

## **Council - 27 April 2006**

Time: 7.30pm

Place: Spelthorne Leisure Centre

### **1. EMERGENCY PROCEDURES**

The Mayor to advise all persons present at the meeting of the emergency evacuation procedures from the Main Hall at the Spelthorne Leisure Centre.

### **2. APOLOGIES FOR ABSENCE**

To report apologies received from Councillors S Bhadye and G.E Forsbrey and to receive any other apologies for non-attendance.

### **3. MINUTES**

To confirm as a correct record the Minutes of the Meeting of the Council held on 23 February and 2 March 2006 respectively.

### **4. DISCLOSURES OF INTEREST**

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

### **5. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A question on the Inquiry into the A244 Thames Crossing at Walton on Thames has been received from Mr. John Carruthers of Sherwood, Elmsway, Ashford and a number of questions have been received from local residents in relation to the Older People's Services and Spelride Review.

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 by 12 noon on the day of the Council meeting, including a petition in relation to the Older People's Services and Spelride Review.

### **7. RECOMMENDATIONS OF THE EXECUTIVE**

To consider the recommendations from the Executive meeting to be held on 25 April 2006 on the **Older People's Services and Spelride Review / Community Transport Best Value Review - APPENDIX 2**

Members of the public may make representations in person not exceeding three 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)**.

**AT THIS STAGE OF THE PROCEEDINGS, THE MAYOR WILL SEEK THE APPROVAL OF THE COUNCIL FOR THE MEETING TO BE ADJOURNED AND RECONVENED IN THE COUNCIL CHAMBER AT**

**THE COUNCIL OFFICES AT A CONVENIENT TIME LATER THE SAME EVENING.**

**Agenda - Re-convened Council Meeting**

**8. EMERGENCY PROCEDURES**

The Mayor to advise all persons present at the meeting of the emergency evacuation procedures from the Council Chamber at the Spelthorne Council Offices.

**9. ANNOUNCEMENTS FROM THE MAYOR, THE LEADER OR THE CHIEF EXECUTIVE**

**10. REVISIONS TO THE CONSTITUTION - MINOR CHANGES TO THE SCHEME OF DELEGATION IN RESPECT OF MAJOR PLANNING APPLICATIONS**

To advise the Council of revisions needed to the Council's Constitution to reflect proposed minor changes to the scheme of delegation in respect of major planning applications.

The report of the Strategic Director (Community) (**Attached at APPENDIX 3**) seeks authority to amend the Constitution, to incorporate the proposed minor changes to the scheme of delegation in respect of major planning applications.

**The Council is asked to approve the amendments to the Constitution in full.**

**11. RECOMMENDATIONS OF THE EXECUTIVE**

To consider the recommendations from the Executive meeting to be held on 25 April 2006 on the following matters:- (**APPENDIX 4**)

1. Draft Calendar of Meetings for 2007/2008 [To Follow]
2. Crime and Disorder Reduction Strategy Annual Report 2005/2006 and Actions 2006/2007 [To Follow]

Members of the public may make representations in person 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**).

**12. 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 5**)

**13. REPORT FROM THE CHAIRMAN OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE**

To receive the report from the Chairman of the Performance Management and Review Committee on the work of his Committee.**(Attached at APPENDIX 6)**

**14. REPORTS FROM THE CHAIRMEN OF THE LICENSING AND PLANNING COMMITTEES**

To receive the reports from the Chairmen of the Licensing and Planning Committees on the work of their Committees.**(Attached at APPENDICES 7 AND 8)**

**15. QUESTIONS ON WARD ISSUES**

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).**

**16. GENERAL QUESTIONS**

Councillor Robin Sider has given notice that he wishes to ask a general question about Council plans for `enforcement of issues covered by the Neighbourhood and Environment Act 2005.

The relevant Portfolio Holder to answer the above question and the Leader or the relevant Portfolio Holder or Committee Chairman to answer any other 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).**

**17. URGENT BUSINESS**

To consider any urgent business.

**MINUTES OF THE COUNCIL MEETING HELD ON 23 FEBRUARY 2006**

**BOROUGH OF SPELTHORNE**

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE  
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON  
THURSDAY 23 FEBRUARY AT 7.30PM**

Amos Mrs P.C.	Forsbrey G.E.	Ponton Mrs J.E.
Ayers F.	Grant Mrs D.L.	Royer M.R. (Deputy Mayor)
Bain Miss M.	Hirst A.P.	Searancke E.J.
Beardsmore I J	Hyams Mrs M.	Sider R.W.
Bouquet M L	Jaffer H.R.	Spencer Mrs C.L.
Ceaser G.S. (Leader)	James P.R.	Strong C.V.
Colison-Crawford R.B.	Leighton Mrs V.J.	Trussler G.F.
Culnane E.K. (Deputy Leader)	O'Hara E.	Turner Mrs D.
Davies F.	Pinkerton Mrs J.M.	Weston Mrs P. (The Mayor)
D'Sa R.V.	Pinkerton J.D.	

Co-Opted Members: Mr M. Litvak, Mr T. Davies

Councillor Mrs P. Weston The Mayor, in the Chair

**41/06 APOLOGIES**

Apologies for absence were received from Councillors S. Bhadye, K. Chouhan, J.M. Fullbrook, S.B.S. Lorch, Mrs M. Madams, Mrs I Napper, J.D. Packman, and J.M. Paton and Mrs J. Wood-Dow.

**42/06 INTERIM CHIEF EXECUTIVE**

The Mayor welcomed Mr Geoff Chilton, in his role as Interim Chief Executive, to his first meeting of the Council.

**43/06 MINUTES**

**RESOLVED** that the minutes of the meeting held on 15 December 2005 be approved as a correct record, subject to the Chief Executive confirming the accuracy of the wording of the supplementary question and response contained within Minute 432/05.

**44/06 DISCLOSURE OF INTERESTS**

All Members present declared that they had a personal interest in minute number 51/06 Members' Allowances – Report of the Independent Remuneration Panel under Section 4.1 of the Spelthorne Member Code of Conduct.

**45/06 ANNOUNCEMENTS BY THE MAYOR AND LEADER**

**ANNOUNCEMENTS BY THE MAYOR**

The Mayor thanked all Members who would be attending her Charity Ball on 25 February 2006, and those who had assisted her with preparations for this event. She announced that a sponsored walk around Virginia Water would be taking place on 19 March 2006. This event was being arranged for her by Fairfax Hairdressing of Laleham. She further announced that a Charity Dinner would be taking place at The Angler's Retreat, Laleham on 25 April 2006.

