



15 February 2012

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To the Councillors of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held in the **Council Chamber, Council Offices, Knowle Green, Staines** on **Thursday 23 February 2012** commencing at **7.30pm** for the transaction of the following business.

Roberto Tambini  
*Chief Executive*

Councillors are encouraged to wear their badge of past office at the Council meeting.

## Agenda

Page no.

**1. Apologies for absence**

To receive any apologies for non-attendance.

**2. Minutes of the Council Meeting held on 15 December 2011**

**5 - 15**

To confirm as a correct record the minutes of the Council meeting held on 15 December 2011.

**3. Disclosures of Interest**

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

**4. Election of a new Leader**

Following the resignation of Councillor Mrs. Vivienne Leighton as Council Leader, the Council will appoint a new Leader.

**5. Announcements from the Mayor**

To receive any announcements from the Mayor.

**6. Announcements from the Leader**

To receive any announcements from the Leader.

**7. Announcements from the Chief Executive**

To receive any announcements from the Chief Executive.

**8. Questions from Members of the Public**

The Leader or his nominee to answer questions raised by members of the public in accordance with Standing Order 13.

**9. Recommendations of the Cabinet**

a) To consider the recommendations of the Cabinet meeting of 24 January 2012 on:

**17- 18**

**1) Treasury Management Strategy Statement and Annual Investment Strategy 2012-13 - Key Decision**

**2) Calendar of meetings for June 2012 to May 2013**

b) To consider the recommendations of the Cabinet meeting of 21 February 2012 on:

**To follow**

**1) Detailed Budget 2012-13 – Key Decision**

*(A Budget Book [green cover] [to be circulated under separate cover] will reflect the recommendations made by the Cabinet on 21 February 2012.)*

**2) Capital Programme 2011-12 to 2015-16 – Key Decision**

- 3) **Fees and Charges 2012-13 – Key Decision**
- 4) **Pay Policy Statement**
- 5) **Members’ Allowances Scheme**
- 6) **Spelthorne Safer, Stronger Partnership (SSSP) Partnership Plan**

**10. Report from the Leader of the Council**

- a) To receive the report from the Acting Leader of the Council on the work of the Cabinet at its meeting on 24 January 2012. **19**
- b) To receive the report from the Acting Leader of the Council on the work of the Cabinet at its meeting on 21 February 2012. **To follow**

**11. Report from the Chairman of the Licensing Committee **To follow****

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

**12. Report from the Chairman of the Overview and Scrutiny Committee **To follow****

To receive the report from the Chairman of the Overview and Scrutiny Committee on the work of her Committee.

**13. Report from the Chairman of the Planning Committee **21****

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

**14. Motions**

**15. Questions on Ward Issues**

The Leader or his nominee to answer questions from members on issues in their ward, in accordance with Standing Order 14.

**16. General Questions**

The Leader or his nominee to answer questions from members on matters affecting the Borough in accordance with Standing Order 14.

**17. Appointments to Outside Bodies**

- a) **Appointment of a replacement Trustee to the Laleham Charities**  
To consider the appointment of Mr. Matthew Calvert as a Council representative to the Board of Trustees of Laleham Charities.
- b) **Appointment of a replacement Representative to the Ashford Relief in Need Charities.**  
To consider the appointment of Councillor Marion Bushnell as a Council representative to the Ashford Relief in Need Charities.

**18. Urgent Business**

To consider any urgent business.



**The minutes of the Council meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines on Thursday 15 December 2011 at 7.30pm**

**Present:**

Ayers F.	Forsbrey G.E.	Patterson A.C.
Ayub A.	Francis M.P.	Pinkerton Mrs J.M. (Deputy Leader)
Bannister Mrs C.A.	Frazer C.M.	Rough Mrs M.W.
Beardsmore I.J.	Friday A.E.	Sider R.W. (Deputy Mayor)
Broom Miss P.A.	Gething N.	Smith-Ainsley R.A. (Deputy Leader)
Bushnell Ms M.	Gohil D.	Spencer Mrs C.L.
Colison-Crawford R.B.	Harman A.C.	Strong C.V.
Dale Mrs J.A.	Leighton Mrs V.J. (Leader)	Taylor S.D.
Davis C.A.	Madams Mrs M.	Watts R.L.
Dunn R.D.	Mitchell A.J.	Webb Mrs S.
Dunn Mrs S.A.	Napper Mrs I.	
Evans T.J.M.	Patel Miss D.	
Forbes-Forsyth P.C.		

Mrs Murray Litvak, Chairman of the Standards Committee and Ms Sue Faulkner, the Vice Chairman were also in attendance

Councillor R.W. Sider, the Deputy Mayor, in the Chair

**316/11 PROCEDURE FOR DEALING WITH MEMBERS' QUESTIONS**

The Deputy Mayor outlined the Members' questions procedure and advised that under Standing Order 14.2 all questions and answers would be read out at the meeting.

**317/11 Apologies**

Apologies for absence were received from the Mayor, Councillor S.E.W. Budd, Councillors Mrs D.L. Grant, Mrs C.L. Nichols and Miss J. Sexton.

**318/11 Minutes**

The minutes of the meeting held on 20 October 2011 were approved as a correct record.

