



Corporate Management Committee

Thursday, 20 April 2023 at 7.30 pm

Council Chamber - Civic Centre

Members of the Committee

Councillors: T Gracey (Chairman), C Howorth (Vice-Chair), M Cressey, L Gillham, J Gracey, M Heath, N King, R King, I Mullens, M Nuti, D Whyte and M Willingale

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

- 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 G Lelliott, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425620). (Email: gary.elliott@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please contact Democratic.Services@runnymede.gov.uk or 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.

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

Members of the public are permitted to film, audio record, take photographs or make use of social media (tweet/blog) at Council and Committee meetings provided that this does not disturb the business of the meeting. If you wish to film a particular meeting, please liaise with the Council Officer listed on the front of the Agenda prior to the start of the meeting so that the Chairman is aware and those attending the meeting can be made aware of any filming taking place.

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.

**List of matters for consideration
Part I**

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

1. **Notification of Changes to Committee Membership**
2. **Minutes** 5 - 10

To confirm and sign, as a correct record, the minutes of the Corporate Management Committees held on 15 March 2023 (attached) and 23 March 2023 (to follow).

To confirm and sign, as a correct record, the minutes of the Appointments Sub-Committees held on 1 March 2023 (attached) and 14 March 2023 (attached).
3. **Apologies for Absence**
4. **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda.
5. **Carbon Literacy Training** 11 - 16
6. **Gender Pay Gap** 17 - 22
7. **River Thames Scheme: division of roles and responsibilities** 23 - 36
8. **Corporate Key Performance Indicators - Additional Information for Approval of Four Indicators and Targets for 2023/24** To Follow
9. **Outcome of Standards and Audit Committee Staff Appeal** 37 - 38
10. **Motion from Council** 39 - 41

The Council, at its meeting on 2 March 2023, agreed the motion below. A proposed letter, drafted by the Leader of the Council, is attached.

This Council notes that the ULEZ expansion will add further costs for residents and businesses when budgets are already under pressure, disproportionately impacting those on lower incomes, including key workers required to commute to London.

There is no evidence that ULEZ expansion will deliver improved air quality in outer London boroughs, and there is a risk of worsening the situation on Surrey roads.

Residents within Runnymede should not have to pay a London-centric tax which has been developed to provide a source of revenue generation to offset poor financial management on the part of the Mayor of London's administration.

That the Council agrees and resolves the following:

- a) *there is consistent and cross-party support for this Council to reduce its emissions and impact on the environment as quickly as practically possible;*
- b) *this Council does not support the expansion of the ULEZ without full consultation, a cost-benefit analysis, and consideration of possible alternative measures to improve air quality;*

- c) *this Council rejects the proposal by the Mayor of London, Sadiq Khan, to expand the ULEZ £12.50 daily charge and potential large fines for non-compliant vehicles which will hit small businesses and those on lower incomes hardest;*
- d) *the evidence and economic modelling of the impact is wrongly focussed on the impact on Londoners and revenues for the Mayor of London, ignoring the impact on Runnymede residents who do not have access to the same tube and bus networks within the Greater London area;*
- e) *the roughly £400 million of government funding set aside for the Mayor to spend on reducing air pollution would be better spent on public transport, cycle ways, and other initiatives rather than a network of ULEZ cameras that penalise lower income households and those that must travel for work;*
- f) *that the Leader of Runnymede Borough Council writes to the Mayor of London to request that he reverse his current approach and replace it with a strategy that will benefit residents in neighbouring regions alongside those in his own jurisdiction;*
- g) *that the Leader of Runnymede Borough Council invites our local MP and group leaders of political groups on Runnymede Borough Council who are in agreement with the sentiments raised to co-sign the letter.*

11. **Outcome of Overview and Scrutiny Select Committee Call-In, 12 April 2023** To Follow

12. **Exclusion of Press and Public**

Part II

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

13. **Q4 Project Portfolio and Year End Project Updates** To Follow

This report contains exempt information as defined by Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A of the Act.

To disclose the information would be commercially sensitive and put the council at a commercial disadvantage

14. **Review of the Structure of Planning Policy and Development Management** 42 - 45

This report contains exempt information as defined by Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in paragraph 4 of Schedule 12A of the Act.

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

15. **Business Plan Covering Runnymede Borough Council's Companies** 46 - 76

This report contains exempt information as defined by Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to

involve disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A of the Act.

To disclose the information would put the council at a commercial disadvantage.

16. **Update on Procurement Issues - Assets and Regeneration** 77 - 80

This report contains exempt information as defined by Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A of the Act.

To disclose the information would put the council at a commercial disadvantage.

17. **Democratic Services Printing Budget** 81 - 86

This report contains exempt information as defined by Section 100A(4) of the Local Government Act 1972 on the grounds that the report in question would be likely to involve disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A of the Act.

To disclose the information would put the council at a commercial disadvantage.

Runnymede Borough CouncilAppointments Sub-CommitteeWednesday, 1 March 2023 at 7.30 pm

Members of the Sub-Committee present: Councillors M Cressey, L Gillham, J Gracey, T Gracey, C Howorth, R King and M Willingale.

544 Election of Chairman

Councillor T. Gracey was elected Chairman for the meeting.

545 Apologies for Absence

There were no apologies for absence.

546 Declarations of Interest

All members declared that they knew one of the candidates.

Councillor Gillham declared that she knew another of the candidates.

Councillor J. Gracey declared that she had met another of the candidates on one occasion, but not relation to their application for the role.

547 Exclusion of Press and Public

By resolution of the Sub-Committee, the press and public were excluded from the remainder of the meeting during the consideration of the remaining matters 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 as set out in Schedule 12A to Part 1 of the Act.

548 Shortlisting for the Position of Assistant Chief Executive

Mr Rob Moran, who had acted as Technical Assessor and conducted longlisting interviews with all candidates, reported on his assessments of each candidate.

Members discussed the recommended shortlist, marginal candidates and those not recommended for further consideration by the Technical Assessor and agreed the candidates that they would like to interview.

(The meeting ended at Time Not Specified.)

Chairman

Runnymede Borough CouncilAppointments Sub-CommitteeTuesday, 14 March 2023 at 9.30 am

Members of the Committee present: Councillors M Cressey, L Gillham, J Gracey, T Gracey, C Howorth, R King and M Willingale.

592 **Election of Chairman**

Councillor T. Gracey was elected Chairman for the meeting.

593 **Apologies for Absence**

There were no apologies for absence.

594 **Declarations of Interest**

All members declared that they knew one of the candidates.

Councillor Gillham declared that she knew another of the candidates.

Councillor J. Gracey declared that she had met another of the candidates on one occasion, but not relation to their application for the role.

595 **Exclusion of Press and Public**

By resolution of the Sub-Committee, the press and public were excluded from the remainder of the meeting during the consideration of the remaining matters 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 as set out in Schedule 12A to Part 1 of the Act.

596 **Interviews for the Vacant Assistant Chief Executive Post**

The Appointments Sub-Committee met to interview the shortlisted candidates for the post of Assistant Chief Executive (Place). After due consideration, the Appointments Sub-Committee recommended that a conditional offer of employment be made to its preferred candidate.

Resolved that the Corporate Management Committee be recommended to authorise the offer of employment to the preferred candidate, subject to the receipt of pre-employment checks to the satisfaction of the Chief Executive.

(The meeting ended at 5.30 pm.)

Chairman

Runnymede Borough CouncilCorporate Management CommitteeWednesday, 15 March 2023 at 7.30 pm

Members of the Committee present: Councillors T Gracey (Chairman), C Howorth (Vice-Chair), M Cressey, L Gillham, J Gracey, M Heath, N King, R King, M Nuti, D Whyte, M Willingale and S Jenkins (In place of I Mullens).

