

**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

21 October 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 29 OCTOBER 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. TRIBUTES TO (1) FORMER BOROUGH COUNCILLOR ROSEMARY FOX [FORMER MAYOR OF SPELTHORNE 1987/88] AND (2) TO FORMER BOROUGH COUNCILLOR PETER BARKER

The Mayor will ask all Members and Officers present to stand in silence as a token of respect following the recent sad deaths of these two former Borough Councillors.

2. APOLOGIES FOR ABSENCE

To receive any apologies for non-attendance.

3. MINUTES – COUNCIL MEETING HELD ON 23 JULY 2009
[pages 4 to 24]

To confirm as a correct record the Minutes of the Meeting held on 23 July 2009.

4. DISCLOSURES OF INTEREST

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

5. ANNOUNCEMENTS FROM THE MAYOR

The Mayor to make announcements on the following:

- (a) Team Spelthorne's achievements at the **Surrey Youth Games**.
- (b) Spelthorne Gymnastics Team's achievements at the European Championships.
- (3) Forthcoming planned Mayoral events.

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 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 procedures laid down in the Council's Constitution].*

9. PETITIONS

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

10. RECOMMENDATIONS OF THE CABINET
[pages 25 and 25A]

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

- (1) Airtrack Transport and Works Act Submission**

- (2) **Housing Strategy 2009-2014**
- (3) **Corporate Plan 2008-2011 and Cabinet Arrangements**
- (4) **Review of Contract Standing Orders**
- (5) **Charter for Elected Member Development**

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 procedures laid down in the Council's Constitution].

11. REPORT FROM THE LEADER OF THE COUNCIL
[pages 26 to 27]

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
[pages 28 to 29]

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

13. REPORT FROM THE CHAIRMAN OF THE IMPROVEMENT AND DEVELOPMENT COMMITTEE
[pages 30 to 31]

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

14. REPORT FROM THE CHAIRMAN OF THE LICENSING COMMITTEE
[page 32]

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

15. REPORT FROM THE CHAIRMAN OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE
[pages 33 to 34]

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

16. REPORT FROM THE CHAIRMAN OF THE PLANNING COMMITTEE
[pages 35 to 36]

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 37]

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

18. MOTIONS

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

“This Council notes that:

1. Under the UK Climate Change Act 2008 the UK is due to cut its emissions by 34% by 2020 but according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.
2. The United Nations Framework Convention on Climate Change meets in Copenhagen in December of this year. To ensure a breakthrough there government ministers need to know that their public support more dramatic cuts in emissions than have hitherto been proposed.
3. Twenty seven councils are among those who have already signed up to the "10:10 Campaign" which seeks to persuade individuals, businesses, organisations and the UK government to reduce their CO2 emissions by 10% in 2010.

This Council supports the aims and ambitions of this national 10:10 Campaign. This Council therefore resolves to sign Spelthorne Borough Council up for the 10:10 Campaign."

Proposed by: Councillor Colin Strong

Seconded by: Councillor Lawrence Nichols

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 procedures laid down in the Council's Constitution].*

20. GENERAL QUESTIONS

The Leader or his nominee or relevant Committee Chairman to answer any 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 procedures laid down in the Council's Constitution].*

21. APPOINTMENT OF TRUSTEES TO CHARITIES

Appointment of a Representative Trustee to the Staines Parochial Charity

To consider the appointment of Mrs. Christine Bannister of 11 Budebury Road, Staines as a Council Representative Trustee to the Staines Parochial Charity, for a four year term.

22. URGENT BUSINESS

To consider any urgent business.

MINUTES OF THE COUNCIL MEETING HELD ON 23 JULY 2009

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 23 JULY 2009**

| | | |
|-----------------------|--------------------------|---------------------------------------|
| Amos Mrs P.C. | Flurry K.E. | Pinkerton Mrs J.M. |
| Ayers F. | Forsbrey G.E. | Pinkerton Jack D. |
| Bain Miss M.M. | Grant Mrs D.L. | Rough Mrs M.W. |
| Beardsmore I.J. | Hirst A.P. | Rough S.J. |
| Bhadye S. | Jaffer H.R. | Royer M.T. |
| Broom Miss. P.A. | Leighton Mrs V.J. | Smith-Ainsley R.A. (Deputy Leader) |
| Budd S.E.W. | McShane D.L. | Spencer Caroline (Mayor) |
| Colison-Crawford R.B. | Nichols Mrs C.E. | Strong C.V. |
| Crabb T.W. | O'Hara E. (Deputy Mayor) | Thomson H.A. |
| Dunn Mrs S.A. | Packman J.D. (Leader) | Trussler G.F. |

Mr Murray Litvak – Chairman, Standards Committee

Miss Sue Faulkner - Vice-Chairman, Standards Committee

Councillor Caroline Spencer, The Mayor, in the Chair

242/09 APOLOGIES

Apologies for absence were received from Councillors Mrs E. Bell, M.L. Bouquet, C.A. Davis, Miss. N.A. Hyams, C.D.G. Kuun, Mrs I. Napper, L.E. Nichols and R.W. Sider.

243/09 MINUTES

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 were approved as a correct record.

244/09 DISCLOSURES OF INTEREST

The following disclosures were made.

Councillor G.E. Forsbrey declared a personal interest in Agenda Item 21 (Appointment to Outside Bodies) as his wife, Mrs Frances Forsbrey, had been nominated for the position of Council representative to serve on the Ashford Relief in Need Charity for a period of 4 years.

Councillor A.P. Hirst declared a personal interest in Agenda Item 4(2) (Royal Air Force Award for Head teacher of the Year) as his wife had an active role in relation to Sunbury Manor School.

245/09 ANNOUNCEMENTS FROM THE MAYOR

(1) Retirement – Sue Hulme, Mayoral and Civic Events Officer

The Mayor announced that Sue Hulme, Mayoral and Civic Events Officer, would be retiring from the Council on 31 August 2009.

Sue had held the position since April 2004 and during that time had provided support to 6 Mayors and Deputy Mayors.

In her Mayoral role, Sue had always gone the extra mile to ensure that the Mayoral events had been successful. Such Civic events organised included Armed Forces Day, Remembrance Sunday and the Trident Memorial as well as performing other administrative tasks within the Chief Executive's secretariat. In addition to her Mayoral duties, Sue had organised and supported Twinning links with Melun, France and latterly with Grand Port Savanne District Council, in Mauritius.

The Mayor, on behalf of all Mayors and Deputy Mayors since 2004 and the Council, thanked Sue for her hard work, professionalism and dedication in her role as Mayoral and Civic Events Officer and wished her a very long and happy retirement. The Mayor also placed on record thanks and appreciation to her husband Jim for his tireless support at so many events.

(2) Louise Duncan – Royal Air Force Award for Head teacher of the Year

The Mayor welcomed Louise Duncan, Head teacher at Sunbury Manor School to the Council meeting.

The Mayor reported that Louise had been at the school for eight years and during that time had transformed the school from one previously described as “a sink school with a very bad reputation” into the current over-subscribed school of choice for local families. GCSE results had increased from 32% five or more A to C grades, to 74%. The Mayor went on to report that Louise had worked tirelessly to improve the school buildings and had overseen major improvements to facilities, which included the building of a new £1.5 million teaching block. In September 2007 the school became the first Specialist Humanities School in Surrey thanks to Louise's vision. The Award Judges said that Louise's sense of purpose was “tangible and infectious, and its essence lies in her personality, vision, leadership and professionalism”.

