

Corporate Management Committee

Thursday 27 May 2021 at 7.30pm

**Council Chamber
Runnymede Civic Centre, Addlestone**

**Members of the Committee to be confirmed at
Annual Council on 19 May 2021.**

In accordance with Standing Order 29.1, any Member of the Council may attend 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)**.
- 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.
- 4) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

'see overleaf'

5) **Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings**

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Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chairman will make the final decision on all matters of dispute in regard to the use of social media, audio-recording, photography and filming in the Committee meeting.

6) The following Measures to comply with current Covid guidelines are in place:

- restricting the number of people that can be in the Council Chamber to 24
- temperature check via the undercroft for Members/Officers and Main Reception for the public
- NHS track and trace register, app scan is next to the temperature check
- masks to be worn when moving around the offices
- masks can be kept on whilst sitting in the Council Chamber if individuals wish
- use of hand sanitisers positioned outside and inside the Council Chamber
- increased ventilation inside the Council Chamber

LIST OF MATTERS FOR CONSIDERATION

PART I

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

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PART II

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

a) Exempt Information

12. QUARTER 4 2020/21 AND END OF YEAR PROJECT PORTFOLIO REPORTING	62
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b) Confidential Information

(No reports to be considered under this heading)

1. **FIRE PRECAUTIONS**

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire or other emergency.

2. **NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP**

3. **MINUTES**

To confirm and sign the Minutes of the meeting of the Committee held on 15 April 2021 (at Appendix 'A')

(To resolve)

Background papers

None

15 April 2021 at 7.30 p.m. via MS Teams

Members of the Committee present: 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.

Members of the Committee absent: None

Councillors D Clarke, M Kusneraitis, S Lewis, I Mullens, J Olorenshaw, P Snow and J Sohi also attended.

536 HRH THE PRINCE PHILIP DUKE OF EDINBURGH

The Chairman called for and Members observed a minute's silence in commemoration of the long service to the Queen and to the country of His Royal Highness (HRH) the Prince Philip, Duke of Edinburgh who had died on 9 April 2021. It was noted that the Chairman and the Mayor had sent a letter of condolence to the Queen.

537 MINUTES

The Minutes of the meeting held on 25 March 2021 were confirmed as a correct record. As the meeting was being held remotely using MS Teams, the Chairman would sign these Minutes when this was physically possible.

538 CONSTITUTION REVIEW 2021

The Committee considered a report providing a summary of changes to the Council's Constitution resulting from periodic updating and recommendations arising from a review of the Constitution by the Constitution Member Working Party (MWP). As it was a large item, the full draft Constitution document was not reproduced with the Agenda, but a copy showing all of the proposed changes was available for inspection from the Democratic Services Manager and a copy had been made available in the Members' Room. Many of the changes proposed had emanated from the MWP which had met regularly and had made a valuable contribution to the review of the Constitution. Officers and Members expressed their appreciation of the MWP's detailed review of the Constitution and of the contribution made by the various political groups to the review and in particular, thanked Councillor Tom Gracey, who had chaired the MWP since its inception, for his work for the MWP.

The Committee noted a summary of all of the proposed changes to the Constitution which is at Appendix '1' attached and noted the proposed new arrangements for matters reserved to the Planning Committee which is at Appendix '2' attached. The Committee recommended all of the proposed changes to the Constitution subject to two further amendments. The first amendment was to change paragraph 23.3 at Appendix '2' attached as shown in red type. This amendment was proposed as references to "called-in" and "call-in" in this context could result in confusion with the call-in provisions set out in the Council's Constitution relating to the Overview and Scrutiny Select Committee. The second amendment was that additional wording in the Council's Constitution would be provided for the Full Council meeting on 22 April 2021 that would refer to the payment of allowances to Members for membership of Member Working Parties. These Member Working Party payments did not form part of the Members Allowances Scheme and it was agreed that it would be appropriate, on grounds of transparency, to make reference to these Member Working Party payments in the

Constitution. Appendix '4' attached sets out how reference will be made in the Constitution to these Member Working Party payments.

It was noted that the current Code of Conduct for Members would be replaced in the new Constitution with the Model Code produced by the Local Government Association. The Committee was also pleased to note that large numbers of printed copies of the Constitution would not be produced in order to reduce the use of paper.

The primary recommended change to the items to be considered by the Planning Committee, which was fully supported by the Constitution MWP, was in the number of representations required for a Planning application to be reported to the Planning Committee, as set out in paragraph 23.6 of the proposed new arrangements. The current trigger for a Planning application to be considered by the Planning Committee was when more than two objections had been received from more than two different households or addresses. It was proposed to increase this number to more than ten different households or addresses after analysis of historical data and benchmarking with other local authorities. The Committee noted further information which is at Appendix '3' attached explaining the reasons for increasing this number in this way.

Some Members considered that the trigger for a Planning application to be considered by the Planning Committee should be where more than six objections had been received from more than six different households or addresses. It was suggested that a new figure of six objections was appropriate taking into account the number of properties in close proximity to a typical Runnymede property as shown on Runnymede maps. These Members considered that one of the disadvantages of smaller applications being decided by officer delegation rather than by the Planning Committee was that this would remove the opportunity for the Planning Committee to add restrictive conditions to an application. These conditions which were added by Members enhanced Runnymede's environment. The view was also expressed that a threshold of six objections was appropriate for Planning applications in rural areas and in view of the effect of the Covid pandemic on communications. It was also suggested that residents were not in favour of increasing the threshold to ten and that if Members were concerned at the increased length of Planning Committee meetings caused by considering smaller applications then a possible remedy might be to hold more Planning Committee meetings.

A majority of Members of the Committee supported increasing the threshold to ten as they considered that this change was based on evidence and had been well researched. Compared to other local authorities directly adjacent to Runnymede or in close proximity to the borough, Runnymede's threshold was very low. The Committee noted the provisions in place for Planning applications to be referred to the Planning Committee in the Surrey Heath, Spelthorne, Elmbridge, Woking, Guildford, Bracknell Forest and Royal Borough of Windsor and Maidenhead local authorities as set out in Appendix '3' attached.

Runnymede's low threshold had led to a significant and disproportionate number of small applications being brought to the Planning Committee. These smaller applications were usually relatively uncontroversial in comparison to other Planning applications, with interest expressed only from directly adjacent neighbours, and were nearly always approved in line with officer recommendation(s) because they accorded with approved Planning policy. These applications did, however, take up a significant amount of the Committee's time and reduced the time that could be spent on larger applications and policy matters.

Over the period from January 2020 to April 2021 a threshold of ten would have removed 26 items from the Planning Committee agenda, which were all approved in line with officer recommendation(s). This would bring the average number of Planning application items on the Planning Committee from 5 to 3.5. This would allow more time for the Planning Committee to consider the more finely balanced Planning applications and also other business such as policy items or service plans and would result in a more manageable agenda. The data suggested that applications with more than ten objections tended to be

more controversial and that therefore it would be appropriate for those applications to be determined by the Planning Committee.

A review of the Council's Planning service had been undertaken by the Council's Overview and Scrutiny Select Committee which had included a visit to the Council from the Planning Advisory Service (PAS) and a report from PAS and a meeting held with local residents. This problem of smaller applications being considered by Runnymede's Planning Committee had been identified by PAS and also by the local residents that had taken part in the review and had formed part of the Overview and Scrutiny Select Committee's recommendations to the Planning Committee.

A majority of Members of the Committee considered that dealing with small, less contentious items at Planning Committee was not a good use of Member, officer or resident time. A number of Planning Committee meetings had extended beyond four hours. Removal of less contentious items from Planning Committee agendas would help deliver the PAS, local residents and Overview and Scrutiny Select Committee recommendation that smaller applications should not be considered by the Planning Committee. Concerning the removal of the opportunity for the Planning Committee to add restrictive conditions to smaller applications which enhanced Runnymede's environment, a majority of Members of the Committee considered that the Corporate Head of Development Management and Building Control exercising delegated authority would add suitable conditions for these smaller applications if they were required.

Any items which were particularly controversial would fall within either the ten household or address threshold (paragraph 23.6) or the provision for a Councillor to request an application to be the subject of a decision by the Planning Committee (paragraph 23.3) or the Corporate Head of Development Management and Building Control's power to list applications for consideration by the Committee as set out in paragraph 23.4 of the proposed new arrangements at Appendix '2' attached.

An Amendment was moved proposing that the trigger for a Planning application to be considered by the Planning Committee should be where more than six objections had been received from more than six different households or addresses. A requisition that the voting on the Amendment be recorded was made by Councillor R King and the voting was recorded as shown below:-

For the Amendment (2): Councillors R King and D Whyte.

Against the Amendment (10): Councillors Prescott, J Gracey, Alderson, Chaudhri, Cotty, Gillham, Heath, Hulley, Maddox and Willingale.

The Amendment was lost.

An Amendment was moved proposing that Part 6 – Scheme of Allowances, which contained the new scheme of Members' Allowances which had been approved at Full Council on 4 March 2021 and had come into effect on 1 April 2021, should not be included in the new Constitution. A requisition that the voting on the Amendment be recorded was made by Councillor R King and the voting was recorded as shown below:-

For the Amendment (1): Councillor R King.

Against the Amendment (11): Councillors Prescott, J Gracey, Alderson, Chaudhri, Cotty, Gillham, Heath, Hulley, Maddox, D Whyte and Willingale.

The Amendment was lost.

RECOMMEND TO FULL COUNCIL ON 22 APRIL that -

- i) the changes to the Council's Constitution be approved subject to the amendment of paragraph 23.3 of the proposed new arrangements for matters reserved to the Planning Committee (as set out in Appendix '2' attached) and to the provision of additional wording referring to the**

payment of allowances to Members for membership of Member Working Parties (this is set out at Appendix '4' attached);

- ii) **the revised Constitution be effective from 19 May 2021; and**
- iii) **the Corporate Head of Law and Governance be authorised to settle the final form of the Constitution for adoption in accordance with the above decisions, and the Corporate Head of Law and Governance be authorised to incorporate any delegations to Officers subsequently authorised by Committee(s) after 22 April 2021 and prior to printing, and make any minor editing changes necessary to correct errors or omissions discussed after 19 May 2021.**

539 MAGNA SQUARE DEVELOPMENT – COLOUR SCHEME FOR THE RESIDENTIAL BUILDINGS

At Its meeting on 15 October 2020, the Committee had agreed that officers would report to a future meeting of the Committee on the colour branding for the four residential buildings or blocks in the Magna Square development (formerly known as the Egham Gateway West development). Accordingly, the Committee noted and approved the proposed colour scheme which was set out at Appendix 'C' to the agenda. This colour scheme had previously been the subject of a Member presentation where Members had indicated that they were satisfied with the colours for each block and where it had been noted that the use of the colour black on one of the blocks would be made less harsh as it was on the southern side of the scheme and as a result would attract the sunlight.

RESOLVED that –

the colour scheme as shown in Appendix 'C' to the agenda be approved.

540 REFERENCE FROM PLANNING COMMITTEE – PARKING GUIDANCE SPD – TRANSPORT CONSULTANCY SUPPORT

The Committee considered a reference from the Planning Committee which at its meeting on 14 April 2021 had recommended that an additional £20,000 be provided to the Planning Policy budget for the 2021/22 financial year via a transfer of budget from the Chief Executive's Community Initiatives Fund in 2021/22 to allow transport consultancy support to be procured to help underpin locally derived and robustly evidenced parking standards for Purpose Built Student Accommodation and office accommodation.

Officers had produced a draft revised Parking Guidance Supplementary Planning Document (SPD) for the consideration of the Planning Committee. SPDs did not form part of the Runnymede Local Plan but did provide detailed advice or guidance on policies within the Local Plan and were a material consideration in decision making. At its meeting on 4 November 2020, the Planning Committee had agreed that the draft Parking Guidance Supplementary Planning Document (SPD) prepared by officers be deferred to enable further consideration to be given to a specific minimum parking standard rather than a case by case assessment for Purpose Built Student Accommodation and office accommodation. Englefield Green Members in particular had supported a specific minimum parking standard in view of the concerns of residents in the Englefield Green area relating to student parking associated with Royal Holloway University of London (RHUL)

A special working group meeting had been held with members of the Planning Committee in December 2020. This working group had asked officers to prepare a specification for tender to secure transport consultancy support to help gather robust evidence on which parking standards for Purpose Built Student Accommodation and office accommodation might be based.

At its meeting on 14 April 2021, the Planning Committee had considered informal quotes from two transport consultancy firms who had provided high level cost estimates for compiling the necessary evidence base to underpin these two parking standards and consultancy advice on the options available in these two specific areas. Based on the informal quotes received, a budget of £20,000 would be required for this transport consultancy support. The Planning Committee had recommended that this support be provided and had noted that this could be funded by a transfer of budget from the Chief Executive's Community Initiatives Fund, which was held in the Corporate Management Committee budget. As the transfer was for more than £10,000, under Financial Regulations, the approval of the Corporate Management Committee was required.

If the Corporate Management Committee supported the Planning Committee's recommendation, updated screenings for Equality Impact Assessment, Strategic Environmental Assessment and Habitats Regulations Assessment would be prepared to support the redrafted SPD which would be submitted to the Planning Committee in due course.

Some Members of the Corporate Management Committee did not consider that this transport consultancy support should be procured as it would delay the publication of the Parking Guidance SPD and suggested that the Council should produce the SPD as an in house exercise and use policies of other Councils as benchmarks.

However, a majority of Members of the Corporate Management Committee supported the Planning Committee's recommendation. These Members considered that procuring this transport consultancy support would provide evidence based parking standards which were required to provide greater clarity and to address the concerns of Englefield Green residents about student parking in the Englefield Green area associated with RHUL.

