

**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 July 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 JULY 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 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) Asking a Public Question; (2) Presenting a Petition; (3) Representations on Recommendations

(1) Public "Question Time" is near the start of Council meetings and is an opportunity for any person to ask the Leader of the Council, or his nominee, a question about a matter in which the Council has powers or duties or an issue that affects the Borough.

(2) The Council has a procedure to enable any person to present a petition at a Council meeting and for the presenter to address the Council for a maximum of three minutes.

(3) Before the Council considers a recommendation from the Cabinet or a Committee and before it makes a decision on that recommendation, any person can put forward views on the issues involved by making representations to the Council for a maximum of three minutes.

Persons wishing to (1) ask a public question, (2) present a petition or (3) make representations on a recommendation **must** notify the Chief Executive [CX] in writing by letter, FAX or e-mail before **12 Noon, five working days prior to the day of the Council meeting [i.e. before 12 noon on the preceding Thursday for a Council meeting on the following Thursday]** and at the same time **must** deliver to CX (1) their written question, (2) the original of their petition or (3) their written statement of representations.

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 note apologies for absence received from Councillors C.A. Davis and R.W. Sider and to receive any other apologies for non-attendance.

2. MINUTES – COUNCIL MEETINGS HELD ON 19 MAY 2009 AND 21 MAY 2009
[pages 5 to 13]

To confirm as a correct record the Minutes of the Special Council Meeting held on 19 May 2009 and the Minutes of the Annual General Meeting [AGM] of the Council held on 21 May 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

(1) The Mayor to present to Louise Duncan, Headteacher at Sunbury Manor School, Sunbury, the Royal Air Force Award for Headteacher of the Year in a Secondary School in the South East of England.

(2) To receive any other announcements from the Mayor regarding forthcoming planned Mayoral events.

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 the question(s) has/have been received by the Chief Executive in accordance with the timescales and the procedures laid down in the Council's Constitution].*

8. PETITIONS

(1) To receive a Petition from Mrs. Helena Weston of 9 Millers Close, Priory Green, Staines objecting to the decision to stop grass cutting in Sykes Drive, Staines.

(2) To receive any other Petitions submitted to the Council. *[Providing the Petition(s) has/have been received by the Chief Executive in accordance with the timescales and the procedures laid down in the Council's Constitution].*

9. DETAILED BUDGET 2009-2010
[pages 14 to 21]

To consider the report of the Chief Finance Officer on the Detailed Budget 2009-2010.

10. RECOMMENDATIONS OF THE CABINET
[page 22]

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

(1) Management of Ordinary Watercourses in Spelthorne - Amendments to the Council's Scheme of Delegation

(2) Amendments to the Council's Scheme of Delegation [To Follow]

Note: Members of the public may make representations in person not exceeding 3 minutes on individual Cabinet recommendations before they are discussed.
[Providing the Statement(s) of Representations has/have been received by the Chief Executive in accordance with the timescales and the procedures laid down in the Council's Constitution].

11. REPORT FROM THE LEADER OF THE COUNCIL
[pages 23 to 24]

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

12. REPORT FROM THE CHAIRMAN OF THE AUDIT COMMITTEE
[page 25]

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

13. REPORT FROM THE CHAIRMAN OF THE IMPROVEMENT AND DEVELOPMENT COMMITTEE
[page 26]

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

14. REPORT FROM THE CHAIRMAN OF THE LICENSING COMMITTEE
[pages 27 to 28]

To receive the report from the Chairman of the Licensing Committee on the work of his Committee.
[In the absence of the Chairman, Councillor Robin Sider, his report will be presented to the Council by the Vice-Chairman, Councillor Malcolm Royer.]

15. REPORT FROM THE CHAIRMAN OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE
[pages 29 to 31]

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
[page 32]

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
[page 33]

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

18. MOTIONS

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

"This Council regrets the stance taken by this government in respect of Surrey Police Capping and its subsequent effect on council tax bills in Spelthorne. It does not make sense in the current

economic climate, to incur unnecessary expense and work for the Council, particularly when the council tax team at the same time will be dealing with the additional work generated by the way the Government with its last minute decision implemented its business rates increase deferral scheme, and cause confusion for residents. Between the capping order being laid and the new bills being issued the Council is required by law to suspend any new recovery action and the impact will be to adversely affect collection rates for which we will not be compensated. The nonchalant manner in which during a debate on this question on June 9th 2009 the Minister Shahid Malik replied to various Surrey MPs including David Wilshire when they sought to mitigate the problem by requesting the present bills to stand for the interim and adjustments to be made on next year if required.”

Proposed by: Councillor Mrs. Marian Rough
Seconded by: Councillor Steven Rough.

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

“Council notes that:

- 1) Pre-application discussions are an essential part of the planning process and can help identify problems and potential concerns prior to submission of a planning application.
- 2) The current Spelthorne Planning Code discourages members from attending pre-application meetings between officers and potential applicants.
- 3) Members are often unaware that such discussions are taking place that involve major proposals for sites within their wards.

Council welcomes the recent Probity in Planning revised guidance note published in May 2009 by the Local Government Association.

Council welcomes the recognition that councillors, on behalf of their communities, should participate in discussions prior to the receipt of a planning application.

Council further notes that when drafting pre-application guidelines care needs to be taken in respect of those councillors who are members of the planning committee.

Council resolves to instruct the Monitoring Officer, as part of his ongoing review of the Planning Code, to incorporate suitable text into the revised draft of the Planning Code that councillors should participate in pre-application discussions.”

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

19. QUESTIONS ON WARD ISSUES

The Leader or his nominee to answer any questions from Members on issues in their Ward.
[Providing the question(s) has/have been received by the Chief Executive in accordance with the timescales and the procedures laid down in the Council's Constitution].

20. GENERAL QUESTIONS

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

- (a) “Will the Leader join me in congratulating Team Spelthorne on their recent achievement of equal first place in this years Surrey Youth Games, with a tally of 3 gold, 6 silver, and 2 bronze medals respectively? And will he acknowledge that this represents continual progress in the sporting field, and demonstrates the

commitment that our staff have in promoting our Youth services and a healthy Spelthorne?”

