

**Roberto Tambini
Chief Executive**

For this Council meeting, please telephone: Liz Phillis on (01784) 446276 or e-mail her at:
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13 February 2008

TO THE MEMBERS OF SPELTHORNE BOROUGH COUNCIL

SUMMONS TO MEETING

You are hereby summoned to attend the **Meeting of Spelthorne Borough Council to be held in the Council Chamber, Council Offices, Knowle Green, Staines on THURSDAY 21 FEBRUARY 2008 beginning at 7.30pm**, for the purpose of transacting the business specified in the Agenda **set out on the next page**.

ROBERTO TAMBINI
Chief Executive

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

PUBLIC SPEAKING IN PERSON AT COUNCIL MEETINGS

[For this Council meeting, please telephone Liz Phillis on (01784) 446276 or e-mail her at: l.phillis@spelthorne.gov.uk]

(1) Public Question Time

Public "Question Time" is near the start of Council meetings. This is an opportunity for any person to ask the Leader of the Council, or his nominee, a question about matters in which the Council has powers or duties or about issues that affect the Borough.

(2) Petitions

The Council has a procedure to enable petitions to be presented formally at Council meetings and for the person presenting the petition to address the Council for a maximum of three minutes.

(3) Representations on Recommendations

When the Council is considering a recommendation from the Executive or a Committee, any resident can put forward views on the issues involved by making verbal representations to the Council for a maximum of three minutes before the Council discusses the recommendation and makes a decision.

Anyone wishing (1) to ask a question at "Public Question Time", (2) to present and speak to a petition, or (3) make verbal representations on a recommendation, must notify the Chief Executive's office by 12 Noon three working days prior to the day of the Council meeting. [That is 12 Noon on the preceding Monday for a Council meeting on a Thursday].

A G E N D A

1. APOLOGIES FOR ABSENCE

To report apologies for absence received from Councillor Mrs. P. Weston and to receive any other apologies for non-attendance.

2. MINUTES – COUNCIL MEETING HELD ON 13 DECEMBER 2007
[Pages 4 to 14]

To confirm as a correct record the Minutes of the Council Meeting held on 13 December 2007.

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

To receive any announcements from the Mayor.

5. ANNOUNCEMENTS FROM THE LEADER

To receive any announcements from the Leader.

6. ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE

To receive any announcements from the Chief Executive.

7. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Leader or his nominee to answer any questions raised by members of the public *[providing notice has been given in accordance with the procedures laid down in the Council's Constitution]*.

8. PETITIONS

To receive any Petitions submitted to the Council. *[Notice of petitions and persons wishing to speak to the Council on them must be given in accordance with the procedures laid down in the Council's Constitution]*.

9. RECOMMENDATIONS OF THE EXECUTIVE **[Pages 15 to 44]**

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

- (1) Adding Capacity at Heathrow: Response to Government Consultation**
- (2) Detailed Budget 2008/2009**
(A Budget Book [green cover] [to be circulated under separate cover] will reflect the recommendations made by the Executive on 12 February 2008.)
- (3) Capital Programme 2008/2009 – 2011/2012**
- (4) Treasury Management Strategy Statement and Annual Investment Strategy 2008/2009**
- (5) Corporate Plan 2008-2011 and Executive Arrangements**
- (6) Local Development Framework [LDF]**
- (7) Change in Parks Byelaws**
- (8) Crime and Disorder Reduction Partnership - Partnership Plan 2008-2011**
- (9) Choice Based Lettings - Delegations to Officers**
- (10) Members' Allowances**

Note: Members of the public may make representations in person not exceeding 3 minutes on individual recommendations before they are discussed *[providing notice has been given in accordance with the procedures laid down in the Council's Constitution]*.

10. RECOMMENDATION FROM THE INDEPENDENT MEMBER SELECTION PANEL - APPOINTMENT OF INDEPENDENT MEMBER
[Page 45]

To consider the recommendation from the Independent Member Selection Panel on the Appointment of an Independent Member [Minute 249/07 refers].

11. REPORT FROM THE LEADER OF THE COUNCIL
[Page 46]

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

12. REPORT FROM THE CHAIRMAN OF THE AUDIT COMMITTEE
[Page 47]

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

13. REPORT FROM THE CHAIRMAN OF THE IMPROVEMENT AND DEVELOPMENT COMMITTEE
[Pages 48 to 49]

To receive the report from the Chairman of the Improvement and Development Committee on the work of her Committee.

14. REPORT FROM THE CHAIRMAN OF THE LICENSING COMMITTEE
[Page 50]

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

15. REPORT FROM THE CHAIRMAN OF THE PLANNING COMMITTEE
[Pages 51 to 52]

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

16. REPORT FROM THE CHAIRMAN OF THE STANDARDS COMMITTEE
[Page 53]

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

17. MOTIONS

Under Standing Order 16.3, the Council has received Notice of the following Motion:

“Council notes the recent revelation that the proposed Airtrack route across Staines Moor will have overhead power cables supported by highly visible gantries.

Council resolves to oppose any Airtrack route across Staines Moor utilising overhead power cables and urges the use of the 3rd rail method to protect the visual amenity of the Moor.”

Proposed by: Councillor Colin Strong
Seconded by: Councillor Ian Beardsmore

18. QUESTIONS ON WARD ISSUES

The Leader or his nominee to answer any questions from Members on issues in their Ward, *[providing notice has been given in accordance with the procedures laid down in the Council's Constitution]*.

19. GENERAL QUESTIONS

(1) Under Standing Order 14.1, Councillor Robin Sider has submitted the following General Questions:

(a) "Will the Leader join me in congratulating the Headteacher, the staff and students of The Matthew Arnold School in being accredited the most improved school in the country over the past three years in their GCSE results, and Thamesmead School on achieving a second specialist status, that of mathematics and computing, and to Thomas Knyvett College on their progress in coming out of the special measures imposed on them over the past 2 to 3 years. And will he also agree that these are accolades not only for the respective Schools, but for the Borough of Spelthorne as a whole, and in reflecting this will he arrange to forward a congratulatory letter to the Headteachers of those concerned?"

(b) Agenda item 4 (c) of the Executive report dated 23rd May 2006 carried a recommendation which included that 1. The Council proceed with a Street Scene Enforcement scheme. 2. That approval be given to the appointment of 2 Street Scene Officers to work within Direct Services, 3. That dog fouling, dog control and litter be the initial priorities, and that further details as to how those can best be addressed using the new powers be submitted, including the making of necessary orders and 4, That three Members from the Performance Management and Review Committee be appointed to work with Officers in developing and monitoring the scheme. The report went on to say that there were new powers to replace the previous system of byelaws and repeal the Dogs (Fouling of Land Act) 1996 and cover 5 new offences which included the requirement to make a Dog Control Order to be able to prosecute offences which included failing to remove dog faeces. Paragraph 988 of the minutes of that meeting resolved that approval be given to the appointment of two Street Scene Officers to work within Direct Services, and that dog fouling, dog control and litter be the initial priorities, and that further details as to how those can best be addressed using the new powers under the Clean Neighbourhoods and Environment Act 2005 be submitted, including the making of the necessary orders.

Can the Strategic Director (Community) inform me what action has been taken by the Council to implement the recommendations of the aforesaid report with regard to dog fouling in Spelthorne Parks, and will he agree with me that such fouling by dogs and litter is a menace to society and all those who use our parks, and can he also inform me whether there have been any prosecutions under the terms of the Act?"

(2) The Leader or his nominee or relevant Committee Chairman to answer any other questions from Members on matters affecting the Borough or for which their Committee has responsibility, *[providing notice has been given in accordance with the procedures laid down in the Council's Constitution]*.

20. URGENT BUSINESS

To consider any urgent business.

MINUTES OF THE COUNCIL MEETING HELD ON 13 DECEMBER 2007

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 13 DECEMBER AT 7.30PM**

Ayers F.	Dunn Mrs S.A.	O'Hara E.
Bain Ms M.M.	Flurry K.E.	Packman J.D. (Leader)
Beardsmore I.J.	Forsbrey G.E.	Pinkerton Mrs J.M.
Bell Mrs E.	Grant Mrs D.L.	Pinkerton J.D.
Bhadye S. (Deputy Mayor)	Hirst A.P. (Mayor)	Royer M.T.
Bouquet M.L.	Hyams Ms N.A.	Sider R.W.
Broom Ms P.A.	Jaffer H.R.	Smith-Ainsley R.A. (Deputy Leader)
Budd S.E.W.	Kuun C.D.G.	Spencer Mrs C.L.
Chouhan K.	Leighton Mrs V.J.	Strong C.V.
Colison-Crawford R.B.	McShane D.L.	Thomson H.A.
Collis M.J.	Napper Mrs I.	Trussler G.F.
Crabb T.W.	Nichols Mrs C.E.	Weston Mrs P.
Davis C.A.	Nichols L.E.	

Mr Murray Litvak

Councillor A.P. Hirst, The Mayor, in the Chair

392/07 DEATH OF HONORARY ALDERMAN P.C. WILLIAMSON

At the commencement of the meeting the Mayor announced with regret the death of the former Councillor and Honorary Alderman, Peter C. Williamson.

The Mayor recalled that as a former Member and Chairman of the Sunbury Urban District Council, Mr Williamson was pre-eminent in the formation of the Borough of Spelthorne, following the merger of Staines and Sunbury Urban District Councils. He was the first elected Leader of the newly formed Authority in 1974 and served consecutively in that capacity until 1987.

Members and Officers stood in silence as a token of respect.

393/07 APOLOGIES

Apologies for absence were received from Councillor Mrs M.W. Rough.

