



15 May 2013

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To the Councillors of Spelthorne Borough Council

Summons to the Annual Council Meeting of Spelthorne Borough Council

I hereby summon you to attend the Annual meeting of the Council to be held in the **Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames** on **Thursday 23 May 2013** commencing at **19.30** for the transaction of the following business.

Roberto Tambini
Chief Executive

Councillors are encouraged to wear their badge of past office at the Council meeting.

AGENDA

Page no.

1. Election of the Mayor

- (a) To elect the Mayor of the Borough for the Municipal Year 2013-14.
- (b) The Mayor to make the Declaration of Acceptance of Office.

2. Apologies for absence

To receive any apologies for non-attendance.

3. Minutes of the Council Meeting held on 7 May 2013

7-14

To confirm as a correct record the minutes of the Council meeting held on 7 May 2013.

4. Election of the Deputy Mayor

- (a) To elect the Deputy Mayor of the Borough for the Municipal Year 2013-14.
- (b) The Deputy Mayor to make the Declaration of Acceptance of Office.

5. Disclosures of Interest

To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for Members.

6. Announcements from the Mayor

To receive any announcements from the Mayor.

7. Announcements from the Leader

To receive any announcements from the Leader.

8. Committees 2013-14

(1) Establishment of Committees

In accordance with Articles 6, 8 and 9 of the Council Constitution, and pursuant to Part 4 (a) – Standing Order 8.2, to appoint the following committees of the size indicated below and with the terms of reference and functions set out in Part 3 (a) of the Council Constitution.

Committee	Total voting members**
Audit Committee	7
Licensing Committee	15
Members' Code of Conduct Committee	**8
Overview and Scrutiny Committee	15
Planning Committee	15
Staffing and Appeals Committee	5

(2) Allocation of seats on Committees

Pursuant to Section 15 of the Local Government and Housing Act 1989 to

agree the representation of the different political groups on Committees.

The Council is advised that the following allocation of seats would meet the requirements of Section 15(4) of the Act.

Committee	Conservative	Spelthorne Ind. Party	Liberal Democrat	Total Council members
Audit	5	1	1	7
Licensing	10	3	2	15
Overview & Scrutiny	11	3	1	15
Planning	10	3	2	15
Members' Code of Conduct	5	2	1	8
Staffing and Appeals	3	1	1	5

****Note:**

- (a) The political proportionality rules technically do not apply to the Members' Code of Conduct Committee, but the Council has agreed that all political groups, including a member of the Cabinet, should be represented on that Committee.
- (b) Two members of the Code of Conduct Committee are independent, non-councillors.

(3) Appointment of members to Committees

In accordance with the Council Constitution, to appoint the members to serve on the above-mentioned committees, including Mr. M. Litvak and Miss S. Faulkner as the non-elected Chairman and Vice-Chairman respectively of the Members' Code of Conduct Committee.

The nominations to Committees are shown in Appendix A on the following page.

