

Runnymede Borough CouncilCORPORATE MANAGEMENT COMMITTEE22 July 2021 at 7.30 p.m.

Members of the Committee present: Councillors N Prescott (Chairman), T Gracey (Vice-Chairman), D Cotty, M Cressey, L Gillham, J Gracey, M Heath, C Howorth, J Hulley, M Maddox, I Mullens and D Whyte.

Members of the Committee absent: None

152 FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

153 NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

The Groups mentioned below had notified the Chief Executive of their wish that the changes listed below be made to the membership of the Committee. The changes were for a fixed period ending on the day after the meeting and thereafter the Councillors removed would be reappointed.

<u>Group</u>	<u>Remove From Membership</u>	<u>Appoint Instead</u>
Conservative	Councillor M Willingale	Councillor J Hulley
Runnymede Independent Residents'	Councillor A Alderson	Councillor I Mullens

The Chief Executive had given effect to these requests in accordance with Section 16(2) of the Local Government and Housing Act 1989.

154 MINUTES

The Minutes of the meeting held on 24 June 2021 were confirmed and signed as a correct record.

155 ADDLESTONE ONE – CLADDING

The Committee considered a report on remedial work that was required in respect of external wall cladding for the Addlestone One scheme.

Councillor Maddox queried whether he had declarable interest in this item as a Non-Executive Director of RBCI and it was noted that he did not have a declarable interest as the report related to the approval of expenditure required to carry out remedial works and did not relate to the recovery of any of the costs of those works.

In January 2020, the Government had produced "Advice for Building Owners of Multi Storey, Multi Occupied Residential Buildings 2020 MCHLG Consolidated Guidance". This document set out the fire safety requirements for all residential buildings of multi-occupancy, irrespective of the height of the building. Previously the focus had been on buildings over 18 metres in height.

In December 2020, PA Housing, the prospective purchaser of Witley House in the Addlestone One Scheme, had insisted upon an EWS 1 form which provided a fire safety rating for external wall cladding but was not a safety certificate. It was necessary to waive

public procurement rules to appoint industry experts who could undertake the façade assessment and provide an EWS 1 form which indicated the rating achieved. The services of Harris Associates and Tri Fire had been engaged who were experts in External Wall Fire Review. As so many buildings in the country were built with combustible cladding materials there was a considerable shortage of professional expertise in this key area.

In March 2021, Tri Fire and Harris Associates had carried out inspections of Witley House. Although they had only undertaken an EW1 survey for that block, as the scheme had been built at the same time with the same material, the issues that had been identified would be present throughout the whole of the Addlestone One scheme.

Tri Fire and Harris Associates had given Witley House a B2 EWS 1 rating. This meant that it was essential that remediation works were undertaken to replace the external wall system with materials that achieved a Euroclass A2 or better fire rating along with fire barrier provision and cavity closures around the openings of the windows. This remediation work would improve the fire rating, reduce the fire risk throughout the scheme and result in a compliant EWS1 rating. The current fire strategy in situ was deemed appropriate by the Council's appointed fire engineer, Tri Fire, who had advised that the situation currently was not severe and robust measures were in place and there was no need for any additional interim measures such as a waking watch. The fire strategy would remain under review throughout the forthcoming work and if necessary would be altered in light of professional advice received from the Council's appointed fire engineer.

The costs of the remediation were shown in Exempt Appendix '1' to the agenda. The costs were provided as budget estimates only and would be subject to a fully measured and designed solution. Therefore a maximum budget was set out in Exempt Appendix '1' to cover any unforeseen problems and prevent further Committee approvals. This sum would normally require the approval of Full Council. Given the urgent need for remedial action in this case, the Committee approved this sum under delegated authority.

In view of the specialist nature of these works, the limited professional firms available and the need to remedy this issue quickly, the Committee agreed that the professional team of Harris Associates and Tri Fire be retained to ensure that the Council delivered these works to an appropriate standard to provide a safe environment for residents and agreed that Contract Standing Orders be waived to maintain that team. The Committee agreed that the works should be undertaken in accordance with resolutions ii) and iii) below. The Committee agreed that the decisions that it had taken would not be called-in and the Chairman of the Overview and Scrutiny Select Committee had agreed to this course of action.

When the Addlestone One scheme had been completed in June 2018 by BYUK it was deemed to have been both compliant with the Building Regulations and had satisfied the guidance in Approved Document B 2006 Edition incorporating amendments which were made in 2010 and 2013. Although the development received Building Regulations Compliance sign off from independent Building Control inspectors employed by the construction contractor, there was now a question mark arising from a recent façade fire assessment carried out as to whether the relevant B4 (1) Regulation was satisfied.