394/07 MINUTES

The minutes of the meetings held on 18 and 23 October 2007 were approved as a correct record, subject to the substitution of the word "for" for the word "in" in the first line of the paragraph and by the addition of the words "which is within the Sunbury Common Ward" after the words, "in Escot Road, Sunbury" in the last line of the paragraph of Minute 328/07, resolution 1, page 143 of the minutes of the meeting

held on 18 October 2007. The amended Resolution in Minute 328/07 reads as follows:

“To create a new Polling Place for the Laleham and Shepperton Green Ward, and within that Place to establish a polling station to serve electors in International Way, Windmill Close, Lincoln Way and Cedar Way, Sunbury to be located on the Tesco store site in Escot Road, Sunbury which is within the Sunbury Common Ward.”

395/07 ANNOUNCEMENTS FROM THE MAYOR

Magna Carta School, Staines – Presentation of a Calendar of Staines

The Mayor introduced staff and pupil representatives from Magna Carta School, who presented a calendar of Staines to the Council. They were accompanied by Brian Perry of Proctor and Gamble, who had provided sponsorship for the production of the calendar. The calendars could be purchased for £3.50 each from the School Office and all proceeds raised were in aid of the Shooting Star Hospice.

Great Tree Race

The Mayor expressed his thanks to Members and Officers for supporting the inaugural Great Tree Race, held on 24 November in Laleham Park, which had been a great success and an excellent kick-off to the Tree Council's 'National Tree Week.'

He gave special thanks to Jill Stephens of Civic Pride for organising the Great Tree Race, which it was hoped would become an annual event.

Gardeners' Question Time

The Mayor announced that a Gardeners' Question time would be taking place at Stanwell Village Hall on 29 February 2008.

Mayor's Ball

The Mayor reminded Members that tickets were available from the Mayor's Secretary for the Charity Ball being held on 29 March, 2008 at Kempton Park Racecourse.

396/07 ANNOUNCEMENTS FROM THE LEADER

The Leader announced that Surrey County Playing Fields Association had agreed to appoint former Councillor Gerry Ceaser as the Council representative for Spelthorne.

397/07 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Mayor reported that under Standing Order 13 one question had been received from a member of the public. In the absence of Mr Jonathan Webster, the Head of Corporate Governance read out his question. A response was given by the Leader of the Council, Councillor J.D. Packman who confirmed that a copy would be sent to Mr Webster.

(1) Question from Jonathan Webster

“Will the Leader of the Council take into consideration the serious threats to the surrounding homes posed by the potential development of the Environment Agency's site at Fordbridge Road, Sunbury, because of its unique situation in the flood plain and surrounded by Plotlands and Green Belt and the serious widespread

local concerns in Lower Sunbury and recommend an urgent enquiry at this stage with a view to the removal of this site from the Local Development Plan?"

Response by the Leader, Councillor John Packman

"Thank you for your question Mr Webster. Much of the Riverside Works site is now surplus to the requirements of the Environment Agency. Central government guidance requires public bodies to release any surplus land they have and that is what the Environment Agency are doing. The Council has recognised guidance is needed on how this site should be redeveloped. Following its own public consultation on this site, as part of the emerging local development framework, the Council has proposed an alternative use of residential. The principle of residential use has received overwhelming public support. It is important that we use sites suitable for housing for that purpose so the government imposed housing requirements on the Council can be met. The government requirement is already large at 3,000 more houses over the next 20 years and are likely to be increased by a further 10% by the government in the near future.

Flood Risk is categorised in three ways, 1:20, 1:100, 1:1000. The site is not subject to the highest flood risk as it is in the 1:1000 level but there are important issues, which any acceptable scheme will have to take account of including, most importantly, any adverse impact on the adjoining residential uses. We believe the best way of getting the right sort of development on this site, which protects the interests of local people, is to give clear advice, which we believe firmly and strongly we have done and will continue to do. The identification of the site in the LDF, with the advice it has set out, is an important part of getting the right development".

398/07 RESERVES POLICY

The Council considered the recommendation of the Executive to approve and adopt the Reserves Policy.

RESOLVED

1. That the Council approves and adopts the draft Reserves Policy, as reported by the Strategic Director (Support).
2. That the Council seeks to maintain an overall level of reserves of at least £31m.
3. That the Council combines the existing Housing Initiatives and Social Housing and Initiatives Funds into a single fund of approximately £7.6m and the balance on these funds (£600k) is transferred to top up the Business Improvement Reserve to enable to fund the implementation costs necessary to achieve business improvement and service transformation savings.
4. That the Council ceases to credit interest back to its reserves unless there is a policy decision to do so.

**399/07 TRANSFER OF HEALTH AND SAFETY ENFORCEMENT
RESPONSIBILITIES OF SPELTHORNE AND SUNBURY LEISURE
CENTRES TO THE HEALTH AND SAFETY EXECUTIVE [HSE]**

The Council considered the recommendation of the Executive to agree to the transfer of health and safety enforcement responsibilities for Spelthorne and Sunbury Leisure Centres premises from this Council to the Health and Safety Executive (HSE).

RESOLVED

That the Council agrees to transfer the responsibility for Health and Safety enforcement at the Spelthorne and Sunbury Leisure Centres from this Council to the Health and Safety Executive [HSE].

**400/07 LICENSING ACT 2003 – ADOPTION OF STATEMENT OF
LICENSING POLICY 2008 TO 2011**

The Council considered the recommendation of the Executive to approve and adopt the Spelthorne Borough Council Statement of Licensing Policy 2008 to 2011 for implementation with effect from 7 January 2008.

RESOLVED

That the Council approve and adopt the Spelthorne Borough Council Statement of Licensing Policy 2008 to 2011 for implementation with effect from 7 January 2008.

401/07 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor J.D. Packman, presented his report which outlined some of the matters the Executive had dealt with since the last ordinary meeting of the Council. Councillor Packman responded to various questions raised by Members and agreed to provide a substantive reply to Councillor Crabb on a query regarding Car Park Charges, which had not been included on the agenda for this meeting due to a problem with communications between the parties.

402/07 LICENSING COMMITTEE

The Chairman of the Licensing Committee, Councillor R.W. Sider, presented his report which outlined matters the Committee had dealt with since the last ordinary meeting of the Council. Councillor Sider thanked the Members of the Licensing Committee for their support over the year and wished them a Merry Christmas.

403/07 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Chairman of the Performance Management and Review Committee, Councillor F. Ayers presented his report which outlined matters the Committee had dealt with since the last ordinary meeting of the Council. In response to questions which had previously been raised by a Member on the current budget monitoring position for revenue and capital expenditure, he commented that if the member resubmitted more definitive questions, he would ensure all members of the Committee received a copy of the answers.

404/07 PLANNING COMMITTEE

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

405/07 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 ordinary meeting of the Council. Mr. Litvak responded to a question from a Member about the changing role of the Standards Board for England in the future now that the provisions of the Local Government and Public Involvement in Health Act 2007 relating to the ethical framework had been published.

406/07 MOTIONS

Under Standing Order 16, Councillor C.V. Strong proposed and Councillor L. E. Nichols seconded the following motion:

"This Council notes that Parliament has created the Identity Card (ID) legislation. This will have an effect upon all residents of the Borough of Spelthorne.

This Council further notes:

- 1) That the proposed scheme will impose costs on the Council itself in terms of ensuring compatibility of operations.
- 2) That the ID card and database proposals will fundamentally alter the relationship between the state and the individual.
- 3) That in 2005 the then Home Secretary when asked whether ID cards would have prevented the London terrorist atrocities said, "I doubt it would have made a difference".
- 4) That the government's own Information Commissioner stated that, "The measures in the Bill go well beyond establishing a secure, reliable and trustworthy ID card. The measures in relation to the National Identity Register and data trail of identity checks on individuals risk an unnecessary and disproportionate intrusion into an individual's privacy."

This Council resolves to:

- a) Take no part in any pilot scheme or feasibility work in relation to the introduction of national identity cards, based upon current Government proposals for such a scheme, unless specifically required to by law.
- b) Make it a policy of the Council to ensure that national identity cards will not be required to access Council services or benefits unless specifically required to do so by law.
- c) Take no part in the national database unless required to do so by law and protect our residents data to the best of our ability.

d) Oppose the introduction of national identity cards and instructs the Chief Executive to write to the Home Secretary to inform her of Council policy.”

Under Standing Order 18.6 (iii), Councillor Ms P.A. Broom proposed and Councillor C.A. Davis seconded the following amendment:

“This Council notes with concern Her Majesty’s Government’s failure to properly consider criticisms of, or vary, the terms of the Identity Card Act 2006; that this scheme is fundamentally flawed in conception and this will have an irrevocably damaging effect upon all whom it impacts, including all residents of the Borough of Spelthorne and further consideration should be given to consultation with residents.

Further:

- 1). The scheme will impose wholly disproportionate costs on this Council and other bodies in terms of operational costs and associated implementation costs.
- 2). The ID card and database will fundamentally change the relationship between the individual and the state.
- 3). ID cards won’t prevent terrorist attacks.
- 4). ID cards won’t prevent illegal immigration.
- 5). ID cards won’t prevent identity fraud.
- 6). ID cards won’t prevent human trafficking.
- 7) This Council resolves to:
 - (a.) Take no part in any pilot scheme or feasibility work in relation to the national Identity Card Scheme unless specifically so required to by law.
 - (b.) Make it a policy of the Council to ensure national identity cards shall not be required to obtain council benefits or services unless specifically required to by law.
 - (c.) To take no part in the national database unless required by law.

