

MINUTES OF THE COUNCIL MEETING HELD ON 21ST OCTOBER 2004

AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 21ST OCTOBER 2004 AT 7.30PM

Ayers F	Grant Mrs D L	Pinkerton J D
Bain Ms M	Hirst A P	Ponton Mrs J E
Beardsmore I J	Hyams Mrs M	Sider R W
Ceaser G S	James P R	Spencer Mrs C L
Colison-Crawford R B	Leighton Mrs V J	Trussler G F (Mayor)
Culhane E K	O'Hara E	Turner D
Davies F (Leader)	Packman J D (Deputy Leader)	Weston Mrs P (Deputy Mayor)
Forsbrey G E	Paton J M	Wood-Dow J M

G F Trussler, Mayor, in the Chair

286/04 APOLOGIES

Apologies for absence were received from Councillors Mrs P.C. Amos, S. Bhadye, M.L. Bouquet, K. Chouhan, J.M. Fullbrook, H.R. Jaffer, M.J. Madams, I. Napper, Mrs J.M. Pinkerton, M.T. Royer, E.J. Searancke and C.V. Strong and Mr M. Litvak.

287/04 MINUTES

RESOLVED that the minutes of the Council meeting held on 22nd July 2004 be approved as a correct record.

288/04 DISCLOSURE OF INTERESTS

Councillor E.K. Culhane disclosed a personal interest in item 4 of Recommendations to the Executive on alterations to Policies H5 and H6 of the Spelthorne Borough Local Plan because he was one of the Council's representative on Apex Housing Association.

Councillor G.E. Forsbrey disclosed a personal interest in item 4 of Recommendations to the Executive on alterations to Policies H5 and H6 of the Spelthorne Borough Local Plan because he was one of the Council's representative on Apex Housing Association.

Councillor E. O'Hara disclosed a personal interest in item 9 of Recommendations to the Executive on Review of Services for Older People in Spelthorne – nomination of members to serve on the working group because his wife was in receipt of a small number of Council services relating to older people.

Councillor Mrs V. Leighton disclosed a personal interest in relation to the item about Police Community Support Officers – Parks, in the Report of the Leader on the work of the Executive, in view of her husband's employment with the Council as a PCSO.

289/04 ANNOUNCEMENTS BY THE MAYOR

Death of an Ex Councillor

The Mayor announced with regret the death of former Councillor G. Kaye a past Mayor and Alderman of the Borough. Members stood in silence as a tribute to his memory.

Staines Brass Band – Presentation

The Mayor presented a cup to Staines Brass Band which had been awarded to them for achieving third place in the National Brass Band Championships in Harrogate in September.

Mayors Events

The Mayor announced a Christmas musical event to be held on Saturday 11th December at St Michael's Church, Ashford at 7.30pm, featuring Surrey Youth Orchestra and Surrey Youth Wind Orchestra. Tickets were available from the Mayor's Secretary.

Spelthorne Design Awards

The Mayor, Councillor G.F. Trussler, presented the Spelthorne Design Awards for 2004 under various categories ranging from new commercial developments through to public art in development. The Awards scheme was in its tenth year and its purpose was to recognise good design in recently completed schemes and to encourage high standards of design in new schemes by highlighting recent achievements.

He extended his appreciation to the panel of judges for their hard work.

Once again, the award scheme had been run in conjunction with SCAN; the Spelthorne Committee for Access Now. This had enabled particular consideration to be given to the needs of those with a disability or movement difficulty in the design of new schemes of all types.

In addition a special competition had been run this year asking the public, via the Borough Bulletin, to vote for their favourite scheme from a shortlist of previous Design Award winners spanning the past 10 years.

This year 15 nominations were made for schemes that were completed in 2003-04. The judges decided that 13 schemes deserved an award. Some developments were nominated in more than one category. Three levels of award were made: Full Award, Highly Commended or Commended.

290/04 ANNOUNCEMENTS FROM THE LEADER

The Leader, Councillor F. Davies, announced that he would be stepping down as Leader of the Council in May, 2005. He explained that he had made this announcement now to allow sufficient time for a smooth transition for his succession. He also stated that he would not be standing again at the next Borough Elections in 2007.

291/04 THE COUNCIL'S MONITORING OFFICER

(a) Appointment of Mrs. Karen Whelan

RESOLVED that the appointment of Mrs. Karen Whelan as Monitoring Officer be confirmed.

(Mrs Whelan left the meeting during this item).

(b) Changes to the Constitution

RESOLVED to approve the revisions to the Council's Constitution as set out in Appendix 2 to the agenda.

292/04 LEISURE CENTRE MAINTENANCE

The Council considered a recommendation from the Executive on essential health and safety works required over the next two years at the Spelthorne and Sunbury Leisure Centres.

