

**Roberto Tambini  
Chief Executive**

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**22 October 2008**

TO THE MEMBERS OF SPELTHORNE BOROUGH COUNCIL

**SUMMONS TO MEETING**

You are hereby summoned to attend the **Meeting of Spelthorne Borough Council to be held in the Council Chamber, Council Offices, Knowle Green, Staines on THURSDAY 30 OCTOBER 2008 beginning at 7.30pm**, for the purpose of transacting the business specified in the **REVISED Agenda set out on the next page**.

ROBERTO TAMBINI  
*Chief Executive*

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

**PUBLIC SPEAKING IN PERSON AT COUNCIL MEETINGS**

**[Please Telephone: Richard Powell (01784) 446240 or e-mail: [r.powell@spelthorne.gov.uk](mailto:r.powell@spelthorne.gov.uk)]**

**(1) Public Question Time**

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

**(2) Petitions**

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

**(3) Representations on Recommendations**

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

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

## IMPORTANT PUBLIC NOTICE

### MOBILE TECHNOLOGY – ACCEPTABLE USE

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

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

#### PLEASE:

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

***THANK YOU FOR YOUR CO-OPERATION IN THIS MATTER.***

## REVISED AGENDA

1. DEATH OF FORMER COUNCILLOR MRS. PATRICIA WESTON

The Mayor to ask all Members and Officers present to stand in silence as a token of respect.

2. APOLOGIES FOR ABSENCE

To report apologies for absence received from Councillors Miss M.M. Bain and C.D.G. Kuun and from Mr. M. Litvak and Miss S. Faulkner and to receive any other apologies.

3. MINUTES – COUNCIL MEETING HELD ON 24 JULY 2008  
**[Pages 5 to 19]**

To confirm as a correct record the Minutes of the Council Meeting held on 24 July 2008.

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

(1) To receive any announcements from the Mayor.

(2) The Mayor to welcome Youth Councillors from the Spelthorne Youth Council and Andy Holdaway, the Borough Youth Officer, who will make a joint presentation to the Council on their Anti-Knife Campaign.

6. ANNOUNCEMENTS FROM THE LEADER

To receive any announcements from the Leader.

7. ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE

(1) The Chief Executive, in his capacity as Returning Officer, to announce the result of the Ashford East By-Election held on Thursday 23 October 2008.

(2) To receive any other announcements from the Chief Executive.

8. QUESTIONS FROM MEMBERS OF THE PUBLIC

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

9. PETITIONS

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

10. COUNCILLOR CHRISTOPHER KUUN  
**[Pages 20 to 21]**

To consider the report of the Monitoring Officer.

11. OFFICER DELEGATIONS – EMPLOYMENT MATTERS  
**[Pages 22 to 30]**

To consider the report of the Head of Human Resources.

12. RECOMMENDATIONS OF THE EXECUTIVE  
**[Page 31]**

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

**(1) Debt Recovery Project Delegations.**

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

13. CHANGES TO THE COUNCIL CONSTITUTION - RECOMMENDATIONS FROM THE STANDARDS COMMITTEE  
**[Pages 32 to 37]**

To consider the report of the Monitoring Officer.

14. REPORT FROM THE LEADER OF THE COUNCIL  
**[Pages 38 to 39]**

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

15. REPORT FROM THE CHAIRMAN OF THE LICENSING COMMITTEE  
**[Pages 40 to 41]**

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

16. REPORT FROM THE CHAIRMAN OF THE PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE  
**[Pages 42 to 44]**

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

17. REPORT FROM THE CHAIRMAN OF THE PLANNING COMMITTEE  
**[Pages 45 to 46]**

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

17(a). REPORT FROM THE CHAIRMAN OF THE AUDIT COMMITTEE  
**[Pages 46a to 46b]**

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

18. REPORT FROM THE CHAIRMAN OF THE STANDARDS COMMITTEE  
**[Pages 47 to 48]**

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

\*Note: In the absence of the Chairman and Vice-Chairman of the Standards Committee, this report will be presented to the Council by Councillor Colin Davis, the Executive Portfolio Holder for Regeneration, who is also the lead Executive Member responsible for promoting standards in public life.

## 19. MOTIONS

(1) Under Standing Order 16, the Council has received Notice of the following Motion:

“That this Council deplores the Government capping of the Surrey Police Budget, expresses its concerns that no formal reason for such capping has been given, and requests that a letter to this effect be prepared and be sent in the strongest terms to the Home Secretary.”

Proposed by: Councillor Robin Sider.

Seconded by: Councillor Mrs. Vivienne Leighton.

(2) Under Standing Order 16, the Council has received Notice of the following Motion:

"That, on behalf of volunteer drivers UK wide, this Council supports the Petition to the Prime Minister requesting the HM Revenue and Customs to raise the rate at which they permit charities to reimburse volunteer drivers from 40p per mile to 50p per mile for their fuel costs."

Proposed by: Councillor Mrs. Vivienne Leighton.

Seconded by: Councillor George Trussler.

## 20. QUESTIONS ON WARD ISSUES

The Leader or his nominee to answer any Questions from Members on Issues in their Ward. *[Providing notice has been given in accordance with the procedures in the Council's Constitution].*

## 21. GENERAL QUESTIONS

(1) Under Standing Order 14, Councillor Mrs. Isobel Napper has submitted the following General Question:

“Due to the present financial turmoil, how will our housing targets be affected if first time buyers are not able to enter the market?”

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

## 22. APPOINTMENT OF REPRESENTATIVE TRUSTEES TO CHARITIES

(a) **Appointment of a replacement Council Representative Trustee to the Ashford Relief in Need Charities**

The Council is asked to consider the appointment of Mrs. Mary Collis of 65 Wrens Avenue, Ashford, TW15 1AW to serve as a replacement Council Representative Trustee to the Ashford Relief in Need Charities for a four year term of office, in place of former Councillor Mrs. Patricia Weston.

(b) **Appointment of a Council Representative Trustee to the Staines Parochial Charity**

The term of office of Mrs. Alice E. Deere as a Council Representative Trustee on the Staines Parochial Charity will end on 31 December 2008. Mrs. Deere, formerly Mrs. Alice Duncan, has remarried in 2007 and now has a new address, as follows: 8 Balmoral Grange, Thames Side, Laleham, Staines, Middlesex, TW18 2JJ.

The Council is asked to consider the re-appointment of Mrs. Alice Deere as a Council Representative Trustee on the Staines Parochial Charity for a period of four years from 31 December 2008.

23. URGENT BUSINESS

To consider any urgent business.

## MINUTES OF THE COUNCIL MEETING HELD ON 24 JULY 2008

### BOROUGH OF SPELTHORNE

#### AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 24 JULY AT 7.30PM

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

Councillor S. Bhadye, The Mayor, in the Chair

#### **243/08 APOLOGIES**

Apologies for absence were received from Councillors Ms N.A. Hyams, H.R. Jaffer, C.D.G. Kuun, L.E. Nichols, Mrs J.M. Pinkerton, M.T. Royer and the Deputy Mayor, Mrs C.L. Spencer and from Mr M. Litvak.

#### **244/08 MINUTES**

The minutes of the meeting held on 26 June 2008 were approved as a correct record.

#### **245/08 ANNOUNCEMENTS FROM THE MAYOR**

##### **Planned Mayoral Events**

The Mayor reminded Members of the following forthcoming Mayoral events:-

- Outback Dinner and Fun Bingo – 29 July 2008;
- Charity Golf Day – 5 August 2008;
- River Day – 6 September 2008; and
- Trafalgar Day Lunch – 19 September 2008.

##### **Hope 08 – “Big Clean” Weekend May 08**

The Mayor welcomed Naomi Zumpe to the meeting, as the representative from St. Saviour's Church, Sunbury.

St. Saviour's Church had led Hope 08, a national Christian programme, which was aimed at bringing the churches closer to the community.

The Mayor presented a certificate to the Hope (St. Saviours) Group in recognition of their hard work and commitment on the Hope '08 Big Clean Weekend held on 8 May in Sunbury Common.

Members of the church had worked with the Youth and Children's Council to transform Groveley Park. The area was cleaned, painted and litter-picked.

The church had also supported older people in the area by helping with gardening and any odd jobs and made visits to families in need/crisis to offer support.

He congratulated St. Saviour's Church on making a real difference to the people of Sunbury Common and, although she was unable to be present at the meeting, he gave a special mention to Sabrina Moutarde, whose drive, enthusiasm and cajoling of the Council had delivered this project.

### **Surrey Youth Games DVD**

At the June Council meeting the Leader announced that Team Spelthorne had come first in the Surrey Youth Games, for the first time. The Mayor welcomed some of the winning team members and their team manager, Claire Thrussell, who was Spelthorne's Sports and Facilities Officer, to the meeting.

A short DVD was shown to give Members an insight into the joy, competitiveness, companionship and great fun that all the young people had experienced whilst participating in the Surrey Youth Games programme.

## **246/08 ANNOUNCEMENTS FROM THE LEADER**

### **Sports Council Awards**

The Leader, Councillor J.D. Packman, said that it was appropriate following the DVD presentation to announce that he had recently attended the Spelthorne Sports Awards 2008 at Kempton Park Racecourse with Councillors A.P. Hirst and Mrs D.L. Grant. He fully recognised the involvement and commitment of Spelthorne Sports Council and its Chairman, Councillor H.R. Jaffer, in promoting and supporting the Surrey Youth Games in its twelfth year as a major event for young people in the County. Over three hundred participants had attended the Kempton Park event to receive their sports awards.

### **South East Development Agency**

The Leader, Councillor J.D. Packman, reported that he had attended a meeting of SEEDA, the outcome of which would affect the future development of Staines Town Centre. The Airtrack rail link had been recognised as a strategic development and SEEDA had agreed to contribute £65K towards the Staines Transport Study, making a total of £130K for the Transport Study which was a major achievement and recognition for Staines and the Borough.