In attendance: Councillors T Burton, E Gill, A King, N Prescott, S Whyte, J Wilson and S Williams.

1 **Apologies for Absence**

There were no apologies for absence.

2 **Declarations of Interest**

There were no declarations of interest.

Councillor Howorth stated that he had sought advice from the Monitoring Officer regarding the fact that he had declared an interest in planning application relating to the Fairmont Hotel in the past and had withdrawn from the Chamber when such applications had been dealt with. Councillor Howorth was advised that the item concerning the complaint was not considering a planning application relating to those premises or the conduct of the owner of those premises but the conduct of the Council and its officers. On that basis Councillor Howorth could remain and participate in the item if he wished.

3 **Handling of planning applications: Response to complaint by Cllr Berardi and residents**

The Council's Monitoring Officer introduced the item.

It was noted that the complaint made by Councillor Berardi and residents alleged that there had been maladministration on the part of the Council in its capacity as local planning authority and misconduct in public office by certain postholders. The allegation of misconduct in public office was a particularly serious allegation because it could result in the commencement of criminal proceedings.

Due to the serious nature of the allegations, an independent investigation had been carried out by an experienced town and country planner. As the allegations were particularly serious, the investigation process had been carried out without delay. There was also a need to be mindful of the impact on the officers concerned, as well as the impending pre-election period which necessitated additional care over the Council's public activities.

It was stated that both the report of the Monitoring Officer and the independent investigator had concluded that there was no credible evidence of maladministration, nor was there evidence of misconduct in public office.

The Committee debated the findings of the Monitoring Officer and independent investigator.

Councillor Jenkins, on behalf of Councillor Berardi, expressed dissatisfaction at the fact that a date for the extraordinary meeting had been selected for a point at which Councillor Berardi was out of the country. It was however noted that the date of the meeting had been fixed before Councillor Berardi had notified officers of his unavailability.

Councillor Jenkins stated that whilst he felt there was evidence of maladministration, he did not support the assertion of there being evidence of misconduct in public office.

It was, on this basis, that Councillor Jenkins suggested the absence of documents on the Council's website, or not publicly documenting the unpermitted works currently being undertaken by the applicant, was evidence of maladministration. The failure of the applicant to adhere to the plans that had been approved by the Planning Committee was cited as a further example of maladministration. Councillor Jenkins therefore called for planning applications affecting the site to be suspended until the enforcement process had concluded.

In response to Councillor Jenkins' remarks, it was clarified that the failure to adhere to approved plans was an enforcement matter, and not evidence of maladministration on the part of the Council. It was also confirmed that it was not legally permissible to suspend the processing of planning applications. Additionally, it was noted that whilst matters of enforcement had featured in the complaint that was submitted by Councillor Berardi and residents there was no evidence to support a claim that there had been maladministration or misconduct in public office in relation to those matters.

A majority of the committee supported the findings within the reports of the Monitoring Officer and independent investigator. The Committee drew comfort from the comprehensiveness of the investigation, along with the seriousness and urgency with which the matter was treated. It was confirmed that the cost of commissioning an independent investigation had been in the region of £8,000.

There was discussion about the manner in which Councillor Berardi had submitted the complaint i.e. an email to all councillors, the Chief Executive and the Monitoring Officer. The tone and language used within Councillor Berardi's email was discussed. It was felt that whilst representing residents was laudable and a key tenet of being a councillor, doing so in a measured and constructive way was an important expectation of all councillors.

It was generally felt that the way in which the complaint had been raised was unacceptable, and potentially amounted to breaches of the Members' Code of Conduct. It was further suggested that other more constructive and less expensive ways in which seek a remedy existed.

Councillor Berardi's position as a recently elected and therefore inexperienced councillor was considered, in particular whether it was a possible reason for the way in which he raised the concerns before the Committee. It was generally felt that expectations around member conduct were clear and that the way in which Councillor Berardi had expressed his views on the matter were unacceptable.

There was debate about whether Councillor Berardi should be asked to provide an apology to the officers who were the subject of the complaint and to the Council, and whether he should consider his position as a Councillor. Some members considered that an apology was warranted, whilst others felt that an apology under duress would be of little value to those to which it was proffered. Some members also felt that Councillor Berardi should not be asked to apologise because his intentions were sincere.

At the time of the meeting, no Standards and Audit Committee complaint had been received. It was confirmed that any complaint about Councillor Berardi's conduct would be considered in accordance with the prevailing policies, should one be received.

It was proposed (by Councillor T. Gracey) and seconded (by Councillor Howorth) that the following be agreed:

- 1) That the findings of the independent review and the report of the Monitoring Officer be endorsed, and that the Committee conclude there is no case to answer.
- 2) That the Committee affirms its full confidence in the planning service and its officers.
- 3) That Councillor Berardi be asked to issue an apology to the officers concerned and to the Council.
- 4) That the induction and orientation process for new members, with particular regard to training on planning enforcement to be provided through planning service, and mentoring arrangements, be reviewed.

Councillor Heath proposed (seconded by Councillor D. Whyte) that 3) above be amended to read:

“That Councillor Berardi be asked to retract his allegations and accept the findings of the Monitoring Officer and independent investigator.”

The proposed amendment was put to the vote and **fell**.

A named vote was requested on the substantive proposed motion, with it being requested that elements 1, 2 and 4 be taken en bloc, and 3 taken as a separate named vote. The voting was as follows:

For the motion (11)

Councillors T. Gracey, Howorth, Cressy, Gillham, J. Gracey, Heath, N. King, R. King, Nuti, D. Whyte, and Willingale.

Against the motion (1)

Councillor Jenkins.

Abstentions (0)

Resolved that:

- 1) **the findings of the independent review and the report of the Monitoring Officer be endorsed, and that the Committee conclude there is no case to answer.**
- 2) **the Committee affirms its full confidence in the planning service and its officers.**
- 3) **That the induction and orientation process for new members, with particular regard to training on planning enforcement to be provided through planning service, and mentoring arrangements, be reviewed.**

A further named vote was requested on the remaining element of the proposed motion. The voting was as follows:

For the motion (7)

Councillors T. Gracey, Howorth, Cressy, J. Gracey, N. King, Nuti and Willingale.

Against the motion (1)

Councillor Jenkins.

Abstentions (4)

Councillors Gillham, Heath, R. King and D. Whyte.

Resolved that Councillor Berardi be asked to issue an apology to the officers concerned and to the Council.

4 Exclusion of Press and Public

By resolution of the Committee, the press and public were excluded from the remainder of the meeting during the consideration of the remaining matters 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 as set out in Schedule 12A to Part 1 of the Act.

5 Recommendation from Appointments Sub Committee on Assistant Chief Executive Appointment

The Committee was informed that there had been a strong field of candidates for the position. It was felt that the proposed candidate would be an asset to Runnymede Borough Council.

It was resolved that an offer of employment be made to the Appointments Sub-Committee's recommended candidate, subject to pre-employment checks being undertaken to the Chief Executive's satisfaction.

(The meeting ended at 9.25 pm.)

Chairman

Carbon Literacy Training (External Projects and Climate Change, Sarah Hides)

Synopsis of report:

This report evaluates the options available for delivering carbon literacy training to elected members and senior officers within the Council. Further information is given regarding carbon literacy training, the details of the course and the options for delivering it.

Recommendation(s):

That Corporate Management Committee AGREES:

- (i) To appoint Three Point Five to deliver carbon literacy training to Councillors and Level 3 Senior Officers in the format described in paragraphs 2.11 and 2.12 of the officer report.

