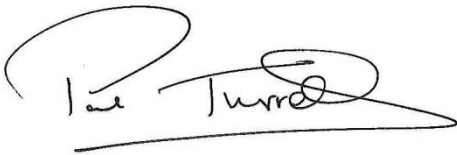


10 July 2019

Dear Councillor

SUMMONS TO A MEETING OF THE COUNCIL

I hereby summon you to attend the meeting of the Council to be held on **Thursday 18 July 2019 at 7.30pm** in the Council Chamber at the Civic Centre, Addlestone.



PAUL TURRELL
Chief Executive
01932 425500
Email: paul.turrell@runnymede.gov.uk

A G E N D A

1. **FIRE PRECAUTIONS**

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

2. **MINUTES**

To approve and sign, as a correct record, the Minutes of the Meeting of Council held on 15 May 2019 , as circulated by e-mail on 10 July 2019 .

3. **MAYOR'S ANNOUNCEMENTS**

4. **APOLOGIES FOR ABSENCE**

5. **DECLARATIONS OF INTEREST**

If Members have an interest in an item, please record the interest on the orange coloured form circulated with this Agenda and hand it to the Democratic Services Manager at the start of the meeting. A supply of the form will also be available from the Democratic Services Manager at the meeting. Members are advised to contact the Corporate Head of Law and Governance prior to the meeting if they wish to seek advice on a potential interest.

6. **SPEAKING OR QUESTIONS FROM MEMBERS OF PUBLIC UNDER STANDING ORDER 12**

7. **PETITIONS**

To receive any petitions from Members of the Council under Standing Order No 19.

8. **QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 13**

9 **COMMITTEE SEATS REVIEW (CHLG - Mario Leo)**

Synopsis of report

To review the allocation of seats on the Council's Committees following the resignation of Councillor Kusneraitis from the Conservative Group and establishment of Runnymede Residents' and Community group (RRC), and consideration by the Constitution Member Working Group of a proposal to reduce the number of seats on Planning Committee.

RECOMMENDATION;

- a) note the views of the Constitution MWG that the number of seats on Planning Committee remain as 15 and to resolve that the size of that Committee be 15;
- b) the allocation of seats on the Committees shown in Appendix 'A' be as set out therein;
- c) the allocation of Committee seats to Members of Political Groups as previously requested by those groups in May 2019 be reaffirmed, subject to the change to reflect d), e) and f) below;
- d) Councillor Kusneraitis be appointed to Planning Committee and Standards and Audit Committee to take the seats allocated to the RRC group, and a Conservative Councillor (to be notified) be appointed to Community Services Committee to the seat allocated to the Conservative group which Councillor Kusneraitis has temporarily occupied;
- e) a Conservative Councillor (to be notified) be removed from the Planning Committee; and
- f) a Conservative Councillor (to be notified) be removed from the Standards and Audit Committee.

1. **Context of report**

- 1.1 Following the resignation of Councillor Kusneraitis from the Conservative Group and establishment of RRC group, Council are asked to consider revisions to the apportionment of total Committee seats and his appointment on individual Committees as shown on appendix 'A'.

2. **Report**

2.1 **Political Composition of the Council**

Following the resignation of Councillor Kusneraitis from the Conservative group and establishment of RRC group, the political composition of the Council at the date of this Council meeting will be as follows:-

	Seats	Approx % of Total
Conservative	25	60.97
Runnymede Independent Residents' Group	6	14.63
Liberal Democrats	3	7.31
Labour	2	4.87
Independent	2	4.87

Runnymede Residents' and Community	2	4.87
Green	1	2.43

(NB – The Conservative Members, the Runnymede Independent Residents' Members, the Liberal Democrat Members, the Labour Members, the Runnymede Residents' and Community Members, and the Independent Members have constituted themselves as political groups in accordance with the 1989 Act).

2.2 Apportionment of Total Committee Seats

Under the structure previously agreed, and confirmed by the current Constitution the following Committees have been appointed (Standing Order 22.1) and have the following numbers of seats :

Corporate Management Committee	12
Environment and Sustainability Committee	10
Housing Committee	10
Community Services Committee	10
Planning Committee	15
Regulatory Committee	5
Overview and Scrutiny Select Committee (also functioning as the Crime and Disorder Committee)	9
Standards and Audit Committee	10

This gives a total of 81 seats to apportion amongst Members/political groups.

On the basis of the statutory principles, there is a total Committee seat entitlement for each political grouping as follows:-

<u>Group</u>	<u>Total Committee Entitlement</u>
Conservative	49
Runnymede Independent Residents'	12
Liberal democrats	6
Labour	4
Independent	4
Runnymede Residents' and Community	4
	79

Having apportioned 79 seats to the political groups, the remaining 2 seats must be allocated to Councillor Brierley who is not part of a political group. It is for the Council to decide which Committees, Councillor Brierley sits on. As agreed in May this year, Councillor Brierley currently sits on Environment and Sustainability Committee and Overview and Scrutiny Select Committee/Crime and Disorder Committee .

In accordance with the decision of Annual Council, the Constitution Member Working Group has considered the proposal by the Conservative group to reduce the size of the Planning Committee from 15 to 13 Members, but has unanimously recommended that no change be made and the number of seats on Planning Committee remain at 15 as at present

2.3 Apportionment of Seats on Individual Committees

Seats on the main Committees should be allocated in order to give effect to the statutory principles.

The table at Appendix 'A' reflects the apportionment agreed at Annual Council in May this year, except that it now reflects the changes resulting from the resignation of Councillor Kusneraitis from the Conservative group and the establishment of the RRC group.

The apportionments suggested follow the process in the statutory provisions and any alternative proposals would have to demonstrate compliance with these principles.

