Officer considers reasonably commensurate with the position.

**RUNNYMEDE BOROUGH COUNCIL**  
**PERSON SPECIFICATION**  
**INDEPENDENT PERSON (Localism Act 2011 – Standards)**

	<b>Essential</b>	<b>Desirable</b>	<b>How Measured</b>
<b>Localism Act 2011 criteria</b>	Applicants must comply with the definition of an Independent Person as detailed in the Localism Act 2011, Part 1, Chapter 7, Section 28 (8) and (10)		Application
<b>Experience</b>	Over 18 years of age.	Experience of serving in or working for local or national government and/or legal system, tribunals or other quasi-judicial bodies.	Application and Interview
<b>Education/Training</b>	No specific qualifications required.	.	
<b>Skills/ Knowledge</b>	<p>Commitment to public service.</p> <p>Ability to critically assess written and oral evidence to reach a balanced and objective decision.</p> <p>Ability to absorb key information from complex reports.</p> <p>Ability to communicate effectively with a wide range of people, councillors and council officers.</p> <p>Demonstrate excellent listening, problem solving and evaluation skills.</p>	<p>Knowledge of how local government operates and an awareness of the role of elected members.</p> <p>General understanding of the principles of the members' code of conduct and standards regime.</p> <p>Knowledge of rules of natural justice.</p> <p>Ability to write reports if necessary.</p>	Application and Interview



	Demonstrate tact, diplomacy and impartiality.		
<b>Personal Qualities</b>	<p>Personal Integrity.</p> <p>Commitment to upholding high standards.</p> <p>Independence of mind – ability to form a view on the basis of facts and not to be swayed by others and act objectively.</p> <p>Commitment to confidentiality in appropriate circumstances.</p> <p>Ability and willingness to work with other members of other councils, their committees/panels and officers.</p> <p>Reliable and committed.</p>	<p>Exercise persuasion and influence.</p> <p>Think logically, seeking and receiving advice where appropriate.</p>	Application and interview
<b>Working Arrangements</b>	<p>Need to attend various meetings with fluctuating frequency and sometimes at short notice.</p> <p>Need to be available for and respond to consultation as and when required, and sometimes at short notice</p> <p>Attend training events and other forums as and when required.</p> <p>Not a member of or closely associated with a political party.</p>	Ability to identify potential conflicts of interest during working role.	Application and interview

**LOCALISM ACT 2011  
INDEPENDENT PERSON (STANDARDS)  
APPLICATION FORM**

<b>1. PERSONAL DETAILS</b>	
Name:	Home Tel No:
Address:	Mobile No:
	Work Tel No:
	Email Address:
Post Code:	Current Driving Licence: YES/NO

<b>2. GENERAL DESCRIPTION OF CURRENT AND PREVIOUS EMPLOYMENT, AND EDUCATION AND TRAINING</b>

**3. KNOWLEDGE, SKILLS, EXPERIENCE AND PERSONAL QUALITIES**  
(please complete within the space provided)

**DECLARATION**

I certify that the details given are, to the best of my knowledge and belief, a true statement and that I meet the necessary criteria to be an Independent Person as details in the Localism Act 2011, Part 1, Chapter 7, Section 28 (8).

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



# Localism Act 2011

## 2011 CHAPTER 20

### PART 1

#### LOCAL GOVERNMENT

#### CHAPTER 7

#### STANDARDS

#### 26 Amendments of existing provisions

Schedule 4 (which amends the existing provisions relating to the conduct of local government members and employees in England and makes related provision) has effect.

