

MINUTES OF THE CABINET

30 MARCH 2010

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 S. Bhadye (Cabinet Member for Independent Living);
Councillor C.A. Davis (Cabinet Member for Economic Development);
Councillor G.E. Forsbrey (Cabinet Member for Environment);
Councillor Mrs. D.L. Grant (Cabinet Member for Young People and Culture);
Councillor A.P. Hirst (Cabinet Member for Communications); and
Councillor Mrs. V.J. Leighton (Cabinet Member for Finance and Resources).

1578. MINUTES

The Minutes of the Meeting held on 16 February 2010 and the Special Meeting held on 18 February 2010 were confirmed as a correct record.

1579. MINUTES OF THE SPELTHORNE YOUTH COUNCIL MEETINGS HELD ON 12 JANUARY, 11 FEBRUARY and 9 MARCH 2010

The Cabinet discussed the Minutes of the Spelthorne Youth Council meetings held on 12 January, 11 February and 9 March 2010.

RESOLVED to note the Minutes of the Spelthorne Youth Council meetings held on 12 January, 11 February and 9 March 2010.

1580. MINUTES OF LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY – 22 FEBRUARY 2010

The Cabinet considered a report on the Minutes and Recommendations on the role of Supplementary Planning Documents (SPD's), and the revised procedures which needed to be followed in their preparation, from the Local Development Framework Working Party held on 22 February 2010.

RESOLVED that preparation of the following SPDs and proposed timescales be progressed as the first tranche of SPD work:

- (a) Residential Development and Extensions (March 2010-July 2011)
- (b) Size of dwellings (March 2010-July 2011)
- (c) Infrastructure (December 2010-early 2012)

1581. MINUTES OF THE MEMBERS DEVELOPMENT STEERING GROUP – 29 MARCH 2010

RESOLVED that the Minutes of the Members Development Steering Group be submitted to the next meeting of the Cabinet.

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1582. *STREET TRADING POLICY REVISIONS – KEY DECISION

The Cabinet considered a report on Spelthorne's Street Trading Policy 2010 following its revision in the light of consultation.

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

RESOLVED TO RECOMMEND that the Council approve the revised Street Trading Policy.

1583. ADOPTION OF FOOD AND HEALTH AND SAFETY SERVICE PLANS FOR 2010/2011

The Cabinet considered a report which sought approval for Food and Health and Safety Service Plans for 2010/2011. The Food Standards Agency and Health and Safety Executive required each local authority to have service plans detailing the authority's priorities, aims and objectives for the enforcement of food safety and health and safety locally.

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

RESOLVED

- (a) that the Food and Health and Safety Service Plans for 2010/2011 be approved and adopted.
- (b) that the potential for generating income from direct advertising on the "Scores on Doors" web page be investigated.

1584. *SURREY FIRST INITIATIVE – JOINT COMMITTEE FOR THE OVERSIGHT OF DELIVERY OF SURREY PUBLIC AUTHORITY SERVICES

The Cabinet considered a report on the Surrey First Initiative which aimed to provide significant savings, increased resilience, improved efficiency and customer service, foster innovation, improve income generation and help influence the S.E. region.

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

RESOLVED TO RECOMMEND to the Council:-

- (a) that the Memorandum of Understanding already signed by the Leader and the Chief Executive be endorsed.
- (b) that a Joint Committee be established to explore the Surrey First Initiative in line with the Memorandum of Understanding.
- (c) that the remit of the Joint Committee be as follows:
 - 1. to oversee the joint working arrangements of the parties;
 - 2. to promote good joint working practice amongst the parties;
 - 3. to appoint such task groups or sub-committees as it considers necessary;
 - 4. to identify the range of services for inclusion in a joint venture company (JVC);
 - 5. to approve the draft articles and memorandum of association of the JVC ;
 - 6. to approve the draft revised terms of reference for the joint committee to provide for governance and oversight of the JVC; and,
 - 7. to manage the project budget.
- (d) that Councillor J.D. Packman be nominated as the representative of SBC on the Joint Committee for the remainder of this municipal year.
- (e) that the Head of Corporate Governance be delegated to make consequent changes to the Constitution to give effect to these decisions.