It was noted that collateral warranties had been executed as deeds as part of the terms of the development agreement. The limitation period in respect of those deeds was twelve years. This meant that if it were to transpire that there had been a breach of contract, proceedings could take place up to 12 years from the date of the execution of those deeds. The Council was not in a position at this time to determine whether there had been any breach of contractual obligations. The most important issue at present was to remedy the safety issues which had been identified and the Council would review the legal position in due course.

In order for the works to be undertaken, the Council would have to comply with procurement legislation. As there were hundreds of buildings across the country which were faced with the same problem there would be pressure in securing a suitable contractor to undertake the work.

It was noted that the Committee would receive regular reports on the work being undertaken on the timetabling of the work and the progress being made. The Committee would also receive a further report on the frequency with which reports on the work would be made and on the style of reporting which would be adopted.

**RESOLVED that –**

- i) a capital estimate of up to the sum outlined in Exempt Appendix ‘1’ to the agenda be approved to carry out the remedial works highlighted in the report which will be subject to a formal procurement process to resolve safety issues and to enable the issue of the EWS1 (External Wall Cladding) certification throughout the Addlestone One scheme to be addressed;**
- ii) delegated authority be given to the Chief Executive, the Corporate Head of Law and Governance and the Corporate Head of Assets and Regeneration to agree the Action Plan and programme a way forward in consultation with the Leader of the Council as outlined in the report which will deliver the desired result to ensure that the safety of residents is put first and foremost and the scheme is remediated to ensure compliance with legislation;**
- iii) the remedial works will be done on a phased approach to rectify each block in the Addlestone One site with occupied blocks being undertaken first;**
- iv) Contract Standing Orders be waived to maintain the current professional team in respect of these works;**
- v) in accordance with paragraph 1.3 of Committee Responsibilities and the Scheme of Delegation, resolution i) above be a delegated function as it cannot be delayed until the next meeting of Full Council in view of the urgent need for remedial works to be undertaken; and**
- vi) in accordance with Standing Order 27.8 (b) and with the agreement of the Chairman of the Overview and Scrutiny Select Committee, no call-in of resolutions i) to v) above will be effective as the interests of the Council and the Borough would be prejudiced by delay in implementing those decisions in view of the urgent need for remedial works to be undertaken.**

156 CONSIDERATION OF MATTERS RAISED BY OVERVIEW AND SCRUTINY SELECT COMMITTEE CONCERNING CALL-IN OF DECISION – APPOINTMENTS TO OUTSIDE BODIES

The Committee considered matters raised by the Overview and Scrutiny Select Committee concerning the call-in of the decision of the Corporate Management Committee on 27 May 2021 on appointments to outside bodies. Councillors Alderson and Williams had called-in this decision as they did not consider that there had been a proper opportunity at the Corporate Management Committee meeting on 27 May 2021 for Councillors to make the case for alternative nominations for some of the outside body appointments.

At its meeting on 27 May 2021, the Corporate Management Committee had made a number of appointments to outside bodies. For most of those appointments only one nomination had been received, i.e those appointments had not been contested. After the call-in was received, in order to prevent any delay in appointments being notified to those bodies for which appointments were uncontested at the Corporate Management Committee, the Leader of the Runnymede Independent Residents' Group agreed that the call-in would only apply to those outside body appointments that were contested.

The Overview and Scrutiny Select Committee had noted the response of Officers to the issues raised in the call-in and at the Corporate Management Committee meeting on 27 May 2021. That Committee had discussed the way in which contested appointments (i.e. those appointments where more than one nomination was received) had been considered at the Corporate Management Committee meeting on 27 May 2021. It was confirmed that advice had been given at the meeting on 27 May 2021 that if a Member who had been nominated for an external appointment wished to speak in support of their own nomination for an appointment to an outside body they could not do so. Members at the meeting on 27 May 2021 had interpreted the advice which had been given to mean that no speech could be made in support of a nomination to an outside body.

The opinion of the Overview and Scrutiny Select Committee was that as Members at the meeting of the Corporate Management Committee on 27 May 2021 had not been clear about the procedure to be followed in respect of contested appointments to outside bodies, the contested outside body appointments should be considered again at the next meeting of the Corporate Management Committee and be determined in accordance with Standing Order 39.6. The Overview and Scrutiny Select Committee had recommended accordingly (recommendation 1). The Corporate Management Committee approved this recommendation in the interests of openness and transparency and considered the contested appointments again in accordance with Standing Order 39.6. It was noted that non-Conservative Councillors had not put forward nominations for all of the outside body appointments but only those where they considered that the nominee that they advocated had skills and/or knowledge that would be relevant to that role.

