

**The minutes of the Council meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines on Thursday 20 October 2011 at 7.30pm**

**Present:**

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

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

**265/11 Apologies**

Apologies for absence were received from the Mayor, Councillor S.E.W. Budd, Councillors Ms P.A. Broom, Mrs M. J. Madams, Mrs M.W. Rough, Mrs C.L. Spencer and S.D. Taylor and Miss S. Faulkner, Vice-Chairman of the Standards Committee

**266/11 Minutes**

The minutes of the meeting held on 21 July 2011 were approved as a correct record.

**267/11 Announcements from the Mayor**

**Alan Boon Chairman of Staines Town Football Club - Tribute**

The Mayor invited Councillor Mrs I. Napper to pay tribute to Alan Boon, Chairman of Staines Town Football Club who died on 13 August 2011.

**Tribute by Councillor Mrs I. Napper.**

“Mr Deputy Mayor, I am grateful for the opportunity of saying just a few words in respect of the late Alan Boon. Members may not be aware of his involvement in my Ward in his capacity of Chairman of Staines Football Club. Born in London Road, Staines he lived all his life in and around the local area, and I personally knew him for some 30 years. Whilst he enjoyed playing football at school it was on leaving that he became interested in the administrative side of the game. By the early mid 70’s he had joined the committee of Staines Football Club and served virtually without a break for some 36 years, being secretary, treasurer and president along the way. But it was as Chairman that he became a household name with the Swans in Wheatsheaf Lane.

Mr Deputy Mayor, he retained this post for a record 21 years, with an unswerving devotion to the club, generously donating his own time and resources, and finally seeing Staines Town promoted to the Blue Square South league. Despite suffering a heart attack in 2009 he did not allow his enthusiasm for the club to diminish, and he was deeply touched by the hundreds of cards and good wishes he received for his return to good health. However, this was not to be, and several setbacks precluded his complete recovery, and despite a valiant fight, he passed away in August.

Mr Deputy Mayor, Alan Boon was a kind and generous man who would stop and talk to everyone, and a man who was much respected by his many friends and supporters of his football club. Indeed, this was reflected by those who attended his funeral at St Peters' Church where after a moving service and wonderful tributes, he was laid to rest. He will be remembered by all who knew him as Mr Staines Town, a title which he richly deserved.

One of Alan's ambitions was to progress Staines Town FC with football in the community in the way of a Youth Academy and facilities for Junior Football for all ages both male and female. In fact, the last meeting before his passing was with our MP who was extremely enthusiastic with his idea.

This vision is a legacy highly praised by both his son Matthew and Staines Town Football Club, and they would welcome any assistance to make this an achievable goal. Given the dedication Alan provided within the borough, this would be a fitting tribute to Staines Town."

The Deputy Mayor, Councillor R.W. Sider, endorsed this tribute saying that Mr Boon had done a great deal for the Borough and youngsters in general.

### **Planned Mayoral Events**

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

- Tuesday 25 October – tree planting on the Green outside the Council offices in aid of the Samaritans. It will be called the Tree of Life.
- Thursday 17 November - Elvis night at Soiree in Staines. Tickets cost £20 to include a 3-course meal.
- Sunday 13 November - Remembrance Day. The Mayor will be attending the service in Staines and will be joined by friends from our twinned town of Melun.
- Saturday 17 December - the Council carollers will be singing in the Two Rivers shopping centre (outside Costa coffee) to raise funds for Spelthorne Young Voices.
- Saturday 31 March 2012 - the Mayor's Charity Ball at the Runnymede hotel. Tickets will cost £45.

**268/11 Announcements from the Chief Executive**

The Chief Executive, Roberto Tambini, with the authority delegated to him at paragraph 1.9 of the Scheme of Delegation in the Council's Constitution, announced changes to the membership of some of the Committees as follows:

Councillor Mrs Dale would replace Councillor Frazer on Standards Committee.

Councillor Ayub would replace Councillor Forbes-Forsyth on Audit Committee.

**269/11 Questions from members of the public**

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

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

"Bearing in mind that the new Stanwell Health Centre has recently been sold (for the second time) at a mark up of 500% over the previous sale price, and also that there is now a 'To Let' sign on the building, can the Leader tell me what covenants were placed on the original sale?"

**Response by the Leader, Councillor Mrs V.J. Leighton:**

"Thank you for your question Mr McLuskey. The former Stanwell Day Centre has now been transformed into a valuable community asset thanks to the foresight of this and previous Conservative administrations.

In 2006, the Council was subsidising each Day Centre visit in Stanwell by £8.50. The facility was underused and appealed to few of the elderly population. It was predominantly used as a luncheon club with a few social activities. It was running at a great subsidy which amounted to £98,000 net costs per annum at that time. The Council has to consider many difficult demands in the budget process and this not inconsiderable amount was not sustainable. However, the subsequent development, which includes a social meeting place with a community cafe and the library returned to this former popular location, has been a great success.