2.4 Individual Membership of Committees

Once the Council has approved the manner of constituting the main Committees, then under the Act and Standing Orders it is necessary to make appointments on each Committee so as to give effect to the wishes of the relevant groups. **It is recommended that no change be made to the Committee memberships as agreed at Annual Council in May this year except that Councillor Kusneraitis will occupy on behalf of the RRC group a seat which has been allocated to that group on Planning Committee and Standards and Audit Committee and that Members from the Conservative group (to be notified) be removed from seats that group are no longer entitled to on Planning Committee and Standards and Audit Committee, and the Conservative Group appointing a member of their group (to be notified) to Community Services Committee to the seat allocated to the Conservative group which Councillor Kusneraitis has temporarily occupied since 15 May.**

(To resolve)

Background papers

None

Committee	Con	RIRG	Lib	Labour	Ind	RRC	Green
Corporate Management (12)	8	2	1	1			
Environment and Sustainability (10)	6	1	1		1		1
Housing (10)	6	1	1	1		1	
Community Services (10)	6	1	1	1	1		
Planning (15)	9	2	1	1	1	1	
Regulatory (5)	3	1	1				
Crime & Disorder/Overview & Scrutiny (9)	5	2				1	1
Standards and Audit (10)	6	2			1	1	
(81)	49	12	6	4	4	4	2

10. SCHEME OF DELEGATION – AMENDMENT (CHLG - Mario Leo)

Synopsis of report:

To seek authority to amend the Scheme of Delegation in Part 3 of the Council’s Constitution to reflect changes arising from the recent restructure of the senior management tier of the Council and to facilitate the continued exercise of delegated powers by officers.

Recommendation(s):

The Scheme of Delegation be amended as shown in Appendix ‘B’

1. Context of report

1.1 Following the recent restructure of the senior management tier of the Council ,it is necessary to amend the Scheme of Delegation to facilitate the continued exercise of delegated powers by Officers. There is no change to the powers delegated, only to the Officers delegated to exercise the powers. Some delegated powers relating to planning, environmental health and DSO matters have previously been approved under SO42 in order to address short term issues arising from the departure of the Corporate Head of Planning and Environmental Services, but are included for completeness. A key to the abbreviations used in the Scheme of Delegation is set out below:

- ABCM - Acting Building Control Manager
- ADM - Assistant Development Manager
- CE- Chief Executive
- ACE- Assistant Chief Executive
- CHLG-Corporate Head of Law and Governance
- DCS-Director of Commercial Services
- DM- Development Manager
- CHEDPP- Corporate Head of Economic Development and Planning Policy
- CHDMBC-Corporate Head of Development Management & Building Control
- CHH-Corporate Head of Housing
- CHHR-Corporate Head of Human Resources
- CHCDCS -Corporate Head of Customer ,Digital and Collection Services
- CHCD-Corporate Head of Community Development
- CHF-Corporate Head of Finance
- CHCS-Corporate Head of Community Services
- CHES-Corporate Head of Environmental Services
- LPM- Local Plan Manager
- MPTL- Major Projects Team Leader
- PEHO- Principal Environmental Health Officer

2. Report

2.1 The Council undertakes a variety of functions which require the delegation of powers to either Committees or Officers to facilitate the effective and efficient discharge of those powers. A recent major restructure of the senior management tier of the Council means that there must be a review of the Officer posts which can exercise various delegated powers. The proposed amended scheme of delegation shows the changes in red for ease of reference. There is no extension of the powers delegated to Officers.

3. Legal Implications

- 3.1 All the powers of a local authority can be exercised by the Full Council. Given the extensive range of functions which a local authority is required to undertake it would be impractical to convene meetings of the Full Council to enable relevant decisions to be made. Section 101 Local Government Act 1972 (LGA 1972) provides a power for a local authority to arrange for the discharge of any of their functions by a committee, a sub-committee or an officer of the local authority.
- 3.2 In exercise of the powers granted by Section 101 LGA 1972 the Council has included in Part 3 of its Constitution a schedule setting out powers delegated to its committees, sub-committees and officers. This is a common practice amongst local authorities.
4. Policy framework implications
- 4.1 The measures contained in this report will enable the Council to demonstrate compliance with its legal obligations and deliver the various objects contained in its plans and policies.
5. Financial and Resource implications
- 5.1 There are no resource implications associated with the proposals contained in this report. The powers which it is proposed to delegate will be exercised by officers already employed by the Council or posts already on the establishment.
6. Legal implications
- 6.1 Legal implications are contained within the body of the report. As stated above the Council has a power under Section 101 LGA 1972 to delegate the exercise of powers to officers.
7. Equality implications
- 7.1 There are no equalities implications associated with the proposals contained in this report.

(To resolve)

Background papers

None.

APPENDIX B - ANNEXE 1

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DIVISION OF OFFICER RESPONSIBILITIES

(Note: The purpose of this annexe is to identify the officer responsible for doing something. It is not in itself a list of delegated powers. Whether specifically stated or not, officers exercising functions are expected to consult other officers whose functions may be affected by their actions. See also Annexe 3.)

Staff

(N.B. refer to Personnel Policies and Procedures handbook)

Appointment and starting terms within established range; disciplinary action; capability matters; dismissal; general management in accordance with established policy and procedures; advancement within salary range in accordance with established policy; variation of terms and conditions within established policy:

The Chief Executive and Corporate Director/Head concerned.

Administration of staff car leasing scheme, car loans, and computer loans:

CHR-ACE following consultation with Corporate Director/Head concerned, in case of individual applications.

All other Officer staffing decisions, including variations to gradings and establishment within available flexibility:

CE following consultation with Corporate Director/Head concerned.

Finance

All financial matters delegated to an Officer, including administration and collection of Council Tax and Non-Domestic Rates:

CHRA-ACE/CHCD-DCS, subject to consultation with the Corporate Director/Head responsible for any service involved.

Property

Acquisitions, disposals, dealings, rights, statutory powers:

CE and DCS, subject to considering the advice of a qualified Valuer on significant transactions, and subject to consultation with the Chief Officer or Corporate Director/Head responsible for any service involved.

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Legal matters

The initiation or defence of legal proceedings:

CHLG, subject to consultation with the Corporate Director/Head responsible for any service involved.

CDR-ACE/CHCD-DCS for recovery or non-payment of Council Tax, Non-Domestic Rates, or benefit fraud

CDHCD/CHH for recovery of rent, service charges, rechargeable works, homelessness and ASB.

