

**Minutes of the Council Meeting of Spelthorne Borough Council held in
the Council Chamber, Council Offices, Knowle Green, Staines on
Thursday 19 July 2012 at 7.30pm**

Present:

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

M. Litvak – Chairman of the Members’ Code of Conduct Committee

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

Apologies: Councillors S.E.W Budd, Mrs J.A. Dale, C.A. Davis, Mrs M.J. Madams, Mrs J.M. Pinkerton and Mrs C.L. Spencer and Miss Sue Faulkner, Vice-Chairman of the Members’ Code of Conduct Committee.

189/12 Minutes

The minutes of the Annual Council meeting held on 24 May 2012 were approved as a correct record. The minutes of the Extraordinary Council meeting held on 27 June 2012, were approved as a correct record, subject to the inclusion of Councillors Bushnell, Madams and Strong in the list of those in attendance at the meeting.

190/12 Disclosures of Interest

There were none.

191/12 Announcements from the Mayor

Surrey Youth Games successes

The Mayor extended a special welcome to the young people who were in attendance at the meeting.

He informed the Council that he had been privileged to watch 150 young people from Spelthorne take part in the annual Proctor and Gamble Surrey Youth Games, at the Surrey Sports Park in Guildford on 16th and 17th June. There were some fantastic performances across a number of sports, with Spelthorne winning 1 gold, 1 silver and 3 bronze medals.

Spelthorne’s senior squash team won gold for the 2nd year running, the Boccia team won a silver medal (Boccia is a Paralympic sport) and bronze

medals were awarded to the under 11 girls' football team, the senior badminton team and the junior squash team. Representatives of the squash and football squads were present at the meeting, along with their coaches, volunteers and parents.

A number of swimmers secured 1st place in their chosen individual heats and an individual gold medal was won in Judo.

All of Spelthorne's competitors received between 6 and 10 weeks coaching in the run-up to the games, from coaches and volunteers across Spelthorne. The Mayor expressed the hope that as a result of the coaching and the competition weekend that many of the young people involved would join local sports clubs.

The Mayor thanked the sports coaches and sports volunteers for their commitment year after year to support the young people during training and at the final competition. He also noted that the event would not happen without the valuable support of the parents and carers who took the young people to training, and the competition.

The Mayor mentioned Claire Moore from Leisure Services, who co-ordinated the Spelthorne entry and put in a huge amount of work liaising with the coaches, volunteers and parents during the lead up to the games and during the competition.

Councillors v Officers Bowls Match

The Mayor announced the success of the councillors' bowls team in winning the coveted trophy from the officers, in a fiercely contested match, for the first time in many years. He thanked all those who took part and particularly Councillor Bushnell for organising the event.

Mayoral Events

The Mayor thanked those who had attended his Civic Service and the Mama Mia dining event. He invited members to join him at two more dining events; one on 24 October at the Red Lion in Thorpe and one on 24 November at the Stanwell Hall Hotel.

192/12 Announcements from the Leader

Charter for Elected Member Development

The Leader announced that, following a mid-term review of Spelthorne's arrangements for member development, South East Employers had confirmed that Spelthorne continued to meet and progress against the Charter for Elected Member Development. The Charter accreditation ran up to November 2013. There was no cost to the mid-term review as the process had been simplified to a short report and follow-up telephone conversation. The Leader congratulated everyone who was involved in the review.

Sunbury Walled Garden – Green Flag Award

The Leader announced that Sunbury Walled Garden in Lower Sunbury had won the prestigious Green Flag Award for the second year running.

The Walled Garden was one of a number of parks and green spaces in the UK which had received the Green Flag Award.

The Award recognised the Walled Garden as being well-maintained and well-managed with excellent facilities. It also provided national recognition for the achievements of those whose hard work and dedication had helped create a fantastic place for all to enjoy.

The Leader encouraged everyone to visit the Garden and see for themselves the hard work and attention to detail, which had resulted in this award being won two years in a row.

193/12 Announcements from the Chief Executive

There were none.

194/12 Questions from Members of the Public

The Mayor reported that under Standing Order 13, two questions had been received from members of the public; Mr A. McLuskey and Mr R. Borland.

1) Question from Mr A. McLuskey:

“Can the Leader explain why - contrary to the explicit conditions attached to the planning consent given for housing development in Diamedes Avenue in Stanwell- residents have been moved in BEFORE the proposed communal area between the existing block of flats, and the proposed landscaped areas, as shown on the submitted plans, have been laid out and completed or even started.”

Response by the Leader, Councillor F. Ayers:

“Thank you for your question Mr McLuskey. The landscaping condition for Diamedes Avenue does require it to be completed before people move in. I have been told it has not been done yet. However, there are two very good reasons for this.

Residents asked A2D to look at a slightly different solution for the landscaping. This will still provide some landscaping, but it will also keep four perimeter footpaths because residents said they want these to stay. This new scheme will also provide specific locations for recycling. This is to help deal with the current problem of tipping and overflowing bins. The planning department has been working with A2D to bring in these changes.

