

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, 22 October 2015 at 7.30 pm

Present:

Councillors:

M.M. Attewell	C.M. Frazer	A.J. Mitchell
R.O. Barratt	A.E. Friday	S.C. Mooney
I.J. Beardsmore	N.J. Gething	A. Neale
S.J. Burkmar	A.L. Griffiths	O. Rybinski
S. Capes	A.C. Harman	D. Saliagopoulos
R. Chandler	I.T.E. Harvey	J.R. Sexton
C.A. Davis	N. Islam	R.W. Sider BEM
S.M. Doran	A.T. Jones	R.A. Smith-Ainsley
Q.R. Edgington	J.G. Kavanagh	B.B. Spoor
K. Flurry	V.J. Leighton	H.A. Thomson
P.C. Forbes-Forsyth	M.J. Madams	H.R.D. Williams

Miss Sue Faulkner, Vice-Chairman of the Members' Code of Conduct Committee was also in attendance.

Councillor M.P.C. Francis, The Mayor, in the Chair

Apologies: Councillors S.A. Dunn, T.J.M. Evans, D. Patel and J.M. Pinkerton OBE

Mr Murray Litvak, Chairman of the Members' Code of Conduct Committee also gave his apologies.

259/15 Tributes to the late Leader of the Council, Councillor Robert Watts

The Mayor, Councillor M.P.C. Francis, asked everyone present to stand in silence for a minute in memory of the late Leader of the Council, Councillor Robert Watts who sadly passed away on the morning of Monday 5 October 2015.

The Mayor led the tributes to Councillor R.L. Watts followed by Roberto Tambini, the Chief Executive and Councillors R.W. Sider BEM, V.J. Leighton, S.M. Doran, D. Saliagopoulos, R.A. Smith-Ainsley and N. Gething.

Councillor R.W. Sider BEM praised Councillor R.L. Watts for his tireless work as a councillor and Leader of the Borough and said that he would be sorely missed by his Ward colleagues and fellow councillors, the Council as a whole and the Shepperton Community, to whom he was totally dedicated and gave such great service up to the very day of his death.

Councillor V.J. Leighton commended Councillor R.L. Watts for being a real team member and from the day of his election he put being a councillor and working for the community as his top priority. She described his kind and generous nature and that he was always willing to take up issues for residents and would not let an issue go unless he was satisfied that a solution could be achieved or all which was possible was done.

260/15 Election of the Leader of the Council

It was moved by Councillor A.C. Harman and seconded by Councillor C.M. Frazer and

Resolved that Councillor Q.R. Edgington be appointed Leader of the Council for the remainder of the four year term of office until the day of the Annual Council Meeting following the borough elections in 2019.

261/15 Minutes

The minutes of the Council meeting held on 16 July 2015 were agreed as a correct record.

262/15 Disclosures of Interest

There were no disclosures of interest.

263/15 Announcements from the Mayor

The Mayor announced that his Charity Kempton Park Race afternoon would take place on 25 November 2015 at 2.00pm with the first race commencing at 4.00pm. He reminded all Councillors present that tickets would cost £40 and could be purchased through the Mayor's Office.

The Mayor took this opportunity to thank Councillor A.C. Harman for his work as Deputy Leader of the Council and for bringing the same qualities he demonstrated when he was Mayor to the role. In particular the Mayor thanked him for being calm, dignified, good natured and a tireless hard worker.

264/15 Announcements from the Leader

The Leader made the following announcements:

- That all existing Cabinet members and portfolios would remain the same.
- Councillor M.M. Attewell would be appointed to the Cabinet as portfolio holder for Waste, Environment and Parking.
- Councillors J.A. Sexton and M.M. Attewell would be appointed Deputy Leaders.

The Leader of the Council, Councillor Q.R. Edgington thanked Councillor C.A. Davis for his work on the Cabinet as Portfolio Holder for Waste, Environment and Parking.

265/15 Announcements from the Chief Executive

The Chief Executive Roberto Tambini took this opportunity to congratulate Councillor Q.R. Edgington on his appointment as Leader of the Council and that he looked forward to working closely with him and his Cabinet.

266/15 Questions from members of the public

In accordance with Standing Order 15.3 (c) of the Constitution the Mayor directed that the following public question and answer be circulated in writing at the meeting without being read aloud:

Question from Mr. Andrew McLuskey

“In the light of the recent revelation by the Airports Commission that there has been an ‘Exceedance’ of NO_x in this area for some time and given also the news about VW’s evading of EU regulations on car emissions will the Council commit to the maximum effort a) to clean up the atmosphere in the Borough and b) work to avoid any expansion at Heathrow which might further pollute the environment.”

Response from the Leader of the Council, Councillor Q.R. Edgington

“Thank you for your question, Mr McLuskey.

- a) The Council is fully committed to improving air quality in the Borough and has an action plan in place to work with partners to reduce nitrogen dioxide levels. A number of significant measures are in place which include ensuring that the air quality impacts associated with the redevelopment of land are minimised. The Council is currently reviewing this action plan. As part of this review we will be asking residents, businesses and other interested parties for their views.