The amendment was carried.

RESOLVED that the Council

- (a.) Take no part in any pilot scheme or feasibility work in relation to the national Identity Card Scheme unless specifically so required to by law.
- (b.) Make it a policy of the Council to ensure national identity cards shall not be required to obtain council benefits or services unless specifically required to by law.
- (c.) Take no part in the national database unless required by law.

407/07 QUESTION ON WARD ISSUES

Under Standing Order 14, Councillor Mrs. C.E. Nichols asked the following question:

"Please would the Portfolio Holder update us on the Benwell extra-care housing and day centre proposal which was put on public view at St Paul's Catholic College on 13th November. How has feedback from the Public been incorporated into the process and what changes, if any, are expected before plans are formally submitted to the Planning committee? May we also have an update on the development timetable?"

The Portfolio Holder for Adult and Elderly Services, Councillor Mrs V. Leighton, responded as follows:

The information and comments received from the Benwell pre-planning session on November 13 2007 have been collected and sent to Nottingham and their architects. Nottingham and their architects are considering whether some of the suggestions can be included.

It must be remembered however, that Nottingham have been selected due to their experience. They already provide extracare in London, including their model at Elgin Court, which also has a day/community centre.

In terms of a timetable, I understand that it is likely that the plans will be submitted by the middle of January 2008 for formal planning consideration, with likely completion of the project in Spring 2009.

Councillor Mrs Nichols then exercised her right under Standing Order 14.2 to ask a supplementary question on whether the Portfolio Holder considered that the proposal for a housing density of 200 per hectare at this site was an acceptable standard for this particular group of people to be living under.

Councillor Leighton replied that a core number of units were needed to make the development a viable proposition and that this density was normal for extra care housing. She added that Notting Hill had been flexible in their proposals in order to deliver a state of the art development where every latest facility had been included for the benefit of residents.

408/07 GENERAL QUESTIONS

Under Standing Order 14 Councillor R.W. Sider asked the following question:

"The implementation of the Alternate Weekly Re-cycling programme was probably the biggest logistical exercise that this Council has ever undertaken. That said, will the Leader of the Council agree with me that a vote of thanks should be accorded to Head of Direct Services, his manager and staff for a task well done, often in the face of adversity, and to the Head of Environment Services and the Head of Office Services, together with all other Council Officers and staff who gave support in this difficult operation? And will the Leader note, that on a recent inspection of the actual refuse collection by the Health and Safety Executive (HSE) lasting some three hours,

the HSE were extremely complimentary in their de-brief on the way the operation was carried out by the refuse operating crews?"

The Leader, Councillor Packman, responded:

"It gives me great pleasure to support all that Councillor Sider has said. The implementation of the Alternate Weekly Re-cycling Collection was a monumental exercise and one for which all the officers and Councillors involved should be commended for their work and dedication.

I would particularly like to compliment Councillor Mrs P. Weston, who led the Waste Management Task Group, for her perseverance when so many difficulties were presented to them. I would also like to express my gratitude to the Task Group for their valuable contribution which ensured that we achieved success."

Under Standing Order 14 Councillor Mrs. E. M. Bell asked the following question:

"I understand that the Leader of the Opposition has written to the Leader of the Council and the Chairman of the Improvement and Development Committee.

The suggestion is that the Committee holds a special public meeting away from the Council offices in which BAA management would be invited to be questioned regarding their proposals for expansion at Heathrow.

The results of this meeting would then feed into the Policy decision that the Executive will consider at its meeting in February 2008.

As a Committee member I fully support this initiative. Could the Leader please give an update on likely arrangements?"

The Leader, Councillor Packman, replied as follows:

"I appreciate the opportunity Councillor Bell's question has given me to provide an update on the likely arrangements. The Heathrow expansion consultation is being run by the Department for Transport. The Department are already publicising their proposals through a series of exhibitions at which DfT staff are in attendance to answer questions. These include an exhibition in Stanwell on 19 December, the area potentially most affected by any development.

The DfT are not arranging any public meetings and are not making their staff available to speak at public meetings. BAA regard themselves as consultees rather than promoters and it is doubtful whether they would be willing to attend a public meeting where they may be expected to answer for the DfT.

Members should already be aware that we are holding a Members seminar, which would be similar to the approach we have adopted for previous Heathrow consultations. Therefore, I believe there is ample opportunity, through the public consultation period, for the public to respond, and I would urge all Members to encourage the public within their wards to take an active role in the consultation process, which ends on 27 February 2008."

Under Standing Order 14 Councillor C.V. Strong asked the following question:

"I attended the second LDF pre-examination meeting held on December 4th where I raised serious concerns as to the nature of the Local Development Framework.

Given my serious concerns can I invite the Leader to withdraw the entire LDF?"

The Leader, Councillor Packman responded as follows:

"Councillor Strong will not be in the least surprised to hear the answer is a resounding, no. The submitted LDF documents sets out a clear strategy for the next 20 years to address the many important issues that face our community.

That strategy seeks to assess what the Borough's needs are, where they should be met, when, who should provide for them and how. It sets out a clear locational strategy of protecting the Green Belt and placing new development in the urban area. It aims to do this in a way that avoids unacceptable risks from flooding, poor air quality and excess noise - particularly from Heathrow. It is supported by detailed policies to deliver the strategy and also ensure the quality of new development and sensitive areas are protected.

This comprehensive strategy is the right one, but we all accept that many of the issues it addresses are complex and so is the process the document has to go through. There are some matters, which are dealt with by other plans and cannot be dealt with in the LDF.

Those that are critical of the LDF and there are many deliberate attempts to cloud the issue, need to understand the function of a District Council LDF and the background material on which it is based. This is information that we have published to ensure everyone can read it. That material alone demonstrates the thoroughness and detail we have gone into to produce this plan. It has all been considered and agreed by the LDF Working Party, which as you are aware, is a cross party group.

This new LDF has been consulted on extensively with now 4 separate 6 week periods of public consultation and democratically agreed by this Council.

There are, of course, developers who want to build in the Green Belt. These same developers also want the plan withdrawn because it simply does not give them what they want. The proper place to consider all concerns is at the public hearing sessions. This enables all concerns to be scrutinised in a thorough, fair and open way. I suggest, therefore, that this is the proper place for your concerns, Councillor Strong, to be addressed."

Councillor Strong then exercised his right under Standing Order 14.2 to ask a supplementary question requesting the Leader's comments on the fact that at the 1st and 2nd pre-examination meetings, the Inspector raised concerns that dovetailed with his own.

The Leader replied that the Council would move forward with the LDF by addressing the concerns raised by the Government Inspector, which were being considered by Planning Officers at the present time and would be published at the appropriate time.

Under Standing Order 14 Councillor I.J. Beardsmore asked the following question:

"On April the 6th next year the new national planning application form starts. This will be a national framework with room for local authorities to adapt it to local conditions. (If it is reflected in the consultation) will Spelthorne do everything it can to protect our back gardens, and when will the consultation start?"

The Leader, Councillor Packman replied as follows:

"The 1APP national application form does indeed come into effect from 6th April 2008. The effect will be to standardise all application forms across England, whether a developer submits a scheme to Spelthorne or elsewhere.

Along with the form there is a 'national list' of requirements which sets out the type of additional information required for different types of application. For example the need for a design and access statement or a tree survey. Each authority also has the option to consult on and adopt a 'local list' which sets out additional requirements for their own borough. Officers are currently in the process of drawing up a list and will consult with planning agents in the new year. Additional information which the Council will require include flood risk assessments and air quality reports for the relevant type of proposal.

It is not the case that the 1APP national form or the national/local lists can deal with the issue of protecting back gardens as this is a policy issue. The list can only set out what information the Council will require in order to register and consider the different types of applications we receive. This is a Planning Management issue and I have therefore asked officers to prepare a full report which will be placed in the Members' Bulletin"

Councillor Beardsmore then exercised his right under Standing Order 14.2 to ask a supplementary question for a response on when the consultation would start.

The Leader, Councillor Packman, replied that publicity on the national application form would be given at the appropriate time and people would be invited to respond if they so wished.

Under Standing Order 14 Councillor Mrs C.E. Nichols asked the following question:

"A number of Councils have introduced Design Review Panels to assist their Officers and Planning Committees in securing good Housing design from developers when they submit planning applications.

Design Review Panels typically include local architects drawn from a list on a revolving basis.

Would the Council consider the introduction of such a Panel to assist us with the effective implementation of PPS3 and other design-related policies?"

The Chairman of the Planning Committee, Councillor E. O'Hara responded:

"I am aware that a number of Councils have adopted this approach when considering large scale and strategic proposals which could have a significant impact on a particular location. Examples include a mixed town centre development including retail offices, residential and a new town square.

Very careful consideration would need to be given to adopting such an approach, in respect of clear terms of reference, the make up of such a panel and their role in any formal planning process.

We need to be mindful of the targets which the government sets us for determining applications, and if such an option were considered, the implications would need to be fully explored, especially on smaller scale residential schemes.

I have asked officers to undertake some additional work on this to establish whether it merits further consideration and to report back to the Executive in due course. If Councillor Mrs Nichols has any thoughts on the matter, I would be happy to discuss them with her."

409/07 APPOINTMENT OF COUNCIL REPRESENTATIVE TRUSTEES TO LALEHAM CHARITIES

It was proposed by Councillor J.D. Packman and seconded by Councillor R.A. Smith-Ainsley and

RESOLVED

That Ian Allen OBE, Alan Stewart-Darling, Betty Brueton-Smith and Alex Jones be appointed as Council Representative Trustees to serve on the Laleham Charities for a period of 4 years until 13 December 2011.