Entering into legally binding obligations (if not delegated to another Officer):

CHLG, subject to consultation with the Corporate Director/Head responsible for any service involved.

Administration

The procurement of goods, materials, labour or services:

The Chief Officer/CE/ACE and Corporate Director/Head responsible for the service involved, to act in accordance with Standing Orders.

Amendment of Standing Orders where necessary to comply with legal requirements:

CHLG

Insurance:

GDPRACE

Refuse collection and recycling:

CDPES/DSO MANAGER/EH & LMCHES/PEHO

Pollution and nuisance control:

CDPES/EH & LMCHES/PEHO

Food legislation:

CDPES/EH & LMCHES/PEHO

Health and Safety at Work:

CDPES/EH & LMCHES/PEHO

Stray Dogs:

CDPES/EH & LMCHES/PEHO

National Assistance Act burials and cremations and dealing with estates of deceased persons:

CDPES/EH & LMCHES/PEHO

Public Conveniences:

CDPESCHES/DSO MANAGER/PEHO

Licensing and registration

All matters not allocated specifically elsewhere:

CDPES/EH & LMCHES/PEHO

Betting Gaming and Lotteries legislation:

CDPES/EH & LMCHES/PEHO

House-to-house and street charitable collections:

CHLG

Film licensing:

DCS

Market and Street trading:

CDPES/EH & LMCHES/PEHO (CHLG for licence consents etc issue and administration)/

Mobile Homes Act 2013

CDPES/EH & LMCHES/PEHO

Scrap Metal Dealers Act 2013

CDPES/EH & LMCHES/PEHO

Sunbed Regulations

CDPES/EH & LMCHES/PEHO

Gambling Act 2005

CDPES/EH & LMCHES/PEHO

Hackney Carriage & Private Hire Licensing Policy

CDPES/EH & LMCHES/PEHO

Housing

Council and social housing:

~~GDHGD/CHH/HEAD OF HOUSING~~

Council caravan sites:

~~GDHGD/CHH/HEAD OF HOUSING~~

Homelessness, Housing advice and Housing Register:

~~GDHGD/CHH/HEAD OF HOUSING~~

Mortgages and loans:

~~CDRACE~~

Private Sector Housing Standards and grants:

~~GDHGD/CHES/CHH/HEAD OF HOUSING~~

Enabling affordable housing:

~~GDHGD/CHH/HEAD OF HOUSING~~

Housing Revenue Account

~~GDHGD/CDRACE/CHH/HEAD OF HOUSING~~

Services for Older Persons

Generally:

~~GDHGD/HEAD OF COMMUNITY SERVICES/CHCS~~

Home Improvement Service:

~~GDHGD/HEAD OF COMMUNITY SERVICES/CHCS~~

Housing and Council Tax Benefit

~~CDRACE/CHCDCS~~

Community Safety Functions:

~~GDHGD/CDPESCHES/HEAD OF COMMUNITY DEVELOPMENT/CHCD~~

Highways Functions and car parking:

~~GDPECHCS/PRINCIPAL ENGINEER / PARKING MANAGER~~

Orders made under the Town Police Clauses Act 1847:

~~CHLG~~

Leisure, sporting, cultural and recreational functions:

~~GDHGD/HEAD OF COMMUNITY DEVELOPMENT/CHCD~~

Cemeteries:

~~GDHGD/HEAD OF COMMUNITY DEVELOPMENT/CHCD~~

Grant aid:

Functions not delegated elsewhere:

~~GDHGD/HEAD OF COMMUNITY DEVELOPMENT/CHCD~~

Grant aid for sporting, recreational or cultural purposes; including community events (shows) etc;

~~CHLG~~

Grant aid to be paid out of capital monies:

CHLG

Grant aid for community halls:

CHLG

Rent Grant Aid:

CDRCHCD in consultation with DCS

Planning grant powers:

CDPESCHDMBC

Community Right to Bid for Assets of Community Value

Initial application to register an asset as a community asset under Localism Act 2011

CDPESCHDMBC/CDHCDCHCD

Review of a decision to accept a decision to register an asset as a community asset

CE/CDRACE

Town and Country Planning:

CDPESCHDMBC/DMDM/PPSMADM/MPTL/CHEDPP/LPM

Building Regulation and Building Control:

CDPESCHDMBC/ABCM

Any function not specified above:

The Officer designated by the Chief Executive or, in his absence, the Monitoring Officer

ANNEXE 2

FUNCTIONS SPECIFICALLY OR CONDITIONALLY DELEGATED TO OFFICERS

Note 1:

These functions involve some detailed provision, or are exercisable by staff other than **Chief Officers** ~~CE/ACE/DCS/Corporate Heads~~. They are exercisable by the named officers regardless of anything in the main Schedule or in Annexe 1 above. Note also the requirements of Annexe 3.

Note 2:

Powers restricted to a single transaction or matter are not noted here, but are minuted and are kept in a publicly available list.

To avoid doubt, any function delegated to an officer in the Scheme of Delegation to Officers dated January 1998, as amended from time to time, is still exercisable by the appropriate officer ascertained from this Constitution.

Works Direct Service Organisation

Scheme of Delegation to the DSO Manager

- Note:
- a) Functions 1,2,3 and 4 may be exercised only with the agreement of the ~~CDPES CHES or PEHO~~ or in his absence, the ~~Corporate Director of Resources~~ **ACE**.
 - b) All functions are subject to the availability of approved budgetary provision and compliance with Financial Regulations and Standing Orders.
 - c) The drafting and submission of tenders under Functions 5 and 6 may be carried out only with the agreement of the ~~Corporate Director of Resources~~ **ACE** and Corporate Head of Law and Governance.
 - d) No contract for the provision of goods, services or works to the Council may be entered into under these powers so as to last beyond the time at which the function giving rise to the provision is intended or required to be exposed to competitive tendering.