- b) Along with our MP, Kwasi Kwarteng, Spelthorne has been a long standing supporter of the expansion of Heathrow on economic grounds whilst recognising that it is vitally important that environmental impacts are addressed.

The Council welcomes the fact that the Commission's report includes a series of strong measures to address environmental concerns. In terms of air quality, the report states that new capacity should only be released when air quality around Heathrow complies with EU limits.

The Council will be rigorous in its assessment of any scheme submitted for expansion a Heathrow in relation to environmental impacts, including air quality.”

267/15 Petitions

There were none.

268/15 Recommendation from the Licensing Committee

The Council considered the recommendation from the Licensing Committee on the proposed amendment to the Scheme of Delegation with regards to the Penalty Points Scheme.

Resolved that the proposal to amend the Scheme of Delegations, paragraph 7.44, so that authority to determine appeals against penalty points under the Council's Penalty Points Scheme be delegated to the Senior Environmental Health Manager in conjunction with the Deputy Chief Executive, be approved.

269/15 Report from the Acting Leader of the Council

As Councillor A.C. Harman was the Acting Leader for the Cabinet meeting which took place on 14 October 2015 the Mayor directed that he act in that capacity for the duration of the item. Councillor A.C. Harman presented his report of the Cabinet held on 14 October 2015 which outlined the matters the Cabinet had decided since the last Council meeting.

Question from Councillor A. Griffiths

“Information regarding Spelthorne's Strategic Housing Market Assessment (SHMA) being published on a minority party website is causing concern amongst many of my residents.

It states that if the SHMA is accepted, which it has been by this Council, then the “predict and provide” mentality will mean that the rest of the plan is just an exercise in meeting the defined “need”.

It also states that the ground rules for the SHMA are ‘incredibly dangerous’ because of the total disregard of availability of land in the borough, which is a

'very special circumstance' for this area, so we can expect developers to use the SHMA to pressurise the Council to grant planning permissions and allow development in the Green Belt.

Could the Leader tell me whether the acceptance of the SHMA means that this council accepts "predict and provide" and therefore it will make the rest of the plan just an exercise in meeting the defined "need"?

Additionally as it is related, could the Leader tell me if he would expect that the council would ignore government guidance, government Green Belt policy and our own Green Belt Policy and accept an assertion from a developer that a lack of 'brownfield' land can be classed as a 'exceptional circumstance' in order to develop on the Green Belt based on the "needs" findings of the SHMA?"

Response from Councillor A.C. Harman, the Acting Leader of the Council

"I am very grateful to Councillor Griffiths for her question and the opportunity to correct a gross misunderstanding on the part of the Liberal Democrats.

In answer to your two specific questions the answers are No and No. Let me explain why.

Preparing Local Plans is an important and complex task. On the one hand we must of course clearly understand the needs of residents and businesses. But on the other hand we must weigh those needs with the many constraints in this Borough. These constraints include the need to protect what we all cherish – including our Green Belt, open spaces, the River Thames etc. - as well as the limited land available.

Preparing the new local plan will involve extensive public consultation – which has already started. The result will need to be a careful balance which provides a sustainable plan – which is what government guidance requires of us. The party opposite can follow the simplistic 'predict and provide' mentality if they want to but this Council will strive for a plan which delivers a 'sustainable balance' which is what our residents will expect."

Question from Councillor I.J. Beardsmore

"This question relates to the Strategic Housing Land Availability Assessment (SHLAA). As the nature and proportions of Green Belt are different in Spelthorne and Runnymede, does the Leader agree that aggregating the authorities' Green Belt makes it seem that Spelthorne has far more greenfield Green Belt available for housing and that this will not do us any favours at any Local Development Framework enquiry?"

Response from Councillor A.C. Harman, the Acting Leader of the Council

“Spelthorne and Runnymede have developed a joint methodology for a Strategic Land Availability Assessment which will consider housing and other needs. This joint work on a methodology was for reasons of both efficiency in effort and ensure an appropriate level of consistence between two similar authorities.

The suggestion within the question that the authorities should ‘aggregate’ their Green Belt is misconceived and would be wrong. Each authority is responsible for its respective land availability study and formulating its own Local Plan based on robust and credible evidence that can be justified at any future Local Plan inquiry.”

270/15 Report from the Chairman of the Audit Committee

In the absence of the Chairman of the Audit Committee, Councillor M.J. Madams, the Vice-Chairman, Councillor A.C. Harman, presented the report which outlined the matters the Committee had decided since the last Council meeting.

271/15 Report from the Chairman of the Licensing Committee

The Chairman of the Licensing Committee, Councillor R.W. Sider BEM, presented his report which outlined the matters the Committee had decided since the last Council meeting.