410/07 SEASON'S GREETINGS

The Mayor, Councillor A.P. Hirst, wished those present at the meeting a Merry Christmas and a happy, prosperous and peaceful New Year.

RECOMMENDATIONS OF THE EXECUTIVE

1. ADDING CAPACITY AT HEATHROW: RESPONSE TO GOVERNMENT CONSULTATION

- 1.1 The Executive have considered a report seeking a recommendation to the Council on 21st February 2008 to agree the Council's response to the Department for Transport consultation on Adding Capacity at Heathrow.
- 1.2 The consultation asks specific questions and the recommended response for approval by the Council is contained in Appendix A to the report of the Deputy Chief Executive.

1.3 The Executive recommend that the Council:

1. Endorse the response to the Department for Transport Consultation on Adding Capacity at Heathrow, as set out at Appendix A to the report of the Deputy Chief Executive.
2. Endorse making a qualified response in support of the third runway.
3. Oppose mixed mode runway operation.

[A copy of the recommended Council response to the Department for Transport consultation on Adding Capacity at Heathrow is attached as APPENDIX A to these recommendations.]

2. DETAILED BUDGET 2008/2009

- 2.1 The Executive have considered the revised report of the Chief Finance Officer seeking Members consideration of the detailed Budget for 2008/2009 and a formal proposal on a Council Tax for 2008/2009 for recommendation to the Council for approval.

2.2 The Executive recommend that the Council:

1. Consider and approve the growth items, as set out in the report of the Chief Finance Officer.
2. Approve in support of an increase of 12p per week (3.9%) in the Spelthorne element of the Council Tax for 2008-2009 the following proposals:
 - a) The Revenue Estimates as set out in the report of the Chief Finance Officer be approved.
 - b) An amount not exceeding £237,600 be appropriated from General Reserves to support Spelthorne's local Council Tax for 2008-2009.
 - c) To note that the council tax base for the year 2008-2009 is 40,030 calculated in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.
3. That the following amounts be now calculated by the Council for the year 2008-2009, in accordance with Sections 32 and 33 of the Local Government Finance Act 1992.

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(a)	£44,041,700	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)	£29,236,900	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)	£11,877,690	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)	£5,480,825	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 th February 1994 (Community Charge surplus).
(e)	£159.80	Being the sum (c) above less the amount at (d) above, all divided by the amount at 2(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 2008-2009 in accordance with Section 36 of the Local Government Finance Act 1992.

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
106.53	124.29	142.04	159.80	195.31	230.82	266.33	319.60

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.

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5. That it be noted that for the year 2008/2009 that the Surrey County Council and Surrey Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40, as amended, of the Local Govt Finance Act 1992, for each of the categories of the dwellings shown below.

Precepting Authority								
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Surrey CC	705.36	822.92	940.48	1058.04	1293.16	1528.28	1763.40	2116.08
Surrey Police	125.28	146.16	167.04	187.92	229.68	271.44	313.20	375.84

6. That, having calculated the aggregate in each case of the amounts at 3. and 4. above, the Council in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets out the following amounts as the amounts of Council Tax for the year 2008/2009 for each of the categories of dwellings shown below.

A	B	C	D	E	F	G	H
937.17	1093.37	1249.56	1405.76	1718.15	2030.54	2342.93	2811.52

(A Budget Book [green cover] [to be circulated under separate cover] will reflect the recommendations made by the Executive on 12 February 2008.)

3. CAPITAL PROGRAMME 2008/2009 – 2011/2012

- 3.1 The Executive have considered a report seeking the approval of the Council on the proposed Capital Programme for 2008/2009 – 2011/2012, in the light of the available resources and the Corporate Priorities.
- 3.2 The report covers the progress on current capital schemes and included future capital schemes for consideration. The report also provides information on the availability of resources to continue moving forward with the proposed capital schemes within the Programme.
- 3.3 **The Executive recommend that the Council approve the Capital Programme for 2008/2009 – 2011/2012, as set out in the report of the Deputy Chief Executive.**

4. TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2008/2009

- 4.1 The Executive have considered a report updating Members on the current Treasury Management position and on the setting of the Annual Investment Strategy and Prudential Indicators for 2008/2009 to 2010/2011 for approval by the Council.

- 4.2 The Executive recommend that the Council note the current Treasury Management position and approve the setting of the Annual Investment Strategy and the Prudential Indicators for 2008/2009 to 2010/2011, as set out in the report of the Deputy Chief Executive.**

5. CORPORATE PLAN 2008-2011 AND EXECUTIVE ARRANGEMENTS

- 5.1 The Executive have considered a report proposing a Corporate Plan 2008-2011 for adoption by the Council, that sets out the aims and objectives of the Council over the next three years, and seeking a recommendation to the Council on the appropriate Executive arrangements to be put in place, in order to achieve the aims and objectives of the Council.**

5.2 The Executive recommend that the Council:

- 1. Adopt the Corporate Plan 2008-2011, as attached at Annex A to the report of the Chief Executive.**
- 2. Agree to appropriate amendments being made to the Council's Constitution to adopt and reflect the Executive Portfolio arrangements, as attached at Annex B to the report of the Chief Executive.**

6. LOCAL DEVELOPMENT FRAMEWORK [LDF]

- 6.1 The Executive have considered a report on the Minutes and Recommendations from the Local Development Framework Working Party held on 16 January 2008.**

6.2 The Executive recommend the Council to agree that:

- a) Those who have made representations that have been deemed invalid be advised they will now be accepted and put before the Inspector.**
- b) All existing representations to both Development Plan Documents [DPDs] remain as valid and the people be advised accordingly.**
- c) The Core Strategy and Policies DPD, the Allocations DPD and the submission Proposals Map, be re-advertised following the same consultation arrangements as at the 'submission' stage.**
- d) The Core Strategy and Policies DPD be amended as shown in the copy of the document set out in Appendix C to the LDF agenda report [16 January 2008] by:**
 - i) 'saved' Local Plan policies being removed along with associated Appendices and references in the Implementation and Monitoring chapter.**
 - ii) the following changes be identified in a 'tracked-changes' format:**
 - additional text in Chapter 4 to further explain the spatial strategy**
 - additional paragraph after paragraph 6.13 to confirm the role of the Allocations DPD**
 - amendments to paragraphs 9.3 to 9.5 to clarify the role of Policy CO2 'Provision of Infrastructure for New Development'**
 - factual or typographical corrections**
 - iii) amendments to the Advice Note on the Submission of the Core Strategy and Policies DPD – page i – to reflect:**

- the re-advertising process
 - changes being proposed
 - to confirm existing representations remain valid
 - those wishing to propose development of sites in the Green Belt make these to the Allocations DPD
 - those wishing a different strategy to the one of placing all development in the urban area, or supporting it, to make representation to Policy SP1.
- e) The Inspector be requested to assess the soundness of the 'submitted' documents taking account of the proposed amendments.
- f) The authority of officers to agree or advance alterations to the 'examination' of the DPDs to overcome objections or concerns, so long as they are in line with what the Council is seeking to achieve overall, be re-affirmed.
- g) The Council continue to use the 'submitted' documents for determining all planning applications subject to the amendments that are proposed.
- h) The Officers to keep the LDF Working Party informed on progress.

7. CHANGE IN PARKS BYELAWS

7.1 The Executive have considered a report introducing a review of the 1992 Byelaws and making recommendations to the Council for change.

7.2 The Executive recommend that the Council:

1. Approves the new set of model byelaws shown at Appendix B to these recommendations. [i.e. Appendix 6 to the report of the Deputy Chief Executive to the Executive.]
2. Authorises the Head of Corporate Governance to advertise these byelaws and forward them to the Secretary of State for confirmation.

[A copy of the new set of model byelaws is shown as APPENDIX B to these recommendations.]

8. CRIME AND DISORDER REDUCTION PARTNERSHIP - PARTNERSHIP PLAN 2008-2011

8.1 The Executive have considered a report seeking approval of the Council to the Partnership Plan 2008-2011 of the Crime and Disorder Reduction Partnership.

8.2 **The Executive recommend that the Council approve the Partnership Plan 2008-2011, as attached at Appendix A to the report of the Chief Executive, in its capacity as a statutory member of the Crime and Disorder Reduction Partnership.**

9. CHOICE BASED LETTINGS [CBL] - DELEGATIONS TO OFFICERS

9.1 The Executive have considered a report on the cross boundary Choice Based Lettings [CBL] project seeking approval for the assessment criteria for clients in housing need

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to be changed from points to banding in preparation for the introduction of CBL at the end of 2008. The CBL proposals require the approval of the Council to amend the Council's Constitution in relation to certain new Delegations to Officers.

9.2 The Executive recommend that the Council agree to appropriate amendments being made to the Council's Constitution, Delegation to Officers, to cover the following new delegated authority to the Deputy Chief Executive:

“To delegate authority to the Deputy Chief Executive, in consultation with the Housing Portfolio Holder, for the following:

- a. To approve the partnership agreement between the five partners;
- b. To approve changes that may need to be made to the banding scheme and the lettings policy; and
- c. To tender for the CBL IT package and approve the select list or appropriate number of suppliers.”

10. MEMBERS' ALLOWANCES

10.1 The Executive have received a report from the Independent Remuneration Panel on Members' Allowances, following the meeting of the Panel held on 23rd January 2008, and the recommendation on Members' Allowances to be made to the Council on 21st February 2008, when the Council will be considering the report of the Panel.

[A copy of the report from the Independent Remuneration Panel is attached as APPENDIX C to these recommendations.]