RESOLVED:

(1) To include health and safety work totalling £799,114 for Spelthorne and Sunbury Leisure Centres (including fees and contingencies) in the outline Capital Programme for 2005/2006.

(2) That leisure contractors be requested to prepare their tenders with options, including full repairs and maintenance, internal maintenance and with no maintenance, as detailed in the report of the Strategic Director (Community).

(3) That the Head of Asset Management Services continues to review the options detailed in the report of the Strategic Director (Community) and arranges for these to be reported on to the Executive at the time of the outcome of negotiations for the leisure centre contract.

(4) That the existing leisure centre contract be extended until September 2005.

293/04 THE SECOND LOCAL TRANSPORT PLAN 2006-2011 - CONSULTATION

The Council considered a recommendation from the Executive on proposals to ensure that all Members are given an opportunity to contribute to an initial Council response to the second Local Transport Plan (LTP2), as part of Surrey County Council's consultation process.

RESOLVED

(1) That the Council's formal response to Surrey County Council be to inform them that the Local Transport Plan [LTP2] should include the issues set out in paragraph 3.2 of the report of the Strategic Director (Community), in particular that Staines Town Centre Park and Ride facilities at Christmas and New Year should be extended to Sundays.

(2) That the response to SCC would also include any additional contributions to the LTP2, arising from the separate consultation with all Members of the Council.

294/04 CENTRAL RAILWAYS

The Council considered a recommendation from the Executive on recent developments regarding the Central Railways project.

RESOLVED

- (1) To confirm its opposition to the Central Railways project, in view of the adverse impact on the environment of the Borough.
- (2) That letters be sent to the relevant Government Minister and to David Wilshire MP setting out the Council's position and opposing a Hybrid Bill and the possible establishment of an all-party parliamentary group to support the Central Railways project scheme.

295/04 ALTERATIONS TO POLICIES H5 AND H6 OF THE SPELTHORNE BOROUGH LOCAL PLAN

The Council considered a recommendation from the Executive on the Council's proposed alterations to Policies H5 (dwelling sizes) and H6 (affordable housing) of the Borough Local Plan and appropriate responses to the Inspector's recommendations and the necessary actions to facilitate formal adoption of the policies.

RESOLVED

- (1) That Policies H5 and H6 and the supporting text (as proposed to be modified) be agreed and the relevant notices for adoption be published, subject to there being no unresolved objections to the modifications within the required statutory period.
- (2) That the amendments to the Supplementary Planning Guidance on Affordable Housing be adopted following the end of the six-week consultation period, subject to there being no unresolved objections.

296/04 DECRIMINALISED PARKING ENFORCEMENT [DPE] – NATIONAL PARKING ADJUDICATION SERVICE [NPAS] – APPOINTMENT OF MEMBER AND DEPUTY MEMBER REPRESENTATIVES

The Council considered a recommendation from the Executive for the Council to join the National Parking Adjudication Service [NPAS] Joint Committee and be represented on it, in order to comply with the requirements of the Decriminalised Parking Enforcement Regime.

RESOLVED:

- (1) That Councillors G.E. Forsbrey and Mrs M. Hyams be nominated by the Council to become the Member and the Deputy Member, respectively, to serve as the Council's representatives on the National Parking Adjudication Service [NPAS] Joint Committee.
- (2) That either the Head of Legal Services or the Principal Solicitor, as appropriate, be authorised to sign the legal agreement enabling the Council to join the Joint Committee and to discharge its appeal function to the National Parking Adjudication Service [NPAS] Joint Committee.

297/04 FREEDOM OF INFORMATION ACT 2000

The Council considered a recommendation from the Executive on the implementation of the Freedom of Information Act 2000 [FOI] by January 2005 and on the proposed Corporate Records Management Policy and the further requirements for implementation of Phase Three of the project.

RESOLVED to : -

- (1) Approve the current draft Corporate Policy Statement on Records Management as a starting point for the third stage of implementation of the overall project.
- (2) Request that the Head of Legal Services or Principal Solicitor and the Head of Customer and E-Government Services undertake a review of the Corporate Policy Statement, set out in Appendix 3 to the report, before full implementation of the legislation, to take into account any policy changes once more detailed guidance is available and when systems, procedures and best practice have been identified by the Project Team, and to report to the Management Team on the changes required before the end of December 2004.
- (3) Note the approval by the Management Team of the temporary appointment of a Records Manager at Scale M1 to assist with the implementation process in line with other systems currently being developed for information management for a period of at least 12 months, and thereafter subject to review. This post will be funded through salaries savings.
- (4) Approve a supplementary estimate [anticipated to be in the region of £14,000] for a further 20 days consultancy under the current consultancy arrangements with Steria for assisting with Comino file and contact management to enable them to include in this project the requirements for Freedom of Information [FOI]. The cost of this consultancy work is a one-off and will therefore not impact on the budget in future years.
- (5) Note the appointment by the Management Team of an officer-led Project Group to implement the third stage requirements of the FOI project to ensure the Council is compliant with the Act's requirements and to carry out the action points broadly set out in Appendix 2 to the report.
- (6) Approve training expenditure for Members and staff on the implications of FOI, at a cost of £4,500 for external training provision, and note that the Project Group would seek to fund this from the current training budgets.

