

REVISED AGENDA ATTACHED WHICH REPLACES THE ORIGINAL AGENDA PUBLISHED ON 7 DECEMBER 2005.

[The main change is at Agenda Item 7 – Executive Recommendations – Additional Recommendation 4 – Appointment of Interim Chief Executive].

Time: 7.30pm

Place: Council Chamber

1 APOLOGIES FOR ABSENCE

To report apologies received from Councillors Mrs. P.C. Amos, Miss M.M. Bain, G.E. Forsbrey, M.T. Royer [Deputy Mayor] and Mrs. J.E. Ponton and to receive any other apologies for non-attendance.

2 MINUTES

To confirm as a correct record the Minutes of the Meeting of the Council held on 20 October 2005. (Attached at APPENDIX 1)

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, THE LEADER OR THE CHIEF EXECUTIVE

5 QUESTIONS FROM MEMBERS OF THE PUBLIC

Two questions have been received one from Mr. G.C. Leggett of 16 Springfield Road, Ashford about shopping development within the Borough and the second from Mr. Adrian Monk of 16 Croysdale Avenue, Lower Sunbury about the condition of the road surface outside his property.

The Leader or his nominee to answer any questions raised by members of the public (provided questions have been submitted in writing to the Chief Executive's office before Noon on the day of the meeting).

6 PETITIONS

To receive any petitions submitted to the Council. A petition has been received from residents of Stanwell about the possible closure of the Stanwell Centre.

7 RECOMMENDATIONS OF THE EXECUTIVE

To consider the recommendations of the Executive on the following matters:-
(Attached at APPENDIX 2)

Appendix 2 (revised)

1.Outline Budget 2006/2007 to 2009/2010

2.Audit Committee

3.Review of Delegations to Officers

4.APPOINTMENT OF INTERIM CHIEF EXECUTIVE

Note:Members of the public may make representations not exceeding 3 minutes on individual recommendations before they are discussed (provided notice of their wish to do so has been given to the Chief Executive's office before Noon on the day of the meeting).

8 REPORT FROM THE LEADER OF THE COUNCIL

To receive a report from the Leader of the Council on the work of the Executive. (Attached at Appendix 3)

9 REPORTS FROM THE CHAIRMEN OF THE LICENSING, PLANNING AND STANDARDS COMMITTEES

To receive the reports from the Chairmen of the Licensing, Planning and Standards Committees on the work of their Committees.
(Attached at Appendix 4 , Appendix 5 , Appendix 6)

10. MOTIONS

Under Standing Order 14 the Council has received Notice of the following Motion:

“This Council requests the Highways Agency to investigate, as a matter of urgency, vehicle speeds on the A.30 Trunk Road through this Borough.

We would further ask that measures are introduced as a matter of urgency to reduce the increasingly dangerous speeds being reached by vehicles on this road, highlighted by a recent event when a residential property set back from the road was seriously damaged by vehicles.”

Proposed by: Councillor John O’Hara
Seconded By: Councillor Mrs. D. Turner

11. QUESTIONS ON WARD ISSUES

A question on Ward Issues has been received from Councillor Robin Sider about irregular parking in Church Road Shepperton.

The Leader or his nominee to answer any questions from Members on issues in their Ward. (provided questions have been submitted in writing to the Chief Executive's office before Noon on the day of the meeting).

12. GENERAL QUESTIONS

The Leader or his nominee or relevant Committee Chairman to answer any questions from Members on matters affecting the Borough or for which their committee has responsibility (provided questions have been submitted in writing to the Chief Executive's office before Noon on the day of the meeting).

13. URGENT BUSINESS

To consider any urgent business.

14. EXEMPT BUSINESS

To move the exclusion of the Press/Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972.

15. RECOMMENDATIONS OF THE EXECUTIVE ON EXEMPT MATTERS [GOLD PAPER]

To consider the exempt recommendations of the Executive on the following matters:-

Appointment of Chief Executive

[Paragraph 1 – Information Relating to a Particular Employee]

[EXEMPT APPENDIX 7 - On secure area only)

Elmsleigh Centre Reconfiguration

[Paragraph 9 = Proposed Terms of a Contract]

[EXEMPT APPENDIX 8 - To Follow - on secure area only)

MINUTES OF THE COUNCIL MEETING HELD ON 20TH OCTOBER 2005

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 20TH OCTOBER 2005 AT 7.30PM**

Amos Mrs P.C.	Forsbrey G.E.	Ponton Mrs J.E.
Ayers F.	Grant Mrs D.L.	Royer M.T. (Deputy Mayor)
Bain Ms M.	Hirst A.P.	Searancke E.J.
Beardsmore I.J.	Hyams Mrs M.	Spencer Mrs C.L.
Bhadye S.	James P.R.	Strong C.V.
Ceaser G.S. (Leader)	Leighton Mrs V.J.	Trussler G.F.
Chouhan K.	O'Hara E.	Turner Mrs D.
Colison-Crawford R.B.	Paton J.M	Weston Mrs P. (Mayor)
Culnane E.K. (Deputy Leader)	Pinkerton Mrs J.M.	Wood-Dow Mrs J.M
Davies F.	Pinkerton J.D.	

