

**Roberto Tambini**  
**Chief Executive**

## **REVISED VERSION**

For this Council meeting, please telephone: Richard Powell on Tel: (01784) 446240 or e-mail him at: [r.powell@spelthorne.gov.uk](mailto:r.powell@spelthorne.gov.uk)

**9 December 2009**

TO THE MEMBERS OF SPELTHORNE BOROUGH COUNCIL

### **SUMMONS TO MEETING**

You are hereby summoned to attend the **Meeting of Spelthorne Borough Council to be held in the Council Chamber, Council Offices, Knowle Green, Staines on THURSDAY 17 DECEMBER 2009 beginning at 7.30pm**, for the purpose of transacting the business specified in the Agenda **set out on the next page**.

ROBERTO TAMBINI  
*Chief Executive*

**EMERGENCY PROCEDURE:** - In the event of an emergency the building must be evacuated. All Members and Officers should assemble on the Green adjacent to Broome Lodge, Staines. Members of the Public present should accompany the Officers to this point and remain there until the Senior Officer present has accounted for all persons known to be on the premises. **[THE LIFT MUST NOT BE USED]**

**PUBLIC SPEAKING AT COUNCIL MEETINGS** [For this Council meeting, please telephone Richard Powell on Tel: (01784) 446240 or e-mail him at: [r.powell@spelthorne.gov.uk](mailto:r.powell@spelthorne.gov.uk)]

#### **(1) Asking a Public Question; (2) Presenting a Petition; (3) Representations on Recommendations**

(1) Public "Question Time" is near the start of Council meetings and is an opportunity for any person to ask the Leader of the Council, or his nominee, a question about a matter in which the Council has powers or duties or an issue that affects the Borough.

(2) The Council has a procedure to enable any person to present a petition at a Council meeting and for the presenter to address the Council for a maximum of three minutes.

(3) Before the Council considers a recommendation from the Cabinet or a Committee and before it makes a decision on that recommendation, any person can put forward views on the issues involved by making representations to the Council for a maximum of three minutes.

Persons wishing to (1) ask a public question, (2) present a petition or (3) make representations on a recommendation **must** notify the Chief Executive [CX] in writing by letter, FAX or e-mail before **12 Noon, five working days prior to the day of the Council meeting [i.e. before 12 noon on the preceding Thursday for a Council meeting on the following Thursday]** and at the same time **must** deliver to CX (1) their written question, (2) the original of their petition or (3) their written statement of representations.

## IMPORTANT PUBLIC NOTICE

### MOBILE TECHNOLOGY – ACCEPTABLE USE

Use of mobile technology (e.g. mobile telephones, Blackberries, XDA's etc.) in meetings can:

- Interfere with the Public Address and Induction Loop systems;
- Distract other people at the meeting;
- Interrupt presentations and debates;
- Mean that you miss a key part of a decision taken.

#### PLEASE:

Either switch off your mobile telephone etc. **OR** switch off its wireless/transmitter connection and sound for the duration of the meeting.

***THANK YOU FOR YOUR CO-OPERATION IN THIS MATTER.***

## **REVISED AGENDA**

1. APOLOGIES FOR ABSENCE

To note apologies received from Councillors K. Chouhan, C.A. Davis and H.R. Jaffer and to receive any other apologies for non-attendance.

2. MINUTES – COUNCIL MEETING HELD ON 29 OCTOBER 2009  
**[pages 4 to 12]**

To confirm as a correct record the Minutes of the Meeting held on 29 October 2009.

3. DISCLOSURES OF INTEREST

To receive any disclosures of interest from Members in accordance with the Council's Code of Conduct for Members.

4. ANNOUNCEMENTS FROM THE MAYOR

**A2 Dominion - Residents' Award to Sharron Moloney as Community Champion for the Stanwell New Start project.**

The Mayor to present this award to Sharron Moloney for all her community work for the Stanwell New Start project.

**Surrey County Council - Making a Difference Award 2008-2009 for Employability - to Susie O'Callaghan**

The Mayor to present this award to Susie O'Callaghan for her length of service and outstanding commitment in her work at the Valette Dry Cleaners, Staines since 1992.