RESOLVED that –

an additional £20,000 be provided to the Planning Policy budget for the 2021/22 financial year via a transfer of budget from the Chief Executive's Community Initiatives Fund in 2021/22 to allow transport consultancy support to be procured to help underpin locally derived and robustly evidenced parking standards for Purpose Built Student Accommodation and office accommodation.

541 PROPOSED CAPITALISATION OF REVENUE EXPENDITURE – RESPONSE FROM THE MINISTER FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

At its meeting on 9 February 2021, Full Council had agreed that the Council would seek dispensation from the Government to charge up to £4 million of its revenue spending consisting of up to £4 million of Covid related costs in 2020/21 to its capital budget with any capitalisation of revenue spending to be approved at Corporate Management Committee. Full Council had agreed also that the Corporate Management Committee would be informed of the Government's decision on a direction to capitalise and that this report would be submitted to Members on 15 April 2021.

Accordingly, the Committee noted a report on the implications for the Council's budget of the decision of the Minister for Housing, Communities and Local Government set out in a letter of 5 March 2021 to the Leader of the Council which was attached at Appendix 'E' to the agenda. The Secretary of State had made a decision not to provide a capitalisation direction of £4 million to the Council as requested for the financial year of 2020/21. However, the Secretary of State was willing to consider a request for a capitalisation direction in respect of the financial year 2021/22, subject to conditions which the Secretary of State would specify.

The Assistant Chief Executive had had numerous video conference calls with civil servants at the Ministry and had established that if the Council applied for a direction to capitalise later this financial year it would only be allowed to do so subject to conditions which could include a 1% premium on any new borrowings. Officers had so far declined the Secretary of State's offer to apply for a direction to capitalise expenditure in 2021/22. The main reasons for declining this offer so far were because any deficit for 2021/22 was uncertain at this point, as the Council would borrow up to £40m to complete the Egham Regeneration scheme any further premium on borrowing was likely to offset the advantages of capitalisation and the Government had given blanket approval to capitalise redundancy costs relating to transformation. The Council's £2m savings target would involve capitalisation of those costs.

The Council needed to make £2m of savings to keep the General Fund working balance above the minimum level determined by Council. A report containing proposals for making the required £2m savings would be submitted to Members for consideration in the new Municipal Year.

542 REFERENCE FROM HOUSING COMMITTEE – PURCHASE OF LAND

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A (4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

The Committee noted a reference from the Housing Committee, which, at its meeting on 6 April 2021, had recommended that a site be purchased within the borough that was proposed to be utilised for a social housing development. The report to the Housing Committee was noted by the Corporate Management Committee. A viability assessment had been undertaken including land acquisition and build costs. The payback period in this viability assessment was within the current industry benchmark. It was noted that the Housing Committee would decide on the appropriate mix of housing at the site at a later date. The legal implications and environmental/sustainability/biodiversity implications of the development were noted. Whilst a set number of units had been earmarked, there was potential for this number to be increased and at its meeting on 6 April 2021, the Housing Committee had approved the progression to a Reserve Matters Planning application enabling additional units on the site. A Member queried the number of parking spaces that would be available for the development and after being informed by officers of the number was satisfied that this provision was sufficient.

The cost of the purchase and all fees including Stamp Duty and conveyancing costs would be met from the Housing Revenue Account. The Committee considered the purchase to be very good value for money, expressed their appreciation of the work undertaken by officers and approved the purchase of the site. It was noted that subsequent amendments to the Capital Programme, the Treasury Management Strategy and the Council's prudential indicators would be needed to reflect the purchase and that these would be submitted to a future Corporate Management Committee meeting following the closure of the 2020/21 accounts.

RESOLVED that –

- i) the site as reported be purchased and a supplementary capital estimate in the Housing Revenue Account in the sum reported be approved to cover the purchase and all fees including Stamp Duty and conveyancing costs; and**
- ii) it be noted that subsequent amendments to the Capital Programme, the Treasury Management Strategy and the Council's prudential indicators**

will be needed to reflect the purchase and that these will be submitted to a future meeting following the closure of the 2020/21 accounts.

543 APPOINTMENT OF TEMPORARY MEMBER OF STAFF TO ELECTORAL SERVICES TEAM

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A (4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraphs 1 and 3 of Schedule 12A to Part 1 of the Act.

The Chief Executive had been appointed by the Cabinet Office as the Police Area Returning Officer (PARO) for the Surrey Police Area for the forthcoming Police and Crime Commissioner Election. The Committee agreed that a temporary member of staff be obtained to work in Electoral Services for a period of up to 5 weeks to cover the extra work that would result from the Chief Executive's appointment as PARO. The costs incurred would be fully recoverable from the Cabinet Office.

RESOLVED that -

a temporary member of staff be appointed to the Electoral Services Team for a period of up to 5 weeks, with the costs to be recovered from the Cabinet Office.

544 ADDLESTONE ONE - LETTINGS

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A (4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

The Committee noted that officers had been negotiating with a business with a view to them becoming the tenant of a commercial unit in the Addlestone One development in The Lane. Agreement had been reached on proposed Heads of Terms for the unit. The financial due diligence undertaken and details of the proposed tenant were noted. The Committee approved the Heads of Terms for this letting.

The Committee also noted that officers had been negotiating with a business which had made an offer for three commercial units in the Addlestone One development in Market Street. Agreement had been reached on possible Heads of Terms for these units. The financial due diligence undertaken and details of the business proposal for these units were noted. Having noted this information, the Committee agreed that a decision on the offer be deferred for further consideration by the Service Chairs Member Working Party.

RESOLVED that -

- i) the agreed Heads of Terms for a letting of the unit as reported in The Lane, Addlestone Town Centre, be approved; and**
- ii) a decision on the offer for three commercial units in Market Street be deferred for further consideration by the Service Chairs Member Working Party.**

545 URGENT ACTION – STANDING ORDER 42

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A (4) of the Local Government Act

1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

Proforma 974 detailing action taken after consultation with the Chairman and Vice-Chairman of the Committee was noted by the Committee.

The Committee also noted a statement from the Chairman and Vice-Chairman of the Committee relating to their approval of Standing Order 42 Urgent Action 974.

546 COUNCILLOR CHAUDHRI

As this would be Councillor Chaudhri's last Corporate Management Committee meeting as he would not be standing for re-election at the forthcoming Borough Council Election, the Chairman expressed his thanks to Councillor Chaudhri for his service as a Councillor.

(The meeting ended at 9.25.p.m.)

Chairman

Summary of changes to Constitution for 2021

The changes are as follows. The page numbers shown which are not in brackets indicate where the relevant matter appears in the current Constitution which is on the Council's website and the page numbers in brackets indicate where it appears in the proposed new Constitution, a copy of which is available in the Members' Room. Formatting and some indices of the proposed Constitution will be tidied up prior to final printing.

General

- Minor updates, corrections and clarification of wording – dates, spellings, post titles, formatting, changes to reflect current practices, etc. throughout document.

Part 3 – Responsibility for Functions

- **Page 58 (59)-Scheme of Delegation-Officers General powers and Duties-** addition to authorise Officers to sign any Notices, Agreements (e.g. tenancy or management agreements), Consents, Permissions and Licences which relate to their specific service areas.

Page 64 (page 66)- Matters reserved to Planning Committee

The primary recommended change, which was fully supported by the Constitution MWP, is in the number of representations required for an application to be reported to the Planning Committee. The current trigger for an application to go to Committee is when more than two objections have been received from more than two different households.

It is proposed to increase this number to ten. Compared to other local authorities directly adjacent to Runnymede or in close proximity to the borough, Runnymede's threshold is very low and this has led to a significant and disproportionate number of small applications being brought to Planning Committee. These are usually uncontroversial, with only interest from directly adjacent neighbours, and are nearly always approved in line with the officer recommendation because they accord with adopted planning policy. These applications do, however, take up a significant amount of the Committee's time, significantly extend meetings and reduce the time and focus on larger applications and policy matters. This problem was identified by both the PAS report and residents' panel.

Dealing with very small less contentious items at Planning Committee is not considered a good use of Member, officer or resident time, and a number of recent Planning meetings have extended beyond four hours. It is considered that the Planning Committee's time should be primarily focused on items that are more complex or contentious as well as items that have been called-in by elected Members because of the particular planning circumstances of the case.

Removal of less contentious items from agendas would help deliver both the PAS, Overview and Scrutiny Select Committee and residents' panel recommendation on the Planning Service. Any items that are particularly controversial would be caught by the proposed ten letter threshold, the Member call- in provision or the CHDMBC's power to list applications for consideration by the Committee.

A number of other revisions are proposed to the schedule of matters reserved to the Planning Committee and again these were fully supported by the Constitution MWP. The main revisions are:

- In relation to the Council's own developments recommended for approval to go to Committee, the threshold is raised from 1 to 3 objections. This will help to prevent delays to Council schemes where there is a solitary objector.
- S73/S73A amendment applications & reserved matters would only be reported to Committee if they had 10 or more objections, were called-in by a Councillor or listed by the CHDMBC. It is considered prudent not to have the uncontroversial ones go to Committee, these applications relate to developments that would already have been approved either as full applications or in principle by the Committee. If an application of such type proved controversial then it could be caught by the other three provisions mentioned in this paragraph and subsequently considered by the Committee.
- Current provision 23.9 has gone into the broader new provision 23.4.
- Current provision 23.5 has become new provision 23.6. This has been refined to focus on the primary statutory consultees in the Borough. As the list of statutory consultees has become rather broad and can be updated by the Government without notice it is considered prudent to define this list to avoid unforeseen consequences that could expose the Council to risk.
- Clarification of the position on applications submitted by Officers or their spouse/civil partners or persons who they are living with as spouses/civil partners.
- A note clarifies that the CHDMBC has the authority to amend or add conditions or obligations where it is in the interests of proper planning and does not conflict with the requirements of the Planning Committee. This is considered necessary and appropriate to protect the Council from potential legal challenges and allow correct and proper consideration of updated or improved information.
- A number of other minor refinements are made to the text.

A revised schedule showing the above changes and refinements is attached for ease of reference at Appendix '2'. The Constitution MWP fully supported these changes.

Functions delegated to specific Officers

- **Page 72 (77) Mobile Homes (Requirement for manager of site to be Fit and Proper Person)(England)Regulations 2020-** authorisation of Corporate Head of Environmental Services to i) grant, grant with conditions, or reject applications for inclusion of persons on the relevant register of fit and proper persons ii) remove a person from the register or vary or remove a condition imposed on a person on the register iii) to appoint a person to manage a site if the local authority is satisfied that the person is a fit and proper person.
- **Page 72 (77) – Licensing** – addition to authorise CHLG and Deputy CHLG to sign decisions of Licensing Committee/Sub Committee.
- **Page 73 (79) – Housing** – addition to authorise Corporate Head of Housing in consultation with Corporate Head of Assets and Regeneration to determine applications for the release of restrictive covenants which were imposed on the disposal of Right to Buy properties.

Standing Orders for Council and Committee meetings

- **Page 177 (187)-Standing Order 51-Procedure for Hearings and Consideration of Complaints against Councillors** -revisions in order to address situations when the Monitoring Officer is unable to deal with a complaint about a Councillor owing to a conflict of interest including examples of potential conflicts of interest.
- **Page 180 (190)-Arrangements for Dealing with Code of Conduct Complaints-**section 8-add para 8.3 to state that dormant complaints against Councillors will be closed after 4 weeks has elapsed following one chaser email to the complainant.

Standing Orders for Contracts

- **Page 204-230 (215-243)** – replace references to OJEU and PCR2015 as per Government guidance.
- **Page 228 (241)-Standing Order 20** -replacement wording to tighten and rectify a misalignment with the PCR Regulations regarding ‘Additional Work Not Contracted For’.

Pages 278-285 (298-314) Code of Conduct for Members

- Replace current Code with the Model Code produced by the Local Government Association. The Model Code also addressed many of the Ethical Standards Best Practice recommendations from the LGA. Provisions relating to dispensations would be transferred from the existing Code to the new Code as the model Code had not made reference to these matters. The Standards and Audit Committee had recommended its adoption and this was supported by the Constitution MWP.
- **Page 287 (316) Gifts and Hospitality for Members**-update on guidance on gifts and hospitality to state that declarations of such must be made to Monitoring Officer in accordance with new Code of Conduct and that details thereof are published on the website.

Part 6 –Scheme of Members’ Allowances

- **Page 405 (435)** – The new scheme of Members’ Allowances was approved at Full Council on 4 March 2021 and will replace the existing scheme contained in the Constitution.

Part 7 – Management Structure

- **Page 410 (444)** - updated structure diagram will be included to reflect changes made since the Constitution was last adopted.

Proposed new arrangements for matters reserved to the Planning Committee

23. Planning

23.1 All applications required to be referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009;

23.2 New full, hybrid or outline planning applications recommended for approval (with the exception of S73 & S73A applications, unless called in under provision 23.3) that fall into the definition of major development as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or as superseded) or are for a net increase of 5 or more new dwellinghouses.

23.3 Planning applications where a Councillor of the Authority has requested that the application ~~be called in to~~ be the subject of a decision by the committee (an application in this case being an application for Full, Outline, Reserved Matters, Hybrid, S73/S73A or Householder Planning Permission or an application for Listed Building Consent. No other case types are the subject of ~~the call in this~~ provision).

The request must be in writing, relate to development in their own ward, state whether it applies if the recommendation is to permit or refuse (not both), give a valid planning reason, and be received within 28 days of the registration of the application.

23.4 Any matter where authority is normally delegated to the CHDMBC, but where the CHDMBC chooses not to exercise their delegated authority and considers the matter to be most appropriately dealt with by the committee.