Co-opted Member - Mr M. Litvak

Mrs P. Weston, Mayor, in the Chair

338/05 APOLOGIES

Apologies for absence were received from Councillors R.V. D'Sa, J.M. Fullbrook, H.R. Jaffer, Mrs J.B. Langridge-John, S.B.S. Lorch, Mrs I. Napper, J.D. Packman and R.W. Sider.

339/05 MINUTES

RESOLVED that the Minutes of the Meeting of the Council held on 21 July 2005 be approved as a correct record.

340/05 DISCLOSURES OF INTEREST

The Mayor, Councillor Mrs P. Weston disclosed a Personal Interest in Item 13 – Appointments to outside bodies as she was one of the Council's appointed Trustees of Ashford Relief in Need Charities.

341/05 ANNOUNCEMENTS BY THE MAYOR

Presentation of Church Lammas Award

The Mayor invited Mr Courts, General Manager, Group Planning and Development, from Brett Aggregates Ltd to introduce and present the Church Lammas Award to the Council.

Mr Courts explained that the Cooper – Heyman Cup was the mineral industry's premier restoration award and was presented annually by the Quarry Products Association (QPA) to the company providing the best example of restoration judged by an independent panel.

Church Lammas was worked for gravel during the early 1990s and restored as a wetland site in 1997 in accordance with the original planning permission. In 2004 Brett Aggregates Ltd developed the idea of a demonstration project to further enhance the restoration so that the site would offer opportunities for recreation for people with mental and physical disabilities.

The initiative was supported by, and involved extensive consultation with Spelthorne Borough Council. Between August and December a full range of facilities was built on site. This included:-

- new 2m wide paths suitable for wheelchair users and the visually impaired
- an interpretation board with Braille panel, descriptive text and raised relief depicting the layout and features of the site
- a bird hide suitable for wheel chair users
- two viewing platforms
- additional seating
- bird and bat boxes
- sensory planting

The site complements the adjoining Lammas Park and offers ready access to a very attractive wetland wildlife site where the interests of nature conservation and the needs of people with disabilities have been effectively met. To encourage visitors an information leaflet has been produced and made available through the Council and disability organisations.

Having won the Cooper – Heyman Cup, for a second successive year Bretts presented the Mayor with a framed certificate in recognition of this Council's involvement in the scheme.

The Mayor responded by saying that she was delighted to receive this certificate from Brett Aggregates Ltd as recognition of Spelthorne Borough Council's partnership at Church Lammas Nature Reserve. The scheme, with all its new facilities, would offer enjoyment for a great number people from Spelthorne, especially those with a disability, for many years to come.

The Mayor announced that her Charity Ball would take place on 25 February 2006 at Kempton Park in the Premier Suite, and that further details would be published in due course.

342/05 ANNOUNCEMENTS FROM THE LEADER

The Leader, Councillor Ceaser had no announcements to make but stated that he wished to be associated with the comments already made on the Church Lammas restoration project. He considered that if all companies were to restore to the same standard as Brett Aggregates Ltd, there would be fewer problems with gravel extraction.

343/05 AUDIT COMMITTEE

The Council considered a recommendation from the Executive on the establishment of a separate Audit Committee and its overall terms of reference. The Leader, Councillor G.S. Ceaser explained that the Executive would consider a further report on the issues of membership number and proportionality. A further recommendation

would be put before Council on 15 December 2005, with a view to establishing the Audit Committee in early 2006.

RESOLVED that the establishment of an Audit Committee be approved, with the following overall terms of reference:

‘The purpose of the Audit Committee will be to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority’s financial and non-financial performance to the extent that it affects the authority’s exposure to risk and weakens the control environment, and to oversee the financial reporting process.’

and that the detailed terms of reference and core functions of the Audit Committee in respect of audit matters would be:

- (a) To approve (but not direct) the internal audit’s strategy, plan and performance.
- (b) To review summary internal audit reports and the main issues arising, and to seek assurance that action has been taken where necessary.
- (c) To consider the reports of external audit and inspection agencies.
- (d) To consider the effectiveness of the authority’s risk management arrangements, the control environment and associated anti fraud and anti corruption arrangements. Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- (e) To be satisfied that the Authority’s assurance statements, including the Statement on Internal Control, properly reflect the risk environment and to take actions required to improve it.
- (f) To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- (g) To review the financial statements, external auditors opinion and reports to members, and monitor management action in response to the issues raised by external audit.