**Spelthorne Business Forum - Christmas Cards Competition – Presentation of Certificates to students from Matthew Arnold School**

The Mayor to present certificates to students from Matthew Arnold School who have participated in the successful Christmas Card Competition in partnership with the Spelthorne Business Forum and the Borough Council.

**Planned Mayoral events:**

The Mayor to announce details of the following planned Mayoral events: -

Charity Lunch Valentine Lunch – 14th February 2010 at Oscars Shepperton Studios  
Staines Brass Band Concert – 28th February 2010 at St. Peters Church, Staines  
Charity Ball – 20th March 2010 at the Orangery Shepperton Studios  
Staines Brass Band Concert – 28th March 2010 at St. Peters Church, Staines  
Celebration / Service ten years Surrey Police Date TBA  
St. Georges Day Lunch – 23rd April 2010 at The Thames Lodge Hotel, Staines  
Civic Community Reception 13th May 2010 at the Orangery Shepperton Studios

5. ANNOUNCEMENTS FROM THE LEADER

To receive any announcements from the Leader.

6. ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE

To receive any announcements from the Chief Executive.

7. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Leader or his nominee to answer any questions submitted to the Council by members of the public. *[Providing the question(s) has/have been received by the Chief Executive in accordance with the timescales and procedures laid down in the Council's Constitution].*

8. PETITIONS

To receive any Petitions submitted to the Council. *[Providing the Petition(s) has/have been received by the Chief Executive in accordance with the timescales and procedures laid down in the Council's Constitution].*

9. RECOMMENDATIONS OF THE CABINET  
**[pages 13 to 16]**

To consider the recommendations of the Cabinet on the following matters:-

- (1) Outline Budget 2010/2011 – 2014/2015**
- (2) The Local Government and Public Involvement in Health Act 2007 – New Powers for Overview and Scrutiny Committees**
- (3) Police and Justice Act 2006 – Implications for Overview and Scrutiny**
- (4) Minor Variations Under the Licensing Act 2003**
- (5) The Gambling Act 2005 – Adoption of Statement of Gambling Policy 2010 to 2013**
- (6) Local Development Framework [LDF] - Allocations Development Plan Document [DPD]**
- (7) Council's Code of Corporate Governance**

Note: Members of the public may make representations in person not exceeding 3 minutes on individual Cabinet recommendations before they are discussed.  
*[Providing the Statement(s) of Representations has/have been received by the Chief Executive in accordance with the timescales and procedures laid down in the Council's Constitution].*

10. REPORT FROM THE LEADER OF THE COUNCIL  
**[pages 16a to 16b]**

To receive the report from the Leader of the Council on the work of the Cabinet.

11. REPORT FROM THE CHAIRMAN OF THE AUDIT COMMITTEE  
**[page 16c]**

To receive the report from the Chairman of the Audit Committee on the work of his Committee.

12. REPORT FROM THE CHAIRMAN OF THE LICENSING COMMITTEE  
**[pages 17 to 18]**

To receive the report from the Chairman of the Licensing Committee on the work of his Committee.

13. REPORT FROM THE CHAIRMAN OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE  
**[pages 18a to 18b]**

To receive the report from the Chairman of the Performance Management and Review Committee on the work of her Committee.

14. REPORT FROM THE CHAIRMAN OF THE PLANNING COMMITTEE  
**[page 18c]**

To receive the report from the Chairman of the Planning Committee on the work of his Committee.

15. QUESTIONS ON WARD ISSUES

The Leader or his nominee to answer any questions from Members on issues in their Ward.  
*[Providing the question(s) has/have been received by the Chief Executive in accordance with the timescales and procedures laid down in the Council's Constitution].*

16. GENERAL QUESTIONS

The Leader or his nominee or relevant Committee Chairman to answer any General Questions from Members on matters affecting the Borough or for which a particular Committee has responsibility.  
*[Providing the question(s) has/have been received by the Chief Executive in accordance with the timescales and procedures laid down in the Council's Constitution].*

17. APPOINTMENTS TO OUTSIDE BODIES

**Appointment of a Representative Trustee to the Laleham Charities**

To consider the appointment of Mrs. Susan Pett of Moonfleet, Vicarage Lane, Laleham, Staines, TW18 1UE as a Council Representative Trustee to the Laleham Charities, for a four year term.