1. Context and background of report

- 1.1 At the Environment and Sustainability Committee meeting of 12th January 2023, it was raised that there was interest from Councillors to be given carbon literacy training. It was agreed this would be investigated further by officers with a view to carrying out this training.
- 1.2 Carbon literacy training is defined by the Carbon Literacy Project ([Home – The Carbon Literacy Project](#)) as, '*an awareness of the carbon costs and impacts of everyday activities and the ability and motivation to reduce emissions, on an individual, community and organisational basis.*'
- 1.3 The Carbon Literacy Project is a registered charity whose goal is to provide access to relevant climate change learning for everyone. This goal is based on the principle that we need to change culture and behaviour alongside technology and policy to achieve the required reductions in carbon emissions needed to meet national and global targets.
- 1.4 The project aims to catalyse action to reduce greenhouse gas emissions by providing the resources to provide carbon literacy training to workplaces, educational institutions and communities.
- 1.5 The Carbon Literacy Project was recognised by the UN at the COP21 climate negotiations in 2015 as one of 100 'Transformative Actions Projects' worldwide that could materially change the way we deal with climate change.

2 Report

- 2.1 In order to become certified as carbon literate, learners must successfully complete a day's worth of approved carbon literacy learning.
- 2.2 As part of the certification process, participants are required to complete an action plan where they must commit to both a significant individual and group/organisational action to reduce their carbon footprint.

- 2.3 Upon successful assessment of this action plan by the Carbon Literacy Project, a learner is awarded an individually numbered certificate to evidence their Carbon Literacy, and confirm that they have met the requirements of the Carbon Literacy Standard.
- 2.4 On completion of the training, participants will understand:
- The climate change impacts we're already experiencing;
 - What's causing climate change;
 - What future impacts we will experience on our current trajectory;
 - What's required from a big picture perspective to tackle climate change;
 - What we're doing at the global and national level;
 - The steps councils need to take for local authorities to play their full part in tackling emissions;
 - What emissions are produced by your administrative area and council as an organisation;
 - What is being done to tackle these emissions;
 - The carbon footprint of UK households and what can be done to reduce it;
 - Which nations and income groups are most responsible for climate change;
 - The co-benefits of tackling climate change;
 - How to engage the public in climate action.
- 2.5 The course is interactive and is delivered through a mixture of presentation, group exercises, polls and discussion.
- 2.6 Initially officers are intending to focus on delivering training for Councillors and Level 3 senior officers within the Council., It is intended that training takes place as soon as possible after this year's local elections for Councillors, and as soon as suitable dates and times are secured for senior officers.
- 2.7 On request from the Leader, an email to all Councillors was sent to gauge interest in taking part in the training and to gather preferences for the different options available to deliver the training. Due to the length of the training (8 hours), three different options were offered for delivery. These options are set out as follows:
- Option 1
- The course is delivered in one full day during the week. This could be via MS Teams or in person.
- Option 2
- The course is delivered in one full day at a weekend. This could be via MS Teams or in person.
- Option 3
- The course is split into four, two-hour sessions delivered weekly in the evening. This could be via MS Teams or in person.
- 2.8 16 Councillors responded who wanted to take part in the training. Two additional Councillors have already received the training via Surrey County Council.

- 2.9 Of these 16 respondents, 9 stated that option 3 was their preferred choice, 2 chose option 2, 1 Councillor chose option 1, 1 Councillor was happy with either option 1 or 2 and 3 Councillors were happy with all of the options.
- 2.10 All those who chose option 3 showed a preference for delivery via MS Teams. 2 of those who showed a preference for option 1 or 2 preferred delivery in person. The other respondents did not show a preference for either MS Teams or in person delivery.

Officer recommendation

- 2.11 Based on the preferences listed above, officers propose that the course for councillors should be delivered virtually via the route of Option 3, where the training will be split into four, two-hour sessions and delivered weekly in the evening.
- 2.12 Officers are also currently evaluating delivery options for senior officer training. Initially officers would look to provide training to all Level 3 senior managers of which there are enough to fill the 25 participant course. On the advice of the Human Resources team, face to face training is recommended for officers which is the format used for most other aspects of the Managers training programme to maximise engagement. Should it occur that there are spaces available on the Level 3 managers course, the training will be offered to other officers who play a key role in climate change across the Council.
- 2.13 Officers are intending to use an external trainer to deliver the training to Councillors and senior officers. Officers have researched a number of different providers and a company called Three Point Five ([Climate change training specialists - Three Point Five](#)) has been found to be the most suitable. Three Point Five have been recommended by the Carbon Literacy Project as an approved provider and have delivered training to Councillors, senior officers and general officers in many local government settings.

These include:

- Delivering training to Councillors in various Scottish cities (Stirling Council, Edinburgh City Council, the Highland Council in Inverness, Aberdeen City Council), East Dunbartonshire Council, The Royal Borough of Kingston Upon Thames (course mixed with officers);
- Delivered to senior officers at The Royal Borough of Kingston Upon Thames, Wolverhampton City Council, East Dunbartonshire Council;
- They have also very recently delivered training to officers at Elmbridge Borough Council.

- 2.14 The costs for their services are given below (please note the two facilitator option is not available in the evening).

Carbon Literacy Training (8-hour course)		
Delivery option	Details	Price
Virtual – One facilitator	Up to 25 participants	£1200 + VAT

Virtual – Two facilitators	Up to 35 participants	£1800 + VAT
Face to face – One facilitator	Up to 25 participants	£1800 + VAT

- 2.15 There is additional cost of £10 per learner payable to the Carbon Literacy Project which will cover the cost of the certification process.
- 2.16 The Members Training Budget will cover the cost of the training for Councillors and the Human Resources Learning and Development budget will cover the costs of the Senior Officer training. In total, this initial roll out of training will cost in the region of £3,500.
- 2.17 For other officers across the wider organisation, it is likely that the training would be delivered by the Climate Change Officer and rolled out to small groups over a longer time period due to the number of potential participants. As more staff become certified it would be possible for other certified staff to also deliver training sessions. The process and costs associated with the delivery of carbon literacy training across the wider organisation is likely to be the subject of consideration in a future report.

3. Policy framework implications

- 3.1 The Council's Climate Change Strategy states, *'that change can only be achieved at the scale necessary if it is embedded within every aspect of our operations'*. It also states that, *'changing the direction of a complex organisation is not easy and requires a sustained input from all areas of our operations. This demands clarity about our mission, and everyone involved understanding how they will contribute. Each lead manager will have responsibility for filtering down the climate agenda into the work of their teams and ensuring there is proactive consideration of the strategy throughout their portfolios'*.
- 3.2 Providing carbon literacy training to Councillors and senior officers will enable them to provide leadership in the Council's response to climate change and explore how this can be integrated into decision making. It will also provide Councillors with the information they need to mobilise change within their constituencies and to communicate various matters related to climate change effectively to hard-to-reach groups.

4. Resource implications/Value for Money

- 4.1 The cost of this initial training for Councillors and Senior Managers approx. £3,500 (depending on the final number of attendees and the number of certificates which are issued) to deliver the training described in this report.
- 4.2 Officers will ensure they achieve best value for money by optimising course uptake as far as possible and securing dates and times that are agreeable to as many participants as possible.
- 4.3 The organisation and communication of the training schedule will be managed by the Climate Change team through existing staff resources, as will the management of the external training partner and certification process for participants.