**319/11 Announcements from the Mayor**

**Spelthorne Business Forum - Christmas Cards Competition – Presentation of Certificates to students from The Matthew Arnold School**

The Deputy Mayor called on Councillor Davis, the Cabinet Member for Economic Development, who thanked Moya Zenonos from The Matthew Arnold School for all her hard work in organising the school's involvement in the Christmas Card Competition. At the conclusion of his speech Councillor Davis called out the names of the students who would receive a certificate from the Deputy Mayor.

The Deputy Mayor presented certificates to the following students from the school who had participated in the successful Christmas Card Competition in partnership with the Spelthorne Business Forum and the Borough Council. Beth Jefferies (Highly Commended), Emma Nightingale (TMAS winner), Katie Arbon (Winner SBC), Nicole Bryce (Third place), Tara Goodfellow (Winner SBC), Grace Free (Business Administrators), Maaian Meneses (Business Administrators), Roman Malin Hiscock (Business Administrators), Ruby Lyde (Business Administrators), and Jordan Camp (Card chosen for sale).

The Deputy Mayor reported that due to prior commitments some of the students were unable to attend the meeting but arrangements would be made for the certificates to be sent to them.

### **Presentation – Everyone Active**

#### **Rehabilitation Facility of the Year Award – GP Referrals**

The Deputy Mayor called on Councillor Mrs Jean Pinkerton, The Deputy Leader and Cabinet member responsible for Older People and Health Liaison.

Councillor Mrs Jean Pinkerton reported that she was pleased to inform the Council of the award that Everyone Active had received which was very well deserved. The award was for the support, guidance and treatment that the staff of Everyone Active provided to the elderly, vulnerable and the young people who had been referred to the centre by their GP.

#### **Best Club in UK Award**

The Deputy Mayor called on Councillor Penny Forbes-Forsyth the Cabinet member for Parks and Leisure.

Councillor Penny Forbes-Forsyth reported that she had great pleasure in informing the Council of a further award that Everyone Active had received. These awards were for the Best Club in UK for more than 2000 members and a gold award for the South East Region in the same category. The awards were a fantastic recognition of the services provided by the staff at Everyone Active to residents and the Council in the management of our leisure centres.

The Deputy Mayor invited the Deputy Leader, Councillor Mrs Jean Pinkerton and the Cabinet Member responsible for Parks and Leisure, Councillor Penny Forbes-Forsyth to join him in the presentations to Karl Miles, Debbie Hazell and Ryan Grant from Everyone Active

### **320/11 Announcements from the Leader**

#### **Officers retiring from service**

The Leader of the Council, Councillor Mrs V.J. Leighton, reported on the change at the Assistant Chief Executive level with Brian Harris retiring. The Leader on behalf of the Council expressed thanks to him for the many years of excellent service he had given to the Council and the residents of the Borough. The Leader also extended very best wishes to Tim Kita, Head of Community Safety and Corporate Services and John Foggo, Head of Office Services and Special Projects who were also retiring this month. The Leader said that “between the three officers they had given 85 years service to Spelthorne Borough Council and an impressive 103 years to local government for which we are very grateful.”

The Leader also took the opportunity to welcome Lee O’Neil as the new Assistant Chief Executive appointed to the post last Thursday and wished him well in his new role.

Councillor I.J. Beardsmore as Leader of the Liberal Democrats also expressed thanks and good wishes to the three officers on their retirement. He went on to acknowledge the many major contributions the officers had made to the Council during their long service.

### **A vision for Spelthorne**

The Leader of the Council, Councillor Mrs V.J. Leighton, gave a short powerpoint presentation on the council’s new vision.

The Leader of the Council reported as follows: “In May when I first addressed the Council as Leader we were a new administration with many of our members just elected for the first time. Also, those of us appointed to Cabinet or to a Chairman position were largely either in new roles or new members. I pointed out that, despite the last government’s ill-conceived legislation which concentrated all Executive powers in the Leader, I intended to develop a team approach, and delegate the majority of those powers to the Cabinet for decisions on a collective basis, which has always been done.

As promised, the Cabinet has in the intervening period worked to assess the business we are running, understand the current challenges and develop a strategy and priorities for this Council. And I would like at this point to thank my Cabinet colleagues for the considerable amount of work they have put in to this new administration and through these efforts developed a vision for Spelthorne.

Our vision is that we will deliver good services that matter most to our local residents at the keenest possible cost. In addition to this we will work tirelessly, using our contacts and skills to create opportunity and prosperity for Spelthorne.”

The Leader went on to outline the three main elements to deliver the Vision which were:

- Enabling and facilitating a better life for our Community
- Delivering quality of life services
- Value for money council

The Leader went on to outline the three priorities of:

- Service – Prioritising on what’s needed and pursuing Value for money
- Support – To promote our local economy and continue to work to support the business sector
- Safety – To care for our communities across the borough such as support for the old and vulnerable to safety from crime and ASB.

The Spelthorne vision is supported by 5 core values of Self-reliance, Opportunity, Accountability, Community and Tradition.

The Leader confirmed that the budget process was well underway and the specific priority projects would be announced as the budget process was finalised.

**321/11 Questions from members of the public**

The Deputy Mayor reported that under Standing Order 13, three questions had been received from members of the public; Mr A. McLuskey, Mr K. Gardiner and Miss Diane Appleby.