## **ANNOUNCEMENTS BY THE LEADER**

The Leader, Councillor Ceaser, announced that there would be a seminar for Members on 20 April 2006 on the outcome of the consultation for the review on Improving Older People's Services. Recommendations on this review would be discussed at the meeting of the Executive on 25 April 2006 and these would be brought before the meeting of the Council on 27 April 2006.

### **46/06 QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Mayor reported that under Standing Order 12, four questions had been received from members of the public. She invited each person to put their question in turn, and for responses to be given by the Leader or responsible portfolio holder. She confirmed that a written response would also be sent to the questioners.

#### **(a) QUESTION FROM MR OLLINGTON**

"A gantry has been erected at Sunbury Cross with a large illuminated advertisement. This has no planning approval and the Company, Decaux, has played with the Council to obtain years of advertising. Will the Council instruct its officers that any action or application by this company will be treated as in bad faith and take the strongest possible action immediately to correct any future breach of Planning Law? "

The Portfolio Holder for Environment and Planning, Councillor G.E. Forsbrey, responded as follows:

"We are aware of the issue relating to the advertising gantry at Sunbury Cross which was erected without proper authority. Mr Ollington referred the matter to the Council as a complaint on behalf of the Sunbury Common Residents Association and on investigation it was found that there had been undue delay in issuing a summons against the company. His complaint was upheld and an apology was offered to Mr Ollington on behalf of nearby residents. As a consequence of Mr Ollington's complaint the Council has now secured an agreement from the advertiser that it will remove the gantry on 18 March 2006. If it does not do so then the Council will reconsider its position on prosecution. The Head of Corporate Governance has written to Mr Ollington to confirm this.

As regards any future applications from the same advertiser, then the Council is not entitled to treat these as being made in bad faith. Each application brought to the Council has to be considered on its merits and there is no provision in planning law for the Council to look into the background of an applicant.

I would like to add, that the Council is aware of the need to ensure that developers cannot flout planning regulations and officers are working to ensure that better processes are in place so that the delays that occurred in this instance are not repeated."

#### **(b) QUESTION FROM MR CRABB**

"Given the assurances made by the Leader of the Council at the Benwell meeting on February 4<sup>th</sup> that no decision has yet been made regarding closing Day Centres in Sunbury and Stanwell, can he re-affirm his position on the Older Peoples' Review?"

The Leader responded to this question, and said,

“No final decision has been made and officers and Members are reflecting on and reviewing the proposals in the light of the communication and consultation process. A decision will be made at the Executive on 25 April 2006 and then a final decision by Full Council on 27 April 2006.”

**(c) QUESTION FROM MRS NICHOLLS**

“The government white paper entitled ‘Our health, Our care. Our say – a new direction for community services’ just published in January 2006 asks the Primary Care Trusts to work with local councils to combine health and social care opportunities. It specifically mentions community centres as appropriate locations for some types of primary healthcare and gives the promise that funding will be available.

This proposal offers potential financial respite for the council’s community centres. Bearing this in mind, a decision to dispose of Stanwell and Sunbury’s day centres would seem to be premature and contrary to government wishes. What options has Spelthorne Borough Council pursued with the PCT, and what other sources of funding has the council investigated with a view to preventing the closure of the day centres.”

The Leader of the Council responded to the question on the following lines:

“Decisions on closing any day centre have not yet been taken. The Council have been in discussion with Surrey County Council Social Services department and the PCT for four to five years. A group, led by the Chief Executive, and senior officers have been looking at opportunities to work together, including funding. The County does provide some funding at a subsidised level for people they wish to attend day centres, but not the full cost to us, to support services and this is mainly for those who have higher needs. Officers are continuing to look at different funding options as part of the final report to Executive on 25 April 2006.”

**(d) QUESTION FROM MR JOHNSON**

“Since the Asset Management Plan and capital Strategy has been adopted, I notice that in paragraph 8.39 mention is made that a developer has identified alternative uses for the day centre sites and the values they could attract.

I should like to know:

- a) Who is the developer?
- b) How was the developer chosen?
- c) What are the values estimated for each day centre?
- d) What development use has been identified for each site?
- e) Where can the developer’s report be viewed?”

The Leader responded, as follows,

“a) It was not a developer but a planning consultant and a valuer who carried out a piece of work on looking at alternative uses of all the sites. It is seen as

good practice to carry out an options appraisal on sites before taking forward a consultation.

The planning consultant was Paul Dickinson Associates.

The valuer was Campsie & Co

b) The consultant was appointed through our normal standing order procedures. A brief was prepared for him to act upon.

c) The estimated value is exempt business as it is commercially sensitive, but assuming 100% value, the sites are valued as follows:

Benwell 25%

Staines 23%

Fordbridge 19%

Greeno 16.5%

Stanwell 16.5%

d) The planning consultant was requested to look at housing options on each site, including retirement homes.

e) The planning consultant's report can be made available on request, but not the valuations report."

The Mayor thanked Mr Ollington, Mr Crabb, Mrs Nicholls and Mr Johnson for taking the time and trouble to attend the meeting and put their questions.

#### **47/06 PETITIONS**

The Mayor invited Mrs Barbara Morley of 43 Birch Grove, Sunbury, to present a petition concerning the Council's review for Improving Older People's Services in Spelthorne and to address the Council.

Mrs Morley presented the Petition, which the Mayor duly received, and outlined her reasons for it. She explained that she was speaking for herself and all other users of the Benwell Centre. The petitioners considered that the day centres kept the elderly active and independent, looked after their social needs and therefore saved costs elsewhere. She described the activities which were provided at the Benwell Centre, and the respite given to those with "higher needs" and their carers. She expressed concerns about accommodating Benwell users at the other day centres, and how the elderly might make the journey to them. She urged the Council most strongly to reconsider its proposal to close down the Benwell Centre.

The Petition would stand referred to the Executive.

#### **48/06 REVIEW OF CONSTITUTION**

The Leader proposed that the delegations and amendments requested in the report of the Strategic Director (Support) be accepted. Councillor Sider stated that a further issue had been raised on the Constitution at the Licensing Committee held on 22 February 2006, and was reassured that this would be brought to the attention of the Executive.

**RESOLVED** that the amendments to the Constitution be approved in full.

## **49/06 REVENUE BUDGET AND COUNCIL TAX**

The Council considered a report on the Council's net Revenue Expenditure Budget for 2006/2007, and the proposal for the Council Tax for 2006/07.

The Mayor referred members to the Budget Book [green cover] reflecting the decisions and recommendations made by the Executive on 7 February 2006 and the precepts being levied by Surrey County Council and the Surrey Police which had been circulated to all members.

The Mayor gave consent under Standing Order 16.4 for the budget speech of each of the Group Leaders to exceed five minutes but not to exceed 10 minutes. The Council subsequently agreed that the speeches could exceed ten minutes.