5. Legal implications

- 5.1 More than 190 countries, including the UK, have adopted the Paris Agreement, a legally binding international treaty on climate change reached at COP21 in 2015. The Agreement aims to keep a rise in global temperatures to below 2°C from pre-industrial levels, by the end of this century.
- 5.2 The overarching target for the Borough and the UK is to reach net zero carbon emissions by 2050. In addition, the Council adopted its climate change target in January 2022 'to achieve operational 'Net Zero Carbon' emissions from its services and operations by 2030'.
- 5.3 We can only achieve this as an organisation if the business centres across the Council work together, and with stakeholders, to achieve this outcome. A good understanding of climate change throughout the core of the Council will unify goals and enable linkages and co benefits between policy areas to be maximised to mitigate and adapt to climate change.

6. Equality implications

- 6.1 The Council has a Public Sector Duty under the Equality Act 2010 (as amended) to have due regard to the need to:
- a) Eliminate unlawful discrimination, harassment or victimisation;
 - b) Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;
 - c) Foster good relations between those who share a relevant protected characteristic and persons who do not share those characteristics;
- in relation to the 9 'Protected Characteristics' stated within the Act.
- 6.2 The final version of the Council's Climate Change Strategy has been subject to an Equalities Screening. Carbon literacy training supports the aims of this strategy as described in Section 3 above.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The objectives set out in the Climate Change Strategy seek to enhance the environment and to promote sustainability and biodiversity. Carbon literacy training to Councillors and senior officers within the Council will ensure climate change impacts, mitigation and adaptation are considered across the business areas in the decisions that we make.

8. Timetable for Implementation

- 8.1 It is anticipated that if the funding for this training is agreed, the training would begin as soon as possible after the elections for Councillors and training for senior officers could start as soon as suitable dates and times for the training sessions are secured.

9. Conclusions

- 9.1 Carbon literacy training aims to equip Councillors with the information they need to mobilise change within their constituency and to communicate climate change

effectively to hard-to reach groups. It aims to enables all local authority leaders and managers to explore how they can provide leadership in climate change and how this can be integrated into decision-making.

- 9.2 Initially officers would like to focus on delivering carbon literacy training via an external trainer to Councillors and Level 3 senior officers within the Council. Once this training is complete, officers will evaluate the success of the courses and consider options for further roll out across the Council.

Background Papers

None

(To resolve)

Gender Pay Gap (Human Resources, Fiona Skene)

Synopsis of report:

To report on the Gender Pay Gap figures for Runnymede Borough Council as at 31st March 2022.

Recommendation:

That the report be noted and a suitable action plan is subsequently devised to encourage a further 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 on the previous year.

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 433 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 national pay gap is currently 12.2%. 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 nationally)
- 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 2022. The results are as follows:-

a) Mean Gender pay gap

- Male mean hourly rate - £18.39
- Female mean hourly rate - £16.99

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 7.62%. This is a reduction on last year, as we reported a 8.44% mean gender pay gap. It is also well below the national pay gap figure of 12.2%.

b) Median Gender Pay Gap

- Male median hourly rate - £15.57
- Female median hourly rate - £15.08

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 3.14%. This has increased from last year, as we reported a 0.54% median.

This increase would indicate that overall employees who are women have lower pay than male employees. The 2022 snapshot data shows that the number of female employees in the 4th (highest paid) quartile has remained at 48 since last year and the number of Male employees in the 4th quartile has increased from 56 to 57.

Looking at the 3rd quartile data, the number of females has increased from 66 to 67 the number of males has remained at 38.

The data in the 2nd quartile shows that the number of females has increased from 70 to 76 and the number of males in this quartile has decreased from 34 to 29.

The 1st quartile (lowest paid) data shows that the number of females has increased from 46 to 52 and the number of males in this pay quartile has decreased from 59 to 54.

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 £9.08 - £12.81	50.94%	54	49.06%	52	All employees whose hourly rate places them at or below the lower quartile
B £12.81 - £15.53	27.62%	29	72.38%	76	All employees whose hourly rate places them in the second quartile
C £15.53 - £19.44	36.19%	38	63.81%	67	All employees whose hourly rate places them in the third quartile
D £19.44 - £70.22	54.29%	57	45.71%	48	Upper quartile
	42.28%	178	57.72%	243	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 50.94% 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 7.62% for the mean and 3.14% 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 72.38% of this quartile. In this quartile, the 27.62% 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. 63.81%).
- 6.4 Within the higher quartile there is a wide spread of roles. The RBC SLT members is currently comprised of five females and five males. The majority of the CLT team members are male. 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 7.62% 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 243 women and 178 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 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

Year	2018	2019	2020	2021	2022
Mean Gender Pay Gap	7.64%	10.22%	9.06%	8.44%	7.62%
Median Gender Pay Gap	-5.2%	-3.6%	0%	0.54%	3.14%

- 7.1 The changes in the Gender Pay Gap in the past year has been affected by natural turnover across the organisation. There has also been a reduction in male workers in the 1st and 2nd quartiles and the number of females in these lower paid quartiles has increased. There are currently equal numbers of men and women on SLT.

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 reported including any recommended actions considered by CMC annually. 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.
- 8.2. Although Runnymede's pay gap is small compared to the national average, it is clear from the analysis of the pay gap data given above that if we want to make a material difference to the pay gap between men and women year on year we need to take more pro-active action to address this issue.
- 8.3. What might this action plan include?

Since the main cause of gender pay gap appears to be the primary role of the mother as 'carer', we need to review our flexible working policies to ensure that we have a sufficiently good balance between service provision and providing flexible working arrangements. We already have a range of flexible working arrangements and hybrid working. Encourage as many roles as possible to be offered on a flexible working basis; require all managers to do the unconscious bias training; expect all managers to complete personal development plans for their staff at the end of year appraisals covering career development paths and mentoring; and encourage women to participate in the management development programmes for first line and middle management. It would also help if we could ensure there is adequate representation of women on the top two management teams (CLT and SLT) to act as role models for other women in the organisation and to participate in decision-making. This action plan will be developed as a matter of urgency and submitted in the first instance to the Equalities Group and CLT.

(To resolve)

Background papers

None stated

River Thames Scheme: division of roles and responsibilities, (Marcel Steward)

Synopsis of report:

As a nationally important infrastructure project, the River Thames Scheme is subject to application to the Secretary of State for a Development Consent Order (DCO). The Applicants for the scheme are the Environment Agency and Surrey County Council.

The Boroughs of Runnymede, Spelthorne and Elmbridge are Partner Local Authorities to the scheme. All parties have a dual role of 'Promoter' and 'Regulator'. To retain the integrity of the DCO process, it is a requirement to ensure that the division of roles and responsibilities within each organisation is clearly understood and adhered to.

This report documents how it is proposed that RBC meets its requirement, maintain ethical separation of roles, and demonstrate that the integrity of the consultation process has been maintained.

Recommendation(s):

The recommendation is that the proposed Division of Responsibilities procedure is accepted.

1. Context and background of report

- 1.1 The River Thames Scheme (RTS) will reduce the risk of flooding from the Thames for Surrey communities in the Boroughs of Runnymede, Spelthorne, and Elmbridge.
- 1.2 The Scheme will achieve this by constructing two channels to divert water away from the Thames and increase capacity at Sunbury, Molesey and Teddington weirs and Desborough Cut. Further information on the Scheme is available on the [River Thames Scheme website](#).
- 1.3 The Scheme is a designated Nationally Important Infrastructure Project subject to examination under the Planning Act 2008 via the DCO process.