I am sure that you would agree that this will provide a better long term solution for everyone concerned. It is better to do this than to simply meet a deadline for a planning condition which will not deliver what people actually want.

We also need to understand the wider picture. The seven houses which have been built will provide much needed affordable family housing. Such houses are in short supply and we have a large number of families who desperately need them. It is our responsibility to find homes for them where we can, rather than putting them in temporary accommodation. Officers took the view that it was more important to provide homes for people who were at risk of being homeless, or going into bed and breakfast, than taking a strict approach over

the planning condition. I hope you would agree with me that this was the right thing to do.”

In the absence of Mr Borland, the Mayor advised that his question and the Council’s response were set out on page 2 of the Public Question lay round.

2) Question from Mr Borland:

“Why are there no council meeting notices in Stanwell opposite the village/community hall for those who have an interest?”

Response by the Leader, Councillor F. Ayers:

“Regular updates of council meetings are placed in all the council notice boards around the borough and officers have confirmed this includes the notice board in Stanwell Village.”

195/12 Recommendations of the Leader

The Council considered the recommendation of the Leader on the adoption of the two Supplementary Planning Documents (SPDs) on ‘Flooding’ and ‘Housing Size and Type’, which had been amended following consultation on the draft documents.

RESOLVED that the Supplementary Planning Documents on Flooding and Housing Size and Type, be adopted, subject to the amendments as shown in Appendices C and D of the report to the Local Development Framework Working Party on 11 June 2012.

196/12 Appointment of an Independent Person

The Council considered the report of the Monitoring Officer on the appointment of an Independent Person.

RESOLVED that Roger Pett, Tony Allenby and Vivienne Cameron be appointed as Independent Persons for Spelthorne Borough Council under the Localism Act 2011 and under a panel arrangement with Guildford Borough Council, Mole Valley District Council and Waverley Borough Council.

197/12 Report from the Leader

The Leader of the Council, Councillor F. Ayers, presented the reports of the Cabinet meetings held on 12 June and 17 July 2012 and the extraordinary meeting held on 2 July 2012, which outlined the various matters the Cabinet had decided since the last Council meeting.

198/12 Report from the Chairman of the Licensing Committee

The Chairman of the Licensing Committee, Councillor Mrs M.W. Rough, presented her report, which outlined the matters the Committee had decided since the last Council meeting.

199/12 Report from the Chairman of the Overview and Scrutiny Committee

The Chairman of the Overview and Scrutiny Committee, Councillor Ms. P. A. Broom, presented her report which outlined the matters the Committee had decided since the last Council meeting.

200/12 Report from the Chairman of the Planning Committee

The Chairman of the Planning Committee, Councillor R. A. Smith-Ainsley, presented his report which outlined the matters the Committee had decided since the last Council meeting.

201/12 Report from the Chairman of the Members' Code of Conduct Committee

The Chairman of the Members' Code of Conduct Committee, Mr Murray Litvak, presented his report which outlined the matters the Standards Committee had decided at its last meeting.

202/12 Motions

There were none.

203/12 Questions on Ward Issues

Under Standing Order 14, Councillor Mrs C.E. Nichols submitted the following question on a ward issue:

"The recent application approved by Elmbridge Council for an extensive sports complex on the River Thames near Sunbury Weir has revealed some inadequacies in the cross-boundary consultation process.

I understand that Elmbridge's application was treated by Spelthorne's planning department as a 'delegated decision' because the available consultation period was only 21 days, leaving insufficient time to bring the application to Committee.

Elmbridge Council supplied the minimum of detail which was reproduced in Spelthorne's publicity schedule; however Councillors and the Head of Planning seem to have missed the significance of the application. The consequences that followed included a failure to consult widely enough with residents, including a missed opportunity to inform the local residents' association, and then a failure on the part Spelthorne's planning department to submit a detailed critique of the application's effect on local amenity taking into account objections raised by residents.

What lessons has the Council learned from this application; what can be done to ensure prompt action to consult affected wards on cross-boundary applications; and how can ward councillors ensure that official responses properly reflect back residents' concerns? In respect of this application, will the Council refer Elmbridge's decision to the Secretary of State for review?"

Response by the portfolio holder for Planning and Housing, Councillor G.E. Forsbrey:

"Thank you for your question Councillor Nichols.

When we are consulted on any application outside our boundaries, we are given just 21 days to reply. This tight timescale can only be met by dealing with matters at officer level. Any delay could mean that the other Council makes a decision without knowing our views.

All applications are placed on the weekly list which goes out to ward councillors and other organisations. This consultation was on the weekly list on 26 April. It may be we need to look at a better way of highlighting consultations which are likely to be of interest to ward councillors. I have asked officers to look at this.

