

**Roberto Tambini
Chief Executive**

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

15 April 2009

TO THE MEMBERS OF SPELTHORNE BOROUGH COUNCIL

SUMMONS TO MEETING

You are hereby summoned to attend the **Meeting of Spelthorne Borough Council to be held in the Council Chamber, Council Offices, Knowle Green, Staines on THURSDAY 23 APRIL 2009 beginning at 7.30pm**, for the purpose of transacting the business specified in the Agenda **set out on the next page**.

ROBERTO TAMBINI
Chief Executive

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

PUBLIC SPEAKING IN PERSON AT COUNCIL MEETINGS

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

(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].

IMPORTANT PUBLIC NOTICE

MOBILE TECHNOLOGY – ACCEPTABLE USE

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

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

PLEASE:

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

THANK YOU FOR YOUR CO-OPERATION IN THIS MATTER.

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive any apologies for non-attendance.

2. MINUTES – COUNCIL MEETING HELD ON 26 FEBRUARY 2009
[pages 4 to 29]

To confirm as a correct record the Minutes of the Council Meeting held on 26 February 2009.

3. DISCLOSURES OF INTEREST

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

4. ANNOUNCEMENTS FROM THE MAYOR

(a) The Mayor to present the Civic Pride Environmental Awards.

(b) The Mayor to present to Mick Raynor, Community Warden for Stanwell, the Lifetime Achievement Award awarded to him by the South East Region at the 2009 Annual Warden Conference.

(c) To receive any other 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 submitted to the Council 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
[page 30]

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

(1) Updates to the Council's Constitution.

(2) Improvements to the Business Management and Civic Life of the Council.

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. RECOMMENDATIONS OF THE LICENSING COMMITTEE
[page 31]

To consider the recommendations of the Licensing Committee on a Review of Film Licensing.

11. REPORT FROM THE LEADER OF THE COUNCIL
[pages 32 to 33]

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
[pages 34 to 35]

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

13. REPORT ON THE WORK OF THE IMPROVEMENT AND DEVELOPMENT COMMITTEE
[pages 36 to 37]

To receive the report on the work of the Committee.

14. REPORT FROM THE CHAIRMAN OF THE LICENSING COMMITTEE
[pages 38 to 39]

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

15. REPORT FROM THE CHAIRMAN OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE
[pages 40 to 42]

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

16. REPORT FROM THE CHAIRMAN OF THE PLANNING COMMITTEE
[pages 43 to 44]

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

17. REPORT FROM THE CHAIRMAN OF THE STANDARDS COMMITTEE
[pages 45 to 47]

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

18. MOTIONS

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

“This Council notes the recent Audit Commission report that downgraded Surrey County Council's Comprehensive Performance Assessment from 3 stars to one star.

Council further notes that the Audit Commission said "Surrey's services for vulnerable children and young people do not meet minimum requirements and safeguarding is inadequate.”

Council resolves to deplore Surrey County Council's level of service to the Borough of Spelthorne.

Council resolves to invite the Leader of Surrey County Council to explain how he intends to improve the services that the County Council is providing to Spelthorne residents.”

Proposed by: Councillor I.J. Beardsmore
Seconded by: Councillor Mrs. C.E. Nichols

19. 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]*.

20. GENERAL QUESTIONS

- (1) Under Standing Order 14, Councillor Robin Sider has submitted the following General Question:

“Would Members of the Council take note that this year Spelthorne Civic Pride Volunteers will celebrate their 20th Anniversary. During this period of time they have carried out several major projects resurrecting overgrown ponds, clearing ditches and derelict sites, and promoting wildlife. They have also planted thousands of trees and thousands of bulbs, and in doing so their work has been recognised by their winning a multitude of local and National Awards, including the coveted Queen's Award for Voluntary Service. Will the Leader and this Council join me in congratulating the vibrant Chairman, her Committee and the host of Volunteers who have contributed so much to the ambience and environment of this Borough by their unswerving dedication and commitment to the community?”

- (2) The Leader or his nominee or relevant Committee Chairman to answer any other General Questions from Members on matters affecting the Borough or for which a particular Committee has responsibility. *[Providing notice has been given in accordance with the procedures in the Council's Constitution]*.

21. URGENT BUSINESS

To consider any urgent business.

MINUTES OF THE COUNCIL MEETING HELD ON 26 FEBRUARY 2009

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN,
STAINES ON THURSDAY 26 FEBRUARY 2009**

Ayers F.	Dunn Mrs S.A.	O'Hara E.
Bain Miss 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 Jack .D.
Bhadye S. (Mayor)	Hirst A.P.	Rough Mrs M.W.
Bouquet M.L.	Hyams Ms N.A.	Rough S.J.
Budd S.E.W.	Jaffer H.R.	Royer M.T.
Chouhan K.	Kuun C.D.G.	Smith-Ainsley R.A. (Deputy Leader)
Colison-Crawford R.B.	McShane D.L.	Spencer Mrs C.L. (Deputy Mayor)
Crabb T.W.	Napper Mrs I.	Thomson H.A.
Davis C.A.	Nichols Mrs C.E.	Trussler G.F.
	Nichols L.E.	

Councillor S. Bhadye, The Mayor, in the Chair

28/09 DEATH OF FORMER COUNCILLOR FRED GORE

Members, officers and public present, joined the Mayor to stand in silence as a mark of respect for the late former Councillor Fred Gore.

29/09 APOLOGIES

Apologies for absence were received from Councillors Ms P.A. Broom, M.J. Collis, Mrs V.J. Leighton, R.W. Sider and C.V. Strong and Independent Member, Miss Sue Faulkner.

30/09 MINUTES

The minutes of the meeting held on 18 December 2008 were approved as a correct record.

31/09 DISCLOSURES OF INTEREST

Councillor J.D. Packman disclosed, on behalf of all members present, their personal interest in Agenda Item 10 (2) Members' Allowances, under Section 4 of the Members' Code of Conduct.

The Mayor, Councillor S. Bhadye disclosed a personal interest in Agenda Item 17, General Question from Councillor L.E. Nichols, because the Sea Cadets was one of his charities.

Councillors Mrs D.L. Grant and the deputy Mayor, Mrs C.L. Spencer disclosed personal interests in Agenda Item 17, General Question from Councillor L.E.

Nichols, because of their position as Chairman and Secretary/Treasurer respectively, for the Sea Cadets Management Committee.