10.2 The Independent Remuneration Panel's recommendation on Members' Allowances, for consideration by the Council, is as follows:-

The Panel recognises that Spelthorne is a “high performing” Council that continues to provide improved services for local residents. This is made possible via the significant value for money contribution made by Council Members through their invaluable work for the Borough Council and the local Community. In light of this, the Panel recommend that Members' Allowances be increased from 1 April 2008 by 2.75%, in line with the pay award set for staff for 2008.

Basic Allowance	Current	New
Payable to all Members	£3833	£3938
Special Responsibility Allowances	Current	New
Leader	£8795	£9037
Deputy Leader	£5840	£6001
Other Executive Members (4 at present)	£2931	£3012
Chairmen of Overview and Scrutiny Committees (2)	£2931	£3012
Chairmen of Planning and Licensing Committees (2)	£2931	£3012
Opposition Group Leader	£2931	£3012

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Councillor John Packman
Leader of the Council

21 February 2008

APPENDIX A

ADDING CAPACITY AT HEATHROW: RESPONSE TO GOVERNMENT CONSULTATION

Question 1

Do you agree or disagree with the proposal that a third runway at Heathrow, if built, should be supported by associated passenger terminal facilities? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

Evidence from BAA appears to demonstrate that a three-runway airport could only operate efficiently with passenger terminal facilities north of the A4 and the development should, therefore, be seen as a runway/terminal package. The development boundary needs to include land needed for both facilities.

The boundary of the expanded airport should also include land required for airport related activities necessary to support the operation of the expanded airport. This will ensure such developments can be provided within the airport, which is the best location for its effective operation.

Drawing the boundary sufficiently wide to meet future land needs for airport related development will also provide certainty for local communities concerned about future incremental expansion of the airport and assist in the future planning of areas close to the airport.

The larger boundary increases the impact on nearby communities. It is essential that there is adequate compensation for residents who will be displaced- and for those who will remain in Harmondsworth and Harlington living in an environment that will be dominated by the airport to a much greater degree than at present.

Question 2

Do you agree or disagree with the Government's view on the continuing validity of the environmental conditions? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The conditions laid down in the White Paper are still relevant. However, the Council has the following comments on the conditions and the reliance placed on them:

1. While the White Paper conditions on noise, air quality and surface access are extremely important, the final decision on the acceptability of the third runway should be based on consideration of all relevant factors, including positive factors such as the impact on the economy and employment, as well as the greater impact on communities north of the airport due to the increased land take.

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2. The conclusions reached on the ability to meet the environmental conditions are based on forecasts that are subject to uncertainty (see response to Q.3 and Q.4 below) and should at this stage be regarded as provisional. The Government should, therefore, make clear, in its announcement following the consultation, that any future application for a third runway would need to demonstrate that the conditions can still be met and that the subsequent decision would need to incorporate controls over the operation of the expanded airport to ensure the key environmental conditions are not breached.
3. One condition set out in the White Paper is a surface access solution based on improved public transport (see para xxx). While the consultation document sets out a number of possible measures relating to both public transport and demand management, it states that it will be for BAA to identify and bring forward surface access proposals in any future application. This effectively leaves the issue of the acceptability of surface access in terms of impact on the heavily-congested road network unresolved. Acceptability of the third runway must be subject to the qualification that an acceptable surface access package has to be produced.
4. Additionally in relation to surface access, the Council notes that reference is made to the Airtrack scheme, which passes through Spelthorne. Airtrack has significant environmental impacts on sites of national and international importance for nature conservation, on local residents and on Staines town centre. The Council understands the significance of the scheme and is actively engaging with BAA and interested parties to ensure that adverse impacts are minimised.

Question 3

Do you agree or disagree with the Government's view on adding a third runway and being able to meet air quality limits without further measures? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The Council accepts *that based on the assumptions in the technical reports* it has been demonstrated that air quality limits can be met, although it must be acknowledged that the conclusion relies on forecast technological improvements to reduce emissions that cannot at this stage be guaranteed. It is therefore essential that the air quality assessment be kept under review and updated as new information becomes available. Any future permission for a third runway would need to be subject to conditions that ensure air quality limits are not breached in practice.

Question 4

Do you agree or disagree with the Government's view that adding a third runway is achievable within the noise contour limit of 127 sq km, at the indicated levels of air traffic? What are your reasons? Are there any

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significant considerations you believe need to be taken into account? If so, what are they?

The Council accepts it has been demonstrated that the noise contour limit can be met subject to the runway initially operating at reduced capacity.

However, It must be acknowledged that the conclusion is subject to assumptions regarding future technological improvements and the future mix of aircraft operating from Heathrow that cannot be guaranteed.

Despite the forecast reduction in the noise contour area, there would be an increase in the number of flights on departure routes, including those over and around Spelthorne. The recent Government-commissioned “ANASE” report, though criticised in peer group reviews, did suggest that greater weight should be given to the changes in the frequency of aircraft in assessing noise impact than is the case with the current method of measuring noise contours.

It is therefore essential that the air noise assessment be kept under review taking account of all relevant factors and updated as new information becomes available. Any future permission for a third runway would need to be subject to conditions that ensure air noise limits are not breached in practice.

Questions 5 and 6

Do you agree or disagree with the Government’s view that mixed mode operations could be introduced within the noise limits set out in the White Paper? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

To what extent would you support the introduction of mixed mode operations?

- a. throughout the day?
- b. limited to specific hours (if so, would you support mixed mode between 0600 and 1200 hours? Some other period?) (please specify)
- c. within the current planning cap (ie with no extra capacity overall)?

If you support additional movements, in what periods of the day do you think they should be provided?

What are your reasons for these answers? Are there any significant considerations you believe need to be taken into account? If so, what are they? Please provide evidence where you can (eg environmental impacts, business benefits).

The Council accepts that mixed mode operations could be introduced within the 57Leq noise contour limit but does not consider that the noise contour limit

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should be the determining factor in deciding whether to introduce mixed mode.

The White Paper states that the impacts and benefits of mixed mode should be studied in detail (para 11.66) and does not specify compliance with the noise contour limit as a test of acceptability for mixed mode as opposed to a third runway. Leq-based noise contours are calculated by averaging noise levels over a 16 hour day and are not therefore a suitable tool for assessing the noise impact of moving from runway alternation to mixed mode, which involves changing from the present situation where half the day is free from planes over flying to one where planes are over flying throughout the day with no break.

The Council recognises that there are economic benefits from introducing mixed mode, but these need to be set against the severe environmental impact on areas such as Stanwell Moor in Spelthorne that suffer from high levels of noise disturbance due to over flying planes. In Stanwell Moor and other similar areas close to the airport and under the flight path runway alternation offers an essential period of relief from constant aircraft noise, which is highly valued by local people.

The Council notes that the impact assessment of costs and benefits (Annex B of the consultation document) rightly recognises the economic benefits to travellers of mixed mode but considers noise impact solely in terms of change to 57Leq contour, which is of only marginal relevance to assessing the impact of mixed mode. To present a complete picture the impact assessment needs to place a value on the loss of runway alternation and an objective study to assess the real value of runway alternation to affected communities -should have formed part of the detailed study required by the White Paper. As it stands the impact assessment fails to take account of the biggest environmental impact on local people of the introduction of mixed mode and must be regarded as deficient.

Attention is drawn to the following evidence in support of the value of runway alternation:

1. The Council is currently working with the Stanwell Moor community to produce a Neighbourhood Action Plan and a key part of the preparatory work has been to identify issues of concern to local people through extensive interviews and group discussions. Through this process, aircraft noise was highlighted by local people as a major concern and retaining runway alternation was seen as an essential measure necessary to prevent aircraft noise becoming intolerable.
2. The importance of runway alternation to local communities was also highlighted in evidence from local people and organisations to the Terminal 5 Inquiry. Reference should be made to the evidence given at the various public sessions and under the noise topic.

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In addition to the impact on Stanwell Moor mixed mode with extra capacity is forecast to show an increase in the number and proportion of flights using the "Dover" departure route that lies immediately west of Staines and Laleham. The extent of the 57Leq noise contour is shown to increase in this area as a result with increased disturbance to local residents.

For these reasons the Council opposes the introduction of mixed mode operations both within the current movement limit and with additional capacity.

Question 7

Do you agree or disagree with the Government's view that full mixed mode operations could be introduced by 2015 and be compatible with compliance with the air quality limits in the vicinity of the airport? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The Council accepts mixed mode operation could be introduced without breaching air quality limits but does not regard air quality as decisive when set against the noise impacts discussed above.

Question 8

Do you agree or disagree with the Government's views on retaining westerly preference? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The Council recognises there are winners and losers from westerly preference but on balance accepts that it should remain on the basis that more people gain than lose from the current arrangement.

Question 9

Do you agree or disagree with the Government's proposal to end the Cranford agreement? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The Council considers that the arguments in relation to the Cranford Agreement are finely balanced. Table 14 of the consultation document suggests there would be more winners than losers from abolition but that the winners are in areas less severely affected by aircraft noise than the losers. In the Council's view greater weight should be given to impact on those who are more seriously affected.

It is appreciated that ending the Cranford Agreement would result in noise impact being spread more evenly around the airport. But there is also an argument that, where the existing regime is long established and where change would result in both winners and losers, the presumption should be in

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favour of maintaining the status quo to which residents will have adapted over the years.

Therefore, on balance, the Council favours retention of the existing arrangement.

Question 10

Do you agree or disagree with the Government's views on continuing night time rotation? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The Council supports the retention of night time rotation of easterly and westerly preference.