The Leader of the Council, Councillor G.S. Ceaser, made a statement on the Budget and Council Tax and moved the recommendations set out in the Budget Book (green cover). This was seconded by the Deputy Leader, Councillor E.K. Culnane. The Leader of the Opposition Group, Councillor C.V. Strong also made a statement.

A copy of the Leader's statement was made available for other Members, the press and public at the meeting and is **attached at [Appendix A](#)**.

### **RESOLVED:-**

1. That, in support of an increase of 13p per week (5%) in the Spelthorne element of the council tax for 2006/07, the following proposals be approved;
  - (a) the revenue estimates as set out be approved.
  - (b) An amount not exceeding £790,000 as set out in the report be appropriated from general reserves in aid of Spelthorne's local council tax for 2006/07.
  - (b) To note that the council tax base for the year 2006/07 is 39,510.10 calculated in accordance with regulation 3 of the local authorities (calculation of council tax base) regulations 1992, as amended, made under section 33(5) of the Local Government Finance Act 1992.
2. That an additional sum of £122k be taken from the new schemes fund to meet the up front costs of savings; the sum required for Performance Related Pay (PRP) to be taken from savings in 2005/06.
3. That the following amounts be now calculated by the council for the year 2006/2007, in accordance with sections 32 and 33 of the Local Government Finance Act 1992.

(a)	£41,227,405	Being the aggregate of the amount which the council estimates for the items set out in Section 32 (2)(a) to (e) of the Act
(b)	£29,881,055	Being the aggregate for the amounts which the Council estimates for the items set out in Section 32 (3)(a) to (c) of the Act.
(c)	£11,346,350	Being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
(d)	£5,500,440	Being the aggregate sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant or additional grant, increased by the sum which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax surplus) and increased by the sum which the council estimates will be transferred from its collection Fund to its General Fund pursuant to the collection Fund (Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 made on 7 <sup>th</sup> February 1994 (Community Charge surplus).
(e)	£147.96	Being the sum (c) above less the amount at (d) above, all divided by the amount at (c) above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

4. That the following amounts be now calculated by the Council for the year 2006/2007, in accordance with section 36 of the Local Government Finance Act 1992.

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
98.64	115.08	131.52	147.96	180.84	213.72	246.60	295.92

Being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the sum which in that proportion is applicable to dwellings listed in valuation band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different band.

5. That it be noted that for the year 2006/2007 that the Surrey County Council and the Surrey Police Authority have stated the following amounts in precepts issued to the council, in accordance with section 40, as amended, of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below.

Precepting Authority	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Surrey CC	644.46	751.87	859.28	966.69	1181.51	1396.33	1611.15	1933.38
Surrey Police	108.84	126.98	145.12	163.26	199.54	235.82	272.10	326.52

6. That having calculated the aggregate in each case of the amounts above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2006/2007 for each of the categories of dwellings shown below:

Valuation Bands							
A	B	C	D	E	F	G	H
£851.94	£993.93	£1,135.92	£1,277.91	£1,561.89	£1,845.87	£2,129.85	£2,555.82

**50/06 CAPITAL PROGRAMME 2006/2007 TO 2009/2010**

**RESOLVED** that the Capital Programme for 2006/07 to 2009/10 as set out in Appendix 1 of the Budget Book [green cover] be approved and that the Prudential Indicators as set out in Appendix 2 of the Budget Book [green cover] be agreed.

## 51/06 MEMBERS' ALLOWANCES

The Council considered the recommendation of the Executive to support the recommendations of the Independent Remuneration Panel appointed to consider Members' Allowances. The report from the Independent Panel had been circulated to all members of the Council.

### RESOLVED:

- (a) That with effect from 1st April 2006 the following allowances be paid:

<b>Basic allowance</b>	
Payable to all Members	£3732
<b>Special Responsibility Allowances</b>	
Leader	£8562
Deputy Leader	£5686
Other Executive members (4)	£2854
Chairmen of Overview and Scrutiny Committees (2)	£2854
Chairmen of Planning and Licensing Committees (2)	£2854
Opposition Group Leader	£2854

- (b) In recognition of 2005 as possibly a unique year for Licensing hearings, that for the financial year 2005/2006 an additional payment be made to the Chairman of the Licensing Committee of £1386 and to the Vice-Chairman of the Licensing Committee of £693 to reflect their contribution.
- (c) That the Panel will review the additional payments to the Chairman and Vice-Chairman of the Licensing Committee again in 12 months time, in light of the volume of activity and future on-going workload of the Licensing Committee and its Sub-Committees.

## 52/06 REVIEW OF THE OPERATIONAL ARRANGEMENTS FOR OVERVIEW AND SCRUTINY

**RESOLVED** that the recommendations of the Performance Management and Review Committee arising from the findings of the Task Group set up to review the operational arrangements for Overview and Scrutiny, as endorsed by the Improvement and Development Committee be approved, and that the necessary amendments to be made to the Council's Constitution to reflect the recommended changes to the operational arrangements for Overview and Scrutiny be agreed.

## 53/06 REPORT FROM THE LEADER OF THE COUNCIL

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

#### **54/06 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.

#### **55/06 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.

#### **56/06 AUDIT COMMITTEE**

The Chairman of the Audit Committee, Councillor M.L. Bouquet, presented his report on the inaugural meeting of the Committee. He stated that the Committee had considered its future Work Programme and had considered, in particular, a quarterly report on the work of Audit Services.

#### **57/06 LICENSING COMMITTEE**

The Chairman of the Licensing Committee, Councillor R.W. Sider, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting and the outcome of Appeals against decisions of the Licensing Sub-Committee brought in the Staines Magistrates' Court. He explained that an Appeal concerning the Blue Anchor premises in Staines had been postponed until June 2006 when it was scheduled for a hearing over one and a half days.

#### **58/06 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. On behalf of the Committee, he expressed thanks to John Silvester for his interim role as the Head of Planning and Housing Strategy prior to the arrival in post of Heather Morgan.

#### **59/06 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.

## **60/06 QUESTIONS ON WARD ISSUES**

Under Standing Order 13 Councillor P.R. James asked the Leader of the Council, Councillor G.S. Ceaser the following question:

"Can a statement be given on the accident last week in the Elmsleigh Shopping Centre. The statement to include

- (1) The cause of the accident.
- (2) How many persons were injured and their injuries.
- (3) The litigation that is bound to follow (Because I hear that some of the injuries were serious). Whom will this fall on? The council or contractors.
- (4) Finally I would imagine that the Health & Safety Executive will be bringing charges against some one, and that might involve the Council appearing in court.