344/05 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor G.S. Ceaser, presented his report which outlined the matters the Executive had dealt with since the last Council meeting. Councillor Ceaser noted three matters arising from his report,

- The recommendation on the Primary Care Trust (PCT) configuration in Surrey and Sussex was for a single PCT for Surrey
- The relocation of the Stanwell Area Forum for November had not been possible but that the Spring 2006 meeting would take place at Stanwell Village Hall
- Although Councillor G.E. Forsbrey had been nominated to the Regional Environmental Protection Advisory Committee, the Surrey Local Government Association had appointed a member from Guildford Borough Council.

345/05 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. Councillor Hirst expressed his thanks to Councillor J.D. Packman and Councillor E.K. Culnane for their Chairmanship of the Best Value Review Panel on Community Engagement, and commended the Improvement Plan produced, which would be presented to the Executive in November 2005

346/05 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.

347/05 LICENSING COMMITTEE

The Mayor read a message from the Chairman of the Licensing Committee, Councillor R.W. Sider in which he expressed his grateful thanks to all of the Council's officers and staff involved in the processing of licensing applications, whether or not they came before the Sub-Committee and to Members on both sides of the Chamber who gave freely of their time during the many meetings held during the day, and in the evenings. The message also paid tribute to the Vice-Chairman of the Licensing Committee, Councillor J.D. Packman who was unwavering in his commitment. Councillor Sider considered that the teamwork shown in Spelthorne Borough Council in implementing the new legislation set a fine example for other Authorities to follow.

In the absence of the Chairman of the Licensing Committee, Councillor J.M. Paton, presented the report which outlined the matters the Licensing Committee had dealt with since the last Council meeting. Councillor Paton also expressed his thanks to staff and commended Victoria Monk, Trevor Baker and Kathryn Thomas for their hard work and assistance to the Sub-Committee.

Councillor P.R. James asked how many licensing applications were left to process to meet the Government's deadline. In the absence of Councillor Sider, the Head of Corporate Governance replied that the transitional period for making applications for licence conversions was now over and that all such applications had been dealt with. A small number of premises did not meet the deadline, and there were 2 or 3 of these left to be dealt with as new applications.

348/05 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor E. O'Hara, presented his report which outlined the matters the committee had dealt with since the last council meeting.

Councillor Mrs V.J. Leighton asked for comment on the result of the Appeals against the Council's refusals to grant planning permission on the Rodd Industrial Estate site. Councillor O'Hara noted that the Council's decision had been upheld on the applications for 111 units and 98 units. He commented that the objections of five local residents who objected to both appeals had been taken up by the Planning Inspector and incorporated into his decision. Councillor O'Hara considered that this factor stood as a beacon to local residents who might wish to object at a planning appeal. He agreed to make the report of the decision available.

349/05 STANDARDS COMMITTEE

The Chairman of the Standards Committee, Mr M. Litvak, presented his report which outlined the matters the Committee had dealt with since the last Council meeting.

Councillor C.V. Strong asked for assurance that the letter referred to in Item 5 of the report had been sent. Mr Litvak stated that all members would receive the letter shortly.

350/05 QUESTIONS ON WARD ISSUES

Under Standing Order 13 Councillor Mrs D. Turner asked the Leader of the Council, Councillor G.S. Ceaser the following question:

"A number of residents of Staines have expressed concern at Spelthorne Borough Council's interpretation of policy and guidelines for planning applications within Conservation areas. It has been said that in recent years there has been a deterioration in the quality, detail and accuracy of Conservation Officer's reports being presented to the Planning Committee. Would the Leader please investigate this observation and consider evaluation and improvement of our Conservation procedures at officer level".

The Leader replied, as follows: -

"The Council has for the past four and a half years employed an external consultant to give advice on proposals affecting Conservation Areas and Listed Buildings. The consultant is a qualified architect and has extensive experience in this type of work. He comes from a local authority background where he was employed at a senior level conservation section in a provincial city.

Our consultant is also retained in a similar capacity by Elmbridge and the Borough of Runnymede.

We have every confidence in his ability and the advice he gives to this Authority. I therefore do not believe any evaluation or improvement of our conservation procedures is required at this time."

351/05 GENERAL QUESTIONS

Under Standing Order 13, the Council had received the following question addressed to Councillor G.S. Ceaser, the Leader, from Councillor R.W. Sider:

" Can the Leader inform me of the current cost of hiring contractors to carry out gravestone safety testing as directed by the Government's Health and Safety Executive in Sunbury Cemetery, and the future cost of carrying out such testing in the Borough's other three cemeteries, namely Stanwell, Staines and Ashford and will the Council be reclaiming such costs incurred from central government, or will it be a charge to the Council tax payer, or those who are identified as owning the headstones."