The Mayor congratulated Louise on this great achievement and presented her with the Royal Air Force Award for Head Teacher of the Year in a Secondary School in the South East of England.

(3) Forthcoming Events

The Mayor advised members that the National final of the Head Teacher of the Year Awards would take place on 25 and 26 October 2009 and would be televised on BBC2.

246/09 ANNOUNCEMENTS FROM THE LEADER

Order of Business

The Mayor agreed to the request from the Leader, Councillor Packman, to change the order of business by taking Agenda Item 22 – (Urgent Business) immediately following Item 5 – (Announcements from the Leader).

247/09 URGENT BUSINESS

Cabinet Membership

The Leader, Councillor Packman, reported that in common practice with all other committees of the council, where a vacancy arises, a group leader has the authority to make a nomination to fill that vacant position. The Leader went on to report that given the sudden nature of the resignation of Councillor Bouquet for personal reasons from the Cabinet, it was necessary that such a nomination was made. The Leader formally requested that Councillor S. Bhadye be appointed as Cabinet Member responsible for

Health and Independent Living and if members were mindful to agree to this appointment then he would be assessing the effect this appointment would have on the membership of other committees.

RESOLVED that Councillor S. Bhadye be appointed Cabinet Member for Health and Independent Living with immediate effect and to note that the Leader of the Council would be assessing the effect this appointment had on the membership of other committees.

The Mayor had not been notified of any other urgent business.

248/09 ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE

The Chief Executive confirmed that he had no announcements to make.

249/09 PETITIONS

The Mayor invited Mrs Helena Weston to present a Petition objecting to the decision to stop grass cutting in Sykes Drive, Staines and invited her to address the Council.

Mrs Weston presented the Petition, which the Mayor duly received, and she outlined her reasons for submitting it.

It was moved and seconded that in accordance with Standing Order 15.4(c) the petition be referred to the Cabinet for consideration and a response be given to Mrs Weston in due course.

An amendment was moved and seconded that in accordance with Standing Order 15.4 (c) the petition be referred to the Performance Management and Review Committee.

The vote on the amendment was lost.

RESOLVED that in accordance with Standing Order 15.4 (c) the petition be referred to the Cabinet for consideration and a response be given to Mrs Weston in due course.

250/09 DETAILED BUDGET 2009-2010

The Council considered the report from the Chief Finance Officer on the re-setting of the overall Council Tax following the capping of Surrey Police by the Government.

Councillor Mrs Leighton the Cabinet member for Corporate Services reported that as a result of Surrey Police formally being capped on 9 July and having failed in their judicial appeal, had revised downwards their council tax figures for 2009-10. Spelthorne Borough Council as a council tax billing authority was required to formally re-approve the council tax figures making up the council tax bills it issues.

The figures for Spelthorne Borough Council and for the County Council remain unchanged. The Band D tax for Surrey Police had been reduced by £3.24 per annum or 6 pence a week. Officers had estimated that the cost of rebilling in Spelthorne would be approximately £160,000 which would be reimbursed by Surrey Police. Despite the small value of the change, the regulations required the Council to issue new bills rather than make an adjustment to next year's bills. Councillor Mrs Leighton advised that the new council tax bills were scheduled to go out in the first week of September with Council taxpayers making payments at the lower rate from 1 October.2009 In the meantime council taxpayers would continue to pay their instalments at the existing level.

RESOLVED:

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:

COUNCIL, 23 July 2009 – Continued

- 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. |

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 |

COUNCIL, 23 July 2009 – Continued

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.

| VALUATION BAND | 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 | 966.89 | 1,128.04 | 1,289.19 | 1,450.34 | 1,772.64 | 2,094.94 | 2,417.23 | 2,900.68 |

**251/09 MANAGEMENT OF ORDINARY WATERCOURSES IN SPELTHORNE –
AMENDMENTS TO THE COUNCIL'S SCHEME OF DELEGATION**

The Council considered the recommendation of the Cabinet to revise the Scheme of Delegations to Officers to reflect the relevant legislative requirements under the Land Drainage Act 1991.

RESOLVED that the recommendation of Cabinet to approve the proposed new officer delegations and authorise the necessary amendments to the Council's Constitution as set out below be approved.

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

252/09 AMENDMENTS TO THE COUNCIL'S SCHEME OF DELEGATION

The Council considered the recommendation of the Cabinet on amendments and additions to the Council's Scheme of Delegation to enable 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).

RESOLVED that the recommendations of the Cabinet to approve the proposed new officer delegations and authorise the necessary amendments to the Council's Constitution as set out below be approved.

(1) Delegations 8.21 amended as follows:

Function: To enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation.

Authorised Officer: Head of Environmental Health and Building Control

(2) Delegation 8.33 amended as follows

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

(3) 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

253/09 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor J.D. Packman, presented his report, which outlined the various matters the Cabinet had dealt with since the last Council meeting and answered questions from Members.

254/09 AUDIT COMMITTEE

The Chairman of the Audit Committee, Councillor D.L. McShane, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

255/09 IMPROVEMENT AND DEVELOPMENT COMMITTEE

The Chairman of Improvement and Development Committee, Councillor Mrs J.M. Pinkerton, presented her report, which outlined the matters the Committee had dealt with since the last Council meeting.

256/09 LICENSING COMMITTEE

The Vice-Chairman of the Licensing Committee, Councillor M.T. Royer, presented the Chairman's report, which outlined the matters the Committee had dealt with since the last Council meeting and answered questions from Members

257/09 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Chairman of the Performance Management and Review Committee, Councillor Miss. P.A. Broom, presented her report, which outlined the matters the Committee had dealt with since the last Council meeting. Due to the nature of the question raised by Councillor Beardsmore on progress being made to increase the number of difficult properties participating in the alternate weekly collection scheme, the Chairman agreed to arrange for a detailed response to be sent to members.

The response sent to members is set out below:

1. The initial survey in 2007 identified about 8,000 out of 40,000 properties that were considered too difficult to access in the first roll out of the Alternative Weekly Collection (AWC) system.

2. This was reviewed as part of the implementation process prior to and during the launch of the AWC service in September 2007 and reduced to a figure of 5,142.
3. It should be noted that despite including some 3,000 previously identified difficult access properties the scheme was rolled out very successfully.
4. Grange Farm (174 properties) was moved onto the AWC system with effect from 27 July 2009.
5. A further 725 properties will be moved onto the AWC system in the next six weeks.
6. This will leave outstanding 4,243 properties. These will be surveyed over the next four months and where possible arrangements agreed to put on AWC.
7. Of this 4,243, we estimate that about 2,000 properties can only be put on AWC with structural change and associated cost. This would include sites with chutes and the islands in the River Thames.
8. This is a very time consuming exercise and in many cases requires innovative, sometimes experimental solutions. More complicated solutions require considerable consultation and subsequent cooperation from the residents affected.

258/09 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor H.A. Thomson, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

259/09 STANDARDS COMMITTEE

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

260/09 MOTIONS

(1) Surrey Police Capping

The motion on the effects of the Surrey Police Capping had been withdrawn by the proposer and seconder.

(2) Member participation in pre-application discussions.

Under Standing Order 16.3, a Notice of Motion had been received regarding Member participation in pre-application discussions.

Councillor Colin Strong proposed and Councillor Ian Beardsmore seconded 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.”