**(1) Question from Mr A. McLuskey:**

“Can the Leader explain how the Council is going about rectifying the following:

- a) That at the January 2010 Planning Committee meeting Councillor Jack Pinkerton took part and voted on a matter where he had an undeclared interest.
- b) That the Council have recently approved building work in Stanwell which is in clear breach of national and county rules regarding access for fire tenders.
- c) That contrary to the recommendation of the Local Government Ombudsman the Council is failing to initiate enforcement action to stop the construction work currently under way in the Diamedes/St Anne’s Avenue areas in Stanwell.

In addition to the foregoing, I wish to ask if, in the light of the serious head injury sustained by a resident of the Diamedes Avenue flats adjacent to the building works and the dubious building plans revealed to another resident and the distress arising from the lack of recent information or negotiation regarding storage sheds, does the Leader agree that the wisest policy is now to put a stop to further building while attempts are made to resolve these and other outstanding and contentious issues?”

**Response by the Deputy Leader, Councillor R.A. Smith-Ainsley:**

“Mr McLuskey has asked a number of questions all of which have little foundation in fact. His numerous long standing personal concerns have been considered by the Council on multiple occasions over the last months and years. He will not accept any answer which is given to him. The matters to which he refers have been raised already with the Local Government Ombudsman and the Council’s actions have not been criticised. There is little the Council can do but repeat the answers that it has already given to Mr McLuskey and these are as follows:

- (a) Councillor Jack Pinkerton did not have an interest in the matter which was at Planning Committee. This has been investigated and the matter referred to the Local Government Ombudsman. After nearly two years, Mr McLuskey needs to accept that he is wrong on this matter.
- (b) The Council has not approved works in breach of fire regulations. There has been considerable indulgence of Mr McLuskey’s opinions by officers of the Council who have patiently responded to his many many emails on this subject. The approval of the works is entirely in order.



- (c) The Local Government Ombudsman has not asked the Council to take enforcement action. This is beyond the powers of the Ombudsman and Mr McLuskey is just mistaken on this point.
- (d) The safety of the building works in Stanwell is a matter for the constructor. The Council's Building Control section has been involved and does not consider that there is a risk from the works which Mr McLuskey has identified.

In conclusion, I have to finish by saying that, whilst Mr McLuskey may wish to campaign against a development in his neighbourhood, the Council has properly dealt with his concerns and responded to Mr McLuskey's many issues for a great many months. His continued questions and correspondence are taking up a great deal of officer time which is better deployed elsewhere. At a conservative estimate the time involved to answer these questions has run into hundreds if not thousands of pounds of Council Tax payers' money. The time has come for these questions and such correspondence to cease. I am sorry that Mr McLuskey has left the room but I have just outlined the position".

**(2) Question from Mr K. Gardiner:**

"Members of the public do not currently have the right to respond to answers they are given when asking questions to the Council.

- a) Can the Council explain why this is?
- b) Will the Council introduce a right to respond in the future?"

**Response by the portfolio holder for Economic Development, Councillor C.A. Davis:**

"Mr Gardiner, thank you for your question.

The public question procedure is long established. It enables residents to ask questions publicly and get an answer which is recorded in the Council minutes.

We do not allow a second or supplementary question, or indeed a right of reply, because we believe that such a process is open to abuse. Council questions often require prior research in order to answer them properly. The councillor responding is presenting an answer which is given with the benefit of that research and preparation from the whole Council staff, so that it is a comprehensive answer to the question posed. Questions asked without notice are unlikely to get such a prepared answer principally because there is no time to collate, research and prepare a proper answer. I appreciate that some questioners would like the opportunity to ask a supplementary question but on balance the view of the Council is that the current procedure allows the Council to be challenged properly with a well considered question and further amendments to the procedure are not required."

**(3) Question from Miss D. Appleby:**

"My question relates to Staines new 'visitthames' website

Whilst the website is strong on the culture and history of Staines, and provides good walks and maps, I would like to know if and when the following will be included:

- (a) Language options, both European, for which a grant might be available, and Korean to reflect current trading links;
- (b) Events calendar showing the Olympic rowing and cycling calendars, in particular;
- (c) Links to hotel, camping and all accommodation, restaurants, bars, churches, markets and transport;
- (d) Why is the business community so noticeably absent?"

**Response by the portfolio holder for Economic Development, Councillor C.A. Davis:**

"Thank you for your question, Miss Appleby. The site has only just been made available on the internet, although it has not yet been formally launched. There is more work to be carried out to improve and update the site before such a launch and you actually make reference to some of those areas under consideration.

The Council has limited resources to maintain and update the website which must be added on to the existing responsibilities of staff.

For that reason, the speed at which we are able to carry out some of the improvements is not as fast as we would like. We felt that it was important to make the web-site available at the earliest opportunity as the 2012 Games are not too far away and wanted to ensure that we were able to market the borough sooner rather than later.

The Olympic events will be referenced (even though none of them actually takes place within the borough) as we also want to make a point about the ease of access when visiting London and other locations from Spelthorne.

Links to businesses within the borough is another area where we are keen to foster greater links and connectivity, and this will be added to the web-site. We have already started a process of liaising with local hotels and local businesses and enterprises in the leisure/visitor industries to develop additional links and content for the website.