298/04 NIGHT FLYING RESTRICTIONS AT HEATHROW, GATWICK AND STANSTED AIRPORTS

The Council considered a recommendation from the Executive on the Council's formal response to the Government's proposals relating to Night Flying Restrictions at Heathrow, Gatwick and Stansted Airports - Stage 1 Consultation document dated July 2004.

RESOLVED to

- (1) Approve the answers in Appendix 1 to the report for adoption as the Borough Council's formal response to the Government Consultation on Night Flying Restrictions at Heathrow, Gatwick and Stansted Airports.

(2) Approve any additional information which needs to be added to Appendix 1, being agreed by the Head of Environmental Health and Building Control Services, in consultation with the Portfolio Holder for Environment and Planning.

(3) Approve the Borough Council's formal response being sent to the DFT [Department for Transport] by the deadline date of 29 October 2004.

299/04 LEISURE CENTRE PROCUREMENT

The Council considered a recommendation from the Executive to agree procurement principles of the leisure centre procurement route.

RESOLVED: -

- (a) That the Council invite expressions of interest from private contractors and established Trusts.
- (b) That the Council would prefer all maintenance responsibilities to be within the final contract.
- (c) That Spelthorne Leisure Centre and Sunbury Leisure Centre are offered both jointly and separately for procurement.
- (d) That the length of contract should be 15 years with a joining option clause for extension for an additional 5 years.
- (e) That the Council invites development proposals as part of the tender evaluation.
- (f) That the specification meets the Council's social aims and objectives.
- (g) That the Officers evaluate the Council's best approach to offering a lease or licence to the successful contractor.
- (h) That a formal invitation to tender takes place in December 2004.

300/04 REVIEW OF SERVICES FOR OLDER PEOPLE IN SPELTHORNE - NOMINATION OF MEMBERS TO SERVE ON THE WORKING GROUP

The Council considered a recommendation from the Executive to nominate the Leader of the Council and the Portfolio Holder for Adult and Elderly Services as two Members to serve on the Working Group for Services for Older People in Spelthorne.

RESOLVED that the Leader of the Council [Councillor Frank Davies] and the Portfolio Holder for Adult and Elderly Services [Councillor John O'Hara] be appointed as the two Members to serve on the Working Group for Services for Older People in Spelthorne.

301/04 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor F. Davies, presented his report which outlined the matters the Executive had dealt with since the last Council meeting.

302/04 IMPROVEMENT AND DEVELOPMENT COMMITTEE

The Chairman of the Improvement and Development Committee, Councillor A.P. Hirst, presented his report which outlined the matters the Committee had dealt with since the last Council meeting.

303/04 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Chairman of the Performance Management and Review Committee, Councillor F. Ayers, presented his report which outlined the matters the Committee had dealt with since the last Council meeting.

304/04 LICENSING COMMITTEE

The Chairman of the Licensing Committee, Councillor R.W. Sider, presented his report which outlined the matters the Licensing Committee had dealt with since the last Council meeting.

305/04 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor G. Ceaser, presented his report which outlined the matters the Committee had dealt with since the last Council meeting and drew attention to the fact that Spelthorne had achieved the best performance in Surrey in determining planning applications.

306/04 APPOINTMENTS TO OUTSIDE BODIES

(a) Appointment of Representative Trustee – Staines Parochial Charity

RESOLVED that Mrs. Alice Duncan be re-appointed to serve as the Council's representative trustee on Staines Parochial Charity until 31 December 2008.

(b) Appointment of Representative Governor – Echelford Primary School

RESOLVED that Mr. Vic Drinkwater be re-appointed to serve as the Council's representative Governor at Echelford Primary School until 31 August 2008.