Under Standing Order 18.6 (iii), Councillor R.A. Smith Ainsley proposed and Councillor H. A. Thomson seconded the following amendment regarding Member participation in pre-application discussions

“Council Notes that:

1. Pre application discussions are an essential part of the planning process.

Their aim is not just to identify problems and concerns. More importantly their role is to resolve these as far as possible prior to submission. As a result, when a scheme does come in for planning it meets policy requirements, is of a higher quality and anticipates the issues which might be raised as a result of the statutory consultations process. It is also an opportunity to encourage the developers to speak directly to the neighbours/local community to find out their views.”

The request from Councillor Strong that the meeting be adjourned for 15 minutes to enable members to consider the amendments circulated at the meeting was put to the vote and lost.

Councillor I.J. Beardsmore requested that the vote on part one of the amendment be recorded.

The vote was as follows:

| | |
|-------------|---|
| FOR (24) | Councillors Mrs P.C. Amos, F. Ayers, Miss M.M. Bain, S. Bhadye, Miss P.A. Broom, S.E.W. Budd, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O’Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack .D. Pinkerton, Mrs M.W. Rough, S.J. Rough. M.T. Royer, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler |
| AGAINST (6) | Councillors I.J. Beardsmore, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols and C.V. Strong |

The amendment was carried.

The amendment was then put as the substantive motion and again carried.

RESOLVED

Council Notes that:

(1) Pre application discussions are an essential part of the planning process.

Their aim is not just to identify problems and concerns. More importantly their role is to resolve these as far as possible prior to submission. As a result, when a

scheme does come in for planning it meets policy requirements, is of a higher quality and anticipates the issues which might be raised as a result of the statutory consultations process. It is also an opportunity to encourage the developers to speak directly to the neighbours/local community to find out their views.

Discussion took place as to whether the remaining amendments to the Motion should be taken individually or on block. It was agreed that the remaining amendments to the motion as set out below be taken on block.

“Council Notes that:

2. **The current Spelthorne Planning Code** states that ‘members will not normally attend such meetings’. However, the Council itself organises presentations to keep ‘members informed generally on matters which appear to have or are likely to have strategic importance for the borough’. This offers all councillors the chance to listen to presentations, ask questions and raise issues of local concern.
3. Ward members are not routinely told about pre-application discussions that are taking place. However, the Leader and Cabinet Member are made aware of such discussions.

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

Council welcomes the principle of members participating in some way to this process on behalf of their communities.

Council agrees that following agreement by the Head of Planning and the Chairman of Planning, Ward members are informed about discussions taking place on strategic and major applications (50 houses or more than 10,000m²).

Council resolves to instruct the Monitoring Officer, as part of his ongoing review of the Planning Code to alter it to cover the above suggestions.”

In accordance with Standing Order 21.4, a request was made by Councillor C.V. Strong, for the voting on the remaining amendments to be recorded and on the subsequent substantive motion to also be recorded. The vote on the amendment was as follows:

| | |
|-------------|--|
| FOR (23) | Councillors Mrs P.C. Amos, F. Ayers, Miss M.M. Bain, S. Bhadye, Miss P.A. Broom, S.E.W. Budd, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O’Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack D. Pinkerton, Mrs M.W. Rough, S.J. Rough, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler |
| AGAINST (6) | Councillors I.J. Beardsmore, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols and C.V. Strong |
| ABSTAIN (1) | Councillor M.T. Royer |

The amendment was carried.

The amendment was then put as the Substantive Motion and again carried.

The voting on the Substantive Motion was as follows:

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|----------|--|
| FOR (23) | Councillors Mrs P.C. Amos, F. Ayers, Miss M.M. Bain, S. Bhadye, Miss |
|----------|--|

| | |
|-------------|---|
| | P.A. Broom, S.E.W. Budd, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O'Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack D. Pinkerton, Mrs M.W. Rough, S.J. Rough, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler |
| AGAINST (6) | Councillors I.J. Beardsmore, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols and C.V. Strong |
| ABSTAIN (1) | Councillor M.T. Royer |

RESOLVED:

Council Notes that:

(2) **Pre application discussions are an essential part of the planning process.**

Their aim is not just to identify problems and concerns. More importantly their role is to resolve these as far as possible prior to submission. As a result, when a scheme does come in for planning it meets policy requirements, is of a higher quality and anticipates the issues which might be raised as a result of the statutory consultations process. It is also an opportunity to encourage the developers to speak directly to the neighbours/local community to find out their views.

(3) **The current Spelthorne Planning Code** states that 'members will not normally attend such meetings'. However, the Council itself organises presentations to keep 'members informed generally on matters which appear to have or are likely to have strategic importance for the borough'. This offers all councillors the chance to listen to presentations, ask questions and raise issues of local concern.

(4) Ward members are not routinely told about pre-application discussions that are taking place. However, the Leader and Cabinet Member are made aware of such discussions.

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

Council welcomes the principle of members participating in some way to this process on behalf of their communities.

Council agrees that following agreement by the Head of Planning and the Chairman of Planning, Ward members are informed about discussions taking place on strategic and major applications (50 houses or more than 10,000m²).

Council **RESOLVED** to instruct the Monitoring Officer, as part of his ongoing review of the Planning Code to alter it to cover the above suggestions.

261/09 QUESTIONS ON WARD ISSUES

The Mayor reported that two Ward questions had been received from Councillors Mrs S.A. Dunn and L.E. Nichols.

Councillor Mrs S.A. Dunn asked for clarification on the agreed procedure for written responses to questions raised by members being available at the start of the council meeting.

The Mayor in response indicated that Constitution advice on this had been sent by email to Councillor Strong on 22 July 2009 and outlined that the appropriate time to make questions and answers available in writing was at the start of Questions by members.

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

“I have received complaints from residents concerning the poor visual amenity and lack of access now that the grass is no longer being cut at The Old Bathing Station on Fordbridge Road, Lower Sunbury. This land contains a small playground and was, before the grass was left uncut, used by young children for ball games. As the savings on the grass cutting contract for this area are very small, would the Council please consider reinstating a full summer cut?”

The Cabinet Member for Young People and Cultural Services, Councillor Mrs D. Grant, responded as follows:

“The decision made by this Council to reduce grass cutting in this and 26 other areas around the Borough was taken following resident feedback and the need to make efficiency savings on the new grounds maintenance contract. The areas selected were chosen as they would be less likely to impact on the community because they were not highly used, but we do acknowledge that they will have a visual impact for some residents.

We should not focus on the individual cost savings from the 27 sites but instead concentrate on the overall combined savings that are being achieved which are in excess of £40,000 per annum for a contract that could run for ten years, i.e. £400,000 saving!

All uncut areas are being monitored by Officers and Members, and we feel that there is sufficient space within the cut area for children to play ball games and other such activities.

Once the cutting season has finished we will be reviewing all 27 areas and will take into consideration all representations made to the Council from residents and users of the facilities.”

Under Standing Order 14, Councillor L.E. Nichols submitted the following question; in his absence; Councillor C.V. Strong asked the question on his behalf.

“The Council is currently undertaking measurement of particulate matter (PM10s) at Sunbury Cross close to the A316 slip road. Bearing in mind that the Council has received funding support from DEFRA for this exercise, could measurements also be taken on the M3 side, where residents living close to Halliford station complain of bad air pollution? Could the measuring also be extended to include the smaller PM3 particles which are in fact those considered most injurious to lung and heart health?”