Question 11

Do you agree or disagree with the Government's views on continuing runway alteration in the 0600 to 0700 period? What are your reasons? Are there any significant considerations you believe need to be taken into account? If so, what are they?

The Council supports the retention of runway alternation between 0600 and 0700.

APPENDIX B

SPELTHORNE BOROUGH COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

ARRANGEMENT OF BYELAWS

PART 1

GENERAL

1. General interpretation
2. Application
3. Opening times

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

4. Protection of structures and plants
5. Unauthorised erection of structures
6. Climbing
7. Grazing
8. Protection of wildlife
9. Gates
10. Camping
11. Fires
12. Interference with life-saving equipment

PART 3

HORSES, CYCLES AND VEHICLES

13. Interpretation of Part 3
14. Horses
15. Cycling
16. Motor vehicles

PART 4

PLAY AREAS, GAMES AND SPORTS

17. Interpretation of Part 4
18. Skateboarding
19. Ball games

20. Ball games - Rules
21. Cricket
22. Golf
23. Golf - Rules

PART 5
WATERWAYS

24. Interpretation of Part 5
25. Mooring
26. Pollution

PART 6
MODEL AIRCRAFT

27. Interpretation of Part 6
28. General prohibition

PART 7
OTHER REGULATED ACTIVITIES

29. Provision of services
30. Excessive noise
31. Public shows and performances

PART 8
MISCELLANEOUS

32. Obstruction
33. Savings
34. Removal of offenders
35. Penalty
36. Revocation

SCHEDULE 1 - Grounds to which byelaws apply generally

SCHEDULE 2 - Rules for playing ball games in designated areas

Byelaws made under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 by Spelthorne Borough Council with respect to pleasure grounds, public walks and open spaces.

PART 1 GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Spelthorne Borough Council;

“the ground” means any of the grounds listed in Schedule 1;

“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

Application

2. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.

Opening times

3. (1) No person shall enter or remain in the ground except during opening hours.
- (2) “Opening hours” means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

4. (1) No person shall without reasonable excuse remove from or displace within the ground:

- (a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
 - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall walk on or ride, drive or station a horse or any vehicle over:
- (a) any flower bed, shrub or plant;
 - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
 - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

Unauthorised erection of structures

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

Climbing

6. No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

Grazing

7. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

Protection of wildlife

8. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

Gates

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.
- (2) Byelaw 9 (1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

Camping

10. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping except in a designated area for camping.

Fires

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 11(1) shall not apply to:
 - (a) the lighting of a fire or barbecue at any event for which the Council has given permission that fires or barbecues may be lit; or
 - (b) the lighting or use, in such a manner as to safeguard against damage or danger to any person, of
 - (i) a properly constructed camping stove or of a properly constructed barbecue, in a designated area for camping within that ground known as Laleham Park, or
 - (ii) of a properly constructed barbecue, in a designated area for barbecues.

Interference with life savings equipment

12. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.

PART 3

HORSES, CYCLES AND VEHICLES

Interpretation of Part 3

13. In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

Horses

14. (1) No person shall ride a horse except:
 - (a) on a designated route for riding; or
 - (b) in the exercise of a lawful right or privilege.

- (2) Where horse-riding is permitted by virtue of byelaw 14(1)(a) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

15. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

Motor vehicles

16. (1) No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way or a designated route for that class of vehicle.
- (2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part 4

17. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area, putting course or crazy golf area;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

Skateboarding, etc

18. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball games

19. No person shall play ball games outside a designated area for playing ball games in such a manner:
 - (a) as to exclude persons not playing ball games from use of that part;

- (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
 - (c) which is likely to cause damage to any tree, shrub or plant in the ground.
20. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 2 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

Cricket

21. No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.

Golf

22. No person shall drive, chip or pitch a hard golf ball except on the golf course.
23. (1) No person shall play golf on the golf course unless he holds a valid ticket issued by or on behalf of the Council entitling him to do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Council.
- (2) No person shall enter on to or remain on the golf course unless:
- (a) taking part in the game of golf or accompanying a person so engaged; or
 - (b) doing so in the exercise of a lawful right or privilege.
- (3) No person shall offer his service for hire as an instructor on the golf course without the consent of the Council.

PART 5

WATERWAYS

Interpretation of Part 5

24. In this Part:

“boat” means any yacht, motor boat or similar craft but not a model or toy boat;

“waterway” means any river, lake, pool or other body of water and includes any fountain.

Mooring

25. No person shall in any ground having a frontage to the River Thames moor any boat except where any part of the ground has by notice affixed in a conspicuous position been set aside by the Council as a place where mooring is permitted provided always that no boat moored pursuant to this byelaw

shall remain moored in the ground for more than 24 hours in any period of 48 hours.

Pollution

26. No person shall foul or pollute any waterway.

PART 6

MODEL AIRCRAFT

Interpretation of Part 6

27. In this Part:

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (b) jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length; or
- (c) one or more electric motors or by compressed gas.

General prohibition

28. No person shall cause any power-driven model aircraft to:
- (a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or
 - (b) land in the ground without reasonable excuse.

PART 7

OTHER REGULATED ACTIVITIES

Provision of services

29. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

Excessive noise

30. (1) No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:

- (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 30(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Public shows and performances

31. No person shall without the consent of the Council hold or take part in any public show or performance.

PART 8

MISCELLANEOUS

Obstruction

32. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

33. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

34. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Penalty

35. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

36. Byelaws 1-8 and 10 – 18, the first schedule and references in the second schedule to Echelford Recreation Ground made by Spelthorne Borough Council on 28 February 1992 and confirmed by the Secretary of State for the Home Office on 26 May 1992 relating to the ground are hereby revoked.

SCHEDULES

SCHEDULE 1

GROUND TO WHICH BYELAWS APPLY GENERALLY

[Repeats first schedule of 1992 Byelaws]

SCHEDULE 2

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 20)

Any person using a designated area for playing ball games is required by byelaw 20 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.
- (6) No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area.

**REPORT OF THE INDEPENDENT
REMUNERATION PANEL**

**TO
SPELTHORNE BOROUGH COUNCIL
ON 21ST FEBRUARY 2008**

**Report on the Panel Meeting held on
23rd January 2008**

REPORT OF THE INDEPENDENT REMUNERATION PANEL TO SPELTHORNE BOROUGH COUNCIL

1. Background

- 1.1 The Spelthorne Independent Remuneration Panel was originally established in January 2002. The Panel's general terms of reference and up-to-date membership are recorded in reports to the Borough Council in August 2003 and February 2005, respectively.
- 1.2 When we advised the Council previously in relation to a new Scheme of Allowances under the Local Authorities (Members' Allowances) (England) Regulations 2003, we indicated that it would be appropriate in future to consider the level of basic and special responsibility allowances nearer to the start of each new financial year.
- 1.3 To assist us in our review and deliberations on allowances, we considered the up-to-date comparative information on levels of Members' Allowances paid by other Surrey Districts and had access to information on Members' Attendance records.
- 1.4 We have met on 23rd January 2008 to consider the main issues, in particular those in relation to basic and special responsibility allowances.

2. INFORMATION AVAILABLE TO THE PANEL

- 2.1 We were provided with a briefing note by the Principal Committee Manager, on behalf of the Deputy Chief Executive (Support Services), which set out the background details including details of the current allowances.
- 2.2 We were supplied with the up-to-date comparative information on levels of Members' Allowances paid by other Surrey Districts and had access to information on Members' Attendance records. The latest information from the South East Employers on allowances paid by other local authorities in the southeast was also available to the Panel.
- 2.3 We noted the anticipated budget implications for (1) the basic and special responsibility allowances for 2008/2009 being increased by inflation and (2) the basic and special responsibility allowances for 2008/2009 being increased by the same percentage increase set for the Council staff salaries for 2008 (i.e. 2.75%).
- 2.4 We are aware that in addition to the basic and other allowances payable, councillors are currently supported by the provision of access to IT facilities in two ways - either the Council provides and supports a recently improved standard IT package or the individual councillor provides his or her own IT facilities.

3. GENERAL APPROACH

- 3.1 We have always considered it important that the scheme of allowances should be fair, easy to understand and straightforward to administer.

- 3.2 We are aware of the desirability of encouraging as wide a range of people as possible to become Councillors. However, we are not aware of any evidence to suggest that the level of allowances payable in Spelthorne has had any direct effect on encouraging or discouraging people from putting themselves forward for election. In fact, we have noted that at the Borough Council Elections in May 2007 there were 16 new Councillors elected and of these 14 were elected to the Council for the first time.
- 3.3 The Panel considered whether it might be appropriate, to assist with its current deliberations, to hold interviews with a selection of councillors to gather further evidence in relation to the extent of councillor's activities and the allowances payable. The Panel felt on reflection that the information available from the questionnaire survey completed by councillors in 2003, was still valid and provided sufficient evidence of the level of councillor activities on both Council business and voluntary public service to the community.
- 3.4 We believe that any representations to the Panel from individual councillors should be coordinated via the Leader of the Council.
- 3.5 The current basic allowance of £3,833 derives from the original assessment of the reasonable minimum time commitment needed from a Spelthorne councillor to fulfil their role as a councillor. Based on evidence given to the Panel previously by councillors, including the results of the questionnaire survey completed by councillors in 2003, the Panel considers that a councillor needs to spend a minimum of about eight hours or one working day a week on Council related business. The activity involved in being a councillor is a voluntary public service to the community and the Panel feels it appropriate to reflect this voluntary aspect in the allowances paid. For remuneration purposes, it is therefore considered reasonable by the Panel to expect that councillors will give 33% of their time voluntarily without expectation of any payment. The Panel does not believe that there is a need at this stage to look at any other market indicators in relation to the level of allowances available to councillors under the allowances scheme.
- 3.6 Special responsibility allowances are based on an additional percentage of time being added (without further discount to reflect the voluntary principle) to reflect the additional time needed by those fulfilling particularly responsible roles, such as the Leader, members of the Executive and some of the Committee Chairmen.
- 3.7 The basic allowance, which is payable equally to all councillors, needs to reflect what is a reasonable commitment from all councillors. We appreciate that the time and commitment individual councillors are willing or able to make to Council work will always be different and that some will always be able to or will choose to spend more time than others. That is a matter of personal choice and circumstances for individual councillors.
- 3.8 In regard to the differing levels of attendance by councillors at meetings, whilst attending meetings is certainly one aspect of the work of a councillor, it seems to us that what is important for the local residents is not the number of meetings that a councillor attends, but what he or she actually achieves in added value by attending those meetings. We feel that local residents are looking for practical and useful outcomes from the work of their elected representatives.