### **Housing targets**

The Leader, Councillor J.D. Packman, reported that the Government had published its housing targets and he was pleased to inform Members that Spelthorne's target remained unaltered. However, people would still be under pressure because the Government had ignored all attempts to address the problem of increasing pressure on infrastructure. With the substantial increase in housing provision there was a need to improve the infrastructure to support this increase.

The Government was intending to do away with SEERA, which was a democratically elected representative body, within the next twelve to eighteen months.

### **Additional Highways Funding**

Finally, following recent successful discussions which the Leader had held with top level County representatives, Spelthorne would now benefit from an additional £330K of improvement funding for works to improve the local highways within the Borough.

### **247/08 QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Mayor reported that under Standing Order 13, one question had been received from a member of the public. A response was given by the Leader of the Council, Councillor J.D. Packman who confirmed that a copy would be sent to Mr. Carruthers.

#### **(1) Question from John Carruthers**

"I see in your minutes of the 28<sup>th</sup> May 2008 Planning Meeting, that at Item 13 you sent to Surrey CC a strong objection against the importation of demolition waste into the land west of Queen Mary Reservoir next to Ashford Road.

The Minutes state that very special circumstances are needed before such approval (in this case, raise no objection to SCC) can be given.

The site was a good one screened from habitation and away from other uses, and even 70 years ago it was an army transport storage depot. But let that pass.

Already a major demolition material plant has been closed under the L/A flight-path due to T5, and which brought comments of relief from your Planning Officers. Since then, attempts to have a replacement recycling plant close by, north of Stanwell, then in the Littleton commercial estate and now here at Queen Mary Reservoir have been refused.

So where do you expect all this demolition waste to go then?

It has to go to land fill with increase road usage and costs. Are you being serious?

Is that really your considered opinion in dealing with waste, or have you just not thought it through. It seems to be a case of having heads in the sand, or in this case rubbish. Where is the joined up thinking here?

In addition none of you appear to have read what the County Development Plan has to say on the subject, and which is intended to be as important to follow as the Government Development Plans themselves.

Quote: Clause 9.2 on page 23 of Preferred Option for Recycled etc.

'It is recognised that temporary facilities might be located at sensitive locations such as waste sites in the green belt, etc.'

So I repeat my question. Trying to be a caring high recycling Authority, where do you expect all this demolition waste to go, and what are you going to do about it please?"

**Response by Councillor E. O'Hara, the Chairman of the Planning Committee:**

"The appropriate recycling of demolition waste is important in that it can help to reduce the amount of new mineral that has to be dug up and (often) transported great distances. However, I fully appreciate that such facilities can be very intrusive and disruptive.

There is a lot of merit in co-locating recycling facilities alongside existing ground works where fill material that is coming in anyway may be sorted and recycled. But, it is important that the impact of this activity, on what are invariably Green Belt sites, are carefully considered, and that temporary recycling facilities do not end up delaying the time when mineral sites are properly restored and local people see an end to the activity.

As I am sure you are aware, Mr. Carruthers, it is for the County Council, through their Waste LDF, to properly balance issues and ensure that individual proposals are appropriate. I recognise it as a complex matter and there are many conflicting issues that have to be carefully considered. I can assure you that, when consulted by the County, this Council will be caring towards our residents, while looking to balance the need for recycled materials by society as a whole."

[Note: Councillor Ian Beardsmore announced at the Council meeting that he was not aware of the above Public Question, so did not disclose an interest as a Surrey County Councillor.]

**248/08 REPORT FROM THE LEADER OF THE COUNCIL**

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

**249/08 IMPROVEMENT AND DEVELOPMENT COMMITTEE**

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

**250/08 PLANNING COMMITTEE**

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

Councillor O'Hara referred to this year's Planning Delivery Grant which amounted to £294K and wished to congratulate Officers of the Planning section for their hard work.

**251/08 MOTIONS**

Under Standing Order 16, a Notice of Motion had been received regarding the proposed Polyclinic at Ashford Hospital.

**Councillor Mrs C.E. Nichols moved and Councillor C.V. Strong seconded the following motion:**

"That this Council notes the concern of Spelthorne residents regarding the proposed Polyclinic at Ashford Hospital.

The Council further notes that confusion surrounds the Polyclinic on its potential impact on existing GP services within the Borough.

This Council resolves to:

Request the Performance Management and Review Committee to conduct an immediate review and scrutinise the Polyclinic proposal by inviting Ashford and St. Peter's Hospitals NHS Trust and the Surrey Primary Care Trust to address the Committee and local people.

Request that to facilitate public participation the Performance Management and Review Committee meets along the lines of the successful Committee meeting held on 31st July 2006.

Instruct the Chief Executive to write to the Surrey Primary Care Trust expressing concern that their future plans should not deplete the provision of existing GP and community services."

An amendment was moved by Councillor Miss P.A. Broom and seconded by Councillor F. Ayers that the first paragraph in the resolution to the motion be deleted and replaced by a new paragraph (a); the second paragraph in the resolution to the motion remain unaltered and marked (b) and the third paragraph in the resolution to the motion be deleted and replaced by a new paragraph (c), so that the motion reads as follows:-

"That this Council notes the concern of Spelthorne residents regarding the proposed Polyclinic at Ashford Hospital.

The Council further notes that confusion surrounds the Polyclinic on its potential impact on existing GP services within the Borough.

This Council resolves to:

- (a) Request that the Performance Management and Review Committee call a special meeting to review the proposed introduction of a Polyclinic at Ashford Hospital; invite Ashford & St Peters Hospital NHS Trust & Surrey PCT Trust to the meeting, giving them the opportunity to address the Committee & answer any questions or concerns members may have.
- (b) Request that to facilitate public participation, the Performance Management and Review Committee meets along the lines of the successful Committee meeting held on 31st July 2006.
- (c) Furthermore request that the Chief Executive write to Surrey PCT Trust expressing concern regarding the suggested introduction of a polyclinic at Ashford Hospital and that, if this is fact, it should not be allowed to detract or deplete from the already excellent GP services currently provided to residents in Spelthorne.”

The amendment was accepted by the Leader of the Liberal Democrats, Councillor C.V. Strong.

The amendment was carried.

The amendment was put as the substantive motion.

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

For (30)	Councillors F. Ayers, Miss M.M. Bain, I.J. Beardsmore, Mrs E.M. Bell, S. Bhadye, M.L. Bouquet, Miss P.A. Broom, S.E.W. Budd, K. Chouhan, R.B. Colison-Crawford, M.J. Collis, T.W. Crabb, C.A. Davis, Mrs S.A. Dunn, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, Mrs V.J. Leighton, Mrs I. Napper, Mrs C.E. Nichols, E. O’Hara, J.D. Packman, Jack D. Pinkerton, Mrs M.W. Rough, R.W. Sider, R.A. Smith-Ainsley, C.V. Strong, H.A. Thomson, G.F. Trussler and Mrs P. Weston.
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The motion was unanimously carried.

**RESOLVED:-**

That this Council notes the concern of Spelthorne residents regarding the proposed Polyclinic at Ashford Hospital.

The Council further notes that confusion surrounds the Polyclinic on its potential impact on existing GP services within the Borough.

This Council resolves to:

- (a) Request that the Performance Management and Review Committee call a special meeting to review the proposed introduction of a Polyclinic at Ashford Hospital; invite Ashford & St Peters Hospital NHS Trust & Surrey PCT Trust to the

meeting, giving them the opportunity to address the Committee & answer any questions or concerns members may have.

(b) Request that to facilitate public participation, the Performance Management and Review Committee meets along the lines of the successful Committee meeting held on 31st July 2006.

(c) Furthermore request that the Chief Executive write to Surrey PCT Trust expressing concern regarding the suggested introduction of a polyclinic at Ashford Hospital and that, if this is fact, it should not be allowed to detract or deplete from the already excellent GP services currently provided to residents in Spelthorne.

## **252/08 QUESTIONS ON WARD ISSUES**

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

“At the latter part of June and beginning of July there was a Fun Fair in Manor Park Shepperton. As such, boards measuring approximately 2' 6" x 18" advertising the Fair were placed on roundabouts and on lamp posts in and around Shepperton. In view of the Street Clean Legislation, of which I have been reminded by the Council, can the Portfolio Holder for the Environment inform me why such advertising has been allowed by a commercial company, whereas local and community groups have been denied such advertising and had their boards removed and in some circumstances confiscated, and will he also agree with me the old adage that what is sauce for the goose is also sauce for the gander?”

**Councillor G.E. Forsbrey, responded as follows**

“Thank you for your question Councillor Sider. Unfortunately, funfairs can legally do just that. Funfairs have an exemption under the 2007 Town and Country Planning Advertising Regulations. Provided the advertising signs comply with the permitted dimensions and the funfair gives the Council 14 days' prior notice of the placing of the adverts, the funfair can place boards up.”

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

“The Executive briefing states that the local area forums will include an agenda item on a local issue. The briefing also states that local residents will be involved in the choice of topic. Can I ask the exact process by which residents in Sunbury will be consulted ahead of the November forum meeting?”

**Councillor A.P. Hirst, responded as follows:**

“Thank you for your question.

As Councillor Bell is aware, the programme for Area Forums has evolved over several years. In order to provide some historical background on this matter, I can inform the Council that the first Area Forum was held on 2 February 1999 so the holding by the Council of Area Fora in the five areas of the Borough will be coming up for the tenth anniversary in 2009. The current arrangements allow for a question and answer session, with the audience and the various public sector partners e.g. Police/PCT/Hospital Trust/Surrey County Council; a main topic presented at all 5 Area Forums and then a local topic.

In terms of the local topic, consultation is carried out through the various Residents Associations in the Borough.

In September a letter will be sent to the 30 known Residents Associations in the Borough including 6 in Sunbury setting out the main topic, which will be the Council's Environmental Sustainable Development Strategy – and several suggestions for the local topic, which are not exhaustive.

The Residents Associations will be asked to contact the Chairman of the relevant Area Forum – in this case Councillor Smith-Ainsley, by a certain date in September with their views on the most appropriate 'hot' topic for the area. Councillor Smith-Ainsley will make a final decision based on the feedback he has received plus his own soundings and knowledge of issues likely to be relevant by the time of the Forum.