(b) “Members should be aware of the recent magnificent achievement of Mrs Louise Duncan, the Head Teacher of Sunbury Manor School. Mrs Duncan has recently been voted the best head teacher in the whole of the South East, after fighting off the challenge of some 1000 other heads in the region. Will the Leader concur with me that this is just reward for the tremendous effort and dedication that she has put into the School since assuming her appointment, and reflects the pride that this Council has in our Schools, and will he together with Members of all parties join me in sending Mrs Duncan our very best wishes and good fortune as she competes in the forthcoming National finals later this year?”

(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 the question(s) has/have been received by the Chief Executive in accordance with the timescales and the procedures laid down in the Council's Constitution].*

21. APPOINTMENTS TO OUTSIDE BODIES

Ashford Relief in Need Charities

To appoint Mrs. Frances Forsbrey of 43 Fordbridge Road, Ashford as a Council Representative to serve on the Ashford Relief in Need Charities for a period of 4 years.

22. URGENT BUSINESS

To consider any urgent business.

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 19 MAY 2009

BOROUGH OF SPELTHORNE

AT THE SPECIAL MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON TUESDAY 19 MAY 2009

Ayers F.	Hirst A.P.	Pinkerton Mrs J.M.
Bhadye S. (Mayor)	Hyams Ms N.A.	Pinkerton Jack .D.
Bouquet M.L.	Leighton Mrs V.J.	Rough Mrs M.W.
Crabb T.W.	McShane D.L.	Rough S.J.
Davis C.A.	Napper Mrs I.	Sider R.W.
Dunn Mrs S.A.	Nichols Mrs. C.E.	Smith-Ainsley R.A. (Deputy Leader)
Flurry K.E.	O'Hara E.	Spencer Caroline (Deputy Mayor)
Forsbrey G.E.	Packman J.D. (Leader)	Thomson H.A.
Grant Mrs D.L.		

Mr Murray Litvak – Chairman, Standards Committee

Miss Sue Faulkner - Vice-Chairman, Standards Committee

Councillor S. Bhadye, The Mayor, in the Chair

140/09 RECORDING OF MEETING

The Mayor, Councillor Sooryadeo Bhadye, announced to all present that this Special Council meeting was being recorded as a trial for the planned commencement of recording of Council meetings with effect from the Council AGM on 21 May 2009.

141/09 WELCOME

The Mayor welcomed to the meeting the special guests from the Mauritius High Commission, London, His Excellency Mr Abhimanu Mahendra Kundasamy, High Commissioner and Mr Haymandoyal Dillum, Deputy High Commissioner.

He further welcomed the special guests from Grand Port Savanne District Council, Mauritius, Mr Radhakrishansingh Rajkoomar, Chairman, Councillor Mr. Ahmad Nooranee Gunglee and Mr Shyam Teeluck, Acting Chief Executive.

He also welcomed the Leader of the Council, Councillor John Packman, other Councillors, the Chief Executive and his staff and the Business, Community and invited guests.

142/09 APOLOGIES

Apologies for absence were received from David Wilshire MP and Councillors Mrs E.M. Bell, Ms. P.A. Broom, R.B. Colison-Crawford, H.R. Jaffer, C.D.G. Kuun, L.E. Nichols, M.T. Royer and G.F. Trussler.

143/09 TWINNING ARRANGEMENTS BETWEEN SPELTHORNE BOROUGH COUNCIL AND GRAND PORT SAVANNE DISTRICT COUNCIL, MAURITIUS

The Mayor advised that the Mauritian High Commission had invited the Spelthorne Borough Council to form a Twinning Link with Grand Port Savanne District Council, Mauritius and that this Special Council meeting had been called to enable Members to

SPECIAL COUNCIL, 19 May 2009 - Continued

consider a formal proposal to proceed with this further Twinning Link. In 2010 the Spelthorne Borough Council would be celebrating the 20th anniversary of the successful twinning link with Melun in France. The invitation from the Mauritian High Commission to form a further Twinning Link with Grand Port Savanne District Council was a welcome opportunity.

It was proposed by the Leader of the Council, Councillor John Packman, and seconded by the Deputy Leader, Councillor Richard Smith-Ainsley, that Spelthorne Borough Council accepts the invitation from the Mauritian High Commission to enter into a Twinning Link with the Grand Port Savanne District Council and agrees to sign the formal Twinning Link Charter.

The Leader addressed the Council to express the Council's support and visions for the proposed Twinning Link with Mauritius, based on friendship, co-operation, exchanging of ideas and establishing solid relationships of mutual benefit.

At the invitation of the Mayor, His Excellency Mr Abhimanu Mahendra Kundasamy, High Commissioner of Mauritius and Mr Radhakrishansingh Rajkoomar, Chairman of Grand Port Savanne District Council addressed the Council to express their visions for the Twinning Link.

Councillor T.W. Crabb, on behalf of the Members of the Liberal Democrats Group, explained to the meeting the reasons why the Liberal Democrats did not support the Twinning proposal and would therefore be voting against it.

After debate by Members it was:

RESOLVED that Spelthorne Borough Council accepts the invitation from the Mauritian High Commission to enter into a Twinning Link with the Grand Port Savanne District Council and agrees to sign the formal Twinning Link Charter.

In accordance with Standing Order 21.4, a request was made by Councillor T.W. Crabb for the voting on the Twinning proposal to be recorded. The vote was Carried as follows:

FOR (22)	Councillors J.D. Packman, R.A. Smith-Ainsley, F. Ayers, S. Bhadye, M.L. Bouquet, C.A. Davis, K.E. Flurry, G.E. Forsbrey, Mrs. D.L. Grant, A.P. Hirst, Miss N.A. Hyams, Mrs. V.J. Leighton, D.L. McShane, Mrs. I. Napper, E. O'Hara, Mrs. J.M. Pinkerton, Jack D. Pinkerton, Mrs. M.W. Rough, S.J. Rough, R.W. Sider, Mrs. Caroline Spencer and H.A. Thomson.
AGAINST (3)	Councillors T.W. Crabb, Mrs. S.A. Dunn and Mrs. C.E. Nichols.

144/09 (A) OFFICIAL CEREMONY FOR THE SIGNING OF THE FORMAL TWINNING LINK CHARTER BETWEEN SPELTHORNE BOROUGH COUNCIL AND GRAND PORT SAVANNE DISTRICT COUNCIL, MAURITIUS

The Mayor, Councillor Sooryadeo Bhadye, and the Chief Executive, Roberto Tambini, and the representatives from Grand Port Savanne District Council, Mauritius signed the

formal Twinning Link Charter between Spelthorne Borough Council and Grand Port Savanne District Council, Mauritius.