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

- 2.1 The RTS is a hybrid DCO in so far as all parties to the scheme are both Applicants/Promoters and Regulators.
- 2.2 The Applicants for the Scheme are the Environment Agency (EA) and Surrey County Council (SCC). The Boroughs of Runnymede, Spelthorne and Elmbridge are Local Authority Partners to the Scheme. Collectively these are the scheme 'Promoters'
- 2.3 All parties are statutory consultee 'Regulators to the scheme under the Planning Act 2008
- 2.4 It is essential that there is a clear separation of the roles and responsibilities of Members and Officers to ensure and demonstrate that Council has fulfilled its duties appropriately and ethically and that any perceived conflicts of interest have been removed

2.5 Appendix A – ‘River Thames Scheme: Runnymede Borough Council – Division of Roles and Responsibilities’, proposes how the dual processes and functions of RBC will be separated. It also identifies the requirements of Members and Officers to consider in relation to their individual responsibilities

2.6 The Key Principles of the Scheme are as follows:

- RBC will seek to adhere to the overarching key principle that an ethical wall is in place between the roles and responsibilities of Members and Officers acting in their capacity as a scheme Promoter, and those being carried out as Regulator, such that no Members or Officers working on the RTS from a Promoter perspective will seek to influence or engage outside of formal, prescribed consultation and engagement procedure with Members and Officers working on the Scheme from a Regulator perspective

- This separation is to be maintained for the duration of the RTS programme, from the pre-application phase through to examination, construction and opening

- Officers working on the project from a Promoter perspective will not contribute to RBC’s formal responses to the DCO consultation

- Noting that within a team there may be individuals who are working on either the Promoter or Regulator side, it is important to identify appropriate pathways to seek additional advice regarding issues/concerns/disputes, to prevent conflicts of interest. The Promoter team should escalate matters to the RTS Principal Project Manager - and the Regulator team to the RBC Development Manager on behalf of the LPA.

- A group mailbox rtshostauthority@runnymede.gov.uk has been adopted for contacting RBC as a Promoter, to simplify communication and coordination between the Promoter, the Regulator, and external third parties including residents

- All meetings and phone conversations relating to the RTS scheme between RBC Members and Officers acting in a Promoter capacity, and those fulfilling the Regulator role, will be formally minuted. Such engagement will be recorded in the Consultation Report which will be submitted with the application for the DCO and may be required during the Examination as evidence to justify decision making

- It is also important to consider the role of external consultants/suppliers and the potential for an organisation to be performing roles for RBC as a Promoter and as a Regulator in relation to the RTS Scheme. Where such situations exist, the consultant firm will be asked to ensure that ethical walls exist between individuals and groups involved and ensure that they provide separate capacity and/or teams for the separate functions of RBC

- Annex A provides details of RBC Officers who have been allocated to advise either the Promoter or the Regulator functions of RBC, or both regarding purely technical functions. All Officers will be fully briefed and given the opportunity to ask questions so that they can understand which side of the ethical wall they are on, and the approach set out to maintain a clear demarcation in activities. The Annex will be reviewed and updated, if required, at least every three months – or earlier if needed - and an update series of briefings held for RBC Officers as needed

- If RBC officers have any queries around the Separation of Responsibilities, they should consult the RTS Principal Project Manager (Promotor) or the RBC Planning Group Manager (Regulator)

3. Policy framework implications

3.1 There are no policy framework implications

4. Resource implications/Value for Money

4.1 There are no resource implications/Value for Money.
RBC is a net contributor to the scheme as a partner Local Planning Authority

5. Legal implications

5.1 Legal have been consulted and advised on the way in which the Council can demonstrate how it is managing its involvement in this project in various capacities.

6. Equality implications

6.1 The Division of Roles and Responsibilities is an administrative function which does not have an impact on the

7. Environmental/Sustainability/Biodiversity implications

7.1 There are no Environmental/Sustainability issues arising from the adoption of the of this Procedure. The Environmental/Sustainability implications of the RTS will emerge over the course of the formal consultation and wider Development Consent Order process. These matters will be material considerations in the determination of the DCO.

9. Timetable for Implementation

9.1 To be implemented with immediate effect.

(To resolve)

Background papers

None

Appendix A

RIVER THAMES SCHEME: RUNNYMDE BOROUGH COUNCIL - DIVISION OF ROLES AND RESPONSIBILITIES

INTRODUCTION

- 1.1 Runnymede Borough Council (RBC) has approved the investment of £5 million in the £501 million River Thames Scheme over the next decade.
- 1.2 RBC has both a River Thames Scheme (RTS) Promotor role, as a partner authority, and a Regulator role as a Local Planning Authority and a Statutory consultee in the Development Consent Order process. Legal counsel has advised the Council that it is vital that the roles and responsibilities for all RBC Staff and Council Members working in both capacities are set out to establish clear and defined working practices, for each set of roles, from the outset.
- 1.3 Appropriate understanding of the requirement for the separation of the roles and responsibilities of RBC Members and Officers is essential to ensure and demonstrate that Council has fulfilled its duties appropriately and ethically and that any perceived conflicts of interest have been removed.
- 1.4 The risk is both legal and reputational, and it could undermine the RTS and the Regulator function of RBC. For instance, RBC could be challenged in the future, and it is essential that we can demonstrate that robust procedures are in place to appropriately separate both functions.
- 1.5 This document proposes how the dual functions of RBC will be separated. It also identifies the requirements of Members and Officers to consider in relation to their individual roles and responsibilities.

THE RIVER THAMES SCHEME

- 1.6 Flood alleviation and the defence of homes, businesses and infrastructure located on the Thames Floodplain in the Boroughs of Runnymede, Elmbridge and Spelthorne against flooding is a designated Nationally Significant Infrastructure Project (NSIP) and subject to application to the Secretary of State for the grant of a DCO to proceed. If granted, the RTS will reduce the risk of flooding from the Thames for Surrey communities in Runnymede, Spelthorne, and Elmbridge. It will achieve this through the construction of two new channel sections to divert water away from the Thames and the provision of additional capacity improvements to Sunbury, Molesey and Teddington weirs and the Desborough Cut.
- 1.7 The Outline Business Case for the scheme was approved by HM Treasury in June 2021. The project is now in the pre-application phase of the DCO process. This includes, amongst other things, technical design, Environmental Impact Assessment (EIA), submitting a DCO application, preparing for construction including procurement of the main construction contract and ultimately getting Final Business Case Approval by HM Treasury. It is anticipated that the application for the DCO will be submitted in 2024 and the scheme will be under construction by 2027.
- 1.8 The DCO regime was introduced through the Planning Act 2008 to streamline the decision-making process for NSIPs. DCO applications are submitted to the Planning Inspectorate for examination on behalf of the Secretary of State. The DCO is a statutory instrument and includes the required consents including Planning, listed building, deemed consents, licences and compulsory purchase powers to enable a scheme to be delivered.