23.5 Planning applications made on behalf of the Council for its own developments for new buildings or extensions which result in an increase in floor space greater than 250sqm and for which three or more objections have been received.

23.6 Any planning applications which are recommended for approval but on which a planning objection has been received from one of Natural England, the Environment Agency, Historic England, Sport England or the County Highway Authority which have not, in the opinion of the CHDMBC, been subsequently resolved by negotiation or through the imposition of conditions;

23.6 Any planning applications that are not caught by other provisions of this section and are for householder development or minor development and are recommended for approval, that have received objections from more than 10 different parties*.

**For this purpose, objections received from different members of the same household or address shall count as coming from a single party.*

23.7 Any planning applications submitted by, or on behalf of, a Councillor of the Authority (or their spouse/civil partner or a person with whom they are living as spouse/civil partner) where there is one or more objections received within 28 days of registration of the planning application.

23.8 Any planning applications submitted by, or on behalf of, an officer (or their spouse/civil partner or a person with whom they are living as spouse/civil partner)** that has a role or potential involvement in the planning process, where there are one or more objections received within 28 days of registration of the planning application.

***For this purpose, such a member of staff shall be broadly defined as a member of the Development Management and Building Control Service, a Member of the Planning Policy and Economic Development Service, any internal consultees who respond on planning applications or a member of the Senior/Corporate Leadership teams.*

23.9 The making of Directions restricting permitted development under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order which revokes and re-enacts that Order.

23.10 The making of Local Development Orders under the Town and Country Planning Act.

23.11 All necessary approvals for the Compulsory Purchase of land under the Town and Country Planning Act and determinations as to whether to appropriate land for planning purposes, or dispose of such land held for planning purposes under section 232 and 233 of the Act.

23.12 The adoption of documents as part of the Development Plan, including any Development Plan Documents and Supplementary Planning Documents.

Note on committee items: For the avoidance of doubt, where it is in the interests of good planning and decision making and where it would not conflict with the instruction of the committee on a particular matter, the CHDMBC has the delegated authority to add, remove or amend conditions, reasons or obligations ahead of a formal notice being issued.

In any case where the CHDMBC is unsure of whether it is appropriate to exercise this authority, permission should be sought from the chair of the committee in writing.

1. Background to planning element of Constitution review

- 1.1 This addendum includes the information that was reviewed and agreed through Constitution Member Working Party as well as additional analysis of historic planning data. The purpose of this is to include benchmarking information as well as demonstrate the rationale for ten as a threshold, rather than a higher or lower number or the deletion of the provision entirely.
- 1.2 In 2019 the Planning Advisory Service conducted a review of the RBC Planning Service and set out a number of recommendations. Recommendation 13 stated that it was recommended that the Council review and improve the matters reserved to Committee in order to ensure adequate time was available to consider major applications and to ensure Planning Committee meetings did not run significantly beyond a maximum of 2 hours.
- 1.3 The RBC Overview & Scrutiny Select Committee sought feedback on the PAS report from a residents' panel and resident recommendations were noted. Resident recommendation 7 was that delegation arrangements should be considered to ensure that proportionate amount of time is allowed for consideration of major planning applications, whilst still allowing time for consideration of some of the smaller developments which generate public interest particularly where an appropriate trigger had been met. A report was then prepared and went through Constitution Member Working Party.

Rationale behind ten as the threshold for number of representations leading to an item going to committee

- 1.4 The primary recommendation is a change in the number of representations required for an item to come before the Planning Committee. The current trigger for an application to go to Committee is when more than two objections have been received from more than two different households. This has led to an additional 41 items coming before the Planning Committee since January 2020, these have predominantly been minor householder development. It is proposed in the report to increase this number to ten.
- 1.5 In total there have been 89 planning applications at Planning Committee since Jan 2020 (this is only applications business, not policy or other items). 41 of the planning applications have only been on the agenda due to number of representations being 3 or more. 15 of these 41 applications that were only caught by the representations provision have had more than 10 objections.
- 1.6 The number ten was informed by analysis of historical data as well as benchmarking with other Authorities. Using historic data, if the ten threshold were to be applied retrospectively to committee items heard since Jan 2020 the results would have been:
- 100%** of applications with less than 10 representations, that were only at Committee because of this provision, were approved in line with Officer recommendation (26 out of 26)
- 80%** of applications which were only at Committee due to the number of representations, and had more than 10 representations, were approved in line with Officer recommendation (12 out of 15)

- 1.7 The reason for this is likely to be that the ones that have less than 10 objections are generally small householder schemes that are relatively uncontroversial, with only interest from directly adjacent neighbours. As a result 100% of these have been approved in line with officer recommendation because they accord with adopted planning policy. These items do however take up a significant amount of the Committee's time, significantly extend meetings and reduce the time and focus on larger applications. This problem is identified by both the PAS report and residents' panel.
- 1.8 Over the period Jan 2020- April 2021 the ten threshold would have removed 26 items from the Planning Committee agenda, which were all approved in line with officer recommendation. This would bring the average number of planning application items from 5 to 3.5, plus other business such as policy items, service plans etc, making for a manageable agenda and delivering the PAS and resident Panel objectives.
- 1.9 It is considered that going significantly lower than 10 would not deliver the benefits to the agenda or free up time for consideration of larger or more controversial items. The data suggests that applications with more than 10 objections tend to be the more finely balanced or controversial ones and as such it is right that these are determined at Planning Committee, as such at this time it is not recommended that a significantly higher number be set or that the provision be removed all together.

Practice at other Local Planning Authorities in the region:

- 1.10 Runnymede is a significant outlier in having such a low threshold and this has led to a significant and disproportionate number of small applications being brought to Planning Committee.
- 1.11 Analysis of the 7 local authorities directly adjacent to RBC, or in close proximity to the Borough, indicates that Runnymede's threshold is very low when compared to practice elsewhere. Runnymede's is the lowest in the sub region by some distance. Even with the provisions in the proposal, it would still be one of the lowest thresholds in the region.

Authority	<u>Constitutional provision re letters of objection.</u>
Runnymede	More than 2 objections lead to applications recommended for approval being brought to committee. <i>"Any applications which are recommended for approval where objections have been received from more than two parties"</i> (with some exceptions listed)
Surrey Heath	<u>No provision/trigger.</u> Letter numbers do not lead to an application being referred to committee.
Spelthorne	<u>No provision/trigger.</u> Letter numbers do not lead to an application being referred to committee. The only provision is: <i>"Where the Head of Planning and Housing Strategy decides, after consultation with the Chairman of the Planning Committee, that an application should be submitted to the Planning Committee on planning grounds, or where there is significant public concern or where it is very contentious"</i>
Elmbridge	The minimum threshold is <u>15 letters</u> in Elmbridge. The relevant provision is: <i>"Major applications (10+ dwellings or 1000sqm+ non-residential floorspace) which are recommended for approval by Officers where there are objections from 15 or more households or from Claygate Parish Council (if a petition, or an objection letter is received from an organisation such as a residents'</i>

	<i>association, political party or conservation area advisory committee each shall be treated in the same way as an objection from 1 household).</i> "
Woking	<p><u>No provision/trigger.</u></p> <p>Letter numbers do not lead to an application being referred to committee.</p> <p>There is however a provision that states that, the receipt of <i>"10 letters enables a right to public speaking at planning committee."</i></p> <p>It doesn't not however result in the application being listed to the committee in the first place.</p>
Guildford	<p>10-20 letters leads to listing of the item on the committee agenda (depending on type of application)</p> <p>The relevant constitution section is:</p> <p><i>"Applications are referred automatically to the Planning Committee in the following cases:</i></p> <ul style="list-style-type: none"> <i>- for all householder and other applications, the trigger for Committee will be 10 letters/emails or more contrary to the officer's recommendation;</i> <i>- for all Major and Minor applications, the trigger for Committee will be 20 letters/emails or more contrary to the officer's recommendation;</i>
Bracknell Forest	<p><u>5 Valid objections on valid planning grounds:</u></p> <p><i>"applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting more than five valid planning objections from different households or other organisations before a delegated decision is made, may not be allowed by the Director Place Planning and Regeneration."</i></p>
Royal Borough Windsor and Maidenhead	<p><u>No provision/trigger.</u></p> <p>Letter numbers do not lead to an application being referred to committee.</p>

- 1.12 Dealing with very small less contentious items with less than 10 objections at Planning Committee is not considered a good use of Member, Officer or resident time, and a number of recent Planning meetings have extended beyond four hours. The consideration of these items at Planning Committee has not been leading to different outcomes. It is considered that the Planning Committee's time is best focused on items that are more complex or contentious as well as items that have been called in by elected Members because of the particular planning circumstances of the case.
- 1.13 Removal of less contentious items from agendas would help deliver both the PAS, O&SS committee and resident panel recommendation. Any items that are particularly controversial would be caught by the proposed ten letter threshold, the Member call in provision or the CHDMBC's provision to list applications for consideration by the committee. For these reasons ten is considered to strike the right balance.

MEMBER WORKING PARTY PAYMENTS

Reference to Member Working Party (MWP) payments will be made in that part of the Constitution which outlines the Terms of Reference and operation of MWPs.

Paragraph 3.13 will be added to this part of the Constitution as follows:-

“3.13 All Members are expected to serve on one MWP, with the exception of the serving Mayor, who will not sit on any MWPs. Each Member receives an annual allowance of £1,000 for serving on an MWP.”

4. **APOLOGIES FOR ABSENCE**

5. **DECLARATIONS OF INTEREST**

If Members have an interest in an item, please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Democratic Services Officer at the start of the meeting. A supply of the form will also be available from the Democratic Services Officer at meetings.

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 registrable interest includes their appointment by the Council as the Council's representative to an outside body. Membership of an outside body in their private capacity as a trustee, committee member or in another position of influence thereon should also be declared. Any directorship whether paid or unpaid should be regarded as a disclosable pecuniary interest, and declared.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending 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 leave the room if the interest is a disclosable pecuniary interest or other registrable interest and/or the interest could reasonably be regarded as so significant as to prejudice the Member's judgement of the public interest.

6. **PROPOSED CARERS' POLICY (HUMAN RESOURCES – FIONA SKENE)**

Synopsis of report: To reconsider a proposed Carer's Policy.

Recommendations:

- 1. That the proposed Carers' Policy attached at Appendix 'B' be approved.**
- 2. That the costing review referred to in paragraph 3.6 of this report be undertaken and the outcome of the review be reported to the HR Member Working Party.**

1. Context of report

- 1.1 A proposed employment policy on supporting employees who are carers was considered at the Corporate Management Committee meeting on 21 January 2021 and deferred to consider further amendments to the policy proposed by Councillor Robert King. A report was submitted to the meeting of the Human Resources (HR) Member Working Party in April which responded to these amendments. Members of the Working Party considered the revised policy and agreed several further amendments which are explained below. A copy of the revised proposed policy is attached at Appendix 'B' for consideration by the Corporate Management Committee.

2. Report.

2. What is the policy designed to do?

- 2.1 The policy is designed to explain the support the organisation proposes to give to assist employees who are carers so they can more easily combine this role with their employment role. This includes keeping a Carer's Register in HR so we know which employees are carers and having a carer passport so that if an employee moves to a different team their line manager knows what the carer's needs at work

are and what the solutions are to those needs. The Health and Safety Officer would act as carer's champion in the authority.

- 2.2 Under this policy, it is recommended that carers may have up to 2 days paid carer's leave per annum. In addition, the different ways in which the organisation can support the carer through flexibility in their working arrangements are also set out. This includes the right to request alternative working patterns on a temporary basis or on a permanent basis under the Flexible Working Scheme; or simply to support them in having time off to accompany a dependant to a medical appointment.
- 2.3 UNISON were consulted on this policy and some amendments included in the policy as a result.
3. **What amendments were proposed by Councillor Robert King and considered by the HR Member Working Party?**
 - 3.1 The first amendment proposed by Councillor Robert King was to suggest that the words 'to all employees' be added at the end of the sentence in section 6 of the policy which reads 'The organisation offers various types of flexible working.' However, the types of flexible working listed in practice are mainly available to office workers, because there are some roles such as Refuse Collection, Meals on Wheels etc where an employee's hours are governed by the type of service and the role in which they are employed.
 - 3.2 However, the word 'all' has been added in terms of the right to request flexible working in the paragraph above this, because this right is available to 'all employees.' Employees who are not working in an office environment can still request accommodation from their manager if they are carers in a way that is feasible for the nature of the service concerned. This amendment was accepted by the HR Member Working Party.
 - 3.3 The second proposed amendment was in relation to section 3 of the Policy within the definition of who is classified as a carer. Councillor Robert King requested that the word 'registered' was deleted from the definition of carer as those who were looking after someone outside the family might not be 'registered'.
 - 3.4 After discussion at the Working Party it was agreed to put in the following additional wording to section 3 in relation to an employee who was assisting someone outside the family (see section 3, paragraph 2, lines 13,14 and 15):-

'and a non-registered carer would be covered by this policy, with their manager's discretion, if other more suitable care service is not available'.
 - 3.5 It was also agreed to acknowledge the flexibility required during any transition period between being an unregistered carer to being a registered carer.
 - 3.6 The first part of the third amendment proposed by Councillor Robert King was that the Head of HR would conduct a costing review over a 6 month period of paying the difference in employers' superannuation contributions where an employee reduces their hours, and therefore salary, on a temporary basis due to caring responsibilities subject to the employee doing the same in relation to an employee's superannuation contributions, with any further extension being at the discretion of the line manager. Depending on the outcome of this review, this element may later be added to the Carers' Policy. The HR Member Working Party agreed to recommend this approach to Corporate Management Committee.
 - 3.7 The second part of Councillor Robert King's proposed third amendment seeking a costing review was that where an employee had their dependant's allowance initially turned down or delayed that their line manager would have discretion to award care

vouchers to the employee. However, this is not feasible because care vouchers no longer exist.