CABINET and COMMITTEES MEMBERSHIP for 2013-2014 from 23 May 2013 - Appendix A

CABINET (9 seats)	AUDIT (7 seats)	LICENSING (15 seats)	OVERVIEW AND SCRUTINY (15 seats)	PLANNING (15 seats)	MEMBERS' CODE of CONDUCT **[10 members](8 seats)	*STAFFING AND APPEALS (5 seats)
Leader of Council/Strategy, Corporate Governance <i>R.L. Watts</i>	J.A. Dale	A. Ayub	F. Ayers	I.J. Beardsmore	F. Ayers	
Deputy Leader/Community Safety, Young People, Leisure and Culture <i>P.C. Forbes-Forsyth</i>	D. Gohil	M. Bushnell	A. Ayub	S. E.W. Budd	C.A. Bannister	
Finance <i>T.J.M Evans</i>	A.C. Harman	J.A. Dale	C.A. Bannister	S.A. Dunn	P.A. Broom	
Economic Development and Fixed Assets <i>N. Gething</i>	M.J. Madams	C.A. Davis	P.A. Broom	G. Forsbrey	R.D. Dunn	
Corporate Development <i>V.J. Leighton</i>	D. Patel	S.A. Dunn	M. Bushnell	M.P.C. Francis	A.E. Friday	
Environment (incl. Parks and Waste Management) <i>A.J. Mitchell</i>	A.C. Patterson	D.L. Grant	C. A. Davis	C.M. Frazer	D. Gohil	*[Meets as and when required]
Health, Wellbeing and Independent Living <i>J.M. Pinkerton</i>	C.V. Strong	A.C. Harman	C.M. Frazer	A.E. Friday	M.J. Madams	
Communications, ICT and Procurement <i>J.R. Sexton</i>		I.T.E. Harvey	A.E. Friday	N. Gething	A.J. Mitchell	
Planning and Housing <i>S. Webb</i>		V.J. Leighton	D. Gohil	A.C. Harman		
		M.J. Madams	I.T.E. Harvey	D. Patel	**2 members are non- councillors	
		A.C. Patterson	M.J. Madams	R.W. Sider	M. Litvak (Chair)	
		M.W. Rough	D. Patel	R.A. Smith-Ainsley	S. Faulkner (Vice-Chair)	
		R.W. Sider	M.W. Rough	C.L. Spencer		
		R.A. Smith-Ainsley	B.B. Spoor	S.D. Taylor		
		B.B. Spoor	S.D. Taylor	S. Webb		
Conservative 9	Conservative 5 SIP 1 Liberal Democrat 1	Conservative 10 SIP 3 Liberal Democrat 2	Conservative 11 SIP 3 Liberal Democrat 1	Conservative 10 SIP 3 Liberal Democrat 2	Conservative 5 SIP 2 Liberal Democrat 1	Conservative 3 SIP 1 Liberal Democrat 1

9. Appointments by the Council to Outside Bodies

To appoint Councillor representatives to serve on the following Outside Bodies:

1. South West Middlesex Crematorium Board
(1 representative and 1 deputy)

Councillor P. Broom, representative
Councillor R.L. Watts, deputy

2. Surrey Police and Crime Panel
(1 representative)

Councillor P. Forbes-Forsyth

Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Tuesday 7 May 2013 at 7.30pm

Present:

Ayers F.	Forsbrey G.E.	Napper I. (Deputy Mayor)
Ayub A.	Frazer C.M.	Patterson A.C.
Bannister C.A.	Friday A.E.	Pinkerton J.M.
Beardsmore I.J.	Gething N.	Rough M.W.
Bushnell M.	Gohil D.	Sider R.W. (Mayor)
Dale J.A.	Grant D.L.	Smith-Ainsley R.A.
Davis C.A.	Harman A.C.	Spoor B.
Dunn R.D.	Harvey I.T.E.	Strong C.V.
Dunn S.A.	Leighton V.J.	Watts R.L. (Leader)
Evans T.J.M.	Madams M.	Webb S.
Forbes-Forsyth P. (Deputy Leader)	Mitchell A.J.	

Mr. Murray Litvak, Chairman of the Members' Code of Conduct Committee was also in attendance

Councillor R.W. Sider, the Mayor, in the Chair

The Mayor began by welcoming Councillor Ian Harvey, who had been elected as the Conservative candidate at the recent Sunbury East By-election.

105/13 Apologies

Apologies for absence were received from Councillors D. Patel, J. Sexton, C. Spencer and Miss Sue Faulkner, vice-Chair of the Members' Code of Conduct Committee.

106/13 Minutes

The minutes of the Council meeting held on 21 February 2013 and the Special Council meeting held on 18 April 2013 were approved as a correct record.

107/13 Disclosures of Interest

There were no disclosures of interest.

108/13 Announcements from the Mayor

The Mayor expressed his thanks to all the staff who had worked very hard at all the Polling stations on elections day, and to all the staff and councillors who had helped at the count the following day.

He reminded members that his Civic Reception would take place on Thursday 9 May at the Orangery, Shepperton Studios.

As this was his last meeting as Mayor, Councillor Robin Sider thanked the members and staff for their support throughout his Mayoral year.

109/13 Announcements from the Leader

The Leader drew everyone's attention to an excellent article on Stanwell New Start, written by Karen Sinclair, the Council's Joint Head of Housing and Independent Living, and Mandie Wilde of A2Dominion.

110/13 Announcements from the Chief Executive

There were none.

111/13 Questions from members of the public

There were none.

112/13 Recommendation of the Cabinet

The Council considered the recommendation of the Cabinet on the Search Moves Common Housing Allocations Policy.