We have not yet considered alternative languages. This will be discussed as an option at a future meeting of the Economic Development Theme Group.

Once again thank you for your question, Miss Appleby."

The Deputy Mayor, Councillor R.W. Sider, confirmed that a written copy of the response which had been given at the meeting would be sent to all the questioners in due course.

**322/11 Promoting Staines: changing the name to Staines-upon-Thames**

The Deputy Mayor reported that three statements had been received from residents of the borough. Two of the statements were in favour of the proposal and one against. However, two of the statements submitted had missed the deadline as set out in the Constitution and had been laid round at the meeting for information.

Under Standing Order 11.1, the Deputy Mayor invited Anne Egleton to read her statement to the Council as follows:

“My name is Anne Egleton of 7 Sundown Road, Ashford, Middlesex.

I represent two organisations within the Spelthorne area; firstly as MD of local company Pentagon HR, secondly as a Committee member of Laleham Camping Club which is situated on the Thames.

I fully support the name change to Staines upon Thames as this will allow us to make the most of our location on a world-famous river. The name change will also allow us to attract new business ventures or those looking to relocate commercially or residentially to the area.

We have many attractions within a short proximity of the town centre. Advertising with the name “upon Thames” will raise awareness and help to drive more visitors from within the UK and overseas. Local businesses will benefit from the additional revenue that is needed in today’s challenging economy.

Whilst the history of Staines is a required consideration and should not be forgotten, we must collectively make changes that will ensure that the future of the borough remains buoyant. The eight hundred years of Staines history can only be enhanced by this addition as a reminder of our situation on a much loved river, which is both a commercial conduit and the provider of local beauty spots.”

The Council considered a recommendation from the Cabinet on changing the name of Staines to Staines-upon-Thames.

**Resolved** that the Council:

1. Now calls Staines by the new name of Staines-upon-Thames.
2. Calls upon Surrey County Council and Runnymede Borough Council to likewise adopt the name of Staines-upon-Thames for all official business.
3. Calls upon residents, businesses and public bodies to refer to Staines-upon-Thames instead of Staines; and
4. Updates the Local Land and property Gazetteer to reflect the change and request Runnymede Borough Council to do likewise.

In accordance with Standing Order 21.4 Councillor I.J. Beardsmore requested that the voting on the motion be recorded. The vote was carried as follows:

FOR (25)	Councillors Mrs V.J. Leighton , R.A. Smith-Ainsley, Mrs J. Pinkerton, F. Ayers, A. Ayub, Ms P.A. Broom, Ms M. Bushnell, Mrs J.A. Dale, C.A. Davis, T. Evans, Ms P.C. Forbes-Forsyth, C.M. Frazer, A.E. Friday, N. Gething, D. Gohil, A.C. Harman, Mrs M.J. Madams, A.J. Mitchell, Mrs I. Napper, Ms D. Patel, Mrs M.W. Rough, R.W. Sider, S.D. Taylor, R.L. Watts, Mrs S. Webb
AGAINST ( 4)	Councillors I.J. Beardsmore, R.B. Colison-Crawford, R. Dunn and Mrs S. Dunn

ABSTAIN (6)	Councillors Mrs C.A. Bannister, G.E. Forsbrey, M.P.C. Francis, A.C. Patterson, Mrs C. Spencer and C.V. Strong
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**323/11      Treasury management half-yearly report 2011-12**

The Council considered the recommendation of the Cabinet on the Treasury Management activities report covering the first half of the year up to 30 September 2011, seeking approval to make changes to the Council's Investment Strategy with a view to gaining additional investment flexibility to enhance future returns.

**Resolved that:**

1. The proposed changes to the Treasury Management Strategy as set out in the report of the Chief Finance Officer be approved.
2. The use of pooled funds within the list of approved investments be approved; and
3. That the Council's creditworthiness criteria be updated.

**324/11      Adoption of legislation to regulate sex establishments**

The Council considered the recommendation of the Cabinet on the adoption of legislation to regulate sex establishments which would allow local residents to oppose applications for sex establishments on wider grounds than are currently allowed under existing legislation. The report also provided details of the fees to be charged for an application for the grant, renewal, variation or transfer of a sex establishment licence.

**Resolved that:**

1. The powers to regulate sex establishments and the proposed fees for the licensing of these venues be adopted, subject to the Council advertising its intention to do so; and
2. The proposed policy for sex establishments for public consultation be approved.

**325/11      Treasury Management Strategy 2011-12 update**

The Council considered the recommendation of the Cabinet on an update to the current advice from the Council's treasury advisors in respect of creditworthiness criteria.

**Resolved that:**

The proposed changes to the creditworthiness criteria within the Council's Treasury Management Strategy be approved. Specifically that the minimum required counterparty credit rating be reduced to A- for:

1. Deposits and Certificates of Deposit with nationalised and part-Nationalised UK banks and building societies;
2. Deposits and Certificates of Deposits with UK banks and building societies; and

3. Forward deals and fixed term deposits with variable interest rates and variable maturities, including callable deposits in the UK banks and building societies.

**326/11      Charging for pre application planning advice**

The Council considered the recommendation of the Cabinet on charging applicants for planning advice prior to submitting a planning application.

**Resolved that:**

The pre-application fees for householder and other proposals are brought in from 3 January 2012.