32/09 ANNOUNCEMENTS FROM THE MAYOR

Ladies St. George's Day Lunch

The Mayor announced that tickets were available for the Ladies St. George's Day Lunch which was being held on Thursday 23 April at the Thames Lodge Hotel, Staines.

33/09 DETAILED BUDGET 2009/2010

The Council considered the recommendation of the Executive on the detailed Budget for 2009/2010 and a formal proposal on a Council Tax for 2009/2010.

The Mayor referred Members to the Budget Book [green cover] reflecting the decisions and recommendations made by the Executive on 17 February 2009 and the precepts being levied by Surrey County Council and the Surrey Police which had been circulated to all Members.

At the invitation of the Mayor, the Council gave consent under Standing Order 18.4 for the budget speech of each of the Group Leaders to exceed 10 minutes.

The Leader of the Council, Councillor J.D. Packman made a statement on the Budget and Council Tax and moved the recommendations set out in the Budget Book (green cover). This was seconded by Councillor R.A. Smith-Ainsley. The Deputy Leader of the Opposition Group, Councillor I.J. Beardsmore, also made a statement on behalf of the Leader of the Opposition Group, Councillor C.V. Strong.

A copy of the Leader's and the Opposition Deputy Leader's statements were made available for other Members, the press and public at the meeting and are **attached at Appendices [A](#) and [B](#) to these Minutes, respectively.**

The Leader of the Council, Councillor J.D. Packman moved and Councillor R.A. Smith-Ainsley seconded the recommendations set out in the Budget Book (green cover).

RESOLVED

1. To consider and approve the growth items as set out in the report.
2. To approve in support of an increase of 14p per week (4.69%) in the Spelthorne element of the council tax for 2009/10 the following proposals:
 - a) The Revenue Estimates as set out be approved
 - b) An amount not exceeding £175,000 as set out in this report be appropriated from General Reserves in aid of Spelthorne's local Council Tax for 2009/10.

COUNCIL, 26 February 2009 - Continued

- c) To agree that the council tax base for the year 2009/10 is 40,164.1 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 sums be now calculated by the Council for the year 2009/10 in accordance with Sections 32 and 33 of the Local Government Act 1992.

(a)	£47,660,600	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)	£33,242,200	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)	£12,349,747	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)	£5,630,308	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)	£167.30	Being the sum (c) above less the amount at (d) above, all divided by the amount at (c) above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

4. That the following amounts be now calculated by the Council for the year 2009/10 in accordance with section 36 of the Local Government Finance Act 1992.
Valuation Bands

COUNCIL, 26 February 2009 - Continued

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
111.53	130.12	148.71	167.30	204.48	241.66	278.83	334.60

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.

5. That it be noted that for the year 2009/2010 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 Government Finance Act 1992, for each of the categories of the dwellings shown below.

Valuation Band	A £	B £	C £	D £	E £	F £	G £	H £
Precepting Authority Surrey CC	726.12	847.14	968.16	1089.18	1331.22	1573.26	1815.30	2178.36
Surrey Police	131.40	153.30	175.20	197.10	240.90	284.70	328.50	394.20

6. That, having calculated the aggregate in each case of the amounts at 4. and 5. 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 2009/2010 for each of the categories of dwellings shown below.

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
969.05	1130.56	1292.07	1453.58	1776.60	2099.62	2422.63	2907.16

The Leader, Councillor J.D. Packman requested an explanation from Councillor L.E. Nichols in respect of a quote attributed to him in a local newspaper, regarding the budget. Councillor L.E. Nichols confirmed that the difference of £2million in the budget alluded to in the newspaper quote was shown at Appendix 1 to the Budget Book (green cover) page 11, where Net Expenditure for 2009/2010 was shown as £14,418,400 and Budget Requirement for 2009/2010 as £12,349,747.

34/09 MEMBERS' ALLOWANCES

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

RESOLVED

- (a) That a new special responsibility allowance be approved for the Independent Standards Committee Chairman of £1,000 per annum from 1 January 2009.
- (b) That a new special responsibility allowance be approved for the Independent Standards Committee Vice-Chairman of £500 per annum from 1 January 2009.
- (c) That a new special responsibility allowance be approved for the Audit Committee Chairman of £3,012 per annum from 1 April 2009.
- (d) That, in light of the economic downturn, no increase in Members' existing basic and special responsibility allowances be made in 2009/2010.

35/09 ENVIRONMENTAL/STREET SCENE ENFORCEMENT

The Council considered the recommendation of the Executive on proposals to introduce a formal Fixed Penalty Notice (FPN) scheme, in relation to the enforcement of the provisions of the Clean Neighbourhood and Environment Act 2005 in respect of various environmental and street scene issues.

RESOLVED to amend the Scheme of Delegations to Officers, as set out in Part 3 (Responsibility for Functions) of the Council's Constitution, to authorise Street Scene Officers and the Stanwell Community Warden [or such other Officers who may be appointed at any future time to discharge similar functions] to exercise the Council's functions in respect of investigations and enforcement under the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005).

36/09 THE SPELTHORNE LOCAL DEVELOPMENT PLAN CORE STRATEGY AND POLICIES DEVELOPMENT PLAN DOCUMENT [DPD]

The Council considered the recommendation of the Executive on the recommendations of the Local Development Framework Working Party from its meeting held on 29 January 2009.

RESOLVED to adopt the Spelthorne Local Development Plan Core Strategy and Policies Development Plan Document [DPD], incorporating all the Inspector's recommendations.

37/09 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor J.D. Packman, presented his report, which outlined the various matters the Executive had dealt with since the last Council meeting.

38/09 IMPROVEMENT AND DEVELOPMENT COMMITTEE

In the absence of the Chairman of the Improvement and Development Committee, Councillor Miss M.M. Bain, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

39/09 LICENSING COMMITTEE

The Vice-Chairman of the Licensing Committee, Councillor Ms N.A. Hyams, presented the report of the Chairman in his absence, which outlined the matters the Committee had dealt with since the last Council meeting.

40/09 PLANNING COMMITTEE

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

41/09 MOTIONS

Under Standing Order 16.3, a Notice of Motion had been received concerning the transfer of Post Office facilities in Staines Town.