RESOLVED that:

1. the proposed Search Moves Common Allocations Policy be approved and
2. the portfolio holder approves any minor amendments to the policy in the context of any changes to legislation and the changing needs of the community.

113/13 Report from the Leader of the Council

The Leader of the Council, Councillor Robert Watts, presented the reports of the Cabinet meetings held on 26 March 2013 and 30 April 2013 which outlined the various matters the Cabinet had decided since the last Council meeting.

Councillor Richard Smith-Ainsley asked a question on the Spelthorne Pay Award:

"I've seen some very political comments regarding the Cabinet's decision to offer an interim pay award of 0.5% rather than 1%, so could the Leader or his representative, please explain the reasoning behind this 0.5% offer, so that all members are fully aware of the decision making process."

Response by the Portfolio Holder for Resources, Councillor Vivienne Leighton:

"Thank you Mr. Mayor, and thank you for your question Councillor. I agree it's a very good question. The last three years there has been a pay freeze which has reflected the national state of austerity this country's faced. Local authorities are under increasingly severe pressure to deliver with less money. We absolutely recognise that our staff are our greatest asset, nevertheless they are our highest cost. I can confirm that 1% of all pay is over £100,000, even for a small authority like ours, and has therefore a significant impact within the budget setting process. And of course it was the Council last year, under Councillor Ayers, who oversaw the negotiations from last September resulting in the £100,000 being put aside. In November 2012 there was a one

off payment to our staff at the lowest grades, who were hurting most. So provision for the equivalent of 1% of Spelthorne staff pay has been made in the budget for 2013/14. This sum is set aside for payment to staff with effect from the 1st April 2013 and will be paid even if nationally there is no offer or a smaller offer. When canvassed, last year, councillors were clear that there should be an award this year, which is something we support. Therefore the national employers have indeed made an offer this year. As has been Spelthorne's custom and practice for some years, we are waiting to see the result of these negotiations as we guarantee to match the national decision. Should the national percentage be less, then I repeat, Spelthorne staff will be awarded the whole of the 1% set aside, but with details made as a local decision and backdated to the 1st April. At the time of the March Cabinet there was no formal offer on the table nationally, however there were two options under consideration by the unions. Firstly 1% for all staff or secondly a 1% for staff up to pay point 8 and then a reduced amount of 0.6% for staff over that pay point and there was also some accommodation suggested re mileage. Therefore, at that time, our decision was to wait. At the Cabinet meeting in March a letter from Unison was placed on Members' places. Included in this letter was the union's position that payment was due on the 1st April as per an agreement. Unfortunately reference to such an agreement was not in the Cabinet papers and indeed Members had been advised that to wait and see was appropriate. Naturally when presented with this new piece of information councillors were concerned to discuss it properly and so the matter was deferred to the April meeting to investigate what agreement was, or was not, in place. By April Cabinet, nationally the unions had rejected two options I mentioned just now and were consulting members on a formal 1% offer. My briefing currently is that consultation by the unions usually takes place over a period of 4 weeks. So although the unions were due to meet today there may or may not have been an agreed outcome. Additional to this, at present, there is nil offer on the table in regard to the management grades, which are referred to as JNC. Negotiations on this part will also affect the sum available for the rest of the staff and will be held subsequently. All along our view has been that there needs to be one decision and award, with any backdating paid as a lump sum as necessary. However, in order to give staff the clear message that we are sympathetic to them, whilst also balancing cost to residents who are similarly affected by this austere time, we have agreed to pay now, backdated to the 1st April, a ½% to staff up to and including grade 6 and to make any further disbursement when a national picture is clear. Whilst the unions are obviously trying to deliver the best they can for their members, and that is absolutely right, it is indeed regrettable, in the extreme, that these processes take place in a manner which delays payment to staff. It is also not the best situation for councillors to have to rely solely on reported information which, as we saw here, can lead to misunderstanding and complications. We are not prepared for the existing practice to continue and as we move from a three year pay freeze period into a situation where there will again be pay awards to be negotiated, we and staff need to have a robust process. Therefore the second part of the recommendation is that management conduct a full review of staff pay, all the options and processes for Spelthorne, including options for a Remuneration Committee. This is to be completed in a timely manner to ensure that we have clear, resilient and fair arrangements in

place before the 2014 process starts. All this said, Mr Mayor, I am pleased that the union did raise the issues it did with us and I hope that we will, indeed, in future be in a situation where, working with management and officers from the staff side from the outset, we can be proactive rather than reactive, thank you very much.”

