

Public



10 May 2017

Please reply to:

Contact: Greg Halliwell

Direct line: 01784 446267

E-mail: g.halliwell@spelthorne.gov.uk

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, 18 May 2017** commencing at **7.30 pm** for the transaction of the following business.

A handwritten signature in blue ink that reads 'Roberto Tambini'. The signature is written in a cursive style and is positioned above a horizontal blue line.

Roberto Tambini

Chief Executive

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

For those Councillors wishing to participate, prayers will be said in the Leader's office starting at 7pm.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

AGENDA

Description	Page nos.
<p>1. Election of the Mayor (a). To elect the Mayor of the Borough for the Municipal Year 2017-2018. (b). The Mayor to make the Declaration of Acceptance of Office.</p>	
<p>2. Apologies for absence To receive any apologies for non-attendance.</p>	
<p>3. Minutes To confirm as a correct record the minutes of the Council meeting held on 27 April 2017.</p>	5 - 10
<p>4. Election of the Deputy Mayor (a). To elect the Deputy Mayor of the Borough for the Municipal Year 2017-18. (b). The Deputy Mayor to make the Declaration of Acceptance of Office.</p>	
<p>5. Disclosures of Interest To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for members.</p>	
<p>6. Announcements from the Mayor To receive any announcements from the Mayor.</p>	
<p>7. Announcements from the Leader To receive any announcements from the Leader.</p>	
<p>8. Committees 2017-2018 Committees' membership 2017-2018</p>	11 - 14
<p>(1). Establishment of Committees In accordance with Articles 6, 8 and 9 of the Council's Constitution, and pursuant to Part 4 (a) – Standing Order 8.3, 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's Constitution.</p>	

Committee	Total voting members
Audit Committee	7
Licensing Committee	15

Members' Code of Conduct Committee	8*
Planning Committee	15
Overview and Scrutiny Committee	15
Spelthorne Joint Committee	7

(2). Allocation of seats on Committees – Appendix A

Pursuant to Section 15 of the Local Government and Housing Act 1989, to agree the representation of the different political groups on Committees.

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 Members' Code of Conduct Committee are independent, non-councillors.

(3). Appointment of members to Committees – Appendix B

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

9. Appointment by the Council to Outside Bodies

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

15 - 16

1. South West Middlesex Crematorium Board
(1 representative and 1 deputy)
2. Surrey Police and Crime Panel
(1 representative)

Meetings of Committees

At the conclusion of the Annual Council meeting, individual meetings of the Committees listed below will be held one after another to consider the business specified in the agendas circulated to the relevant Committee members only.

1. Audit Committee
2. Licensing Committee

3. Overview and Scrutiny Committee
4. Planning Committee

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. Murray Litvak and Miss Sue Faulkner.

MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 27 April 2017 at 7.30 pm

Present:

Councillors:

M.M. Attewell	M.P.C. Francis	D. Patel
C.B. Barnard	N.J. Gething	J.M. Pinkerton OBE
R.O. Barratt	A.C. Harman (Deputy Leader)	O. Rybinski
S. Capes	I.T.E. Harvey (Leader)	J.R. Sexton
R. Chandler	A.T. Jones	R.W. Sider BEM
S.A. Dunn	J.G. Kavanagh	R.A. Smith-Ainsley
Q.R. Edgington	V.J. Leighton (Deputy Mayor)	B.B. Spoor
T.J.M. Evans	M.J. Madams	H.A. Thomson
K. Flurry	A.J. Mitchell	H.R.D. Williams
P.C. Forbes-Forsyth	S.C. Mooney	

In Attendance: Murray Litvak and Sue Faulkner, Chairman and Vice-Chairman respectively of the Members' Code of Conduct Committee.

Councillor A.E. Friday, The Mayor, in the Chair

Apologies: Apologies were received from Councillors I.J. Beardsmore, J.R. Boughtflower, S.J. Burkmar, C.A. Davis, S.M. Doran, A.L. Griffiths, N. Islam and D. Saliagopoulos

376/17 Presentation

The Mayor was pleased to acknowledge the work of a group of dedicated volunteers in creating a new pocket park in Shepperton Village named Lord's Bridge Garden. Following a citation read by Councillor Leighton, the Mayor presented the members of Shepperton Village Conservation Group with a certificate in recognition of their achievement and photographs were taken.