Councillor Miss M.M. Bain proposed and Councillor S.E.W. Budd seconded the following motion:

"This Council notes the transfer of post offices facilities in Staines Town to the local branch of W.H. Smith and requests that Post Office Counters Ltd. consider raising the number of staff there to provide a service which avoids the very long queues currently experienced."

The Leader of the Council, Councillor J.D. Packman responded along the following lines:

That he was grateful to the Councillor for raising this issue which was an indication of how seriously the Council took its role as a Community Leader.

RESOLVED

1. To ask the Deputy Chief Executive to write to the Post Office to express the concerns of the Council about the quality of service provided at its branch in WH Smith, Staines and
2. To ask Councillor C.A. Davis, as the Portfolio Holder for Regeneration, to discuss the matter with the manager at WH Smith, Staines and ask for the Council's concern to be raised with the Head Office.

42/09 QUESTIONS ON WARD ISSUES

Under Standing Order 14, Councillor T.W. Crabb asked the following question:

"The wide response to the Council's consultation on the future of the TP26 has demonstrated the intense interest by residents of Lower Sunbury. What steps has the Council in mind for making public the views submitted so that the residents can be reassured they are fully taken into consideration, and what is the timetable for the work?"

The Portfolio Holder for Young People and Cultural Services, Councillor Mrs D.L. Grant responded as follows:

"As the Councillor is I am sure already aware the Council is currently analysing the 188 responses received via feedback forms available at the exhibition, along with letters, e-mails and telephone calls. A summary of the responses will be made available in March 2009 via the website, local Residents Associations and Friends of Sunbury Park. Some of the issues raised require a response from Surrey County Council, in terms of their highway requirements for links into local streets and the width of the path. It is hoped that these will be received by the end of March. It is expected that the path would be laid and available for use by the summer.

I would also like to record our thanks to LOSRA, Lower Sunbury Residents Association for their valued support in promoting the exhibition on their Web Site and they also accepted my challenge to run a competition to name the new project. I await with keen interest the proposals when they come forward. The Bottle of Champagne to the winner is in safe keeping."

Under Standing Order 14, Councillor Mrs S.A. Dunn asked the following question:

"Following the recent death of a pedestrian, on the A244 in Halliford, would the Council please endorse the local resident's campaign for a crossing on this road by writing to Surrey County Council to urge that the proposal is progressed as quickly as possible?"

The Portfolio Holder for Communications and Engagement, Councillor A.P. Hirst responded as follows:

"I certainly agree that, in view of the tragic circumstances, we should urge Surrey County Council to install a pedestrian crossing. I have already e-mailed Annette Williamson the local Transport Officer for Surrey County Council and I would suggest that you liaise with her to progress the matter further."

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

"In October 2008 the Portfolio Holder advised that Nottingham Housing Trust was expected to be on the Benwell site in December 2008 with an estimated completion in early 2010.

At present the project appears to be delayed with no activity on site. What are the latest forecasts for demolition of the former day centre, commencement of building, completion and commissioning of the new development?"

The Leader, Councillor J.D. Packman responded as follows:

"Further to the comments made by the Portfolio Holder in October, I have already referred to Benwell in my Budget Speech.

Members will also be aware that, like many other building projects, Benwell has not been immune to potential fall in the value of the flats. The Council has worked with Nottingham Housing Trust to ensure that the scheme is viable and funding was agreed by the Home and Community Agency and the

updated S106 Agreement has now finally been agreed. Nottingham have confirmed that they will be on site in the next two weeks, with completion by mid summer.

As said before, Churchill is still operating and will do so until Benwell is ready.”

Under Standing Order 14, Councillor R.B. Colison-Crawford asked the following question:

“It is now over two years since the Benwell Centre was closed and the day centre at Churchill Hall has become very successful attracting a whole new clientele. Would the Portfolio Holder be prepared to consider retaining this facility permanently?”

The Deputy Leader, Councillor R.A. Smith-Ainsley responded as follows:

“The Councillor has previously asked this question of the portfolio holder and to reiterate for the benefit of all Councillors, thanks to the Manager, volunteers and users, Churchill has indeed attracted new clients, but, as Councillors will be aware, a decision was taken three years ago to dispose of the site due to its previous lack of use. The Council agreed that Kelli Dixon dance school would purchase the site for the benefit of the children, young people and the community.

The plan has always been that Churchill users would relocate to Benwell, which will have improved facilities, a separate dining room, therapy room, computer room and activity room, which will be operated by the Council and Nottingham Housing Trust.

There would be no further funding for Churchill, but the hall itself will be available to hire in the future from Kelli Dixon if a group choose to.”

43/09 GENERAL QUESTIONS

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

"Now that the negotiations to sell the Bridge Street Car Park site have fallen through could the Portfolio Holder please detail the full financial cost to the Council of the relocation of the Sea Cadets and the anticipated annual charges? The Council report on the subject stated that Taylor Wimpey would contribute “£50k upfront and £12k per annum” – will any of this money now be forthcoming? If there is a contribution shortfall, which Council budget will fund these additional costs?"

The Portfolio Holder for Regeneration, Councillor C.A. Davis responded as follows:

“The total capital cost of relocating the Sea Cadets from Bridge Street to Lammas has totalled £161k. This is more than the original estimate of £114k. The majority of the additional cost relates to:

- a) additional palisade fencing costs (£8k) required by the Cadets to meet their security needs
- b) fireproofing of scaffolding (an additional £21k) and
- c) additional work incurred as a result of encountering high voltage cables (£4k).

As a result of undertaking this project the Council has avoided the need to carry out essential health and safety repairs to the Cadets' previous accommodation which would have cost approximately £50k.

The additional ongoing revenue costs for hire of the cabins, scaffolding and storage of items is estimated at £20k per annum which is at the lower end of the £20k to £29k estimate provided to Executive in September 2008. The ongoing revenue cost will be met from the set aside revenue income which the Council received in 2007-08 from the operation of Bridge Street Car Park which had not been anticipated in the budget for 2007-08.

The contributions to which you refer, from Taylor Wimpey, will obviously not be forthcoming. If the Councillor requires further details of the financial costs then I would suggest that he contact the Financial Officer Mr Collier."

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

"In Executive decision 1402 in respect of Area Forums it was decided that Ward Members must

- (a) inform the Assistant Chief Executive if they are to attend and
- (b) sit at the front facing the audience.

Can the Portfolio Holder please say what authority the Council has to assert these rules?

What sanction does the Council intend to impose in the event of non-compliance by any Members?