Councillor Denise Grant asked the following questions relating to the Playing Pitch Strategy:

“Can I have assurance that the residents surrounding football pitches will be consulted on the proposal to lengthen the football season? And what if any is the cost to the Council if we decide to extend the football season?”

Response subsequently given in writing by the Leader, Councillor Robert Watts:

“The proposal to extend the football season is being carefully considered, along with all the other issues identified in the Playing Pitch Strategy. Each year, clubs struggle to fit their games in, as the pitches are not in operation long enough to fit in all the fixtures if only 1 game is played each week. Cancellation of games due to extreme weather conditions makes it more difficult to get the games played within this time. This issue has been raised by both the clubs and league reps on many occasions. Clubs regularly ask for permission to play extra games at the end of the season. If we can’t facilitate this, teams may have to travel out of the borough, which means that other boroughs receive the income. This is not satisfactory from a sports development or customer service point of view.

At this stage we are looking at the possibility and the implications of extending the season by 2 weeks. Neighbouring residents will not be consulted as for a number of years, each year clubs have been given ad hoc extensions. As far as we are aware, this situation has not caused any issues or problems for neighbours.

Extending the season may encourage more bookings as teams will be able to book for a complete season rather than having to find other pitches for games at the end. A season extension will prevent this end of season ‘panic’ and will also prevent the significant staff time it takes to deal with the individual extension requests.

The strategy is still in draft form and has been circulated to external agencies such as Sport England, Active Surrey and National Governing Bodies. The result of this consultation with stakeholders will be incorporated into the final report to Cabinet on 16 July. The practical and financial implications of all proposals in the Playing Pitch strategy will be thoroughly assessed.”

114/13 Report from the Chairman of the Audit Committee

The Chairman of the Audit Committee, Councillor Dipak Gohil, presented his report, which outlined the matters the Committee had decided since the last Council meeting.

115/13 Report from the Chairman of the Licensing Committee

The Chairman of the Licensing Committee, Councillor Marian Rough, presented her report which outlined the matters the Committee had decided since the last Council meeting.

116/13 Report from the Chairman of the Members' Code of Conduct Committee

The Chairman of the Members' Code of Conduct Committee, Murray Litvak, presented his report which outlined the matters the Committee had decided since the last Council meeting.

117/13 Report from the Chairman of the Overview and Scrutiny Committee

The Chairman of the Overview and Scrutiny Committee, Councillor Philippa Broom, presented her report which outlined the matters the Committee had decided since the last Council meeting. She thanked the officers for their support to the Committee and the members for their work.

118/13 Report from the Chairman of the Planning Committee

The Chairman of the Planning Committee, Councillor Richard Smith-Ainsley, presented his report which outlined the matters the Committee had decided since the last Council meeting. He thanked the members for their efforts and the officers for their assistance with the work of the Committee.

119/13 Motions

There were no Motions received.

120/13 Questions on Ward Issues

There were no questions received on ward issues.

121/13 General questions

Under Standing Order 14, Councillor Christine Bannister, asked the following general question:

“Would the Leader please describe and explain the role of the newly-appointed Cabinet Executive Assistant?”

Response by the Leader of the Council, Councillor Robert Watts:

“Thank you for your question, Councillor Bannister.

The Executive Assistant is a new, part-time position designed to support me and the work of the Cabinet.

The post-holder will provide administrative and diary support to Cabinet Members and will monitor progress with Cabinet tasks and projects, liaising with Council Heads of Service and other officers to ensure that requests for information and assistance are communicated and delivered in a timely manner.

This type of support has previously required Cabinet members to make enquiries separately with a number of staff, both administrative and more senior, and it is felt that channelling this work through one person is more efficient and productive, not only for staff but also for members who themselves also have demanding full-time jobs.

The Executive Assistant will also play an important role in carrying out research to identify areas of potential interest to me and other Cabinet Members, which will assist the Cabinet in making decisions about the future direction of the Council. This will include identifying examples of best practice elsewhere and drawing on the experience of other local authorities.