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- (f) that the Council notes further decisions on participation in any joint venture company will be taken by Cabinet on the advice of the Joint Committee.
- (g) that the Chief Executive be delegated, in consultation with the Leader, to make decisions on spending, as necessary, to assist the progress of this Surrey First Initiative.

1585. DRAFT CALENDAR OF MEETINGS - 1 MAY TO 31 DECEMBER 2010

The Cabinet considered a report on a draft Calendar of Meetings for the period 1 May to 31 December 2010.

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

RESOLVED that the draft Calendar of Meetings for the period 1 May to 31 December 2010 be approved subject to the Officers reprogramming meetings of Performance Management and Review Committee to align with the Council's financial reporting system.

1586. *UPDATES TO THE COUNCIL'S CONSTITUTION – KEY DECISION

The Cabinet considered a report on updating the Council's Constitution to accommodate structural changes, current practice and legislative changes that had occurred since the last revision to the constitution in April 2009.

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

RESOLVED TO RECOMMEND that the Council approve the revisions to the Council's Constitution as set out in the report of the Deputy Chief Executive.

1587. REVENUE GRANTS 2010/11

The Cabinet considered a report setting out funding to improve the financial stability of key voluntary sector organisations which provided crucial services to the more vulnerable people of Spelthorne.

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

RESOLVED:-

1. that funding for the various organisations as recommended at Appendix A of the Assistant Chief Executive's Report be approved
2. that talks be held with the 10 priority organisations regarding their future funding and report back to Cabinet in September 2010
3. that talks be held with the organisations in Community Link regarding their accommodation
4. that talks be held with local businesses regarding the provision of Christmas lights.
5. that the Officers review the 2010/11 applications from the three Chambers of Commerce organisations including the relevant accounts before the recommended funding is confirmed
6. that a grant be made to Shepperton Chamber of Commerce in line with other grants to Chambers subject to satisfactory accounts being produced and
7. that a Leader's Group be set up to include appropriate Cabinet Members to carry out a major review of grant funding for 2011/12.

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1588. REVENUE BUDGET 2009-2010 – MONITORING REPORT

The Cabinet considered a report on the current monitoring position for revenue expenditure and income spend as at the end of February 2010 and how the budget that was agreed related to actual expenditure incurred in the financial year.

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

RESOLVED that the report be noted.

1589. CAPITAL BUDGET 2009-2010 – MONITORING REPORT

The Cabinet considered a report on the current monitoring position for capital expenditure to date and projected outturn on the Capital Programme.

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

RESOLVED:

1. that the transfer of £33k from the brown garden waste bins budget to fund the purchase of additional wheelie bins be agreed.
2. that the report be noted.

1590. DELIVERY OF SAVINGS BUILT INTO 2009-2010 REVENUE BUDGET - KEY DECISION

The Cabinet considered a report summarising the extent to which the delivery of the savings totalling £1.3m built into the original 2009-2010 budget appeared to be on track.

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

RESOLVED that the report be noted.

1591. CHARGING FOR THE COLLECTION OF WASTE FROM NON-DOMESTIC ESTABLISHMENTS – KEY DECISION

The Cabinet considered a report on the new schedule of fees and charges to be implemented from 1 April 2010 for collection of household waste from establishments and institutions classified as non-domestic.

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

RESOLVED that the revised charging policy for waste collected from different types of establishments & institutions within Spelthorne classified as non-domestic be approved, with charges for existing establishments not being introduced until September 2010 and at the reduced rate set out in the report of the Deputy Chief Executive.

1592. THE CABINET FORWARD PLAN

RESOLVED to note the latest version of the Council's Cabinet Forward Plan for the period from 1st January to 31st December 2010.