I would add that the Chairmen of the Area Fora would welcome any input from Ward Councillors on the local "Hot Topics " to be covered at each of the Area Fora."

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

"Now that the refurbishment of the Ha Ha in Sunbury Park appears to be completed what is its final total cost, and how far is that sum above the original estimate?"

**Councillor A.P. Hirst, responded as follows:**

"Thank you Councillor Crabb for your question.

The restoration of the Ha Ha in Sunbury Park has cost £57,092 over two financial years. The works will be completed within the next two weeks and is £2,092 over budget. This was due to the extensive damage by tree roots to the wall which became evident once work started."

## **253/08          GENERAL QUESTIONS**

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

"Will the Leader join me in congratulating Mr. Trevor Baker on his being a finalist in the United Kingdom Local Government Association Awards, the presentations of which took place in Bournemouth on the evening of the 4th of July 2008, and will he also agree with me that this was a great team effort by this Council in the way everyone worked hard to achieve this excellent result?"

**The Leader of the Council, Councillor J.D. Packman replied as follows:**

"Thank you, Councillor Sider, for taking this opportunity to raise this matter. I don't think there is a Member or an Officer of this Council that would not wish to recognise the outstanding contribution that Trevor Baker has made to this Council over his 38 years of service. It was your recognition of Trevor's work and his many achievements that inspired you, Councillor Sider, to nominate Trevor for this very prestigious award, and I thank you for that.

I wholeheartedly supported his nomination and it was with great pleasure that I was able to inform councillors that Trevor was shortlisted as a finalist in the Local Government Channel's Council Worker of the Year. This celebration of the unsung heroes of local government is now in its third year and it goes from strength to strength, with many councils becoming involved in very competitive campaigns to promote their candidates. Our own campaign for Trevor was very well orchestrated and very far reaching, and all those involved should be congratulated, none more so than Trevor himself. His hard work, courage and determination were recognised by the judges in selecting him as a finalist, and we in Spelthorne pay tribute to that excellent contribution and strength of character.

May I also thank you personally Councillor Sider and the Chief Executive, Roberto Tambini, for the enthusiasm you both showed in promoting and driving this forward and for spreading the word far and wide. We are indebted to you."

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

"What risk assessment has been carried out on the financial position of the Council following the recent slump in the housing market and the knock on problems in the building industry?"

**Councillor M.L. Bouquet replied as follows:**

"Assessing budget risk is an ongoing process of liaison between the Council's accountancy section and budget holders. We are currently pulling together the outline budget which projects forward the budget position to 2011/12.

In our latest projections, we are taking on board the interest rate projections from our treasury management advisers; we are also taking a view on likely revenue income levels, and other possible economic impacts on the budget. It is worth noting that at present, fee income levels from development control, building control and land charges are holding up reasonably well against 2008-09 budget.

Car park income is also being closely monitored, at present total car parking income is at similar level for the first quarter of 2008-09 as for quarter one of 2007-08 with pay and display income slightly up in percentage terms against budget assumptions.

We are seeking to maximize the rates of returns we can obtain on our investments and the current credit crunch may assist us in obtaining relatively good rates for interest for forthcoming investments. Our projections include anticipated levels of capital receipts for the outline budget period.

At the end of September (six months into the financial year), budget holders will be asked to provide projected outturns for the current year. This will provide a base for the working up of the detailed budget for 2009-10."

**In accordance with Standing Order 14.2, Councillor I.J. Beardsmore asked the following supplementary question:**

"Has there been a risk assessment of the Council's Capital Receipts, in light of the "credit crunch"?"

**Councillor M.L. Bouquet responded:**

“This risk assessment of the Council’s Capital Receipts will be carried out on an ongoing basis by the Council’s Officers, in consultation with advisers, as required.”

**Under Standing Order 14, Councillor M.J. Collis asked the following question:**

“As I am sure the Leader is aware there has been much discussion about BT’s so called replacement telephone kiosks that have sprung up around the Borough. Would the Leader inform me whether the Council has communicated to the Surrey Local Transportation Manager and the relevant Planning Officers the following information in the Department for Transport Manual for Streets?

Firstly that the agencies responsible for items that accumulate on the footway and those who manage the street should consider ways of reducing their visual impact and impediment to users.

Secondly, that street furniture should be aligned on footways, preferably at the rear edge in order to reduce clutter? “

**Councillor A.P. Hirst replied as follows:**

“Over the past few weeks BT have installed 13 new telephone/advert kiosks in the Borough. Some have obviously raised concerns from local residents. They required approval and Surrey County Council were consulted in each case. They raised no objection to the applications.

I agree that the siting of things such as these need to be carefully considered so they are neither visually or physically intrusive.

I can confirm that concerns have already been raised with Surrey’s Local Transportation Manager and our Planning Officers who, I have been assured, will be giving future proposals like this additional attention.”

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

“A recent e-mail from the Chairman sent to all members of the Audit Committee and passed to me as Group Leader contains a disturbing claim that there are holes in the Council’s operational systems.

The Chairman of Audit further says in his e-mail and I quote:

"I have seen no evidence to convince me that any of our systems are documented and this usually means that each new member of staff will try to work as he/she did at his/her last job."

Does the Leader share the view of the Chairman of the Audit Committee and if so what action does he propose to take?”

**The Leader of the Council, Councillor J.D. Packman replied as follows:**

“Thank you for the opportunity to comment on this.



Following investigation, Management has assured me that most of our systems are well documented and I have requested that Councillor Pinkerton supply details of services where he believes this not to be the case.

The Council's Health and Safety policies and procedures are set out on the Intranet. I also understand that the Council's Health and Safety Officer is currently reporting to management, the Corporate Risk Management Group, any areas where he feels improvements need to be made in health and safety related risk assessment.

The Council's Constitution, including Financial Regulations and Contract Standing Orders, sets out clear procedures for dealing with financial and procurement related issues. Many procedures and corporate policies are held on the Council's Intranet, and services have their own system notes and manuals for staff.

Also, there is a detailed annual risk assessment process undertaken by services in partnership with Audit Services, which identifies (and prioritises) risks relating to departmental systems and procedures. Whilst I welcome any contribution from Councillors with expertise in this area, they do need to understand that we do have robust systems in place and we need to let our Officers get on and do the job they are employed to do.

Last year the Council received good scores on the control element of the Use of Resources assessment which was undertaken by our own external auditors. Furthermore, their more recent interim audit has not identified any major concerns regarding systems and procedures.

I trust this satisfies your concerns.”

**In accordance with Standing Order 14.2, Councillor C.V. Strong asked a supplementary question on the following lines:**

“Has the Leader considered the position of the Chairman of the Audit Committee in relation to this matter?”

**Councillor J.D. Packman replied on the following lines:**

“Yes, and his position as Chairman will remain unchanged as he is fulfilling his duties in his role as the Chairman of the Council’s Audit Committee.”

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

"Draft Strategy for Older People - What response if any has the Executive had so far to its request to TfL for a dialogue on problems of access to TfL's services for the elderly and disabled?"

**Councillor Mrs. V.J. Leighton replied as follows:**

“The Council and Spelthorne Together have been developing a new strategy for Older People’s Services, which, at this time, is being drafted ready for presentation to Spelthorne Together for final approval at its Executive on 16 September 2008.

As part of the consultation process a presentation was given to the Improvement and Development Committee on 1 July 2008. The recommendations put forward by this Committee go forward to the Executive. The recommendation agreed was to ask the Executive to engage with Transport for London regarding problems of access for older people on the buses. There was also the request to act on this issue prior to the 16 September Executive, if possible. As a result we will be writing to Transport for London to arrange to meet to try to resolve this issue to help older people, and people with disabilities, as soon as possible.”

**Under Standing Order 14, Councillor G.F. Trussler asked the following question:**

"I notice that a number of Councillors have put themselves down to speak at the inquiry into the Local Development Framework [LDF].

Would the Deputy Leader confirm that the LDF has been approved by the full Council and as such would he expect elected members to support our officers and not speak against the LDF?"

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

“On 2 September an examination hearing will commence in this Chamber into the Council’s new plan. The LDF sets out the blueprint for the Borough for the next 20 years. This document was approved by the Council in April 2007 and a re-advertised version was agreed February 2008.

Although the Liberal Democrats opposed this, it had the overwhelming democratic support from Members of this Council and officers will now present our position at the forthcoming examination.

Given Member’s support for the plan through the democratic decision of this Council there is no need for individual Councillors to have made representations to confirm their support.

It is regrettable that some Councillors have nevertheless objected to various parts of this plan and will be speaking against it. This is of particular concern given they chose not to contribute or raise most of their concerns in this Chamber or in the many Committee and Working Party meetings that were held, or even at earlier consultation stages.

I will leave it for others to decide the reasons behind this.”

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

“The Spelthorne Biodiversity Action Plan is to be welcomed for its habitat plans which cover floodplain grazing marsh, standing open water and reed beds, unimproved meadows and historic park land. The BAP also acknowledges the crucial role played by urban gardens for biodiversity. In paragraph 6.3 the Plan notes “There is particular pressure on previously developed or ‘brownfield’ sites, many of which have rich communities of plants and animals”. Current trends for the loss of gardens in Spelthorne to development and pressure from developers to convert

areas classified as Degraded Landscape (Spelthorne Borough Plan 2001) to housing allocations are in direct conflict with biodiversity objectives. Does the BAP provide any mechanism by which both these trends can be halted?"

**The Leader of the Council, Councillor J.D. Packman replied as follows:**

"Firstly could I remind Members of Spelthorne's longstanding and unwavering protection of the Green Belt. Despite developers wishing to build on some sites they will, as always, be strongly opposed by this Council, contrary to what some of your colleagues would have our residents believe.

Biodiversity is of course an important issue. That is why we have adopted an Action Plan. It is one of the many considerations we need to keep in mind when dealing with development proposals.