**327/11      Dog control order**

The Council considered the recommendation of the Cabinet on the responses to the consultation on the introduction of dog control orders for playgrounds, parks and roads within Spelthorne.

**Resolved that:**

1. Dog Control Orders be made as set out in Appendix 2 and 3 to the report submitted to the Cabinet meeting on 13 December 2011.
2. Delegated authority be given to the Head of Corporate Governance to publish notices in the newspapers as required by the regulations.
3. Delegated authority be given to the Head of Corporate Governance to deal with all consultation responses.
4. The Fixed Penalty Notices for the Dog Control Orders be adopted with the Penalty being £75 or reduced to £50 if paid within 14 days.
5. Delegated authority be given to the Head of Streetscene to issue Fixed Penalty Notices for breaches of the Dog Control Orders.

**328/11      Report from the Leader of the Council**

The Leader of the Council, Councillor Mrs V.J. Leighton, presented her reports which outlined the various matters the Cabinet had decided since the last Council meeting.

**329/11      Report from the Chairman of the Audit Committee**

The Chairman of the Committee, Councillor Mrs Madams, presented her report, which outlined the matters the Committee had dealt with since the last Council meeting.

**330/11      Report of the Chairman of the Crime and Disorder Scrutiny Committee**

The Chairman of the Committee, Councillor Philippa Broom, presented her report, which outlined the matters the Committee had dealt with since the last Council meeting.

**331/11      Report from the Chairman of the Licensing Committee**

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

**332/11**      **Report from the Chairman of the Overview and Scrutiny Committee**

The Chairman of the Committee, Councillor Philippa Broom, presented her report, which outlined the matters the Committee had dealt with since the last Council Meeting.

**333/11**      **Report from the Chairman of the Planning Committee**

The Chairman of the Committee, Councillor G.E. Forsbrey, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

**334/11**      **Report from the Chairman of the Standards Committee**

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

**335/11**      **General Questions**

One general question had been submitted by Councillor S.D. Taylor in accordance with Standing Order 14. The Deputy Mayor reported that he had also given permission for a map to be tabled at the meeting.

**Question from Councillor S.D. Taylor:**

“What is Spelthorne Council doing with regards to the ditches in Stanwell Moor? Do they know who owns what, who is responsible for what?”

**The Cabinet member for the Environment, Councillor Watts, responded as follows:**

“Thank you for your question, Councillor Taylor.

The Council takes the issue of ditch maintenance very seriously as part of our overall strategy on flooding.

The majority of watercourses that run through Stanwell Moor are classed as Main Rivers. The Head of Sustainability and Leisure has prepared a map to show these and it will be given to you. Main Rivers come under the responsibility of the Environment Agency and they have powers to maintain and improve rivers in order to ensure the efficient passage of flood flow and to manage water levels. It is also their responsibility to enforce clearance works. Spelthorne Council does not have powers over Main Rivers other than a riparian responsibility where they border our land.

There are three such areas of Council land in Stanwell Moor and the Council checks these on a bi-annual basis so they are cleared of impeding vegetation and debris when required.

There are also a small number of Ordinary Watercourses within Stanwell Moor. These are watercourses that are not classed as Main Rivers, such as minor ditches and streams. Spelthorne Council is the operating authority for Ordinary Watercourses and we have powers to carry out and enforce works upon these.

Riparian owners have a responsibility to maintain the bed and banks of the watercourse, and also the trees and shrubs growing on the banks. They must also clear any debris, even if it does not originate from their land. This

responsibility is shared with whoever owns the property on the other side of the watercourse.

The Council can choose to take enforcement action against riparian owners if they fail to maintain the flow of an ordinary watercourse alongside their property. The Cabinet agreed a policy to manage these Ordinary Watercourses in 2009.”

## Recommendations of the Cabinet 24 January 2012

### **1. The Treasury Management Strategy Statement and Annual Investment Strategy 2012-13**

- 1.1 Cabinet considered a report which updated members on the current treasury position and set out the Annual Investment Strategy and Prudential Indicators for 2012-13 to 2014-15.
- 1.2 Cabinet noted the need to maximise the Council's investment returns whilst maintaining flexibility and a high level of security with minimal risk.
- 1.3 **The Cabinet recommends that Council:**
  - 1. **Approves the proposed Treasury Management Strategy Statement and Annual Investment Strategy for 2012-13 as set out in the report.**
  - 2. **Approves the Prudential Indicators for 2012-13 as set out in the report.**
  - 3. **Formally adopts the Chartered Institute in Public Finance and Accountancy's (CIPFA) Code of Practice for Treasury Management in Public Services (2011).**

### **2. Calendar of Meetings for June 2012 to May 2013**

- 2.1 Cabinet considered a report on the calendar of meetings covering the period 1 June 2012 to 23 May 2013.
- 2.2 **The Cabinet recommends that Council:**
  - 1. **Approves the calendar of meetings for June 2012 to May 2013, attached as Appendix A to the report.**

Councillor Smith-Ainsley  
*Acting Leader of the Council*

**23 February 2012**



## Recommendations of the Cabinet 21 February 2012

### 1. Detailed Budget 2012-13 – Key Decision

- 1.1 Cabinet considered a report on the Net Revenue Expenditure Budget for 2012-13 and the proposed Council Tax for 2012-13.
- 1.2 Cabinet noted that significant savings have been made to enable a balanced Budget for 2012-13.