The Leader replied, as follows,

"As Members will know the Council owns the head lease of the Elmsleigh Centre in Staines, but the Centre is occupied and operated by Clerical Medical who in turn sub lease to retailers. The Council was made aware that there had been an accident last week, and the information provided to us at the time indicated that four people were injured, one of them seriously. The accident occurred when a sizeable hoarding fell away from the renovation works at the Vision Express premises. At this stage no further detailed information is available on how the hoarding may have fallen. I understand that the matter is being investigated by the Health and Safety Executive. I am advised that there is no legal liability for the Council, since it is not in occupation of the building and it is not responsible for the building works at the Centre."

## **61/06 APPOINTMENTS TO OUTSIDE BODIES**

### **The Ashford (Middlesex) Sick or Needy Charity**

The Mayor expressed the sympathy of the Council on hearing of the death of Mrs Nellie M. Hunter, a long-standing appointee of the Council.

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

**RESOLVED** that Mr Terrance Colins be appointed as a Council Representative Trustee to serve on The Ashford (Middlesex) Sick or Needy Charity for a period of 4 years until 22 February 2010.

## **62/06 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, indicated below, of Part 1 of Schedule 12A of the Act indicated above.

**63/06 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 922 in the record of decisions of the Executive, held on 17 January 2006.

**MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 2 MARCH 2006  
AT THE SPECIAL MEETING OF THE SPELTHORNE BOROUGH COUNCIL  
HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE  
GREEN, STAINES ON THURSDAY 2<sup>nd</sup> MARCH 2006 AT 6.30PM**

Ayers F.	Forsbrey G.E.	Ponton Mrs J.E.
Bain Miss M.	Fullbrook J.M.	Royer M.R. (Deputy Mayor)
Bhadye S.	Grant Mrs D.L.	Sider R.W.
Beardsmore I J	Hirst A.P.	Spencer Mrs C.L.
Bouquet M L	Hyams Mrs M.	Strong C.V.
Ceaser G.S. (Leader)	Jaffer H.R.	Trussler G.F.
Chouhan K.	James P.R.	Turner Mrs D.
Colison-Crawford R.B.	Leighton Mrs V.J.	Weston Mrs P. (The Mayor)
Culnane E.K. (Deputy Leader)	O'Hara E.	Wood-Dow Mrs J.
Davies F.	Packman J.D.	

Councillor Mrs P. Weston The Mayor, in the Chair

**85/06 APOLOGIES**

Apologies for absence were received from Councillors Mrs P.C. Amos, Mrs I. Napper, and J.M. Paton.

**86/06 APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICES**

The Leader of the Council, Councillor G.S. Ceaser, outlined the procedure which the Appointments Committee had undertaken in reaching its conclusion. The Council considered the minutes of the Appointments Committee held on 21<sup>st</sup> and 22<sup>nd</sup> February, 2006 recommending the appointment of Mr Roberto Tambini, currently Deputy Chief Executive at Eastleigh Borough Council, for the post of Chief Executive and Head of the Paid Service. Mr Tambini was then invited to address the Council and take any questions raised by Members.

**RESOLVED** that the recommendation of the Appointments Committee be approved and Mr Tambini be appointed as the Council's new Chief Executive and Head of the Paid Service.

(Members requested that it be recorded that the motion was approved unanimously by all Members present at the meeting).

**87/06 TRIBAL RESOURCING – RECRUITMENT CONSULTANTS**

The Mayor, on behalf of all Members, placed on record the Council's appreciation to Mr Bob Gunning and Ms Mary Hope from Tribal Resourcing for the professional way they had dealt with the appointment, including assisting members with the interview process.

**88/06      THANKS TO OFFICERS OF SPELTHORNE**

The Leader, with the agreement of all Members, expressed his appreciation of the work undertaken during the appointments' process by Brian Harris, Assistant Chief Executive, and Jan Hunt, Head of Human Resources.

**RECOMMENDATIONS OF THE EXECUTIVE TO THE COUNCIL MEETING  
BEING HELD ON THURSDAY 27 APRIL 2006 AT 7.30PM  
AT THE SPELTHORNE LEISURE CENTRE**

**1. OLDER PEOPLE'S SERVICES AND SPELRIDE REVIEW**

- 1.1 The Executive has considered a report on proposals for the future model of personal social care services for older people in Spelthorne. After a fundamental review and extensive public consultation about the way older people's services are provided in Spelthorne, the Executive has considered these revised proposals, which have been amended from the initial ones in light of the feedback from the public consultation. It has agreed to recommend that the Council agree to target services on the more vulnerable in the community. That the Council plans to support individuals to be independent in their own homes as much as possible by:

Extending the meals on wheels service to seven days a week.

Expanding the Spelthorne Personal Alarm Network (SPAN) to include falls' detectors and using technology to detect abnormal events to support safer living at home.

Retaining Fordbridge (Ashford) and Greeno (Shepperton) Centres to include current facilities such as meals, hairdressing, chiropody, outings and introducing higher needs provision.

Retaining a Sunbury day centre for the community which will include an activity room, meals, chiropody and hairdressing within new extra care housing on the Benwell (Sunbury) Centre site to meet the needs of older people. The Citizens Advice Bureau to be relocated to Sunbury Library.

Working with the North Surrey Primary Care Trust on a feasibility study for constructing a new facility on the existing Stanwell Day Centre site which would include a new health centre, library and community café for older people.

Continuing to provide existing community activities on the first floor of the Staines Community Centre while franchising the café service to another organisation.

For Spelride, the priority will be to service the four day centres and Staines Community Centre as well as all the groups who currently use these buses to take them to activities around the Borough. The Dial-a-ride (taxi) service will, in future, operate between 11am and 2pm daily and will try and group bookings around popular destinations so as to optimise use.

The final options, proposals and recommendations to the Council are made in light of the public consultation on future services for older people in Spelthorne.