The Committee noted that if a Member was nominated for appointment to an outside body, they were not allowed to speak in support of their nomination. One Member of the Committee (not the Member nominated) was allowed a maximum of two minutes to speak in support of the nomination of another Member to represent the Council on an outside body. Any other Member of the Committee (not the Member nominated) wishing to speak on the proposed nomination would also have a maximum of two minutes to speak. It was also noted that a nomination for a person to represent the Council could only be made by a Member of the Committee, in accordance with the definition of "Member" provided at page 103 of the Council's Constitution.

The Overview and Scrutiny Select Committee had also recommended (recommendation 2) that for future outside body appointments an External Appointments Sub-Group be convened (this could meet remotely as it would not be making decisions) which would make recommendations on the appointments to the Corporate Management Committee for decision. This recommendation was made as the Corporate Management Committee had a large volume of business to consider and more time was needed to consider this item in future in view of the greater number of nominations being made by the different groups on the Council.

The Overview and Scrutiny Select Committee also recommended (recommendation 3) that for future outside body appointments Council representatives on outside bodies be required to report back to the Council on their attendance and on the activity of the outside bodies to which they were appointed by the Council.

It was agreed that the second and third recommendations referred to above would be deferred for consideration by the Constitution Member Working Party in September who would report back to the October meeting of the Corporate Management Committee.

**RESOLVED that –**

- i) **the contested outside body appointments set out in Appendix ‘C’ to the agenda be determined in accordance with Standing Order 39.6 on pages 161 and 162 of the May 2021 Constitution of the Council;**

Councillor M Cressey requested a recorded vote on the above decision and the voting was as follows: -

For (12): Councillors Prescott, T Gracey, Cotty, Cressey, Gillham, J Gracey, Heath, Howorth, Hulley, Maddox, Mullens and D Whyte.

Against: None

- ii) **the following appointments be made for the Municipal Year 2021/22 or for longer periods where stated:**

- (1) **Air Training Corps (No 398 Squadron) Management Committee**

Representative: Councillor M Adams

*(Councillor R King was also nominated as the Council's representative on this Committee. The nominations of Councillors Adams and R King were put to the vote and Councillor Adams received the greater number of votes and was duly appointed)*

- (2) **Ashford and St Peters NHS Trust (Three Year Term of Office)**

Representative: Councillor M Adams

*(Councillor S Whyte was also nominated as the Council's representative on this Trust. The nominations of Councillors Adams and S Whyte were put to the vote and Councillor Adams received the greater number of votes and was duly appointed)*

- (3) **Basingstoke Canal JMC**

Member Representative: Councillor S Lewis

*(Councillor M Harnden was also nominated as the Council's Member representative on this JMC. The nominations of Councillors Harnden and Lewis were put to the vote and Councillor Lewis received the greater number of votes and was duly appointed)*

- (4) **Egham Chamber of Commerce**

Member Representative: Councillor A Balkan

*(Councillor S Williams was also nominated as the Council's representative on this Committee. The nominations of Councillors Balkan and Williams were put to the vote and Councillor Balkan received the greater number of votes and was duly appointed)*

- (5) **Egham Chamber of Commerce**

Deputy Representative: Councillor N Prescott

*(Councillor R King was also nominated as the Deputy representative on this outside body. The nominations of Councillors Prescott and R King were put to the vote and Councillor Prescott received the greater number of votes and was duly appointed).*

Councillor I Mullens requested a recorded vote on the above decision and the voting was as follows: -

For appointment of Councillor Prescott (9): T Gracey, Cotty, Cressey, J Gracey, Heath, Howarth, Hulley and Maddox.

For the appointment of Councillor R King (3): Councillors Gillham, Mullens and D Whyte.