However, I must say that the basis of the question is, I'm afraid, somewhat flawed as I will explain; the name change is due to a corporate takeover which has left the freehold of the health centre in the hands of the same corporate entity. The Health Centre is still in the ownership of the same company that contracted with the Council, albeit that the company has changed name and been acquired by Assura from Ashley House plc. The company, previously known as Ashley House (Stanwell) Ltd is now called Assura Stanwell Ltd but it is the same company established to undertake this specific development under contract with the Council.

The Council cannot comment on any revaluation of the property or the company because we don't have any specific information about it. It wouldn't be surprising if the site had been re-valued, given that Ashley House plc have invested a great deal of money to produce a state of the art Health Centre with other linked community facilities in the same building. This is a flagship development for the people of Stanwell and they can be rightly proud of the facilities which this Conservative Council has provided.

The 'To Let' sign refers to fallow space on the second floor, which was built at the risk of the developer and is available for suitable tenants wishing to come to Stanwell. The remainder of the building has lease agreements with the doctors' surgery and the PCT for 25 years; a lease for the pharmacy and lastly, leases with the County Council and Borough Council for the library and community café. These last two leases are for 150 years.

This Conservative Council was the lynch pin in this strategic development. We facilitated a partnership between the developer, the local doctors and the PCT to see much improved facilities built in Stanwell. This development was negotiated in very difficult financial circumstances but nevertheless, the persistence of the Borough Council as community leader paid off and we have successfully secured this valuable investment in the social infrastructure, for Stanwell residents. We also realised a £675,000 capital receipt.

Restrictive covenants as to future use were not necessary because Ashley House plc and its successors were always subject to conditions in the Sale and Development Agreement. The terms of this agreement oblige the company to let space to the tenants. In addition to this, any future sale of the property is subject to overage provisions whereby, in certain circumstances, the Council will be entitled to a share of any profit which arises from a future redevelopment of the property.

In conclusion, I would like to finish by saying that having delivered this successful development, the position of the Council and the local community is well protected under the agreement, now and into the future. This new facility will be complemented by the extra care housing and the community hall due to be built on the Stanwell New Start site, which will provide further resources for the residents of Stanwell."

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

- (1) "The Cabinet report from its last meeting cites evidence of residential property values rising but no evidence concerning increased inward investment or a boost to local economic growth. How robust is the evidence for change and what sort of business improvement is targeted - passing trade or attracting companies to set up in Staines?"
- (2) Is the Council following a recommended procedural process, from government for example, for changing a town's name and does the Council have to consult national organisations e.g. Royal Mail, Land Registry?"

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

"Thank you for your question, Mr Gardiner.

- (1) The 'Staines upon Thames' proposal is an integral part of the process of increasing tourism and inward investment into the Borough's flagship town centre. It is important to place the name change proposal into the context of economic development across the borough as a whole; of course, the name change will not on its own lead to significant changes to the economic prosperity of the borough, but it is a key component within the range of initiatives that are taking place, for example:

- membership of Enterprise M3 (Local Enterprise Partnership);

- the Spelthorne tourism web site about to be launched to promote attractions within the borough;
- work that is ongoing with Heathrow Airport Limited to provide access to jobs, including apprenticeships within the Heathrow area;
- the annual Meet the Buyers event due to be staged in November which generates around £10m of new contracts every year, shared mainly between the 5 boroughs, that is to say, businesses within those boroughs, that surround Heathrow and
- the 'How to do business with the Council' event held last week, which attracted 39 local businesses, and all of this is achieved by the Council in partnership with the Spelthorne Business Forum and the Economic Development Group.

The list goes on but when you put everything together, then there is a joined up plan through the Local Strategic Partnership to promote inward investment and tourism. It is important to note that this proposal came from the business community and the Economic Development Group of the Local Strategic Partnership – this comprises partners and all the major organisations locally; public, private and voluntary who work together to improve the quality of life in the Borough.

With reference to property prices, this relates to a proxy indicator regarding riverside properties in Staines compared to other areas. This research demonstrated that the value of properties in riverside locations in Staines were of less value compared to similar properties along the Thames at other locations. That report was expressly approved by an independent estate agent otherwise unconnected with these projects.

Profile-raising is important in order to place Staines on the map; the link with the river Thames is something that was identified by the local business community at the Spelthorne Business Forum. It was believed essential that link be exploited; it is an iconic river and we have more of the river on our boundary than most, if not all, of the other Thameside councils, this side of London.

Promoting that relationship forms part of the greater plan in highlighting Staines as a great place to live, work and do business.

- (2) It won't surprise you to know that town names do not change that often and there is no government recommended process for doing so. In any event, a town name has no legal status, so that is why the Council is consulting with residents and businesses on the change of name. I invite everybody to contribute to that consultation. Not by telephone, as some people have most irresponsibly encouraged members of the public to do, at some cost to this Council.

The Council is consulting widely with all those who may have an interest in the matter and I can confirm that this includes amongst others, the Royal Mail and the Land Registry as well as the Ordnance Survey, the Chief Registrar, Surrey County Council and Runnymede Borough Council."

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

- (1) “61% of the YouGov survey says a change in name would make no difference to them; has a wider regeneration been considered? If so, what plans has the Council produced for a vision to regenerate Staines so that it could live up to its new name?”
- (2) What was the cost of the YouGov survey?”