#### 27 Duty to promote and maintain high standards of conduct

- (1) A relevant authority must promote and maintain high standards of conduct by members and co-opted members of the authority.
- (2) In discharging its duty under subsection (1), a relevant authority must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.
- (3) A relevant authority that is a parish council—
  - (a) may comply with subsection (2) by adopting the code adopted under that subsection by its principal authority, where relevant on the basis that references in that code to its principal authority's register are to its register, and
  - (b) may for that purpose assume that its principal authority has complied with section 28(1) and (2).
- (4) In this Chapter "co-opted member", in relation to a relevant authority, means a person who is not a member of the authority but who—

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (a) is a member of any committee or sub-committee of the authority, or
  - (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,
- and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.
- (5) A reference in this Chapter to a joint committee or joint sub-committee of a relevant authority is a reference to a joint committee on which the authority is represented or a sub-committee of such a committee.
- (6) In this Chapter “relevant authority” means—
- (a) a county council in England,
  - (b) a district council,
  - (c) a London borough council,
  - (d) a parish council,
  - (e) the Greater London Authority,
  - (f) the Metropolitan Police Authority,
  - (g) the London Fire and Emergency Planning Authority,
  - (h) the Common Council of the City of London in its capacity as a local authority or police authority,
  - (i) the Council of the Isles of Scilly,
  - (j) a fire and rescue authority in England 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,
  - (k) a police authority (in England or in Wales) established under section 3 of the Police Act 1996,
  - (l) a joint authority established by Part 4 of the Local Government Act 1985,
  - (m) an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009,
  - (n) a combined authority established under section 103 of that Act,
  - (o) the Broads Authority, or
  - (p) a National Park authority in England established under section 63 of the Environment Act 1995.
- (7) Any reference in this Chapter to a member of a relevant authority—
- (a) in the case of a relevant authority to which Part 1A of the Local Government Act 2000 applies, includes a reference to an elected mayor;
  - (b) in the case of the Greater London Authority, is a reference to the Mayor of London or a London Assembly member.
- (8) Functions that are conferred by this Chapter on a relevant authority to which Part 1A of the Local Government Act 2000 applies are not to be the responsibility of an executive of the authority under executive arrangements.
- (9) Functions that are conferred by this Chapter on the Greater London Authority are to be exercisable by the Mayor of London and the London Assembly acting jointly on behalf of the Authority.
- (10) In this Chapter except section 35—
- (a) a reference to a committee or sub-committee of a relevant authority is, where the relevant authority is the Greater London Authority, a reference to—

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (i) a committee or sub-committee of the London Assembly, or
- (ii) the standards committee, or a sub-committee of that committee, established under that section,
- (b) a reference to a joint committee on which a relevant authority is represented is, where the relevant authority is the Greater London Authority, a reference to a joint committee on which the Authority, the London Assembly or the Mayor of London is represented,
- (c) a reference to becoming a member of a relevant authority is, where the relevant authority is the Greater London Authority, a reference to becoming the Mayor of London or a member of the London Assembly, and
- (d) a reference to a meeting of a relevant authority is, where the relevant authority is the Greater London Authority, a reference to a meeting of the London Assembly;

and in subsection (4)(b) the reference to representing the relevant authority is, where the relevant authority is the Greater London Authority, a reference to representing the Authority, the London Assembly or the Mayor of London.