### 1.3 The Cabinet recommends that Council:

1. approves the growth and savings items as set out in the report's Appendices.
2. Agrees the Council Tax Base for the whole council area as 2012/2013. [Item T in the formula in Section 31B(3) of the local Government Finance Act 1992, as amended (the "Act")] and calculates that the Council Tax requirement for the Council's own purpose for 2012/2013 is £172.22
3. Approves a 2.9% increase in the Spelthorne Borough Council element of the council tax for 2012/13 the following proposals:
  - a) The Revenue Estimates as set out be approved
  - b) No money, as set out in this report, is appropriated from General Reserves in support of Spelthorne's local Council Tax for 2012/13.
  - c) To agree that the council tax base for the year 2011/12 is 40,667.3 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.
4. Agrees that the following sums be now calculated by the Council for the year 2012-13 in accordance with Section 31 to 36 of the Local Government Act 1992.

(a)	£54,616,000	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Council.
(b)	£47,612,334	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A (3) of the Act.
(c)	£7,003,666	Being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31A (4) of the Act.
(d)	£172.22	Being the amount at 3(c)above (Item R), all divided by Item T (2 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

## Agenda item: 9

(e)	£0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34 (1) of the Act (as per the Attached Appendix).
(f)	£172.22	Being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (2 above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

That the following amounts be calculated for the year 2012/2013 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992

<b>VALUATION BAND</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>Spelthorne</b>	114.81	133.95	153.08	172.22	210.49	248.76	287.03	344.44

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.

### **2. Capital Programme 2011-12 to 2015-16**

2.1 Cabinet considered a report on the proposed Capital Programme for 2012/13 to 2015/16 in the light of the available resources and corporate priorities. The report covers progress on current scheme and includes future schemes for consideration.

It also provides information on the availability of resources to continue moving forward with the proposed schemes.

#### **2.2 The Cabinet recommends that Council:**

- 1. approves the Capital Programme for 2012/13 to 2015/16**
- 2. approves the Prudential Indicators for 2012/13 to 2015/16**

### **3. Fees and Charges 2012-13 – Key Decision**

3.1 Cabinet considered a report on the schedule of fees and charges to be implemented from April 2012.

**3.2 The Cabinet recommends that Council approves the fees and charges as set out in Appendix A to the report of the Chief Finance Officer.**

**4. Pay Policy Statement**

- 4.1 Cabinet considered a report on the Pay Policy Statement for 2012-13.
- 4.2 Cabinet noted that the Localism Act 2011 requires local authorities to publish an annual pay policy statement, approved by full Council, to increase transparency regarding the use of public funds to pay council staff.

The first annual statement must be published by 31 March 2012.

**4.3 The Cabinet recommends that Council approves the Pay Policy Statement 2012-2013.**

**5. Members' Allowances Scheme**

- 5.1 Cabinet considered the minutes of the Independent Review Panel (IRP) which met on 10 February 2012.

**5.2 The Cabinet recommends to Council:**

**(i) to agree the recommendation of the IRP in relation to the freezing of the Basic and Special Responsibility Allowances (para. 4.1(b).)**

**(ii) to refer back to the Panel the recommendation at para. 4.1(a). to ask them to review the issue of travel expenses in the light of data to be obtained from other Surrey districts.**

**6. Spelthorne Safer, Stronger Partnership (SSSP) Partnership Plan 2012-15**

- 6.1 Cabinet considered a report on SSSP Partnership Plan.
- 6.2 Cabinet noted that the Partnership has undertaken a comprehensive Strategic assessment which identifies five key priorities.

**6.3 The Cabinet recommends that Council approves the Partnership Plan in its capacity as a statutory member of the SSSP.**

Councillor Smith-Ainsley  
*Acting Leader of the Council*

**23 February 2012**

## **Report from the Leader of the Council on the work of the Cabinet**

This is my report as the acting Leader of the Council on the work of the Cabinet. It is an overview of the main issues the Cabinet discussed at its meeting on 24 January 2012. The recommendations on the Treasury Management Strategy Statement and Annual Investment Strategy 2012-13 and the Calendar of Meetings for June 2012 to 2013 will be considered at the Council meeting on 23 February 2012.

### **1. Replacement of pay-on-foot machines in Elmsleigh surface and multi-storey car parks**

- 1.1 We considered a report seeking permission to tender for a new parking payment system.
- 1.2 We agreed to the funding of an automatic number-plate recognition (ANPR) system, and delegated the selection of the short-list of tenders to the Head of Sustainability and Leisure.

### **2. Car parks' fees and charges**

- 2.1 Cabinet considered a report on the proposed charges for the collection of garden waste and noted that the service was working well.
- 2.2 We agreed to:
  - (a). The charge of £45 (for wheeled garden waste bins) for all existing and new users, for a full year subscription implemented from January 2012 (for service from April to March).
  - (b). A reduced charge of £22.50 for a subscription from 1 September to 31 March in any year.

Councillor Smith-Ainsley  
*Acting Leader of the Council*

**23 February 2012**

## **Report from the Leader of the Council on the work of the Cabinet**

This is my report as the Acting Leader of the Council on the work of the Cabinet. Most of the issues discussed at the meeting on 21 February 2012 were recommendations to Council which were considered earlier at item 9b of the agenda.