In the absence of Councillor L.E. Nichols it was agreed that a written response would be provided.

The written response provided is set out below:

“The Council’s air quality monitoring station was specifically set up in the Sunbury Cross area because it has the poorest air quality in Spelthorne. This is due to the high volumes of traffic and congestion in the area, particularly where the M3, A316 and A308 converge at the Sunbury Cross roundabout.

We currently measure airborne particulates by filtering out and weighing all particles that are 10 microns or less in size. These are scientifically known as PM₁₀. We have been monitoring in this way at Sunbury Cross since 2007 and our results to date have indicated that the Government’s national air quality objectives for PM₁₀ are unlikely to be exceeded in this area.

Although Halliford is close to the M3, it does not experience traffic congestion to the extent of Sunbury Cross. It is therefore highly unlikely that the national air quality objectives for PM₁₀ will be exceeded at Halliford. Consequently we cannot justify moving the current monitoring station from Sunbury Cross to Halliford or setting up an additional monitoring station, which would cost in the region of £10,000.

We are not aware of any local authority currently monitoring for PM₃. Although the Government has set new national air quality objectives for smaller particles of 2.5 microns or less in size (known as PM_{2.5}), these objectives have not been incorporated into Local Air Quality Management Regulations. We cannot, therefore, justify the costs of modifying our equipment to monitor PM_{2.5} at this time without receiving further financial support from DEFRA.

Particulate matter

Particulate matter (PM₁₀) – solid/liquid particles suspended/carried in air.

Sources: Man-made include burning of diesel fuels, incineration of rubbish, mixing and applying fertilizers and pesticides, road construction, steel making, mining, field burning, forest fires, fireplaces and woodstoves.

Natural include volcanic eruptions, forest fires.

Scientific studies have linked particulate matter, especially fine particles with a series of significant health problems which result in work/school absences, respiratory related hospital admissions and emergency room visits and premature death. Health impacts include:

- Aggravated asthma;
- Acute respiratory symptoms, including aggravated coughing and difficult or painful breathing;
- Chronic bronchitis;
- Decreased lung function that can be experienced as shortness of breath.

Some size comparisons for a micron (otherwise call a micrometer)

1 micron = 1 millionth of a metre (or 0.000001 metres)

10 microns = 0.00001 metres

1 millimetre = 1 thousandth of a metre (or 0.001 metres)."

262/09 GENERAL QUESTIONS

The Mayor reported that six general questions had been received from Councillors R.W. Sider, R.B. Colison-Crawford, Mrs C.E. Nichols, T. W. Crabb, C.V. Strong and D.L. McShane and this would be the order in which the questions would be taken.

Under Standing Order 14, Councillor R.W. Sider submitted the following question, in his absence, Councillor H.R. Jaffer asked the question on his behalf.

"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?"

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

“I would like to thank Councillor Sider for this question. It was indeed an excellent result, especially as Spelthorne is one of the smallest Boroughs, in terms of population in Surrey.

The team that represents Spelthorne on the day is only part of the picture of the games. Young people come along, try the sport at the training sessions and many join local clubs following the Youth Games.

Special thanks must also go to the Leisure Team, especially Clare Moore and Helen Carr who have worked very hard to support the young people.

Further special thanks must go to the coaches, the volunteers, parents and most importantly the young people who participate.

At the next Full Council we plan to show the video and invite some young people and to re-present the trophy so that Councillors will be able to show their appreciation for this wonderful achievement.

I would also mention the excellent Sports Awards evening held at Kempton Park and place on record the Council’s thanks to the Borough Youth Officer and Leisure staff for this and other Leisure events recently held in the Borough, including Summer Safe for 11 to 17 year olds, which are fully endorsed by Members in particular Councillor Mrs. Napper.”

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

“I welcome the announcement in May 2009 that audio recordings of Council meetings have commenced. Can the Cabinet Member inform me when the audio recordings will become available for residents to listen to via the Council’s website?”

The Cabinet Member for Communications and Engagement, Councillor A.P. Hirst, responded as follows:

“The digital recorder was originally purchased to record Licensing Sub-Committees and has been available since early 2006. It is recorded onto a memory card and then downloaded onto our PC in Media Player.

A distinction needs to be made between recording of meetings and putting those recordings on the website in a useable format for the public. As agreed we have commenced recording Council meetings. The issue is now putting the recordings on to the website in a format which will be readily accessible by the public. The Council is able to put audio files on to our website already, indeed we have two 5 minute files already available on the web-site one relating to advice on how to fill in licensing e-forms and another relating to the Spelthorne Business Forum e-mag. However, these are both small files. The issue is putting larger files, such as would be the case with recordings of complete meetings, on the web in a way that enables the public easily to listen to them. Research undertaken by officers has revealed that in the case of the small number of councils who have published audio files on their web-site, these have been edited and 'portioned' into manageable chunks so that the downloading of them by the public is not too time consuming. This requires the files to be edited once recorded and officers are currently investigating the most practical options for doing this. We may also need to improve the quality of the recording. It is anticipated that we should be able to place recordings of Council meetings on the web in time for the October Council meeting.”

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

“Given the recent announcement from the Leader of Surrey County Council that he is reconsidering the principle of incineration within Surrey, would the Cabinet Member for Environment please state whether the Council is currently in favour or against incineration at Charlton site?”

The Cabinet Member for the Environment, Councillor G.E. Forsbrey responded as follows:

“We understand that the comments by the Leader of Surrey County Council reflect his view that significant improvements to recycling rates across the county may remove or reduce reliance on energy from waste plants. However, at present there has been no formal change to Surrey County Council’s policies as set out in the Joint Municipal Waste Strategy or the Waste Plan 2008. In the light of recent events it is anticipated that Surrey may consider a review of its Waste Strategy. In the meantime, this Council’s position in relation to any energy from waste plants at Charlton Lane remain unaltered.

As a result, Charlton Lane remains one of thirteen sites identified for the recycling, storage, transfer, materials recovery and processing of waste (including in-vessel composting, but excluding thermal treatment); and one of four sites identified for the thermal treatment of waste. There are various different approaches for the thermal treatment of waste, of which incineration is one, it would be inappropriate for this Council to express a particular preference for a specific technology without a full and proper consideration of all the evidence and of alternatives.

The current position therefore remains that any proposal for development at Charlton Lane would need to be assessed against the development criteria set out in the Waste Plan and the demonstration of very special circumstances relating to development in the Green Belt, would need to be satisfied.

The Council will of course review its position in the events of any formal change in the County Council’s approach to waste management.”

In response to a supplementary question from Councillor Mrs C.E. Nichols regarding the issue of incineration at Charlton Lane, Councillor Forsbrey advised that in light of recent events it is anticipated that Surrey may consider a review of its waste strategy but in the meantime this Council’s position in relation to any energy from waste plants at Charlton Lane remained unaltered.

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

“The Decent Homes Grant is designed to enable the Council to assist vulnerable people to bring their properties up to the Decent Homes Standard.

For the 2008/09 financial year can the Council please give the outturn total spend from the Decent Homes Grant budget and the number of households that received the grant?”

The Cabinet Member for Corporate Services, Mrs V.J. Leighton, responded as follows:

“During 2008/09, the expenditure from our discretionary housing investment programme budget on Decent Homes Grants was £33,660, with six households receiving a grant. The eligibility criteria for this grant was modified part-way through that year to try to attract more applicants, but demand remained low, possibly due to householders being concerned over the economic crisis.