Around 60% of housing is on former employment sites. These often have extensive buildings and hard surfaces with little, if any, nature conservation value. New development on such sites provides the opportunity for gardens and landscaped areas and greater biodiversity. But, as highlighted by the growth in garden centres, many gardens are actually so well kept that they too can be quite sterile places for wildlife.

Our Local Development Framework has a policy to improve biodiversity through new development including proposals that might involve existing garden land. Along with the Biodiversity Action Plan, this provides an opportunity to make overall improvements across the Borough including making gardens more wildlife friendly.

Biodiversity needs to be considered across the whole borough. The action plan is just one of a number of ways the Council can restrict the loss of habitats that encourage wildlife.

I am aware of your particular interest in this subject Councillor Nichols and I thank you for that and hope that you will educate your fellow Councillors about what Biodiversity means."

**Under Standing Order 14, Councillor Mrs I. Napper asked the following question:**

"The Leader of the Council will no doubt be aware of the statistics regarding the survival rates for heart surgery patients at Ashford and St Peter's Hospitals NHS Trust and of the comments made by both the Trust and the Department of Health regarding the accuracy of the statistics on this.

Would the Leader agree with me that if, as is being claimed, the figures are not 'statistically significant' then their publication has merely caused unnecessary worry and concern to local residents and calls into question many of the statistics on health that the discredited Labour Government uses to try to defend their 11 wasted years?"

**Councillor Mrs. V.J. Leighton replied as follows:**

“As we know, public bodies are open to scrutiny and have their targets. Hospitals have their own targets of predicted survival rates for aneurysm or heart surgery.

In a newspaper article in the Surrey Herald on July 16 2008, Dr Mike Baxter did state that the issue here is that the numbers of patients involved is low and also a patient could have other health factors which means that his or her survival rate is lower for this reason.

Whether we like it or not, targets and figures are a fact of life and need to be published, but should always be treated with caution. In fact, the press article did allow St Peter’s Hospital NHS Trust to provide some clarity on the figures.

What is important though, is that we must continue to work to ensure that both Ashford and St Peter’s Hospitals via the NHS Trust continue to provide quality services to Spelthorne residents.”

**Under Standing Order 14, Councillor J.D. Pinkerton asked the following question:**

"Would the Leader please advise the Council of the present position regarding the Local Development Framework [LDF] and the issue of Green Belt? I am aware of certain anxious members of the community as a result of political literature which has been circulating in some areas of the Borough."

**The Chairman of the Planning Committee, Councillor E. O’Hara replied as follows:**

“The Local Development Framework sets out a very clear position that all new development must go in the urban area. It also identifies how this can be done.

There is no need to contemplate any development in the Green Belt or to change this Council’s longstanding and unwavering defence of the Green Belt in this Borough.

Developers have nevertheless put forward sites they would like released for development and, as required, we have notified residents so they can express their views.

Unfortunately, residents have been alarmed by some literature distributed by the party opposite suggesting this Council had changed its robust position in defending the Green Belt. This suggestion is totally untrue and has caused enormous and unnecessary concern to residents. The party opposite should be ashamed of themselves.

I am therefore, pleased to confirm this Council will continue to defend the Green Belt and there is absolutely no change in this Council’s strong and resolute position on this issue.”

**Under Standing Order 14, Councillor H.A. Thomson asked the following question:**

"Following the disturbing news this week that the Labour Government is abolishing the legal right of residents to have their rubbish collected by local councils – can the Portfolio Holder for Environment assure me that Spelthorne Council's determination to provide a continuing excellent recycling and rubbish collection service to the residents will not be affected?"

**The Leader of the Council, Councillor J.D. Packman replied as follows:**

"I want to send a very clear message to all residents in the Borough that this Council's Administration will continue to fulfil all of its statutory obligations and duties in relation to refuse and recycling. I can assure all residents that the Council will continue to provide the present excellent alternate weekly services for rubbish and recycling materials in the future."

**254/08 URGENT BUSINESS – APPOINTMENTS TO LALEHAM CHARITIES**

**RESOLVED** that Mr. Colin Squire and Mrs. Alma Burfoot be appointed as the Council Representative Trustees to the Laleham Charities, each for a four year term of office.

**COUNCILLOR CHRISTOPHER KUUN**

**Resolution Required  
Report of the Monitoring Officer  
EXECUTIVE SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents**

Not applicable.

**Purpose of Report**

To update Members on the absence of Councillor Christopher Kuun and to ask Council to give him permission for such absence.

**Key Issues**

Local Government Act 1972 - requirement of councillors to attend meetings.

**Financial Implications**

No direct financial implications arising from this report.

**Corporate Priority**

Not applicable.

**Recommendation:**

**That the Council resolves to further excuse the absence of Councillor Christopher Kuun, with the matter to be reviewed again at the February 2009 meeting of Council.**

**Contact: Michael Graham, Head of Corporate Governance, 01784 446227**

**Portfolio Holder: Not applicable**

## **MAIN REPORT**

### **1. BACKGROUND**

- 1.1 On 26 June 2008 I reported to Members that, Councillor Kuun was suffering from ill-health. At that meeting, Council resolved to “excuse the absence of Councillor Christopher Kuun from the 5<sup>th</sup> March onwards and that the matter be reviewed at [the] October meeting.”
- 1.2 Cllr Kuun is unfortunately still unwell and he continues to convalesce overseas. The latest information available is that he may be able to resume his duties early in the new year. In his absence Councillors Smith-Ainsley and McShane have assumed his ward responsibilities.

### **2. KEY ISSUES**

- 2.1 By virtue of the Local Government Act 1972, a councillor is obliged to attend meetings and any councillor who consistently fails to attend meetings within a six month period is automatically disqualified from membership. However there is an exception to this rule if, before the expiry of the six month period, the Council has resolved to excuse the attendance of the councillor, then the six month rule will not apply.
- 2.2 Council has so far excused the absence of Cllr Kuun from 5<sup>th</sup> March 2008. The matter is to be reviewed at this meeting.

### **3. PROPOSALS**

- 3.1 I put this report to Council with a simple recommendation that Councillor Kuun continues to be excused from meetings until the Council meeting in February 2009 when the matter can be reviewed again.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are none.

### **5. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 5.1 Identified within the report.

**Report Author: Michael Graham, Head of Corporate Governance**

#### **Background Papers:**

There are none

## **OFFICER DELEGATIONS - EMPLOYMENT MATTERS**

### **Resolution Required**

### **Report of the Head of Human Resources**

### **EXECUTIVE SUMMARY**

#### **How does the content of this report improve the quality of life of Borough Residents**

Having robust Officer Delegations, ensures that the services of the Council are provided by the most appropriate Officers and that they are in line with the rules set down by the Council with its Constitution.

#### **Purpose of Report**

To seek the approval of the Council on changes required to the employment policies and procedures and changes required to the Council's Constitution / Officer Delegations relating to personnel matters to reflect the Council's new Management structure.

#### **Key Issues**

- ⇒ Amendments to the Scheme of Delegations to Officers to reflect changes to the employment policies and procedures and changes to personnel matters to reflect the Council's Management restructure.

#### **Financial Implications**

There are none.

#### **Corporate Priorities:**

Developing Staff and Councillors; Effective Communications

#### **Officer Recommendations:**

**The Council is asked to agree:**

- (1) The updating of the employment policies, procedures and arrangements, as set out in paragraph 2 and Appendix A, to take account of the Council's new Management structure.**
- (2) That the Head of Corporate Governance be asked to incorporate relevant changes to the Council's Constitution relating to employment matters, as covered in paragraphs 3 to 6 and Appendix B.**

**Contact: Jan Hunt, Head of Human Resources, Tel: 01784 444264**

**Portfolio Holder: Councillor Michel Bouquet**



## MAIN REPORT

### 1. PURPOSE OF REPORT

To seek the approval of the Council on changes required to employment policies and procedures and changes to the constitution / delegations relating to personnel matters to reflect the restructure.

### 2. KEY ISSUE – EMPLOYMENT POLICIES AND PROCEDURES

- 2.1 Employment policies, procedures and arrangements are in place to deal with a range of employment situations and to enable managers to manage effectively. Spelthorne's scheme of delegations means that officers deal with the majority of employment matters, with only a few situations requiring Member involvement.
- 2.2 In some cases policies and procedures designate specific officers authorised to take action and these need to be updated to reflect the new structure and to enable sufficient senior staff to take action to ensure separation of investigation, hearing and appeal stages. The new Management Team structure will enable better coverage for dealing with the final stages of employment situations.
- 2.3 Employment policies and arrangements generally include an escalation of responsibility from the immediate manager, through the Head of Service to members of Management Team, with responsibility for investigations, hearings and appeals set out. Previously where responsibility was allotted to 'Directors' this meant the 2 Strategic Directors or the Chief Executive acting as director of his department. This now needs to be amended to include the Assistant Chief Executives as well as the Chief Executive and the Deputy Chief Executive.
- 2.4 In most cases matters are dealt with within the management structure of a particular service. The Chief Executive, Deputy Chief Executive and Assistant Chief Executives are all able to consider employment matters in any part of the Council, with the proviso that appeals should be heard by an independent person at the same or senior level as the person who took the original decision and, if possible, who was not involved in the original hearing or decision. In the case of matters originally considered by the Chief Executive, subsequent stages would be considered by the Deputy Chief Executive or one of the Assistant Chief Executives.
- 2.5 Authorisations for specific significant employment policies and procedures are shown in **Appendix A**.