377/17 Minutes

The minutes of the Council meeting held on 23 February 2017 were agreed as a correct record.

378/17 Disclosures of Interest

There were no disclosures of interest.

379/17 Announcements from the Mayor

The Mayor announced that since the last meeting of this Council the Mayor's Charity has now been confirmed as an independent registered charity and he thanked Terry Collier, Chief Finance Officer and Ashley Boyce, Solicitor for their help.

He thanked those councillors who supported the Masquerade Ball on April 8th and noted the success of the Annual St. George's Day Ladies Lunch held on the 26th April.

He announced the final event of the Mayoral Year: the Civic Reception on 10th May at Shepperton Studios. This will be the night when the Mayor distributes the money raised to the charities that have been selected.

380/17 Announcements from the Leader

The Leader made the following announcements:

- Pleased to announce the return of Cllr Flurry to the Conservative Group.
- Windfall Grants will not be announced until after County Council elections to dispel any suggestions of political or electoral bias
- Street lights: Despite the restoration being agreed between County Leader and myself, Surrey County Council (SCC) officers have now determined that as this was a SCC Cabinet decision they can only be restored, despite being funded by Spelthorne Borough Council, following agreement at a SCC Cabinet meeting. We have been assured that this will be on the agenda at SCC Cabinet scheduled for 30 May 2017. The agreement is for an initial period of 5 years. This dispels opposition suggestions that (1) they would be switched off again on 5th May and (2) this was for purely political advantage. The opposition may think like this but my, and my Administration's first priority is and will always be for the wellbeing of ALL Spelthorne residents and this is why we acted immediately to do our best to safeguard residents, despite it not being technically our financial responsibility.
- Security: Much has been said of recent about safety and security of those in elected public office, including but not limited to the murder of Jo Cox MP last summer, the March terrorist attack at Westminster, and indeed of recent in this Borough where a member of this Council was assaulted. I am therefore delighted to announce that in the next few days all councillors and staff in vulnerable roles will be issued with a monitored panic alarm to protect us.
- It seems every Council I have to announce the departure of one or more people and this time I have to announce that John Brooks will be retiring in late July/early August. Many will know that John has spearheaded our Planning Policy which contributed greatly to shaping the Borough. I would like to thank John for his sterling service and wish him a long and fulfilling retirement.

- Arrangements are well under way for the recruitment of Roberto's replacement and I will shortly be appointing a recruitment panel of Councillors to head this up. I can now confirm that Roberto's last day here will be 8 September 2017.

381/17 Announcements from the Chief Executive

The Chief Executive reminded all members of the forthcoming tour of Heathrow Airport on 8 May.

382/17 Questions from members of the public

There were none.

383/17 Petitions

There were none.

384/17 Changes to Committee membership 2016-2017

Details of the changes to Committee membership for the remainder of the 2016-2017 municipal year were circulated on the supplementary agenda for the meeting. The political allocation of seats was shown at agenda item 10 (Appendix A) and the members to serve on the various Committees was shown at Appendix B.

It was moved by Councillor I.T. Harvey and seconded by Councillor A.C.Harman and

Resolved that:

- a) The allocation of seats is agreed as shown on Appendix A.
- b) The councillors to serve on Committees is agreed as shown on Appendix B.

385/17 Spelthorne Pay Award 2017-2018

The Council considered the recommendation of the Cabinet from its meeting held on 22 March 2017, on the Spelthorne Pay Award for 2017-2018.

The report proposed an additional pay award of 1% to all scale points with effect from 1 April 2017, over and above the National Pay Award, to help attract and retain staff. This proposal follows a pay review which took into consideration pay review data from other councils within Surrey.

Resolved to approve the Spelthorne Pay Award for 2017-2018.

386/17 Appointment of Independent Remuneration Panel

The Council considered the recommendation of the Cabinet from its meeting held on 22 March 2017, on the appointment of a new Independent Remuneration Panel.

The Council is required to establish and maintain an Independent Remuneration Panel consisting of at least three members, none of whom is formally connected with the Council.