The Executive Assistant post is politically restricted under the Local Government and Housing Act 1989 and, although the post-holder will be working under my direction and that of the Cabinet, she is employed by the Council and managed by one of our Assistant Chief Executives, Lee O'Neil.

Spelthorne Borough Council constantly seeks new ways of working to improve efficiency, protect service delivery, and ensure it remains a value for money Council for residents.

The post holder will be facilitating meetings with the community which will enable the Cabinet to better leverage the work of the third sector in the service of our residents.”

Under Standing Order 14.2, Councillor Bannister asked the following supplementary question:

“Could those functions not be performed by a back-bench councillor thereby giving that individual more experience of ‘life in the Cabinet’, a role they may one day aspire to, additionally saving the tax-payer a significant amount of money?”

Councillor Robert Watts replied as follows:

“No, I would not agree with that. I believe it is the responsibility of Cabinet, aided by the new Executive Assistant to deal with (this work).”

122/13 Urgent Business

The Leader, Councillor Robert Watts, paid tribute to the Mayor and Mayoress for their tireless work throughout the year to support the Mayor’s charities, whilst Councillor Sider had also continued with his ward duties in Shepperton,

notably his keen involvement in Shepperton's application to Southeast in Bloom.

Councillors C. M. Frazer, V.J. Leighton, F. Ayers, I.J. Beardsmore and S. Webb added their own words of gratitude and appreciation for the outstanding dedication of the Mayor, with the support of the Mayoress, in his role as an ambassador for Spelthorne Borough Council during his Mayoral year.

The Mayor thanked the members for their wonderful tributes which were much appreciated. It had been a great pleasure for him to serve this Council and work with the members both in his role as the Mayor and as a councillor.

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15 May 2013

TO THE COUNCILLORS OF SPELTHORNE BOROUGH COUNCIL

Meetings of Committees**

Individual meetings of the Committees listed below will be held one after another in the **Council Chamber on Thursday 23 May 2013** to consider the business specified in the Agendas set out on the following pages. The first meeting will commence at the conclusion of the Annual Council Meeting.

Roberto Tambini
Chief Executive

- (1) **Audit Committee (page 16)**
- (2) **Licensing Committee (page 17)**
- (3) **Overview and Scrutiny Committee (page 18)**
- (4) **Planning Committee (page 19)**

****Footnote:**

Under the Council's Constitution there is no requirement for the Cabinet or the Members' Code of Conduct Committee to meet this evening. The Leader of the Council and the Deputy Leader are ex-officio the Chairman and Vice-Chairman of the Cabinet and the Chairman and Vice-Chairman of the Members' Code of Conduct Committee are the two independent non-councillors appointed by the Council, namely Mr. M. Litvak and Miss S. Faulkner.

Annual Council Meeting 23 May 2013

1. Audit Committee

Agenda

- i. To appoint a Chairman for the Municipal Year 2013-2014.
- ii. Apologies for absence.
- iii. To confirm the minutes of the meeting held on 21 March 2013.
(circulated to Committee members only under separate cover)
- iv. To appoint a Vice-Chairman for the Municipal Year 2013-2014.

Annual Council Meeting 23 May 2013

2. Licensing Committee

Agenda

- i.** To appoint a Chairman for the Municipal Year 2013-2014.
- ii.** Apologies for absence.
- iii.** To confirm the minutes of the meeting held on 9 January 2013.
(circulated to Committee members only under separate cover)
- iv.** To appoint a Vice-Chairman for the Municipal Year 2013-2014.

Annual Council Meeting 23 May 2013

3. Overview and Scrutiny Committee

Agenda

- i. To appoint a Chairman for the Municipal Year 2013-2014
- ii. Apologies for absence
- iii. To confirm the minutes of the meeting held on 26 March 2013.
(circulated to Committee members only under separate cover)
- iv. To appoint a Vice-Chairman for the Municipal Year 2013-2014.

Annual Council Meeting 23 May 2013

4. Planning Committee

Agenda

- i. To appoint a Chairman for the Municipal Year 2013-2014.
- ii. Apologies for absence.
- iii. To confirm the minutes of the meetings held on 10 April 2013.
(circulated to Committee members only under separate cover)
- iv. To appoint a Vice-Chairman for the Municipal Year 2013-2014.