RECOMMENDATIONS OF THE EXECUTIVE

1. OUTLINE BUDGET 2005/2006 – 2008/2009

- 1.1 The Executive has considered a report advising that the Council is required each year to prepare an Outline Budget that covers a four-year period. Once approved, the first year will form the framework for the detailed Council Budget for the next financial year 2005/2006. Specifically the approval of the Outline Budget will set a maximum expenditure level for the financial year 2005/2006.
- 1.2 **The Executive recommend that the Council agree:**
- (1) **That the net budgeted expenditure for 2005/2006 be set at a maximum level of £12.862m.**
 - (2) **That, in order to reach this level, the Strategic Director (Support) identifies a package of options by which the budget can be balanced both in 2005/2006 and over the Outline Budget period.**
 - (3) **That the Strategic Director (Support) reports back to the Executive on either 7 December 2004 or 11 January 2005 on the Provisional Grant Settlement.**
 - (4) **That, in light of the further report to the Executive at (3) above, a guideline council tax increase be considered at that particular time.**

2. CAPITAL PROGRAMME 2005/2006 – 2008/2009

- 2.1 The Executive has considered a report seeking approval on the proposed Capital Programme for 2005/2006 to 2008/2009, in the light of the available resources and corporate priorities. The report covers the progress on current schemes and includes future schemes for consideration. The report also provides information on the availability of resources to continue moving forward with the proposed schemes.
- 2.2 **The Executive recommend that the Council approve the Capital Programme for 2005/2006 to 2008/2009, set out at Appendix A to the report of the Strategic Director (Support).**

3. SPELTHORNE COMMUNITY PLAN 2005-2015

- 3.1 The Executive has considered a report providing an update for Members on the Spelthorne Community Plan, the proposals for its revision and the recommendations arising from the consideration of the draft Plan by the Spelthorne Local Strategic Partnership.
- 3.2 **The Executive recommend that the Council:**
- (1) **Agrees to the revision of the Community Plan.**
 - (2) **Approves the draft Spelthorne Community Plan 2005-2015, set out at Appendix A to the report of the Chief Executive, subject to adding the further amendments shown at paragraph 2.3 of the report, including the 'big issues' which would make a significant difference to Spelthorne by 2015, such as the impact of Heathrow Airport, flooding, drugs and crime, and access to health treatment.**

4. CRIME AND DISORDER STRATEGY 2005-2008 – AUDIT AND EMERGING ISSUES

4.1 The Executive has considered a report summarising the progress of the Audit of Crime and Disorder consultations to date and the emerging issues.

4.2 The Executive recommend that the Council:

- (1) Note progress to date.**
- (2) Confirm that it is in agreement with the emerging issues identified as the basis for development of strategic priorities and actions within the Crime and Disorder Reduction Strategy 2005-2008.**
- (3) Agree that in order to achieve a significant reduction in crime and disorder in the Borough, in line with Government targets, and to reflect the increasing higher crime levels in Spelthorne compared to other districts of Surrey, that Surrey Police and the Police Authority be requested to allocate additional resources to the Borough Commander for next year and beyond and that consideration be given to Spelthorne having representation on the Police Authority.**
- (4) Agree that in taking forward the draft priorities now agreed, the Crime and Disorder Reduction Partnership be asked to concentrate its resources on schemes and initiatives that make the highest impact on combating the increase in anti-social behaviour. This is of major concern to the residents of Spelthorne.**

5. UPDATE ON LEISURE AND CULTURE STRATEGY 2001-2005

5.1 The Executive has considered a report updating Members on the achievements to date from the action plan in the Leisure and Culture Strategy 2001-2005. The report also highlights the need to commence preparation for a new leisure and culture strategy in May 2005.

5.2 The Executive recommend that the Council:

- (1) Note the actions and achievements in the Leisure and Culture Strategy 2001 - 2005.**
- (2) Agree to the Head of Community Services starting consultations for a new Strategy in May 2005.**

6. SPELTHORNE PAY 2005/2006

6.1 The Executive has considered a report making recommendations to Members on Spelthorne Pay 2005, in the context of the national pay agreement 2004/2005, the local pay pilot, the pending national pay and grading review and a number of local recruitment and retention issues.

6.2 The Executive recommend that the Council:

- (1) Agree that Spelthorne Pay is continued for 2005/2006.**
- (2) Agree an overall increase of 3.45% on the 2005/2006 Salary Budget to include 3.25% for all Spelthorne staff with effect from 1 April 2005, and the remaining 0.20% ring-fenced for recruitment and retention purposes.**
- (3) Note the comments of Unison set out at Appendix 1 to the report of the Chief Executive.**

7. COUNCIL TAX SECOND HOME DISCOUNTS

7.1 The Executive has considered a report advising Members that the Local Government Act 2003 provides Local Authorities with the power to prescribe classes of dwellings for which a billing authority may either reduce or remove council tax discounts.

7.2 The Executive recommend that the Council agree to the reduction of 40% council tax discount for properties defined in class A and B of section 11A of the Local Government Finance Act 1992 to a discount of 10%.