Given that Ward Members are not consulted about Area Forums, why does the Executive believe that local Councillors should be obliged to support the process?"

The Deputy Leader, Councillor R.A. Smith-Ainsley responded as follows:

"I must start by saying that I am very disappointed with the sentiment of Cllr Bell's question.

As far as the majority party is concerned, and we have said, on many occasions, Area Forums are non political meetings at which the Council, in its widest sense, is being scrutinised by the Spelthorne community. The opportunity is given for residents to question Councillors and a range of partners on issues within the Ward and the Borough as a whole. It is an event that I would have thought all Councillors, irrespective of party politics, would wish to attend and show the best face of the Council. A common courtesy for those residents is to be able to see the Councillors who represent them, not their backs, as has been the case at the Sunbury forums, except for a couple of notable exceptions. Clearly the Council has no authority to assert the rules referred to however they enable us to manage the meetings in a much more professional way.

For instance, if the Assistant Chief Executive knows which Councillors are to attend, the seating and name plates can be prepared in advance and it is a common courtesy to give apologies if you are unable to attend. Equally, as I have already said, it seems to us on this side of the Chamber that it is a

common courtesy for Councillors to face the audience. It also enables the Chairman of the meeting to better manage answers to questions.

I am equally surprised at the final question about supporting the process. This is one of the Council's key community engagement initiatives. I find it remarkable that the Liberal Democrats do not wish to listen to the views of the community on a wide range of issues.

We are always seeking better ways to engage with the community and are looking at working with Residents Associations and also possibly splitting the Sunbury Forum into Lower Sunbury and Sunbury Common.

In summary, therefore, I would ask that Councillors do support these guidelines for the better administration of the meetings and to ensure that local residents are able to identify their elected representatives.

However, I would question in return, why would a Councillor not want to inform officers they were attending, and why would they not want to sit where the public can see them?"

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

"This question seeks an update from the Portfolio holder on the staffing vacancies and output performance of the Environmental Health and Building Control departments.

At the last Council meeting the Portfolio holder said that some staff vacancies were being left open until the Business Improvement Programme was completed in early 2009. It was also said that a high volume of service requests and other work had caused 'some difficulties' for the service this year.

Is the review of these functions complete and can the Portfolio holder now quantify the effect that the shortfall in staff has had on the service this financial year? Have the two functions caught up with a backlog of work? How much work has simply remained not done?

Can the Portfolio holder give a reassurance that, notwithstanding requirements for budget cuts in 2009/10, the Environmental Health and Building Control functions will be able to maintain output at service levels which were budgeted in 2008/09?"

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

"I can confirm that the Head of Environmental Health and Building Control Services has completed the review of the two vacant part-time Environmental Health Officer posts and a report will be going to the Council's Management Team shortly with a recommendation that these vacant posts be used to fund the appointment of one full-time officer to provide additional resources for the environmental health team.

In recent months the Building Control Service has seen a significant reduction in the number of Building Regulation Applications and Notices received, primarily due to the economic downturn.

The future of the vacant administration post in the building control team has, therefore, not been concluded whilst further work is undertaken to assess the effects of the downturn on the workload of the administration team. In the meantime some temporary cover is still being provided.

The main effects of the shortfall in staff have been a reduction in response times and a backlog of some lower priority work. The employment of a new Environmental Health Manager and the use of temporary staff have enabled the environmental health team to improve their response times. However, the team continues to deal with a high volume of work and some of the service's building control staff are, therefore, being redeployed to assist their environmental health colleagues.

I can confirm our priority areas, such as food safety inspections, health and safety inspections and pollution control inspections, are on track for this year.

At this time there are no significant budget cuts proposed for the Environmental Health or Building Control functions for 2009/10 and it is, therefore, anticipated that we will be able to maintain output at agreed service levels."

Under Standing Order 14.2, Councillor Mrs C.E. Nichols asked the following supplementary question:

"I note the response from the Portfolio Holder for the Environment but would appreciate more detail about the volumes of activity in the priority areas."

Councillor Mrs C.E. Nichols was advised by officers present that the information she requested would be supplied to her in writing.

Under Standing Order 14, Councillor I.J. Beardsmore on behalf of Councillor C.V. Strong, asked the following question:

"Please would the Portfolio holder give an update on the timetable for the new Stanwell health centre. When is the former Stanwell day centre scheduled for demolition and what are the estimated completion and commissioning dates for the Health Centre?"

The Leader, Councillor J.D. Packman responded as follows:

"I have already maintained in my Budget Speech that this has been a very complex project with delays caused by PCT and concerns by the doctors over the impact and effect of the new GP-led Health Centre.

I am pleased to say that the PCT has now finally agreed up front capital costs for fitting at the new Health Centre at its Board Meeting in January and the targets for the doctors and the PCT has now been agreed ready to conclude in the next couple of weeks.

Ashley House, the developers, have been preparing for demolition, and this is planned for March, with the build commencing in April, with conclusion in February 2010. With the excellent team of Doctors and Medical Staff already to transfer to the new site the residents of Stanwell will benefit from this brand new facility way in to the future."

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

"The Council has previously stated that the Supplementary Planning Guidance would be reviewed once the Local Development Framework has been completed. Would the portfolio holder please outline the proposed timetable for this review?"

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

"In April 2007 the Council approved the Local Development Scheme which sets out a programme for preparing documents that will form part of its Local Development Framework. This includes commitment to prepare a number of Supplementary Planning Documents once the Core Strategy and Policies Development Plan Document and Allocations Development Plan Document are adopted.

These Supplementary Planning Documents will amplify what is in our two key Development Plan Documents. In preparing them, existing Supplementary Planning Guidance will be replaced.

The Core Strategy and Policies DPD have been considered tonight for adoption and the examination hearing of the Allocations DPD commences on 12 May 2009. When this is completed and the Inspector's report on the Allocations DPD is received, we will then be able to scope precisely what the Supplementary Documents will need to cover and prepare a detailed programme. This will update the programme set out in the current Local Development Scheme.

It is anticipated that an updated programme of SPD work can be prepared later this year when work on the two DPDs is largely completed."