(To resolve)

Background Papers

None stated



Carers' Policy

May 2021

Department	HR
Document name	Carers' Policy

1. Introduction

This policy sets out the organisation's commitment to supporting employees who are Carers and the support that the organisation offers them to combine work with care.

2. Commitment to supporting carers

Employees may have caring responsibilities and may need the organisation's support to combine work with care. The organisation has adopted this policy to demonstrate its support for employees who are Carers, and to set out what support is available.

The organisation aims to give Carers the same recruitment and career opportunities as everyone else. It will give Carers as much support as is reasonably practicable to achieve this objective.

(The Council has also signed up to Surrey County Council's Carer's Memorandum of Understanding through the Community Services Committee)

3. Definition of Carers

When defining Carers, the organisation aims to strike a balance between recognising the special circumstances of caring, and not classifying Carers as a rigid or separate group.

The organisation defines Carers as employees with direct caring responsibilities towards a dependant that have a substantial impact on their working life. However, this policy is not referring to normal parental responsibilities (for whom there is separate provision) but for staff who are classified as Carers in relation to an elderly or disabled relative or dependant. This may mean requiring time off at short notice or some flexibility at times in their working hours to accommodate the needs of the person they are caring for. A dependant is someone who is heavily dependent on the employee to assist with their personal care on a daily or almost daily basis and would be unable to cope with their personal care without significant assistance from the employee concerned. The dependant would normally be a close family member (e.g. a spouse, partner, child, or parent.) However, an employee who was a registered carer for someone who was not a family member such as a friend or neighbour would also be covered by this policy; and a non-registered carer would be covered by this policy, with their manager's discretion, if other more suitable care service is not available. The activities that carers undertake are wide ranging, including:

- Help with personal care;
- Help with mobility;
- Managing medication;
- Accompanying to medical appointments

- Practical household tasks;
- Emotional support;
- Help with financial, housing and other related matters or administration
- Being a careline responder for emergencies; and
- Help with applying for benefits and other entitlements.

A Carer would normally undertake a combination of such tasks but may also be applying for themselves for a Carer's allowance, Disability Living Allowance etc.

4. Carers' circumstances

Carers' needs are different from the needs of employees with mainstream childcare responsibilities, and the circumstances and milestones of caring are different from those of mainstream childcare.

Caring can be time-consuming, expensive, unpredictable and emotionally upsetting. An employee may acquire caring responsibilities overnight, for example where the employee's parent has a stroke, or caring responsibilities may develop over time, for example where the employee's partner has a debilitating long-term health condition. With childcare, the child's journey is often predictable as he/she grows older, goes to school and becomes more independent. The milestones of caring may go in the opposite direction, for example an elderly parent may become more frail and dependent over time, and a disabled child may continue to have significant support needs when he/she becomes an adult.

5. Identification and disclosure

Employees are not required to disclose to their line manager that they are caring for someone but are encouraged to do so. This will help the organisation provide appropriate support to the employee. Line managers will respect the confidentiality of any information provided to them in this regard.

When an employee discloses to his/her line manager that he/she is a Carer, the organisation will process any personal data collected in accordance with its Data Protection Policy. Data collected from the point at which an employee informs the organisation of his/her caring responsibilities is held securely and accessed by, and disclosed to, individuals only for the purposes of supporting the employee in his/her caring responsibilities (e.g. when dealing with requests for flexible working.)

Where a manager knows that an employee in his/her team has caring responsibilities, the manager should inform the employee about the support that the organisation offers Carers and encourage him/her to access the support offered.

The Council proposes to introduce a Carers Register to be held in HR. This would be an informal list of employees who have identified themselves as a Carer. Its purpose would be to help ensure that the organisation gives Carers appropriate information and support. The organisation recognises that caring can be unpredictable and that

caring circumstances vary. The register would be flexible to allow employees to join or leave the list as their circumstances change.

The Council also proposes to introduce a Carer's passport scheme. This passport would document the Carer's needs at work and identify solutions to those needs, and enable this information to travel with the Carer if his/her job or line manager changes. It would set out the contact arrangements between the employee and his/her manager during emergencies.

6. Flexible working

The law grants the right to request flexible working to **all** employees who have a minimum of 26 weeks' continuous service. For further information on flexible working requests, please refer to the Council's policy entitled 'Right to Request Flexible Working'.

The organisation offers various types of flexible working.

Flexitime: The organisation operates a Flexible Working Hours scheme in most service areas. Time off is subject to business needs and adequate coverage in the service area concerned. Employees must work certain core hours, but outside these hours they have some flexibility over the hours that they work. For example, they may be able to work extra hours and use these to take time off work when they need it. Employees should refer to the Council's policy on Flexitime.

Homeworking: Employees may request some working from home up to a maximum of two days per week, where practical, and where business needs can still be fulfilled. These requests will need to be submitted to and reviewed by their line manager.

Job-sharing/Part Time Working: Employees may request a job-sharing arrangement in their existing role. Alternatively, they may request to perform their role on a part-time basis, either by working shorter days or fewer days per week. Any such request must be submitted to their line manager, who will discuss this request with them and consider if it can be approved.

Compressed hours: Employees may ask to work full-time hours over fewer working days.

Other changes to working patterns: Employees may ask to work the same hours but at different times, for example.

7. Crisis situations

Employees with caring responsibilities cannot always plan ahead for time off. The ability to take leave in an emergency is important for Carers, who may be called on at short notice.

Employees have the right to take a reasonable amount of unpaid time off work to assist or make arrangements for the care of their dependants regardless of their length of service. This is normally 2 days unpaid Dependency Leave per annum. However, under this policy the Council is proposing to turn this into 2 days paid Dependency Leave per annum. Employees who wish to take time off for dependants should contact their line manager to explain the circumstances where this situation occurs and request this dependency leave. If they need more time off, they need to consult their line manager to discuss what arrangements can be made for additional leave. This can be a mixture of annual leave or flexi-leave. In some cases, compassionate leave may be appropriate.

The Council also offers employees the opportunity to request to work reduced hours for a temporary period to deal with a crisis.

8. Flexible leave arrangements

Employees with caring commitments may need time off work to meet their caring responsibilities, in addition to the 2 days paid dependency leave per annum which may be given, where needed. For example, they may need to attend medical appointments with a dependant or deal with a dependant's discharge from hospital. In such circumstances, they should seek the prior consent of their line manager.

Employees should discuss with their line manager any known leave needs relating to their caring commitments. This will help the manager and the other members of the team to plan work and other leave arrangements. Line managers will, where possible, approve annual leave requests from employees who wish to take time off to meet their caring responsibilities.

Where possible, Carers should book appointments that they need to attend with a dependant at the start or end of the working day or outside core hours to minimise disruption to work. However it is recognised that this is not always within the Carer's control, particularly with medical appointments and operations.

Carers may benefit from flexible leave arrangements (in addition to flexible working arrangements) to manage all aspects of their caring role. The organisation offers carers the following special leave options

- Flexitime
- Annual leave
- Compassionate leave – If dependant becomes seriously ill

The organisation may grant Carers the ability to make up time off that they have taken to meet their caring responsibilities at another time. This needs to be approved by the line manager, and employees should discuss any such requirements with their manager.

The organisation may grant employees the ability to take **up to 5 days** paid compassionate leave with the Corporate Head's Approval.

The organisation also operates a system whereby employees can buy annual leave. This scheme may also be used. For details, please refer to the organisation's **LEAVE POLICY**.

Employees may also request a career break which is an unpaid break where the employee retains their continuity of employment. Employees should send a request to their Corporate Head who will consider the request carefully taking into account the feasibility for the service area concerned as well as the circumstances of the employee before making a decision.

9. Other support for Carers

Employees with caring responsibilities, together with their line manager, should also consider whether or not the following adjustments and support mechanisms would help to combine work with caring responsibilities:-

- The ability to make or receive calls in connection with his/her caring responsibilities and access to a private space to make/receive calls. Quiet rooms may be used for this purpose.
- information about external sources of support for carers and their dependants on the staff intranet.
- the Council's provision of a maximum of five free counselling sessions for staff who need welfare support.

The Council's Health and Safety Adviser acts as a Carer's Champion. Her role is to raise awareness about caring, promote the take up of carer-friendly policies and ensure equal treatment for carers across the organisation. Employees may contact the Carers Champion if they have any issues regarding combining work with care that they do not wish to discuss with their line manager. Employersforcarers.org can also provide support and advice.

10. Line managers

Line managers are key to implementing this policy. Each Carer's situation requires a different response from the manager, so managers should take into account the whole range of organisational support available when putting in place support for carers.

Employees need to be confident that they will not be treated less favourably if they take up the organisation's support for Carers. Managers should create a workplace culture that is supportive of Carers, by encouraging employees to make use of the support offered to Carers and encouraging discussion around Carers' issues.

Managers with a Carer in their team can also approach HR to receive organisational advice about supporting the Carer. All managers will be provided a briefing of this policy.

This policy will be kept under review and updated as necessary.

11. Further resources

- **CarersUK** - Information, advice and campaigning.
- **Carersnet** - A wide range of information for carers in Surrey including local groups, initiatives and national debates.
- **Carers Assessments** - Advice from Surrey County Council on getting a formal assessment of a carer's needs
- **Directgov** - Government advice for carers on services and rights.
- **Employers for Carers** - National network of employers promoting the benefits of supporting carers in the workplace.
- **Surrey Young Carers** - If a child or children take on extra responsibilities to help with caring, they are young carers. SYC offers information, advocacy, support and activities. Tel: 01737 248111
- **NHS Choices - Carers Direct**
- Surrey County Council Contact Centre - for community-based help
phone: Adult Social Care: 0300 200 1005; Children's Social Care: 0300 200 1006

7. GENDER PAY GAP (HUMAN RESOURCES – FIONA SKENE)

Synopsis of report:

To report on the Gender Pay Gap figures for Runnymede Borough Council.

Recommendation:

That the report be noted and a suitable action plan is devised to encourage the gradual reduction in the gender pay gap.

1. Introduction

- 1.1 The Gender Pay Gap regulations applied to all public sector organisations from 31st March, 2017. They required that the gender pay gap figures for the organisation were published by 31 March each year based on a snapshot date of 31 March previous year. However due to the impact of Coronavirus, the equality and Human Rights Commission announced that enforcement of gender pay gap reporting for 20/21 for snapshot date of 31 March 2020 will not begin until 5 October 2021.

2. What is the purpose of this legislation?

- 2.1 The purpose of this legislation is to encourage employers to take new and faster action to close the pay gap between the genders by requiring employers to publish their gender pay gap on their own external websites and on a Government website. An employer must comply with the legislation if they have a headcount of 250 employees or above. Runnymede has circa 442 employees at present not including casual staff.

3. Background to this legislation

- 3.1 Research illustrates that despite the fact that over 50 years have passed since the Equal Pay Act became law, the gender pay gap within the British economy remains significant. The level of gender pay gap varies between sectors, occupations, age groups and working patterns.
- 3.2 The gap tends to be higher in industry sectors such as finance, energy and construction and is lower in public administration, support services, health and social work. Occupations where women are typically under-represented tend to produce higher gender pay gaps. Unequal sharing of child-care responsibilities contributes significantly to gender pay gaps because of the higher proportion of women than men taking part-time work which tends to be lower paid. For example, the Institute of Fiscal Studies reported that prior to the birth of a first child, there is an average pay gap between men and women of over 10% and there is then a gradual but continual rise in this pay gap until the first child is aged 12 between the hourly rates of men and women. By this stage women's pay has then reduced to a third below men's hourly wages. The main challenge is seen as ensuring that the pay gap for women over 40 is tackled as a priority.
- 3.3 The causes of the continuing gender pay gap are varied within the economy. Some causes originate outside the workplace such as stereotypical representations of men and women and standards of career advice for girls. Within the workplace, the main factors have been identified by research as:-
- Fewer women working in certain more highly paid professions or areas of an organisation (e.g. those involving science, technology, engineering and mathematics).

- Lack of well-paid part-time or flexible work
- Women continuing to be less likely to progress to senior levels within an organisation (women continue to make up just over a third of managers and directors)
- Constrained individual choice, unconscious bias and discrimination. Women who wish to move into management or senior management roles can sometimes be held back by lack of female role models, networking opportunities, mentoring and sponsorship; and also by assumptions about women not wanting or being in a position to accept promotion.

3.4 This research has led the Government to see greater transparency about gender pay gaps as a catalyst to promote organisations to take new and more energetic action to address the issue of working towards closing gender pay gaps in their own organisations.

4. **What steps does the organisation need to take to comply with this legislation?**

4.1 What does the legislation require of employers?

a) They must comply with this legislation for any year in which they have a headcount of 250 employees or more. The snapshot date for which the gender pay gap is calculated is 31 March and it must be calculated and published by 30 March the following year.

b) What does an employer need to calculate?

- The mean gender pay gap
- The median gender pay gap
- The mean bonus gender pay gap
- The median bonus gender pay gap
- The proportion of males and females receiving a bonus payment
- The proportion of males and females in each quartile pay band

A written statement that the calculations are accurate must be signed by a senior person such as a Director or the organisation's Chief Executive. It is also recommended that the figures are accompanied by a narrative setting out why the organisation believes that it has the level of pay gap stated and ideally, an action plan explaining what it proposes to do as an organisation to close that pay gap.

c) The above calculations need to be published annually based on the situation on 31 March each year on the organisation's external website and on the required Government website. Organisations will normally have one calendar year to publish the data from 31 March.