8. IMPLEMENTING ELECTRONIC GOVERNMENT [IEG] RETURN 2004

8.1 The Executive has considered a report advising Members that the Borough Council is required by the Office of the Deputy Prime Minister [ODPM] to summarise Spelthorne's plans and progress in Implementing Electronic Government. This requires an on-line return of the IEG Return 2004 to the ODPM by their deadline of 20 December 2004 and the contents must be approved by the Council.

8.2 The Executive recommend that the Council:

- (1)** Note the progress that is being made with the implementation of electronic government in Spelthorne.
- (2)** Note the authorisation granted by the Executive to the Strategic Director (Support) to agree the final details of the Implementing Electronic Government Return 2004, in consultation with the Portfolio Holder for Corporate Services.

9. ADOPTION OF PART VIII OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED BY THE LOCAL GOVERNMENT ACT 2003

[Recommendations from the Special Executive on 16 December 2004 - TO FOLLOW]

10. LICENSING POLICY STATEMENT 2004-2007

[Recommendations from the Special Executive on 16 December 2004 - TO FOLLOW]

Councillor Frank Davies
Leader of the Council

16 December 2004

RECOMMENDATIONS OF THE EXECUTIVE

9. ADOPTION OF PART VIII OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED BY THE LOCAL GOVERNMENT ACT 2003

- 9.1** The Executive has considered a report seeking Members approval on recommending to the Borough Council that they adopt the provisions contained in the Local Government (Miscellaneous Provisions) Act 1982, as amended, to enable the Borough Council to make Byelaws to control acupuncture, tattooing, body piercing and electrolysis within its area.
- 9.2** **The Executive Recommend that the Council agree to adopt sections 14 to 17 inclusive of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 120 and Schedule 6 of the Local Government Act 2003), subject to:-**
- 1. All costs relating to management inspection and enforcement of any proposed Bye-laws being recoverable;**
 - 2. The Officers investigating and reporting back to the Licensing Committee as to whether the Council may recover all of the costs of administering this legislation under the new discretionary charging powers; and**
 - 3. In the event of the costs incurred not being recoverable the matter be reported back to the Licensing Committee with a full financial breakdown of the costs involved.**

10. LICENSING POLICY STATEMENT 2005-2008 – THE LICENSING ACT 2003 – ADOPTION OF STATEMENT OF LICENSING POLICY 2005-2008

- 10.1** The Executive has considered a report seeking Members approval on recommending to the Borough Council that they adopt the Spelthorne Borough Council's Statement of Licensing Policy 2005-2008.
- 10.2** **The Executive Recommend that the Council endorse the Licensing Policy as set out in Appendix A of the Report of the Strategic Director (Community), subject to:-**
- 1. The Head of Corporate Governance looking at Paragraph 3.5 (page 8), to determine whether the statement made is in accordance with the Guidance issued by the Secretary of State for Culture Media and Sport under Section 182 of the Licensing Act 2003; and**
 - 2. The Head of Corporate Governance redrafting paragraph 6.18 (page 13) to reflect the intention of the Guidance issued by the Secretary of State for Culture Media and Sport under Section 182 of the Licensing Act 2003.**

Councillor Frank Davies
Leader of the Council

16 December 2004

RECOMMENDATIONS OF THE STANDARDS COMMITTEE

1. INDEPENDENT MEMBER APPOINTMENTS

- 1.1 The Committee considered arrangements for future appointments of independent or non-elected members to the Standards Committee, particularly as Mr Chris Tamlyn had indicated he would be stepping down from his role at the end of this municipal year.
- 1.2 In considering the arrangement the committee had regard to the requirements of the various regulations that needed to be met in relation to the size and composition of standards committees and on appointments of independent members of a standards committee including establishing a selection panel.
- 1.3 The committee noted that the period of appointment for independent members was not covered in the regulations but felt there was an advantage to the Council if future appointments were staggered to allow continuity/retention of experience and expertise amongst the independent members. The committee supported a four-year term from the next annual meeting to replace Mr Tamlyn and for my appointment as the other independent member to be confirmed for a further two year until the annual meeting in 2007.
- 1.4 The committee supported the placing of an advert in one of the local newspapers, in the Borough Bulletin and on the Council's website inviting applications to serve as an independent member and act as vice chairman of the committee with a view to an appointment being made with effect from the next annual council meeting.