Earlier in 2009, the Council increased its marketing of these grants, which is starting to show positive results. During the first quarter of this financial year three Decent Homes Grants were approved (to a total value of £11,874) and the environmental health team

are currently dealing with a further 12 enquiries, which, it is anticipated, could lead to grant expenditure of between £48,000 to £60,000. Further grant expenditure is likely in the second half of the year.

In April 2009, Spelthorne initiated a separate “Warmth for 1000” grant from its discretionary housing investment programme budget. This is a new home insulation scheme aimed at improving hard to insulate homes, such as park homes and houses with solid walls. There has been a good response to this initiative with approximately 20 grants likely to be issued over the next few months, to a total value of around £25,000.”

In response to a supplementary question from Councillor Crabb concerning whether grants are rolled over to the next financial year or not the Cabinet Member confirmed that grants were determined each year.

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

“Many Councils throughout Surrey have followed nationally recommended best practice (ODPM Circular 05/2005) to use planning infrastructure contributions to generate significant monies from small schemes. These monies help to fund local services.

Spelthorne Council has, so far, ignored this route and secures little money in relation to small schemes. This results in a significant shortfall in funds that could be used to provide local services.

It is recognised nationally that the cumulative effect of many small schemes, whether commercial or housing, has a significant effect on both local infrastructure and public services.

Why does the Council NOT intend to introduce an infrastructure contributions Supplementary Planning Document that would generate additional monies?”

The Cabinet Member for Planning and Housing and Deputy Leader, Councillor R.A. Smith-Ainsley, responded as follows:

“Firstly I am pleased to clarify that, contrary to Councillor Strong’s misleading assertions, this Council has very clear policies requiring infrastructure contributions and has in fact secured over £3.5 million in the last 10 years – a substantial sum which even he must agree with.

Rather than ignoring Government guidance we are actually leading the way.

Our Core Strategy and Policies Development Plan Document, which was adopted by this Council in February of this year, has specific policy requirements for contributions to affordable housing, open space and transport works, as well as general provisions to meet any other justified need. We already have a commitment to prepare Supplementary Guidance on how those policies operate.

Some Surrey Districts have adopted interim Supplementary Guidance on infrastructure contributions in lieu of having adopted Core Strategies. But such guidance does NOT have the weight our OWN policies have”.

Councillor R.A. Smith-Ainsley agreed to obtain a written response to the supplementary question raised by Councillor C.V. Strong concerning a breakdown on the infrastructure contributions obtained over the last ten years and whether the contributions were for large or small schemes.

The response obtained is set out below:

“**Attached at Appendix A** to these minutes is a schedule of all the sites where money has been secured since the beginning of 1998.

The figure given in the original answer at Council on 23 July 2009 of £3.5m was actually the same figure given more than a year earlier to a similar question and the figure was rounded. It nevertheless was thought helpful in providing a general indication of the order of magnitude of contributions secured. The Council now has some 11.5 years since the original base date Officers were working to and the precise total is of course now larger.

The sites are all defined as large sites and include both those where money has already been paid and also where construction is still to commence and the requirement for payment, whilst secured by agreement, has not yet been triggered. The schemes in the schedule add up to over £4.9 million now.”

Under Standing Order 14, Councillor D.L. McShane asked the following question:

“I have been contacted by several residents concerned that Spelthorne is building 1400 houses more than the Government target.

This misleading information has been supplied to them in one of Councillor Beardsmore's recent pieces of literature.

This misinformation has been reproduced despite the fact that Councillor Beardsmore was advised, in answer to his own question last December at Full Council in this very Chamber, that such information was absolutely untrue.

Could the Leader once again please remind Councillor Beardsmore of the facts, thus clarifying the situation for all in order to prevent any continuation of our residents being misled in this instance?”

The Cabinet Member for Planning and Housing and Deputy Leader, Councillor R.A. Smith-Ainsley, responded as follows:

“You are correct Councillor McShane in that this very issue was indeed responded to, in detail, at the Full Council Meeting last December. It is of note that Councillor Beardsmore was then, albeit erroneously, referring to only a 1000 not 1400.

For the sake of our residents I am pleased to clarify once again the true position.

Firstly the Government's South East Plan requires Spelthorne to build 3320 dwellings between 2006 and 2026. Our Core Strategy and Policies Development Plan Document is required to deliver that and explain how it will be achieved.

The Government also require Council's not just to demonstrate they can meet the minimum number, but also to demonstrate it has 'flexibility' to meet the requirement in case some of the sites it proposes do not come forward.

By a combination of identifying specific sites and projection of trends, the Council has shown a 'capacity' or flexibility for 1000 dwellings over and above the 3320 requirement. This is not the same as saying a 1000 extra will be built and there is certainly no basis for Councillor Beardsmore's claim now of 1400.

The flexibility we have shown has provided the certainty our requirements can be met from within the existing urban area and this ensures that our Green Belt can continue to be protected.

I hope Councillor Beardsmore will in future comment accurately on the housing position and not continue to mislead the public with the consequent distress and concern this can cause.”

263/09 APPOINTMENTS TO OUTSIDE BODIES

RESOLVED that Mrs Frances Forsbrey be appointed as a Council Representative to serve on the Ashford Relief in Need Charities for a four year term of office.

At the conclusion of the meeting the Mayor reminded members of the arrangements made for the annual Staff/Members bowls match taking place at Staines Bowls Club on 7 August 2009, with any member interested in participating to contact Councillor Jaffer.

SECTION 106 REPORT

1998 to 2009

The following list includes both monies already paid and sums secured by agreement but still to be paid on commencement of development.

1998

Tillys Lane

£20,000 – Landscaping at old Staines West Railway station

£50,000 – Environmental enhancements in Church Street

£120,000 – Public Art to a value of £120,000

Venture House, 42 - 54 London Road, Staines

£48,000 – Alternative car park provision in Staines area in lieu of parking shortfall. Agreement negotiated in 1998, money paid 2005

Magna House, 18-32 London Road, Staines

£32,000 – Public Art, Lino Sculpture

BP Sunbury

£40,000 - Block Paviers replacement contribution

£50,000 – Controlled parking zone -

The Grange, Gresham Road, Staines

£4,000 – Traffic calming measures in Gresham Road

Tillys Lane, Staines –

£214,527 – Contribution towards transport initiatives within Staines Town Centre designed to encourage modes of transport other than private car - The £14,527 which was interest on the late payment of £200,000 was never transferred to SCC and was recently allocated to SBC Colne River project

Total = £578,527.