FUNCTIONS

1. The acquisition (other than by way of leasing, contract hire, or hire purchase arrangements), whether at auction or otherwise, of all vehicles, plant and machinery employed in the discharge of any DSO functions, subject to Standing Orders for Contracts.
2. The management, maintenance and disposal of all vehicles, plant and machinery employed in the discharge of any DSO functions.
3. The acquisition (other than by way of leasing, contract hire, or hire purchase arrangements) management and disposal of all materials properly required to discharge the DSO functions.
4. Where required in pursuance of paras. 1, 2 and 3, or for other reasons, the seeking and acceptance, in accordance with Standing Orders for Contracts (and in place of the "relevant Chief Officer"), of the most advantageous tenders for the provision of services or the execution of works in respect of DSO functions.
5. In respect of works contracts with third parties which it is within the Council's power to discharge, where the tender will exceed £50,000, but not £100,000, the identification, in consultation with the Chief Executive and the ~~Corporate Director of Resources~~ **ACE**, of those contracts for which the Council will submit tenders, and the drafting and submission of such tenders.
6. In respect of works contracts with third parties which it is within the Council's powers to discharge, where the tender will not exceed £50,000, the identification of those contracts for which the Council will submit tenders and the drafting and submission of such tenders,

PROVIDED that where the aggregate value of all such contracts running simultaneously exceeds £150,000 the DSO Manager shall first consult the Chief Executive and the ~~Corporate Director of Resources~~ACE before the submission of any further tenders.

7. The execution of such contracts following successful tenders.

General Delegations

Staffing

Approval of staffing proposals for services being provided in house following a competitive bid, subject to consultation with the Chief Officer or Corporate Head concerned and consideration of the effect on the business or financial plan

CE/~~ACE/CORPORATE DIRECTORS~~DCS/DIRECTORS/CORPORATE/CORPORATE HEADS

With the approval of Chief Executive, Corporate Heads may vary the number, grading and salary costs in their business centres within the salary base, except where compulsory redundancies are required.

CE/~~ACE/CORPORATE DIRECTORS~~DCS/DIRECTORS/CORPORATECORPORATE HEADS

Approval of all employment policies and procedures, responsibility for policies and procedures for operational matters excluding pay policy, pension policy, compensation policy and any further policy which will have an additional budgetary impact.

CE

Except in cases of dismissal, application of employment policies on capability, sickness absence and disciplinary action

LINE MANAGERS

Dismissal of staff

CE/~~ACE/CORPORATE DIRECTORS~~DIRECTORSDCS/CORPORATE HEADS

Employment Stability Policy

Approval of proposals for salary protection in event of redeployment to a lower graded post for periods longer than one year on exceptional grounds

CE

Salary sacrifice arrangements – agreement of in cases where there are advantages to doing so and where costs/additional work could be contained within current budgets and staffing levels.

CE/~~GDR~~ACE

Administration

Authorisation of any staff member to act as Proper Officer or for any other statutory purpose (if Committee or Council resolution not required by law), if no other officer specifically nominated for this function

CE

Co-option of Members to the Crime and Disorder Committee:

CHLG

Minor amendments to the Constitutions of the Cabrera Trust Management Committee or the Chertsey Meads Management Liaison Group

CHLG

~~Annual registration of Members as 'data controllers' with the Information Commissioner~~

~~CHLG~~

Calendar of Committee and Council meetings – ad hoc minor changes

CE in consultation with Group Leaders.

Use of funds from New Initiatives Fund

CE in consultation with Leader of the Council

Refuse collection and recycling

Waiver of charges for collection of bulky household refuse for householders in receipt of Council Tax Benefit

[CDPES/DSO MANAGER/EH & LMCHES/PEHO](#)

Adjustment of trade refuse charges to respond to market, and discounts for customers with two or more containers

[CDPES/DSO MANAGER/EH & LMCHES/PEHO](#)

Environmental Health

The issue of any notice in an emergency for a function exercisable by

[CDPES/EH & LMCHES/PEHO](#) - Any Environmental Health Officer, Environmental Health Technician, or Trainee Environmental Health Officer

Serving of all relevant notices under Part II of the Environmental Protection Act 1990 in particular any notice which the Authority may serve under Sections 33, 34, 46, 47 and 59 or any subsection thereunder.

[CDPES/EH & LMCHES/PEHO](#)

Authorisation of employees of Runnymede Borough Council and other persons who, in pursuance of arrangements made by the Authority, have the function of giving such notices as 'Authorised Officers' for the purposes of giving notices, written warnings and requiring the payment of fixed penalties under Part II and appropriate sections of the Environmental Protection Act 1990 and associated Regulations.

[CDPES / EH & LMCHES/PEHO](#)

The appointment of Health Protection Agency staff as Proper Officers for relevant purposes under the Public Health (Control of Diseases) Act 1984 and the National Assistance Acts 1948 and 1951

[CDPES/EH & LMCHES/PEHO](#)

The issue of fixed penalty notices in accordance with the Environmental Protection Enforcement policies prevailing at the time

[CDPES/EH & LMCHES/PEHO](#)

Smoke-free legislation –

Authorisation of any such persons as deemed necessary to enforce the smoke-free provisions of the Health Act 2006 and any Regulations made thereunder.

[CDPES/EH & LMCHES/PEHO](#)

Sunbeds (Regulation) Act 2010

- i) appointment of appropriate authorised Officers under the Act and
- ii) institution of legal proceedings in relation to offences under the Act
 - i) [\(CDPES/EH & LMCHES/PEHO\)](#)
 - ii) [CDPESCHES/PEHO/CHLG/EH & LM](#)

Sanitary facilities in Council Enforced Premises – discretion to allow deviation from British Standard in small premises holding less than 20 persons.

[CDPES/EH & LMCHES/PEHO](#)

Dogs – authorisation of any person ("an authorised person") to act for the purpose of enforcing the Microchipping of Dogs (England) Regulations 2015 in the Runnymede area.