### 3. KEY ISSUE – DELEGATED RESPONSIBILITY IN CONSULTATION WITH PORTFOLIO HOLDER / LEADER (CONSTITUTION)

- 3.1 Part 3a) of the Council Constitution refers to delegated responsibilities in consultation with portfolio holders or the leader of the council. Employment issues covered are in relation to discretionary compensation for severance and pension matters. Due to changes in pension scheme regulations and discretionary compensation regulations these have changed recently, but it is not clear whether these have been fully implemented, so required changes are confirmed here.
- 3.2 Using the version available for general reference (i.e. the one on the Council's Website) the following should be deleted:  
PH14 relating to 1999 regulations - no longer applicable and to be deleted

PH15 relating to added years on redundancy – no longer applicable and to be deleted

PH16 relating to early retirement and now replaced by pensions policy under the 2008 regs – no longer applicable and to be deleted

PH17 relating to discretions under the 1997 pension regs – no longer applicable and to be deleted

2.3 New Delegations have been agreed by Executive and these should be added:

1. Discretionary payments under the 2006 discretionary compensation regulations – agreed by Executive on 6 February 2007 with redundancy payments / compensation payments to be agreed by the Chief Executive in consultation with the Leader or the Chief Financial Officer in consultation with the Leader, as appropriate.
2. Pensions policies under the 2008 pension regulations in relation to increasing total membership / awarding additional pension / early payment of pension benefits – agreed by Executive on 27 March 2008 with decisions delegated to the Chief Executive in consultation with the Leader of the Council
3. Flexible retirement policy – agreed by Executive on 27 March 2008 with decisions relating to members of Management Team delegated to the Executive.

#### **4. KEY ISSUE – DELEGATIONS TO OFFICERS (CONSTITUTION)**

- 4.1 Delegations to officers are set out in Part 3b) with delegations number 7 relating to Personnel Matters. Some are overarching general delegations, others relate to specific topics. Delegations must ensure that Spelthorne is able to manage personnel issues efficiently without unnecessary bureaucracy.
- 4.2 Current delegations and suggested changes are at **Appendix B**.

#### **5. KEY ISSUE – RESPONSIBILITIES OF THE STAFF APPEALS COMMITTEE / APPOINTMENTS COMMITTEE (CONSTITUTION)**

- 5.1 Part 3 of the Constitution includes responsibility for functions and terms of reference for Committees. The Staff Appeals Committee is included and needs to be updated to reflect current position. The Appointments Committee is not currently included and it will be re-considered by Corporate Governance in due course as to whether this is required.
- 5.2 The Staff Appeals Committee meets only when required, with membership advised when required. The existing terms of reference are out of date and do not reflect current conditions of service or employment policies. The responsibilities should be updated as follows:  
  
To decide all appeals made by employees of the Council against dismissal, suspension or other disciplinary action in accordance with agreed local procedures, the relevant Scheme of Conditions of Service and officer employment rules.
- 5.3 The Appointments Committee is not included currently. Its membership is advised when appointments are made. It is responsible for arrangements for the recruitment and appointment of chief officers and other senior officers as set out in the Officer Employment Procedure Rules and for recommending appointments as Head of Paid Service (Chief Executive) to the full Council.

## **6. KEY ISSUE – OFFICER EMPLOYMENT PROCEDURE RULES (CONSTITUTION)**

- 4.1 Part 4 of the constitution deals with procedural rules, with Officer Employment Procedure Rules at 4(f), including the appointment of officers to posts above the salary level set out in delegations to officers. This level is currently above SM2 and, due to recent changes in conditions of service for service heads, therefore includes all appointments at head of service and management team.
- 4.2 When this level was originally set it covered management team posts, and those on Assistant Director pay rates (Assistant Chief Executives, Assistant Directors and Head of Direct Services) but not Heads of Service. The Management Team have taken the opportunity to review this.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are none.

## **8. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS AND RISKS**

- 8.1 Failure to update the Council's Constitution or employment arrangements to take account of the new Management structure could mean that Officers are unable to action issues as proper delegations are not in place / or could lead to a risk that employment actions taken under specific policies and procedures are open to challenge.
- 8.2 UNISON have been consulted on all the issues in this report.
- 8.3 All amendments to the Council's Constitution must be agreed by the full Council and for that reason this report is submitted to the Council for approval.

## **9. TIMETABLE FOR IMPLEMENTATION**

- 9.1 All Management Team members may be involved in taking action under Spelthorne's employment policies and procedures, as indicated, with effect from the approval by the Council on 30 October 2008.
- 9.2 Human Resources will update the employment policies and procedures and the information on SpelNet, as soon as possible after 30 October 2008.
- 9.3 Corporate Governance staff will, in due course, report further to the Council seeking authority to make additional updates to the Council's Constitution document to take account of the Council's new Management structure and any other changes required.

**Report Author: Jan Hunt, Head of Human Resources, Tel: 01784 444264**

**Background Papers: There Are None.**

## Employment policies, procedures and arrangements

## Appendix A

In all cases where policies, procedures and guidance refer to 'Management Team' this includes the Chief Executive, the Deputy Chief Executive and the Assistant Chief Executives.

In all cases where policies, procedures and guidance refer to 'Directors' or 'Strategic Directors' this should be interpreted as being the Chief Executive acting in his line management capacity, the Deputy Chief Executive and the Assistant Chief Executives.

Employment policies and procedures generally include escalation of responsibility from the immediate manager, through the Head of Service to members of Management Team, with responsibility for actions, investigation, hearings and appeals set out.

Appeals should be heard by an independent person at the same or senior level as the person who took the original decision and, if possible, who was not involved in the original hearing or decision. In the case of matters originally considered by the Chief Executive, subsequent stages would be considered by the Deputy Chief Executive or one of the Assistant Chief Executives.

Significant authorisations are listed below:

<b>Policy and responsibility</b>	<b>Current authorisation</b>	<b>Authorisation to be</b>
<b>Management of Absence Policy</b> Responsibility for contractual reviews which may lead to dismissal	Director or Head of Direct Services	Chief Executive, Deputy Chief Executive, Assistant Chief Executive or Head of Streetscene
<b>Guidelines for Consultation</b> Responsibility for consultation, including with Trades Unions, providing copies of reports to TU reps, reporting to MAT/Executive	Heads of Service and Directors	Chief Executive, Deputy Chief Executive, Assistant Chief Executive or Heads of Service
<b>Guide to Dismissal</b> Who is authorised to dismiss staff (including during probation and end of fixed term contracts)	Directors and Head of Direct Services	Chief Executive, Deputy Chief Executive, Assistant Chief Executive or Head of Streetscene

<b>Policy and responsibility</b>	<b>Current authorisation</b>	<b>Authorisation to be</b>
<b>Disciplinary Procedure</b> <ol style="list-style-type: none"> <li>1. Suspension</li> <li>2. Nominating independent managers to act as Chair of Disciplinary panel</li> <li>3. Dismissal</li> </ol>	<ol style="list-style-type: none"> <li>1. Directors and Head of Direct Services</li> <li>2. Directors</li>   <li>3. Chief Executive, Directors, Head of Direct Services</li> </ol>	<ol style="list-style-type: none"> <li>1. Chief Executive, Deputy Chief Executive, Assistant Chief Executives and Head of Streetscene</li> <li>2. Chief Executive, Deputy Chief Executive or Assistant Chief Executive</li> <li>3. Chief Executive, Deputy Chief Executive, Assistant Chief Executive, Head of Streetscene</li> </ol>
<b>Employment Continuity Policy</b> <ol style="list-style-type: none"> <li>1. Redundancy selection criteria</li>   <li>2. Appeals against selection</li> </ol>	<ol style="list-style-type: none"> <li>1. Service Heads and/or Director</li>   <li>2. Director or Chief Executive where Director has been involved in selection decision</li> </ol>	<ol style="list-style-type: none"> <li>1. Appropriate Head of Service and/or Chief Executive / Deputy Chief Executive / Assistant Chief Executive</li> <li>2. Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate</li> </ol>
<b>Grievance procedure</b> Appeals against response to grievances	Director or Chief Executive (as appropriate)	Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate
<b>Dealing with Harassment and Bullying</b> Nominating a manager to investigate complaints and considering reports after investigation to decide on further action	Director	Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate
<b>Homeworking Policy</b> <ol style="list-style-type: none"> <li>1. Homeworking</li> <li>2. Homeworking as regular part of working week</li> <li>3. Homeworking for Head of Service</li> </ol>	<ol style="list-style-type: none"> <li>1. Head of service</li> <li>2. Director</li> <li>3. Director</li> </ol>	<ol style="list-style-type: none"> <li>1. Head of service</li> <li>2 and 3. Chief Executive, Deputy Chief Executive, Assistant Chief Executive as appropriate</li> </ol>

Policy and responsibility	Current authorisation	Authorisation to be
<p><b>Regrading Procedure</b></p> <ol style="list-style-type: none"> <li>1. Management review of grades</li> <li>2. Regrading vacant posts to a lower grade</li> <li>3. Individual requests for regrading</li> <li>4. Appeals</li> </ol> <p>Regrading procedure is likely to be revised following the work of the Grading Review Group</p>	<ol style="list-style-type: none"> <li>1. Heads of service to discuss with Directors with report to MAT if recommending upgrading</li> <li>2. Director in consultation with CX</li> <li>3. Directors to consider with report to MAT if regrading is supported</li> <li>4. Chief Executive</li> </ol>	<ol style="list-style-type: none"> <li>1. Heads of Service to discuss with Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate, with report to MAT if recommending upgrading</li> <li>2. Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate</li> <li>3. Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate, with report to MAT if recommending upgrading</li> <li>4. Chief Executive, Deputy Chief Executive or Assistant Chief Executive as appropriate</li> </ol>