Resolved to approve the appointment of Sir Ivan Lawrence, Colin Squire and George McLaughlin to the Independent Remuneration Panel.

387/17 Recommendations of the Members' Code of Conduct Committee

The Council considered the recommendation of the Members' Code of Conduct Committee from its meeting held on 25 April 2017, on changes to the Constitution in relation to Chief Officers disciplinary procedures.

Resolved to agree:

1. To amend the Officer Employment Procedure Rules relating to disciplinary action by reference to the Model Discipline Procedure and Guidance as set out at Appendix 2 to the report;
2. the appointment of an:
 - (a) Investigating and Disciplinary Committee
 - (b) Independent Panelwith the Terms of Reference as set out at Appendix 4 to the report and
3. amendments to the Terms of Reference of the Staffing and Appeals Committee; and
4. to amend the introduction to the Scheme of Delegations as set out at Appendix 5 to the report.

388/17 Reports from the Leader of the Council

The Leader of the Council, Councillor I.T.E. Harvey, presented the reports of the Cabinet meeting held on 22 March 2017 and the Extraordinary Cabinet meetings held on the 5 April 2017 and the 27 April 2017 which outlined the matters the Cabinet had decided since the last Council meeting.

389/17 Report from the Chairman of the Audit Committee

The Chairman of the Audit Committee, Councillor M.J. Madams, presented her report which outlined the matters the Committee had considered since the last Council meeting.

390/17 Report from the Chairman of the Members' Code of Conduct Committee

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

391/17 Report from the Chairman of the Overview and Scrutiny Committee

The Vice-Chairman of the Overview and Scrutiny Committee, Councillor S. Mooney, presented on behalf of the Chairman, Councillor C.A. Davis, the report which outlined the matters the Committee had considered since the last Council meeting.

392/17 Reports from the Chairman of the Planning Committee

The Chairman of the Planning Committee, Councillor R.A. Smith-Ainsley, presented his report which outlined the matters the Committee had decided since the last Council meeting.

Councillor Smith-Ainsley also informed members that a judge at Guildford Law Courts had upheld the Council's injunction in relation to the outbuilding at School Road, Ashford, rejecting Mr Van der Beeck's challenge. In addition he was found to be in contempt of the injunction. This was a successful outcome after a very long enforcement process, which first started in 2007. The judge had ordered the demolition of the outbuilding within four months or Mr Van der Beeck may be committed to prison. Councillor Smith-Ainsley thanked staff in Planning and Legal for their persistence in dealing with this case.

393/17 Motions

In accordance with Standing Order 17 the Council received one written Notice of Motions.

Councillor Sider moved and Councillor Harman seconded the following motion:

"That this Council strongly opposes any proposal by the NHS Trust to implement parking for charges for the disabled at St Peter's Hospital, Guildford Road, Chertsey."

The motion was carried.

Resolved that this Council strongly opposes any proposal by the NHS Trust to implement parking for charges for the disabled at St Peter's Hospital, Guildford Road, Chertsey.

394/17 Questions on Ward Issues

There were no questions on Ward issues.

395/17 General questions

The Mayor reported that one general question had been received, in accordance with Standing Order 15, from Councillor Edgington.

Question 1 from Councillor Q.R. Edgington:

“Are there any Spelthorne Conservative Councillors who do not live in Spelthorne?”

Response from Councillor Ian Harvey, Leader of the Council:

“Cllr Edgington, in direct answer to your question and in addition to my response at February Council that Cllr Thomson had recently moved out of the Borough, there is one other Conservative Councillor, Councillor Kavanagh who, subsequent to his engagement at Christmas has formalised his living arrangements with his fiancée in Chertsey within the last two weeks. Councillor Kavanagh has updated his details to reflect this. This has not compromised the way he continues to undertake his Spelthorne councillor duties. As you know, this is perfectly permissible.”

In accordance with Council Standing Order 15.2, Councillor Q.R. Edgington asked the following supplementary question:

“Does Councillor Harvey not think that the residents of Ashford deserve better? One councillor living in Chertsey, one in Camberley and the Conservative candidate for the Ashford East by-election, a Russian friend of Councillor Davis, who lives in Sunbury.”