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

- 1. Endorse the approach of targeting services for the frailer, older person.**
- 2. Expand the Community Alarm Service (SPAN) to include falls detectors, room sensors.**
- 3. Extend meals on wheels services to seven days per week for critical**

- needs.
4. Retain Fordbridge and Greeno Centres, and their existing services, with some minor improvements and incorporate IT opportunities and a facility that can be used by visiting services, e.g. health / mental health / district nurse.
  5. Build extra care housing on the Benwell site in partnership with a specialist housing developer and Surrey County Council. This to include a community day centre with activity space, hairdressing, chiropody and hobby rooms. This area to be staffed and developed by the Council and to be linked with the Greeno Centre.
  6. In the interim whilst this facility is being built, agree to retain Churchill Village Hall for the older residents of Sunbury as a place to meet and participate in activities.
  7. Continue working with the North Surrey Primary Care Trust [NSPCT] on the feasibility study of building a new health centre / library and older people's community café on the Stanwell site with a report back to the Executive in October / November 2006. In the event of this not being achievable, further options will be investigated including the original proposal (affordable housing) detailed in this report. Interim provision will be provided in Stanwell.
  8. Franchise the café at Staines Community Centre, with a specification detailing that members receive a discount and that the operation is six /seven days a week. The Council will continue to operate the first floor for the community with the centre linked to the Fordbridge Centre.
  9. Introduce a membership fee for residents / non-residents from 2007/2008, with differential charges for residents / non-residents.
  10. Change the status of the charity at each centre to become "Friends of relevant day centre".
  11. Agree that all activity income and expenses to be the responsibility of the Council.
  12. Operate Spelride as proposed in paragraphs 3.1(p and q) of the report of the Strategic Director (Community).
  13. Agree to make available a supplementary capital estimate of up to £70,000 for facility improvements in year 2006/2007.
  14. Note that the Chief Financial Officer is required to report on significant variations from the approved budget. If the recommendations are approved, then the full year savings will be £40,000 less than the original assumption in the 2006-2007 budget. The Chief Financial Officer is comfortable that offsetting budget savings at this level can be found during the course of the current financial year.

Councillor Gerry Ceaser  
*Leader of the Council*

27 April 2006

## Agenda Item: 10 – APPENDIX 3

### REVISIONS TO THE CONSTITUTION - MINOR CHANGES TO THE SCHEME OF DELEGATION IN RESPECT OF MAJOR PLANNING APPLICATIONS

#### Resolution required

#### Report of the Strategic Director (Community)

## Executive Summary

The current scheme of delegation does not allow major planning applications which are unacceptable to be refused at officer level, with applications considered instead by the Planning Committee. A major application is one which is over 10 houses or provides over 1,000 sq.m commercial floorspace.

#### Main Issues

- Government sets BVPI's for meeting targets for dealing with applications. Target for ~~enr~~ majors is 60% in 13 weeks.
- The 'Majors' target is vulnerable to fluctuations in performance due to small number of applications. This needs to be stabilised and current achievements built on.
- All Major applications go to Planning Committee, including refusals. It is considered that a minor change on the focus of the committee would allow Members additional capacity to focus on those applications with greatest opportunity to 'add value' and deliver consistency in terms of meeting targets.
- Withdrawn applications affect the ability of the Local Planning Authority (LPA) to consistently meet and exceed government targets.
- The Chairman of the Planning committee would be informed of any potential delegated refusals to assess whether the application needed to be considered by Planning Committee.
- The fall back of member 'call in' would remain in place.

#### Options

- (a) To agree the proposed ~~minor~~ changes to the scheme of delegation in respect of major planning applications.
- (b) To leave the scheme of delegation ~~in respect of major planning applications~~ unchanged.

#### Corporate Priority:

Making Spelthorne a better place

#### Officer Recommendations:

Full Council ~~Executive~~ are asked to agree the change in the scheme of delegation in respect of refusals of major planning applications in order to allow Members to focus on those key decisions where value can be added.

## REPORT

### 1. BACKGROUND

The scheme of delegation regarding planning applications is a mechanism whereby authority to sign off applications at officer level is delegated by Members to certain senior officers. This is standard practice for all authorities, although the level of delegation does vary across councils.

The aim of the scheme of delegation is to allow Members to focus on those more contentious or controversial applications, where there is most opportunity for 'added value'. In addition, it allows committee to consider in more detail those applications which have generated most public comment. By their very nature, major applications are more likely to raise issues which require discussion and debate, including planning policies and other material planning considerations raised by the wider public.

### 2. MAIN ISSUES

- 2.1 Central Government has set best value performance indicators (BVPI's) which give LPA's targets for the speed with which they should determine certain types of applications. For the relatively straightforward applications (householder extensions) this is 80% in 8 weeks. For major applications, the period for decision making is 60% in 13 weeks. This latter is quite challenging, especially where legal agreements are involved.
- 2.2 Spelthorne Borough Council receives on average 15 – 20 major applications each year. As a result, every application which is in or out of time has a significant impact on the statistics. (This is acknowledged by central government but as yet the system is unchanged). A Strategy is being developed to ensure that performance in this area is further improved. One strand of the strategy is considering twin tracking of legal agreements and effective use of proformas/staff resources, and the other is looking at delegation.
- 2.3 These changes will assist officers in ensuring that we consistently meet and exceed government targets (which may well rise in future years) thereby ensuring the best opportunity for securing Planning Delivery Grant. Performance for determining majors has met government targets in the past, but it is considered we need to build further on current successes.
- 2.4 The current scheme of delegation means that every major application has to be considered by the Planning Committee, regardless of recommendation. It is fully appreciated that where the officer recommendation is for approval, Members will wish to discuss and debate the proposal, especially where there is an opportunity to add value to a scheme coming forward.
- 2.5 However, recommendations for refusal are also currently considered by committee. An assessment has established that Members have not overturned these recommendations in the past, and there is very limited opportunity for added value.

2.6 A number of recent major applications with a recommendation for refusal have been withdrawn by the applicant prior to committee. This has meant that Members have not had the opportunity to make comment. In addition, a withdrawn application does not count in terms of the government's statistical returns. As a result, there is additional pressure on officers to determine approvals within the 13 week period in order to ensure the government target is consistently met and exceeded.

**3. OPTIONS**

- (a) To agree the proposed ~~minor changes~~ to the scheme of delegation in respect of major planning applications.
- (b) To leave the scheme of delegation ~~unchanged in respect of major planning applications unchanged.~~

**4. PROPOSALS**

4.1 A relatively minor change to the scheme of delegation would enable recommendations for refusal to be dealt with at officer level:

<b>Delegations to Officers</b>	
"125. To refuse to grant planning permission for:	
(i) development in the green belt, or	Strategic Director (Community)
(ii) subject to no member representation received in writing within the specified call in period, major developments.	Strategic Director (Community) after consultation with the Chairman of Planning Committee

4.2 –The result would be to allow Members more opportunity to focus to those applications which have the greatest potential future impact on the wider community. However, it is recognised that there may be occasions when an application recommended for refusal should still come to planning committee. This would either be when the applications had raised significant public concern or was controversial. It is therefore suggested that before a major application is refused by officers under delegation, a discussion takes place between the Head/ Assistant Head of Planning and Housing Strategy and the Chairman of the committee as to the agreed course of action. This will act as a safeguard, and allow the Chairman to 'flag up' any applications which he considers committee needs to ~~make a decision on~~ discuss. In addition, the fall back position of Member 'call in' on any application would remain unchanged. However, in order not to frustrate the intentions of this proposal, I would recommend that any member wishing to call in a major application should consult first with the Head / Assistant Head of Planning and Housing Strategy.