- 3.9 We believe that the underlying approach of the allowances scheme remains sound, (1) by the setting of a basic allowance at a level based on the minimum time reasonably necessary to fulfil the role of a ward councillor, and (2) with the level of the special responsibility allowances based on multiples of this basic allowance, to reflect that those councillors with more significant responsibilities need to spend additional time in fulfilling their more demanding roles.
- 3.10 We considered whether Spelthorne's allowances are out of line with the allowances in other Councils. We felt that the most appropriate comparison was with the other ten Surrey Districts, particularly those that have largely similar executive arrangements to Spelthorne. Nothing from this comparison or from the survey information provided from the South East Employers Organisation suggests to us that the allowances payable in Spelthorne are out of line with the allowances paid to councillors in other Surrey Districts.
- 3.11 We have during our deliberations focused on being as fair as possible in looking at the allowances, and have taken account of the current economic climate and the on-going budget pressures faced by Spelthorne and other public authorities. We are aware that the Council is seeking to make savings on the Council's budget for next year across a wide range of activities. We have therefore adopted a more cautious approach this year, on the basis of what the Council can afford to pay on allowances and whether proposals to increase the allowances would be out of kilter with the current budget environment. We acknowledge that this achievement is made possible via the significant value for money contribution made by councillors through their invaluable work for the Council and the local community. We wish to recognise the success of Spelthorne and the valuable high level of activity put in by its councillors.
- 3.12 We recognise that Spelthorne continues to be a "high performing" Council and that there is an enormous value for money contribution made by councillors towards this achievement and towards providing improved services for local residents. In light of this, we feel able to recommend that the current Members' Allowances be increased from 1 April 2008 by 2.75%, in line with the pay award set for staff for 2008. We do not feel, in light of the present economic climate, that we can support any index linking of the allowances.
- 3.13 We have looked at special responsibility allowances in relation to the Leader of the Council and his Executive Portfolio roles of Planning Policy and Performance Management and have noted the additional responsibilities that he may have in future, in the light of the Local Government and Public Involvement in Health Act 2007.
- 3.14 In relation to special responsibility allowances, we have considered the responsibility level and present roles of the Chairman of the Audit Committee and the independent Chairman of the Standards Committees and do not believe, at this stage, that any changes need to be made to the allocation of the special responsibility allowances to include them for receipt of such payment.

4. RECOMMENDATIONS

- 4.1 We have considered the position in relation to payment of basic and special responsibility allowances and make the following recommendation to the Council:

The Panel recognises that Spelthorne is a “high performing” Council that continues to provide improved services for local residents. This is made possible via the significant value for money contribution made by Council Members through their invaluable work for the Borough Council and the local Community. In light of this, the Panel recommend that Members’ Allowances be increased from 1 April 2008 by 2.75%, in line with the pay award set for staff for 2008.

Basic allowance	Current	New
Payable to all Members	£3833	£3938
Special Responsibility Allowances	Current	New
Leader	£8795	£9037
Deputy Leader	£5840	£6001
Other Executive Members (4 at present)	£2931	£3012
Chairmen of Overview and Scrutiny Committees (2)	£2931	£3012
Chairmen of Planning and Licensing Committees (2)	£2931	£3012
Opposition Group Leader	£2931	£3012

Pauline Hedges
Regional Manager of
Surrey Chambers of
Commerce

John Knevett
Group Chief Executive
Officer, A2 Housing
Group

Ken Morgan
Consultant with Menzies
Bolton Colby

23rd January 2008

**RECOMMENDATION FROM THE INDEPENDENT MEMBER
SELECTION PANEL**

- 1. APPOINTMENT OF INDEPENDENT NON ELECTED MEMBER TO THE STANDARDS COMMITTEE.**
- 1.1 At the Council meeting held on 19 July 2007 the Council approved the arrangements for the advertising and selection of an Independent non-elected member of the Standards Committee. At that time it was agreed that the term of appointment for the successful applicant would be initially for a period to expire at the Council AGM May 2009 when consideration would be given for a further four year term.
- 1.2 The successful candidate would act as vice chairman of the Standards Committee and work with the existing Chairman, who is also an independent non elected member.
- 1.3 Subsequently a Selection Panel was appointed to consider any applications received and make recommendations on the appointment to the Council. The Selection Panel met on two occasions and comprised of Mr M. Litvak (Chairman) Councillor J.D. Packman (Leader of the Council) and Councillors T.W. Crabb and M.T. Royer.
- 1.4 Each candidate was asked to give contact details of two references and where possible these were obtained in advance of the interviews.
- 1.5 The Selection Panel interviewed four candidates for the position and after very careful consideration of the applications recommend that Miss Sue Faulkner be appointed to the position, subject to the receipt of a satisfactory second reference being obtained. This has since been received and Members of the Panel were satisfied with the reference.
- 1.6 **RECOMMENDATION TO THE COUNCIL:**
 - (a) **To approve the appointment of Miss Sue Faulkner as independent non elected member to the Standards Committee.**
 - (b) **The appointment to be for a period to expire at the Council AGM in May 2009, when consideration would be given for a further four year term.**
 - (c) **To appoint Miss Sue Faulkner as Vice Chairman of the Standards Committee.**

Murray Litvak – Chairman of the Independent Member Selection Panel and
the Standards Committee **21 February 2008**

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

This is my fifth report to the Council, as the Leader, on the work of the Executive. This report is an overview of some of the key issues that we have discussed at our meeting on 15 January 2008. A summary of the various items discussed by the Executive at the meeting on 12 February 2008 will be included in my report to the next ordinary Council meeting. We have made recommendations to the Council on ten matters that appear separately on this Agenda.

1. AREA FORUMS

We have considered a report looking back at the most recent round of Area Forums and making proposals for the Spring 2008 Area Forums.

We have approved the holding of the Spring 2008 Area Forums, as set out at paragraph 4 in the report of the Chief Executive.

2. CONSULTATION ON HOUSING AND PLANNING DELIVERY GRANT

We have considered a report proposing a formal response by the Council to the consultation by the Communities and Local Government Department concerning the allocation mechanism for the proposed Housing and Planning Delivery Grant.

We have approved the formal response to the Consultation by the Communities and Local Government Department on the Housing and Planning Delivery Grant allocation mechanism, as set out at Appendix 1 to the report of the Deputy Chief Executive, with the further amendments agreed by the Executive at their meeting.

3. TRAFFIC MANAGEMENT ACT 2004 REPORT

We have considered a report on the provisions of the Traffic Management Act 2004 (TMA) that requires all Local Authorities enforcing Decriminalised Parking Enforcement [DPE] to inform the public about their policies and general parking enforcement procedures.

We have approved the adoption of charge Band 2, in relation to enforcement, as set out in paragraph 3.1 of the report of the Deputy Chief Executive.

4. DRAFT PLANNED MAINTENANCE AND IMPROVEMENT PROGRAMME FOR 2008/2009

We have considered a report informing Members of the scope and the cost of the 2008/2009 Planned Maintenance and Improvement Programme.

We have approved the funding of the 2008/2009 Planned Maintenance and Improvement Programme, as set out in the report of the Deputy Chief Executive.

Councillor John Packman
Leader of the Council

21 February 2008

REPORT OF THE CHAIRMAN ON THE WORK OF THE AUDIT COMMITTEE

The Audit Committee met on 18 December, 2007 and considered the following items of business.

1. AUDIT SERVICES REPORT: AUGUST – NOVEMBER 2007

- 1.1 The Committee considered and approved a report which outlined the work undertaken by Audit Services during the period August –November 2007.
- 1.2 The Committee was informed that other authorities were interested in joining the successful audit partnership, currently between Spelthorne and Surrey Heath and a further report on this would be brought to the next meeting of the Committee.

2. CORPORATE RISK REGISTER

- 2.1 The Committee noted the quarterly update on the Corporate Risk Register which had been reviewed and updated by the Corporate Risk Management Group.
- 2.2 The Committee agreed, that in cases where action had not been taken to address high level corporate risks, to invite the relevant Head of Service to attend the next meeting of the Committee to explain why target dates had not been met.

3. CONFIDENTIAL REPORTING CODE (WHISTLEBLOWING) POLICY

- 3.1 The Committee considered and noted the report on the Confidential Reporting Code (Whistleblowing) Policy.

4. COMMITTEE WORK PROGRAMME 2007/2008

- 4.1 The Committee considered and approved its Work Programme for the meeting to be held on 27 March 2008.

5. EXEMPT ITEM ON CAR PARK INVESTIGATIONS

- 5.1 The Committee noted with concern a report on an exempt matter relating to certain issues in car parks. It was satisfied that these had been dealt with appropriately.