272/15 Report from the Chairman of the Overview and Scrutiny Committee

The Chairman of the Overview and Scrutiny Committee, Councillor A.E. Friday, presented his report which outlined the matters the Committee had decided since the last Council meeting.

273/15 Report 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.

274/15 Motions

In accordance with Standing Order 17 the Council received three written Notices of Motions.

Councillor R.W. Sider BEM moved and Councillor A.E. Friday seconded the following motion:

“Following the continued success that the Borough of Spelthorne has enjoyed with its twinning with the town of Melun in France over the past 25 years, that

the Council now investigates the possibility of twinning with the German town of Vaihingen, Stuttgart.”

The motion was carried.

Resolved that following the continued success that the Borough of Spelthorne has enjoyed with its twinning with the town of Melun in France over the past 25 years, that the Council now investigates the possibility of twinning with the German town of Vaihingen, Stuttgart.

Councillor C.A. Davis moved and Councillor Q.R. Edgington seconded the following motion:

“That the Council deplores the recent description of the National Anthem as "cack" and "dull and boring" by local politicians and activists in social media. In addition that the Council call upon all elected representatives in the Borough to disassociate themselves from such remarks on the grounds that they are unpatriotic, divisive and tend to bring the Borough into disrepute.”

In accordance with Standing Order 21.4, Councillor C.A. Davis requested a recorded vote on the motion.

The voting was as follows:

FOR (31)	Councillors Q.R. Edgington (Leader), M.M. Attewell (Deputy Leader), J.A. Sexton (Deputy Leader), R.O. Barratt, S.J. Burkmar, R. Chandler, C.A. Davis, K. Flurry, P.C. Forbes-Forsyth, M.P.C. Francis (Mayor), C.M. Frazer, A.E. Friday (Deputy Mayor), N. Gething, A.L. Griffiths, A.C. Harman, I.T.E. Harvey, N. Islam, A.T. Jones, J.G. Kavanagh, V.J. Leighton, A.J. Mitchell, S.C. Mooney, A. Neale, J.M. Pinkerton OBE, O. Rybinski, D. Saliagopoulos, R.W. Sider BEM, R.A. Smith-Ainsley, H.A. Thomson, B.B. Spoor, and H.R.D. Williams.
AGAINST (1)	Councillor I.J. Beardsmore
ABSTAIN (1)	Councillor S.M. Doran

The motion was carried.

Resolved that the Council deplores the recent description of the National Anthem as "cack" and "dull and boring" by local politicians and activists in social media. In addition that the Council call upon all elected representatives in the Borough to disassociate themselves from such remarks on the grounds that they are unpatriotic, divisive and tend to bring the Borough into disrepute.

Councillor I.T.E. Harvey moved and Councillor A.E. Friday seconded the following motion:

“Out of loyalty to her Britannic Majesty, this Council shall henceforth at all ordinary meetings of Council, and the Annual Council Meeting, sing the National Anthem, led by the Mayor at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.”

An amendment was moved by Councillor B.B. Spoor and seconded by Councillor I.J. Beardsmore to include additional words such that the motion to read:

“Out of loyalty to her Britannic Majesty, this Council shall henceforth at all ordinary meetings of Council, and the Annual Council Meeting *invite the Staines Brass Band to play and for those in attendance to sing the National Anthem, led by the Mayor at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.*”

The amendment was lost.

In accordance with Standing Order 21.4, Councillor I.T.E. Harvey requested a recorded vote on the substantive motion.

The voting was as follows:

FOR (31)	Councillors Q.R. Edgington (Leader), M.M. Attewell (Deputy Leader), J.A. Sexton (Deputy Leader), R.O. Barratt, S.J. Burkmar, R. Chandler, C.A. Davis, S.M. Doran, K. Flurry, P.C. Forbes-Forsyth, M.P.C. Francis (Mayor), C.M. Frazer, A.E. Friday (Deputy Mayor), N. Gething, A.L. Griffiths, A.C. Harman, I.T.E. Harvey, N. Islam, A.T. Jones, J.G. Kavanagh, V.J. Leighton, A.J. Mitchell, S.C. Mooney, A. Neale, J.M. Pinkerton OBE, O. Rybinski, D. Saliagopoulos, R.W. Sider BEM, R.A. Smith-Ainsley, H.A. Thomson, and H.R.D. Williams.
AGAINST (0)	None.
ABSTAIN (2)	Councillors I.J. Beardsmore and B.B. Spoor

The substantive motion was carried.

Resolved that out of loyalty to her Britannic Majesty, this Council shall henceforth at all ordinary meetings of Council, and the Annual Council Meeting, sing the National Anthem, led by the Mayor at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.

275/15 Questions on Ward Issues

There were none.

276/15 General questions

There were none.

277/15 Appointment of a representative Trustee

It was proposed by Councillor Q.R. Edgington and seconded by Councillor M.M. Attewell and

Resolved that Mrs Mary Haarer be appointed as a Council representative trustee to serve on the Ashford Relief in Need Charities for a four year term of office until October 2019.