## **28 Codes of conduct**

- (1) A relevant authority must secure that a code adopted by it under section 27(2) (a “code of conduct”) is, when viewed as a whole, consistent with the following principles—
  - (a) selflessness;
  - (b) integrity;
  - (c) objectivity;
  - (d) accountability;
  - (e) openness;
  - (f) honesty;
  - (g) leadership.
- (2) A relevant authority must secure that its code of conduct includes the provision the authority considers appropriate in respect of the registration in its register, and disclosure, of—
  - (a) pecuniary interests, and
  - (b) interests other than pecuniary interests.
- (3) Sections 29 to 34 do not limit what may be included in a relevant authority’s code of conduct, but nothing in a relevant authority’s code of conduct prejudices the operation of those sections.
- (4) A failure to comply with a relevant authority’s code of conduct is not to be dealt with otherwise than in accordance with arrangements made under subsection (6); in particular, a decision is not invalidated just because something that occurred in the process of making the decision involved a failure to comply with the code.
- (5) A relevant authority may—
  - (a) revise its existing code of conduct, or
  - (b) adopt a code of conduct to replace its existing code of conduct.
- (6) A relevant authority other than a parish council must have in place—
  - (a) arrangements under which allegations can be investigated, and
  - (b) arrangements under which decisions on allegations can be made.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (7) Arrangements put in place under subsection (6)(b) by a relevant authority must include provision for the appointment by the authority of at least one independent person—
- (a) whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and
  - (b) whose views may be sought—
    - (i) by the authority in relation to an allegation in circumstances not within paragraph (a),
    - (ii) by a member, or co-opted member, of the authority if that person's behaviour is the subject of an allegation, and
    - (iii) by a member, or co-opted member, of a parish council if that person's behaviour is the subject of an allegation and the authority is the parish council's principal authority.
- (8) For the purposes of subsection (7)—
- (a) a person is not independent if the person is—
    - (i) a member, co-opted member or officer of the authority,
    - (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority, or
    - (iii) a relative, or close friend, of a person within sub-paragraph (i) or (ii);
  - (b) a person may not be appointed under the provision required by subsection (7) if at any time during the 5 years ending with the appointment the person was—
    - (i) a member, co-opted member or officer of the authority, or
    - (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority;
  - (c) a person may not be appointed under the provision required by subsection (7) unless—
    - (i) the vacancy for an independent person has been advertised in such manner as the authority considers is likely to bring it to the attention of the public,
    - (ii) the person has submitted an application to fill the vacancy to the authority, and
    - (iii) the person's appointment has been approved by a majority of the members of the authority;
  - (d) a person appointed under the provision required by subsection (7) does not cease to be independent as a result of being paid any amounts by way of allowances or expenses in connection with performing the duties of the appointment.
- (9) In subsections (6) and (7) "allegation", in relation to a relevant authority, means a written allegation—
- (a) that a member or co-opted member of the authority has failed to comply with the authority's code of conduct, or
  - (b) that a member or co-opted member of a parish council for which the authority is the principal authority has failed to comply with the parish council's code of conduct.
- (10) For the purposes of subsection (8) a person ("R") is a relative of another person if R is—
- (a) the other person's spouse or civil partner,

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (b) living with the other person as husband and wife or as if they were civil partners,
  - (c) a grandparent of the other person,
  - (d) a lineal descendant of a grandparent of the other person,
  - (e) a parent, sibling or child of a person within paragraph (a) or (b),
  - (f) the spouse or civil partner of a person within paragraph (c), (d) or (e), or
  - (g) living with a person within paragraph (c), (d) or (e) as husband and wife or as if they were civil partners.
- (11) If a relevant authority finds that a member or co-opted member of the authority has failed to comply with its code of conduct (whether or not the finding is made following an investigation under arrangements put in place under subsection (6)) it may have regard to the failure in deciding—
- (a) whether to take action in relation to the member or co-opted member, and
  - (b) what action to take.
- (12) A relevant authority must publicise its adoption, revision or replacement of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area.
- (13) A relevant authority's function of adopting, revising or replacing a code of conduct may be discharged only by the authority.
- (14) Accordingly—
- (a) in the case of an authority to whom section 101 of the Local Government Act 1972 (arrangements for discharge of functions) applies, the function is not a function to which that section applies;
  - (b) in the case of the Greater London Authority, the function is not a function to which section 35 (delegation of functions by the Greater London Authority) applies.