2. RECOMMENDATION

- 2.1 **The Standards Committee recommend to the Council:**
 - (a) **That the arrangements proposed for the advertising and selection of Independent non elected Members of the Standards Committee as outlined in the report of the Monitoring Officer including the person specification be approved. The person specification be used at the interview and not circulated with the application pack;**
 - (b) **That a Selection Panel of four members, comprising the two Group Leaders or their nominated representatives, one further member nominated by the Conservative Group Leader, and the Chairman or Vice-Chairman of the committee, as appropriate assisted by the Monitoring Officer, be appointed to consider any applications received and make recommendations on appointment to the Council;**
 - (c) **That one Independent Member be appointed to replace Mr Tamlyn for a term of four years from the Annual Council in 2005 and the appointment of Mr Murray Litvak, as Chairman, be agreed for a period terminating on the day before the Annual Council in 2007, and**
 - (d) **That thereafter the terms of appointment for the independent Members be staggered and any subsequent appointments other than casual vacancies, be for terms of four years.**

REPORT OF THE LEADER OF THE COUNCIL ON THE WORK OF THE EXECUTIVE

Since my previous report to the Council, the Executive has met on three occasions. This report is an overview of the main items considered on 11 October, 9 November and 7 December 2004 and sets out a brief summary of some of the more significant issues we have been discussing. We have made recommendations to the Council on ten matters, which appear in a separate item on this Agenda.

ISSUES INCORPORATING ALL 4 CORPORATE PRIORITIES

POWERS TO TRADE AND CHARGES FOR DISCRETIONARY SERVICES - We have considered a report advising Members of the provisions contained in the Local Government Act 2003 relating to the new trading power available to best value authorities with a CPA rating of fair and above, and advising on the powers available to local authorities to charge for discretionary services. We have endorsed an Officer Working Group being set up to consider how the Council may utilise this power and agreed that a report on the Group's findings will be reported to a future Executive meeting.

MAKING SPELTHORNE A BETTER PLACE

REVIEW OF EMPTY HOMES OFFICER POST – We have considered a report updating Members on progress in relation to the work of the Empty Homes Officer and the issue of tackling empty homes, in accordance with the Council's Empty Homes Strategy 2004-2007. We have agreed that the post of Empty Homes Officer be extended for twelve months, to May 2006, and be further reviewed in November 2005.

THE SOUTH EAST PLAN: SUB REGIONAL STRATEGY FOR THE CENTRAL ARC - We have considered a report updating Members on progress with the South East Plan and particularly the Sub Regional Strategy for the Central Arc (formerly known as the London Fringe). The report also sought the agreement of Members on the formal comments to be made by Spelthorne on the Sub Regional Strategy. We have agreed to advise the South East England Regional Assembly [SEERA] and the Surrey County Council of the Council's views on requirements for the Central Arc Sub Regional Strategy as detailed in the report of the Strategic Director (Community), together with the additional comments reported to the Executive by the Director.

GOVERNMENT CONSULTATION ON PLANNING AND HOUSING IN THE REGIONS - We have considered a report providing the basis of Spelthorne's response to the consultation paper from the Government entitled "Housing and Planning in the Regions - September 2004". The report highlights in particular the need to consider the implications of the Government's proposed approach on Spelthorne. We have agreed to comment on the specific issues raised in the consultation and to endorse the recommended responses to the Government's Consultation, by the deadline of 30 November 2004, as set out in the report of the Strategic Director (Community).

MAKING SPELTHORNE SAFER

PEST CONTROL AND STRAY DOG COLLECTION CONTRACT – We have considered a report advising Members of the date of renewal for the current pest control and stray dog collection contract and seeking determination as to whether or not the Council should continue with this service. We have agreed that tenders are sought to both continue the pest control and stray dog collection service in Spelthorne and to provide a joint service with Runnymede and Elmbridge Councils. We have also authorised the Strategic Director (Community) to seek

tenders from interested parties for the renewal of the Pest Control and Stray Dog Collection Service.

HEALTH AND SAFETY AT WORK SERVICE PLAN ADOPTION – We have agreed to adopt the Spelthorne Health and Safety at Work Service Plan for 2004/2005. This document details how the health and safety law enforcement service will be carried out during 2004/2005 and assesses our performance against the Health and Safety Service Plan for 2003/20004.

Councillor Frank Davies
Leader of the Council

16 December 2004

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 by the Committee.

1. MATTERS ARISING FROM THE MINUTES

- 1.1. As you know since becoming Chairman of this committee I have introduced matters arising from the minutes and this time the committee received briefing papers on two issues. The first was on the outcome of discussions that the Committee had asked the Head of Financial Services to have with our External Auditors, Baker Tilly, in respect of the separation of duties for the processing of invoices. The second matter was a response to a question raised by Councillor P.R. James on how the Health and Safety Act applied to members of the public now that the Council's new rubbish collection service was operational. The committee were satisfied with the responses received.

2. FINANCIAL MONITORING REPORTS

- 2.1. The Committee discussed two monitoring reports. One covered the financial position of the New Schemes Fund as at 31 March 2004 with a balance of £3,386,637(Capital) and £3,057,973 (Revenue). The Committee noted that by 2008 the Capital element of the fund would be exhausted but would leave approximately £3 million in the Revenue account.
- 2.2. The second report covered the General Fund budget and outlined the current position of actual expenditure against budget for the second quarter of the financial year up to 30 September 2004.