[CDPES/EH & LMCHES/PEHO](#)

Licensing

The functions of an authorised person under the Licensing Act 2003
Any Senior Licensing Officer or any Environmental Health Officer

Licensing Code of Conduct and Licensing Rules of Procedure for Sub-Committee Hearings under Licensing Act 2003 – minor updates and amendments

| [EH & LMCHES/PEHO](#)

Performance/exhibitions of hypnotism – licensing

| [GDPES/EH & LMCHES/PEHO](#)

Gambling Policy – non substantive administrative amendments

| [EM & LMCHES/PEHO](#) and Senior Licensing Officer

Power to grant or refuse applications for minor variations of a premises licence or club premises certificate

| [GDPES/EH & LMCHES/PEHO](#)

Littering from vehicles outside of London (Keepers: Civil Penalties) Regulations 2018 – perform any litter authority functions conferred under the Regulations and authorise employees of RBC and other persons, as “authorised officers” for the purposes of the Regulations

| [GDPES/EH & LMCHES/PEHO](#)

Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 authorisation of any persons to act for purposes of enforcing the Regulations and issue of any applicable notices and grant, suspend, vary, revoke or reinstate suspended licenses under these Regulations.

| [GDPES/EH & LMCHES/PEHO](#)

Scrap Metal Dealers Act 2013

- i) Issue renewal or vary scrap metal site Licence or collectors licences
- ii) Refuse or revoke a scrap metal site licence or collectors licence after consulting CHLG
- iii) Hearing oral representations in accordance with schedule 1 Para 7 (8) of that Act

| [GDPES/EH & LMCHES/PEHO](#)

Mobile Homes Act 2013

Issue and transfer site licences, and to issue, revoke or vary a Compliance Notice under Section 9 of the Caravan Sites Act 1960

| [GDPES/EH & LMCHES/PEHO](#)

Hackney Carriage & Private Hire Licensing

| [GDPES/EH & LMCHES/PEHO](#)

Suspension or revocation of or refusal to renew licences of hackney carriage or private hire drivers and vehicle licences under sections 60, 61 and 68 Local Government (Miscellaneous Provisions) Act 1976

| [GDPES/EH & LMCHES/PEHO](#) after consulting CHLG

The suspension or revocation of or refusal to renew or grant licences of hackney carriage or private hire drivers or operators as legislated for under the Local Government (Miscellaneous Provisions) Act 1976 – Section 62 having regard to the Council’s policy, medical, technical, or legal advice

| [GDPES/EH & LMCHES/PEHO](#) after consulting CHLG

Exercise of the Private Hire Plate Exemption Policy

| [GDPES/EH & LMCHES/PEHO](#)

Allow specific vehicles to be MOT tested outside the borough, where the nature or size of the vehicle makes this necessary.

| [GDPES/EH & LMCHES/PEHO](#)

Housing

Allocation of additional management/welfare points to applicants in urgent need of housing in exceptional cases.

| [GDHCD/CHH/HEAD OF HOUSING](#)

Determination of applications made for a review under the Allocations Policy

| [GDHGD/CHH/HEAD OF HOUSING](#)

Waiver of standard recharges to tenants to avoid unreasonable hardship

| [GDHGD/CHH/HEAD OF HOUSING](#)

Acceptance of leases of properties for housing purposes for terms of less than seven years

| [GDHGD/CHH/HEAD OF HOUSING](#) with agreement of CHLG

Use of bonds and/or rent in advance payments flexibly in order to secure private lettings up to a total value of 3 months' rent if required, not exceeding the upper limit of the 4 bedroom LHA rates for RBC at £1598.70 pcm.

| [GDHGD/CHH/HEAD OF HOUSING](#)

Local Authority Housing Possession Cases (including recovery of rent, mesne profits or damages – authorisation of named Officers to appear in County Court proceedings on behalf of the Council.
CHLG

Discretionary Housing Payments Policy

Amendments to policy to take account of Government guidance

| [GDHGD/HEAD OF HOUSING/CHH](#) in consultation with Chairman and Vice-Chairman

Purchase of properties on the open market and up to the value of £350,000 where such purchases would have strategic advantages for the Council and would assist in meeting current housing requirements

| [GDHGD/CHH/HEAD OF HOUSING](#) in consultation with Chairman and Vice-Chairman of Housing Committee

Private Sector Housing

See Schedule below for list of authorised Officers and relevant powers.

Private Sector Housing

Specific Officer Delegations

1. Reference to any Act includes any amendment to, or re-enactment of, that Act and/or any Orders or Regulations made under that Act.
2. Reference to any Order or Regulations includes reference to any Order or Regulations amending or revoking and re-enacting that Order or those Regulations (with or without modification).
3. The named Officers are authorised to:
 - a) perform all functions listed below on behalf of the Council and in the Council's name
 - b) act, subject to statutory requirements, within any relevant aspects of the Council's Strategy and Programme.
4. The authorised Officers must
 - a) consult with the appropriate professional or technical Officer of the Authority in respect of matters not within the competence of the Nominated Officer; and
 - b) maintain an adequate record of action taken.

Authorised Officers

The following Officers are authorised to undertake the functions listed below:-

~~CDHCDCHH~~ and/or Head of Housing
~~Private Sector Housing and Enabling Manager~~
Private Sector Housing Manager(Enforcement)
Private Sector Housing Officer
~~Corporate Director of Planning and Environmental Services~~
~~Environmental Health and Licensing Manager~~CHES/PEHO

Functions

Powers of Entry

To authorise any other Officer to exercise the authority's powers of entry pursuant to sections 260, or 319 of the Housing Act 1985 – such authorisation to be in writing.

Notices etc

To issue, serve, review and determine notices, directions and orders pursuant to powers contained in the following legislation:-

- Housing Act 1985 (as amended)
- Housing Grants, Construction and Regeneration Act 1996
- Environmental Protection Act 1990
- Housing(Management of Houses in Multiple Occupation)(England)Regulations 2006
- Local Government (Miscellaneous Provisions) Act 1976

Works in Default

To issue notices of intention to carry out works in default in respect of any failure to comply with any notice served under section 80 of the Environmental Protection Act 1990 and to make any arrangements necessary to carry out those works, subject to the Council's Standing Orders and Financial Regulations.