## **29 Register of interests**

- (1) The monitoring officer of a relevant authority must establish and maintain a register of interests of members and co-opted members of the authority.
- (2) Subject to the provisions of this Chapter, it is for a relevant authority to determine what is to be entered in the authority's register.
- (3) Nothing in this Chapter requires an entry to be retained in a relevant authority's register once the person concerned—
  - (a) no longer has the interest, or
  - (b) is (otherwise than transitorily on re-election or re-appointment) neither a member nor a co-opted member of the authority.
- (4) In the case of a relevant authority that is a parish council, references in this Chapter to the authority's monitoring officer are to the monitoring officer of the parish council's principal authority.
- (5) The monitoring officer of a relevant authority other than a parish council must secure—
  - (a) that a copy of the authority's register is available for inspection at a place in the authority's area at all reasonable hours, and



---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (b) that the register is published on the authority's website.
- (6) The monitoring officer of a relevant authority that is a parish council must—
  - (a) secure that a copy of the parish council's register is available for inspection at a place in the principal authority's area at all reasonable hours,
  - (b) secure that the register is published on the principal authority's website, and
  - (c) provide the parish council with any data it needs to comply with subsection (7).
- (7) A parish council must, if it has a website, secure that its register is published on its website.
- (8) Subsections (5) to (7) are subject to section 32(2).
- (9) In this Chapter "principal authority", in relation to a parish council, means—
  - (a) in the case of a parish council for an area in a district that has a district council, that district council,
  - (b) in the case of a parish council for an area in a London borough, the council of that London borough, and
  - (c) in the case of a parish council for any other area, the county council for the county that includes that area.
- (10) In this Chapter "register", in relation to a relevant authority, means its register under subsection (1).

### **30 Disclosure of pecuniary interests on taking office**

- (1) A member or co-opted member of a relevant authority must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the authority, notify the authority's monitoring officer of any disclosable pecuniary interests which the person has at the time when the notification is given.
- (2) Where a person becomes a member or co-opted member of a relevant authority as a result of re-election or re-appointment, subsection (1) applies only as regards disclosable pecuniary interests not entered in the authority's register when the notification is given.
- (3) For the purposes of this Chapter, a pecuniary interest is a "disclosable pecuniary interest" in relation to a person ("M") if it is of a description specified in regulations made by the Secretary of State and either—
  - (a) it is an interest of M's, or
  - (b) it is an interest of—
    - (i) M's spouse or civil partner,
    - (ii) a person with whom M is living as husband and wife, or
    - (iii) a person with whom M is living as if they were civil partners,
 and M is aware that that other person has the interest.
- (4) Where a member or co-opted member of a relevant authority gives a notification for the purposes of subsection (1), the authority's monitoring officer is to cause the interests notified to be entered in the authority's register (whether or not they are disclosable pecuniary interests).

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

### 31 Pecuniary interests in matters considered at meetings or by a single member

- (1) Subsections (2) to (4) apply if a member or co-opted member of a relevant authority—
  - (a) is present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority,
  - (b) has a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting, and
  - (c) is aware that the condition in paragraph (b) is met.
- (2) If the interest is not entered in the authority's register, the member or co-opted member must disclose the interest to the meeting, but this is subject to section 32(3).
- (3) If the interest is not entered in the authority's register and is not the subject of a pending notification, the member or co-opted member must notify the authority's monitoring officer of the interest before the end of 28 days beginning with the date of the disclosure.
- (4) The member or co-opted member may not—
  - (a) participate, or participate further, in any discussion of the matter at the meeting, or
  - (b) participate in any vote, or further vote, taken on the matter at the meeting, but this is subject to section 33.
- (5) In the case of a relevant authority to which Part 1A of the Local Government Act 2000 applies and which is operating executive arrangements, the reference in subsection (1) (a) to a committee of the authority includes a reference to the authority's executive and a reference to a committee of the executive.
- (6) Subsections (7) and (8) apply if—
  - (a) a function of a relevant authority may be discharged by a member of the authority acting alone,
  - (b) the member has a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, by the member in the course of discharging that function, and
  - (c) the member is aware that the condition in paragraph (b) is met.
- (7) If the interest is not entered in the authority's register and is not the subject of a pending notification, the member must notify the authority's monitoring officer of the interest before the end of 28 days beginning with the date when the member becomes aware that the condition in subsection (6)(b) is met in relation to the matter.
- (8) The member must not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by the member).
- (9) Where a member or co-opted member of a relevant authority gives a notification for the purposes of subsection (3) or (7), the authority's monitoring officer is to cause the interest notified to be entered in the authority's register (whether or not it is a disclosable pecuniary interest).
- (10) Standing orders of a relevant authority may provide for the exclusion of a member or co-opted member of the authority from a meeting while any discussion or vote takes place in which, as a result of the operation of subsection (4), the member or co-opted member may not participate.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (11) For the purpose of this section, an interest is “subject to a pending notification” if—
- (a) under this section or section 30, the interest has been notified to a relevant authority’s monitoring officer, but
  - (b) has not been entered in the authority’s register in consequence of that notification.