4.2. There is considerable guidance from ACAS on what types of pay should be included in the calculations. For example, the regulations only cover those receiving their full pay during the relevant period. Shift payments are included but not overtime. Expenses are excluded as are termination payments. Car allowances are included but not cars.

4.3. Pay is counted as the pay level before deductions such as National Insurance, tax or pension contributions are made. The employees counted include those on zero hour contracts, apprentices and some consultants. Agency workers are counted by their actual employer.

4.4. There is considerable guidance on how to do the calculations. The guidance also recommends considering issues such as how the organisation deals with starting pay for men and women, what the promotion rates are by gender, the percentage of mothers returning to work after maternity leave and the percentage of mothers still in work a year after returning from maternity leave.

5. **What is the Council's Gender Pay Gap?**

5.1. The data has been gathered, analysed and calculated for Runnymede Borough Council as at the snapshot date of 31 March 2020. The results are as follows:-

a) **Mean Gender pay gap**

- Male mean hourly rate - £16.52
- Female mean hourly rate - £15.02

The calculation is $\frac{(A-B)}{A} \times 100$

A is the mean hourly rate for all male full-pay relevant employees and **B** is the mean hourly rate of pay for all female full-pay relevant employees. Consequently the **Mean Gender pay gap is 9.06%**

b) **Median Gender Pay Gap**

- Male median hourly rate - £13.66
- Female median hourly rate - £13.66

The calculation is $\frac{(A-B)}{A} \times 100$

A is the median hourly rate of pay for all male full-pay relevant employees and **B** is the median hourly rate of pay for all female full-pay relevant employees. The **Median Gender Pay Gap is 0% (i.e. there is no median gender pay gap).**

c) **Bonus**

Bonus is not paid in the organisation therefore there is no data for the 3 bonus related statistical elements.

d) **Pay Quartiles by Gender**

What is the proportion of men and women in each pay quartile?

Quartile	Males		Females		Description
	%	Headcount	%	Headcount	
A £4.87(Term time only) - £11.03	55.05%	60	44.95%	49	All employees whose hourly rate places them at or below the lower quartile
B £11.10 - £13.66	33.94%	37	66.06%	72	All employees whose hourly rate places them in the second quartile
C £13.66 - £17.38	38.53%	42	61.47%	67	All employees whose hourly rate places them in the third quartile
D £17.64 - £74.20	50.46%	55	49.54%	54	Upper quartile
	44.5%	194	55.50%	242	Total Headcount

- 5.2 The figures set out above have been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.
6. **What are some of the notable features of the Council's Gender pay gap quartile data?**
- 6.1. One of the principal reasons why the Council's overall gender pay gap is small is illustrated by the pay data within the quartiles. In the lowest quartile band there are a large group of low paid male manual workers primarily employed in Cleansing Services(i.e. Refuse Collection and Street Sweeping) and to a lesser degree in Green Spaces(e.g. Parks), Community Services(as drivers) and Housing(as Task Force Operatives). It is the impact of the number of low paid male manual workers (i.e. 55.05% of employees in the lowest quartile), which is helping to keep the gender pay gap between men and women relatively low in the organisation (i.e. at only 9.06% for the mean and 0.% for the median). The female employees in the lowest pay band tend to be low paid female clerical workers, Kitchen Assistants and Assistant Cooks, some Supported Living staff, Community Services Operatives and casual Museums staff.
- 6.2 In the second lowest quartile, we find the majority of lower paid female clerical and administrative staff who make up 66.06% of this quartile. In this quartile, the 33.94% of male staff are the higher paid male manual workers (e.g. Cleansing Drivers and Operatives, Green Spaces staff, and Civil Enforcement Officers).
- 6.3 In the third quartile we find a wide diversity of middle- ranking roles within the organisation, the majority of which are occupied by women in numerical terms (i.e. 61.47%).
- 6.4 Within the higher quartile there is a wide spread of roles. At the lower end of the upper quartile we find a number of professional staff who are predominantly female (e.g. in Planning and Housing), then there are a number of female middle management staff. However, the higher earning senior managers are predominantly male (e.g. on Corporate Leadership Team (CLT) and just below SLT). Consequently in an organisation where the majority of the workforce is female, the existence of the mean gender pay gap of 9.06% is primarily due to the fact that the highest paid senior earners in the organisation are men.
- 6.5 The headcount of women and men in this data is 242 women and 194 men. This gap is kept lower by the existence of a large group of low earning male manual workers (mainly in the Cleansing services and Community Transport) which offsets the impact of the fact that the majority of high earners in the organisation at the top end of the structure are male.
- 6.6 It is worth noting that the gender pay gap is likely to be similar in the next financial year. This is due to the reduced recruitment activity over the past year and a restructure in Commercial Services. The professional and managerial workforce in Commercial Services environments tend to be predominantly male and the market rates for these roles are high.
- 6.7 The issue of fewer women in senior management positions within the authority than men is not uncommon in the UK economy as a whole. However, in most local authorities the majority of the workforce is female and this should result in the likelihood of more women reaching senior management roles. Runnymede is far from alone in district councils in having fewer women than men in senior management roles. Career breaks and going part-time due to child-rearing responsibilities, appears to be an important feature in this. However research illustrates that other factors can also have an impact on the number of women who reach senior management positions which were described in the introductory paragraphs of this report.

7. Comparison to previous years

	2017	2018	2019	2020
Mean Gender Pay Gap	6.65%	7.64%	10.22%	9.06%
Median Gender Pay Gap	-0.3%	-5.2%	-3.6%	0%

7.1 The changes in the Gender Pay Gap in the past year has been due to restructures within the organisation including Senior Management restructure.

8. What happens next?

8.1 Having calculated the gender pay gap, the gender pay gap needs to be reported to Corporate Management Committee (CMC). After this, a narrative is prepared and signed off by the Chief Executive to go with the data on the Council's external website and the Government website. Each year the gender pay gap data needs to be prepared and a report including any recommended actions considered by CMC annually before external publication. The implications of the gender pay gap data and consideration of a suitable action plan to encourage the gradual reduction in the gender pay gap need to be considered by the HR Member Working Group.

(To resolve)

Background papers

None

8. ANNUAL GOVERNANCE STATEMENT 2020/21 (ASSISTANT CHIEF EXECUTIVE – PETER MCKENZIE)

Recommendation:

That the Annual Governance Statement (AGS) 2020/21, as set out in Appendix 'C', be signed by the Leader of the Council and Chief Executive.

1. Context of report

1.1 The Council has adopted a local code of corporate governance which reflects the guidance contained in the CIPFA / SOLACE Framework for "delivering good governance in local Government". The Framework was updated in 2016. The Council's local code of Governance has been revised and adopted by the full Council.

1.2 The overall aim of good governance is to ensure that resources are directed in accordance with the Council's policies and priorities and that there is sound and inclusive decision making with clear lines of accountability for the use of resources and the outcomes they achieve for our communities.

1.3 One significant point is that local authorities focus on the long term sustainability of their policies, and the resources that underpin them. Runnymede Borough Council can demonstrate it takes account of the responsibility to future as well as current electors in the Corporate Plan and their regeneration plans which are based on sound financial strategies.

1.4 The Annual Governance Statement will be considered by the Standards and Audit Committee at its meeting on 26 May 2021. Any Member comments at that meeting will be reported verbally to this Committee.

2. Report

The Annual Governance Statement (AGS) in detail

2.1 The original CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*, had the six core principles detailed below: -

1. Focusing on the purpose of the Council and on outcomes for the community, and on creating and implementing a vision for the local area.
2. Members and Officers working together to achieve a common purpose with clearly defined functions and roles.
3. Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour.
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing of risk.
5. Developing the capacity and capability of Members and Officers to be effective.
6. Engaging with local people and other stakeholders to ensure robust public accountability.

2.2 The 7 key principles are now:

- Behave with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- Ensure openness and comprehensive stakeholder engagement.
- Define outcomes in terms of sustainable economic, social, and environmental benefits.
- Determine the interventions necessary to optimise the achievement of the intended outcomes.
- Develop the entity's capacity, including the capability of its leadership and the individuals within it.
- Managing risks and performance through robust internal control and strong public financial management.
- Implement good practices in transparency, reporting, and audit to deliver effective accountability.

2.3 The AGS contains all of our governance arrangements and how these have been enhanced to reflect how the Council meets all of the new requirements. Many of our arrangements fit into more than one category. In preparing the revised AGS the Chief Executive, Monitoring Officer and Assistant Chief Executive have chosen the most appropriate, but the AGS is to read in its entirety rather than in discrete sections. The AGS is attached at Appendix 'C'.

2.4 The principles contained in the Framework recommend Councils should:

- review existing governance arrangements
- develop and maintain an up to date code of governance which includes arrangements for ensuring ongoing effectiveness
- report publicly (the annual AGS) on compliance with our own code and how we have monitored its effectiveness and any planned changes.

2.5 The Framework acknowledges that any code relies on the shared values, spirit and ethos of the Council that are integrated into the culture and are reflected in Council policies and behaviours.

2.6 The general principles of the code are:-

1. That we behave with integrity demonstrating strong commitment to ethical values and respecting the rule of law

2. Ensuring openness and comprehensive stakeholder engagement

- 2.7 The Covid-19 pandemic has made significant changes to the way the Council operates; however, those changes have been made in late March 2020 and have very little impact on the AGS for 2020/21. In the main narrative for the 2020/21 Statement of Accounts the Council will report to the electorate how the Council has responded to the crisis.

3. Policy framework implications

- 3.1 The AGS summarises how all of the Council's various policies and strategies, as well as day to day operations, deliver a strong operational governance framework for Members and Officers to work within.

4. Legal implications

- 4.1 Regulation 6(1)(a) of the Accounts and Audit Regulations 2016 require a local authority to conduct a review at least once in a year of the effectiveness of its system of internal control and include a statement reporting on the review with any published Statement of Accounts. Regulation 6(1)(b) of the Accounts and Audit Regulations 2016 describes the statement as an Annual Governance Statement.
- 4.2 The preparation and publication of an Annual Governance Statement in accordance with Delivering Good Governance in Local Government: Framework (2016) would fulfil the statutory requirements for a local authority to conduct a review at least once in each financial year of the effectiveness of its system of internal control and to include a statement reporting on the review with its Statement of Accounts. The Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement must be "prepared in accordance with proper practices in relation to accounts".

(To resolve)

Background papers

CIPFA/ SOLACE – delivering good governance, 2016 edition

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Scope of responsibility

Runnymede Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. Runnymede Borough Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, Runnymede Borough Council is also responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

Runnymede Borough Council has formally adopted a code of corporate governance as recommended in the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government 2016 edition*. This statement explains how Runnymede Borough Council meets the requirements of regulation 6 of the Accounts and Audit Regulations 2015 in relation to the publication of an Annual Governance Statement and the CIPFA/SOLACE Code of Practice.

The Council has also adopted the CIPFA Statement on the Role of the Chief Financial Officer in Local Government.

Covid 19 pandemic

For all the financial year the Council has been responding to the pandemic. This has not in any way diminished our approach to good governance. Due to the additional number of new responsibilities, such as paying over £14m of grants to businesses, our governance arrangements had to adapt as new systems and processes were introduced by Government.

To comply with Government guidance for staff to work from home, the Council responded in an efficient and effective way, enabling over 200 staff to work remotely using a variety of software and hardware systems which resulted in very little disruption to day to day Council services.

Overall residents saw very little adverse impact on the service they received from the Council. The Council also enhanced its on-line security to respond to the increasing incidents of on-line frauds etc.

The purpose of the Governance Framework

The Governance Framework comprises the systems and processes, and culture and values, by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost-effective services.

The system of internal control is a significant part of that Framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an

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ongoing process designed to identify and prioritise the risks to the achievement of Runnymede Borough Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The Governance Framework has been in place at Runnymede Borough Council for the year ended 31 March 2021 and up to the date of approval of these Financial Statements.

The Governance Framework

The key principles and how the Council has complied with them are as set out in Chapter 6 of the 2016 Framework and are:

- A Behave with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law;
- B Ensure openness and comprehensive stakeholder engagement;
- C Define outcomes in terms of sustainable economic, social, and environmental benefits;
- D Determine the interventions necessary to optimise the achievement of the intended outcomes
- E Develop the entity's capacity, including the capability of its leadership and the individuals within it
- F Managing risks and performance through robust internal control and strong public financial management
- G Implement good practices in transparency, reporting, and audit to deliver effective accountability

The key elements of the core principles are detailed below.

A Behave with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law;

The Council has adopted a Constitution which has been revised in 2020/21 and formally adopted by the Council in April 2021. This sets out how the Council operates and how decisions are made with procedures to be followed to ensure they are fit for purpose. The Constitution details the roles and functions relative to these bodies, panels and officers.

The Corporate Management Committee set up or continued with a number of Member Working Groups in 2020/21 to oversee significant projects or the business of the Council.

For example, the Digital Transformation Member Working Group reports to the same Committee on the implementation of ICT and solutions in the Customer Services section and how we communicate and transact with residents, businesses and visitors to the Borough – the aim being to significantly improve the services we provide. Other working groups include the HR Member Working Party. All the Member working groups have been very active in 2020/21 in implementing the objectives of the Corporate Plan. In 2020/21 all meetings of the Council have been held remotely on MS teams with audio access to the public via a dial in facility.

The Council has invested in the regeneration of the two major towns in the Borough – Addlestone and Egham. The first project is the Addlestone One investment followed by the Egham Gateway phase 1 and a new leisure centre in Egham was completed

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and opened in February 2019. Egham Gateway phase 1 will be completed in 2021/22.