(B) SPONSORSHIP FOR NEW BOROUGH ENTRY SIGNS

In order to publicise and reflect the new Twinning arrangements with Mauritius, new entry to Spelthorne road signs would be installed at all main entrances to the Borough. The new entry road signs were being paid for by generous sponsorship from many of the Council's key partners. A2Dominion Housing Group, BP International, Sunbury, Kempton Park Racecourse and the Princes Club had already agreed their sponsorship of these signs in time for this Special Council meeting, and discussions were also at an advanced stage with several other business partners.

MINUTES OF THE SPELTHORNE BOROUGH COUNCIL MEETING

At the Annual Meeting of the Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines on Thursday 21 May 2009 at 7.30pm

Ayers F.	Dunn Mrs S.A.	O'Hara E.
Bain Ms M.M.	Flurry K.E.	Packman J.D.
Bell Mrs E.	Forsbrey G.E.	Pinkerton Mrs J.M.
Bhadye S.	Grant Mrs D.L.	Pinkerton Jack. D.
Bouquet M.L.	Hirst A.P.	Rough Mrs M.W.
Broom Ms P.A.	Hyams Ms N.A.	Royer M.T.
Chouhan K.	Leighton Mrs V.J.	Sider R.W.
Colison-Crawford R.B.	McShane D.L.	Smith-Ainsley R.A.
Crabb T.W.	Nichols Mrs C.E.	Spencer Caroline
Davis C.A.	Nichols L.E.	Thomson H.A.
		Trussler G.F.

Co-Opted Member: Mr M. Litvak

145/09 ELECTION OF MAYOR

The retiring Mayor, Councillor S. Bhadye, welcomed all Members and guests to the Annual General Meeting of the Council. He reported that it had been a great honour to serve as Mayor. He highlighted some of the many and varied community events which he and his wife had enjoyed and commented how much he appreciated the work of voluntary organisations within the Borough.

He thanked Members for their support and expressed special thanks to his wife, Candy, for her commitment to the role, his family and his secretary Sue Hulme for her hard work and helpfulness.

He thanked Councillor Mrs Caroline Spencer for her support as Deputy Mayor and wished her well in her term in office with the belief that she and her husband, Alan would make excellent ambassadors for Spelthorne.

It was moved by Councillor R.W. Sider and seconded by Councillor A.P. Hirst that Councillor Mrs Caroline Spencer be elected Mayor for the Municipal Year 2009/2010.

RESOLVED that Councillor Mrs Caroline Spencer be appointed Mayor for the Municipal Year 2009/2010.

Councillor Mrs Caroline Spencer made the declaration of acceptance of office as Mayor of the Borough of Spelthorne and took the Chair. She thanked her proposer and seconder and those who had supported her in her election. She presented Councillor S. Bhadye with the past Mayor's badge and an album commemorating his year in office.

The Mayor paid tribute to Councillor S. Bhadye and his wife, for their excellent service during the past year. She was delighted to be given the opportunity to promote Spelthorne and wished to continue to help build a community spirit with the help of the Council, its partners and voluntary groups. She reported that her Mayor's Charity Fund would be supporting One to One, a friendship

scheme for those with learning difficulties and the Guiding in Spelthorne Organisation.

146/09 APOLOGIES

Apologies for absence were received from Councillors I.J. Beardsmore, S.E.W. Budd, H.R. Jaffer, C.D.G. Kuun, Mrs I. Napper, S.J. Rough and C.V. Strong and Independent member, Miss S. Faulkner.

147/09 MINUTES

The minutes of the meeting held on 23 April 2009 were approved as a correct record, subject to insertion of amended wording for Minute 114/09 (2) to read:

“£2 million budget gap / capitalisation of salaries

The Leader of the Council, Councillor John Packman, referred to the recent publicity carried out by Councillor L.E. Nichols alleging there was a £2 million "gap" in the Council's budget plus investigation relating to the treatment of capitalisation of salaries.

The Leader supported the rights for any Councillor to raise concerns and undertake investigations. However, he felt that the Councillor had gone too far when, after discussing the matter with the Council's Chief Finance Officer, he raised the matter with KPMG (appointed by the Audit Commission as the Council's external Auditors) at a cost of £5000 to the Council. The Leader felt that in this economic climate, the funds could have been better spent in supporting local community groups."

148/09 ELECTION OF DEPUTY MAYOR

It was moved by Councillor G.F. Trussler and seconded by Councillor Ms P.A. Broom and

RESOLVED that Councillor E. O'Hara be appointed Deputy Mayor for the Municipal Year 2009/2010.

Councillor E. O'Hara made the declaration of acceptance of office as Deputy Mayor of the Borough of Spelthorne and thanked his proposer and seconder and the Council for appointing him to this office for a second term. He looked forward to supporting the Mayor and her husband over the coming year.

149/09 ANNOUNCEMENTS FROM THE MAYOR

Civic Events

The Mayor announced the following civic and charity events with full details being notified nearer the time.

Civic Service – 5 July 2009

Charity Golf Day – 9 July 2009

Charity Lunch – 12 July 2009

Civic Business Reception – 17 July 2009

Trafalgar Lunch – 18 October 2009

Charity Ball – 20 March 2010

Civic Community Reception – 13 May 2010

150/09 ELECTION OF LEADER AND DEPUTY LEADER OF THE COUNCIL

It was moved by Councillor R.A. Smith-Ainsley and seconded by Councillor R.W. Sider and

RESOLVED that Councillor J.D. Packman be appointed Leader of the Council for the Municipal Year 2009/2010.

It was moved by Councillor J.D. Packman and seconded by Councillor A.P. Hirst and

RESOLVED that Councillor R.A. Smith-Ainsley be appointed Deputy Leader of the Council for the Municipal Year 2009/2010.