4.24.3 Delegation of refusals at officer level will also have the benefit of improving the consistency with which we are able to meet and exceed government targets. This would assist in maximising PDG

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opportunities, which are significantly more substantial for majors category of development.

4.34.4 Where the scheme of delegation to remain unchanged, there would be less ability for consistent decision making within the timeframes. Additional pressure would be placed on officers (planning and legal) to deliver on other major applications within the 13 week period, where there is also a degree of reliance on the willingness of the applicant to adhere to deadlines. In addition, members will continue to receive committee reports where there is little opportunity to consider benefits to the wider community. Instead, the focus is on endorsing an officer recommendation.

## 5. FINANCIAL IMPLICATIONS

5.1 None to this report

## 6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS

6.1 None, other than the need to change the detailed wording of the scheme of delegation to this report.

## 7. RISK IMPLICATIONS

7.1 None to this report .

## 8. SUPPORT FOR CORPORATE PRIORITIES

8.1 Making Spelthorne a better place.

## 9. OFFICER RECOMMENDATIONS

9.1 Full Council are asked to agree the change in the scheme of delegation in respect of refusals of major planning applications in order to allow Members to focus on those key decisions where value can be added.

### Contact:

Heather Morgan, Head of Planning and Housing Strategy (01784) 446352

### Report Author:

Heather Morgan, Head of Planning and Housing Strategy (01784) 446352

### Portfolio Holder:

Councillor Gerry Forsbrey.

### Background papers:

Extract of current scheme of delegation.

**AGENDA ITEM 11 – COUNCIL MEETING 27 APRIL 2006**

**RECOMMENDATIONS OF THE EXECUTIVE**

**1. DRAFT CALENDAR OF MEETINGS FOR 2007/2008**

- 1.1 The Executive has considered a report seeking endorsement of a draft Calendar of Meetings for 2006/2007, covering the 12 months period from 1 June 2007 to 31 May 2008, for recommendation to the full Council for approval. Two versions were submitted one based on Borough Council Elections being held in May 2007 and the other on no elections in that year. The Executive requested that the draft Calendar(s), as submitted, be revised to reflect their request that not more than one meeting be scheduled on any one date in the 2007–2008 period in question to avoid any clashes of dates for Members.
- 1.2 **The Executive recommend that the Council approve for publication the draft Calendar of Meetings for 2007/2008, as amended, covering the 12 months period from 1 June 2007 to 31 May 2008. The draft Calendar, as attached at Appendix A to the report of the Chief Executive, has since the Executive meeting been amended and revised to reflect the request of the Executive that not more than one meeting for Members be scheduled on any one date in the 2007–2008 period in question to avoid any clashes of dates for Members.**
- 1.3 The revised draft Calendar will be circulated at the Council meeting for approval.

**2. CRIME AND DISORDER REDUCTION STRATEGY ANNUAL REPORT 2005/2006 AND ACTIONS 2006/2007**

- 2.1 The Executive has considered a report updating Members on progress made on actions for year one of the Spelthorne Crime and Disorder Reduction Partnership (CDRP) three-year strategy.
- 2.2 **The Executive recommend that the Council:-**
- (1) Note the report for Year 1 (2005/2006) of the Crime and Disorder Reduction Strategy.**
  - (2) Endorse the action plan for Year 2 (2006/2007) of the Crime and Disorder Reduction Strategy, as submitted, and receive further annual reports on the outcome of the plan.**
  - (3) Agree that the Surrey Safer and Stronger Communities Board be requested to include Borough/District Council Member representatives within its membership.**
  - (4) Agree that the Surrey Safer and Stronger Communities Board also be requested to review the allocation of funding to the Spelthorne Partnership to ensure a more equitable distribution based on overall crime levels and targets set by the Home Office.**

Councillor Gerry Ceaser  
*Leader of the Council*

27 April 2006



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

This is my sixth report as Leader and since taking on that office the Executive has met on 10 occasions. This report is an overview of some of the more significant issues we have discussed at our meeting on 7 March 2006.

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

#### **ISSUES INCORPORATING ALL 4 CORPORATE PRIORITIES**

##### **THE FUTURE OF LOCAL GOVERNMENT – PARTNERSHIP OPPORTUNITIES**

We have considered a report outlining recent developments affecting the future of local government and the opportunities to contribute proactively to the debate. In particular, we have focused on the need to address partnership working with neighbouring authorities, both as a means of improved effectiveness and efficiency to assist with budgetary pressures, and also in looking towards any reconfiguration of structures across Local Government in Surrey.

We have endorsed the approach outlined in the draft North Surrey Protocol for partnership working with neighbouring authorities and have agreed to engage more proactively in enhanced partnership working, particularly with other authorities signing the North Surrey Protocol.

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

##### **BRIDGE STREET CAR PARK PLANNING BRIEF**

We have considered a report on a draft Planning Brief for the Bridge Street Car Park Site. The Brief reviewed the appropriate uses which best met the needs of the Borough/Staines and it concluded that this should be residential with any public car parking required to be retained and the retention/re-provision or relocation of the Sea Scouts building. The Brief provided guidance on the design requirements of this very prominent and important gateway site into Staines Town Centre.

We have agreed the Brief for the Bridge Street Car Park Site as a statement of its planning requirements, pending a detailed report on public car parking needs, and for publication as a non-statutory planning document pending eventual adoption as a Statutory Supplementary Planning Document.

##### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PROVISION OF A HACKNEY CARRIAGE STAND IN STAINES BUS STATION**

We have considered a report seeking approval to place a Hackney Carriage stand in Staines Bus Station. Under the next phase of the Elmsleigh developments, there are currently no plans to replace the taxi ranks in the new development.

We have agreed the provision of the Hackney Carriage stand in Staines Bus Station to be sited as shown on the plan at Appendix A to the report of the Strategic Director (Community). We have further agreed that, if it not possible to retain the Hackney Carriage stand within Staines Bus Station under the next phase of the Elmsleigh developments, then the Officers would actively seek a suitable alternative location nearby, possibly in the feeder road or the South Street Car Park.

### **DECRIMINALISED PARKING ENFORCEMENT (DPE) – PROPOSED INTRODUCTION OF CONTROLLED PARKING ZONE (CPZ)**

We have considered a report examining the options for the possible introduction of Controlled Parking Zones (CPZ's), also known as Resident's Parking, in the Borough. We have agreed, in principle, that the Officers would investigate the viability of introducing Controlled Parking Zones in Spelthorne on a partnership basis with Surrey County Council. We have also requested that the Officers report back to the Executive at the earliest available opportunity, but not later than October 2006, on the financial implications of adopting such an approach.