### **1. Revenue Grants 2012-13 and other Funding arrangements**

- 1.1 We considered a report on the recommendations regarding voluntary sector organisation funding for 2012-13 and the future performance monitoring arrangements.
- 1.2 We agreed:
  - a. The future performance monitoring arrangements.
  - b. The funding for the various organisations as set out in Appendix D of the report.
  - c. To allocate remaining funds of £17,550 to organisations (voluntary/business) who have worthwhile projects which will support the local community during 2012-13.

### **2. Adoption of Food and Health & Safety Service Plans 2012-13**

- 2.1 We considered a report on the Food and Health & Safety Service Plans for 2012-13.
- 2.2 We agreed to adopt the proposed Service Plans for 2012-13.

### **3. Surrey Minerals Plan**

- 3.1 We considered a report on the particular development plan document which identified the key issues on which it is considered necessary to respond to the County Council.
- 3.2 We agreed to endorse the responses to the consultation at Appendix A and B of the report.

Councillor Smith-Ainsley  
*Acting Leader of the Council*

**23 February 2012**

## **Report of the Chairman on the Work of the Licensing Committee**

There have been five Licensing Sub-Committee meetings and one full Licensing Committee since my last report. Details of their work are set out below.

### **Licensing Sub-Committee 12 January 2012**

A Licensing Sub-Committee considered an application for a review of a Premises Licence at Forest and Ocean, 13-15 High Street, Staines, which had been called by Councillor A.C. Patterson on behalf of local residents. The review took three days to hear the evidence and for the Sub-Committee to deliberate. The Sub-Committee modified the licence by removing the ability to hold live and recorded music and the performance of dance and removing entertainment facilities, which includes such things as karaoke, the DJ booth and a dance floor.

The Forest and Ocean submitted a Notice of Appeal to the Magistrates Court on 16 February 2012.

### **Licensing Sub-Committee 2 February 2012**

A Licensing Sub-Committee considered an application for a review of a Premises Licence at McDonalds Restaurant, Two Rivers Retail Park, Mustard Mill Road, Staines, which had been called by Councillor A.C. Patterson on behalf of local residents.

The Sub-Committee took no action as a result of the review as it was unable to establish a causal link between the noise disturbance that residents were complaining about and the McDonalds Restaurant.

### **Licensing Sub-Committee 9 February 2012 am**

A Licensing Sub-Committee considered a report to determine whether or not Mr M. Bird was a fit and proper person to retain a hackney carriage driver licence.

The licence issued to Mr Bird to drive a hackney carriage vehicle was revoked, for the reasons set out in the decision notice.

### **Licensing Sub-Committee 9 February 2012 pm**

A Licensing Sub-Committee considered a report to determine whether or not Mr P. Croden was a fit and proper person to hold a private hire driver licence.

The Sub-Committee refused to grant the application for a private hire licence to Mr Croden, for the reasons set out in the decision notice.

### **Licensing Committee 15 February 2012**

#### **Key amendments to the Licensing Act 2003**

The Licensing Committee noted a report setting out the implications of key amendments to the Licensing Act 2003, introduced by the Police Reform & Social Responsibility Act 2011. These had not yet been enacted.

Councillor Robin Sider  
*Chairman of the Licensing Committee*

**23 February 2012**

## REPORT OF THE CHAIRMAN ON THE WORK OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Overview and Scrutiny Committee has met twice since the last Council meeting and this report gives an overview of the issues considered.

### 1. Review of the Petition Scheme

1.1 The Committee discussed the current petition scheme which included the following key elements:

- The ability to trigger a debate at an ordinary meeting of the Council with a threshold of at least 1000 signatories for a single ward issue and at least 4500 signatories for an issue affecting two or more wards.
- The ability to hold a senior officer to account at an overview and scrutiny committee with a threshold of at least 300 signatories for a single ward issue and at least 400 signatories for an issue covering two or more wards.
- The ability to trigger a debate at a Cabinet meeting with a threshold of between 20 to 200 signatories for a single ward issue and between 30 to 300 signatories for an issue covering two or more wards.
- There is a right for the lead petitioner to request a review of the Council's response to the petition where the lead petitioner is unhappy with the way the petition has been handled.
- Vexatious, abusive or otherwise inappropriate petitions are excluded from the scheme, together with petitions which relate to individual planning, licensing or other issues where there is a statutory right of appeal.
- The lead petitioner has an option under the scheme of requesting a response from a senior officer rather than taking the petition to a decision making meeting.
- Elected councillors are eligible to sign petitions.
- The scheme allows a wider definition of those who can petition the Council namely any person of any age who lives, works, studies or uses services in Spelthorne.

1.2 In considering the matter the committee recognised that e petitions and paper petitions were an important way in which residents could let the Council know of their concerns.

1.3 The Committee agreed that (1) the current petitions scheme be retained with a further review of the scheme being undertaken once the Localism Act 2011 was enacted and the legal requirements to have petitions scheme was repealed, and (2) that the Head of Corporate Governance to actively promote awareness of the scheme via the Council's Borough Bulletin, Notice boards and website and any other free marketing opportunities that are available.