151/09 APPOINTMENT OF THE CABINET [FORMERLY THE EXECUTIVE]

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

RESOLVED:

- (a) That the seven Members of the Council to be appointed to the Cabinet, in addition to the Leader of the Council and the Deputy Leader, be Councillors F. Ayers, M.L. Bouquet, C.A. Davis, G.E. Forsbrey, Mrs. D.L. Grant, A.P. Hirst and Mrs. V.J. Leighton, with the terms of reference and functions as set out in Part 3 (a) of the Council's Constitution; and
- (b) That the Areas of Responsibility for individual Members of the Cabinet be as follows:

Leader of the Council	Councillor Packman
Planning and Housing	Councillor Smith-Ainsley
Community Safety	Councillor Ayers
Corporate Services	Councillor Bouquet
Regeneration	Councillor Davis
Environment	Councillor Forsbrey
Young People and Cultural Services	Councillor Mrs. Grant
Communications and Engagement	Councillor Hirst
Health and Independent Living	Councillor Mrs. Leighton

152/09 ESTABLISHMENT OF COMMITTEES, ALLOCATION OF SEATS AND APPOINTMENT OF MEMBERS

Details of the proposed committees, their size, the political allocation of seats and the members to serve on them had been circulated as **Appendix A** to all

Members of the Council. The Council also had regard to the information set out in the agenda at item 9.

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

RESOLVED:

- (a) That the Council appoint the seven committees as attached at **Appendix A** with the terms of reference and functions as set out in Part 3 (a) of the Council's Constitution;
- (b) That the allocation of seats on the seven committees be as shown at **Appendix A** attached;
- (c) That the Members appointed to serve on the seven committees be as shown at **Appendix A** attached; and
- (d) That Mr M. Litvak and Miss S. Faulkner be appointed as Chairman and Vice-Chairman of the Standards Committee, respectively.

153/09 CHAIRMEN OF COMMUNITY ENGAGEMENT / "HAVE YOUR SAY" EVENTS [FORMERLY AREA FORUMS]

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

RESOLVED that Chairmen of Community Engagement / "Have Your Say" Events for the Municipal Year 2009/2010, be appointed as follows:

Ashford	Councillor G.F. Trussler
Shepperton	Councillor R.W. Sider
Staines	Councillor S.E.W. Budd
Stanwell and Stanwell Moor	Councillor F. Ayers
Lower Sunbury	Councillor A.P. Hirst
Sunbury Common	Councillor R.A. Smith-Ainsley

154/09 DISCRETIONARY HOUSING PAYMENTS REVIEW BOARD

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

RESOLVED that all Members of the Council, other than those appointed to the Cabinet, be appointed to form a Panel from which Discretionary Housing Payments Review Boards could be drawn, as and when necessary.

155/09 APPOINTMENT BY THE COUNCIL TO AN OUTSIDE BODY - SOUTH WEST MIDDLESEX CREMATORIUM BOARD

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

RESOLVED that Councillor Mrs. D.L. Grant be appointed as the Council's representative on the South West Middlesex Crematorium Board and that Councillor A.P. Hirst be appointed as her Deputy.

APPENDIX A

Audit Committee

[7 seats – 6 Conservative – 1 Liberal Democrat]

Councillors

M.L. Bouquet
H.R. Jaffer
D.L. McShane
L.E. Nichols
E. O'Hara
S.J. Rough
H.A. Thomson

Improvement and Development Committee

[15 seats – 12 Conservative – 3 Liberal Democrat]

Councillors

Miss M.M. Bain
Mrs. E.M. Bell
S. Bhadye
Ms. P.A. Broom
K. Chouhan
K.E. Flurry
Ms. N.A. Hyams
H.R. Jaffer
C.D.G. Kuun
Mrs. C.E. Nichols
L.E. Nichols
Mrs. J.M. Pinkerton
Mrs. M.W. Rough
S.J. Rough
[One Conservative vacancy]

Licensing Committee

[15 seats – 12 Conservative – 3 Liberal Democrat]

Councillors

F. Ayers
S. Bhadye
S.E.W. Budd
R.B. Colison-Crawford
Mrs. S.A. Dunn
K.E. Flurry
Ms. N.A. Hyams
D.L. McShane
Mrs. I. Napper
E. O'Hara
Jack D. Pinkerton
S.J. Rough
M.T. Royer
R.W. Sider
C.V. Strong

Performance Management and Review Committee

[15 seats – 12 Conservative – 3 Liberal Democrat]

Councillors

Miss M.M. Bain
Ms. P.A. Broom
S.E.W. Budd
K. Chouhan
H.R. Jaffer
D.L. McShane
Mrs. I. Napper
Mrs. C.E. Nichols
L.E. Nichols
Mrs. J.M. Pinkerton
Jack D. Pinkerton
Mrs. M.W. Rough
M.T. Royer
C.V. Strong
G.F. Trussler

Planning Committee

[15 seats – 12 Conservative – 3 Liberal Democrat]

Councillors

I.J. Beardsmore
S. Bhadye
S.E.W. Budd
T.W. Crabb
Mrs. S.A. Dunn
G.E. Forsbrey
Ms. N.A. Hyams
C.D.G. Kuun
Jack D. Pinkerton
Mrs. M.W. Rough
M.T. Royer
R.W. Sider
R.A. Smith-Ainsley
H.A. Thomson
[One Conservative vacancy]

Standards Committee

[6 seats – 5 Conservative – 1 Liberal Democrat]

Councillors

T.W. Crabb
C.A. Davis
A.P. Hirst
D.L. McShane
E. O'Hara
G.F. Trussler

Staff Appeals Committee

[5 seats – 4 Conservative – 1 Liberal Democrat]

[Nominations as and when required]

DETAILED BUDGET 2009-2010

COUNCIL 23 July 2009

Resolution Required

Report of the Chief Finance Officer

Executive Summary

How does the contents of this report improve the quality of life of borough residents

By accurately planning and managing its financial resources the Council can maximise the services it provides to the public.

Purpose of Report

To formally re-set the overall council tax following the capping of Surrey Police by the Government.

Key Issues

- As billing authority the Borough is legally required to re-issue Council Tax bills
- Police council tax bill Band D council tax being reduced by £3.24
- Police council tax increase reduced from 4.89% to 3.16%
- Costs incurred in rebilling will be reimbursed by the Police
- Adds to the resource pressures faced by the Revenues team
- Potential adverse impacts on collection rates

Financial Implications

As detailed in the report

Corporate Priority All

Officer Recommendations

The Council is asked to agree the following recommendations:

- 1. 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.**
 - 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.**
- 2. 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.