RECOMMENDATIONS OF THE EXECUTIVE

1. UPDATES TO THE COUNCIL'S CONSTITUTION

- 1.1 The Executive have considered a report on numerous recommended updates to the Council's Constitution for approval by the Council. This update process was principally designed to accommodate the structural changes which have occurred since the last revision to the Constitution in April 2008.
- 1.2 **The Executive recommend that the Council approve the various revisions to the Council's Constitution, as set out in the report of the Deputy Chief Executive to the Executive on 18 March 2009.**

2. IMPROVEMENTS TO THE BUSINESS MANAGEMENT AND CIVIC LIFE OF THE COUNCIL

- 2.1 The Executive have considered a report setting out proposals and recommendations on various Improvements to the Business Management and Civic Life of the Council for approval by the Council, including all necessary amendments to the Council's Constitution. The report sought to improve the democratic processes of the Council and to underscore the position of Councillors within the Community.
- 2.2 **The Executive recommend that the Council agree to adopt the proposals, as set out in the report of the Deputy Chief Executive to the Executive on 18 March 2009, and to delegate authority to the Head of Corporate Governance to make all necessary amendments to the Council's Constitution, as required, (including delegation to make any consequential amendments elsewhere as are required to implement the changes).**

Councillor John Packman
Leader of the Council

23 April 2009

RECOMMENDATIONS OF THE LICENSING COMMITTEE

1. REVIEW OF FILM LICENSING

- 1.1 One effect of the Licensing Act 2003 is that the Cinemas Act 1985 ceased to have effect in England and Wales. This means that there is now no legal basis on which the Surrey County Districts Film Licensing Joint Committee can exercise its “film licensing function”.
- 1.2 As a result of this the Licensing Committee has reviewed the Council’s position regarding its film classification function and has put in place procedures to enable the Council, whenever necessary and appropriate, to classify films intended for public exhibition in the Borough. It has also considered the future role of the Council on the Surrey County Districts Film Licensing Joint Committee.
- 1.3 **The Licensing Committee recommend to the Council that as Spelthorne Borough Council’s responsibility in relation to film classification is now covered by the Licensing Act 2003, the Council withdraws from the Surrey County Districts Film Licensing Joint Committee and informs the other constituent Authorities of its decision.**

Councillor Robin Sider
Chairman of the Licensing Committee

23 April 2009

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

This is my twelfth report as the Leader to the Council on the work of the Executive.

This report is an overview of some of the more important issues that we have discussed at the Executive.

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

1. EVENTS PROGRAMME 2009

We have considered a report on the Events Programme for 2009.

We have agreed the main Events Programme for 2009, as follows:-

- (a) Youth Awards (delivered by the Youth Council, with support and guidance from Leisure Services) - £3,300 allocated from the events budget. (*£1,000 sponsorship from British Airways.*)
- (b) 10K Road Race (support to Runnymede Runners and Staines Strollers Clubs).
- (c) Summer Youth Events / Urban Games - £3,600 coordinated by Leisure Services.
- (d) Sports Awards (Surrey Youth Games and Spelthorne Sports Council) - £1,400. Co-ordinated by Leisure Services. (*A total of £1,500 sponsorship. A2Dominion Housing Association, Menzies Chartered Accountants and Benedict Ford Thorn Chartered Accountants each gave £500. (Kempton Park gave a discount on the hire of their facility.)*)
- (e) National Play Day - £1,700 coordinated by Leisure Services.
- (f) Santa Sprint- £1,600 coordinated by Leisure Services.

We have further agreed that the Leisure Services Department will support local Community / Voluntary Groups to enable them to deliver community events, such as choirs/bands in parks - Community Events from the sum of £2,200.

2. BETTER NEIGHBOURHOOD GRANTS 2008/2009 AND IN THE FUTURE

We have considered a report on Better Neighbourhood Grants for 2008/2009 and in the Future.

We have agreed to continue the Better Neighbourhood Grants in 2009/2010 at the budgeted level of £29,250 (i.e. £750 per Member), as set out in the report of the Chief Executive.

3. COMMUNITY ENGAGEMENT EVENTS [FORMERLY AREA FORUMS]

We have considered a report on proposals for Community Engagement Events [Formerly entitled Area Forums].

We have agreed the proposals for future Community Engagement Events [formerly entitled Area Forums], as set out in the report of the Chief Executive.

The proposed dates are:

Sunbury Common – 11 June 2009

Ashford - 22 June 2009

Shepperton [sharing with Shepperton Residents' Association] – 23 June 2009

Sunbury [Lower] – 7 July 2009

Stanwell and Stanwell Moor – 14 July 2009

Staines – 29 July 2009.

4. ADOPTION OF THE FOOD AND THE HEALTH AND SAFETY SERVICE PLANS FOR 2009/2010

We have considered a report on the Adoption of the Food and the Health and Safety Service Plans for 2009/2010. The Food and the Health and Safety Service Plans set out how the authorised Officers intend to ensure that the local food and non-food businesses they visit produce and sell food that is safe to eat and/or safeguard the health, safety and welfare of its employees and visitors.

We have agreed to adopt the Food and the Health and Safety Service Plans for 2009/2010, for immediate implementation.

Councillor John Packman
Leader of the Council

23 April 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE AUDIT COMMITTEE

The Audit Committee held a meeting on 26 March 2009 and considered the following items of business.

1. MATTERS ARISING

Minute: 352/08 - Outstanding high risk recommendations.

The Committee received an oral report from the Head of Audit Services confirming that managers had been advised of Members' concerns at the number of outstanding high risk recommendations. All high and medium risk recommendations had been circulated to the Assistant Chief Executives and discussed at Management Team.

Minute 352/08 - Authorisation arrangements for procurement by officers.

The Committee received an explanation from the Auditor on the procurement authorisation process which required managers to electronically authorise all purchases up to previously agreed limits set by the former directors. The Head of Audit Services confirmed that she was satisfied with these arrangements.

2. CORPORATE RISK MANAGEMENT - REVIEW

Parking Services Risk Assessment – update

Members received an update from the Head of Environment Services on the action taken to address the risks identified from the Parking Services risk assessment.

Risk Assessment of Contaminated Land – update

Members received an update from the Head of Environmental Health and Building Control Services and the Environmental Health Manager on progress made to address the issues surrounding risk assessments of contaminated land sites.

- The Government had now advised that Soil Guideline Values were screening values to be used by the Local Authority in conducting site specific risk assessments.
- Risk Assessments of contaminated land were intended to take place between April and June 2009.
- DEFRA funding would be harder to obtain.