### **HEALTH SERVICE RECONFIGURATIONS**

We have considered a report on the recommended formal responses to three major health service consultations, namely, (1) "Consultation on new NHS organisations in Surrey and Sussex: strategic health authority/primary care trusts"; (2) "Developing local healthcare in North Surrey" and (3) "Configuration of NHS ambulance trusts in England".

We have approved formal responses to the three major health service consultations, as set out in Appendices A, B and C to the report of the Chief Executive. We have also requested the Performance Management and Review Committee to look into the overall re-configuration of services between Ashford and St. Peter's Hospitals, in relation to, (1) what changes in services have taken place, (2) have the service changes been successful and how well have they been implemented, (3) what is the cost of the service changes, (4) what impact have the service changes had on Spelthorne residents and (5) what is the current state of the finances of the two hospitals.

### **MAKING SPELTHORNE A BETTER PLACE / ENGAGING YOUNGER PEOPLE IN SPELTHORNE / IMPROVING CUSTOMER SATISFACTION WITH SPELTHORNE'S SERVICES**

#### **RECOMMENDATIONS FROM THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE HELD ON 28 FEBRUARY 2006**

##### **(1) Youth Centres in Spelthorne**

We have expressed disappointment that the Borough Council has not been formally consulted by Surrey County Council on their consultation proposals involving the possible closure of four Youth Centres in Spelthorne, in particular as Engaging Younger People in Spelthorne is one of this Council's four corporate priorities. We have requested the Officers to arrange an urgent meeting with Surrey County Council for joint discussions on their consultation proposals and on a proactive review of the way the Youth Service is currently delivered within the Borough. The Spelthorne

representatives will discuss with the County, in particular, ideas on how in future the County Youth funding should be used more effectively within the Borough and on how to achieve more effective working arrangements between the two Councils.

### **(2) ICT Outsourcing Contract**

We have requested the Improvement and Development Committee to look **in confidence** at the way forward for the ICT Contract, covering the options to extend the current contract or to re-tender the service and to report back to the Executive on their findings in due course.

### **(3) Recycling and Refuse Collection Scheme**

We have requested the Improvement and Development Committee to consider the Recycling and Refuse Collection Scheme, after the Executive on 25 April 2006 has set the guidelines, principles and direction of travel, and to report back to the Executive on their findings in due course.

## **NEIGHBOURHOOD AGENDA – BETTER NEIGHBOURHOODS GRANT SCHEME**

We have considered a report proposing a system for Councillors to spend their allocated Ward budget, entitled the “Better Neighbourhoods Grant Scheme”, whereby all Members would have a budget each of £1,000 to spend on community projects within their Wards. We have agreed to run a pilot year of the “Better Neighbourhoods Grant Scheme” as set out in Appendix A to the report of the Chief Executive. A **provisional** date for the holding of a Members’ Seminar on the Neighbourhood Agenda is currently Thursday 4 May 2006 at 7.00pm in the Council Chamber.

## **LEISURE AND CULTURE STRATEGY**

**We have considered a report seeking agreement on the setting up by the Improvement and Development Committee of a Members' Task Group to support the development of the Leisure and Culture Strategy 2006 - 2011. We have agreed to the establishment by the Improvement and Development Committee of a Leisure and Culture Strategy Members' Task Group, which will include, as Chairperson, the Portfolio Holder for Children and Young People Services and four Members of the Improvement and Development Committee.**

## **PLAY STRATEGY**

**We have considered a report introducing the new Play Strategy and seeking approval for the adoption of the Strategy and its accompanying Improvement Plan. We have approved the Play Strategy as recommended and the Improvement Plan to develop services within Spelthorne. We have further agreed that the Play Development Officer and the Steering Group be designated to lead on the bidding for the appropriate funding from the big lottery fund.**

Councillor Gerry Ceaser  
*Leader of the Council*

**27 April 2006**

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

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

#### **1. FINANCIAL MONITORING REPORTS**

- 1.1. The Committee received two financial monitoring reports. The first covered the current budget monitoring position for both revenue and capital expenditure. The report took account of actual expenditure for the first nine months of the year, together with projections for significant known variations for the year.
- 1.2. The second report covered the New Schemes Fund, which provided an update on the progress and costs of schemes being financed from the fund. The report covered the fund's opening and closing balances, expenditure incurred and interest earned for the financial year 2006/2007 to the end of January together with known future commitments and estimated future interest earnings.
- 1.3. The committee have asked for a report to the next meeting on the latest position regarding the Memorial Gardens dispute.

#### **2. PRESENTATION ON SUPPORT SERVICES BEST VALUE REVIEW**

- 2.1. The Committee in receiving a presentation from the Head of Customer and E Government Services on the outcome of the Best Value Review of Support Services were pleased to note the progress made.

#### **3. TASK GROUP REPORT**

- 3.1. Councillor Mrs C.L. Spencer the Chairman of the Task Group set up to review the effectiveness of arrangements for security in parks reported on the recent changes that had further delayed the task group finalising its investigations. The Committee agreed to allow the Task Group to continue its work and report back to the committee once the new arrangements had been monitored for six months.

#### **4. PERFORMANCE INDICATORS**

- 4.1. The Committee considered an analysis of the Council's performance against corporate targets and performance indicators for the period April to December 2005.

#### **5. COMMITTEE WORK PROGRAMME**

- 5.1. The Committee agreed those items listed in the work programme for the meeting on 1 June 2006.

#### **6. ANY OTHER BUSINESS**

- 6.1. The Committee raised and discussed three issues. The first was on the arrangements being made to progress the older people services review. The second was on the need for a special meeting of this committee to be arranged to consider staffing matters. The final topic was on how the Council's constitution meets the needs of Portfolio Holders/Ward members who are not members of a committee, which they wish to attend and speak at, and the issue that arose at a recent Licensing Committee meeting.

## **7. SPECIAL MEETING OF THE COMMITTEE**

- 7.1. The special meeting to consider staffing matters took place on 27 March 2006. The committee received a presentation from the Head of Human Resources giving an overview of the current staffing situation and salary expenditure including posts funded by external partnerships and agencies. Councillor Ed Searancke, the Portfolio Holder for Corporate Services was in attendance to discuss the matter with members.
- 7.2. The committee recognised the future budget difficulties the Council was facing and asked for a further report on the approaches the Council would be taking to address this. The Committee asked for information from the Officers on any processes, with timescales, where action was being taken or was planned on measures to review staffing arrangements or otherwise contributed to the more effective and efficient provision of services. The committee also made recommendations to the Executive and I have included details of these in the paragraph below.