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

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.

<u>VALUATION BAND</u>	A	B	C	D	E	F	G	H
1. Precepts issued to the Council								
i) Surrey County Council	726.12	847.14	968.16	1089.18	1331.22	1573.26	1815.30	2178.36
ii) Surrey Police	129.24	150.78	172.32	193.86	236.94	280.02	323.10	387.72
2. Spelthorne's Council Tax	111.53	130.12	148.71	167.30	204.48	241.66	278.83	334.60
The total of items 1 and 2	<hr/>							
3. above, which is the full Council Tax for 2009/10	<u>966.89</u>	<u>1,128.04</u>	<u>1,289.19</u>	<u>1,450.34</u>	<u>1,772.64</u>	<u>2,094.94</u>	<u>2,417.23</u>	<u>2,900.68</u>

Contact: Terry Collier, Chief Finance Officer on Tel: (01784) 446296

Cabinet Member: Councillor Vivienne Leighton

REPORT

1. BACKGROUND

- 1.1 In 2008-09 Surrey Police increased its council tax by 9.73% which resulted in it being considered for capping and avoided being required to re-bill in year but was warned by the Government that its ability to increase its council tax in 2009-10 would be constrained with its 2009-10 council tax and budget being compared against a notional budget for 2008-09.
- 1.2 Surrey Police proposed a 4.89% council tax increase for 2009-10 which the Government deemed excessive and confirmed on 9th July a capping order. Surrey Police submitted a judicial review but was unsuccessful.
- 1.3 The reduction in the police council tax requirement equates to £3.24 at band D equivalent to giving back to council taxpayers across Surrey £1.6m. However, the cost of re-billing across Surrey will equate to approximately £1.2million which the Surrey Police will have to fund.

2. RECOMMENDATIONS

- 2.1 That the following amounts now calculated by the Council for the year 2009-10, in accordance with Sections 32 and 33 of the Local Governance Finance 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.

2.3 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

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

2.4 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 bands.

2.5 Before it was known that Surrey Police would be capped the council tax figures set by the county council and police were:

Original figures as issued in February 2009:

VALUATION BAND	A	B	C	D	E	F	G	H
Precepts issued to the Council								
i) Surrey County Council	726.12	847.14	968.16	1089.18	1331.22	1573.26	1815.30	2178.36
ii) Surrey Police	131.40	153.30	175.20	197.10	240.90	284.70	328.50	394.20

- 2.6 That it be noted that for the year 2009-10 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, for each of the categories of the dwellings shown below.

Revised figures as June 2009:

Reflecting the revised Surrey Police precept figure, the precepting bodies figures for 2009-10 are now:

VALUATION BAND	A	B	C	D	E	F	G	H
Precepts issued to the Council								
i) Surrey County Council	726.12	847.14	968.16	1089.18	1331.22	1573.26	1815.30	2178.36
ii) Surrey Police	129.24	150.78	172.32	193.86	236.94	280.02	323.10	387.72

It can be seen from the above that at Band D the Surrey Police council tax as a result of capping has reduced by £3.24 to £193.86.

- 2.7 That having calculated the aggregate in each case of the amounts at 2.3 and 2.6 above, the council in accordance with section 30 (2) of the local government act 1992, hereby sets out the following amounts as the amounts of council tax for the year 2009-10 for each of the categories of dwellings shown below.

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
966.89	1,128.04	1,289.19	1,450.34	1,772.64	2,094.94	2,417.23	2,900.68

In comparison the total council tax figures for 2009-10 before capping were:

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
969.05	1,130.56	1,292.07	1,453.58	1,776.60	2,099.62	2,422.63	2,907.16

3. KEY ISSUES

- 3.1 The Government have made an order to reduce the Police's element of the Council Tax for 2009/10 year.
- 3.2 Spelthorne Council must now issue all Council Tax payers with a revised bill for the lower amount.
- 3.3 The reduction has only reduced Surrey Police's portion of the bill and is not a significant amount over the year compared to council taxpayers overall existing annual charge.
- 3.4 It is anticipated that the reduction is equivalent to 6p per week for an average Band D property.

- 3.5 Unfortunately, once the capping order has been made, Spelthorne Borough Council, as the billing authority, is legally obliged to issue revised accounts irrespective of the amounts involved.
- 3.6 All costs associated with the re-billing exercise will be paid for by Surrey Police and not Spelthorne Council.

4. PRECEPTS

- 4.1 Surrey County Council at its Council meeting on 10 February 2009 set a Band D council tax of £1,089.18 representing a 2.94% increase and has advised us that its precept on the Council for 2009-10 is £43,611,024.
- 4.2 Surrey Police at its tax setting meeting on 17 July 2009, set a revised band D council tax of £193.86 representing a revised increase of 3.16% (originally a 4.89% increase), and has advised us that its precept on the Council for 2009-10 is £7,786,212.43.

5. FINANCIAL IMPLICATIONS

- 5.1 The estimated financial cost of re-billing to Spelthorne Borough Council has been estimated at £157k and will be reimbursed by Surrey Police. However, under the regulations we can not be compensated for the adverse impact on our collection rates which will arise from having to put on hold new recovery action between the date of the capping order and the issue of the new Council Tax.
- 5.2 The re-billing will result in the Council potentially have a considerable number of very small value (i.e. literally under a pound) credits which it will have to make to individuals who have moved out of the borough.
- 5.3 Nor will the compensation offset the resource impact of the additional time spent dealing with the re-billing exercise, particularly at a time when the Revenues team will be dealing with the business rates deferral scheme at about the same time.

6. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS

- 6.1 As the billing authority Spelthorne Borough Council is required to issue the revised council tax bill. From the date the order is made, the council tax made on 26 February 2009 becomes invalid and all recovery action should cease. Existing liability orders are lawful but will need to be reduced after the adjustment notice. Once capping is in place, any applications for liability orders after the making of the substituted tax will have to be proved with evidence of the old and substituted tax.

7. RISKS AND HOW THEY WILL BE MITIGATED

- 7.1 In order to issue the Council tax bills as quickly as possible we are setting a tight timetable and we will be heavily dependent on third parties such as our printers and the software provider. This will be mitigated by careful project management and sharing experience and expertise amongst the Surrey districts.
- 7.2 The Council will put out information about the rebilling in the Borough Bulletin as well as with the bills.