3. ANNUAL AUDIT AND INSPECTION LETTER 2003/2004

- 3.1. Andrew Lovett from the Council's External Auditors, Baker Tilly, and Paul Chambers from the Audit Commission attended the meeting to talk on the document which summarised the conclusions and issues arising from our recent audit and inspections. The three main areas covered involved auditing the accounts, reviewing the financial aspects of corporate governance and reviewing aspects of performance management.
- 3.2. Paul Chambers from the Audit Commission congratulated us on achieving 'Excellent' CPA rating for the way we serve our local community. In sustaining this level of performance the committee discussed 'what we are doing' to maintain this status. An example would be that it had been identified that we needed to make improvements on the way we approach waste reduction and managing waste in general. A Task Group was set up to look into assisting shaping the way forward in waste management and the findings have been forwarded to the Executive for consideration. Other mechanisms put in place to ensure we maintain standards are via Project Management, Best Value Reviews and continuing to be involved in Peer Challenges.
- 3.3. The committee endorsed the findings contained in the Letter and forwarded it to the Executive for consideration.

4. BEST VALUE REVIEW OF YOUNG PEOPLE

- 4.1. The Committee received a presentation from the Strategic Director (Community) on the outcome of the Best Value Review of Young People. The committee discussed the matter with the Director and were relatively pleased with the progress being made.

5. TASK GROUP ARRANGEMENTS

- 5.1. The committee received reports on the outcomes of two task groups one was to ensure that progress was made following the Best Value Review of Housing Services and the second was to assist in shaping the way forward in waste management. The committee supported the findings of both groups and which have been submitted to the Executive for consideration.
- 5.2. The task group relating to a review of the effectiveness of arrangements for security in Parks has been deferred for six months. This is mainly due to the delay in having the four PCSO's in post and a further six months would enable an effective assessment of the situation to take place.
- 5.3. I would like to take this opportunity to place on record my thanks to those members of the committee who have been involved in scrutiny via task groups for their hard work, diligence and commitment and for the productive contributions they have made in reviewing services to ensure we continually bring about the excellent services we all aim for.

6. PERFORMANCE INDICATORS

- 6.1. The Committee considered an analysis of the Council's performance against corporate targets and performance indicators for the period April to September 2004. The way the quarterly information was presented is continuing to fall in line with the areas covered by each of the Portfolio Holders (Adult and Elderly Services, Children and Young People Services, Corporate Services, Environment and Planning and Community Safety and Community Liaison) with each having a covering page giving a summary of the current position.

Councillor Frank Ayers

Chairman of the Performance Management and Review Committee **16 December 2004**

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

The Licensing Committee met on 3 November and a Licensing Sub-Committee met on 17 November, 2004 and considered the following items of business: -

LICENSING COMMITTEE 3 NOVEMBER 2004

**Response To Government Consultation On Draft Regulations Made Under The
Licensing Act 2003:**

The Committee considered and agreed a response to the draft regulations proposed under the Licensing Act 2003.

LICENSING SUB - COMMITTEE 17 NOVEMBER 2004

Applications for Licences To Drive Private Hire Vehicles:

The Sub-Committee considered two applications and granted Private Hire Driver Vehicle Licences to both applicants subject to conditions.

Councillor Robin Sider
Chairman of the Licensing Committee

16 December 2004

**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 applications considered by the Planning Committee at its meetings on 13 October and 10 November 2004. It also gives a brief update on planning performance figures.

1. The Planning Committee meeting on **13 October 2004** dealt with twelve items in total, including one enforcement item.

Public speaking took place on three of the items with a total of four people taking the opportunity for public speaking.

The most notable items on the agenda were:

- (a) The refusal of 41 flats at Station Garage, Station Approach, Shepperton;
- (b) The refusal of 14 no. two-bedroom flats at 22 Green Lane, Shepperton;
- (c) The approval for the creation of a swan sanctuary, with associated buildings, etc, at land off Fordbridge Road, Sunbury;
- (d) The refusal of 14 no. two-bedroom flats at 87-89 Cadbury Road, Sunbury;
- (e) The enforcement item related to the serving of an S215 Notice and Planning Contravention Notice at Elston House, Halliford Road, Shepperton.

2. The Planning Committee meeting on **10 November 2004** dealt with nine items in total.

Public speaking took place on four of the items with a total of eight people taking the opportunity for public speaking.