1593. URGENT ITEM - HAVE YOUR SAY 2010 – KEY DECISION

The Cabinet agreed to consider a report on proposals for the Have Your Say events in June and July 2010 as an urgent item.

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

RESOLVED to agree the proposals for 2010 Have Your Say events as set out at paragraph 4 of the Report of the Chief Executive, subject to the Officers looking at the possibility of bringing forward the Stanwell meeting and arranging a venue for Charlton village.

1594. EXCLUSION OF PRESS AND PUBLIC

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

1595. WRITE-OFFS

[Paragraph 1 – Information relating to any individual.]

The Cabinet considered an exempt report on Write-Offs which sought approval to write debts off over the delegated amount contained in the Council's Contract Standing Orders.

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

RESOLVED that the write off of the debts in all the cases listed in Appendix 1 to the report of the Chief Finance Officer be approved.

1596. MINUTES OF THE COUNCIL ASSETS MEMBERS' WORKING PARTY

[Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information.)]

The Cabinet considered a report and recommendations from the Asset Management Members Working Party dated 28 January 2010.

RESOLVED

(1) that the following recommendations of the Asset Management Members Working Party be approved and adopted:-

1. Donkey Meadow, Upper Halliford

That tenders be sought for a short term lease of the land for grazing for horses at a rental of between £500 and £800 per annum.

2. Vacant land site adjacent to 355 London Road, Staines

That subject to the views of the Head of Planning on acceptable future uses in planning terms, the site be marketed and disposed of with a view to achieving best value for the Council.

3. Kenyngton Manor Recreation Ground

That this site be retained, as it is a good community asset which serves the local community well and provides the Council with a £4000 asset.

4. Old Sea Cadets site adjacent to Bridge Street Car Park, Staines

That when the lease agreement between the Council and the Sea Cadets is in place, possible uses for the ground floor of this building be considered.

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5. Garden Land - Shepperton Tow Path

That this site be retained, but options to increase the current rental, including a lease for car parking for residents of Pharaoh's Island or for garden land use by another adjacent owner be pursued.

6. Land adjacent to Thames Court Public House, Ferry Lane, Shepperton Tow Path

That subject to valuation advice, the Head of Asset Management be authorised to negotiate the renewal of a new lease for the next ten years.

7. Groveley Allotment site Ashford/Sunbury area

That tenders be sought for a one year lease of the land for grazing for horses at a minimum rental of £1,000 per annum.

8. Annett Close

That the Head of Asset Management be authorised to dispose of this asset, subject to valuation advice.

9. Thameside House, South Street, Staines

That this matter be deferred to a later stage, as this site has a potential significant value in the future in relation to proposed major transport developments within Staines Town Centre and the Council receiving compensation for land take.

10. Land at Short Lane, Stanwell

(a) That this site be retained pending de-contamination of the land and that part of the insurance claim money be used to fund the submission of an outline planning application for the rebuilding of the clubhouse to make the site more marketable.

(b) That the longer term potential for "green" leisure activities / facilities use of the site be investigated with interested companies.

(2) that the undermentioned items be dealt with as set out below

1. Sunbury Sports Association, Lower Hampton Road, Sunbury

That an annual rent be sought at a higher level.

2. Bagster House Social Club, Shepperton

That this site be retained but negotiations be held with the Social Club to increase the annual rental after considering our valuers Market value advice.

3. Stadbury Meadow Car Park - Shepperton Tow Path

That subject to further investigation the Head of Asset Management, in consultation with the Head of Corporate Governance, be authorised in conjunction with the Council's valuer to negotiate a new rent at a higher rate.

4. Proposed development of plot to the rear of 14a Moorhayes Drive, Laleham and access via Council Land

That this matter be deferred to the next Cabinet meeting to enable further investigation to be undertaken

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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 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 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 12 April 2010.**