### **32 Sensitive interests**

- (1) Subsections (2) and (3) apply where—
- (a) a member or co-opted member of a relevant authority has an interest (whether or not a disclosable pecuniary interest), and
  - (b) the nature of the interest is such that the member or co-opted member, and the authority’s monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
- (2) If the interest is entered in the authority’s register, copies of the register that are made available for inspection, and any published version of the register, must not include details of the interest (but may state that the member or co-opted member has an interest the details of which are withheld under this subsection).
- (3) If section 31(2) applies in relation to the interest, that provision is to be read as requiring the member or co-opted member to disclose not the interest but merely the fact that the member or co-opted member has a disclosable pecuniary interest in the matter concerned.

### **33 Dispensations from section 31(4)**

- (1) A relevant authority may, on a written request made to the proper officer of the authority by a member or co-opted member of the authority, grant a dispensation relieving the member or co-opted member from either or both of the restrictions in section 31(4) in cases described in the dispensation.
- (2) A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—
- (a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
  - (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
  - (c) considers that granting the dispensation is in the interests of persons living in the authority’s area,
  - (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority’s executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority’s executive, or
  - (e) considers that it is otherwise appropriate to grant a dispensation.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (3) A dispensation under this section must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Section 31(4) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this section.

### 34 Offences

- (1) A person commits an offence if, without reasonable excuse, the person—
  - (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
  - (b) participates in any discussion or vote in contravention of section 31(4), or
  - (c) takes any steps in contravention of section 31(8).
- (2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—
  - (a) knows that the information is false or misleading, or
  - (b) is reckless as to whether the information is true and not misleading.
- (3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.
- (5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.
- (6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.
- (7) But no such proceedings may be brought more than three years—
  - (a) after the commission of the offence, or
  - (b) in the case of a continuous contravention, after the last date on which the offence was committed.
- (8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.
- (9) The Local Government Act 1972 is amended as follows.
- (10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after "2000" insert "or section 34 of the Localism Act 2011".
- (11) In section 87(1)(ee) (date of casual vacancies)—
  - (a) after "2000" insert "or section 34 of the Localism Act 2011 or", and
  - (b) after "decision" insert "or order".

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (12) The Greater London Authority Act 1999 is amended as follows.
- (13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after subparagraph (i) insert—
- “(ia) under section 34 of the Localism Act 2011,”.
- (14) In section 9(1)(f) (date of casual vacancies)—
- (a) before “or by virtue of” insert “or section 34 of the Localism Act 2011”, and
  - (b) after “that Act” insert “of 1998 or that section”.