Councillor Jack Pinkerton
Chairman of the Audit Committee

21 February 2008

REPORT OF THE CHAIRMAN ON THE WORK OF THE IMPROVEMENT AND DEVELOPMENT COMMITTEE

The Improvement and Development Committee met on 17 January 2008 and considered the following items of business:

1. MATTERS ARISING

Work Programme (Minute 317/07 (a))

The Committee was informed that in view of the Members Seminar on 29 January 2008 on Brooklands College, Ashford Campus the presentation to this Committee had been removed from the Agenda with the consent of the Chairman.

2. OUTLINE BUDGET STRATEGY TASK GROUP REPORT AND RECOMMENDATIONS

The Committee received a report on the work of the Task Group from its Chairman, Councillor M.T. Royer. The Committee noted that the Task Group had been unable to formulate recommendations on budget savings, as the items identified needed further detailed investigation and that to do this now would delay the Budget for 2008/2009. The Committee then considered and agreed the following recommendations:

- (a) To extend the life of the Task Group to cover the preparation of the Budget for 2009/2010, to allow for the detailed investigation of the items identified by the Task Group to date;
- (b) To retain the continuity of the Task Group, its knowledge and expertise, the existing membership and Chairman be retained for the forthcoming municipal year and to enable the Group to commence work at the start of the 2008/2009 financial year; and
- (c) To authorise the Task Group to feed into the budget process throughout its preparation and in order to meet budgetary deadlines, to submit recommendations direct to the Executive. Any recommendations would only be passed to Executive, after consultation between the Chairman of the Task Group and the two Scrutiny Committee Chairmen.

3. GRANTS TASK GROUP REPORT AND RECOMMENDATIONS

The Committee received a report on the work of the Task Group from its Chairman, Councillor H.R. Jaffer, and agreed to forward the following recommendations to the Executive for consideration:

- (a) That individual Compacts be entered into with the organisations identified at A to J in the schedule circulated at the meeting, for a period of three years;
- (b) That the spread of financial support for the services to be provided is acceptable;
- (c) That the Compacts contain specific measurable targets for the purpose of delivering robust services to the community;
- (d) That performance of individual Compacts be reviewed annually to ensure targets are met and action taken if they are not; and
- (e) That the Compacts should continue to contain a get out clause of 6 months for both sides if commitments cannot be met.

4. CRIME AND DISORDER REDUCTION PARTNERSHIP (CDRP) ACTION PLAN

The Committee received and noted a presentation from the Crime and Disorder Reduction Partnership Manager outlining the role and history of the CDRP.

The Police and Justice Act 2006 now required the Partnership to undertake annual strategic assessments and then produce a Partnership Plan for the coming year. This assessment had been completed and the Board had set out the key priorities and areas for action.

The Plan would now be considered by Executive at its 12th February 2008 meeting and if ratified the Board would give its final approval for publication by 1st April 2008.

5. STREET SCENE ENFORCEMENT

The Committee received an update presentation from the Head of Direct Services on Street Scene Enforcement arising from the Clean Neighbourhoods and Environment Act 2005, which gave local authorities new powers to deal with low-level anti-social behaviour and environmental crime.

The Committee noted the current approach to educate the public through visits, encouragement and warnings etc and that this course of action had been successful in significantly reducing the number of incidents in the following areas; dog fouling, litter, fly-tipping, abandoned vehicles, working on and sale of vehicles in or by the roadside.

The Committee agreed that in view of forthcoming developments and initiatives such as Fixed Penalty Notices and Parks Byelaws, setting up a Task Group to develop a policy on Street Scene Enforcement should be deferred for twelve months to allow for further assessment of the current educational approach and for the impact of the developments and initiatives to be assessed.

6. GROUNDS MAINTENANCE CONTRACT

The Committee considered a report from the Head of Direct Services on the Grounds Maintenance Contract. The Committee noted that the current contract was not flexible enough and there was a need to look at a number of key issues and the level of service and review the specification.

The Chairmen of the two Scrutiny Committees had set up a Joint Task Group to look at the contract. This Committee had authorised its Chairman to appoint Committee Members to serve on the Joint Task Group.

7. ISSUES FOR FUTURE MEETINGS

The Committee received requests from Members on issues for consideration at future meetings and agreed that the following items be placed on the Agenda for its April 2008 meeting:

- update on the Youth Strategy and the County Youth Officer for Spelthorne be invited to attend, to update and present the County Council's proposals for youth facilities and work in the Borough
- a presentation on what Spelthorne is doing to meet the challenge of climate change.

8. WORK PROGRAMME 2007/2008

The Committee considered and agreed its work programme for the remainder of 2007/2008.

Councillor Mrs. Pat Weston

Chairman of the Improvement and Development Committee

21 February 2008

REPORT OF THE CHAIRMAN OF THE LICENSING COMMITTEE

There has been one Licensing Sub-Committee on 6 December 2007 which considered the following item of business:

6 December 2007 – LICENSING SUB-COMMITTEE

Review of a Premises Licence

A Licensing Sub-Committee considered an application for a Review of a Premises Licence by Surrey Police in respect of “Bargain Booze” 117 Groveley Road, Sunbury on Thames.

The Licensing Sub-Committee revoked the Premises Licence in respect of “Bargain Booze”.

An appeal has been lodged with the Magistrates’ Court.

Councillor Robin Sider
Chairman of the Licensing Committee

21 February 2008

REPORT OF THE CHAIRMAN ON THE WORK OF THE PLANNING COMMITTEE

The Planning Committee has met five times 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 5 and 12 December 2007, 9 and 22 January 2008, and 6 February 2008.

1. The Planning Committee meeting on **5 December 2007 (and re-convened on 12 December 2007)** dealt with 12 items. Public speaking took place on 5 items with 8 persons taking the opportunity to address the Committee.

The most notable items on the agenda were:

- (a) Refusal of an application for a 172 bedroom hotel at 554 London Road Ashford.
- (b) Approval of an application for the details of a residential scheme for 14 dwellings which had been previously allowed on appeal at Little Manor, Taranaki Green Street Sunbury.
- (c) Refusal of an application for 8 houses at 27-31 The Drive Ashford.
- (d) Approval for the demolition of existing dwelling houses and erection of 13 dwellings at 147-153 Charlton Road Shepperton.
- (e) Approval of planning permission for the demolition of existing dwellings and the erection two blocks of flats comprising a total of 22 units and the erection of 59 houses at St Michaels Road Ashford.
- (f) Approval of an application for a 145 bedroom hotel and an office building of 10,979 sq m at the Centrica site London Road Staines.
- (g) Raising no objection to a consultation from Surrey County Council to the design of the new Walton Bridge and approach roads (subject to a number of provisions).

2. The Planning Committee meeting was held on **9 January 2008 (and re-convened on 22 January 2008)** and dealt with 12 items. Public speaking took place on 7 items with 13 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- (a) Approval for provision of an additional 205 berths at Shepperton Marina together with permission for the erection of a new boat repair workshop and clubhouse.

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- (b) The grant of planning permission for the erect of a block of ten flats at 77 Worple Road Staines following demolition of the existing dwelling.
- (c) The refusal of an application for the erection of a block of 8 flats at 215 upper Halliford Road Shepperton
- (d) The Committee also authorised the taking of Enforcement action against unauthorised work that had taken place to the dwelling at 2 Milton Drive Shepperton.

3 The Planning Committee on **6 February 2008** considered 6 of the 15 items on the Agenda. The remaining items are due to be considered at a reconvened meeting to take place on 20 February. Public speaking took place on 4 of the items with 7 persons addressing the Committee.

The most notable items considered were

- a) Approval of an application for a block of 14 flats at 211-215 Staines Road West Sunbury
- b) The refusal of an application for 12 flats and two houses at 162-164 Kingston Road Staines
- c) The refusal of an application for a block of 8 flats at 20-22 Portland Road Ashford.

Councillor John O'Hara
Chairman of the Planning Committee

21 February 2008

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. CONSULTATION DOCUMENT – ORDERS AND REGULATIONS FOR THE NEW LOCAL ASSESSMENT FRAMEWORK

- 1.1 The Committee discussed with the Monitoring Officer a draft response to the Government's consultation Paper which sought views on the detailed arrangements for putting into effect the Orders and Regulations to provide a revised more locally based ethical regime for the conduct of local authority members. The deadline for responses to the consultation paper was 15 February 2008.
- 1.2 The Committee approved the responses to the government Consultation Paper on the local assessment of complaints as suggested in the report of the Monitoring Officer and as outlined at the meeting.
- 1.3 The Committee noted that it was anticipated that the regulations would be published without further consultation in order to meet the Department of Communities and Local Government suggested timeframe of 1 April 2008. In the event this was the case the following extraordinary meetings had been arranged.
- 1.4 An extraordinary Standards Committee Meeting to be held on 10 March 2008 with the recommendations from the meeting being submitted to an Extraordinary Council meeting taking place on 25 March 2008.

2. APPOINTMENT OF INDEPENDENT NON ELECTED MEMBER TO THE STANDARDS COMMITTEE

- 2.1 The Selection Panel's recommendation on the appointment of an Independent non-elected member to the Standards Committee was considered earlier this evening.
- 2.2 However I felt that it should be acknowledged the high standards of all the candidates interviewed and to place on record our thanks and appreciation for the interest that had been shown in this position.
- 2.3 I would also like to report that due to a previous commitment the newly appointed Independent Member of the Standards Committee was unable to attend this evening.

Murray Litvak
Chairman of the Standards Committee

21 February 2008