## **8. RECOMMENDATIONS TO THE EXECUTIVE**

- 8.1. The Committee made four recommendations to the Executive. The first arose from the committee's discussion with Councillor Mrs Grant, the Portfolio Holder for Children and Young People on progress made with the numerous initiatives under her portfolio. The Committee took the opportunity to discuss with her the proposals by Surrey County Council to close some of the youth centres in Spelthorne. The committee strongly objected to any youth centres in Spelthorne being closed and asked the Executive to support this view and forward objections onto Surrey County Council.
- 8.2. The second recommendation to the Executive came out of the discussion with the Head of Customer and E Government Services on the services provided by Steria under the ITC outsourcing contract and how the contract is monitored.
- 8.3. The Committee noted that the current contract was for a five year period from 1 January 2003 with an option to either extend for a further two years or to re tender the services. The committee recommended that the Improvement and Development Committee look at the way forward together with the options to extend the current contract or re tender the service.
- 8.4. The third recommendation to the Executive covered the recycling and refuse collection scheme. The Committee in discussing future options and key considerations for Spelthorne recommended to the Executive that the Improvement and Development Committee consider the matter.
- 8.5. The fourth recommendation came out of the special meeting held to discuss staffing matters. Part of the committees decision was to ask the Executive to clarify how and when the scrutiny committees might actively contribute to any review of priorities and particularly on their concern regarding staffing costs as part of the process in future years and where possible to be involved in the initial work towards the 2007/2008 budget.

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

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

A further Decision on an Appeal against a decision made by this Licensing Authority during the transitional period has been received, and details are given below.

#### **THE REVIEW PROCESS – A RESIDENTS’ GUIDE**

At its meeting on 2 November 2005, the Licensing Committee discussed measures to assist residents in making effective representations under the Licensing Act 2003. Subsequently, a focus group was arranged to gain the views of local people. As a result, I am pleased to report that a guide for residents on how to deal with problems at Licensed Premises and the Review Process has been published. An item on this matter appeared in the recent Borough Bulletin, and copies of the Guide have been sent to all Members. Copies have also been distributed to all Licensed Premises, Residents’ Associations and those individual constituents who made representations to the Licensing Authority during the transitional period. The Guide has also been published on the Council’s website

#### **LICENSING COMMITTEE - 22 FEBRUARY 2006**

The Licensing Committee considered a report on the provision of a Hackney Carriage Stand and advised the Executive of its view that the Taxi Stand in Staines Bus Station should be approved.

#### **LICENSING SUB-COMMITTEE – 9 MARCH 2006**

The Sub-Committee considered and granted a Premises Licence to Mrs Gurpreet Bhathal in respect of Station News, 3 Station Approach, Shepperton, subject to amendment of the hours for sale of alcohol and opening, and subject to modification by addition of conditions.

#### **APPEAL TO THE MAGISTRATES’ COURT UNDER SECTION 181 of the LICENSING ACT 2003**

#### **JUSTICES’ DECISION – 15 FEBRUARY 2006**

An Appeal had been made by Spirit Group Ltd against the Decision of the Licensing Sub-Committee for The Three Fishes Public House, 35 Green Street, Sunbury on Thames. As stated in my previous report, this Appeal was adjourned to allow the Licensing Sub-Committee to re-convene. The Appellant argued that the Sub-Committee’s Decision was against the weight of evidence, and that it had exceeded its powers in relation to conversion rights. On hearing the arguments the Magistrates decided to accept three of the four re-worded conditions, agreed by the reconvened Sub-Committee, and made other limited amendments based on technical legal

## **APPENDIX 7**

matters. The Magistrates stated that they fully supported the Council's efforts to address the licensing objectives "by restricting the hours for the sale of alcohol in the terms set out" in the Decision of the Licensing Authority on 13 September 2005, and that five other conditions imposed by the Sub-Committee were "proportionate".

Councillor Robin Sider  
*Chairman of the Licensing Committee*

**27 April 2006**

**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 1st March and 29th March 2006.

1. The Planning Committee meeting on **1st March 2006** dealt with nine items in total, including a High Hedges complaint.

Public speaking took place on two items with two people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- (a) The grant of permission for the removal of condition 4 (personal permission) at Richardson Roofing, Moor Lane, Staines.
- (b) The grant of permission for the erection of a detached house and garage and the creation of an access road to grazing land at rear on land adjoining 6 Wards Cottages, Stanwell.
- (c) The refusal of permission for roof alterations to convert a loft into a habitable room at 44 Clarendon Road, Ashford.
- (d) Approval to serve a remedial notice to require a number of trees to be cut down to 6m in height by the end of April 2006 at 145 Grovesnor Road, Staines

2. The Planning Committee meeting on **29th March 2006** dealt with five items. Public speaking took place on no items.

The most notable items on the agenda were:

- (a) The deferral of a planning application and application for conservation area consent at Turks Boatyard, Sunbury to request the removal of the residential mooring. The proposal was for the erection of a two storey extension to provide bed and breakfast accommodation, plus the conversion of existing building to live/work unit, creation of a new wet dock and change of use of commercial mooring to residential.
- (b) The refusal of permission at 15-17 Feltham Road, Ashford for the erection of a part two storey and part single storey extension including roof dormers.

3. **Other matters of interest**

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

## APPENDIX 8

	<b>Major applications (BVPI Target) (60% in 13 wks)</b>	<b>Minor applications (BVPI Target) (65% in 8 wks)</b>	<b>Other applications (BVPI Target) (80% in 8 wks)</b>
<b>2005</b>			
April	50%	68%	83%
May	50%	63%	87%
June	100%	78%	91%
July	100%	88%	91%
August	100%	72%	83%
September	None	67%	82%
October	50%	73%	65%
November	None	29%	80%
December	None	58%	77%
<b>2006</b>			
January	None	68%	75%
February	33%	62%	91%
March	50%	87%	87%

### (b) Planning Delivery Grant achievement

The ODPM have confirmed that Spelthorne Borough Council will receive a total of £360,235 in PDG this year.

In the December 2005 allocation, we received £231,695 for development control. We were not penalised for a poor appeals record and received £2,462.91 in recycled grant from authorities who had been affected. In the March 2006 allocation, we received £24,446 for online planning capabilities; £48,983 for housing considerations; £52,525.00 for plan-making. To account for changes to the PDG 2004/2005 performance data returns, a £124.00 upward adjustment will be made to the final payment.

Councillor John O'Hara  
*Chairman of the Planning Committee*

**27 April 2006**