The Leader replied, as follows: -

"Firstly, it should be noted that the guidance issued by the Health and Safety Executive is as a result of at least 21 serious accidents to members of the public, which included three fatalities over the last six years.

The cost of carrying out current works in Sunbury Cemetery is about £6000, which only includes making safe temporarily. Work is now being carried out to identify and contact the owners of memorials in Sunbury Cemetery so that a more permanent

solution can be found. If owners of the unsafe memorials are located they will be required to make the memorials safe. If the Council cannot contact the owners any costs of permanently ensuring the safety of the memorials will fall on the Council.

The Health and Safety Executive have recommended that memorials are safety checked every five years as part of an on going programme and costs will vary for a variety of reasons such as age of the memorial and standards of workmanship when it was put in situ. Staines was checked just over a year ago and cost £7,000. Ashford is scheduled for the next few weeks and Stanwell after that. We will then have to consider Closed Churchyard Cemeteries, which may present an additional cost. Once a check has been made in all cemeteries for which the Council has responsibility and has observed its immediate legal responsibilities, consideration will then be given to a five-year programme for the future.

It is the Council's responsibility to maintain Health and Safety standards in its property, including cemeteries, and it is unlikely that this money could be reclaimed from Central Government.

I do acknowledge that the work being carried out is sensitive, but in view of possible serious injury and fatalities, the Council has a duty that it must fulfill".

The Mayor and the Leader requested that the officers ensure that a written copy of this response was sent to Councillor Sider.

Under Standing Order 13, the Council had received the following question addressed to Councillor G.E. Forsbrey, the Portfolio Holder for Environment and Planning, from Councillor C.V. Strong:

"On Saturday October 15th I visited the Lammas and Laleham parks where car parking charges were introduced this year. At the Lammas I observed that the car parking ticket machines gave no indication that charges only apply between May and September. A sticker on the machines did refer users to a notice board that would show "terms and conditions". As far as I am aware no such notice board exists.

At Laleham Park in Abbey Drive a notice was affixed to the ticket machine advising users that the charges only applied between May and September. However the notice was of a temporary nature and could easily be removed.

Can the Council please tell me when permanent notice boards will be installed in both the Lammas and Laleham car parks to ensure that users are fully aware that charges only apply between May 1st and September 30th."

Councillor Forsbrey replied, as follows: -

"The ticket machines in Lammas and Laleham Parks are due to be removed from the car parks shortly and stored over the winter period for protection from the elements and vandalism. All the machines do state that they are currently "not in use" and any money put in falls directly through. The use of temporary signage providing details on the charging dates has been used as a temporary measure pending winter storage of the machines. Unfortunately, the car park signs within the borough are currently being vandalised at a high rate.

We are currently awaiting new signage for all our car parks and this will carry the necessary information with regard to charging and terms and conditions. There will, therefore, be permanent signage boards in the parks as part of the overhaul of signage in all the Borough's car parks.

In view of the current concerns, replacement temporary information has been displayed on the machines this week.”

352/05 APPOINTMENTS TO OUTSIDE BODIES

(a) Staines Parochial Charity

It was moved by Councillor G.S. Ceaser and seconded by Councillor E.K. Culnane and

RESOLVED that Mr F.A. Willett be appointed as a Council Representative Trustee to serve on the Staines Parochial Charity for a further 4 years until 24 April 2010.

(b) Ashford Relief in Need Charities

It was moved by Councillor G.S. Ceaser and seconded by Councillor E.K. Culnane and

RESOLVED that Mrs Brenda Bartlett and Councillor Mrs Patricia Weston be appointed as Council Representative Trustees to serve on the Ashford Relief in Need Charities for a further 4 years until 16 October 2009.

353/05 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 involved the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated above.

354/05 LEISURE CENTRE PROCUREMENT

(Paragraph 9 - Proposed Terms of a Contract)

The Council considered the exempt recommendation of the Executive in relation to the Council’s leisure contract.

RESOLVED to approve the recommendations laid out and numbered 854 in the record of decisions of the Executive, held on 13 September 2005.

Mayor _____

15 December, 2005

RECOMMENDATIONS OF THE EXECUTIVE

1. **OUTLINE BUDGET 2006/2007 TO 2009/2010**

1.1 The Executive have considered a report on the Outline Budget covering the four-year period 2006/2007 to 2009/2010 and have noted that, subject to approval by the full Council, the first year would form the framework for the detailed Budget for 2006/2007. The report to the Executive sought recommendations to the Council on the approval of the Outline Budget, including the maximum expenditure level for 2006/2007, and sought guidance on the various options for a guideline Council Tax increase for 2006/2007.