**Appointment of a Representative Trustee to the Staines Parochial Charity**

To consider the appointment of Ms. Elizabeth Moore, Chief Officer of VAIS (Voluntary Action in Spelthorne) based in Community Link as a Council Representative Trustee to the Staines Parochial Charity, for a four year term.

18. URGENT BUSINESS

To consider any urgent business.

**MINUTES OF THE CABINET**

**29 OCTOBER 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 S. Bhadye (Cabinet Member for Health and Independent Living);  
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 Corporate Services).

**Apologies:** Councillor C.A. Davis.

**In Attendance:** Councillor K.E. Flurry.

**1528. STANWELL NEW START PROJECT AND OTHER LINKED SCHEMES – KEY DECISION**

The Cabinet considered a report outlining the proposals for the Stanwell New Start Project and Other Linked Schemes and seeking the necessary authorisations to progress the Project, including: (1) Sale of Open Space to A2D; (2) Sale of Park Road Car Park to A2D; and the allocation of the Housing Enabling Fund to A2D.

The Cabinet was advised that it was important to recognise that there was a linkage between the Stanwell New Start development itself and other schemes proposed by A2D which were referred to in the report as 'small sites'. Some of these 'small sites' were required by A2D in order for them to be able to decant properties for later phases of the work. Councillor Flurry addressed the Cabinet on this matter in his capacity as Ward Member.

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

**RESOLVED** to authorise:

- 1) The sale of the Council's land at Explorer Avenue in order to facilitate phases 2-4 of the Stanwell New Start Regeneration subject to A2D agreeing an overage to the value of £250,000 (or other agreed amount) and operating an open book accounting policy to allow the Council to receive this amount if a surplus on the development is achieved. The Cabinet authorises the Deputy Chief Executive in consultation with the Leader to negotiate and agree the terms of sale. Authority granted to the Head of Corporate Governance to seal all consequential agreements.
- 2) The sale of the Park Road car park land to A2D for £150,000 to enable A2D to develop the site for housing (family units) to assist with decanting for the Stanwell New Start project. The Cabinet authorises the Deputy Chief Executive in consultation with the

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Leader to negotiate and agree the terms of sale. Authority granted to the Head of Corporate Governance to seal all consequential agreements.

- 3) The Deputy Chief Executive to negotiate with A2D to assist and promote the development of various small sites in Stanwell for the purposes of housing or decanting. To authorise the Deputy Chief Executive to negotiate the terms of any consequential variations to the LSVT nominations agreement. Authority granted to the Head of Corporate Governance to seal all consequential agreements.
- 4) That the remaining £120,000 of Housing Enabling Fund for 2009/10 (and carry forward from 2008/09) is provided to A2D to assist with its funding shortfall from the Homes and Communities Agency and enable it to complete the development of other housing schemes detailed in this report. Authority granted to the Deputy Chief Executive to negotiate, in consultation with the Leader, any appropriate terms and conditions for the provision of the funds and to secure the provision of housing as described.

### **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***

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*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 THURSDAY – 5 NOVEMBER 2009.***



## **RECOMMENDATIONS OF THE CABINET**

### **1. OUTLINE BUDGET 2010/2011 – 2014/2015**

1.1 The Cabinet has considered a report on an Outline Budget covering the next four years, the first year forms the framework for the detailed Budget for the next financial year. Specifically, the approval of the Outline Budget will set a maximum expenditure level for 2010-2011 and will also recommend a guideline Council Tax increase. The Council is required by law to set a balanced budget.