8. TIMETABLE FOR IMPLEMENTATION

- 8.1 There is a detailed project plan behind the rebilling exercise the below picks out key dates.

23 July 2009 - Full Council to approve overall revised Council Tax figures

10 August 2009 - Revised software received

10-18 August 2009 - Testing of new software

24-28 August 2009 - Commence annual billing

2 September 2009 - Live proofs to printer

7 September 2009 – Bills to be issued

Author:

Terry Collier, Chief Finance Officer on (01784) 446296

Background Papers:

There are none

RECOMMENDATIONS OF THE CABINET

1. MANAGEMENT OF ORDINARY WATERCOURSES IN SPELTHORNE – AMENDMENTS TO THE COUNCIL’S SCHEME OF DELEGATION

- 1.1 The Cabinet have considered a report on the Management of Ordinary Watercourses in Spelthorne and two maps showing the location of the Watercourses within the Borough circulated to Members at the Cabinet meeting.
- 1.2 The report proposed a clear policy on watercourse management in the Borough that reflects relevant legislative requirements and the relevance of watercourses in flood alleviation and in relation to biodiversity.
- 1.3 The report explained that in order for Officers to exercise powers under the Land Drainage Act 1991, it must be ensured that appropriate delegations to the relevant Officers are included within the Council’s Constitution.
- 1.4 **The Cabinet recommend that the Council approve the proposed new Officer Delegations [at Paragraph 7.2 of the report of the Assistant Chief Executive to the Cabinet and repeated at (a) and (b) below] and authorise the necessary amendments to the Council’s Constitution, as follows:**

Proposed Officer Delegations:-

- (a) **Function:** To exercise the powers and functions of the Council, as the relevant Drainage Board, under the Land Drainage Act 1991 and to authorise Officers to carry out powers and functions under the Act.
Authorised Officer: Head of Environment Services.
- (b) **Function:** To issue and serve statutory notices and take follow up action under the Land Drainage Act 1991.
Authorised Officer: Head of Environment Services.

2. AMENDMENTS TO THE COUNCIL’S SCHEME OF DELEGATION

- 2.1 The Cabinet have considered a report on proposed amendments to the Council’s Scheme of Delegation to allow the Head of Environmental Health and Building Control to enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation, to take prosecutions under the Health and Safety at Work etc. Act 1974 and to enforce the Working Time Regulations 1998 (as amended).
- 2.2 **The Cabinet recommend that the Council approve the proposed new Officer Delegations and authorise the necessary amendments to the Council’s Constitution, as follows:**

Proposed Officer Delegations:-

- (a) **Amended Officer Delegation 8.21.**
Function: To enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation.

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Authorised Officer: Head of Environmental Health and Building Control.

(b) Amended Officer Delegation 8.33.

Function: To carry out the full range of functions under the Health and Safety at Work etc. Act 1974.

Authorised Officer: Head of Environmental Health and Building Control.

(c) New Officer Delegation 8.34.

Function: To exercise the Council's functions under the Working Time Regulations 1998 (as amended).

Authorised Officer: Head of Environmental Health and Building Control.

Councillor John Packman
Leader of the Council

23 July 2009

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

This is my report to the Council as the Leader on the work of the newly named Cabinet (formerly known as the Executive). This report is an overview of some of the more important issues that we have discussed at the Cabinet / Executive.

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

1. REVENUES BAILIFF SERVICE REVIEW

We have considered a report on the recent Revenues Bailiff Service Review and have agreed to the renewal of the current contract for a minimum of two years until at least the 31st December 2012, and have agreed to review the position again when the Courts and Tribunal Enforcement Act comes into force with regard to the up front fees.

2. ADDITIONAL FEES AND CHARGES 2009/2010

We have considered a report on additional Fees and Charges for 2009/2010.

We have approved the additional Fees and Charges for 2009/2010, as set out in Appendix A to the report of the Chief Finance Officer, to be implemented from 20th May 2009 for the Taxi Licensing items and from 1st April 2009 for the Pest Control Service and for the Land Charges Service.

3. SUSTAINABLE DEVELOPMENT STRATEGY DELIVERY BOARD

We have considered a report on the setting up of the Sustainable Development Strategy Delivery Board. The Board will oversee and coordinate the delivery of the Sustainable Development Strategy [SDS] and will monitor progress against the actions laid out in the Strategy.

We have authorised the Officers to proceed with the establishment of the Sustainable Development Strategy [SDS] Delivery Board and to support the high-level membership, including in particular Councillor Gerry Forsbrey as the Cabinet Member for Environment.

4. GAMBLING ACT 2005 – SETTING OF FEES FOR 2009/2010

We have considered a report on the Gambling Act 2005 – Setting of Fees for 2009/2010.

We have agreed the proposed Gambling Act 2005 - Licence Fee levels for 2009/2010, as outlined in Appendix 1 to the report of the Assistant Chief Executive.

5. TREASURY MANAGEMENT ANNUAL REPORT 2008/2009

We have considered a report on the Treasury Management Annual Report 2008/2009.

We have: (1) noted the Treasury Management Annual Report for 2008/2009, as set out in the report of the Assistant Chief Executive and Chief Finance Officer, and (2) placed on record the thanks and gratitude of the Cabinet to the Assistant Chief Executive and Chief Finance Officer and to his staff for their hard work and for a very good result on the Council's Treasury Management performance for 2008/2009.

6. REVIEW OF SPELRIDE OPERATIONS

We have considered a report on the Review of Spelride Operations.

We have agreed:

- (1) To maintain the current level of Spelride Service for 2009-2010.
- (2) To explore different options to delivering the Spelride Service to ensure the service is sustainable for the future.
- (3) That the Officers continue to meet with the User Group to consider minor amendments to the Spelride Service to meet the changing needs.

Councillor John Packman
Leader of the Council

23 July 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE AUDIT COMMITTEE

The Audit Committee held a meeting on 25 June 2009 and considered the following items of business.

1. TERMS OF REFERENCE

The Committee were reminded of the scope of their terms of reference, and their role as regards the Statement of Accounts was clarified.

Training sessions would be available in the future to help Members review the Statement of Accounts in a meaningful and challenging way.

2. MATTERS ARISING

The Committee received an update from the Chief Finance Officer on Penetration Testing of IT systems which had now been completed and a health check undertaken.