- 1.9 RBC is involved in the project in two distinct capacities:
- (1) as a partner Local Authority and promoter of the scheme with the Environment Agency (EA) and Surrey County Council and
 - (2) as a Regulator as Local Planning Authority and a statutory consultee.
- 1.10 RBC has worked closely with the EA, Surrey County Council (SCC), and its sister Partner Local Authorities Elmbridge (EBC) and Spelthorne Borough (SBC) Councils on the RTS over several years. The decision for SCC to become a joint DCO Applicant with the EA was agreed at the SCC Cabinet meeting of 26th January 2021.
- 1.11 At the same time, SCC is a host authority, along with several other authorities.
- The RTS is located within the SCC boundary as well as the London Borough of Richmond upon Thames. Within Surrey, it includes the Boroughs of Runnymede, Spelthorne, and Elmbridge. Together these comprise the host authorities for the scheme and are statutory consultees under sections 42 and 43 of the Planning Act 2008. Through the DCO process, the five councils will have specific responsibilities through the pre-application and examination stages, primarily to evaluate and provide local perspective on proposals, contributing to the scheme development and examination process to achieve best possible outcomes for the local area.
- 1.12 All five Regulator authorities have key roles in the DCO process:
- 1.12.1 as pre application consultees.
 - 1.12.2 to provide comment on adequacy of consultation.
 - 1.12.3 to provide support to the Examining Authority (ExA) during the intensive six-month examination period. This ranges from providing Local Impact Reports to assist the ExA in evaluating the impacts of the DCO Scheme on local interests through to participating in issue specific hearings, responding to technical written questions, and agreeing the Statement of Common Ground (SoCG); and
 - 1.12.4 in a post examination role, mainly linked to the discharge of DCO requirements.
- 1.13 The four Boroughs are the Local Planning Authorities. As a London Borough, Richmond upon Thames is also the Local Highway Authority for its area and the Lead Local Flood Authority.
- 1.14 SCC is the Local Highway Authority, the Minerals and Waste Planning Authority and the Lead Local Flood Authority for the county of Surrey, in addition to delivering a range of service areas likely to be impacted by the scheme.
- 1.15 RBC occupies a dual role as both a Promoter / Partner Local Authority to the scheme, and Regulator as a Local Planning Authority. A clear internal demarcation between these roles is needed at an early stage in the DCO process. Local authorities are not unused to having to deal with a separation of roles and responsibilities, but specific role which RBC Members and Officers are responsible must be made clear to all engaged in the process, and specifically the statutory role that they are fulfilling in any action taken.
- 1.16 At the Cabinet meeting on 20 July 2021, SCC confirmed the principle of collaborating with the EA and progressing as a joint applicant, including ensuring that appropriate

demarcation was in place between the SCC Promoter and Regulator roles. SCC being a joint applicant to the DCO adds complexity, and this needs to be recognised and procedures put in place to ensure that the statutory roles of the councils as host authority remain independent, impartial, and free of conflict and that the council's statutory functions and decision-making are carried out in an unfettered manner.

As a Partner Local Authority to the scheme, RBC adopts the same approach.

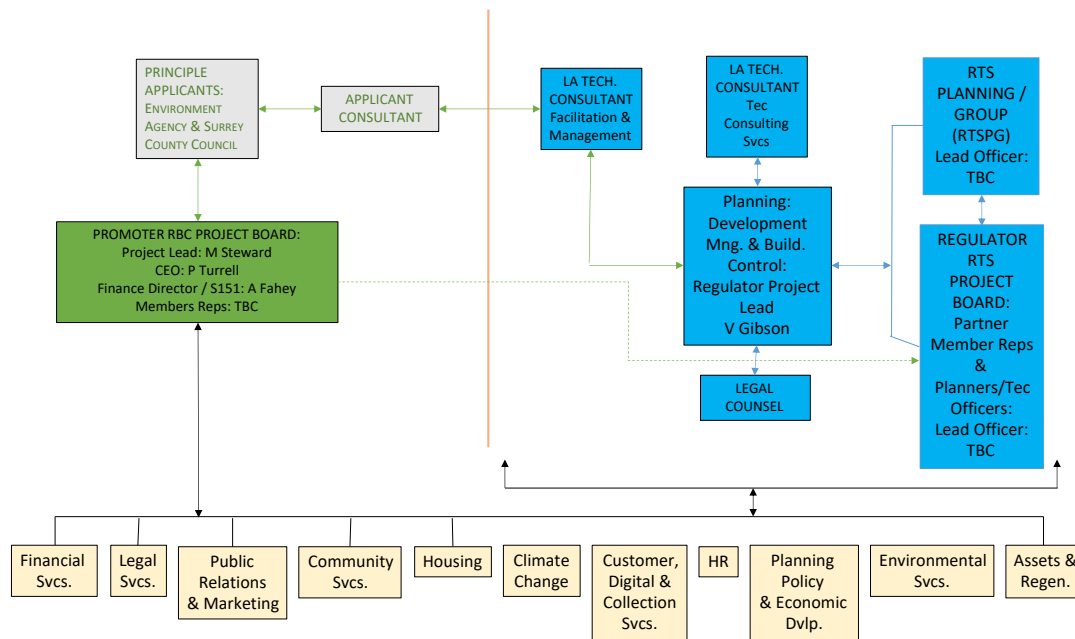
KEY PRINCIPLES

- 1.17 RBC will seek to adhere to the overarching key principle that an ethical wall is in place between the roles and responsibilities of Members and Officers acting in their capacity as a scheme Promoter, and those being carried out as Regulator, such that no Members or Officers working on the RTS from a Promoter perspective will seek to influence or engage outside of formal, prescribed consultation and engagement procedure with Members and Officers working on the Scheme from a Regulator perspective.
- 1.18 This separation is to be maintained for the duration of the RTS programme, from the pre-application phase through to examination, construction and opening.
- 1.19 Officers working on the project from a Promoter perspective will not contribute to RBC's formal responses to the DCO consultation.
- 1.20 Noting that within a team there may be individuals who are working on either the Promoter or Regulator side, it is important to identify appropriate pathways to seek additional advice regarding issues/concerns/disputes, to prevent conflicts of interest. The Promoter team should escalate matters to the RTS Principal Project Manager - and the Regulator team to the RBC Development Manager (nominated on behalf of the LPA).
- 1.21 A group mailbox rtshostauthority@runnymede.gov.uk has been adopted for contacting RBC as a Promoter, to simplify communication and coordination between the Promoter, the Regulator, and external third parties including residents.
- 1.22 All meetings and phone conversations in relation to the RTS Scheme between RBC Members and Officers acting in a Promoter capacity, and those fulfilling the Regulator role, will be formally minuted. Such engagement will be recorded in the Consultation Report which will be submitted with the application for the DCO and may be required during the Examination as evidence to justify decision making.
- 1.23 It is also important to consider the role of external consultants/suppliers and the potential for an organisation to be performing roles for RBC as a Promoter and as a Regulator. Where such situations exist, the consultant firm will be asked to ensure that ethical walls exist between individuals and groups involved and ensure that they provide separate capacity and/or teams for the separate functions of RBC.
- 1.24 Annex A provides details of RBC Officers who have been allocated to advise either the Promoter or the Regulator functions of RBC, or both regarding purely technical functions. All Officers will be fully briefed and given the opportunity to ask questions so that they can understand which side of the ethical wall they are on, and the approach set out to maintain a clear demarcation in activities. The Annex will be reviewed and updated, if required, at least every three months – or earlier if needed - and an update series of briefings held for RBC Officers as needed.
- 1.25 If RBC officers have any queries around the Separation of Responsibilities, they should consult the RTS Principal Project Manager (Promotor) or the RBC Planning Group Manager (Regulator).

RBC AS THE PROMOTER

- 1.26 The RTS RBC Team will be managed under the governance structure presented in Figure 1 below.

Figure 01 – River Thames Scheme – RBC Separation of Responsibilities



KEY

- Regulator
- Promoter
- Technical Service Support Team (Neutral)
- Joint Applicant (Env. Agency & SCC)
- Ethical Wall
- Regulatory reporting pathway
- Consultation pathway
- Gues reporting pathway (by exception)

- 1.27 Governance of the RTS project is carried out by the Joint Applicant with input from the RBC Project Board and the equivalent bodies in SCC, EBC and SBC.
- 1.28 The RBC Project Board is the vehicle for the Council to input to the DCO and construction program from the Promoter side of the ethical wall. The RBC Project Board will comprise the RBC Lead Officer for the day to day management and delivery of the DCO process. The CEO and FD will be only be called upon for executive decisions material to the project and the Council. Representative Members on the Promoter side of the ethical wall have the opportunity to provide feedback and receive updates from the Applicants via the the Lead Officer.
- 1.29 The RBC Lead Officer for the project is responsible for overall management and delivery of the DCO process and project delivery within the remit of RBC’s status as a Partner Local Authority

Marcel Steward is the RBC Project Lead Officer on the promoter side of the ethical wall.