## **2. Planning Review**

- 2.1 The Committee considered the report covering the completion and implementation of the recommendations of the Trevor Roberts Associates review of the planning service. The majority of the 250 recommendations had covered processes and customer care issues.
- 2.2 It was noted that the results of the external satisfaction survey undertaken in November 2011 would be available in February 2012. The survey would provide feedback from the wider community on the changes introduced through the TRA review. The outcome of this survey could also be compared to the survey undertaken in November 2009.
- 2.3 The Committee agreed that a Post Implementation Review Panel be established to assess the effectiveness of the changes implemented following the TRA review and report their findings back to this committee.

## **3. Sweeps Ditch**

- 3.1 The Committee received a presentation from the Environment Projects Officer providing details of the management and maintenance of Sweeps Ditch. The presentation was divided into two parts. The first part covered background information on past management of the ditch, including the historical issues with the flow of water and the work undertaken to rectify the matter. He went on to cover the financial implication of maintaining a flow to Sweeps Ditch.
- 3.2 The second part of the presentation covered future maintenance arrangements and the options that the officers together with the Cabinet Member responsible for the Environment had been looking into. The committee noted that the new maintenance scheme had been implemented through a one year contract with an option to extend for a longer term.
- 3.3 The Cabinet Member for the Environment, Councillor R. Watts was in attendance and as Chairman I invited him to take part in the discussion and responded to questions raised by committee members.
- 3.4 The committee agreed to note the current intention to implement the continuation and improvement to the current management scheme and the situation be reviewed in a year's time.

## **4. Food Waste Task Group**

- 4.1 The Committee received a verbal report from the Lead member of the Task Group, Councillor Asif Ayub, on the findings of the group which had met on five occasions.
- 4.2 The work of the group had included reviewing and agreeing the publications to be produced. Discussion with officers on how the waste enforcement policies for side waste associated with rubbish and contamination of recycling would be enforced.
- 4.3 The Task Group had been pleased to report that since the introduction of the enforcement policy in July 2011 there had been an increase in recycling rates by 4% and they hoped that this would increase further with the introduction of the food waste scheme.



4.4 The Lead Member placed on record his thanks and appreciation to all members of the Task Group for their commitment to the review. On behalf of the members of the Task Group he placed on record thanks and appreciation to the officer teams for Sustainability and Leisure, Streetscene and Communications for their help and support in undertaking the review.

4.5 The committee agreed with the findings of the task group which included: (1) that communication with residents on all waste issues would continue and (2) that Ward Councillors be notified of any issues that may arise in their ward.

## **5. Parks and Open Spaces Task Group**

5.1 As the Lead Member of this group I gave a brief report on the work being progressed which included:

- Explore revenue income streams
- Explore external funding opportunities
- Looking at additional developments which could both improve the infrastructure in parks and save money as well as making parks a more welcoming place to visit

## **6. Financial reports**

6.1 The Committee received two financial monitoring reports covering the period April to December 2011. In relation to Capital the Committee noted that the anticipated projected outturn to spend by the end of the financial year was £1,559,500 which represented 79% of the revised budget.

6.2 In relation to Revenue the Committee noted that the forecast outturn was £12,721m against the revised budget of £12,387m an overspend of £334k (2.7%) this will be partially offset by a one off transfer of £186,000 from the Business Improvement Reserve for redundancy costs arising from a restructuring.

6.3 During the general discussion the committee asked the Chief Finance Officer to provide a briefing paper on the situation regarding the Sea Cadets and if necessary a special meeting of the committee be arranged.

## **7. Budget 2012/13**

7.1 The committee received a presentation from our Chief Finance Officer on the issues, challenges and core approach and principles underpinning our 2012/13 budget.

7.2 The Cabinet member for Finance Councillor T. Evans attended the meeting and at my invitation as Chairman he took part in the discussion and responded to questions raised by committee members.

Councillor Philippa Broom – Chairman of the Overview and Scrutiny Committee

23 February 2012

## **Report of the Chairman on the work of the Planning Committee**

The Planning Committee has met three times since the previous report was prepared for the Council meeting. This report therefore gives an overview of the key items considered by the Planning Committee at the meetings in December 2011 and January and February 2012.

The meeting on **14 December** with 6 items. Public speaking took place on 5 of the items with 6 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- An application for the erection of a water ski tow facility with clubhouse at Ferris Meadow Ferry Lane Shepperton was refused.
- Applications for the erection of a house, and conversion of out building to two dwellings, at Parkside Studio House and Old Manor Farm Studio Church Street Sunbury were refused.
- Permission was also granted for a new Scout and Guide Hall, and two new dwellings, for the First Sunbury Scouts and Guides at their site in School Walk Sunbury.

The meeting on **11 January** dealt with 2 items. Public speaking took place on both of the items with 2 people taking the opportunity to address the Committee

The most notable item on the agenda was the renewal of a previous permission for the erection of a block of 4 flats at land to the rear of 69 Vicarage Road Sunbury.

The meeting on **8 February** dealt with 6 items. Public speaking took place on 4 of the items with 4 people taking the opportunity to address the Committee

The most notable items on the agenda were

- The granting of permission for a major refurbishment and extension of the office building at Ashby House, 1 Bridge Street Staines.
- Permission was also refused for two applications seeking to alter the existing outbuilding at 2a School Road Ashford to create a self contained dwelling.