1999

Kempton Park Race Course

£23,700 - Provision of Highways

£10,000 - To encourage use of public transport

Waitrose, Two Rivers

£134,000 - Installation and operation of variable message signage system

£25,000 – Installation of Routel or similar system on site or nearby location

£11,000 – Additional signage in Staines Town Centre to & from rail station etc

£10,000 - Payment towards introduction or improvement of bus service serving Staines Town Centre

Total = £213,700

2000

Former Remand Centre – Bronzefield

£25,000 – Upgrade existing childrens play area

£1,200 & £15,000 – Upgrade existing sports pitch – maintenance

£50,000 – CCTV cameras –

£35,000 – Provide open space of not less than 5 ha, for the Council for £1 + 10 years maintenance costs

Landscaping at Shortwood allotments

Former Police Station, Staines

£152,000 – Provision of public transport and cycle and pedestrian improvements in the area -

London Irish - Health Club on part of London Irish land

£30,000 - Suitable traffic calming & 2 pedestrian refuge islands on The Avenue -

£18,000 - Implementing a cycle infrastructure and associated facilities in local area

Former Remand Centre – Bronzefield

£33,000 – Traffic signal improvements at Kingston Rd junction & traffic calming in Woodthorpe Rd

Total = £359,200

2001

Former ABC Cinema – Now Thames Edge

£50,000 – Installing and upgrading the Council's CCTV network

£50,000 – At least £50,000 for the use of public art

£25,000 – Upgrading of the pedestrian route under Staines Bridge

£13,300 – Upgrade to towpath and environs –

£91,200 - Highway works

Former Council Depot – Commercial Road, Staines

£90,000 - Provision of appropriate traffic signals or other junction improvement and associated highway works at the junction of Commercial Rd and Laleham Rd

Staines FC – Wheatsheaf Lane, Staines

£17,000 - Traffic measures in the vicinity of the property at the Councils discretion

Total = £336,500

2002

International Way

£75,000 – Selective Vehicle detection system

Ashford Hospital

£60,000 – Provision and maintenance of play area for further 10 years

COUNCIL, 23 July 2009 – Continued

£15,000 – Off site playground

£2,000 – Fencing around the on site provision play area

Total = £152,000

2003

There were no Section 106 Agreements that secured financial contributions in 2003

2004

Shepperton Studios

£15,000 – River Ash Landscape

£30,000 – Repair and refurbish Squires Bridge Road entrance gates and railings

£20,000 – Funding for childrens play area

Total = £65,000

2005

Kempton Park

£10,000 – Contribution to the installation of air quality monitoring equipment at Sunbury Cross

£20,000 – Contribution to upgrade the subway system at Sunbury Cross

Celotex

£54,895 – For CCTV

£15,000 – Mural for Sunbury Cross

Total = £99,895

2006

Shepperton Studios

£70,000 – River Ash Corridor

£30,000 – Childrens play area off Studios Road

£10,000 – Shepperton Rec Youth Shelter

£20,000 – Public Art in vicinity

£20,000 – Environmental enhancements in adjacent residential areas

2,200,000 – To fund affordable housing provision in the Borough

Total = £2,350,000

2007

Majestic House

£182,400 – CCTV

£117,000 – Public Art

£18,000 – Air Quality

Total = £317,400

2008

17-51 London Road

£40,000 – For landscaping at Birch Green

£370,673 – For local housing needs

Total = £410,673

2009

West Wing, Ashford Hospital, London Road, Ashford

£14,500 towards highway improvements relating to the London Road and Town Lane/Stanwell Road crossroads

£6,150 to pay towards the cost of Surrey County Council auditing and monitoring the Travel Plan

£49,343 to pay towards the cost of purchasing, implementing and maintaining the proposed public open space to the west of Edward Way, Ashford

£1,500 towards a Strategic Air Quality Assessment

Total = £71,493

Overall Total = £4,954,388

RECOMMENDATIONS OF THE CABINET

1. AIRTRACK TRANSPORT AND WORKS ACT SUBMISSION

- 1.1 The Cabinet has considered a report on the Airtrack Transport and Works Act Submission.
- 1.2 The Cabinet was advised that the Airtrack scheme had been promoted by Heathrow Airport Limited (HAL) to provide improved **rail** access to Heathrow from south and west of London. However, it would have a substantial adverse impact on Spelthorne where most of the new infrastructure was to be built. These adverse impacts were explained in detail in Appendix A to the report by the Deputy Chief Executive to the Cabinet. The issues involved were not only matters the Council would normally assess in its role as 'the local planning authority', but also the Council's land ownership interests.
- 1.3 The Cabinet recommend to the Council the objections to the Airtrack Scheme - Airtrack Transport and Works Act Submission – as set out in Appendix A to the report by the Deputy Chief Executive to the Cabinet.**

2. HOUSING STRATEGY 2009-2014

- 2.1 The Cabinet has considered a report on the Housing Strategy 2009-2014.
- 2.2 The four priorities of the proposed new Housing Strategy would enhance the quality of life of local people through the provision of affordable homes; a wider choice of where they want to live; a greater emphasis on the prevention of homelessness; and measures to eradicate fuel poverty and improve housing in the private sector.
- 2.3 The Cabinet recommend that the Council adopt the four priorities for the new Housing Strategy 2009-2014 and the Action Plans, as set out at Appendix A to the report by the Deputy Chief Executive to the Cabinet.**

3. CORPORATE PLAN 2008-2011 AND CABINET ARRANGEMENTS

- 3.1 The Cabinet have considered a report on the progress on the first year's achievements of the Corporate Plan 2008-2011 and have considered suggested amendments to the Corporate Plan.
- 3.2 The Cabinet have also considered changes to the Cabinet Member responsibilities, in the light of the last years experience and proposals for suggested changes to those responsibilities.

One reason for considering changes to the Cabinet Member responsibilities was to balance out the workload amongst members of the Cabinet, in particular where the Corporate Services area of responsibility had a significantly greater workload than the other Cabinet areas.

3.3 The Cabinet recommend that the Council approve:

- 1. Amendments to the Corporate Plan 2008-2011, as attached at Annex A to the report of Assistant Chief Executive.**
- 2. Amendments to the Council's Constitution to amend the Cabinet Member titles and responsibilities, as attached at Annex C to the report of the Assistant Chief Executive, and as further amended to change the title of Corporate Services to Finance and Resources.**

4. REVIEW OF CONTRACT STANDING ORDERS

- 4.1 The Cabinet have considered a report seeking the necessary consent for the amendment of the Contract Standing Orders which form part of the Council's Constitution.
- 4.2 The Cabinet noted that amendments and restructuring of the Council's Contract Standing Orders were necessary to ensure greater ease of use and to incorporate reform requests from various Services.
- 4.3 The Cabinet recommend that the Council approve the revisions to the Contract Standing Orders, as detailed in Appendix 1 to the report of the Deputy Chief Executive, and authorise the Head of Corporate Governance to make the necessary amendments to the Council's Constitution.**

5. CHARTER FOR ELECTED MEMBER DEVELOPMENT

- 5.1 The Cabinet have considered a report on the recommendations of the Members' Development Steering Group in relation to the Elected Member Development Charter Re-accreditation.
- 5.2 The Borough Council's is required, as part of the re-accreditation process, to restate its commitment to the principles of the Elected Member Development Charter to enable the Borough Council to commence the process for seeking the Charter Re-accreditation.
- 5.3 The Cabinet recommend that the Council approve the undertaking by the Borough Council of the re accreditation process for the South East Employers Charter for Elected Member Development.**

Councillor John Packman
Leader of the Council

29 October 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 Cabinet. This is an overview of some of the more important issues that we have discussed at the Cabinet.

We have made recommendations to the Council on two items which appear earlier on this Agenda and there may be some further recommendations to follow on from the Cabinet meeting being held on 27 October 2009.