Corporate Risk Register

The Committee considered and approved the quarterly update on the Corporate Risk Register presented by the Senior Auditor and recommended it to executive for approval.

The Committee asked the ICT Manager to report back to the next meeting if the anticipated work on penetration testing of IT systems had not been completed by then.

3. AUDIT SERVICES QUARTERLY REPORT

The Committee considered and approved the quarterly report presented by the Head of Audit Services, which outlined the work undertaken by Audit Services during the period October 2008 – December 2008.

4. AUDIT SERVICES ANNUAL PLAN 2009/2010

The Committee considered and approved the Audit Services Annual Plan 2009/2010.

5. ANTI-FRAUD AND CORRUPTION STRATEGY

The Committee noted and approved the Anti-Fraud and Corruption Strategy.

6. ANNUAL AUDIT AND INSPECTION LETTER AND EXTERNAL AUDITORS' ANNUAL EXTERNAL AUDIT REPORT

The Committee noted the Annual Audit and Inspection Letter 2007/2008 and the external auditors Annual External Audit Report.

The Committee placed on record their compliments to officers throughout the Council for their work in achieving an overall score of 3 for Use of Resources.

7. COMMITTEE WORK PROGRAMME 2008/2009

The Committee considered and approved its Work Programme for the municipal year 2009/2010

Councillor Malcolm Royer
Chairman of the Audit Committee

23 April 2009

REPORT ON THE WORK OF THE IMPROVEMENT AND DEVELOPMENT COMMITTEE

Since the last Council meeting, the Improvement and Development Committee has met once on 2 April 2009 and has considered and made decisions on the following items of business:

1. THE ECONOMIC DOWNTURN IN SPELTHORNE

The Committee considered a report and received a presentation from Officers and noted comments from the Portfolio Holder on what the Council is doing to address the economic downturn in Spelthorne.

The Committee agreed to recommend to the Executive that this matter should continue to be treated as a priority.

2. BIO FUELS

The Head of Environment Services presented an informative report on the different types of bio fuels available, how they were produced, their uses and current beliefs as to the sustainability and effect on the environment.

Members also discussed whether there was any current benefit to the Council from using bio fuels.

Members of the Committee felt that the matter should be treated with caution and agreed to review the use of bio fuels in Spelthorne's vehicles fleet in two years when a framework may be available to deliver sustainable biodiesel.

3. HYDRO ENERGY AND THE RIVER THAMES

The Committee considered a report on the generation of hydro power and the River Thames.

Members expressed concerns about the costs and possible environmental effect particularly in connection with the Green Belt and agreed to note the report.

4. ASSET MANAGEMENT PLAN 2009 – 2014

The Committee noted that a report on the Council's Asset Management Plan 2009 – 2014 would be presented to its July 2009 meeting.

5. BUSINESS IDENTIFIED BY THE LEAD OFFICER TO THE SCRUTINY COMMITTEE

Following an item of business identified by the Lead Officer, the Committee authorised the Chairman of the Committee for the time being to appoint Members to serve on a Task Group to look at the Council's Housing Strategy commencing late May / early June 2009 and to report back to the Committee's September 2009 meeting.

6. WORK PROGRAMME 2008/2009

The Committee considered and agreed its Work Programme as amended for the Municipal Year 2009/2010.

Councillor Huseini Jaffer

Senior member of the Improvement and Development Committee

23 April 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE LICENSING COMMITTEE

There has been one Licensing Committee and two Licensing Sub-Committee meetings since my last report. Their work is set out below.

LICENSING COMMITTEE 23 MARCH 2009

1. Revision of Hackney Carriage and Private Hire Licence Requirements Policy

The Committee reviewed its policy on Hackney Carriage and Private Hire licence requirements and agreed:-

- To authorise the Head of Environmental Health and Building Control Services, in consultation with the Chairman of the Committee and the Portfolio Holder, to devise a suitable English and numeracy test.;
- To ask the Executive to approve a fee of £25 for retaking an English and numeracy test.
- The draft policy, as amended, for consultation.

2. Review of Film Licensing

One effect of the Licensing Act 2003 is that the Cinemas Act 1985 ceased to have effect in England and Wales. This means that there is now no legal basis on which the Surrey County Districts Film Licensing Joint Committee can exercise its "film licensing function".

As a result the Licensing Committee has reviewed the Council's position regarding its film classification function and has put in place procedures to enable the Council, whenever necessary and appropriate, to classify films intended for public exhibition in the Borough. It has also considered the future role of the Council on the Surrey County Districts Film Licensing Joint Committee and agreed:-

- To recommend to the Council that it withdraws from the Surrey County Districts Film Licensing Joint Committee.
- To note the Council's responsibility for film classification is delegated to Licensing Sub-Committees.
- A procedure for dealing with film classification matters which are the responsibility of this Council.

3. Work and Decisions of Licensing Sub-Committees

The Committee noted a schedule of Licensing Sub-Committee meetings giving details of their work and decisions, which had taken place since the last Licensing Committee.

LICENSING SUB-COMMITTEE - 30 MARCH 2009

Application to retain Hackney Carriage Driver and Private Hire Driver Licences

A Licensing Sub-Committee considered and granted an application to retain private hire driver and hackney carriage driver licences.

LICENSING SUB-COMMITTEE - 8 APRIL 2009

Determination of whether an individual is a fit and proper person to hold a Private Hire or Hackney Carriage Driver Licence

The Licence had now expired and a renewal application had not been received. Therefore, there was no unexpired period of the licence upon which the Sub-Committee could reach a decision.

The Sub-Committee deferred a hearing to an appropriate future meeting of a Sub-Committee and, if relevant, would proceed upon the submission of an application for renewal of a Private Hire Driver Licence or an application for a Hackney Carriage Driver Licence.

Councillor Robin Sider
Chairman of the Licensing Committee

23 April 2009

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

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

1. VOLUNTARY SUPPORT – PARTNERSHIP WORKING

- 1.1 The Committee has continued to perform its role of taking overview and scrutiny forward. This can be seen by the work the Committee has undertaken by looking in depth at our external partnership working arrangements, with an aim of learning more about the important role they play in assisting the Borough as a whole to succeed. These partnerships involve all types of organisations who in their different ways play an important role in helping to ensure that our Borough continues to flourish and prosper.
- 1.2 My last report to Council covered the interesting discussion the Committee had with organisations that support our local business community. This theme has continued with the Committee, meeting Elizabeth Moore from VAIS to discuss the important role the organisation plays in supporting community, voluntary and faith groups within the Borough.
- 1.3 The Committee was pleased to see how much support VAIS was able to offer not only in supporting and representing the views of the various voluntary groups but by taking a leading responsibility for community development.