#### **1.2 The Cabinet recommend to the Council:**

- 1. That the net budgeted expenditure (before investment income and use of reserves) for 2009/2010 be set at a maximum level of £14.45m.**
- 2. That, in order to reach this level, the Management Team, taking into account of the forthcoming recommendations of the Budget Task Group, identifies a package of options by which the budget can be balanced both in 2010-2011 and 2011-2012 and over the next 3 years of the outline period.**
- 3. That for the purposes of the Outline Budget an annual increase of 0% has been assumed for pay and council tax increases for 2010-2011 and 2011-2012.**
- 4. That the Council's use of reserves policy be reviewed with the aim of the council seeking to maximise the level of its reserves whilst taking account of the impact of the economic downturn and the reduced potential for capital receipts and the need to maintain a capital programme.**
- 5. That an agreed total reserves target minimum level (as measured on 31st March each year) be set at a level of £12m for 31 March 2011.**

### **2. THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 – NEW POWERS FOR OVERVIEW AND SCRUTINY COMMITTEES**

2.1 The Cabinet has considered a report giving an overview of recent changes in legislation that will provide new powers for overview and scrutiny committees aimed at empowering communities and enabling local people, through their councillors, to participate in decisions that affect their day to day lives.

2.2 The focus of the CCfA is on neighbourhood or locality issues and specifically the quality of public service provision at a local level such as a series of complaints about a service, which demonstrate a continuing trend of poor performance.

#### **2.3 The Cabinet recommend to the Council:**

- 1. That all Members note the new scrutiny powers contained in the Local Government and Public Involvement in Health Act 2007, and in particular the Councillor Call for Action [CCfA].**
- 2. That the arrangements for operating the Councillor Call for Action (CCfA), as set out in the report to Cabinet by the Deputy Chief Executive at**

**Appendix 2 (flowchart) and at Appendix 3 (Councillor CCfA form), be approved.**

- 3. That the Head of Corporate Governance be authorised to amend the Council's Constitution to facilitate the arrangements for CCfA.**
- 4. That a CCfA will initially be discussed by the Member [i.e. the Councillor putting forward the Call for Action] with the Chairman of the relevant Scrutiny Committee together with the appropriate Scrutiny Lead Officer, to agree how the CCfA should be processed.**
- 5. That the Performance Management and Review Committee be asked to review the Councillor Calls for Action procedure after one year's operation.**
- 6. That in the current economic climate the option to delegate powers to Councillors under section 236 of the Local Government and Public Involvement in Health Act 2007 be deferred and be reviewed in a year's time. During this time it was anticipated that relevant operational and financial data may be available from other local authorities who have implemented s236 of the Local Government and Public Involvement in Health Act 2007.**

### **3. POLICE AND JUSTICE ACT 2006 – IMPLICATIONS FOR OVERVIEW AND SCRUTINY**

- 3.1** The Cabinet has considered a report outlining new scrutiny responsibilities for local authorities arising under the Police and Justice Act 2006, which has recently come into force.
- 3.2** Members noted that the provisions within the 2006 Act also allow residents to make complaints to Ward Councillors in respect of crime and disorder matters, which will then need to be actioned by the Ward Councillor under the Community Call for Action (CCfA).

#### **3.3 The Cabinet recommend the Council to:**

- 1. Note the new scrutiny powers for crime and disorder arising under the Police and Justice Act 2006.**
- 2. Note the new Community Call for Action (CCfA) role for all councillors.**
- 3. Approve the preferred option for dealing with the scrutiny of crime and disorder in Spelthorne by designating the Performance Management and Review Committee.**
- 4. Authorise the Head of Corporate Governance to make the necessary amendments to the Constitution.**

- 5. Request that the Performance Management and Review Committee develop its Crime and Disorder Scrutiny Rules of Procedure in association with the Crime and Disorder Reduction Partnership [CDRP].**