**(6) Fairoaks Airfield Joint Consultative Committee**

Deputy Representative: Councillor R Edis

*(Councillor J Olorenshaw was also nominated as the Deputy representative on this Committee. The nominations of Councillors Edis and Olorenshaw were put to the vote and Councillor Edis received the greater number of votes and was duly appointed)*

**(7) Heathrow Community Noise Forum**

Deputy Representative: Councillor J Sohi

*(Councillor R King was also nominated as the Council's Deputy representative on this Forum. The nominations of Councillors R King and Sohi were put to the vote and Councillor Sohi received the greater number of votes and was duly appointed)*

**(8) Voluntary Support North Surrey (Three Year Term of Office)**

Representatives: Councillors D Clarke and N Prescott

*(Councillor T Burton was also nominated as a Council representative on this outside body. The nominations of Councillors Burton, Clarke and Prescott were put to the vote and Councillors Clarke and Prescott received the greater number of votes and were duly appointed).*

157 **QUARTER 1 2021/22- PROJECT PORTFOLIO REPORTING**

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 report providing them with a progress update on the delivery of the Council's Project Portfolio during the first quarter of 2021/22. The Committee noted project updates for the ten grade A and nine grade B projects ranging from the initiation to execution stages, the key project achievements over the first quarter of 2021/22 and the project execution delays highlighted and the corrective actions in place to address them and the pipeline projects that had been approved in service area business plans for delivery in 2021/22. The Committee also noted a Project Portfolio Dashboard which provided a summary of the projects including project end date changes and the portfolio timeline for projects in initiation to execution. Officers were asked to consider whether the effect of changes of dates in the projects could be highlighted. It was agreed that a reminder would be sent to all Members on how to access the Dashboard.

The Committee commended the excellent work of the project management team in producing the report and in progressing digital transformation across the organisation. It was noted that further progress had been made on the Corporate Business Plan project so that the time status for this project had moved to amber status from red. The Magna Square development project budget status had also moved to amber status from red as the contingency was not currently forecast to be fully spent.

**RESOLVED that –**

- i) project updates for ten grade A and nine grade B projects, ranging through the initiation to execution stages, be noted;**
- ii) key project achievements over the first quarter of 2021 be noted;**
- iii) the project execution delays highlighted and the corrective actions in place to address them be noted; and**
- vi) the pipeline projects that have been approved in service area business plans for delivery in 2021/22 be noted.**

158 PROPOSED REVIEW OF PARKING SERVICES

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 Committee considered proposed arrangements for the Council's Parking Services. The Committee agreed that the Parking Services Review would be undertaken in three phases. The first phase was staffing, following the resignation of the Parking Services Manager. It was agreed that the line management of the four existing Parking Services staff be transferred initially from Community Services to Customer Services and that officers consider a more permanent home for the Parking Enforcement Officers (the PEOS) which might possibly be in a Joint Enforcement Team (JET). The JET had not yet been created and was subject to budget pressures and future Council aspirations. The Committee agreed that two new PEOs be created and the cost would be met from savings resulting from deleting the Parking Services Manager's post. This would allow new ways of working across the borough to be trialled and enable problem areas to be targeted.

The second phase would be a review of the software system and new ways of working. The third phase would be an asset review which would include changing responsibility for the asset to Commercial Services and investigating the viability and potential costs of implementing Automatic Number Plate Recognition (ANPR) and Electric Vehicle Charging points in five car parks where the business case supported the investment.

**RESOLVED that –**

- i) the phased approach to the Parking Services Review which will improve the overall service delivery and increase parking income long term be noted as follows:**
  - Phase 1 Change of staff line management following the departure of the Parking Services Manager.**
  - Phase 2 System review and new ways of working.**
  - Phase 3 Asset review including changing responsibility for asset to Commercial Services and investigating the viability and potential costs of implementing ANPR and Electric**

**Vehicle Charging points in five car parks where the business case supports the investment;**

- ii) **the line management of the four existing Parking Services staff be transferred to Customer Services initially while officers consider a more permanent home for the Parking Enforcement officers (PEOs) which could include moving to a Joint Enforcement Team (JET) once it is created; and**
- iii) **reinvestment in the sum reported back into the service be approved to create two new PEOs to trial new ways of working across the borough targeting problem areas.**

159 ENFORCEMENT AGENT COMPANIES – PROPOSED EXTENSION OF CONTRACTS

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.

At its meeting on 13 October 2016, the Corporate Management Committee had selected two enforcement agent companies (formerly known as bailiffs) to undertake recovery of unpaid Council Tax and Business Rates and to execute arrest warrants on behalf of the Council. Both contracts were for five years with an option to extend for two years. Both companies had performed well and the Committee agreed that both contracts be extended for further two years.