The RBC Lead Officer will also represent RBC at the Partner Local Authority Project Board on a day to day basis. Among other duties, their role will be to update the CEO, FD and designated representative Members on the Promoter’s side of the ethical wall.

RBC AS THE REGULATOR

- 1.30 A DCO is a statutory instrument granted by the Secretary of State to authorise the construction of and development of a NSIP.
The DCO must comply with all requirements set out in the Planning Act 2008 and associated legislation.
Therefore the role of the Regulator response from RBC is located within the LPA exercising its development management functions.
- 1.31 A Service Level Agreement (SLA) was signed on 1st April 2022 which sets out the requirements and expected levels of service between the RTS and the Surrey host authorities, including RBC.
- 1.32 A RTS Planners Group (RTSPG) has been established so that the host authorities can work collaboratively. Negotiation of the SLA took place through this group, led by RBC. There is a separate Agreement between the host authorities to govern technical consultancy service support from third parties to the Regulators.
- 1.33 Officers in their capacity of carrying out development management and regulatory functions will need to consider key aspects of the RTS such as environment and public amenity provisions. Specialist officers will also need to consider elements of the evidence supporting the application and be engaged in pre- and post-application consultations. This would include specialists from services such as, Planning Policy, Flooding, Air Quality, Contaminated Land, Legal, Property and Climate Change and Sustainability.
- 1.34 The Council's Planning Development Management Team will be in a coordinating role, acting as the Regulator central point of contact, and will be responsible for ensuring RBC Regulator authority engagement occurs at all appropriate stages of the scheme development and examination. The Group Mailbox rtshostauthority@runnymede.gov.uk will support this.
Victoria Gibson is the Lead Officer on the Regulator side of the ethical wall as the nominated officer of the LPA on RTS matters.
- 1.35 Working practices to ensure this distinction between RBC's dual roles have been adopted throughout the informal pre-application period. Where technical input from Officers not forming part of the RBC Promoter project team is provided to inform scheme development, this is taking place on a formal footing with meeting minutes produced.
- 1.36 Senior level oversight from RBC as a partner Local Authority perspective, is provided by the Corporate Head of Law and Governance. Regulator day-to-day decision-making activity and examination submissions are made by the Development Manager exercising delegated authority where available. Where delegated authority is not available matters are referred to the planning committee in line with the Council's Constitution. The Development Manager is accountable to the Corporate Head of Development Management and Building Control.

Where the technical resource to respond to an information or work request does not exist within the Council – these will be referred to the LA Technical Consultant in their Consulting Services capacity for interpretation to facilitate an informed response from the Council.

- 1.37 Information and Work Requests will be created by the Applicant via their Consultant. These will be passed to the LA Tech Consultant in their Facilitation and Management

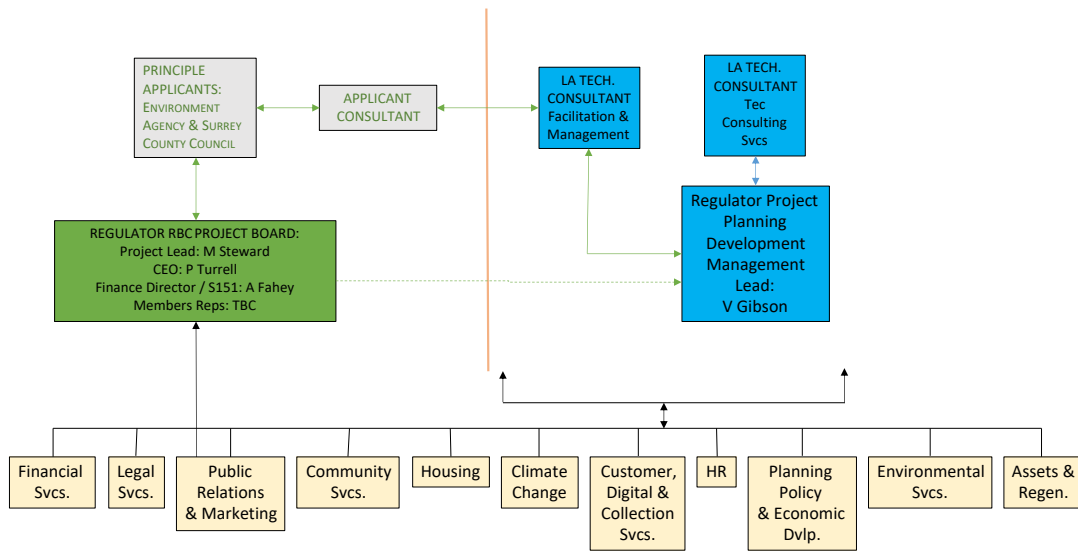
capacity for onward transmission to the Lead Officer on the Regulator Side of the ethical wall.

- 1.38 Responses from the Lead Regulatory Officer will be sent directly to the Applicant's Consultant.
- 1.39 By exception, members of the RBC Project Board on the Promoter side of the ethical wall will communicate with the Regulator Team on subjects related to the overall management and smooth running of the Project. Meetings will be minuted and the minutes archived for reference.

RBC TECHNICAL OFFICER SUPPORT (NEUTRAL)

- 1.40 Technical Services Officers will support and respond to requests for fact based, evidential information to both the Promoter and Regulator teams.

ANNEX A: RTS CONSULTATION STRUCTURE



KEY

- Regulator
- Promoter
- Technical Service Support Team (Neutral)
- Joint Applicant (Env. Agency & SCC)
- Ethical Wall
- Regulatory reporting pathway
- Consultation pathway
- Gues reporting pathway (by exception)

GROUP DESCRIPTIONS: ROLES AND RESPONSIBILITIES

GROUP	FUNCTION
Local Authority Tech Consultant: Facilitation and Management	<ul style="list-style-type: none"> - Facilitate and manage consultation between the Applicants Consultant and the Local Planning Authority (LPA) Consultees - Receive work requests from Applicants Consultant - Direct Transfer of work requests - Facilitate meetings between LA Tech Consultant and LPAs - Manage meetings: virtual and in person - Compile communal responses to Applicants where appropriate - Compile and maintain a Communal response to certified DCO documents including but not limited to Statements of Community Consultation & Common Ground - Monitor Financial support charges made by LPAs to the Applicant
Local Authority Tech Consultant: Technical Consultancy Services	<ul style="list-style-type: none"> - Provide specialist consultancy services to LPA's - Provide specialist consultancy services to RTSPG & RTS Project Board as required

GROUP	FUNCTION
Applicants: EA & SCC	<p>Responsibilities:</p> <ul style="list-style-type: none"> - Responsible for Application of the Development Consent Order (DCO) including the Pre-Application Consultation process
Applicant Consultant	<ul style="list-style-type: none"> - Carry out the Pre-Application Consultation under instruction from the Applicant
Program Board	<ul style="list-style-type: none"> - Represent the Partner Local Authorities - Strategic management including its wider enabling function
Sponsor Group Members	<ul style="list-style-type: none"> - Represent Partner Local Authority Members
Executive Group	<ul style="list-style-type: none"> - Executive decision making: <ul style="list-style-type: none"> - Problem resolution - Approved expenditure - etc.