**4. MINOR VARIATIONS UNDER THE LICENSING ACT 2003**

- 4.1 The Cabinet has considered a report informing Members of new statutory provisions which have been inserted into the Licensing Act 2003. These allow for a procedure for making minor variations to premises licenses and club premises certificates. The report seeks authority to update and amend Delegations to Officers in the Council's Constitution.
- 4.2 The above minor variations proposals were endorsed by the Licensing Committee at its meeting on 18 November 2009.
- 4.3 The Cabinet recommend that the Council agree to delegate authority to the Head of Environmental Health and Building Control Services, in consultation with the Chairman of the Licensing Committee, to determine minor variation applications under sections 41A to 41C and 86A to 86C of the Licensing Act 2003, including the power to decide whether to consult with Responsible Authorities and that the Scheme of Delegations to Officers in the Council's Constitution be amended accordingly.**

**5. THE GAMBLING ACT 2005 – ADOPTION OF STATEMENT OF GAMBLING POLICY 2010 TO 2013**

- 5.1 The Cabinet has considered a report seeking the approval and adoption of Spelthorne's Statement of Gambling Policy 2010 – 2013 (the Policy), as shown in Appendix A to the report to the Cabinet by the Assistant Chief Executive. The Statement of Gambling Policy provides a clear framework to promote the three gambling objectives within the Borough.
- 5.2 The Statement of Gambling Policy was endorsed by the Licensing Committee at its meeting on 18 November 2009.
- 5.3 The Cabinet recommend that the Council:**
  - 1. Adopt the Statement of Gambling Policy 2010 – 2013, as set out at Appendix A to the report to the Cabinet by the Assistant Chief Executive, subject to the word "workplace" in the last line of the first paragraph on page 47 being replaced by the words "licensed premises".**
  - 2. Agree that the Scheme of Delegations to Officers in the Council's Constitution be amended accordingly, as highlighted in Appendix C to the report to the Cabinet by the Assistant Chief Executive.**

**6. LOCAL DEVELOPMENT FRAMEWORK [LDF] - ALLOCATIONS DEVELOPMENT PLAN DOCUMENT [DPD]**

- 6.1 The Cabinet has considered a report on the minutes and recommendations of the Local Development Framework [LDF] Working Party held on 23 November 2009.

6.2 One of the main issues covered in the report on the LDF Working Party Meeting was the Allocations Development Plan Document (DPD).

**6.3 The Cabinet recommend to the Council that:**

- 1. The Inspector's Report and recommended changes to the Allocations DPD are noted.**
- 2. The Allocations DPD be recommended for adoption incorporating all the Inspector's recommendations.**
- 3. 'Saved' Local Plan Proposals P7, P8, P11, P12 and P17 cease to have effect from the date of adoption of the Allocations DPD and be deleted from the Proposals Map DPD.**
- 4. A revised Proposals Map DPD be prepared to incorporate all adopted 'allocations'.**

**7. COUNCIL'S CODE OF CORPORATE GOVERNANCE**

7.1 The Cabinet has considered a report on the recommendations of the Performance Management and Review Committee held on 1 December 2009, including the outcome of the Committee's Annual Review of the Council's Code of Corporate Governance.

**7.2 The Cabinet recommend to the Council that the Council's Code of Corporate Governance, within the Council's Constitution, be amended to remove the words "produce an annual report on the activity of the scrutiny function" from the Local Code of Corporate Governance (principle 6, paragraph c).**

Councillor John Packman  
*Leader of the Council*

**17 December 2009**

**REPORT FROM THE LEADER OF THE COUNCIL ON THE WORK OF THE CABINET**

This is my report to the Council as the Leader on the work of the Cabinet. This is an overview of some of the more important issues that we have discussed.

We have made recommendations to the Council on seven items which appear earlier on this Agenda.

**1. INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS) IMPLEMENTATION TIMETABLE**

We have considered a report on the detailed timetable for implementing International Financial Reporting Standards (IFRS) to local authority accounting. The report also set out the resources to be used when implementing the change.

We have agreed the detailed implementation timetable. We have noted the requirement for the Audit Committee and the Cabinet to be fully briefed and made aware of the implications of implementing the change.

**2. COMMUNITY ENGAGEMENT**

We have considered a report looking back at the most recent round of Have Your Say events and makings proposals for future community engagement events. Members endorsed that the holding of effective community engagement events helps in increasing the knowledge and satisfaction of residents with the services provided by the Council and its partners.