1. PETITION OBJECTING TO STOPPING OF GRASS CUTTING IN SYKES DRIVE, STAINES - REFERRED FROM COUNCIL ON 23 JULY 2009

We have considered a report on the petition from Mrs. Helena Weston of 9 Millers Close, Priory Green, Staines objecting to the decision to stop grass cutting in Sykes Drive, Staines. We have agreed, as follows:-

- (1.) That Mrs. Helena Weston be advised that the decision to stop grass cutting in Sykes Drive, Staines will be reviewed in late 2009 as part of an overall review of all Council Grass Cutting within the Borough.
- (2.) That this review will be commenced by the Officers as soon as the grass cutting season finishes in late 2009, so that they will be able to analyse the full effects of the changes made to the frequency and amount of grass cutting that now takes place within the Borough.
- (3.) That the report by the Officers on the outcome of the overall review of all Council Grass Cutting within the Borough will be reported to Performance Management and Review Committee on 8 December 2009 and then to the Cabinet at its meeting on 19 January 2010.

2. GARDEN WASTE SCHEME EXTENSION AND ALTERATIONS

We have considered a report on the Garden Waste Scheme Extension and Alterations.

We have agreed to:-

- (1.) Proceed with Option 2, which is to extend the current scheme.
- (2.) Waive Contract Standing Orders to allow the order for new bins to be placed directly with the Council's current supplier.
- (3.) Authorise the financial implications and approve a supplementary capital estimate for 2009-2010 of £110,000.
- (4.) Increase the annual charge for one bin to £45.00 and to incentivise early sign-up by charging £40 if residents sign-up before the end of January 2010 and by freezing the price at £40.00 per annum for two years for those that sign up before 31 January 2010.

3. REPORT SEEKING APPROVAL FOR CAPITAL FUNDING A SALIX PROJECT

We have considered a report seeking approval for capital funding a Salix project. We have agreed £46,000 capital provision for 2009-2010, in order to proceed with the Salix funded projects at the Tothill Multi storey Car Park, on the understanding that the Council's 50% up front contribution of £23,000 towards these projects is reimbursed to the Council prior to or at the end of the two year pay back period.

4. EMERGENCY RESPONSE PLAN REVISION

We have considered a report on the Emergency Response Plan Revision. We have agreed to:-

- (1.) Note that the Improvement and Development Committee on 3 September 2009 had recommended the Cabinet to adopt the Emergency Response Plan Revision.
- (2.) Approve, in principle, the draft Emergency Response Plan Revision, subject to final approval by the Assistant Chief Executive, in consultation with the Cabinet Member for Environment, by 1 November 2009 to allow for any further corrections or amendments to be made to the Plan when all the feedback from Members has been received.

5. CUSTOMER SERVICE STRATEGY – 2009 TO 2012

We have considered a report on the Customer Service Strategy – 2009 to 2012. We have agreed to approve and adopt the Customer Service Strategy and action plans as set out at Appendix 1 to the report by the Assistant Chief Executive, subject to the purpose of report and any similar references in the Strategy being amended to read "This report presents the proposed revised Customer Service Strategy, which shows how we will be working to improve customer service delivery over the next 3 years."

Councillor John Packman
Leader of the Council

29 October 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE AUDIT COMMITTEE

The Audit Committee held a meeting on 24 September 2009 and considered the following items of business.

1. EXTERNAL AUDIT REPORT ON 2008/09 STATEMENT OF ACCOUNTS, USE OF RESOURCES AND GOVERNANCE

The Committee noted the External Audit report on the 2008/09 Statement of Accounts, Use of Resources and Governance and that the Council's response to the External Auditors' recommendations would be circulated separately.

The Committee asked that a paragraph in the Report of the Chief Finance Officer, which had been extracted from the External Auditor's report, be re-worded to clarify its meaning.

The Committee authorised the Assistant Chief Executive and the Chairman of the Audit Committee to sign the draft letter of representation as set out in the auditors' report.

2. CORPORATE RISK REGISTER - REVIEW

The Committee noted the quarterly update on the Corporate Risk Register.

Clarification was sought on the use of the term, "significant partnerships" in the Risk Register. The Head of Audit Services agreed to circulate a scoring matrix for assessing "significant partnerships" based on CIPFA guidance.

The Committee asked officers to circulate the minutes of the Delivery board, which had met recently to consider delivery of National Indicator 188 on Climate Change.

The Committee received an update on the progress of the Health and Safety review of leased assets.

The Committee requested the attendance of the Heads of Environmental Health and Asset Management at the next meeting of the Committee, to explain the reasons for the continuing delay in completing actions on high level risks.

3. AUDIT SERVICES QUARTERLY REPORT

The Committee considered and approved the quarterly report which outlined the work undertaken by Audit Services during the period April 2009 – June 2009.

The Committee requested a report at its next meeting to verify that the controls identified to comply with the Code of Connection in respect of removable media, were working in practice.

The Committee recognised the added value of the audit team in providing advice to Heads of Service in relation to special investigations.

4. COMMITTEE WORK PROGRAMME 2008/2009

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

Councillor David McShane
Chairman of the Audit Committee

29 October 2009

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

The Improvement & Development Committee met on 3 September 2009 to consider, scrutinise and make decisions on the following items of business:

1. HOUSING STRATEGY 2010 – 2014

The Committee considered a report from its Housing Strategy Task Group which recommended the following four priorities and an action plan:

Priority 1: To ensure the provision of affordable housing in Spelthorne to meet a range of local needs through a mix of property types, sizes and tenures.

Priority 2: To implement a choice-based lettings scheme in partnership with Elmbridge and Runnymede Borough Councils.

Priority 3: To improve the housing options service to clients through aiming to prevent homelessness.

Priority 4: To address the issues of 'decent' homes, independent living, and the availability of suitable properties in the private rented sector.

The Improvement and Development Committee recommended Cabinet to adopt the four priorities for the new Housing Strategy 2009-14 and the Action Plan. It also asked the Performance Management and Review Committee to look at Priority 1 with regard to the provision of 80% one and two beds and three bed affordable family housing.

2. EMERGENCY RESPONSE PLAN REVISION

The Committee received a presentation and scrutinised a report on the Council's Emergency Response Plan Revision.

The Committee recommended Cabinet to adopt the Emergency Response Plan Revision.

3. REPORTS FROM TASK GROUPS

(1) ICT Outsourcing Contract Task Group

The Committee considered and noted a report from its ICT Outsourcing Contract Task Group and agreed:-

- that the IT Manager circulate a short paragraph on next steps arising from the Task Group report;
- whether it was necessary to have Office 2007 to operate Sharepoint;
- that a general ICT workshop for Members be organised in the near future;
- that the Task Group be asked to look at the provision of XDA's for all members; and
- that a presentation on the future direction of ICT in Spelthorne be programmed for the 8 April meeting of this Committee.

(2) Joint Scrutiny Committee's Outline Budget Strategy

The Committee received and agreed details of the proposed Joint Scrutiny Committee's Outline Budget Strategy Task Group presented by the Chairman of the Committee, which had been drawn up following a meeting of the two Scrutiny Committee Chairmen which dealt with:-

- Terms of reference
- Membership
- Support
- Objectives
- Time scale
- Recommendations

6. WORK PROGRAMME 2009/10

7.

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

Councillor Mrs Jean Pinkerton
Chairman of the Improvement and Development Committee

29 October 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE LICENSING COMMITTEE

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

LICENSING SUB-COMMITTEE 27 JULY 2009

Application by Surrey Police for Review of a Premises Licence

A Sub-Committee considered an application by Surrey Police to review the Premises Licence at the Dog and Partridge Public House, Edinburgh Drive, Laleham.

