

MINUTES OF THE CABINET

21 JULY 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 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).

Apologies: Councillors M.L. Bouquet and C.A. Davis.

In Attendance: Councillor S. Bhadye.

1487. MINUTES

The Minutes of the Meeting held on 16 June 2009 were confirmed as correct record.

1488. SPELTHORNE YOUTH COUNCIL MINUTES – 9 JUNE 2009

The Cabinet discussed the Minutes of the Spelthorne Youth Council meeting held on 9 June 2009.

Members noted that the Spelthorne Youth Council were making representations to the Surrey Police for a change in the rules of the Spelthorne's Got Talent competition to widen the entry categories beyond Alcohol Abuse and Drugs Abuse.

RESOLVED to note the contents of the minutes of the Spelthorne Youth Council meeting held on 9 June 2009.

1489. ASSISTED PLAY SCHEME VOUCHERS

The Cabinet considered a report on the Assisted Play Scheme Vouchers scheme.

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

RESOLVED to agree the funding of £8000 for the 2009 scheme and to allocate the remaining £10,226 in the lottery fund for the 2010 scheme.

1490. GYPSY AND TRAVELLER SOUTH EAST PLAN PARTIAL REVIEW GOSE CONSULTATION

The Cabinet considered a report on the Gypsy and Traveller South East Plan Partial Review GOSE Consultation.

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

RESOLVED to endorse the Council's formal response to the GOSE Consultation which is:

1. To oppose option D.
2. To support the principle of wider and fairer redistribution through option C.
3. To oppose the assessment of transit sites provision at a local level.

1491. REFURBISHMENT OF THE BRIDGE OVER THE RIVER COLNE

The Cabinet considered a report on the Refurbishment of the Bridge Over the River Colne.

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

RESOLVED:

1. To authorise the Officers to proceed with the options recommended under item 4 - Proposals within the main report of the Assistant Chief Executive.
2. To authorise the additional funding for the repairs as detailed under item 6 – Financial Implications within the main report of the Assistant Chief Executive, subject to other alternate sources of funding being fully investigated.

1492. *AMENDMENTS TO THE COUNCIL'S SCHEME OF DELEGATION

The Cabinet considered a report on proposed amendments to the Council's Scheme of Delegation to allow the Head of Environmental Health and Building Control to enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation, to take prosecutions under the Health and Safety at Work Etc. Act 1974 and to enforce the Working Time Regulations 1998 (as amended).

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

RESOLVED TO RECOMMEND that the Council approve the proposed new Officer Delegations, as set out in the report of the Assistant Chief Executive, and authorise the necessary amendments to the Council's Constitution, as follows:

Proposed Officer Delegations:-

(a) Amended Officer Delegation 8.21.

Function: To enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation.

Authorised Officer: Head of Environmental Health and Building Control.

(b) Amended Officer Delegation 8.33.

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Function: To carry out the full range of functions under the Health and Safety at Work etc. Act 1974.

Authorised Officer: Head of Environmental Health and Building Control.

(c) New Officer Delegation 8.34.

Function: To exercise the Council's functions under the Working Time Regulations 1998 (as amended).

Authorised Officer: Head of Environmental Health and Building Control.

1493. GAMBLING ACT 2005 – DRAFT STATEMENT OF GAMBLING POLICY 2010-2013

The Cabinet considered a report on the Gambling Act 2005 – Draft Statement of Gambling Policy 2010-2013.

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

RESOLVED to approve the revised draft Statement of Gambling Policy 2010 – 2013 for public consultation, in accordance with the timetable specified in the report of the Assistant Chief Executive.

1494. ASSET MANAGEMENT PLAN

The Cabinet considered a report on the Asset Management Plan.

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

RESOLVED to approve and adopt the draft Asset Management Plan, as attached as an Appendix to the report of the Assistant Chief Executive, subject to the amendments agreed by the Cabinet, in particular those to pages 9, 15, 25, 26, 27 and 31 of the Plan. The key change to the wording on page 31 of the Plan would now read "Assistant Chief Executive and Chief Finance Officer - Delegated responsibility for property matters up to £10,000, with the approval of the Cabinet Member responsible for assets and the Leader of the Council."

1495. THE CABINET FORWARD PLAN

RESOLVED:

1. To note the updated version of the Council's Cabinet Forward Plan for the period from 1st July 2009 to 30th June 2010.
2. That reports be submitted to the Cabinet on 15 September 2009 by the Deputy Chief Executive or relevant Assistant Chief Executive on (a) an update on the Council's Emergency Plan and (b) an update on Climate Change Measures.

1496. ISSUES FOR FUTURE MEETINGS

RESOLVED that a report be submitted to the Cabinet on 15 September 2009 by the relevant Assistant Chief Executive on the Reinstatement of the Spelthorne Lottery.

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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 – 28 JULY 2009.**