The Leader, Councillor Harvey, responded at the meeting as follows:

“When did you Councillor Edgington move in with your fiancée away from Shepperton? Would you like to answer that? The word that comes to my mind is hypocrisy. If you want to talk about who lives where for by-elections; the UKIP candidate standing for the Sunbury and Upper Halliford Division lives across the river towards Kingston, not even in the Borough. I rest my case Mr Mayor.”

396/17 Appointment of a representative Trustee

It was proposed by Councillor I.T.E Harvey and seconded by Councillor A.C. Harman and

Resolved that Mr Derek Bartlett be appointed as a Council representative trustee to serve on the Margaret Pope Educational Charity for a further three year term of office until April 2020.

Allocation of Committee seats 2017-18

Appendix A

Committee	Total number of seats	Conservative	ASRG	Liberal Democrats	Labour
Audit	7	6	0	1	0
Licensing	15	11	2	1	1
Planning	15	12	1	1	1
Scrutiny	15	12	2	1	0
MCC	8	6	1	1	0
Spelthorne Joint Cttee	7	6	1	0	0
Total	67	53	7	5	2

Dated: **18 May 2017**

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CABINET	AUDIT (7 seats)	LICENSING (15 seats)	OVERVIEW AND SCRUTINY (15 seats)	PLANNING (15 seats)	MEMBERS' CODE of CONDUCT **[10 members](8 seats)	SPELTHORNE JOINT COMMITTEE (7 seats)
I.T.E. Harvey Leader of the Council's Portfolio	T. Evans	M. M. Attewell	R. O. Barratt	C. Barnard	A.E. Friday	M. Attewell
A.C. Harman Deputy Leader of the Council's Portfolio	J. G. Kavanagh	R. O. Barratt	S. Capes	R. O. Barratt	N. Gething	M. Francis
M.M. Attewell Community Wellbeing	M. J. Madams	J. Boughtflower	C.A. Davis	I.J. Beardsmore	A.C. Harman	A.E. Friday
C. Barnard Planning and Economic Development	D. Patel	S. Burkmar	T. Evans	J. Boughtflower	J. G. Kavanagh	I.T.E. Harvey
M. Francis Housing	B.B. Spoor	R. Chandler	K. Flurry	S. Burkmar	J. Pinkerton OBE	J. Sexton
N. Gething Environment and Compliance	H. Thomson	S. M. Doran	A. E. Friday	R. Chandler	D. Saliagopoulos	R.A. Smith-Ainsley
A. J. Mitchell Corporate Management	H. Williams	S.A. Dunn	A. L. Griffiths	S. Doran	R.W. Sider BEM	H. Williams
O. Rybinski Customer Service, Estates and Transport		Q. Edgington	N. Islam	P. Forbes-Forsyth	B.B. Spoor	
H.R. Williams Finance		K. Flurry	J. G. Kavanagh	M. Francis		
		N. Gething	S.C. Mooney	N. Islam	**2 members are non-councillors	
		A.T. Jones	D. Patel	A.T. Jones	M. Litvak (Chair)	
		M. J. Madams	D. Saliagopoulos	D. Patel	S. Faulkner (Vice-Chair)	
		A. Sapunovas	J. Sexton	R.W. Sider BEM		
		R.W. Sider	R.A. Smith-Ainsley	R.A. Smith-Ainsley		
		1 vacancy (for *ASRG)	B.B. Spoor	H.A. Thomson		
	Conservative 6 Liberal Democrat 1	Conservative 11 *Ashford and Staines Residents' Group 2 Liberal Democrat 1 Labour 1	Conservative 12 ASRG 2 Liberal Democrat 1	Conservative 12 ASRG 1 Liberal Democrat 1 Labour	Conservative 6 ASRG 1 Liberal Democrat 1	Conservative 6 ASRG 1

Appointments by the Council to Outside Bodies

To appoint the following proposed Council representatives to serve on Outside Bodies:

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

Councillor R. Chandler, Representative
Councillor D. Patel, Deputy Representative

2. Surrey Police and Crime Panel
(1 representative)

Councillor N. Gething

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