Financial Assistance

To process and approve all grant applications under the Housing, Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 in accordance with the authority's published policy (Runnymede Renewal) and to make payments in respect of approved grants.

Specific Officer Delegations under Housing Act 2004

Authorised Officers

The following Officers are authorised to undertake the functions listed below:

~~Corporate Director of Housing and Community Development~~CHH and/or Head of Housing
~~Private Sector Housing and Enabling Manager~~CHES/PEHO
Private Sector Housing Manager(Enforcement)
Private Sector Housing Officer (Part 1 only)

Housing Act 2004

Part 1

- Assessment of housing conditions using the Housing Health and Rating System;
- Enforcement of Housing Standards and the service of a range of statutory notices (to which this part applies);
- Emergency measures

Part 2

- Licensing of Houses in Multiple Occupation (HMO's);
- Granting or refusing a Licence;
- Variation and revocation of licensing;
- Enforcement provisions (to which this applies);

Part 4

- Additional control provisions in relation to residential accommodation;
- Overcrowding notices

Part 7

- Supplementary and final provisions including the management regulations in respect of HMO's.

Housing and Planning Act 2016 Enforcement of provisions of the Act

[EH & LMCHEs/PEHO](#)

Private Sector Housing Manager ([Enforcement](#))
Private Sector Housing Officer

Smoke and Carbon Monoxide Alarms (England) Regulations 2015

Service of remedial notices under Regulation 5

Private Sector Housing Manager ([Enforcement](#))

Private Sector Housing Officer

All Environmental Health Officers and Environmental Health Technicians

Service of Penalty Charge Notice under Regulation 8 and taking of remedial action under Regulation 7

[CHH](#)/Head of Housing

[Environmental Health & Licensing Manager](#)[CHES/PEHO](#)

Reviews and determinations of penalty charge notices under Regulation 10

[CDHCD/CHH](#)

[CDPESCHES/PEHO](#)

Regulation of Investigatory Powers Act 2000

Authorisation of Officers

The Officers named in the report to Corporate Management Committee 14.12.2017

Highway related matters

Street trading consents

CHLG with agreement of Chairman and following consultation with Ward Members

Car Parks

Temporary waiver of car parking charges by order, notice, or permit, either for individuals or generally, subject to the cost being contained within budget

[CDPESCHCS](#)/Parking Manager

The annual grant of one day's free parking in connection with Magna Carta Day (Egham), the Arts Festival (Addlestone) and Black Cherry Fair (Chertsey)

[CDPESCHCS](#)/Parking Manager

Leisure Facilities

Adjustment of approved charges for Leisure facilities to respond to market

~~GDHGD/HEAD OF COMMUNITY DEVELOPMENT~~CHCD

Planning

All planning decisions except for those listed in Scheme of Delegation on page 61/62 of the Constitution

~~GDPE~~SCHDMBC/DMDM/PPSMADM/MPTL/CHEDPP/LPM

Building Control

Adjustment of fees to respond to market

~~GDPE~~SCHDMBC/ABCM

Benefits

Representation of the Council at Appeals Service hearings

~~GD~~RACE, ~~Head of Customer Services, Revenues and Benefits~~CHCDCS, Benefits and Income Manager, Assessment Team Manager

Authority under section 223 Local Government Act 1972 to appear in prosecution proceedings in the Magistrates Court on behalf of the Council where the offender has entered a guilty plea.

Mrs A Blake (Corporate Fraud Investigator)

Council Tax and Business Rates

Authority under section 223 Local Government Act 1972 to appear in the Magistrates Court to recover Council Tax and National Non-Domestic Rate

- i) Ms L Norman – ~~Head of Customer Services Revenues and Benefits~~CHCDCS
- ii) Ms Jackie Jefferies – Senior Recovery Officer
- iii) Miss L Lowin – Technical Team Leader
- iv) Ms G.McKenna – Revenues Technical Manager

Council Tax Discretionary Relief Policy

Any minor updates and/or revisions to Policy except changes of a structural nature

~~GDR~~-ACE/CHCDCS in consultation with Chairman of Corporate Management Committee

Council Tax Empty and Unoccupied Premiums – decision on whether to not charge or delay application of premium in individual cases

~~GD~~RACE/CHCDCS

Council Tax Discretionary Relief

Determination of all category 1 and 2 requests for discretionary relief in respect of hardship resulting from Council Tax support scheme (Category 1) or general hardship (Category 2)

~~GD~~RACE/CHCDCS

NNDR Discretionary Relief

Determination of all applications for discretionary relief

~~Head of Customer Services, Revenues and Benefits~~CHCDCS/Business Rates' Manager

Review of decision to grant/refuse relief or an amount of any discretionary relief or to revoke relief

~~Head of Customer Services, Revenues and Benefits~~CHCDCS

Determination of appeals against the outcome of a review of a decision to grant/refuse relief or an amount of any discretionary relief or to revoke relief

~~CDR-ACE~~ except where ~~he-they~~ decides to refer the case to Corporate Management Committee for final decision

Public Charitable Collections

Determination and grant of applications for house to house and street collections
CHLG

Commercial Clothing Collections

Amend the pre-requisite and other relevant requirements in respect of commercial and charitable clothing collections as necessary.

CHLG

Council Land - Rights of Access:

- i) the initial fee for pedestrian access rights licences over Council land be determined by the Corporate Head of Law and Governance on a case by case basis;
- ii) the initial fee for vehicular (including pedestrian where appropriate) access rights licences over Council land be determined by the Corporate Head of Law and Governance on a case by case basis;
- iii) the fees for the grants of any new licences providing rights of access over Council land be reviewed annually by the Corporate Head of Law and Governance and
 - a) the fees will be reviewed in line with inflation, by indexing by the Government's preferred measure of Consumer Prices Index (CPI);
 - b) the Council's legal costs for this work will be reviewed annually in line with CPI and will be set at £250 per case initially;
 - c) whilst a one year Licence can be granted if desired by the resident concerned, the following will be offered by Officers;

A 5 year Licence, subject to full payment up front by the 5 years, with no CPI uplift during the term of the licence, or a 10 year Licence, on the same basis as for the 5 year licence.