Residents in Parke Road were consulted and we received a number of objections in early/mid May. We widened the consultation when LOSRA raised concerns, and as a result, we received a further letter. So we were aware of resident's views when we sent our comments to Elmbridge in early June.

At the recent LOSRA AGM, the Head of Planning said she would look again at how we notify neighbours on these types of consultations. I will make sure this is done. In future, we want all residents and ward councillors to know about such proposals. However, I need to repeat, that we did consult residents, and we were aware of both their concerns and LOSRA's. I also need to point out that it is Elmbridge which has the legal duty to consult everyone affected by the proposal - not us.

Officers responded to the consultation by raising no objection in principle, but they had concerns about noise impact and light spillage. These issues were also raised by residents, so our views did reflect their concerns. However, it is not always the case that the professional planning view will be completely the same as the local community.

As to writing to the Secretary of State to call in the application, I understand that officers do not believe that there are sound planning reasons for doing so.

Any call-in would have to be on the basis that the proposal was an inappropriate use in the green belt. We did not raise such an objection in our reply. Having looked very carefully at the proposal, it is not considered that it would be a "development that could have significant effects beyond its immediate locality" which would be the only other possible reason for a call-in."

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

"Did the Planning Officers receive a response from Elmbridge, on the concerns about noise impact and light spillage, which they considered satisfactory?"

Councillor G.E. Forsbrey provided a subsequent written response as follows:

"I can confirm that no reply was received from Elmbridge regarding our response and the concerns raised about noise impacts and light spillage.

Elmbridge did recommend two conditions, one for noise and one for lighting. Unfortunately, and notwithstanding the issues which we had raised in our consultation reply, no conditions were attached regarding hours of use or restrictions on the amount of pitches or floodlights being used at any one time.

As you are aware, we did ask for a noise assessment prior to permission being granted and then suitable conditions depending upon the results of the assessment. Unfortunately the committee did not take on board this comment. The Elmbridge condition was worded:

"Details of the public address system shall be submitted to, and approved by, the Planning Authority prior to the use applied for commencing. The details shall include an acoustic report with predicted noise levels at the following premises: i) Rose Cottage, Towpath, Waterside Drive, Walton on Thames ii) La Boheme, Wheatley's Eyot, Sunbury on Thames iii) The Weir Hotel, Towpath, Waterside Drive, Walton on Thames".

All of these properties are closer to the application site than the nearest Spelthorne properties and this should ensure that any noise from the public address system would be controlled. However this condition does not control any potential noise from the use of the pitches / stadium, although as the land is already public open space there is no control over any existing noise levels from the site. It is obviously disappointing that the committee chose not to take our concerns more seriously.

With regard to light spillage, the lighting condition was worded:

"The lighting levels emitted from the floodlights hereby approved, shall not exceed that shown on the submitted overspill graphical table drawing at the boundaries with any adjacent residential properties".

Based on the light spillage details shown in the lighting submissions, this would appear to be satisfactory in safeguarding the amenity for Spelthorne residents. We can therefore draw some small comfort from this.

As you know we were only a consultee and as such this limits to a large degree our ability to influence."

204/12 General Questions

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

"What is the expectation on the number of affordable homes to be completed in the next five years, broken down by ward?"

Response by the portfolio holder for Planning and Housing, Councillor G.E. Forsbrey:

“I am sorry, but it is not possible to provide a detailed answer to the question. Much of the affordable housing will be built on private sites by private developers. It is impossible to predict which sites they may bring forward. Even if they get permission, they may not build them quickly because of the recession.

We do publish a Planning Monitoring Report every year. This will come to Cabinet in the autumn. That report will provide a Borough-wide view of building land which is available for the next five years. But availability is not quite the same thing as saying what will actually be built. The report will include details of all sites with planning permission including for affordable housing. That report is currently being prepared but given the short time available to respond to the councillor’s question I am unable to give any figures tonight.

What I am able to confirm tonight is that the need for social housing in the Borough continues to rise. Our Housing Register now has more than 2,000 applicants. These needs are spread right across the Borough. This means that if we are to deal with the need for affordable homes properly then we must make the most of the opportunities wherever they may arise.”

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

“Does the Council have a target for the number of affordable homes it would like to see built in the next 5 years?”

Councillor G.E. Forsbrey provided a subsequent written response as follows:

“The Council’s target for affordable housing is to secure 40% of all net additional dwellings as affordable across the Core Strategy plan period of 2006 to 2026. This is expressed in policy HO3. Over the next 5 years simplistically the requirement would therefore be 323 affordable dwellings.

The 323 is 40% of the 807 dwellings needed to ensure house building progressed at an even rate to meet the overall housing requirement of 3320 in the period 2006 to 2026.

In the 6 years since 2006 actual affordable house building has only been some 31% overall resulting in a shortfall of 95 from the 40% target. If the target of 40% is to be met by the end of the plan period in 2026 the shortfall needs to be made up.”

205/12 Urgent Business

There was none.