**RESOLVED that –**

**a two year extension to the two existing contracts to undertake enforcement services on behalf of the Council be approved.**

160 MAGNA SQUARE DEVELOPMENT – COMMERCIAL 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.

Marketing of the vacant units in the Magna Square (formerly Egham Gateway West) development had commenced in April 2021 and the Committee considered a report on three offers for three different commercial units in the development. The Committee was informed that one of the three prospective tenants had decided to withdraw their offer. This was the second company in the table at paragraph 2.3 of the report which set out the main prospective heads of terms. The Committee commended officers on bringing these offers forward in the current difficult trading environment. The Committee approved the lettings on the terms outlined in the body of the report and approved delegated authority as set out in resolution ii) below, as time was of the essence to progress legal documentation and subsequent completion in situ to enable the tenants to commence fitting out.

**RESOLVED that –**

- i) **leases be granted for two of the commercial units in the Magna Square development on the terms outlined in the body of the report; and**
- ii) **delegated authority be given to the Chief Executive or Assistant Chief Executive, the Corporate Head of Law and Governance and the Corporate Head of Assets and Regeneration to approve adaptations to**



**the leases at resolution i) above if so required in consultation with the Leader and Deputy Leader of the Council, as the terms have been accepted by the prospective tenants advisors but have yet to receive Board approvals.**

161 ADDLESTONE ONE LETTING

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.

Approval was sought for the proposed letting of a commercial unit in the Addlestone One development. The financial due diligence which had been undertaken by officers, the details of the proposed tenant's current business operation and the proposed Heads of Terms, were noted. At present as a result of the pandemic and uncertainty going forward, options to attract new commercial occupiers to Addlestone One were limited. The Committee recognised that deterioration of market conditions caused by Covid meant there were greater risks associated with business tenants than before the pandemic and approved the Heads of Terms. In the event of vacation, the majority of the fit out could be used by another occupier.

**RESOLVED that –**

**the agreed Heads of Terms for a letting of the Unit as reported in The Lane, Addlestone Town Centre, be approved.**

162 COMMERCIAL PROPERTY LETTING

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 considered a report seeking approval to grant a lease of commercial office premises to a new tenant. The Committee noted the proposed terms. The Covid-19 crisis had caused a significant fall in open market lettings over the last 18 months and the Committee approved the letting noting that it would enhance the Council's revenue income stream.

**RESOLVED that –**

**a new lease be granted to the company on the terms set out in the report for self-contained office premises at the commercial property as reported.**

163 PAYMENT OF MARKET FACTOR SUPPLEMENT – LAW AND GOVERNANCE POST

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 Committee considered a report proposing to continue to pay a Market Factor Supplement for a post for a further period of 2 years. At its meeting on 19 September 2019, the Committee had agreed that a Market Factor Supplement be created for a period of two years (effective as of 01.08.19) for this post and had approved a supplementary revenue estimate to cover the cost of this supplement. The Committee noted that the recruitment

and retention picture in respect of this post which had led to the payment of a Market Factor Supplement had not improved since the summer of 2019 and that the position had, if anything, worsened. The Committee therefore approved the continuation of the payment for a further period of 2 years. Provision of funding to pay the Market Factor Supplement for a further two years had been made in the Medium Term Financial Strategy.

**RESOLVED that –**

**the continuation of the payment of a Market Factor Supplement in the sum reported per annum for a period of 2 years (effective as of 1 August 2021) to the holder of the post as reported, be approved.**

164 CORPORATE FRAUD AND FINANCIAL INVESTIGATIONS

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 Committee considered a report which proposed that the Council worked in partnership with the investigations team of another local authority to enhance the resources available for an increasing need to work on fraud prevention.

In 2018 the Council had entered into a shared service arrangement for corporate fraud and financial investigations with another local authority who had supplemented the one fraud officer based at Runnymede. That officer had applied for voluntary redundancy and by releasing that officer and expanding the very successful partnership with the other local authority, the Council could maintain an effective service and make an efficiency saving. The Council would enter into a Service Level Agreement with the other local authority if the proposals were approved by the Committee.

The fraud function had made over £1.2m in savings for the Council in 2020/21 despite the pandemic. The last review of the costs of the fraud function split the costs of the unit 50:50 between the Housing Revenue Account (HRA) and the General Fund. However, the trend over the last two financial years suggested that the HRA accounted for 80% by value and by numbers of referral/investigations with positive outcomes.

The Committee approved the proposals. It was agreed that a Member would be advised of the number of the referrals mentioned in paragraph 2.4 of the report that related to Runnymede and that future reports on shared services would provide a breakdown of the amount of work relating to Runnymede and the amount of work relating to the other local authority or local authorities.

**RESOLVED that –**

**the Business Case be approved and the Council enters into a Service Level Agreement with the other local authority as identified in the report in order to expand the fraud prevention partnership with that local authority.**

(The meeting ended at 9.48. p.m.)

Chairman