The most notable items on the agenda were:

- (a) The approval of 14 dwellings at the Stanwell Hall Hotel, Town Lane, Stanwell;
- (b) The approval of 28 flats for affordable use at land rear of 12-56 Cavendish Road, Sunbury;
- (c) The erection of three new dwellings at 34 Kenton Avenue, Sunbury;
- (d) Strong objections were raised to the continued use of land for recycling for a further five year period at Shepperton Quarry, Littleton Lane, Shepperton.

3. Other matters of interest

(a) Performance figures for speed of determining planning applications:

	Major applications (BVPI Target) (60% in 13 wks)	Minor applications (BVPI Target) (65% in 8 wks)	Other applications (BVPI Target) (80% in 8 wks)
2004			
January	40%	79%	98%
February	50%	69%	94%
March	0%	94%	94%
April	100%	88%	96%
May	100%	74%	99%
June	100%	71%	97%
July	100%	93%	94%
August	100%	85%	95%
September	75%	90%	96%
October	100%	81%	100%

(b) In terms of how this level of performance may affect the new round of Planning Delivery Grant (to be announced in February/March 2005), the following should be noted:

Planning Delivery Grant statistics

	Major	Minor	Other	PDG award
Jul 01/Jun 02	10%	59%	84%	£75,924
Oct 02/Sep 03	40%	63%	88%	£334,247
Oct 03/Sep 04	68%	78%	94%	Awaited

Members will be aware that the PDG award does not rest solely on the speed of determining planning applications, but includes other matters such as progress in developing our new Local Development Framework (LDF), success in defending planning appeals, progress in developing the electronic delivery of our services and the numbers of new homes completed.

In terms of our LDF, I can confirm that the submission of the first major stage in the process (known as the Local Development Scheme) was the first in the region (and possibly nationally). Consequently the announcement of the next round of PDG is eagerly awaited, although much will depend on the amount of weighting that the ODPM give to the different component aspects of the PDG for 2005/06.

Councillor Gerry Ceaser
Chairman of the Planning Committee

16 December 2004

REPORT OF THE CHAIRMAN ON THE WORK OF THE STANDARDS COMMITTEE

The Standards Committee has met once since the last Council meeting and this report gives an overview of the key issues considered by the Committee.

1. GUIDANCE ON GIFTS AND HOSPITALITY

- 1.1. The committee in its role of providing advice and guidance to members on issues relating to the Code of Conduct discussed and agreed guidance which it is hoped member will find useful in dealing with gifts and hospitality. The information has been placed in the ethical standards folder found on the members area of the Council's website.

2. CONSULTATION PAPERS ISSUED BY THE OFFICE OF THE DEPUTY PRIME MINISTER (ODPM)

- 2.1. The committee discussed two consultation papers issued by the Office of the Deputy Prime Minister (ODPM). The first was on a draft code of conduct for local government officers with comments being submitted by 19 November 2004. The committee noted the current position.
- 2.2. The second consultation paper requested views as to whether changes were required to the arrangements governing the political activities of local government employees. At this council 51 staff out of 340 are affected by political restrictions and include the Chief Executive, Directors and Heads of Service. The Committee have asked the Monitoring Officer to respond to this consultation as discussed at the meeting.

3. THIRD ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

- 3.1. The Committee received feedback from Councillor J.D. Pinkerton, myself and the Monitoring Officer on the outcome of Standards Board for England Annual Assembly, which was held on 13, and 14 September 2004. This year the conference focused on the Code of Conduct and how this could be developed to raise public confidence in local democracy.

4. LOCAL AUTHORITIES (CODE OF CONDUCT) (LOCAL DETERMINATION) (AMENDMENT) REGULATIONS 2004 – LOCAL INVESTIGATIONS

- 4.1. The Committee discussed the report of the Monitoring Officer outlining the amendments to the regulations governing local determinations into investigations of misconduct by Members, by allowing Monitoring Officers to investigate allegations referred to them by Ethical Standards Officers (ESOs). The committee at this stage have noted the new regulations which came into effect on 4 November 2004. The committee also noted that to ensure sufficient staffing resources were available to deal with local investigation matters the Monitoring Officer was exploring partnership arrangements with neighbouring boroughs and would be reporting the outcome back to the committee.

5. WORK PROGRAMME

- 5.1. The committee in prioritising its schedule of work for this year have agreed a work programme. The programme has taken account of the global review of the Council's Constitution by spreading over the work programme the various code and protocols contained in section 5 of the Constitution. The committee have also asked that training on how it will approach any allegations of breaches of the Code of Conduct referred to it be arranged as soon as possible.

6. INDEPENDENT MEMBER APPOINTMENTS

- 6.1. The Committee's recommendation on arrangements for the appointment of independent or non-elected members to the Standards Committee was considered earlier this evening.

Murray Litvak
Chairman of the Standards Committee

16 December 2004