GROUP	FUNCTION
RTSPG / Planning Group	<ul style="list-style-type: none"> - Information sharing, collective response, etc. - Meeting will be managed to permit Planners dialogue - input from other LA officers from other disciplines - Manage problems
Local Authorities Statutory Consultees	<ul style="list-style-type: none"> - Respond to consultation issues in regard to the RTS DCO Pre Application process including but not limited to evidential based consultation - Respond to Work Requests and directly to Applicant - Maintain an ongoing brief to Members - Contribute to communal responses from the collective LPAs - Invoice Applicant for financial support in responding to the Pre Application via the LA Tech Consultant Facilitation and Management
Host RTS Project Board	<ul style="list-style-type: none"> - Relationship management between partners to facilitate and oversee consultation response delivery under the terms of the Applicant SLA. - Brief Representative Members from Partner LAs and take input to RTSPG
Legal Counsel	<ul style="list-style-type: none"> - Provide legal advice to Partner Las - Represent Partner Las at DCO examination

ANNEX B: RESOURCING

Officers: Specific job roles are listed, with the name of the current post holder shown in brackets.

ROLE: RBC PROMOTER PARTNER/ HOST LOCAL AUTHORITY	RBC: PROMOTER	RBC: REGULATOR LOCAL PLANNING AUTHORITY	RBC: REGULATOR	RBC: NEUTRAL TECHNICAL OFFICER SUPPORT
PROJECT LEAD OFFICER	M Steward			Financial Services TBC
PARTNER LA PROJECT BOARD	M Steward	PROJECT LEAD OFFICER (PLANNING)	Victoria Gibson	Legal Services TBC
				Human Resources TBC
PARTNER LA CEO	Paul Turrell			Public Relations & Marketing TBC
PARTNER LA REP. MEMBERS	TBC	HOST RTS PROJECT BOARD REP. MEMBERS	TBC	Community Services TBC
PARTNER LA LEGAL	TBC	REGULATOR LEGAL	Mario Leo	Housing TBC
		LEGAL COUNSEL	TBC	Climate Change TBC
				Customer Digital & Collection Services TBC
				Planning Policy & Economic Development
				Environmental Services TBC
				Assets & Regen TBC

Members Representation:

ROLE: RBC PROMOTER PARTNER/ HOST LOCAL AUTHORITY	RBC MEMBERS	RBC: REGULATOR LOCAL PLANNING AUTHORITY	RBC MEMBERS
TBC	TBC	TBC	TBC

Standards and Audit Committee – Outcome of Staff Appeal (Law and Governance, Mario Leo)

Synopsis of report:

To report the outcome of a recent staff appeal considered by the Standards and Audit Committee

Recommendation(s):

None. This report is for information only

1. Context and background of report

- 1.1 The Council's Salary Grading Appeals Procedure, last reviewed in 2015, contains the provision for the outcome of Appeals to the Standards and Audit Committee on Salary Gradings to be reported to the Corporate Management Committee.

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

- 2.1 On 17 March 2023, the Standards and Audit Committee met to consider an appeal by an employee in the Housing Business Centre regarding the grading of their post.
- 2.2 The report and its content were confidential as they identified individuals.
- 2.3 The Standards and Audit Committee determined the matter in accordance with the procedure as set out in the agenda papers and had due regard to the advice provided by both the Head of HR and OD and the Corporate Head of Law and Governance, acting as Secretary to the Committee.
- 2.4 Both the appellant and Corporate Head of Housing presented their cases and there was an opportunity for each to ask questions of each other and the panel to do so also.
- 2.5 After careful consideration, the Panel determined that the appeal should be rejected.
- 2.6 However, the Panel made some recommendations that might assist the appellant to develop their career and open up opportunities for advancement. The Corporate Head of Housing readily agreed to these recommendations.

3. Policy framework implications

- 3.1 The Council's procedure for dealing with Salary Grading Appeals was in place at the time the employee made application for their post to be re-graded.
- 3.2 The procedure for dealing with Salary Gradings is in the process of being updated and subject to the approval of Corporate Management Committee, employee appeals in relation to dismissal and grievances including salary gradings will be heard by a Sub-Committee of the Standards and Audit Committee, comprising three Members and one member in reserve. This formalises the procedure followed now in practice.

4. **Resource implications/Value for Money**

4.1 None identified.

5. **Legal implications**

5.1 Staff appeals are heard by the Standards and Audit Committee (and Sub-Committee) as the last internal mechanism of appeal open to an employee. If an employee remains unsatisfied, they can lodge an appeal with an Employment Tribunal.

6. **Equality implications**

6.1 None identified

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

7.1 None Identified.

8. **Other implications**

8.1 None Identified.

Background papers

Exempt papers held on file 63.13.31 used in preparation of the Standards and Audit Committee agenda

(For information)

My Ref: TG/SK/MoL001

Date: 20th April 2023

Sadiq Khan
Mayor of London
City Hall
The Queens Walk
London SE1 2AA

Dear Mr Mayor,

ULEZ Expansion Objection

Following a resolution at Full Council, I am writing on behalf of Runnymede Borough Council in relation to your planned ULEZ expansion. This policy is being brought in without full consideration of the impact on residents outside of London, such as those in Runnymede, nor with co-operation with neighbouring authorities including Surrey County Council. I therefore write to request that you cancel the planned ULEZ expansion and instead work with residents and authorities in and around London to implement policies which will instead achieve meaningful improvements in air quality without harming our residents or economy.

ULEZ expansion will add further costs for residents and businesses at a time when budgets are already under pressure, disproportionately impacting those on lower incomes, including key workers who are required to commute to outer London or Heathrow, those requiring medical treatment in London and carers or relatives looking after people who live across the outer London boundary.

Runnymede Borough Council is committed to improving air quality and protecting both the health of residents and our natural environment. We are also, however, committed to ensuring the best use of resource, delivering value for money for our residents and implementing evidence-based policies. As your own impact assessment shows, ULEZ alone will have a negligible impact on improving air quality in outer London boroughs, and there is a risk of worsening the situation on Surrey roads. On this evidence the clear cost to residents and economic harm cannot be justified.

We believe that the residents living within Runnymede should not have to pay a London-centric tax which therefore appears to have been developed to provide a source of revenue generation rather than environmental improvements.

As resolved by Full Council I would therefore wish you to note that:

- The evidence and economic modelling fails to assess the impact on residents of outlying areas, including those in Runnymede, who do not have access to the same transport networks as within the Greater London area.
- The roughly £400 million of government funding set aside for the Mayor of London to spend on reducing air pollution would be better spent on proven measures such as an expanded car scrappage scheme, improving public transport, cycle ways, and other initiatives rather than a

network of ULEZ cameras that penalise lower income households and those that must travel for work.

- Runnymede Borough Council therefore does not support ULEZ expansion without full consultation, a cost-benefit analysis, and consideration of possible alternative measures to improve air quality.
- Without these essential measures to ensure effective policy which is beneficial to residents, Runnymede Borough Council rejects your proposal to expand the ULEZ £12.50 daily charge and potential large fines for non-compliant vehicles which will harm small businesses and those on lower incomes hardest.

[This letter has been co-signed by our local MP, Dr Ben Spencer and group leaders of political groups on Runnymede Borough Council who are all in agreement with the sentiments.]

Yours sincerely,

Leader, Runnymede Borough Council
Councillor for Woodham & Row Town

Email: cllr.tom.gracey@runnymede.gov.uk
Mobile: 07714 210414

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