

MINUTES OF THE CABINET

24 April 2012

Present:

Councillor F. Ayers (Leader of the Council, Chairman of the Cabinet and Cabinet Member for Strategy and Corporate Governance)
Councillor Mrs. J.M. Pinkerton (Deputy Leader and Cabinet Member for Health, Wellbeing and Independent Living)
Councillor T.J.M. Evans (Cabinet Member for Finance and Resources)
Councillor P.C. Forbes-Forsyth (Cabinet Member for Parks and Leisure)
Councillor G.E. Forsbrey (Cabinet Member for Planning and Housing)
Councillor N. Gething (Cabinet Member for Communications)
Councillor Mrs. D.L. Grant (Parks and Assets)
Councillor R.L. Watts (Cabinet Member for Environment)

The Leader welcomed the Borough's Police Inspector, Derrick Laing, who was 'shadowing' the day-to-day work of the Chief Executive.

Apologies: Councillor C.A. Davis (Cabinet Member for Economic Development)

1795. Minutes

The minutes of the meeting held on 21 February 2012 were agreed as a correct record.

1796. Disclosures of Interest

There were none.

1797. Minutes and Recommendations of the Local Development Framework (LDF) Working Party – 29 February 2012

Cabinet considered a report on a programme for progressing the draft Supplementary Planning Documents (SPDs) for Flooding and Housing Size and Type.

RESOLVED that the Leader agrees:

- I. the work programme of the LDF Working Party.
- II. the draft SPD on Flooding for public consultation.
- III. the draft SPD on Housing Size and Type for public consultation.
- IV. the proposed arrangements for the four weeks' public consultation on the two SPDs.
- V. To the Council proceeding with work necessary to enable the adoption of a Community Infrastructure Charging Schedule before April 2014.

1798. Annual Review of the Constitution

Cabinet considered a report on the suggested amendments and improvements to the Constitution.

Cabinet noted that the composition of the Cabinet will consist of the Leader and Deputy Leader and between one and eight other councillors.

RESOLVED TO RECOMMEND that Council agrees to the amendments made to the Constitution.

1799. Code of Conduct and Standards Committee

Councillor Gething proposed that the report be withdrawn for reconsideration. Councillor Forbes-Forsyth seconded the proposal.

Cabinet noted that a new draft of the report will be considered by the Standards Committee on 10 May and by the Overview and Scrutiny Committee on 16 May.

RESOLVED that the report be presented on another occasion.

1800. Independent Person – Appointments Panel

Cabinet considered a report on the establishment of a joint appointments panel for the appointment of an Independent Person in view of the changes to the Standards regime.

Councillor Gething proposed, and Councillor Forbes-Forsyth seconded, that the report be withdrawn for reconsideration, along with the Code of Conduct.

RESOLVED TO RECOMMEND that Council delegates authority to the Head of Corporate Governance, in consultation with the Leader:

- (a). to establish a joint appointments panel with such other Surrey Councils as are appropriate for the appointment of an Independent Person and a reserve (or deputy), and
- (b). such panel to have representation from each council as is appropriate with numbers and representatives to be determined by the Head of Corporate Governance in consultation with the Leader, but to be broadly representative of the political make-up of the councils involved.

1801. Police and Crime Panel – Establishment of a Joint Committee

Cabinet considered a report on the proposal to set up a Police and Crime Panel with other Surrey authorities, covering the area of the Surrey Police authority.

RESOLVED TO RECOMMEND that Council:

- (a). agrees to the establishment of the joint committee, with the other Surrey local authorities, to act as the Police and Crime Panel in Surrey (in accordance with the Police Reform and Social Responsibility Act 2011), and
- (b). nominates Councillor Forbes-Forsyth as the Council's representative on the Panel.

1802. Carbon Management Plan

Cabinet considered a report on the Council's Plan for maintaining and enhancing the environmental, economic and social well-being of the borough.

Cabinet noted the excellent work of Francesca Nesbitt, Climate Change Officer, in the preparation of the report.

RESOLVED that the Leader agrees to adopt the Carbon Management Plan for implementation.

1803. Discretionary Rate Relief Application

Cabinet considered a report on the proposed award of rate relief to WR Sports Ltd.

Cabinet requested that the list of Council priorities at 3.1(e) be amended to read Safety, Service and Support.

RESOLVED that the Leader approves the application of Discretionary Rate Relief for WR Sports Ltd.

1804. Spelthorne Single Equality Scheme (Fairness and Respect)

Cabinet considered a report on an update to the Council's Single Equality Scheme 2012-15 which satisfies the public sector duties of the Equality Act 2010.

RESOLVED that the Leader agrees to the update of the Council's Single Equality Scheme 2012-15.

1805. Appointment to Outside Bodies

Cabinet considered a report requesting the appointment of a replacement Councillor representative to serve on the River Thames Alliance (RTA) partnership.

RESOLVED that the Leader agrees to the appointment of Councillor Mrs. V.J. Leighton as Spelthorne's representative on the RTA partnership.

1806. Issues for Future Meetings

There were none.

1807. Urgent Items

There were none.

1808. Exempt Business

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated below.

1809. Sundry Debt Write-off

(Paragraph 3 – Information relating to the financial or business affairs of any particular person, including the authority holding the information).

Cabinet considered an exempt report on a proposal to write off several bad debts where recovery is no longer possible.

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

RESOLVED that Cabinet agrees to the write-off of the bad debts listed in the report.

1810. Council Tax and Business Rates Write-offs
(Paragraph 3 – Information relating to the financial or business affairs of any particular person, including the authority holding the information).

Cabinet considered an exempt report on a proposal to write off several bad debts where recovery is no longer possible.

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

RESOLVED that Cabinet agrees to the write-off of the bad debts listed in the report.

1811. Write-off for Housing Benefit and Council Tax Benefit Claim
(Paragraph 3 – Information relating to any individual person).

Cabinet considered an exempt report on a proposal to write off a housing and council tax benefit overpayment debt where recovery is no longer possible.

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

RESOLVED that Cabinet agrees to the write-off of the bad debt listed in the report.

NOTES:-

- (1) *Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule, 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 Overview and Scrutiny Committee 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 the Overview and Scrutiny Committee are able to “call in” a decision;***
- (4) *To avoid delay in considering an item “called in”, an extraordinary meeting of the Overview and Scrutiny 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 a 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 the Overview and Scrutiny 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 Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 3 May 2012