1.2 **The Executive recommend that the Council approve the following:-**

- (1) **That the net budgeted expenditure for 2006/2007 be set at a maximum level of £13.587m.**
- (2) **That, in order to reach this level [see (1) above], the Strategic Director (Support) identify a package of options by which the budget can be balanced both in 2006/2007 and over the next 2 years of the Outline.**
- (3) **That the Strategic Director (Support) reports back to the next Executive on the Provisional Grant Settlement.**
- (4) **That, subject to the assumptions in the report of the Strategic Director (Support) being valid, a guideline Council Tax increase be set at 15%.**
- (5) **That the growth items totalling just over £1.6m, as shown at Appendix B to the report of the Strategic Director (Support), be supported for inclusion in the revenue budget 2006/2007.**

2. **AUDIT COMMITTEE**

[RECOMMENDATIONS FROM THE EXECUTIVE MEETING ON 13 DECEMBER 2005 - TO FOLLOW]

3. **REVIEW OF DELEGATIONS TO OFFICERS**

[RECOMMENDATIONS FROM THE EXECUTIVE MEETING ON 13 DECEMBER 2005 - TO FOLLOW]

Councillor Gerry Ceaser
Leader of the Council

15 December 2005

REVISED RECOMMENDATIONS OF THE EXECUTIVE

1. OUTLINE BUDGET 2006/2007 TO 2009/2010

1.1 The Executive have considered a report on the Outline Budget covering the four-year period 2006/2007 to 2009/2010 and have noted that, subject to approval by the full Council, the first year would form the framework for the detailed Budget for 2006/2007. The report to the Executive sought recommendations to the Council on the approval of the Outline Budget, including the maximum expenditure level for 2006/2007, and sought guidance on the various options for a guideline Council Tax increase for 2006/2007.

1.2 **The Executive recommend that the Council approve the following:-**

- (1) That the net budgeted expenditure for 2006/2007 be set at a maximum level of £13.587m.**
- (2) That, in order to reach this level [see (1) above], the Strategic Director (Support) identify a package of options by which the budget can be balanced both in 2006/2007 and over the next 2 years of the Outline.**
- (3) That the Strategic Director (Support) reports back to the next Executive on the Provisional Grant Settlement.**
- (4) That, subject to the assumptions in the report of the Strategic Director (Support) being valid, a guideline Council Tax increase be set at 15%.**
- (5) That the growth items totalling just over £1.6m, as shown at Appendix B to the report of the Strategic Director (Support), be supported for inclusion in the revenue budget 2006/2007.**

2. AUDIT COMMITTEE

2.1 The Executive have considered a report on the size, composition and need for independence of the Audit Committee, taking account of the CIPFA Practical Guidance on Audit Committees.

2.2 **The Executive recommend to the Council:-**

- 1. That, in accordance with Articles 6, 8 and 9 of the Council's Constitution, the size of the Audit Committee, as established by the Council on 20 October 2005, should be 7 voting members.**
- 2. That, pursuant to the requirements of Section 15 of the Local Government and Housing Act 1989 [in particular Section 15(4)], the representation of the different political groups on the Audit Committee should be Conservative 6 seats and Liberal Democrat 1 seat.**
- 3. That the Group Leaders be requested to notify the Chief Executive of the nomination of Members to serve on the Audit Committee, based on the allocation of seats at recommendation 2. above and the guidance on the independence of the Committee at 4. below.**
- 4. That the Council's Constitution be amended, in particular to reflect that the Audit Committee is independent of the executive and scrutiny functions.**

The amendment to the Constitution to specify that the proposed membership of 7 voting members on the Committee should not include more than one member of the Executive or the Overview and Scrutiny Committees and in particular that the Chairman should not be a member of the Executive.

3. REVIEW OF DELEGATIONS TO OFFICERS

- 3.1 The Executive have considered a report seeking authority from the Council to update the Scheme of Delegations to Officers to reflect changes in legislation and updates to current working practices.
- 3.2 **The Executive recommend that the Council approve the Revised Scheme of Delegations to Officers as outlined in the Appendix to the report of the Strategic Director (Support).**

4. APPOINTMENT OF INTERIM CHIEF EXECUTIVE

- 4.1 The Executive have considered an urgent report seeking the approval of Council on the appointment of an Interim Chief Executive and Head of the Paid Service for the period until a new appointment is made to this post, following the resignation of the present postholder, Karen Satterford, who is leaving this authority to become the Chief Executive of Wycombe District Council.
- 4.2 The appointment of an Interim Chief Executive will ensure that the Council continues to drive forward its policies and strategies and maintains its leadership capacity and focus on Spelthorne's continuous improvement agenda until such time as the Council appoints a new Chief Executive.
- 4.3 **The Executive recommend that the Council:-**
1. **Approve the appointment of Mr. Geoff Chilton as Interim Chief Executive and Head of the Paid Service until such time as a replacement Chief Executive is in post, subject to the terms of a contract to be agreed for this interim appointment.**
 2. **Approve the appointment of Tribal Resourcing to assist in the recruitment of the replacement Chief Executive.**

Councillor Gerry Ceaser
Leader of the Council

15 December 2005

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

This is my fourth report as Leader and since taking on that office the Executive has met on 6 occasions. This report is an overview of some of the more significant issues we have discussed at our meetings on 10 October and 8 November 2005.