2. ENVIRONMENTAL STREET SCENE ENFORCEMENT

- 2.1 The Committee received a presentation on our street and environmental operations covering litter, detritus, graffiti and fly posting. The Committee particularly discussed the powers that enable our Officers to enforce legislation including issuing warning and fixed penalty notices against alleged offenders.
- 2.2 The Committee was pleased to note good performance against the National Indicator 195. In relation to litter and detritus the indicator continued to show improvement. In relation to graffiti this Indicator remained on target and the Indicator for flyposting was better than the target.

3. ANNUAL REVIEW OF CORPORATE GOVERNANCE

- 3.1 The Committee discussed with the Monitoring Officer the annual review of corporate governance which took into account those areas previously identified by the Corporate Governance Task Group.
- 3.2 In the future the Committee will also be looking at addressing the governance for partnerships as well as being consulted on our corporate complaints procedure. Both of these issues were key areas of interest identified by last year's Corporate Governance Task Group.

4. DISABILITY EQUALITY SCHEME

- 4.1 The Committee discussed and noted the progress made in the second year since the adoption of the disability equality scheme together with the action plan. The adoption

of the scheme although a legal requirement will help us to ensure that the needs of disabled people are continued to be considered in the provision of our services and that positive attitudes towards disabled people are promoted.

5. TASK GROUPS

- 5.1 The Committee received reports on the work of three Task Groups
- 5.2 The first was on the findings of the Task Group set up to look at two Quality of Life Indicators relating to activities for teenagers and vandalism. The Committee agreed with the findings of the Task Group that there had been improvement in the quality of life indicators since the 2006-2007 survey and a significant improvement since the survey was carried out in 2003-2004. The Committee therefore agreed that the Task Group had completed its work.
- 5.3 The second report was on the Crime and Disorder Reduction Partnership which from the information obtain showed that the Partnership was working well. The Committee therefore agreed that the Task Group had completed its work.
- 5.4 In relation to the Task Group set up to review the effectiveness of security in Parks the Committee noted that the Head of Corporate Governance was awaiting a response from the Department of Communities and Local Government on the revised byelaws. The Committee agreed that the Head of Corporate Governance would keep me informed of any progress made.
- 5.5 Since the meeting I can confirm that a provisional view from DCLG has been received with an indication that the byelaws are acceptable. The next step will be for the Secretary of State to place a public advertisement in late March with any objections being received within a four week period.

6. PERFORMANCE REPORT

- 6.1 The Committee discussed and noted the data provided on the new National Indicators. The Committee also received a briefing paper on performance in determining planning applications and noted the overall improvement to performance.
- 6.2 The Committee went on to consider the impact the current economic recession could have on the number and type of planning applications being submitted as well as the officer time needed to deal with the Airtrack proposals. I as Chairman acknowledged the views of the Committee on the unfairness of this council being put in a position to undertake additional work to deal with the Airtrack proposals without any financial benefits. I will be discussing this aspect with the Chairman of the Improvement and Development Committee with a view to submitting a briefing paper to a future meeting of the Committee.

7. FINANCIAL REPORTS

- 7.1 The Committee discussed two financial monitoring reports setting out our position for both revenue and capital expenditure for the first nine months of the financial year.
- 7.2 Various questions were raised at the meeting with the agreement that the answers would be circulated to all members of the Committee.
- 7.3 The Committee when looking at the financial monitoring reports indicated that the format of the information needed to be revised. The Finance officers have taken the concerns seriously and have and are continuing to make adjustments. The latest

change will be for the information to be under the relevant Portfolio Holder rather than under a service, with this revised style being used to report information to the June meeting of the Committee. In order to further ensure that the report format meets the requirements of the Committee I have invited members to submit any suggestions to the Finance Officers to consider.

8. THANK YOU

- 8.1 As this was the last meeting of the Committee in the current Municipal Year I placed on record my thanks and appreciation to all members of the Committee and the officers for their support and contributions in helping to take forward this Council's scrutiny arrangements.
- 8.2 As Chairman I would like to place on record my thanks to the representatives from local organisations who have participated in the work of this Committee in particularly from the Business and Voluntary Sector. Their positive and productive contributions have assisted us greatly in our review of our partnership working arrangements.
- 8.3 Last September this Committee responded to the numerous concerns members had received from residents about the impact the proposed Spelthorne GP led health centre at Ashford Hospital may have on our current local health services. The concerns of our residents formed the basis of the cross examination of the Surrey Primary Care Trust and the Local Medical Council at the special meeting. I think this is an appropriate time to place on record our thanks and appreciation to our residents for submitting questions outlining their concerns and for showing support by attending the special meeting.

Councillor Philippa Broom
Chairman of the Performance Management and Review Committee

23 April 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE PLANNING COMMITTEE

The Planning Committee has met three times since the previous report was prepared for the Council meeting with the third of those meetings being arranged to consider the items which could not be considered before the close of the previous meeting.

This report therefore gives an overview of the key items considered by the Planning Committee at those meetings.

The meeting on **4 March 2009** dealt with 10 items.

Public speaking took place on 3 items with 5 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- The approval of an application for the erection of an extension to the Elmsleigh Centre Staines with the creation of a new bus station
- Permission was also granted for the erection of a block of 16 affordable flats at John Kaye Court Pentland Avenue Shepperton following demolition of the existing block.
- Permission was also granted for the erection of a new construction centre building at Brooklands College Church Road Ashford.

The meeting on **1 April 2009** which was reconvened on **7 April 2009** dealt with a total of 23 items.

Public speaking took place on 12 items with 12 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- An application for the erection of two blocks of flats providing a total of 152 units at the West Wing Ashford Hospital London Road Ashford. This item was deferred principally because of concerns regarding the extent of open space provision.
- Permission was granted for the erection of a 3 storey residential care home at the former Christ the King Roman Catholic School in Falcon Drive Stanwell.
- The Committee also granted permission for the erecting of a new warehouse / self storage unit at 215 -217 London Road, Ashford following demolition of the existing commercial buildings on the site.
- Three applications were also considered and granted (subject to legal agreements) for separate schemes in Hengrove Crescent Ashford to provide

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affordable accommodation which will be used by the applicant A2 to assist in the decanting process for the Stanwell New Start Scheme.