CHLG

Community Safety

Anti-Social Behaviour Crime & Policing Act 2014 –
Application to Court under the Act for injunctions, Criminal Behaviour Orders and Orders for Possession of dwellinghouses on grounds of anti-social behaviour

~~CE/CDPESCHES/CDHCDCHH/HEAD-OF-COMMUNITY-DEVELOPMENTCHCD/EH & LM~~ in consultation with CHLG

To issue the following under the Act:

- i) Community Protection Notices;
- ii) Public Space Protection Orders;
- iii) Closure Notices in respect of premise; and
- iv) Fixed Penalty Notices in respect of any breaches of the above Notice and Order and in respect of littering from vehicles.

~~CE/CDPESCHES/CDHCDCHH/HEAD-OF-COMMUNITY-DEVELOPMENTCHCD/EH & LM~~

Property

Runnymede Borough Council Investment (Surrey) Ltd
and RBC Services (Addlestone ONE) Ltd:

- i) To act as the Council's proxy to attend meetings of these companies and cast votes at such meetings on behalf of the Council in accordance with decisions made by Corporate Management Committee
CE or CHLG as substitute
- ii) To sign any documents the Council is required to sign in its capacity as shareholders of these companies
CE or CHLG or substitute

Signing off SANGS payments
CHLG or Legal Services Manager

- Grant and Renewal of leases including new rents and rent reviews, whether to or from the Council, for a term exceeding three years, where any premium or when the total rent payable under the lease for this three year period does not exceed £100,000 unless compelled by statute, where satisfied the tenant meets all necessary tenancy requirements.
DCS (in consultation with ~~CDR~~ ACE or CHLG)

Cemeteries

Deed of Grant of Exclusive Right of Burial
Green Spaces Manager or any officer that he authorises when absent

Allotments

Signing of agreements for allotment plots
Green Spaces Manager or any officer that he authorises when absent

ANNEXE 3

INSTRUCTION TO STAFF ON INFORMING AND CONSULTING MEMBERS

The purpose of this note is to instruct staff when the Council requires Members to be informed or consulted about Council activities and proposals. It includes the "Ward Member" role which every Member exercises, as well as additional responsibilities that may be given to particular Members.

This note deals both with guidance to staff and with requirements under the Scheme of Delegation.

GUIDANCE

1. Consultation by staff with Leader and Deputy Leader of the Council

The Leader and Deputy Leader of the Council shall be told about any of the matters listed in 2 below. Any other matter not listed below which has corporate or policy implications, consultation be undertaken if your respective Corporate Head, Director or Chief Executive deems it would be appropriate for them to be advised.

2. Consultation by staff with Chairman of Committee

Chairmen should be told about significant matters affecting their function, including:

- The progress of projects.
- Proposed reports to Committee.
- Matters which may affect any aspect of local policy.
- Legislative changes.
- Matters arousing significant comment from Ward Members or the public eg land disposals.
- Matters likely to arouse such comment.

3. Consultation by staff with Ward Members

It is important that Ward Members are informed by staff when local issues, events or consultations are likely to affect a significant number of residents in their Wards. On some occasions wider consultation with the appropriate Chairman and Ward Members may not always be possible owing to legal or commercial sensitivity. If an issue or consultation applies to the whole Borough, all members shall be advised. Whilst it may be appropriate to inform and consult the Leader/Deputy Leader of the Council and relevant Chairman on matters where litigation is either proposed or ongoing, it may not be possible to discuss this with the appropriate Ward Members until such time as determined by the CHLG due to legal reasons.

In addition, although Member consultation may not be required formally, it is often helpful and proper that staff seek the views of relevant Members, especially Ward Members, before determining a course of action. Examples of such circumstances include:

- proposed land transactions having an impact on the neighbourhood eg removal of covenants or disposal of open space;
- sensitive matters;
- proposed works with a clear physical effect, where there is more than one option available to secure the objective.
- where the impact of the proposal will affect one element of the community to a greater extent.

Officers should keep this in mind and if in any doubt, consult their Corporate Head/Director. Corporate Heads/Directors should take steps to keep staff aware of the need to inform.

REQUIREMENTS FOR MEMBER CONSULTATION BEFORE EXERCISING DELEGATED POWER

1. Any consultation required in the Scheme of Delegation or Standing Orders (e.g. Standing Order 42)
2. Ward Members:
 - Disposals of land or rights over land (Chairman of Corporate Management Committee must be consulted).
 - Street naming

There must be no objection to the Officer's proposed decision. If there is, the Officer must report to Committee or, if essential, act under Standing Order 42 with the agreement of the appropriate Chairman.

Method of communication

E-mail is acceptable for communication of information or for less formal kinds of consultation unless the Member has requested a different method. A record should be kept on the file. However, where formal consultation or agreement is required as a condition of exercising a delegated power, then, until these instructions are changed, written hard copy should be sent, with a copy on the file. If the matter is urgent, there is no objection to a telephone, fax or e-mail contact, confirmed as soon as possible by email. A template for communication can be found at the end of Annexe 4.

11. **TREASURY MANAGEMENT ANNUAL REPORT 2018/19 – RECOMMENDATION FROM CORPORATE MANAGEMENT COMMITTEE – 28 MAY 2019**

To consider the following Minute and recommendation from the Corporate Management Committee held on 28 May 2019. The full agenda report and any associated appendices were circulated with the agenda for that Committee and are available on the website.

The Committee considered the Annual Report on Treasury Management activity and performance for the 2018/19 financial year. Investments of £52.728 million were held by the Council at 31 March 2019. The Council's return on investments was 0.95% which compared favourably with the Council's benchmark rates. Security of investments continued to be the main emphasis of the Council's treasury strategy. In balancing risk against return, Officers continued to place emphasis on the control of risk over yield.

The Overview and Scrutiny Select Committee also considered the Annual Report at its meeting on 4 July and its views thereon will be reported

RECOMMEND to Full Council that-

the Treasury Management Annual Report 2018/19 be received and noted.