### **35 Delegation of functions by Greater London Authority**

- (1) The Mayor of London and the London Assembly, acting jointly, may arrange for any of the functions conferred on them by or under this Chapter to be exercised on their behalf by—
- (a) a member of staff of the Greater London Authority, or
  - (b) a committee appointed in accordance with provision made by virtue of this section.
- (2) Standing orders of the Greater London Authority may make provision regulating the exercise of functions by any member of staff of the Authority pursuant to arrangements under subsection (1).
- (3) Standing orders of the Greater London Authority may make provision for the appointment of a committee (“the standards committee”) to exercise functions conferred on the Mayor of London and the London Assembly by or under this Chapter in accordance with arrangements under subsection (1).
- (4) Standing orders of the Greater London Authority may make provision about the membership and procedure of the standards committee.
- (5) The provision that may be made under subsection (4) includes—
- (a) provision for the standards committee to arrange for the discharge of its functions by a sub-committee of that committee;
  - (b) provision about the membership and procedure of such a sub-committee.
- (6) Subject to subsection (7), the standards committee and any sub-committee of that committee—
- (a) is not to be treated as a committee or (as the case may be) sub-committee of the London Assembly for the purposes of the Greater London Authority Act 1999, but
  - (b) is a committee or (as the case may be) sub-committee of the Greater London Authority for the purposes of Part 3 of the Local Government Act 1974 (investigations by Commission for Local Administration in England).
- (7) Sections 6(3)(a) (failure to attend meetings) and 73(6) (functions of monitoring officer) of the Greater London Authority Act 1999 apply to the standards committee or any sub-committee of that committee as they apply to a committee of the London Assembly or any sub-committee of such a committee.
- (8) Part 5A of the Local Government Act 1972 (access to meetings and documents) applies to the standards committee or any sub-committee of that committee as if—

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (a) it were a committee or (as the case may be) a sub-committee of a principal council within the meaning of that Part, and
  - (b) the Greater London Authority were a principal council in relation to that committee or sub-committee.
- (9) Arrangements under this section for the exercise of any function by—
- (a) a member of staff of the Greater London Authority, or
  - (b) the standards committee,
- do not prevent the Mayor of London and the London Assembly from exercising those functions.
- (10) References in this section to the functions of the Mayor of London and the London Assembly conferred by or under this Chapter do not include their functions under this section.
- (11) In this section “member of staff of the Greater London Authority” has the same meaning as in the Greater London Authority Act 1999 (see section 424(1) of that Act).

### **36 Amendment of section 27 following abolition of police authorities**

In section 27(6) (which defines “relevant authority” for the purposes of this Chapter) omit—

- (a) paragraph (f) (the Metropolitan Police Authority), and
- (b) paragraph (k) (police authorities).

### **37 Transitional provision**

- (1) An order under section 240(2) may, in particular, provide for any provision made by or under Part 3 of the Local Government Act 2000 to have effect with modifications in consequence of any partial commencement of any of the amendments to, or repeals of, provisions of that Part made by Schedule 4.
- (2) An order under section 240(2) may, in particular, make provision for an allegation or a case that is being investigated under Part 3 of the Local Government Act 2000 by the Standards Board for England or an ethical standards officer—
  - (a) to be referred to an authority of a kind specified in or determined in accordance with the order;
  - (b) to be dealt with in accordance with provision made by the order.
- (3) The provision that may be made by virtue of subsection (2)(b) includes—
  - (a) provision corresponding to any provision made by or under Part 3 of the Local Government Act 2000;
  - (b) provision applying any provision made by or under that Part with or without modifications.

10. **EXCLUSION OF PRESS AND PUBLIC**

**OFFICERS' RECOMMENDATION that –**

**the press and public be excluded from the meeting during discussion of the following reports under Section 100A(4) of the Local Government Act 1972 on the grounds that the reports in question would be likely to involve disclosure of exempt information of the description specified in paragraph 3 of Part 1 of Schedule 12A of the Act.**

**(To resolve)**

**PART II**

**Matters involving Exempt or Confidential information in respect of which reports have not been made available for public inspection**

<b><u>Exempt Information</u></b>	<b><u>Para</u></b>
11. LITERARY INSTITUTE, EGHAM – PROPOSED LEASE	3
12. BARBARA CLARK HOUSE REGENERATION PROJECT	3

**Confidential Information**

(No reports to be considered under this heading)