We have made recommendations to the Council on five matters, which appear separately on this Agenda.

ISSUES INCORPORATING ALL 4 CORPORATE PRIORITIES

CPA FOR DISTRICT COUNCILS FROM 2006

We have approved the formal response to the Audit Commission consultation on proposals for Comprehensive Performance Assessment (CPA) of District Councils from 2006, as set out in Annex A to the report of the Chief Executive.

THE AUDIT OF THE FINANCIAL STATEMENTS 2004/2005

We have considered and endorsed a report presented by Andrew Lovett from Baker Tilly, the Council's External Auditors, on the Financial Statements 2004/2005, which the Auditors felt presented fairly the Council's financial position. We have noted that the Audit had gone well and there were no items for the Executive to consider for the 2004/2005 financial year and that the reporting deadline next year for the Council's 2005/2006 accounts had been brought forward and would be 30 September 2006.

THE KEY FINANCIAL SYSTEMS AND FINANCIAL GOVERNANCE REPORT 2004/2005

We have considered a report presented by Andrew Lovett from Baker Tilly, the Council's External Auditors, on the Key Financial Systems and Financial Governance Report 2004/2005. We have agreed that the Strategic Director (Support) reports back to Members (1) by April 2006 on progress made on actions recommended by Baker Tilly [at Appendix A to their report] for implementation within 3 months and within 3 to 6 months, and (2) by October 2006 on actions recommended [at Appendix A] for implementation within 12 months.

LEASES OF OFFICES AT KNOWLE GREEN, STAINES

We have approved the granting of two leases to Surrey County Council and the grant of a lease to the Surrey Community Development Trust for the use of office accommodation at the Council's Offices at Knowle Green, Staines.

MAKING SPELTHORNE SAFER / IMPROVING CUSTOMER SATISFACTION WITH SPELTHORNE'S SERVICES

ASSET MANAGEMENT PLAN AND CAPITAL STRATEGY

We have considered a revised Asset Management Plan to cover the three years period from 2005 – 2008. The Plan, which will be updated annually to reflect current circumstances, was also accompanied by a new Capital Strategy to cover the same period. We have adopted the

Asset Management Plan 2005-2008 and the Capital Strategy 2005-2008, as set out at Appendices 1 and 2 to the report of the Strategic Director (Support).

MAKING SPELTHORNE A BETTER PLACE / IMPROVING CUSTOMER SATISFACTION WITH SPELTHORNE'S SERVICES

LIVEABILITY FUND (PARK LIFE) UPDATE

We have considered and endorsed an update on the ongoing capital improvements in all six Liveability Parks and have noted that expenditure is currently on target to be fully utilised and projects are all on programme and target for completion. Members have also noted the new format of the new Project Highlight report, that the programme is set in phases and that at each stage there has been close consultation with Parks users and the local communities.

We have conveyed the thanks of the Executive to Catherine Munro, the Project Manager for the Liveability Fund [Park Life] project, for her exceptional hard work towards the success of the project.

COMMUNITY ENGAGEMENT BEST VALUE REVIEW IMPROVEMENT PLAN

We have considered the recommendations of the Improvement and Development Committee on the outcome of the Community Engagement Best Value Review and have agreed for immediate implementation (1) the Community Engagement Best Value Review Improvement Plan and (2) the Officers' Improvement Plan, both attached as Appendix 1 to the report of the Strategic Director (Community).

NEIGHBOURHOOD AGENDA

We have considered a report on the development of a neighbourhood agenda in Spelthorne, including a Wards or neighbourhood approach to community engagement, how partners might be involved, the role of Members, funding of an action plan and the capacity and resource issues.

We have agreed the principle of a local agenda based around Wards or neighbourhoods as set out in the report of the Chief Executive, we have endorsed the illustrative draft programme of key dates as set out in the Appendix to the report, and have agreed the financial implications including staffing as set out in the report.

SOUTH EAST PLAN – DISTRICT LEVEL HOUSING DISTRIBUTION

We have considered a report on the draft South East Plan submitted to the Government earlier this year including housing allocations down to sub regional level. The final element was the distribution of housing provision to individual Districts, which was the subject of the latest consultation on the Plan. There were three options for housing distribution, a preferred option and two alterations. Under the preferred option Spelthorne's allocation was 3,000 dwellings (2006 - 2026), or 150 dwellings per year.