We have agreed to hold future Have Your Say [HYS] events as per Appendix B to the report of the Chief Executive, with the Ashford HYS event reverting back to a 7.00pm start time.

**3. SPELTHORNE TOGETHER**

We have considered a report on progress on the Community Plan, 2005-2015, including the recent Spelthorne Together Assembly.

Members endorsed that Spelthorne Together, including the Assembly event, helps bring together key bodies both statutory and non statutory to work together to help make Spelthorne a "safe, healthy, inclusive, prosperous and sustainable community".

We have noted the progress on the Community Plan 2005-2015.

**4. UPDATED CORPORATE CUSTOMER COMPLAINTS SYSTEM**

We have considered a report on the updated Corporate Complaints system for the Council. Cabinet Members requested that a Flow Chart be produced on the various stages involved in how a customer complaint is dealt with by the Council.

We have agreed the updated Corporate Customer Complaints System, for Spelthorne Borough Council as attached at Appendix 1 to the report of the Assistant Chief Executive.

We have requested that the Assistant Chief Executive produces a Flow Chart on how a customer complaint is dealt with by the Council

**5. UPDATE ON SAFEGUARDING POLICY AND PROCEDURES (CHILDREN AND YOUNG PEOPLE AND VULNERABLE ADULTS)**

We have considered a report updating Members on the Council's Safeguarding Policy and Procedures for Children and Young People and Vulnerable Adults and seeking further promotion of the importance of safeguarding the most vulnerable people within Spelthorne.

The report also highlighted future changes with the introduction of the Independent Safeguarding Authority (ISA).

Cabinet Members raised the issue of Criminal Records Bureau [CRB] checks for Borough Councillors and requested that the current Regulations be looked at to see if the present multiple checking process could be more streamlined for Councillors in future.

We have agreed the updated Council Safeguarding Policy and Procedures for Children and Young People and Vulnerable Adults, as set out at Appendices 1 and 2 of the report of the Assistant Chief Executive.

We have requested the Assistant Chief Executive to look at the current Regulations surrounding who should and should not be Criminal Records Bureau [CRB] checked, to see if the present multiple checking process could be more streamlined for Borough Councillors in future.

**6. NOMINATIONS FOR TWO SURREY LOCAL GOVERNMENT ASSOCIATION [SLGA] APPOINTMENTS**

We have considered a report on seeking authority for the nomination of representatives to the following SLGA Outside Bodies - (1) Surrey Climate Change Partnership Members' Group [SCCPMG] and (2) Active Surrey Sports Partnership [ASSP].

We have agreed to endorse the nomination to the SLGA of Councillor Gerry Forsbrey to serve on the Surrey Climate Change Partnership Members' Group [SCCPMG] and the nomination to the SLGA of Councillor Mrs. Denise Grant to serve on the Active Surrey Sports Partnership [ASSP].

Councillor John Packman  
*Leader of the Council*

**17 December 2009**

**REPORT OF THE CHAIRMAN ON THE WORK OF THE AUDIT COMMITTEE**

The Audit Committee held a meeting on 14 December 2009 and considered the following items of business.

**1. CORPORATE RISK MANAGEMENT**

**Contaminated Land**

The Committee received and noted a report from the Head of Environmental Health and Building Control Services explaining the continuing delay in completing actions on high level risks in relation to contaminated land.

**Asset Management**

A report from the Head of Asset Management explaining the continuing delay in completing actions on high level risks in relation to health and safety in leased assets was withdrawn as it was unsatisfactory. He was asked to appear before the Committee at its next meeting.

**Corporate Risk Register Quarterly Review and Update**

The Committee noted the quarterly update on the Corporate Risk Register and recommended it to Cabinet.

**2. AUDIT SERVICES QUARTERLY REPORT**

The Committee considered and approved the quarterly report which outlined the work undertaken by Audit Services during the period July 2009 – November 2009.

**3. CONFIDENTIAL REPORTING CODE (WHISTLEBLOWING) POLICY**

The Committee reviewed and approved, without amendment, the report on the Confidential Reporting Code (Whistleblowing) Policy.