The pandemic and the Government's stance of local authorities borrowing to acquire commercial property to fund regeneration strategies has meant no commercial acquisitions have taken place in 2020/21.

The Council operates to a set of Corporate Values which underpin individual and collective behaviour and are reflected in discussion, communication and the decision-making processes. These values have been adopted as part of the Corporate Business Plan.

- **Customer-focused** – we will put our customers at the heart of what we do, and they will be able to interact with us easily in the way they want.
- **Passionate** – we will empower our staff to be passionate about all we do.
- **Performance driven** – we will strive for excellence in all we do.
- **Innovative** – we will aim to creatively improve our services.
- **Promoting equality and diversity** – we believe in fairness as well as creating a diverse workforce so we can draw upon a wide range of views and experiences to meet the changing needs of our customers.
- **Delivering excellent value for money** – we will strive to be as efficient and effective as possible.

Corporate Goals

Our Corporate Goals are our broad guiding principles which will help us to achieve Our Vision. These principles are:

- We will deliver cost effective services.
- We will have very satisfied customers.
- We will train, develop and motivate our staff.
- We will be financially stable.
- We will have sound leadership and governance.
- We will have a clear performance management system.
- We will provide customers with a range of channels to interact with us.
- We will be a more agile organisation responsive to changing circumstances.

Members have adopted a set of principles regarding behaviour, contained in the Member Code of Conduct which forms part of the Constitution, which complement the procedures and codes operated. They were adopted in 2012 and minor amendments have been made since on three occasions.

The Code of Conduct for Members is based upon the Nolan Principles and section 28(1) of the Localism Act 2011.

Selflessness

To serve only the public interest and never improperly confer an advantage or disadvantage on any person.

Integrity

Not to place themselves in situations where their integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour

Objectivity

Make decisions on merit, including when making appointments, awarding contracts or

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recommending individuals for rewards or benefits.

Accountability

To be accountable to the public for their actions and the way they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their Office.

Openness

To be as open as possible about their actions and those of the Council and should be prepared to give reasons for those actions.

Honesty

Not to place themselves in situations where their honesty may be questioned, should not behave improperly and should, on all occasions, avoid the appearance of such behaviour.

Leadership

Should promote and support these principles by leadership and by example and should always act in a way that secures or preserves public confidence.

B Ensure openness and comprehensive stakeholder engagement

As stated above, the Council has a Corporate Business Plan in place which sets out its vision, values, goals and priorities. This was based on extensive consultation with the local communities. In 2019 the Council went through a first phase consultation process with a view to creating a new four-year Corporate Business Plan from 2020, but due to the COVID pandemic this has been delayed. A review of the current draft document will now be necessary and further consultation will follow before a new plan is adopted to reflect the next four-year plan period.

C Define outcomes in terms of sustainable economic, social, and environmental benefits

The Council is responsible for many key services and functions including:

- Community grants and events.
- Council tax and business rates collection. Also administering the national council tax and housing benefit service locally. The Council has adopted a local council tax support scheme which it reviews annually.
- Environmental Services e.g. Engineering, parking, refuse collection, street cleaning and recycling.
- Housing – both the Council's own stock of dwellings for rent and some aspects of private sector housing including homelessness and improvement and disabled adaptation grants, independent retirement living.
- Community Development e.g. Leisure development, green space, halls, museum, community safety, community alarms, community meals, community transport and centres for over 55s.
- Regulation e.g. planning, building control, environmental health and licensing.
- Asset management focused until March 2020 on property acquisition to fund the Council's regeneration strategy. In 2020/21 the emphasis changed to

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consolidation and management of the Council's portfolio from property acquisition.

- Regeneration schemes – the Egham Gateway West scheme commenced in 2019/20 and will be completed in 2021/22
- During 2020/21 the three Council owned companies continued to grow at a slower rate than planned due to the extensive flooding of a number of units. That growth will continue in 2021/22 as more apartments in Addlestone One and other regeneration schemes are completed. The financial accounts of the companies are consolidated into the Council's main Statement of Accounts.

In 2012/13 the Council started a major, long term "place shaping" and revitalisation initiative. This included major projects in Addlestone and Egham which continued to be developed in 2020/21. The regeneration and place shaping plans have been further developed in 2020/21 with Egham Gateway West commencing. The likely cost of £92m is already part funded with a 40-year loan at a fixed rate of 2.88% from a private sector investment company. Clearly the Covid 19 pandemic will affect the high street and housing market. The Council is reviewing its regeneration strategies in the summer of 2021 as the UK economy moves into recovery.

In these schemes residents, local businesses and other stakeholders have been involved in the design brief. These consultations have included numerous meetings with residents associations and other public meetings.

The role of the Standards and Audit Committee includes:

- Promoting and maintaining high standards of conduct by Councillors and co-opted Members
- Assisting Councillors and co-opted Members to observe the Members' Code of Conduct
- Advising the Council on the adoption or revision of the Members' Code of Conduct and monitoring its operation

The conduct of Members and Officers is further regulated through individual strategies including anti-fraud and corruption and money laundering strategies.

In 2020/21 there have been no allegations of financial irregularities involving Members or officers.

The Chief Executive (Head of Paid Service), the Corporate Head of Law & Governance (Monitoring Officer) and the Assistant Chief Executive & responsible financial officer each have specific responsibilities to ensure reports to Members for decision comply with Financial Regulations, Standing Orders and are lawful.

The Constitution includes protocols on Member /Officer relations. The Monitoring Officer has confirmed that during 2020/21 twelve complaints were received in respect of alleged breaches of the Member Code of Conduct. In three cases upon examination it was found the complaint did not merit investigation. In eight cases further information was requested from the complainants which was not provided, and they could not be progressed. One case is still the subject of investigation.

D Determine the interventions necessary to optimise the achievement of the intended outcomes

The Council sets the overall strategy and policy, and has put in place a well-defined organisational structure, with clearly understood lines of responsibility and delegation

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of authority to help ensure that strategies and policies are effectively implemented and adhered to. The system of internal control is based on a framework contained within the Constitution, including rules and procedures in respect of:

- Functions of the Council, Committees and Officers;
- Procedures for conducting the Council's business;
- Delegations to Officers;
- Budget and policy framework;
- Ethics and probity;
- Overview and scrutiny;
- Financial and contracts procedures;

Taken together, the Constitution defines how decisions are taken and the processes and controls required in managing risk. The Constitution also contains a wide range of control and policy documents to support sound corporate governance. These policy documents can be viewed on the Council's website at www.runnymede.gov.uk

The Constitution is reviewed each year. This process includes consultation with staff and Councillors, a report to the Corporate Management Committee on proposed changes, and the approval of the revised Constitution by the Full Council. Changes are made through the year as appropriate.

Companies owned by the Council

RBC Investments (Surrey) Limited is the Council's investment and property development company which took long term leases on private dwellings that become owned by the Council and then manages those properties and is responsible for collecting rents etc. The long-term leases are independently valued using Section 123 Local Government Act 1972 criteria and will be paid for by the Company by way of a single payment using loan funding from the Council. The interest rate charged by the Council is a commercial loan rate which is compliant with the EU State Aid Rules having regard to the base rate and risk / security for the loan. The Framework for loans is provided by the Loan Facilities Agreement (LFA) which provides for the normal range of commercial pre-conditions for loan finance to a company and provides for securing loans against the assets, registering the loan at Companies House and for the registered title to declare the lease and loan.

Two of the Council's Officers are directors of this company:

Ms. A Williams is the Managing Director who is employed by the Council as their Corporate Head of Assets and Regeneration.

Mr. P McKenzie is the Finance Director who is employed by the Council as their Chief Financial Officer (Assistant Chief Executive). In January 2021 Mr. McKenzie resigned as Finance Director of the three companies and was replaced by Ms. E Lyons. The Chairman of the Board and Non-Executive Director is Cllr M Maddox and Cllr M Adams is also a Non-Executive Director.

Two other companies were created in 2015/16 and are active. These are:

- RBC Services (Addlestone One) Ltd, which provides the service charge regime to the commercial and domestic customers that require service charges to be administered.

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- RBC Heat Company Ltd, which provides heating and hot water as a commercial undertaking to all the dwellings on the Addlestone ONE development and those commercial tenants who chose to buy the services.

Mr. V Sibley is the Operations Director. Mr. Sibley is employed by the Council as Commercial Services Manager. For all of the companies the Council's Assistant Chief Executive provides financial services and has oversight of the company affairs to protect the Council's financial interest and Ms. Lyons is the Finance Director. The Board has appointed local private sector accountants to prepare the company accounts and the required audits to report to the Council as the ultimate shareholders.

All three companies have Articles of Association in place, company registration documents and bespoke Shareholder Agreements. A detailed business and financial plan have been prepared and the Loan Facilities Agreement (LFA) that will provide the mechanism for drawing down commercial loans from the Council.

At every stage of the development of the Council's regeneration programs and projects, Members have steered the direction of activity within the framework provided by the Property Investment Strategy and lately the Council's Capital Strategy via reports to the Corporate Management Committee and all Member briefings to Council who have made key decisions. That process will continue beyond 31 March 2021 as the regeneration activity develops through a development partner to deliver the Runnymede Regeneration Programme of a number of sites over an 8-10-year period.

E Develop the entity's capacity, including the capability of its leadership and the individuals within it

The Corporate Business Plan focuses on the outcomes for the community and is the driver behind the Council's priorities. The Council updated its Corporate Business Plan following extensive consultation with residents to focus scarce resources on those services residents see as important. Elected Members adopted the Corporate Business Plan taking those views into account. The Business Plan will be updated in 2021/22 as the Council moves into recovery from the pandemic.

The Council has continued its partnership arrangements with other local authorities in areas such as:

- Transport and building maintenance.
- In 2015/16 the Council set up an employee led "mutual" with Spelthorne BC called "Applied Resilience". This has increased both Councils' capacity to respond to civil emergencies such as the severe flooding which impacted on Runnymede significantly in December 2013 to March 2014 and beyond, as well as business continuity. This arrangement continued in 2020/21 and is set to continue in 2021/22
- Community Services providing a range of community services in partnership with Surrey Heath BC.
- Safer Runnymede provides a CCTV service for other Councils as well as Thorpe Park (a large theme park) and various NHS establishments.

These arrangements enable the Council to receive or provide cost effective services which require specialist skills and knowledge. It also provides resilience and business continuity arrangements.

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Corporate Leadership Team (CLT) is led by the Chief Executive supported by:

- Corporate Head of Law & Governance (the Monitoring Officer)
- Assistant Chief Executive (Responsible Finance or Section 151 Officer)

For all of 2020/21 that structure has been in place. CLT will be supported by a Senior Leadership Team of around 11 officers who cover all the Council's operations. The elected Members have continued a formal Member structure of Member working groups. This new structure will involve all Members in developing policy and was implemented early in 2019 and matured in 2020/21 to specifically:

- Strengthen objective setting and delivering Council objectives
- Prescribe a new way of working between Members and officers that better suits the challenges of the next decade and enables greater control of the organisation by Members.
- Set out a new competency framework for senior officers
- Strengthen the corporate centre and provide greater uniformity and accountability across all services (e.g. performance management, procurement etc.)
- Propose a more effective use of Members' time in a challenging and demanding environment
- Describe a system of continuous service reviews to improve service delivery, corporate systems and to address the commercial requirements of the Council over the next decade.

Performance management

The Corporate Leadership Team is also supported by a range of senior managers as appropriate e.g., the Head of Human Resources and Head of Financial Services. The Council has set up a management structure to support the following objectives:

- Focus management attention on performance management, and achievement of objectives set out in the Corporate Business Plan.
- Budget management is a key target for each manager – to forecast income and expenditure to the year end as part of the monthly monitoring cycle and to propose corrective action for Members' consideration if an overspend / underspend is likely to occur.

Attached is the officer structure chart that was in place for 2020/21. One of the outcomes is to improve the Council's corporate governance arrangements together with individual management accountability.

The Council's Medium-Term Financial Strategy predicts significant reductions in Government support to local authorities. The reduction for this Council will be significant by the end of this decade. The revised officer structure "Fit for the Future" is designed to focus on the delivery of cost effective, efficient services which respond to residents' needs and to generate additional income rather than cut expenditure and services.

Officers from CLT (Chief Executive, Monitoring Officer and Responsible Finance Officer supported by 11 Heads of Service) meet weekly as a group (with specialist officer's support) to lead on:

- Strategy

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- Business Planning
- Asset Management
- Risk Management
- Business Continuity
- Equalities
- Health and Safety
- Performance Management for Corporate Key Performance Indicators, Corporate Projects and Financial Management.
- Budget management
- Governance

For Committees, each Member receives a copy of meeting agendas in advance, mostly five working days in advance of the meeting. A Committee or Sub-Committee may agree to accept an urgent item for decision at the discretion of the Chairman.

Reports which have resource implications (assets, financial, human) must receive clearance from the Chief Executive and Chief Finance Officer before being added to draft agenda. Reports contain, where appropriate, legal, financial, risk, equality and diversity implications.

It is a requirement for Members to declare any interests in the report at the beginning of the meeting. As part of the governance trail Members also declare if they held any executive positions with organisations that carry out business with the Council. In 2020/21 the Council received declarations **from all 41 Councillors**. **P MCK TO CHECK ON CLOSING at the end of May**

The Overview and Scrutiny Select Committee carries out the overview and scrutiny functions conferred by regulations under Section 32 of the Local Government Act 2000. The Committee may review and/or scrutinise decisions made or actions taken relating to the discharge of any of the Council's functions. In exceptional cases it may "call in" a Committee decision for further consideration before it is implemented. The Committee makes reports and recommendations to the Full Council and any Committee as it sees fit. The Committee prepares an Annual Report on their work programme for the Full Council.

