

MINUTES OF THE CABINET

16 JUNE 2009

PRESENT:

Councillor J.D. Packman (Leader of the Council, Chairman of the Cabinet, and Cabinet Member - Leader of the Council);
Councillor R.A. Smith-Ainsley (Deputy Leader of the Council, Vice-Chairman of the Cabinet, and Cabinet Member for Planning and Housing);
Councillor F. Ayers (Cabinet Member for Community Safety);
Councillor M.L. Bouquet (Cabinet Member for Corporate Services);
Councillor C.A. Davis (Cabinet Member for Regeneration);
Councillor G.E. Forsbrey (Cabinet Member for Environment);
Councillor Mrs. D.L. Grant (Cabinet Member for Young People and Cultural Services);
Councillor A.P. Hirst (Cabinet Member for Communications and Engagement); and
Councillor Mrs. V.J. Leighton (Cabinet Member for Health and Independent Living).

In Attendance: Councillor Mrs. P.C. Amos.

1477. MINUTES AND WELCOME

The Chairman welcomed to the meeting Councillor Mrs. Patricia Amos, newly elected Borough Councillor for the Ashford East Ward, who was attending the Cabinet meeting as an observer.

The Minutes of the Meeting of the former Executive held on 19 May 2009 were confirmed as correct record.

1478. SPELTHORNE YOUTH COUNCIL MINUTES – 14 MAY 2009

The Cabinet discussed the Minutes of the Spelthorne Youth Council meeting held on 14 May 2009.

Members noted in particular the Minute on Youth Council – The Way Forward, where following the Youth Council Residential and a workshop at the last Youth Council meeting, the youth councillors had identified areas which they wanted to review in order to decide the new direction for the Youth Council. The Youth Council was presented with 20 questions based on its ideas for the way forward and voted on the options given.

RESOLVED to note the contents of the minutes of the Spelthorne Youth Council meeting held on 14 May 2009.

1479. GAMBLING ACT 2005 – SETTING OF FEES FOR 2009/2010

The Cabinet considered a report on the Gambling Act 2005 – Setting of Fees for 2009/2010.

The options considered were in the main body of the report.

RESOLVED to agree the proposed Gambling Act 2005 - Licence Fee levels for 2009/2010, as outlined in Appendix 1 to the report of the Assistant Chief Executive.

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1480. APPOINTMENTS TO OUTSIDE BODIES, THE SURREY COUNTY COUNCIL [SCC] LOCAL COMMITTEE IN SPELTHORNE AND THE WORKING GROUPS FOR 2009-2010 AND NOMINATIONS TO THE SURREY LOCAL GOVERNMENT ASSOCIATION [SLGA] AND ITS OUTSIDE BODIES

The Cabinet considered a report on Appointments to Outside Bodies, the Surrey County Council [SCC] Local Committee in Spelthorne and the Working Groups for 2009-2010 and Nominations to the Surrey Local Government Association [SLGA] and its Outside Bodies.

The options considered were in the main body of the report.

RESOLVED to authorise the Chief Executive, in consultation with the Leader of the Council, to appoint representatives to the Outside Bodies, the SCC Local Committee in Spelthorne and the Working Groups for 2009-2010, as shown at Appendix A to the report of the Deputy Chief Executive, and to nominate representatives for appointment to the Surrey Local Government Association [SLGA] and its Outside Bodies, as shown at Appendix B to the report of the Deputy Chief Executive.

1481. TREASURY MANAGEMENT ANNUAL REPORT 2008/2009 – KEY DECISION

The Cabinet considered a report on the Treasury Management Annual Report 2008/2009.

The options considered were in the main body of the report.

RESOLVED:

- (1) To note the Treasury Management Annual Report for 2008/2009, as set out in the report of the Assistant Chief Executive and Chief Finance Officer.
- (2) To place on record the thanks and gratitude of the Cabinet to the Assistant Chief Executive and Chief Finance Officer and his staff for their hard work and a very good result on the Council's treasury management performance for 2008/2009.

1482. *MANAGEMENT OF ORDINARY WATERCOURSES IN SPELTHORNE – KEY DECISION

The Cabinet considered a report on the Management of Ordinary Watercourses in Spelthorne and two maps showing the location of the Watercourses within the Borough were circulated to Members at the meeting.

The options considered were in the main body of the report.

RESOLVED to authorise the Officers to proceed with Option 7 as set out in the report of the Assistant Chief Executive and to adopt the policy, as set out in Appendix 2 to the report of the Assistant Chief Executive.

Note: The Council by agreeing to the implementation of Option 7 will enable the Officers, in particular, to ensure through enforcement action that riparian owners of private land undertake their duties in relation to the necessary maintenance of watercourses which run through their land. Regarding the implementation of the adopted policy, the Officers will liaise with the Environment Agency and Surrey County Council to ensure that they undertake

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their responsibilities in relation to the necessary maintenance of watercourses. All local Estate Agents and Solicitors will be notified of the adopted policy and of the proposed action to ensure that riparian owners of private land carry out their watercourse maintenance responsibilities.

RESOLVED TO RECOMMEND the Council to approve the new Officer Delegations at Paragraph 7.2 of the report of the Assistant Chief Executive and to authorise the necessary amendments to the Council's Constitution.

1483. 2008-2009 PROVISIONAL REVENUE OUTTURN

The Cabinet considered a report on the 2008-2009 Provisional Revenue Outturn.

The options considered were in the main body of the report.

RESOLVED to note the report of the Chief Finance Officer on the 2008-2009 Provisional Revenue Outturn.

1484. 2008-2009 PROVISIONAL CAPITAL OUTTURN

The Cabinet considered a report on the 2008-2009 Provisional Capital Outturn.

The options considered were in the main body of the report.

RESOLVED to note the report of the Chief Finance Officer on the 2008-2009 Provisional Capital Outturn.

1485. REVIEW OF SPELRIDE OPERATIONS – KEY DECISION

The Cabinet considered a report on the Review of Spelride Operations.

The options considered were in the main body of the report.

RESOLVED:

- (1) To maintain the current level of Spelride Service for 2009-2010.
- (2) To also explore different options to delivering the Spelride Service to ensure the service is sustainable for the future.
- (3) That the Officers will also continue to meet the User Group to consider minor amendments to the Spelride Service to meet changing needs.

1486. THE CABINET FORWARD PLAN

RESOLVED to note the updated version of the Council's Cabinet Forward Plan for the twenty five months period from 1st June 2009 to 30th June 2011.

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NOTES:-

- (1) **Members of the Improvement and Development and Performance Management and Review Committees are reminded that under Overview and Scrutiny Procedure Rule 16.2 in the Council's Constitution, the "call-in" procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.**
- (2) **Members of the Improvement and Development and Performance Management and Review Committees are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.**
- (3) **Within three working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of either the Improvement and Development or the Performance Management and Review Committee are able to "call in" a decision which falls within the functions of their own particular Committee;**
- (4) **To avoid delay in considering an item "called in", an extraordinary meeting of the relevant Committee will be convened within seven days of a "call in" being received if an ordinary meeting is not scheduled in that period;**
- (5) **When calling in an Cabinet decision for review the members doing so should in their notice of "call in":-**
 - **Outline their reasons for requiring a review;**
 - **Indicate any further information they consider their committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;**
 - **Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and**
 - **Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.**
- (6) **The deadline of three working days "for call in" by Members of the Improvement and Development and Performance Management and Review Committees in relation to the above decisions by the Cabinet is the close of business on TUESDAY – 23 JUNE 2009.**