**August 2008**

## Delegations to Officers – Personnel Matters

## Appendix B

### Council Constitution – Part 3 Responsibilities for functions 3 b Delegations to Officers

<b>7 PERSONNEL MATTERS</b>	<b>Existing</b>	<b>Revised</b>
<b>Column 1 – Function</b>	<b>Column 2 – Authorised Officer</b>	<b>Column 2 – Authorised Officer</b>
7.1 To give approval to services to advertise or to fill a staffing vacancy	Relevant Strategic Director after consultation with the Chief Executive.	Chief Executive, Deputy Chief Executive or Assistant Chief Executive
7.2 Within staffing budgets and overall management structure to approve all matters relating to the organisation, appointment (other than appointments above grade SM2) and management of staff in accordance with the Council's staff policies and procedures  <i>Is the grade level right? Members appointments above the level specified</i>	Relevant Strategic Director or Head of Direct Services after consultation with the Chief Executive	Chief Executive, Deputy Chief Executive, Assistant Chief Executive or Head of Streetscene
7.3 To implement national <i>and local</i> awards affecting salaries and conditions of service	Strategic Director (Support)	Assistant Chief Executive
7.4 To authorise expenditure (in advance) in respect of hospitality to visiting professional people and other local authority officers at meetings in connection with official duties	Chief Executive or relevant Strategic Director	Chief Executive, Deputy Chief Executive or Assistant Chief Executive
7.5 To administer the Council's car loan scheme and car lease scheme	Strategic Director (Support)	Chief Finance Officer

7.6 To administer the staff suggestion scheme including decisions on suggestions	Chief Executive	Unchanged
7.7 To agree redundancy payments under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) regulations 2006 in cases approved by Management Team	Chief Executive	This is now replaced by the delegation to CX in consultation with the Leader
Existing 7.8/7.9/7.10 no longer apply as pension regulations have changed		
7.11 To draw up a job and person specification, circulate details and shortlist applicants in accordance with Council procedures	Relevant Head of Service or relevant team leader	Unchanged
7.12 To arrange attendance of members on training courses	Chief Executive or Assistant Chief Executive (People and Partnerships)	Chief Executive or Assistant Chief Executive



## RECOMMENDATIONS OF THE EXECUTIVE

### 1. DEBT RECOVERY PROJECT DELEGATIONS

1.1 The Executive have considered a report identifying for Members various options that would help the Council to eliminate inefficient debt management processes, double handling, misunderstanding and delay and would facilitate the better use of Spelthorne Officer and staff resources.

1.2 **The Executive recommend that the Council agree to an amendment to the Council's Constitution – Delegations to Officers, as follows:**

**“That Delegation to Officers 6.17 be updated to confirm that the Revenues Manager has delegated authority to write off Council Tax up to £3,000 and Business Rates debts up to £6,000; and that the Heads of Housing Options and Housing Benefits have the delegated authority to write off Housing benefits debts up to £3,000.”**

Councillor John Packman  
*Leader of the Council*

30 October 2008

**CHANGES TO THE COUNCIL CONSTITUTION  
Recommendations from the Standards Committee**

**Council 30 October 2008**

**For Resolution**

**Report of the Monitoring Officer**

**EXECUTIVE SUMMARY**

**How does the content of this report improve the quality of life of Borough Residents**

Does not affect quality of life for residents.

**Purpose of Report**

This report outlines the revised arrangements and procedures for the Standards Committee in response to the new ethical standards framework introduced by the Local Government and Public Involvement in Health Act 2007 and associated regulations. This includes arrangements for dealing with the Committee's new responsibilities for making initial assessments of complaints about the conduct of councillors.

**Key Issues**

- ⇒ Ethical Governance
- ⇒ Member Code of Conduct
- ⇒ Local Government and Public Involvement in Health Act 2007

**Financial Implications**

No direct financial implications arising from this report.

**Corporate Priority**

Not appropriate.

**Recommendations from the Standards Committee on 30 July 2008:**

Article 9 and other consequential changes to the Constitution be made:

- (i) To increase the size of the committee from 7 to 8 to enable a member of the Executive to be appointed on to the Standards Committee, with the current members continuing to serve on the committee;
- (ii) To establish the following three sub committees to assess, review and determine complaints against councillors under the Code of Conduct

*Standards (Assessment) Sub Committee* – To make initial assessments of allegations of misconduct by Borough Councillors.

*Standards (Review) Sub Committee* – At the request of a complainant, to review any decision of the Standards (Assessment) Sub Committee to take no action in relation to an allegation of misconduct by Borough Councillors.

*Standards (**Determination**) Sub Committee* – To determine complaints about the conduct of Borough Councillors and, where appropriate, to impose sanctions.

- (iii) All members of the Standards Committee be eligible to serve on a sub committee and delegated authority be given to the Monitoring Officer, in consultation with the Chairman of the Standards Committee, to select members in accordance with the regulations to serve on the three sub committees on a case by case basis; and
- (iv) Any sub committee must be chaired by an Independent member and at least three members must be present at any meeting, including at least one borough councillor but preferably two.

**Further resolution required:**

If the Council accepts the recommendations of the Standards Committee (above) it then needs to:

- (a) Nominate a member of the Executive to serve as an additional member of the Standards Committee. It is proposed that Councillor Colin Davis be nominated as the Executive Portfolio Holder for Regeneration (with responsibility for Standards in Public Life to be included within that Portfolio).
- (b) Authorise the Monitoring Officer to make such consequential amendments to the Council's Constitution as are necessary to reflect the revised membership of the Standards Committee.

**Contact: Michael Graham, Head of Corporate Governance, Tel: 01784 446227**

## MAIN REPORT

### 1. BACKGROUND

- 1.1 The Local Government and Public Involvement in Health Act 2007 provides for a revised ethical standards regime for local government. This introduces a more locally based decision-making framework for the investigation and determination of all but the most serious of misconduct allegations against councillors. Local standards committees will make initial assessments of misconduct allegations, as well as undertaking most investigations and determination of cases.
- 1.2 The Government published the Standards Committee (England) Regulations 2008 on 17 April 2008, which brought the new arrangements into effect from 8 May 2008.
- 1.3 The Standards Committee received a report about the legislative changes on 30 July 2008 and has made recommendations to Council about changes to the Constitution. This is in accordance with its remit. This report now summarises the principal changes introduced by the regulations and reports on the recommended revised procedures to meet the legislative requirements.

### 2. KEY ISSUES

#### Composition of Standards Committees

- 2.1 The regulations require that the Council's Standards Committee must comprise:
  - (a) at least 25% independent members;
  - (b) no more than one member of the Executive; and
  - (c) at least two parish council representatives (which is not applicable to Spelthorne).
- 2.2 The regulations also set out various provisions relating to the recruitment and appointment of independent members.
- 2.3 A change is required to the Council's Constitution to require that one Member of the Executive is now appointed to the Standards Committee.

#### Chairman and Vice-Chairman of Standards Committees

- 2.4 Section 187 of the Local Government and Public Involvement in Health Act 2007, which came into force on 1 April 2008, requires that this Committee is chaired by an Independent Member. However no changes are required to the constitution as Spelthorne Borough Council has always appointed its Independent Members as the Chairman and Vice-Chairman of the Standards Committee.

#### Establishment of Sub-Committees

- 2.5 In order to undertake their new functions in relation to the initial assessment of complaints, standards committees will need to have a clear operational structure. The regulations require the creation of sub-committees so that the separate functions involved can be appropriately discharged, namely:
  - 2.6 (a) the initial **assessment** of a misconduct allegation;
  - 2.7 (b) the determination of a request from a complainant to **review** a decision to take no action in relation to an allegation; and

- 2.8 (c) any subsequent hearing to **determine** whether a councillor has breached the code and, where appropriate, impose a sanction.
- 2.9 A member of a standards committee who has taken part in decision-making on the initial assessment of an allegation is prohibited from being involved in the consideration of any subsequent request from the complainant for a review of a decision to take no action. However, members who have been involved in the initial assessment of a misconduct allegation, or a review of the committee's previous decision to take no action, are not prohibited from taking part in any subsequent hearing to determine whether that matter constituted a breach of the code of conduct and, if so, whether any sanction is appropriate.
- 2.10 Any sub-committee must be chaired by an independent member and at least three members must be present at any meeting, including at least one borough councillor.
- 2.11 In order to meet these new requirements, it is recommended that the Constitution of the Council be amended to allow for three sub-committees as follows (with the terms of reference shown) to carry out functions in relation to allegations of misconduct:
- (a) Standards (Assessment) Sub-Committee**  
To make initial assessments of allegations of misconduct by Borough Councillors.
- (b) Standards (Review) Sub-Committee**  
At the request of a complainant, to review any decision of the Standards (Assessment) Sub-Committee to take no action in relation to an allegation of misconduct by Borough Councillors.
- (c) Standards (Determination) Sub-Committee**  
To determine complaints about the conduct of Borough Councillors and, where appropriate, to impose sanctions.
- 2.12 It is proposed that each of the sub-committees should comprise three members of the Committee, including an independent chairman and at least one, but preferably two, borough councillors in all cases. It is also recommended that the Monitoring Officer should be authorised to determine the membership of each sub-committee as required drawing from the membership of the Standards Committee on a "panel" basis.

### **3. PROPOSALS**

- 3.1 This report recommends a number of changes to the Council's arrangements for dealing with complaints about the conduct of borough councillors in order to comply with the requirements of the Local Government and Public Involvement in Health Act 2007 and associated regulations.
- 3.2 Detailed procedures for hearings and investigations have also been developed in the light of guidance published by the Standards Board for England and these were the subject of a report to the Standards Committee in September 2008. In accordance with a request from the Standards Committee to illustrate how the new system will work a simple flow chart is attached at **APPENDIX A** (for information only) showing how the new sub-committees will work.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 No direct financial implications arising from this report. The impact of the new arrangements on the workload of the Committee, particularly the Chairman, and support officers is impossible to gauge at this stage. It should be noted that since its inception, the Standards Committee has never had to determine any complaint of misconduct. Therefore it may be expected that the workload of the Committee is not going to be unduly stretched with the arrival of this new framework. However, the introduction of the new locally-based framework and associated publicity may lead to increased activity and this will need to be monitored carefully.

#### **5. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS**

- 5.1 Considered in the report.

#### **6. RISKS AND HOW THEY WILL BE MITIGATED**

- 6.1 None identified.