**4. COMMITTEE WORK PROGRAMME 2008/9**

The Committee considered and approved its Work Programme for the remainder of the municipal year 2009/10 and agreed that in future the Audit Quarterly Report would be presented to the Committee every six months.

Councillor Steven Rough  
*Vice-Chairman of the Audit Committee*

**17 December 2009**

## **REPORT OF THE CHAIRMAN ON THE WORK OF THE LICENSING COMMITTEE**

There has been one Licensing Sub-Committee meeting and one Licensing Committee meeting since my last report. Details of their work are set out below.

### **LICENSING SUB-COMMITTEE 5 NOVEMBER 2009**

At the last Council meeting I reported that a Review of the Premises Licence in respect of the Dog and Partridge Public House, Edinburgh Drive, Laleham, called by Surrey Police, had been adjourned until 5th November to enable the premises to be sold, subject to the premises not re-opening in the meantime.

On 5 November the Sub-Committee agreed to a formal request from the respondent, supported by Surrey Police, for a further adjournment of 3 months on the same terms, as the original sale had fallen through. However negotiations for a further sale had commenced. The further adjournment was to allow the sale of the premises to proceed to completion by end January 2010.

### **LICENSING COMMITTEE 18 NOVEMBER 2009**

#### **1. Minor Variations under the Licensing Act 2003**

The Committee was informed that new statutory provisions had been inserted into the Licensing Act 2003 which allowed a procedure for making minor variations to premises licences and club premises certificates. Authority was sought to update and amend delegation to Officers to enable the new provisions to be operated in accordance with Government guidance.

The Committee noted the new statutory provisions relating to minor variations and requested Cabinet to recommend Council that the Head of Environmental Health and Building Control Services in consultation with the Chairman of the Licensing Committee, be given the power to determine minor variation applications under sections 41A to 41C and 86A to 86C of the Licensing Act 2003, including the power to decide whether to consult with Responsible Authorities.

#### **2. New procedures for Community Premises Under the Licensing Act 2003**

The Committee received and noted a report which outlined the effect of recent legislation on the Supervision of Alcohol Sales in Church and Village Halls.

#### **3. Revision of Hackney Carriage and Private Hire Vehicle Licence Requirements Policy**

The Committee considered and agreed a revision to the Policy to lift the restriction on the carrying of more than one passenger on the front seat to allow an eight passenger vehicle to carry the full load, as specified by the vehicle manufacturer.

The Committee also agreed to remove restrictions which prevented the licensing of stretched limousines.



## **Agenda Item:**

### **3. Gambling Act 2005 – Adoption of Statement of Gambling Policy 2010 - 2013**

The Committee considered and recommended cabinet to recommend Council to adopt The Statement of Gambling Policy which lasted for a period of three years until 2013.

Additionally as a result of the consultation process Spelthorne's current Scheme of Delegation to Officers would need to be amended to qualify the powers available to the Head of Environmental Health and Building Control Services to cancel licensed premises gaming machine permits.

Councillor Robin Sider  
*Chairman of the Licensing Committee*

**17 December 2009**

## **REPORT OF THE CHAIRMAN ON THE WORK OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE**

The Performance Management and Review Committee has met once since the last Council meeting and this report gives an overview of the issues considered.

### **1. ECONOMIC DOWNTURN IN SPELTHORNE**

1.1 Since the beginning of the year the committee has been receiving regular briefing papers on what the council was doing to address the economic down turn in Spelthorne. At this meeting the committee received a briefing paper on the progress being made to raise awareness of the small business Rate Relief Scheme. It was noted that the officers had undertaken an exercise to identify all potential properties that may qualify for such relief but had not applied. To progress this initiative the officers would be visiting each area on a month by month basis to encourage take up of the small business rate relief scheme.

### **2. GROUND MAINTENANCE CONTRACT UPDATE AND REVIEW OF UN CUT GRASS AREAS**

2.1 The Committee discussed in detail the report on the progress of the ground maintenance contract including the changes made to the frequency and amount of grass cutting that takes place within the borough.