The main aim of the Overview and Scrutiny Select Committee is to act as a "critical friend" to the Council to promote better services, policies and decisions. No Member may be involved in scrutinising a decision in which he / she has been directly involved.

The Council also has Planning, Licensing and Regulatory Committees which discharge the following regulatory functions:

- Decisions on planning applications and enforcement items.
- Regulation of taxis, private hire vehicles and other licenses including liquor and public entertainment.

CLT regularly reviews the Corporate Risk Register. The objectives of the Risk Management Strategy are to support the Council identifying risks which need to be mitigated as well as identifying future threats and opportunities. During 2020/21 risk management included the implications of the pandemic - mainly on the way we delivered services.

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By ensuring our strategic risk position is reviewed regularly, we seek to improve our customers' lives by taking the appropriate action against risk which may impact on the services they value.

We also seek to minimise the financial impact by mitigating the cost of an event occurring through cost effective mitigation.

Previously, the Environment and Sustainability Committee agreed to enhance our emergency planning and risk management capacity by entering into a three-year contract with a mutual, Applied Resilience. This Council and Spelthorne Borough Council each hold 10% of the shares and share in the future distribution of profit. However, the main reason for establishing the Mutual was to increase the staff base which brings additional expertise to the Council. The increase in capacity has benefited not only response to emergencies but also disaster recovery, business continuity and general risk management. Both Runnymede and Spelthorne Councils have appointed their Chief Financial Officer as Non-Executive Directors of Applied Resilience to protect their Council's financial interests. This relationship was in place during 2020/21.

The CLT and the Applied Resilience team oversee and manage risk by:

- reviewing the strategy regularly
- ensuring a consistent approach to risk across the Council
- acting as a central point for the co-ordination and dissemination of information on risk
- meeting quarterly to review and update the Corporate Risk Register

F Managing risks and performance through robust internal control and strong public financial management

The Members and Officers, starting in early September each year, spent a number of weeks preparing options for the following year's budget. This Member/Officer group completed and produced a budget strategy by December 2020. The objective was not only the future financial resilience of the Council in an environment where Central Government grant may be reduced but to improve services to residents by reducing overhead costs. The pandemic also significantly reduced the Council's income from rents and services, and increased costs. The budget surplus for 2020/21 is now a deficit budget. In 2021/22 a significant part of the Council's efforts will be the financial sustainability of the Council.

Members receive specific training on the regulative functions, e.g. Planning, and on the Constitution from the Monitoring Officer. From 2016 to 2019/20 a number of training sessions have been run for newly elected Councillors on various topics including local government finance. Training and seminars are also provided on topics such as risk management and asset management. The pandemic has reduced Member training to a minimum.

In February 2019, following an extensive consultation exercise, the council tax support scheme was significantly updated for implementation in 2019/20 and 2020/21.

All Senior Officers completed a declaration relating to the governance, internal control and assurance framework in their business area. This covered areas such as risk management, use of resources to meet Council objectives, community safety, the Council's equalities obligations and financial probity.

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Financial management and controls

The system of internal financial control is based on a framework of regular management information, financial regulations, administrative procedures (including segregation of duties), management supervision, and a system of delegation and accountability. Managers within the Council undertake development and maintenance of the system. The system includes:

- Comprehensive budgeting systems;
- Clearly defined capital expenditure guidelines;
- Named Budget Managers who have the responsibility for delivering services within the approved budget;
- Setting targets to measure financial and other performance;
- Periodic and annual financial reports comparing financial performance against forecasts;
- Formal project management disciplines with regular reporting mechanisms to the Corporate Leadership Team and a report on completion of each project to sponsoring service committees; and
- A detailed annual Internal Audit Plan with priorities and an inspection regime reflecting the risk assessment of the service.

The Council has also adopted a Procurement Strategy that aims to promote best practice and ensures that the procurement of goods and services achieves value for money. The internal audit review of “key financial systems and control” had no issues to report to the Standards and Audit Committee.

G Implement good practices in transparency, reporting, and audit to deliver effective accountability

The Council is committed to eliminating discrimination within the workplace and the community and had achieved the “achieving” level of the Equality Standard for Local Government. Due to cost implications the Council did not renew the accreditation. However, we have an Equality Policy and equality objectives in accordance with the Equalities Act 2010.

The Council has a Customer Complaints Policy which states that a complaint will be acknowledged within three working days. The key points of the Policy are:

“Runnymede Borough Council recognises the importance of providing an excellent service to every member of our community. A core part of this is an open, responsive approach to feedback and complaints, the central monitoring of which is a key governance role”.

Runnymede has a formal approved process in place that details how staff should handle complaints. This was last updated in 2020 and is kept under continuous review. Runnymede has a two-stage procedure in place. Any complaint is initially handled by a senior manager in the appropriate section. It must be acknowledged within three working days and a full response given within 10 working days. If the complainant is not happy with the stage one response, they can make a stage two complaint which will be dealt with by the relevant head of service. This officer will review both the complaint and the stage one response and will respond further within 10 working days. The conclusion of stage two is the end of the Council’s formal complaints procedure. The

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complainant, if they wish, can contact the Local Government Ombudsman and the Council provides all the relevant contact details.

Complaints against Members and co-opted Members will be referred to the Monitoring Officer. Complaints against a member of staff who would normally handle the complaint at that stage will be referred to their line manager. Complaints against a business centre manager will be referred to the Chief Executive. There are separate arrangements in respect of allegations of financial impropriety, criminal activity or unlawful harassment or discrimination. A separate policy exists to deal with the management of unreasonable complainant behaviour (vexatious complaints).

If the complainant remains dissatisfied after having exhausted the formal complaints procedure, he/she may also decide to complain to the Local Government Ombudsman if he/she believes the Council has not handled matters properly.

Complaints (and compliments) are analysed quarterly and a report on these and any lessons learnt is considered by Standards and Audit Committee.

The Council has a "whistle blowing" policy included in the anti-fraud and corruption strategy which has been given to every member of staff.

The Council in 2020/21 had one finding of maladministration against it by the Local Government Ombudsman.

All Council meetings are open to the public, except where personal or confidential matters are to be discussed. All agendas and minutes are placed on the Council's public website and are also available by contacting the Council should electronic access not be possible. During 2020/21 almost all meetings took place remotely via MS Teams with audio access to the public.

The Council engages in formal consultation on the following year's budget and at the end of the financial year an Annual Statement of Accounts is produced and their availability for inspection by the local electorate is published. The public notice includes detail of how to contact the Appointed Auditor should an elector wish to make an objection to the accounts.

The Council's Corporate Business Plan was subject to wide ranging public consultation. The vision for Runnymede is:

"A vibrant Borough with a high-quality environment, where we maximise opportunities with partners to provide services which are highly regarded by local people."

The Corporate Business Plan is the Council's highest-level strategic document for senior managers and the responsible committees to monitor and review, as well as highlight where slippage or other difficulties are occurring, and appropriate recovery strategies need to be put in place. Progress reports on performance indicators are reported to Committees on a regular basis.

The Council's Performance Management Framework is a continuing process to increase the efficiency, accountability and analysis of performance management information, and aid greater ownership of performance by staff and Members alike. Business Unit/ Team Plans were in place for 2020/21, however the pandemic has caused significant changes.

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Audit Committee and the internal audit function

The Constitution sets out the role and function of the Standards and Audit Committee. The Internal Audit section reports to the Assistant Chief Executive (Responsible Finance officer). The Chief Internal Auditor reports on the plans and progress of the internal audit function directly to the Standards and Audit Committee. The complete internal audit service has been provided under contract. The Audit Committee members meet privately with TIAA and the Council's appointed auditor, BDO LLP privately at least once a year.

Ensuring compliance with established policies, procedures, laws and regulations

The Corporate Heads, via the Chief Executive, are ultimately responsible to the Council for ensuring compliance with established policies, procedures, laws and regulations. The roles of the Head of Paid Service, the Monitoring Officer, and the Responsible Finance Officer are set out in legislation and reflected in the Constitution of the Council. The Council's Legal Section reviews all reports to service committees to ensure propriety and provides advice on the impact of legislation. This includes a review of forthcoming legislation likely to impact on Runnymede.

Internal audit and external audit

The role of the Internal Audit function is to review compliance with financial procedures and other policies, to monitor the economy, efficiency and effectiveness of operations by advising and commenting on how risks are being managed, and to review arrangements for the security of the Council's assets. The Internal Audit Section contributes to the maintenance of effective corporate governance by:

- providing assistance in the development of internal financial controls
- ensuring that all significant business systems are subject to appropriate financial control, through targeted audit coverage using an appropriate risk-based approach

Internal Audit also provides an independent and objective opinion to the organisation on the degree to which internal controls support and promote the achievement of the organisation's objectives. The operational and management arrangements for Internal Audit are as follows:

- The Standards and Audit Committee reviews the audit coverage undertaken during the previous year and the audit plan for the forthcoming year;
- Internal Auditors conduct their work in accordance with professional standards set out in the Public Sector Internal Audit Standards (PSIAS);
- The Chief Internal Auditor has access to all senior managers and internal auditors have access to all records held by the Council when required;
- The work of Internal Audit is based on an evaluation of risk.
- Internal Audit produces an annual report that provides an opinion on the overall control and risk environment and reports on significant findings in the year.

A report on Internal Audit coverage in 2020/2021 will be presented to the Standards and Audit Committee in summer 2021.

Internal audit reports to the Assistant Chief Executive comply with the CIPFA Statements on the *Role of the chief financial officer in local government* in respect of his Section 151 Officer responsibilities.

At operational level, recommendations from Internal Audit Reviews are discussed and

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agreed with departmental management. At a strategic level, summary reports in respect of completed internal audit reviews are presented to the Standards and Audit Committee.

Local authorities are also required to review the effectiveness of their system of Internal Audit once a year and present the findings to a committee, or full Council, as part of the consideration of the system of internal control. The Standards and Audit Committee duly considered the results of this review.

The Council has set a balanced budget for 2020/21 and a balanced medium-term financial outlook. The pandemic has caused a deficit budget for 2020/21. The budget includes contingencies for managing risk and a planned use of reserves to mainly fund the regeneration plans of the Council. However, the Covid 19 pandemic does mean the Council will re-visit all its financial plans in October 2021 as the economic outlook becomes clear. The Annual Governance Report and Annual Audit Letter are published on our website (www.runnymede.gov.uk)

Other explicit review and assurance mechanisms.

A corporate compliance and review mechanism requires all Senior Officers to be explicitly responsible for:

- reviews of plans and procedures;
- ensuring that process reviews demonstrate continuous improvement;
- implementing agreed actions from internal audit reports;
- ensuring that staff personal development programmes are relevant to service delivery;
- monitoring Business Centre/Team Plan targets and budgets and reporting performance and variations.
- budget monitoring and control with monthly projected full year spend reported to the Corporate Leadership Team

Internal Audit investigations provide scrutiny of the required actions and report on instances of non-compliance

Significant governance issues

Where weaknesses in controls have been identified the Council has acted to strengthen controls in these areas. No significant weaknesses in internal control have been identified.

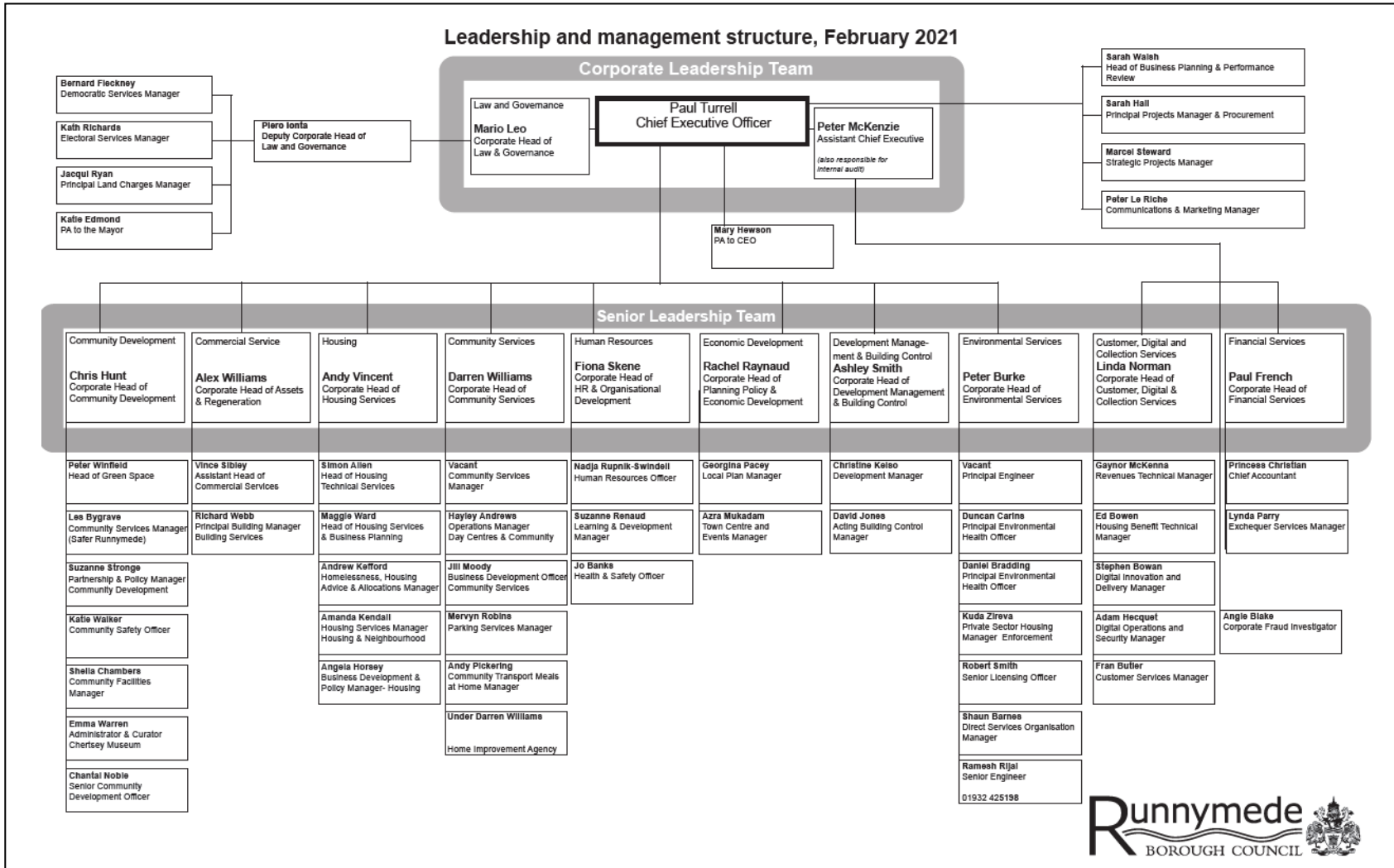
The need to achieve improvements in the following areas to further enhance our governance arrangements had been identified in the attached action plan.