With the agreement of the applicant for the review, Surrey Police, and the respondent, Enterprise Inns, the hearing was adjourned until 5 November 2009.

LICENSING SUB-COMMITTEE 6 AUGUST 2009

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

A Sub-Committee considered an application for a Private Hire Driver Licence and found the applicant not to be a fit and proper person to hold a Private Hire Driver Licence.

LICENSING SUB-COMMITTEE 18 AUGUST 2009

Application for a Review of a Premises Licence

A Sub-Committee considered an application for the review of a Premises Licence in respect of Bargain Booze 117 Groveley Road, Sunbury on Thames. The Premises Licence was revoked.

LICENSING SUB-COMMITTEE 10 SEPTEMBER 2009

Application for a Premises Licence

A Sub-Committee considered an application for a Premises Licence in respect of Thames Club, Wheatsheaf Lane, Staines.

In addition to modifications offered by the applicant at the hearing in response to local residents' representations, the Sub-Committee granted a Premises Licence subject to further modification and addition of conditions.

MAGISTRATES COURT DECISION

On 11 May 2009 a Licensing Sub-Committee 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.

The driver subsequently appealed to the Magistrates Court. The appeal was heard on 17 September 2009, when it was dismissed. The Council was awarded costs.

Councillor Robin Sider
Chairman of the Licensing Committee

29 October 2009

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

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

1. CORPORATE CUSTOMER SUGGESTIONS / COMPLAINTS PROCEDURE

- 1.1 The Committee looked at a draft revised complaints procedure and identified further revisions at the meeting. These included the need to introduce a comprehensive logging system of all complaints received with each complaint being provided with a unique reference number. The committee also identified the need for complainants to be kept informed on a regular basis of how the complaint was being progressed.
- 1.2 The Committee agreed to give me, as Chairman, authority to work with the Assistant Chief Executive to re draft the report to incorporate the views of the committee for submission to the Cabinet.

2. PARTNERSHIP GOVERNANCE

- 2.1 Partnership governance was one area that had been identified as an area for improvement by the Corporate Governance Task Group and since that time the Committee have been working towards producing a policy for all our significant partnerships.
- 2.2 The Committee at its meeting on 8 September 2009 considered a draft partnership policy which followed advice provided by CIPFA, SOLACE and the Audit Commission.
- 2.3 The Committee agreed to recommend to the Cabinet the adoption of the Partnership Governance Policy as submitted by the Monitoring Officer.
- 2.4 The Committee went on to consider how such partnerships could be reviewed and agreed that this aspect should be delegated to myself as Chairman and the Vice Chairman to take it forward. To assist us in this work I invited members of the committee to email me direct with details of any particular area/themes that they wished to be considered to be reviewed.

3. FINANCIAL REPORTS

- 3.1 The Committee received two financial monitoring reports covering the first four months of the financial year for both revenue and capital expenditure. In relation to Capital approximately £447k had had been spent against the original budget of £2,024,500. In respect of the revenue budget £4,828m had been spent against the original budget of £14,995m.
- 3.2 During the general discussion on the reasons for the various variances to the revenue budget I, on behalf of the committee, expressed our concern about the manifest unfairness of the Council being obliged to pay fees for works relating to the airtrack development. It is unacceptable that the residents of Spelthorne have to subsidise this central government driven project without recompense.
- 3.3 I also extended the apologies of the Cabinet Member for Corporate Services, Councillor Mrs Leighton, who due to a prior engagement was unable to attend the meeting. However I did report that Councillor Mrs Leighton would be pleased to

receive any views from members of the committee on the revised layout of the financial information.

4. PRESENTATION

- 4.1 The Committee received and noted a presentation from the Assistant Chief Executive on income and expenditure on council car parks including the way income was estimated.

5. PERFORMANCE REPORT

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

Councillor Philippa Broom

Chairman of the Performance Management and Review Committee

29 October 2009

REPORT OF THE CHAIRMAN ON THE WORK OF THE PLANNING COMMITTEE

The Planning Committee has met for 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 those meetings.

The meeting on **22 July 2009** dealt with 9 items. Public speaking took place on 7 items with 5 people taking the opportunity to address the Committee.

The most notable items on the agenda were:

- The approval of an application for conversion of some Listed barns and the erection of buildings to provide a 35 bedroom hotel at Hithermoor Farm Stanwell Moor.
- The approval of a block of 8 flats at the Bulldog Nursery, Town Lane Ashford.

The meeting on **19 August 2009** dealt with a total of 5 items. Public speaking took place on 1 item with 1 person taking the opportunity to address the Committee.

The most notable items on the agenda were:

- The granting of permission for the erection of a block of 6 flats at 215 Upper Halliford Road.
- The Committee also raised no objection to a consultation from LB Hillingdon for a 240 bedroom hotel at a site adjoining our Borough boundary at Sealand Road Heathrow Airport.

The meeting on **16 September 2009** dealt with a total of 7 items. Public speaking took place on 1 item with 1 person taking the opportunity to address the Committee

The most notable items on the agenda were:

- The granting of permission for the erection of a block of 6 flats at 15 High Street within the Stanwell Conservation Area.
- The Committee also gave authority for the serving of an enforcement and stop notice against unauthorised development at 131 Groveley Road Sunbury.

The meeting on **14 October 2009** dealt with a total of 7 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 permission for the redevelopment of the Blackburn Trading estate Stanwell to provide 5 new warehouse /industrial units

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- An application for the development of the Park Road Stanwell site, by the erection of 14 units, was deferred because the applicant had failed to correctly notify the owners of unregistered land prior to the submission of the application.

Councillor Howard Thomson
Chairman of the Planning Committee

29 October 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.

1. ICT SECURITY POLICY

The Committee discussed with the ICT Manager the Council's ICT security policy and the action taken to ensure it continued to be robust. A copy of the Personal Commitment Statement which all staff were required to sign up to together with information on how to protect your computer and the councils' network was circulated at the meeting.

The Committee asked that the ICT Manager adapt the staffs' personal commitment statement for councillors and submit to the next meeting of the Committee for further consideration.

2. REVIEW OF THE PLANNING CODE

The Committee had initial discussions with the Monitoring Officer on how to take forward the review of the Planning Code. The committee discussed how planning applications were called in; involvement of Ward Members; public speaking arrangements at committee meetings and pre application discussions.

The Committee indicated that to assist in the review of the Planning Code the views of the previous and current Chairman of the Planning Committee, and the Head of Planning and Housing Strategy could be obtained. It was also felt that it may be helpful to look at how other council's conduct planning committee meetings

The Committee agreed that to assist in the review the current and previous Chairman of the Planning Committee and the Head of Planning and Housing Strategy be invited to attend the next meeting of the committee to give their views on the Planning Code:

3. NEW STANDARDS REGULATIONS 2009

The Committee considered a report of the Monitoring Officer on the recently made regulations to implement some of the outstanding provisions relating to Standards and introduced by the Local Government and Public Involvement in Health Act 2007. The main areas covered by the regulations that came into force on 15 June 2009 were:

- Allow the Standards Board to suspend arrangements for the local assessment of complaints
- Empower councils to establish joint standards committees
- Empower standards committees to grant dispensations to councillors to allow them to participate in meetings when they have a prejudicial interest.

Murray Litvak
Chairman of the Standards Committee

29 October 2009