3. ANNUAL GOVERNANCE STATEMENT

The Committee approved the draft Annual Governance Statement subject to certain amendments suggested by Members at the meeting. It also endorsed the improvement action identified in the Statement which would enhance the authority's governance arrangements.

4. OUTTURN AND STATEMENT OF ACCOUNTS

The Committee considered and approved the draft Statement of Accounts for 2008/09 subject to amendments suggested by Members at the meeting.

5. CORPORATE RISK MANAGEMENT - REVIEW

The Committee considered and approved the quarterly update on the Corporate Risk Register and asked for additional information to be included in the register in future.

6. AUDIT SERVICES ANNUAL REPORT

The Committee considered and approved a report which summarised the work undertaken by Audit Services during the period April 2008– March 2009.

The Committee noted internal audit's overall opinion on the Council's internal control environment, that it was adequate and effective.

7. AUDIT SERVICES ANNUAL REVIEW 2008/2009

The Committee noted the Audit Services Annual Review 2008/2009. The Committee expressed its confidence in the Head of Audit Services and the Audit Team and requested that this be conveyed to Management Team.

8. COMMITTEE WORK PROGRAMME 2008/9

The Committee considered and approved its Work Programme for the municipal year 2009/10

Councillor David McShane
Chairman of the Audit Committee

23 July 2009

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

The Improvement and Development Committee met on 2 July 2009 to consider, scrutinise and make decisions on the following items of business:

1. THE OVERVIEW AND SCRUTINY PROCEDURE RULES AND THE ROLE OF THE COMMITTEE

The Committee received a presentation from the Vice-Chairman, Councillor Mrs Marion Rough, on scrutiny in Spelthorne and the role of the Improvement and Development Committee.

2. ASSET MANAGEMENT PLAN 2009 – 2014

The Committee received and noted a presentation on the Council's Asset Management Plan 2009–14 which included an action plan and agreed to respond with their comments direct to the Head of Asset Management Services.

3. CUSTOMER SERVICES STRATEGY

The Head of Customer and Office Services gave a presentation to the Committee outlining the revised Customer Service Strategy which had to be updated in order to deliver reliable, consistent, coherent and efficient service to the Council's customers. The Committee agreed to e-mail their comments direct to the Officer.

4. CORPORATE CUSTOMER COMPLAINTS PROCEDURE

The Committee received and noted a presentation on the Corporate Customer Complaints Procedure which was currently in the process of being updated. An interim report on the procedure had already been considered by the Performance Management and Review Committee and a further report would be presented to that Committee at its next meeting.

5. REPORTS FROM TASK GROUPS

Councillor Mrs P.C. Amos, the Chairman of the Housing Strategy Task Group reported on its first meeting. The Group had agreed its meeting dates and identified the priorities it would be considering. The Group hoped to complete most of its work by the end of next week with completion by the end of July. The Task Group would report its findings to the Committee's September meeting.

6. WORK PROGRAMME 2009/2010

The Committee considered and agreed its Work Programme as amended for the Municipal Year 2009/10.

7. ANY OTHER BUSINESS

The Committee discussed the merits of having a timed Agenda and agreed to trial it at the next meeting.

Councillor Mrs Jean Pinkerton
Chairman of the Improvement and Development Committee

23 July 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE LICENSING COMMITTEE

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

LICENSING SUB-COMMITTEE 11 May 2009

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

A Sub-Committee considered and suspended a Hackney Carriage Driver Licence for 30 days as the driver was considered not to be a fit and proper person to hold a Licence following persistent breaches of the Council's Byelaws in relation to the Taxi Rank in Gresham Road, Staines.

LICENSING SUB-COMMITTEE 18 May 2009

Application for a Personal Licence.

A Sub-Committee considered and refused an application for a Personal Licence.

LICENSING SUB-COMMITTEE 26 May 2009

Application to Vary a Premises Licence.

A Sub-Committee was called to consider representations against an application to vary the Premises Licence at the Hare and Hounds, Vicarage Road, Sunbury.

Prior to the hearing, agreement was reached between the parties about the conditions on the Licence and the representations withdrawn. The Sub-Committee was asked by the parties to agree that the hearing be dispensed with. Having been appraised of these facts, members of the Sub-Committee agreed to dispense with the hearing.

LICENSING SUB-COMMITTEE 27 May 2009

Application to Vary a Premises Licence

A Sub-Committee considered and granted a variation to a Premises Licence, subject to conditions, in respect of Costcutters, Stanwell Service Station, Bedfont Road, Stanwell.

LICENSING SUB-COMMITTEE 8 June 2009

Application for a Premises Licence

A Sub-Committee considered and granted a Premises Licence in respect of Notcutts, Staines Road, Laleham.

LICENSING COMMITTEE 17 June 2009

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

The Committee considered and approved its draft policy on Hackney Carriage and Private Hire licence requirements following consideration of an objection arising from the consultation process.

2. 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 7 July 2009 (morning)

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

A Sub-Committee was convened to determine whether a Hackney Carriage Driver was considered to be a fit and proper person to hold a Licence following persistent breaches of the Council's Byelaws in relation to the Taxi Rank in Gresham Road, Staines.

The Sub-Committee resolved not to suspend or revoke the licence as it felt that it had been presented with insufficient evidence.

LICENSING SUB-COMMITTEE 7 July 2009 (afternoon)

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

A Sub-Committee was convened to determine whether a Hackney Carriage Driver was considered to be a fit and proper person to hold a Licence following persistent breaches of the Council's Byelaws in relation to the Taxi Rank in Gresham Road, Staines.

The Sub-Committee adjourned the hearing to a date to be agreed due to the unavailability of Council witnesses.

Councillor Robin Sider
Chairman of the Licensing Committee

23 July 2009

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

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

1. ROLE OF THE COMMITTEE

- 1.1 The Committee received a brief explanation from Councillor Miss Bain on the role of the committee and its relationship with the Improvement and Development Committee. She reported that the work of the two scrutiny committees compliment each other. With the Improvement and Development Committee assisting in the initiation of policies and strategies to meet local needs and this committee evaluating the practical workings of those policies and strategies and how they effect the borough.
- 1.2 She went on to explain the role of any Task Group which was to carry out an in-depth investigation into a specific area or policy on behalf of the scrutiny committee. She indicated that such reviews could be promoted by poor performance or concerns expressed by members or identified via public consultation meetings such as Area Forums or requested by the Cabinet.