#### **7. TIMETABLE FOR IMPLEMENTATION**

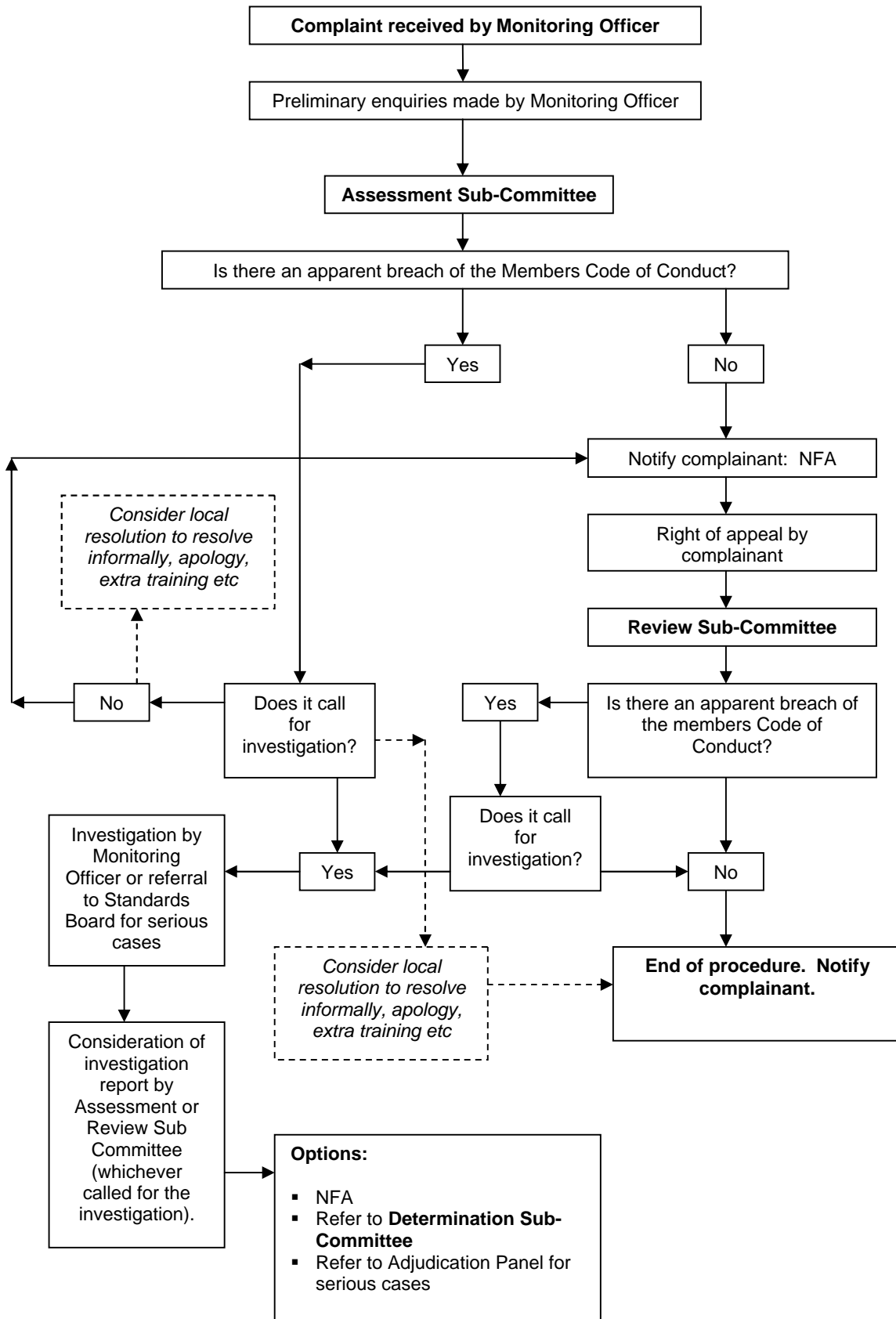
- 7.1 Should the proposal be accepted changes to the Council's Constitution will take affect immediately.

**Report Author: Michael Graham, Head of Corporate Governance, 01784 446227**

#### **Background Papers:**

Report to Standards Committee 30 July 2008 – details of the new legal framework  
Report to Standards Committee 23 September 2008 – details of new working procedures

**For information – Assessment of Complaints under the Code of Conduct**



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

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

This report is an overview of some of the more important issues that we have discussed at our meetings on 16 September 2008 and 21 October 2008.

We have made a separate recommendation to the Council on one issue which appears earlier on this Agenda.

### **1. SPELTHORNE YOUTH STRATEGY 2008-2012**

We have considered a report seeking the approval of Members on the Spelthorne Youth Strategy 2008 – 2012 which is a strategy for both Spelthorne Council and for Spelthorne Together. The Youth Strategy will support the development of young people and the safety of young people and will provide a range of activities for them to participate in and this should potentially help reduce crime in the Borough.

We have approved the Spelthorne Youth Strategy 2008 – 2012, as presented to the Executive.

### **2. SELF MANAGEMENT OF BOWLS CLUBS**

We have considered a report updating Members on the progress to date on self-management of Bowls Clubs and seeking formal authority for the Officers to proceed with this self-management option. It is anticipated that under self-management the Bowls Clubs will be able to utilise the facilities more, to enhance their arrangements for casual use and this will have the benefit of greater use and extra security in the parks. Evidence has also shown that groups which directly manage their sites have a personal interest and therefore the standards can be better.

We have agreed that the Officers proceed with self-management of the Bowls Clubs at Bishop Duppas, Stanwell and Staines Park in the 2009-2010 season and continue working with the Bowls Clubs at Fordbridge to achieve self-management in the 2010-2011 season.

We have further agreed that as part of the self-management option, each Bowls Club be encouraged to invite a Council Member representative to serve on their individual Management Committee, in particular to assist them with future fund raising activities and initiatives.

### **3. BUSINESS IMPROVEMENT PROGRAMME PROGRESS REPORT**

We have considered a report providing Members with an update on the progress of the Council's Business Improvement Programme. The report explains that, by maximising business improvement efficiencies, the Council has been able to maintain service standards and redirect savings towards investment in the provision of services to local residents. In addition, the Council is now half way through the third year of the three



year Business Improvement Programme of reviews and the Authority is on track to achieve the level of savings originally identified.

We have noted the progress to date on the Council's Business Improvement Programme of reviews.

**4. THE SOUTH EAST PLAN**

We have considered a report setting out a recommended response to the current consultation on the draft South East Plan, to ensure that it provides an appropriate Regional Planning context for future Development Plans proposed by the Borough Council.

One of the key issues we have considered is whether the South East Plan sets an appropriate housing requirement for the Borough and if the other policies of the Plan are acceptable.

We have agreed that no further representations be made on the South East Plan.

**5. A STRATEGY FOR OLDER PEOPLE'S SERVICES IN SPELTHORNE 2008-2012**

We have considered a report on a Strategy for Older People's Services In Spelthorne 2008-2012 that provides the opportunity for different Agencies to work together to improve the social, physical and mental wellbeing of older people who live in the Borough of Spelthorne.

In reviewing the priorities for the Council, Older people (especially the frailer older person) are identified as important and as a key priority of the Council. Spelthorne Together (Local Strategic Partnership) has also identified supporting older people to remain independent in their own homes as one of the three priorities of the Health and Wellbeing theme of the Community Plan.

We have approved the Strategy for Older People's Services in Spelthorne 2008-2012 (Supporting Independence for Older People in Spelthorne) for immediate implementation.

Councillor John Packman  
*Leader of the Council*

**30 October 2008**

## **REPORT OF THE CHAIRMAN OF THE LICENSING COMMITTEE**

There has been one Licensing Committee and six Licensing Sub-Committee meetings since my last report to the Council.

Their work is set out below.

### **Licensing Sub-Committee - 4 August 2008: Variation of a Premises Licence**

A Sub-Committee considered and granted an application to remove a condition on a Premises Licence at Cheers Wine Store, 15 Station Approach, Ashford.

### **Licensing Sub-Committee - 11 August 2008: Application for a Premises Licence**

A Sub-Committee considered an application for a Premises License in respect of 7 Denman Drive, Ashford.

The application was granted subject to modification of hours and conditions.

### **Licensing Committee - 13 August 2008:**

#### **1. Consultation on Lap Dancing Establishments**

The Committee considered a letter from the Department for Culture, Media and Sport which sought views from local authorities outside London on whether there were sufficient controls on lap dancing establishments.

The Committee agreed the contents of a draft response to the consultation.

#### **2. Licensing Act 2003 Case Law following Judicial Review**

The Committee considered and noted a report which gave details of a High Court decision and how this might affect the work of Licensing Sub-Committees.

#### **3. Work and Decisions of Licensing Sub-Committees**

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

### **Licensing Sub-Committee - 1 September 2008: Application to renew Private Hire Driver and Hackney Carriage Driver Licences**

A Licensing Sub-Committee considered and refused an application to renew private hire driver and hackney carriage driver licences as it found the applicant not to be a fit and proper person to hold such licenses.

**Licensing Sub-Committee - 18 September 2008:  
Application for a Variation to a Premises Licence**

This was a re-convened Sub-Committee hearing adjourned from the 17 June 2008 in order to allow the applicant, Greene King Retailing Ltd., to consult the representees on their proposal to vary the Premises Licence in respect of The Oaks, 77 Feltham Road, Ashford.

The Sub-Committee refused to grant the variation and modified the conditions of the Licence.

**Licensing Sub-Committee - 22 September 2008:  
Application for a Premises Licence**

A Sub-Committee considered and granted an application for a Premises Licence in respect of Stanwell Mini Market, 31 High Street, Stanwell.

**Licensing Sub-Committee - 7 October 2008:  
Application for a Review of a Premises Licence**

A Sub-Committee heard an application for review of a Premises Licence, called by residents, in respect of The Jolly Butcher Public House, 174 Kingston Road, Staines.

The application was successful and the Sub-Committee revoked the Premises Licence.