The report recommended a formal response to the consultation on the distribution of housing provision to individual Districts. We have approved a formal response to the consultation, based on the draft at Appendix A to the report of the Strategic Director (Community), subject to amendments agreed by the Executive, including strongly emphasising the need to protect the Green Belt within the Borough of Spelthorne and the need for the housing distribution to be fair

and equitable in relation to the size of the Borough as compared to other Districts within the County and those elsewhere in the South East Region.

HEATHROW INTERIM MASTER PLAN

We have considered a report on the BAA Heathrow interim Master Plan published for consultation purposes. The Plan outlines proposals for future development of Heathrow Airport and included a safeguarding plan for a third runway.

The report recommended a formal response to the consultation on the BAA Heathrow interim Master Plan. We have agreed a formal response to the consultation on the interim Master Plan based on the draft at Appendix A to the report of the Strategic Director (Community).

SURREY'S LOCAL AREA AGREEMENT

We have supported the themes identified by Surrey in the draft Local Area Agreement, as set out in Annex 1 to the report of the Chief Executive, in anticipation of the Surrey Districts being asked to formally support Surrey's Local Area Agreement in December 2005.

PERIODIC ELECTORAL REVIEW

We have considered a draft response to the Electoral Commission's consultation paper on their evaluation of how Periodic Electoral Reviews were undertaken. The consultation paper evaluates the policies and processes used to guide electoral reviews in England.

We have approved the recommended response to the Electoral Commission's consultation paper, as set out in the Appendix to the report of the Chief Executive, subject to adding wording to (1) give more emphasis to the need for the criteria for wards to recognise natural communities and community identity and associations and less emphasis to equality of representation and (2) to strongly support a revision to enable the name of a ward to be changed without the need for a review by The Boundary Committee for England.

SURRENDER OF LEASE WITH HERITAGE HOTELS FOR FIVE CAR PARKING SPACES WITHIN THE RIVERSIDE CAR PARK

We have authorised the Head of Asset Management to negotiate the surrender of the lease with Heritage Hotels for the five car parking spaces in the Riverside Car Park, Staines, in order to allow the spaces to either be put back into public use, subject to obtaining appropriate valuation and legal advice, including advice on the Council seeking a payment for the surrender.

ENGAGING YOUNGER PEOPLE IN SPELTHORNE

RESPONSE TO THE GREEN PAPER ON YOUTH MATTERS

We have agreed a formal response to the Government's Green Paper on Youth Matters based on the draft at Appendix 1 to the report of the Strategic Director (Community).

Councillor Gerry Ceaser
Leader of the Council

15 December 2005

**REPORT OF THE CHAIRMAN OF THE LICENSING
COMMITTEE ON THE WORK OF THE LICENSING COMMITTEE
AND LICENSING SUB-COMMITTEES**

There has been one Licensing Committee and three Sub-Committee Hearings under the Licensing Act 2003 since my last report, details of which are set out below.

LICENSING COMMITTEE - 2 NOVEMBER 2005

1. Licensing Act 2003 – Review of Transitional Period

The Committee reviewed the work carried out by Licensing Sub-Committees during the Transitional period and the issues which had arisen as a result. The Committee agreed measures to address these and improve the Council's own internal arrangements and those with its partners and the advice, information and service it provided to residents.

2. Licensing – Gaming and Gaming Machines on Alcohol Licensed Premises

The Committee considered and recommended to the Executive changes to the delegations to Officers to allow efficient administration of the required process following the transfer of functions relating to gaming and gaming machines on alcohol licensed premises from licensing justices to local authorities.

LICENSING SUB-COMMITTEE - 9 NOVEMBER 2005

The Sub-Committee considered and granted a Premises Licence to Greene King Brewing and Retailing Ltd in respect of The Phoenix, 43 Church Street, Staines, subject to modification and addition of conditions.

LICENSING SUB-COMMITTEE – 16 NOVEMBER 2005

The Sub-Committee considered and granted a Premises Licence to Mr A Yazdi in respect of Tops Pizza, 11 - 13 Church Street, Staines.

LICENSING SUB-COMMITTEE – 1 DECEMBER 2005

The Sub-Committee considered and refused the grant of a Personal Licence to Mr H.E.J. Ladlow.

Councillor Robin Sider
Chairman of the Licensing Committee

15 December 2005

REPORT OF THE CHAIRMAN ON THE WORK OF THE PLANNING COMMITTEE

The Planning Committee has met three times since the previous report was prepared for the Council meeting. This includes a re-convened meeting in November for items that could not be considered at the October meeting due to time considerations. This report therefore gives an overview of the key applications considered by the Planning Committee at its meetings on 12 October, 1 November (reconvened meeting) and 9 November.