2. MEETING ARRANGEMENTS

- 2.1 The Committee have authorised me to amend the time and venues of committee meetings if required.

3. ECONOMIC DOWN TURN IN SPELTHORNE

- 3.1 In support of the work undertaken by the Improvement and Development committee who had looked at what the council was doing to address the economic down turn in Spelthorne, I had arranged for the committee to discuss three specific areas to ensure that this critical issue affecting residents would be continually monitored through the scrutiny process. The first covered data information showing comparisons between 2008 and 2009 of the number of vacant units in the various Spelthorne shopping areas. The committee noted that arrangements were being put in place for the various local chambers of commerce to update the information on a quarterly basis.
- 3.2 The second area discussed was on the financial measures introduced to assist businesses with payment of their business rates. The third area was how well the staff in the Council's Housing Benefits and Council Tax section were coping with the increased workload as a result of the economic downturn. On behalf of the committee I asked the Assistant Chief Executive to convey the appreciation of the committee to the staff for maintaining a high level of performance despite the greatly increased workload.

4. PERFORMANCE REPORT

- 4.1 The Committee discussed and noted the data provided on the new National Indicators.

5. ALTERNATE WEEKLY COLLECTION SERVICES

- 5.1 The Committee discussed how progress was being made to increase the number of difficult properties participating in the alternate weekly collection scheme, which was progressing well. The Committee went on to discuss progress being made with the new garden waste collection service which had commenced in March. The investment of £ 100,000 in purchasing the first allocation of 4000 bins had been successful – with all garden waste bins already allocated to residents. It was noted that a further 600 residents had given an indication that they would be interested in joining the scheme. However due to financial constraints it would not be possible for those residents to participate in the scheme until the number of residents showing an interest exceed 3000. The final area covered the tetrapak banks situated at various locations in the borough. Tetrapak tonnages are increasing with the ones at Halliford and The Avenue Car Park still being favourite and a publicity campaign will be carried out very soon to increase awareness of their availability.

6. PARTNERSHIP GOVERNANCE

- 6.1 The committee discussed an initial report with the Monitoring Officer on reviewing the arrangements in place to manage partnership arrangements.
- 6.2 A further report will be submitted to the next meeting of the committee. In the meantime the Committee have asked the Monitoring Officer to progress the review and circulate further information prior to consideration at the next meeting. The information to cover:
- A policy or framework for Partnership governance,
 - A scrutiny programme of significant partnerships; and
 - To provide a categorised list of partnerships.

7. USE OF RESOURCES ASSESSMENT

- 7.1 The Committee discussed with the Chief Financial Officer the report on the Use of Resources Assessment which was undertaken to evaluate how well the Council managed and used financial resources. The report covered three main areas of (1) the External auditors 2008 Use of Resources report (2) details of the new Use of Resources methodology for 2009-2010 and (3) the self assessment process being undertaken with the External Audit.

8. FINANCIAL REPORTS

- 8.1 The Committee received two financial monitoring reports setting out the provisional outturn position for both revenue and capital expenditure. In relation to Capital £2,793k had been spent against the original budget of £3,019k. In respect of the revenue £15,257m had been spent against the original budget of £15,247k.

9. PEOPLE STRATEGY

- 9.1 The Committee discussed a report on the key priorities that help us to focus on staffing initiatives including developing leadership and workforce skills through to resourcing the organisation which helps to ensure the needs of our customers are met.

10. EQUALITY AND DIVERSITY WORKFORCE MONITORING

- 10.1 The Committee discussed an equality and diversity monitoring report which provided information on the make up of the current work force by gender, disability, ethnicity and age.

11. CORPORATE CUSTOMER COMPLAINT PROCEDURE

- 11.1 The Committee considered an interim report outlining the work being undertaken on the review of the Council's corporate complaint procedures. Members put forward various suggestions on the draft proposals including the need for ward members to be informed of any complaints that relate to their ward. A further report will be considered at the next meeting of the committee.

Councillor Philippa Broom

Chairman of the Performance Management and Review Committee

23 July 2009

**REPORT OF THE CHAIRMAN ON THE WORK
OF THE PLANNING COMMITTEE**

The Planning Committee has met twice since the previous report was prepared for the Council meeting. This report therefore gives an overview of the key items considered by the Planning Committee at those meetings.

The meeting on **27 May 2009** dealt with 9 items. Public speaking took place on 3 items with 4 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 three houses at 91-93 Vicarage Road Sunbury
- Permission was also granted for the erection three houses at 6 Ashgrove Road.

The meeting on **24 June 2009** dealt with a total of 6 items. Public speaking took place on 2 items with 2 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- The granting of an application for a temporary car park at Fairfield Avenue Staines.
- Permission was granted for the erection of a block of 4 flats at 77 Gresham Road Staines.
- The Committee also raised an objection to a consultation from Surrey CC on an application which sought to retain an aggregate recycling facility at Littleton Lane Shepperton

Councillor Howard Thomson
Chairman of the Planning Committee

23 July 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE STANDARDS COMMITTEE

The Standards Committee has met once since the last Council meeting and considered the following items of business.

REVIEW OF TRAINING ARRANGEMENTS

The Committee considered its training needs in view of the fact that it would be unable to attend the Standards Board Annual Conference this year,

The Committee noted that Surrey County Council would be providing a short session prior to the next Local Committee to explain the difficulties for Borough Councillors who sit on the Local Committee when considering rights of way matters.

The Committee agreed it would be useful to include training on the local assessment stage of complaints, produced by the Standards Board, as an item on its next agenda. The Training Pack included case scenarios which the Committee asked to be circulated with the agenda papers.

COMPLAINT – STANDARDS (ASSESSMENT) SUB-COMMITTEE, 9 June 2009

The Committee received a confidential report from the Monitoring Officer on the outcome of the Standards (Assessment) Sub-Committee held on 9 June 2009, following a complaint from a member of the Public under the Code of Conduct.

The Committee noted that a potential breach of the Code of Conduct had not been identified and that the Monitoring Officer had responded to this and other matters raised in a letter to the complainant.

Mr. Murray Litvak,
Chairman of the Standards Committee

23 July 2009