12. **FOOD SERVICE PLAN 2019/20- RECOMMENDATION FROM ENVIRONMENT AND SUSTAINABILITY COMMITTEE – 20 JUNE 2019**

To consider the following Minute and recommendation from the Environment and Sustainability Committee held on 20 June 2019. The full agenda report and any associated appendices were circulated with the agenda for that Committee and are available on the website.

The Committee was asked to recommend approval of the Food Service Plan for 2019/20.

Members were advised that the Food Standards Agency (FSA) had produced a framework agreement on local authority food law enforcement. One part of that agreement contained service planning guidance. This ensured that key areas of enforcement covered by Food Law Enforcement Standard were included within local Food Service Plans, whilst allowing scope for flexibility and the inclusion of any locally defined objectives. The requirement to produce a local Food Service Plan had come into effect on 1 April 2001. The Food Standards Agency required a Local Authority's proposed service plans to be submitted to the relevant Member forum (which was this Committee) to recommend approval to ensure local transparency and accountability.

As a designated Food Authority the Council was responsible for the full range of duties under the Food Safety Act 1990. The majority of food premises in the Borough were predominately small to medium sized catering or retail businesses. It was the Council's policy to carry out programmed food hygiene inspections. In 2019/20 the estimated total number of inspections due was 353.

The service continued to operate the FSA's National Food Hygiene Rating Scheme (FHRS) across the Borough. As of 31 March 2019, 94% of premises included in the scheme had achieved ratings of 3 or above which met the target set in the Environmental Services Business Centre Plan for 2019.

The Committee reviewed the contents of the Food Service Plan. It was noted that due to a recent staff re-structure some paragraphs of the plan needed updating to read 'Corporate Head of Environmental Services'. Members were also advised of an error in the plan, there had been no prosecutions taken in 2018/19 and 2 simple cautions had been issued.

RECOMMEND to full Council that –

- i) **the proposed Food Service Plan for 2019/20 be approved save for updating of paragraphs 2.2.1-2.2.2, 2.5.1 and 3.7.2 to read Corporate Head of Environmental Services; and**

- ii) **updating of paragraph 2.5.3 regarding the number of prosecutions and cautions**

13. PROVISION OF AFFORDABLE HOUSING USING RIGHT TO BUY RECEIPTS – RECOMMENDATION FROM CORPORATE MANAGEMENT COMMITTEE – 27 JUNE 2019

To consider the following Minute and recommendation from the Corporate Management Committee held on 27 June, 2019. The full agenda report and any associated appendices were circulated with the agenda for that Committee and are available on the website.

The Corporate Management Committee received a reference from the Housing Committee recommending that a supplementary capital estimate be approved to enable the Council to provide affordable housing using right to buy receipts.

At its meeting on 5 June 2019, the Housing Committee had received a report detailing Right to Buy receipts spent in 2018/19 and how receipts were planned to be spent in 2019/20.

The Council had signed an agreement with the Ministry of Housing Communities and Local Government (MHCLG) under which the Council was allowed to use its retained Right to Buy receipts (known as 1-4-1 receipts) on the provision of new affordable housing in Runnymede within three years of receipt. The 1-4-1 receipts could only represent 30% of the costs of any new developments or acquisition, with the Council or its partners needing to fund the remaining 70% of the costs. Unspent balances not spent in the required timescale had to be paid to the MHCLG along with an interest payment.

The costs and timescales for new development could vary so to try and ensure that the Council met its obligations to spend the retained receipts within the required timescale, it was necessary to have alternative plans such as strategic purchase acquisitions, which could be achieved relatively quickly.

Accordingly, the Housing Committee had asked the Corporate Management Committee to recommend to Full Council that a supplementary capital estimate be approved for the sum of £500,000 for the next five years commencing 2019/20, to enable the Council's Housing Business Centre to continue to work in partnership with Registered Providers in the acquisition of affordable housing in the Borough to which the Council would have nomination rights, with this expenditure to be financed from retained 1-4-1 Right to Buy receipts.

The Corporate Management Committee concurred with the Housing Committee and agreed to make this recommendation.

RECOMMEND to Full Council that-

a supplementary capital estimate of £500,000 a year for the next five years commencing 2019/20 be approved to enable the Council's Housing Business Centre to continue to work in partnership with Registered Providers in the acquisition of affordable housing in the Borough to which the Council would have nomination rights, with this expenditure to be financed from retained 1-4-1 Right to Buy receipts.

14. OVERVIEW AND SCRUTINY ANNUAL REPORT - RECOMMENDATION FROM OVERVIEW AND SCRUTINY SELECT COMMITTEE – 4 JULY 2019

To consider the recommendation on the above-mentioned matter from the Overview and Scrutiny Select Committee held on 4 July, 2019. The recommendation will be included on the Supplementary Summons which will be circulated in due course. The full Agenda report and appendices associated with this recommendation were circulated to all Members with the Agenda for the Overview and Scrutiny Select Committee meeting and are available on the website.

15. NOTICES OF MOTION FROM MEMBERS OF THE COUNCIL UNDER STANDING ORDER 15

To receive and consider any Notices of Motion from Members of the Council under Standing Order 15. Any Motions received will be circulated separately with this Summons.

16. **MINORITY GROUP PRIORITY BUSINESS**

To consider any item of Minority Group Priority business registered under Standing Order 23. Any item of such business will be circulated separately with this Summons.

17. **PRESS AND PUBLIC TO BE EXCLUDED BY RESOLUTION**

To move the exclusion of the press and public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A, paragraph 3, to the Local Government Act 1972.

18. **ASHDENE REGENERATION PROJECT – INCREASE IN CAPITAL BUDGET –
RECOMMENDATION FROM CORPORATE MANAGEMENT COMMITTEE ON 27 JUNE 2019**

To consider the recommendation on the above-mentioned matter from Corporate Management Committee held on 27 June, 2019. This recommendation is circulated separately with this Summons. The full confidential Agenda report associated with this recommendation was circulated to all Members with the Agenda for the Corporate Management Committee on 27 June 2019.