- An application for a new teaching block at Halliford School, Russell Road Shepperton was also approved.

Councillor John O'Hara
Chairman of the Planning Committee

23 April 2009

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.

IMPROVEMENTS TO THE BUSINESS MANAGEMENT AND CIVIC LIFE OF THE COUNCIL

The Committee considered the report of the Deputy Chief Executive setting out proposals and recommendations on various improvements to the Business Management and Civic Life of the Council for approval by the Council, including all necessary amendments to the Council's Constitution.

The Committee was reminded that the recommendations of the Executive on this matter would go before the Council meeting on 23 April 2009 and at that time the views of this committee would be reported via the Chairman's report.

During the discussion on the key areas of change as Chairman I reminded members that the Standards Committee was non political. However due to the nature of the issues it was agreed that where the minority and majority group members could not reach an agreement the consensus of opinion would be reported.

(1) Question Time at Council – *The proposal was that written responses to questions submitted to Council should not automatically be read out at Council meetings. The suggested change would give authority to the Mayor to direct that a written answer be supplied if either the question or the answer was too long.*

The committee discussed whether the proposed changes would be more effective or not and whether the public in attendance at meetings would be able to follow the proceedings. The Monitoring Officer reminded the committee that any councillor can raise any questions with any officer at any time and did not have to wait until a Council meeting to receive answers to questions.

Discussion continued on how the Surrey County Council Local Committee for Spelthorne dealt with questions and answers. It was reported that the questions together with the answers were tabled at the meeting and made available for the public and press in attendance.

The committee supported the proposed changes as outlined in the report of the Deputy Chief Executive subject to a full explanation on the new procedure being given to all concerned at council meetings when written replies are directed.

(2) Supplementary Questions at Council – *The proposal was to clarify the current situation on members asking supplementary questions at council meetings which should only relate to a point of clarification and not to introduce a new question. The suggested change would therefore only allow supplementary questions which either directly arise out of the answer given or was required to clarify some part of the answer.*

The Committee following confirmation from the Monitoring Officer that supplementary questions could be raised at the Council meeting and not put in writing, supported the proposed change as outlined in the report of the Deputy Chief Executive.

(3) Number of Questions at Council - *The proposal was to clarify Standing Order 14.1 which envisaged that one question per member would be submitted to cover a ward, borough wide or committee question.*

The committee discussed the concerns of Councillor Crabb that the proposed change could not be classified as a clarification as it would greatly reduce the number of questions that a member could ask at a Council meeting and therefore Standing Order 14.1 needed to be redrafted for consideration.

The Monitoring Officer reminded members of the additional opportunity for members to raise questions when the individual Chairmen of committees present their reports.

Discussion took place on the high profile expected by residents when they ask a councillor to raise a question on their behalf. It was felt that asking such questions at formal Council meetings and receiving responses in the public domain met such expectations.

The Committee felt that the current expectation which allows members to ask more than one question at a council meeting should remain and that no further changes or clarification were necessary.

(4) Time Limits for Questions – *The proposal was to extend the current time questions can be submitted from noon three working days prior to the meeting to noon five working days in advance of the council meeting.*

The Committee fully supported the proposed change as outlined in the report of the Deputy Chief Executive.

(5) Over View and Scrutiny Procedure Rules - Call in Arrangements - *The proposal was to acknowledge the important role the chairmen of the scrutiny committees play by amending the current Call-In rules. The changes would still provide for three members of the committee to Call-In a matter, subject to written application with grounds, but one of the three members must be the Chairman of the Committee. A further change was to reduce the call in period from within five clear days to three clear days of the date of the decision.*

The Committee in their discussion of reducing the time span for 'calling-in' noted how infrequent the call-in process had been used. It was felt that this reflected the view that the Call-in process was a poor substitute for pre scrutiny and cross party working.

The Committee then went on to discuss the concerns put forward by Councillor Crabb that the revised proposals would prohibit the minority group being able to 'call-in' an Executive decision. This was due to the Chairman of the Committee always being appointed from the majority group.

The Monitoring Officer reminded the Committee that current guidance on scrutiny panels did not envisage partisan working arrangements. Scrutiny was supposed to be a cross party process for "back-bench" councillors to hold the Executive to account.

As Chairman I agreed to report that on this matter the minority group was against the proposals and the majority group was in support of the proposals.

(6) Clarity of nomenclature – *The proposal was to change the terms "Portfolio Holder", "Executive Portfolio Holder" and "Executive" to "Cabinet" and "Cabinet Member"*

The Committee supported the changes as outlined in the report of the Deputy Chief Executive.

(7) Civic Life – *The proposal was to acknowledge and highlight the general duties a councillor has in the civic life of the Council by amending Article 2.3 of the Constitution (Roles and functions of all councillors) to include a responsibility to: “participate constructively and effectively in the civic duties, whether they are Council or Ward events, as and when required or by invitation of the Mayor”*

The Committee in discussing the proposals felt that ward councillors should be in attendance at Mayoral functions held in their Ward. It was also acknowledged that the changes would assist councillors as representatives of the community.

Councillor Crabb asked for clarification on the wording ‘as and when required’ He also indicated that the role of minority group members should be recognised more widely such as being actively involved with Area Forum meetings and represented on the County Local Committee for Spelthorne.

As Chairman I agreed to report that on this matter the minority Group were against the proposals and the majority group were in support of the proposals as set out in the report of the Deputy Chief Executive.

(8) Member Development - *The proposal was to enhance the Council’s commitment to member development and the SEE Charter for Member Development by identifying and introducing a further responsibility on councillors to take part in Member Development activities which support the civic functions of a councillor. This change would specifically be acknowledged in the Member Development Policy Statement to ensure that members receive training which enables them to carry out their civic duties effectively.*

The Committee acknowledged the link this aspect had with the Civic Life matter. Councillor Crabb indicated that the minority group could support this aspect subject to it being accepted that there would not be a requirement to attend any training on Chairing meetings.

The Committee agreed that the Executive/Council be advised that the Standards Committee have reviewed the proposed key changes to various Improvements to the Business Management and Civic Life of the Council which are outlined above.

Murray Litvak
Chairman of the Standards Committee

23 April 2009