Councillor N H Prescot
Leader of the Council
27 May 2021

Mr. P Turrell
Chief Executive
27 May 2021

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Leadership and management structure, February 2021



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Action Plan

Item	Issue	Actions taken	Further actions required	Timescale
1.	<p>Partnership working</p> <p>There is a growing pressure for the Council to deliver services and policy objectives in partnership with a wide range of organisations from the public, private and voluntary sectors.</p> <p>There is a risk that local authorities may enter into partnerships without due regard to controls, financial and operational risks, and robust governance procedures.</p>	<p>The Council's Internal Control Framework deals with aspects of joint working in a comprehensive way e.g. contract standing orders set out the arrangements to follow for contractual arrangements, service level agreements are established with organisations receiving annual revenue grants.</p> <p>During 2019/2020 a number of partnerships increased in size and / or scope. This includes a partnership agreement with Surrey Heath Borough</p> <p>In 2018/19 the Council entered into a partnership with Reigate and Banstead Borough Council to provide additional fraud investigation capacity. The partnership continued in 2019/20</p>	<p>1. The Council has developed its shared service strategy formulating a number of partnerships with Spelthorne BC, Elmbridge BC, Surrey Heath BC and Surrey CC. This policy will continue where it is clear this will provide business improvement, savings or greater resilience</p> <p>2. The Council continues to work with Surrey County Council on its transformation plans in 2019/20 and beyond as the UK moves into Covid recovery</p> <p>This has resulted in some significant short term but predominantly longer-term opportunities for savings and service improvement</p>	<p>On-going</p> <p>On-going</p>
2.	<p>Business Continuity Planning</p> <p>A Business Continuity Plan is a series of arrangements to ensure that standards of service are maintained during a period of disruption. There are some gaps in the planning process which could be improved i.e. plans at a service level. The greatest risk is an incident that leaves all or a substantial part of the Civic Centre unusable for a period.</p>	<p>The role of the Risk and Resilience service provided by Applied Resilience is to help prepare the organisation to effectively respond to disruptive events that threaten delivery of services.</p>	<p>As the Council's new management structure is embedded Business Continuity Plans will be re-visited in 2020/21</p>	<p>On-going</p>
4.	<p>Commercial property Rents</p> <p>In late 2016 it became clear that a number of commercial rent reviews had not taken place for a number of years. Over the last decade the loss of income to the Council is likely to exceed £1m on one rent review. The internal Audit</p>	<p>Members approved a new structure that transferred responsibility for reviewing commercial rents to the Commercial Services Section.</p>	<p>Additional professional resources have been brought in to review all the Council's leases and carry out rent reviews where needed.</p> <p>Corporate Management Committee and Standards and Audit Committee will continue to receive update reports for decision as.</p>	<p>Mar 2018 and on-going in 2021/22</p>

Annual Governance Statement 2020/21

	undertaken identified a number of recommended actions which have been agreed by the Standards and Audit Committee			
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9. **APPOINTMENTS TO OUTSIDE BODIES (LAW AND GOVERNANCE – CAROL HOLEHOUSE)**

1. The report attached at Appendix 'D' (to follow) lists all the appointments to outside bodies presently due for renewal.
2. For the assistance of Members, Officers have been able to categorise the nature of each body listed for appointment in Appendix 'D' as follows:
 - A:** These bodies are internal Council bodies or are formal joint Committees or joint working groups set up with other authorities. Members serve on them as Council Members and as far as liability is concerned are covered by the Council's insurances.
 - B:** These bodies are independent of the Council but are advisory or consultative and appointees have a representative function rather than an executive one. The purpose of the appointment is to speak on behalf of Runnymede Borough Council. Appointees should not find themselves participating in any act which incurs legal liabilities.
 - C:** These bodies are independent outside bodies and the appointees are placed there to act as Trustees, members of the Management Committee, or some similar role. They are not there to act as Council representatives but to use their judgement in the best interests of the Charity. In many cases, while acting on the outside body, they will be under a positive legal duty to act in its best interests rather than those of the Council. Council insurance does not cover them, but **Members of the Council are currently covered by an indemnity** when appointed by the Council, which the Council has agreed to provide. Representatives who are not Members of the Council, however, are not covered by the Council's indemnity.
3. For each appointment in Appendix 'D', whether the person appointed must be, should preferably be, or need not be a Member of the Council, is denoted by the following:
 - 1) Denotes person **MUST** be a Member of the Council
 - 2) Denotes person appointed should preferably be a Member of the Council
 - 3) Denotes person appointed need not be a Member of the Council

(To resolve)

Background Papers

None

10. **URGENT ACTION – STANDING ORDER 42 (LAW AND GOVERNANCE – JOHN GURMIN)**

A copy of proforma 975 detailing action taken after consultation with the Chairman and Vice-Chairman of the Committee is attached at Appendix 'E'. Approval by email has been given by the Chairman and Vice-Chairman to this urgent action and a copy of the signed and dated proforma will be forwarded to officers by them when physically possible.

(For information)

Background Papers

Emails from Chairman and Vice-Chairman approving Urgent Action Standing Order 42 975

**CONSULTATION WITH APPROPRIATE CHAIRMAN IN RESPECT OF URGENT ACTION
TAKEN UNDER STANDING ORDER 42**

APPENDIX 'E'

TO: Councillor Prescott and Cllr Gracey
Chairman and Vice Chairman of the Corporate Management Committee

FROM: Sarah Walsh

MY REFERENCE: Removal of public phone box **DATE:** 6 May 2021

1. Synopsis of report:

- 1.1 Runnymede Borough Council (RBC) has been advised of BT's intention to remove a public phone box from the Borough; located at the corner of Meadow Gardens and Thorpe Road, Staines upon Thames. To ensure the local community was informed of their proposal, BT placed a consultation notice on the public phone box. Ofcom guidance additionally expects the local authority to consult the local community on their views to determine whether they agree to the removal, object to the removal, or wish for it to be adopted by the local community. RBC has therefore additionally promoted the consultation on the Council newsspaper of the website, and the RBC Facebook and Twitter accounts.
- 1.2 After considering 5.5-5.6 below, the relevant factors stated in the Ofcom guidance, and that there has been no feedback from residents, the recommendation is that the Council gives its consent to the removal of the phone box and therefore publishes a first notification advising the local community of this decision. Should there be no further feedback, then Officers will also arrange a final notification to be published to the local community, Secretary of State for Culture Media and Sport, and BT.

2. Reasons why this matter cannot wait for a Committee Decision:

- 2.1 Given it is a minor decision, particularly given that it is not a red heritage phone box, the Chief Executive feels it is not necessary to obtain a committee decision, but would like Members to be aware.

3. Recommendation(s)

- 3.1 Approval is given for the Council to publish a first notification advising of the Council's decision to give its consent for the removal of the public call box located at the corner of Meadow Gardens and Thorpe Road, Staines upon Thames.
- 3.2 Approval is given for a final notification to be published after 30 days should there be no further responses.

4. Context of report

- 4.1 Overall use of payphones has declined by over 90 per cent in the last decade and the need to provide payphones for use in emergency situations is diminishing all the time, with at least 98 per cent of the UK now having mobile call coverage. This is important because as long as there is mobile network coverage, it's possible to call the emergency services, even when there is no coverage from your own mobile network provider.
- 4.2 Runnymede Borough Council (RBC) has been advised of BT's intention to remove a public call box from the Borough, located at the corner of Meadow Gardens and Thorpe Road, Staines upon Thames.

5. Report

- 5.1 An image of the phone box proposed to be removed by BT at the corner of Meadow Gardens and Thorpe Road, Staines upon Thames can be seen below.



- 5.2 The phone box has had an average of just three calls per month.
- 5.3 The process for removal requires the local community to be consulted on the proposals. BT therefore placed a consultation notice on the public call box. In addition, Ofcom guidance expects the local authority to consult the local community on their views to determine whether the Council should consent to the removal, object to the removal, or wish for it to be adopted by the local community. Although the consultation process gives the local community the opportunity to adopt a traditional red 'heritage' box and make it an asset that local people can enjoy at a cost of £1, in this case the public call box targeted for removal is not a traditional red 'heritage' box.
- 5.4 There is no set guidance on how the consultation needs to be delivered, just the timing. The Council has promoted the consultation on the Council's newspaper of the website and the RBC Facebook and Twitter accounts. In order to meet the deadline of 7 July 2021 for the second stage consultation lasting at least 30 days, the first stage consultation closed on 5 May 2021. No responses have been received.
- 5.5 In deciding whether to consent or object to the proposal, the Council must be satisfied that its decision is:
- Objectively justifiable in relation to the networks, services, facilities, apparatus or directories to which it relates;
 - Not such as to discriminate unduly against particular persons or against a particular description of persons;
 - Proportionate to what it is intended to achieve; and
 - In relation to what it is intended to achieve, transparent.
- 5.6 The Council must also be satisfied that it acted in accordance with the six community requirements set out in section 4 of the Communications Act 2003 ('the Act'). These are:
- To promote competition in the provision of electronic communications networks and services, associated services and facilities and the supply of directories;
 - To contribute to the development of the European internal market; To promote the interests of all persons who are citizens of the European Union;
 - Not to favour one form of, or means of, providing electronic communications networks or services i.e. to be technology neutral;
 - To encourage network access and service interoperability for the purpose of securing competition in the electronic communication networks and services markets and the maximum benefit for customers of communications providers; and
 - To encourage compliance with standards necessary for facilitating service interoperability and securing freedom of choice for the customers of communications providers.

- 5.7 Ofcom guidance also states that any local authority's objection to the removal of a public call box should be supported by clear, objective and proportionate reasons, related to the provision of the communications service at the box in question.
- 5.8 The Council must publish its first draft decision in the form of a notification and send a copy to the Secretary of State for Culture, Media and Sport. Although there is no guidance on how the notification needs to be published, Officers feel a sensible approach would be to publish the notification on the newspinner of the council website, and the RBC Facebook and Twitter accounts. The Council therefore needs to make a first notification decision by 7 May 2021 to allow a minimum 30 days from it being published before publishing the final notification to meet the deadline of 7 July 2021.
- 5.9 After considering 5.5-5.6 above, other relevant factors as stated in the Ofcom guidance (*whether there is predominantly council housing in the area which may suggest people on a lower income without access to mobiles/fixed telephone lines; if there are any concerns about alternative access to telephone services for low population densities; whether there is good network coverage for mobile phones*); and that there has been no response, the recommendation is that the council publishes a first notification advising of the Council's draft decision to consent to its removal.
- 5.10 A final notification at the end of the second stage consultation will be published, and copies sent to the Secretary of State for Culture Media and Sport and BT. It is therefore proposed that should there be no further responses that the final notification advising of the Council's final decision to give consent for the removal is also published.

6. Policy framework implications

6.1 There are no policy implications for Runnymede Borough Council.

7. Financial and Resource implications

7.1 None

8. Background papers

8.1 Ofcom guidance: https://www.ofcom.org.uk/data/assets/pdf_file/0022/28507/removals.pdf

9. Chief Officer(s) Decision

Signature of authorised officerN/A – the CE is the relevant Chief Officer (signed below)...

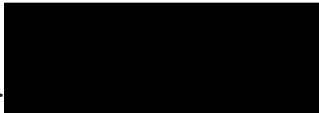
I have been consulted and am in agreement with the above

Signature(s) and position(s) of
other relevant Chief Officer, Corporate Heads or authorised representatives

.....N/A.....

NB: this must include the Corporate Director of Resources or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.

10. Chief Executive's Decision

Signature of Chief Executive .. 

I have been consulted and am in agreement with the above

11. **Chairman's Comments**

I concur in the Chief Officer's decision

Signed _____

Date _____

I have the following further comments:

Vice Chairman's Comments

I concur in the Chief Officer's decision

Signed _____

Date _____

I have the following further comments:

Further information may be obtained from Sarah Walsh.

The completed copy is to be returned by the Councillor to the Corporate Head of Law and Governance (John Gurmin) who will send a copy to the Chief Officer and report to the relevant Committee as necessary.

11. **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

	<u>Exempt Information</u>	<u>Paras</u>
12.	QUARTER 4 2020/21 AND END OF YEAR PROJECT PORTFOLIO REPORTING	3
13.	FUTURE USE OF MODERN.GOV	3

Confidential Information

(No reports to be considered under this heading)