Councillor Robin Sider  
*Chairman of the Licensing Committee*

**30 October 2008**

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

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

### **1. PROPOSED GP LED HEALTH CENTRE AT ASHFORD HOSPITAL**

- 1.1 Due to the numerous concerns members had received from residents about the impact the proposed Spelthorne GP led health centre at Ashford Hospital may have on our current local health services we held a special meeting on 24 September 2008 to formally consider the matter.
- 1.2 To assist the committee in the examination I had firstly invited residents to submit their questions/concerns on the matter which would be raised at the meeting via members of the committee.
- 1.3 To further assist in the examination of the plans to introduce a new GP led health centre and the impact the centre could have on existing services the committee specifically received information from:
  - Spelthorne Borough Councillor Mrs Vivienne Leighton, the Portfolio Holder for Health and Independent Living
  - Surrey County Councillor Mrs Denise Saliagopoulos
  - Mr Paul Bennett the Deputy Chief Executive from the Surrey Primary Care Trust and other representative from the Trust who gave a presentation
  - Mr Richard Brown the Medical Director from Surrey and Sussex Local Medical Council who reported on the views of the local doctors
- 1.4 Following these presentations the committee raised questions based on the questions/concerns received from our residents. To enable a focus to be given to this aspect of the meeting the questions had been split into three main areas of:
  - Costs and benefits of the new GP led Health Centre
  - Arrangements and facilities at the new GP led Health Centre
  - Impact on the present Health Centres in Spelthorne.
- 1.5 Over 100 residents attended this meeting to hear the debate on the matter. Details of the findings together with the answers to the questions raised by our residents are available on our website and have been sent to those members of the public who raised questions and attended the meeting.
- 1.6 The Committee in coming to its conclusions noted the assurances given at the meeting by the Surrey Primary Care Trust that:
  1. The GP led Health Centre would be paid for with 'new' money and not taken away from other health services;
  2. There would be no adverse effect on the existing excellent health provisions; and

3. The Stanwell Health and Community Centre would go ahead as planned.
- 1.7 On the basis of these three assurances the Committee recommended to the Executive that the proposal to situate a new GP Led Health Centre at Ashford Hospital be welcomed. The Executive at its meeting on 21 October considered this recommendation.
- 1.8 This Scrutiny committee represents the residents and is here to hold decision makers to account on their behalf and I believe that this is a good example of that commitment. Our concern was to support the provision of health services for our residents and we will be watching developments closely to see that the Primary Care Trust fulfils our expectations.
- 1.9 Finally I would like to place on record our thanks and appreciation to our residents for submitting questions outlining their concerns and for showing their support by attending the meeting.

## **2. FINANCIAL ISSUES**

- 2.1 The Committee received two financial reports setting out the projected position for both revenue and capital expenditure for 2008/2009. Due to the economic climate faced by the council the committee agreed that a special meeting be called to explore the use of reserves further. The Portfolio Holder for Corporate Services will be invited to attend this meeting and take part in the discussion. Members will be notified of the meeting as soon as final arrangements have been made.

## **3. TASK GROUPS**

- 3.1 The various task groups are continuing and at the meeting on 9 September 2008 we received two progress reports. The first was from Councillor Miss Hyams the Lead Member of the Ground Maintenance Task Group. The second report was from Councillor Mrs Rough the Lead Member of the Area Profile Task Group.

## **4. SURVEY OF YOUNG PEOPLE**

- 4.1 The Committee discussed and noted the key findings of the 2008 survey of young people. The survey was undertaken to assist in measuring and track changes in perception not only against the four priority areas of Safety, transport, facilities/ activities and information but also sport and art activities. The information obtained also assisted in the preparation of our Youth Strategy.

## **5. EFFECTIVE COMMUNICATION**

- 5.1 The Committee received a presentation and discussed the key issues on the outcome of the consultation with residents on communication issues.

## **6. PERFORMANCE INDICATORS**

- 6.1 The committee discussed with the Assistant Chief Executive the new performance framework which had been introduced under the Local Government and Public Involvement in Health Act 2007. The framework had removed the requirement for local authorities to collect and report Best Value Performance Indicators.

6.2 During the discussion we noted that this Council would have 60 national indicators with the council supplying direct information on 49 of these indicators and other organisations such as the Environment Agency providing information on the other 11 Indicators.

**7. GENERAL ARRANGEMENTS**

7.1 This Committee over the coming months will be looking at our partnership working arrangements with all types of organisations across the Borough. In doing so the committee recognises the importance of such partnerships and the role they play not only in the regeneration and the economy of the borough but also the importance the businesses play in the future success of Spelthorne. The first of such Partners will be the Chamber of Commerce who have been invited to attend the meeting on 2 December 2008.

Councillor Ms. Philippa Broom

*Chairman of the Performance Management and Review Committee*    **30 October 2008**

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

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

The meeting which took place on **23 July 2008** dealt with 14 items. Public speaking took place on 5 items with 5 persons taking the opportunity to address the Committee.

The most notable items on the Agenda were:

- The granting of permission for a new College building at Brooklands College, Church Road, Ashford. Outline Permission was also granted for the erection of a block 34 flats to the rear of the College.
- Two alternative planning application proposing the erection of 11 and 13 flats in a 3 storey block at 8 -12 Clarendon Road, Ashford were also refused.

The meeting which took place on **20 August 2008** considered 11 items. Public speaking took place on 7 items with 7 people taking the opportunity to address the Committee.

The most notable items on the Agenda were:

- The refusal of permission for the erection of 299 dwellings on Green Belt land in Long Lane, Stanwell.
- The refusal of permission for the erection of 8 houses in two blocks at 27-31 The Drive, Ashford.
- The approval of the erection of a four storey building comprising offices and a Class A2 use at 25-27 Clarence Street, Staines.

The meeting which took place on **17 September 2008** considered 12 items. Public speaking took place on 4 items with 6 people taking the opportunity to address the Committee.

The most notable items on the Agenda were:

- The granting of permission for the refurbishment, extension, and change of use of the Chubb building and adjacent podium building at Sunbury Cross to a 135 bed hotel and additional office space.
- The erection of a block of 8 flats for people with special needs at 75 Kingston Road, Staines.

## **Agenda Item: 17**

The meeting which took place on **15 October 2008** dealt with 16 items. Public speaking took place on 5 of those items with 4 people taking the opportunity to address the Committee.

The most notable items on the Agenda were:

- The granting of permission for 24 hour opening on Mondays to Saturdays at the Tesco Store, Sunbury.
- The erection of extensions to Stanwell Hall Hotel, Town Lane, Stanwell to provide a further 33 bedrooms.
- Authority was also given at the meeting for the serving of 4 Enforcement Notices relating to unauthorised development on sites in the Borough.

Councillor John O'Hara  
*Chairman of the Planning Committee*

**30 October 2008**



## REPORT OF THE CHAIRMAN ON THE WORK OF THE STANDARDS COMMITTEE

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

### 1. ANNUAL LETTER – LOCAL GOVERNMENT OMBUDSMAN

- 1.1. The Committee discussed the annual letter from the Local Government Ombudsman, which provides statistical information and summarises the complaints received on this authority. The Committee was pleased to note the continuous success of the Council to receive a low level of complaints which was very few compared to the number of decisions the Council takes on behalf of residents each year. The committee asked that I send a copy of the report from the Ombudsman to all members and Management Team which I undertook to do at the beginning of August.

### 2. NEW LOCAL ASSESSMENT FRAMEWORK

- 2.1. The Committee have dealt with the revised arrangements and procedures for this committee in response to the new ethical standards framework introduced by the Local Government and Public Involvement in Health Act 2007 and associated regulations at two meetings. The detailed recommendations from these meetings were considered earlier this evening, therefore in my report I have only given a brief overview of the changes.
- 2.2. At the first meeting held on 30 July 2008 the committee discussed mainly the changes needed to the Constitution to meet the requirement of the new ethical framework and included:
- 2.3. The need to increase the membership of the Committee to enable a member of the Executive to serve on this Committee.
- 2.4. The establishment of three sub committees as follows:
  - Standards (Assessment) Sub Committee* – To make initial assessments of allegations of misconduct by Borough Councillors.
  - Standards (Review) Sub Committee* – At the request of a complainant, to review any decision of the Standards (Assessment) Sub Committee to take no action in relation to an allegation of misconduct by Borough Councillors.
  - Standards (Determination) Sub Committee* – To determine complaints about the conduct of Borough Councillors and, where appropriate, to impose sanctions.
- 2.5. Members may be interested to know that the new regulations do not allow members who served on the initial Assessment Sub Committee to serve on the Review Sub Committee but could serve on the Determination Sub Committee.
- 2.6. At the meeting on 23 September 2008 the Committee received, as requested, a report from the Monitoring Officer on revised procedures for the assessment, investigation and determination of complaints in the light of guidance published by the Standards Board for England and again the findings of the committee was recommended to you earlier this evening.

## **Agenda Item: 18**

2.7. One aspect the new regulations do not cover is joint working between authorities and which the Committee has shown support for in the past. However it is understood that the government plan to issue more regulations in the future to provide a framework for authorities to work jointly on the assessment, referral, investigation and hearing of complaints of misconduct by members.

### **3. TRAINING CODE OF CONDUCT FOR MEMBERS**

The revised Code of Conduct for Members was introduced from 1 October 2007 and since that time the Monitoring Officer has arranged on periodical basis training for all members. I would remind members, particularly those who have not attended a training session recently to do so.

### **4. REVIEW OF THE PLANNING CODE**

The Committee on 23 September 2008 discussed the current planning code and agreed that a further review was warranted, as there might be areas in which it could be supplemented or improved. The Chairman of the Planning Committee put forward various suggested alterations to the code, which he felt would assist him in the conduct of meetings and would help members of the Planning Committee in their work. The Committee in considering possible alterations to the code felt that it would be appropriate to obtain the views of the Planning Committee prior to making any decision.

The Monitoring is currently preparing a revised draft of the code containing additional commentary and suggested alterations for circulation to Committee members and the Planning Committee for their views, prior to further consideration by the Standards Committee at a meeting to be arranged in November/December 2008.

Councillor Colin Davis

[Executive Portfolio Holder for Regeneration]

*On behalf of Murray Litvak, Chairman of the Standards Committee*

**30 October 2008**