2.2 As Chairman of the Committee I arranged for an additional meeting to be held to scrutinise Leacroft Green and arranged supplementary information to be available to all committee members.

2.3 Members were advised that County Councillor Mrs D. Saliagopoulos had offered to cover the cost of an additional cut at Leacroft Green which was supported by the committee. The Borough Ward Councillors Miss M.M. Bain and S.E.W. Budd had also offered to make a payment via their Neighbourhood grants (subject to the criteria of spending such grants being met and a further review being held). It was reported that the cost to provide an additional cut would be £315.00 per year

2.4 As Chairman of the Committee I attended the Cabinet Meeting on 8 December 2009 to convey the views and recommendations of the committee and which the Cabinet supported.

### **3. FINANCIAL REPORTS**

3.1 The Committee received two financial monitoring reports covering the first six months of the financial year for both revenue and capital expenditure. In relation to Capital approximately £778k had been spent against the original budget of £2,024,500.

3.2 In respect of the Revenue budget £7.3m had been spent against the original budget of £15m. The Committee was pleased to learn of the progress made by the officers in pursuing a one off income of up to £2million for backdated claims of VAT. So far confirmation had been received that the council would be refunded £500,000.

Confirmation had also been received that there was a one off receipt of £112k in repayment of a compulsory purchase order deposit made to the courts in 1987.

#### **4. TREASURY MANAGEMENT REPORT 2009/2010**

- 4.1 The Committee discussed the report providing an update on the treasury management activities for the first six months of this financial year.

#### **5. MANAGEMENT OF ORDINARY WATERCOURSES IN SPELTHORNE**

- 5.1 The Committee discussed an interim report on the implementation of the new policy on watercourse management agreed by the Cabinet in June 2009. It was agreed that a further report be submitted to the next meeting of the Committee.

#### **6. ANNUAL REVIEW OF CORPORATE GOVERNANCE**

- 6.1 The Committee discussed the report on the annual review of the code of corporate governance together with an appendix to the report which broke the code down into 6 component parts with details of supporting policies, processes and accountable managers.

One of the processes required the production of an annual report on the activities of the scrutiny function. The committee were strongly of the opinion that the reports by the chairmen on the work of the scrutiny committees (submitted to council and where both scrutiny chairmen were available to respond to questions from councillors) covered this aspect adequately and an annual report would only duplicate the information.

- 6.2 Therefore a recommendation to remove this aspect from the Code of Corporate Governance was submitted to the Cabinet meeting on 8 December 2009 and is on the council agenda for ratification this evening.

- 6.3 As Chairman I invited members of the committee to submit suggestions (with reasons), if they wished a particular key area of the Code of Corporate Governance to be scrutinised.

#### **PERFORMANCE REPORT**

- 6.4 The Committee discussed and noted the data provided on the new National Indicators.

Councillor Philippa Broom

*Chairman of the Performance Management and Review Committee*

**17 December 2009**

**REPORT OF THE CHAIRMAN ON THE WORK  
OF THE PLANNING COMMITTEE**

The Planning Committee has met twice since the previous report was prepared for the Council meeting. This report therefore gives an overview of the key items considered by the Planning Committee at those meetings.

The meeting on **11 November 2009** dealt with 8 items. Public speaking took place on 7 items with 10 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- The approval subject to a legal agreement for a lesser redevelopment of the former Majestic House site in Staines for a mixed use scheme of offices, retail, leisure and residential.
- The refusal of planning permission for the development of land at Park Road and Gleneagles Close Stanwell for 14 affordable housing units.
- The refusal of planning permission for the erection of a water-ski cable tow facility and ancillary clubhouse and store at Ferris Meadow Shepperton.

The special meeting on **25 November 2009** dealt with one item. Public speaking took place on that item with 2 people taking the opportunity to address the Committee.

The only item on the agenda was:

- The refusal of planning permission for the redevelopment of the Riverside Works site in Sunbury for 88 residential units.

Councillor Howard Thomson  
*Chairman of the Planning Committee*

**17 December 2009**