1. The Planning Committee meeting on **12 October 2005** dealt with 10 items in total.

Public speaking took place on nine of the items with eleven people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- (a) the refusal of a block of 14 flats at 81-91 London Road, Staines.
- (b) the refusal of a block of 14 flats at 5A-7 Fairfield Ave, Staines.
- (c) the approval of planning permission and listed building consent for an extension to 59 Church Street, Staines.
- (d) the agreement to pursue enforcement action regarding unauthorised buildings and extensions at Greentree, Chertsey Bridge Road, Shepperton.

The meeting was adjourned in accordance with Standing Orders.

2. The re-convened Planning Committee meeting was held on **Tuesday 2 November 2005** and dealt with the seven remaining items from the agenda of 12 Oct. Public speaking took place with one person taking the opportunity to address the Committee.

The most notable items on the agenda were:

- (a) the refusal of a block of five flats at 230 Stanwell Road, Ashford.
- (b) the approval of the erection of a block of five flats at 434 Staines Road West, Ashford.

3. The Planning Committee on **9 November 2005** dealt with seven items in total. Public speaking took place on two items with two persons taking the opportunity to address the Committee.

The most notable items on the agenda were:

- (a) the raising of an objection to a consultation from LB Hounslow, for the operation of a motorcross facility at Bedfont Lakes Country Park.
- (b) the raising of an objection to a consultation from LB Hounslow for the operation of a clay target and our rifle shooting range at Bedfont Country Park.

APPENDIX 5

- (c) the deferral of an application seeking the temporary relaxation of a condition to allow 24 trading at the Tesco Superstore, Escot Road, Sunbury.

Councillor John O'Hara
Chairman of the Planning Committee

15 December 2005

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. MEMBERS CODE OF CONDUCT

1.1. The Committee discussed the progress being made by the Standards Board for England on the review of the Members Code of Conduct. It was noted that the Standards Board for England had published its recommendations to the local government Minister following consultation on the review of the Code of Conduct. A copy of the recommendations had been attached to the committee report. The main conclusions on how the code should be amended are set out below:

(a) General Conclusions

The Code should be clearer, simpler and more positive

How it is enforced, nationally and locally, is as important as its content

The ten general principles set out in the Relevant Authorities (General Principles) Order 2001 should be included as a standard to be attained.

(b) Personal and Prejudicial interests

- There should be greater support for the councillor's role as an advocate for their community
- There should be a reduction in the number of personal interests which need to be declared
- There should be greater local discretion to grant dispensations

(c) Register of Interests and register of gifts and hospitality

- The types of interests which need registering should remain unchanged

(d) Disrespect

- There should be a specific provision on bullying

(e) Disclosure of Confidential information

- Members should be able to disclose information in the public interest
- The Government needs to consider the impact of the Freedom of Information Act on confidentiality

(f) Disrepute

- Certain behaviour outside of official duties should continue to be regulated but is should be limited to unlawful activities

(g) Misuse of Resources

- Local protocols should be enforced locally where appropriate

- Serious misuse of resources, particularly for political benefit, should be regulated nationally
- (h) Duty to report breaches**
- The duty to report breaches should be abolished
 - There should be protection against intimidation where people do complain
 - All involved in the process, including members themselves, need to take greater steps nationally and locally to discourage vexatious complaints
- 1.2. The next stage of the process will be for the local government Minister to issue the government's response. It was understood that the government would be publishing its response by the end of November but this is still awaited.

2. ADJUDICATION PANEL HEARING – 20 OCTOBER 2005

- 2.1. The Committee noted the outcome of the Adjudication Panel hearing held on 20 October 2005. The Committee went on to discuss whether committee meetings should be recorded in the future and agreed that the Monitoring Officer would keep a watching briefing over the test recording of some committee meetings.

3. ANNUAL LETTER – LOCAL GOVERNMENT OMBUDSMAN

- 3.1. The Committee discussed the annual letter from the Local Government Ombudsman, which provides statistical information and summarises the complaints received on this authority. The Committee was pleased with the following comments contained in the letter: ' The Ombudsman reported that last year eleven complaints against the council was received and this was very few compared to the number of decisions the Council takes on behalf of residents each year'.

4. ANNUAL REVIEW OF THE CODE OF CORPORATE GOVERNANCE

- 4.1. The Committee considered the report on the review of the Code of Corporate Governance, which underpins the Council's Corporate Governance arrangements. The Code had been drawn up using guidance from CIPFA and SOLACE and demonstrated the accountability, integrity and openness of the authority's policies and procedures, together with the aims in relation to community focus and how those aims would be achieved.

5. WORK PROGRAMME

- 5.1. An informal workshop was arranged for members of the committee to meet with its supporting officers to give initial thoughts to the Committee's work programme for next year. I will be meeting up with the officers prior to the next meeting to draft a work programme for the committee to consider at the meeting on 24 January 2005.

Murray Litvak
Chairman of the Standards Committee

15 December 2005