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

“Thank you for your question, Miss Appleby.

- (1) Staines is an important and successful shopping and business centre serving the needs of Spelthorne, as well as a large part of North Surrey. It has benefitted in the last 12 years or so from significant improvements to shopping facilities and the environment with the Two Rivers scheme, refurbishment of the Elmsleigh Centre, pedestrianisation of the High Street and enhancement of the riverside.

These improvements won national recognition and awards and I am sure you will agree that Staines is vastly improved from the congested town centre of years past, when we had a major trading estate behind the High Street.

The Council plans to consolidate this success by encouraging further improvements to shopping facilities, improvements to business space and the environment. We have a good track record of working with our partners in the private and public sector to ensure that we can attract inward investment.

The Council welcomes the opportunity to support ways of promoting the town centre, including the proposed name change, because the name Staines upon Thames factually reflects the importance to the town of one of this country’s greatest rivers.

- (2) The YouGov survey cost £1,100 which was funded by the Economic Development Theme Group of the Local Strategic Partnership.”

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

**270/11 Recommendation of the Cabinet**

The Council considered a recommendation from the Cabinet on a review of Polling Districts, Places and Stations. Councillor I. Beardsmore asked that the Council recognise the work done by Councillor C.V. Strong in relation to this matter, leading to the recommendations which were being proposed.

**RESOLVED** that:

1. the recommendations as set out in Appendix 2 to the report of the Chief Executive/Returning officer be agreed.
2. the recommendations be incorporated in the Electoral Register to be published on 1 December 2011 and used for all elections thereafter.

**271/11 Recommendation of the Licensing Committee**

The Council considered the recommendation of the Licensing Committee on a Penalty Points Scheme for taxi and private hire licensing enforcement work.

**RESOLVED** that:

1. the proposed Penalty Points Scheme for the enforcement of Hackney Carriage and Private Hire drivers, vehicles and operators as shown in Appendix A to the Report of the Head of Environmental Health and Building Control Services of 12 October 2011, be approved;
2. appropriate additions to the Scheme of Delegations to officers in the Council's Constitution be agreed, to give:
  - a. delegated powers to administer the Penalty Points Scheme and issue penalty points in accordance with the Scheme, to the Head of Environmental Health and Building Control Services and
  - b. delegated powers to determine appeals lodged in respect of penalty points issued in accordance with the Scheme, to the Head of Environmental Health and Building Control Services in consultation with the Chairman of the Licensing Committee.

**272/11 Report from the Leader of the Council**

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

**273/11 Report from the Chairman of the Audit Committee**

The Vice-Chairman of the Audit Committee, Councillor Mrs D.L. Grant, presented the report, which outlined the matters the Committee had decided since the last Council meeting.

**274/11 Report from the Chairman of the Licensing Committee**

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

**275/11 Report from the Chairman of the Overview and Scrutiny Committee**

A member of the Overview and Scrutiny Committee, Councillor Ms J.R. Sexton, presented the report, which outlined the matters the Committee had decided since the last Council meeting.

Councillor Mrs C.A. Nichols asked to include in the work of the Committee that members had received a seminar from Ashford and St Peter's Hospital Trust. She said that this had been a useful introduction to the role of scrutiny of the local health service. The Deputy Mayor, Councillor R.W. Sider, was happy to include her comments in the minutes.

**276/11 Report from the Chairman of the Planning Committee**

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

**277/11 General Questions**

One General question had been submitted by Councillor C.V. Strong in accordance with Standing Order 14. In the absence of Councillor Strong, the Head of Corporate Governance, Michael Graham, read the question aloud at the meeting.

**Question from Councillor Strong:**

“In February 2010, I led a debate to introduce Planning Infrastructure Contributions (PIC) into Spelthorne. The motion text also noted its successor the Community Infrastructure Levy (CIL) which had similar but wider objectives.

Sadly, my positive initiative was voted down by the majority Conservative Group.

Forward-thinking Elmbridge Council has secured almost £3million from their scheme over the last few years. Much needed cash that will be spent in their Borough. In stark contrast, Spelthorne Council has secured nothing as they rejected the scheme.

Given the importance of this scheme I welcome the recent Conservative U-turn on this issue by the Local Development Working Party.

I invite the Cabinet member for Planning to regret the huge wasted opportunity to improve the lives of Spelthorne's residents.

Can he outline his plans to ensure that our Planning Department speedily implements a programme for obtaining much needed funds from this levy?”

**Response by the Deputy Leader and portfolio holder for Planning and Housing, Councillor R.A. Smith-Ainsley:**

“I would firstly like to set the record straight. Over the last 10 years or so, this Council has negotiated over £5 million pounds of infrastructure contributions from developers and in addition has secured by negotiation, 431 affordable dwellings on private development schemes.

This is a substantial achievement which has been referred to many times at Council, and on other occasions, in response to questions from Councillor Strong and other opposition members. Indeed a regular detailed report is presented on this subject to the Planning Committee; the last occasion was as recent as the 29 June 2011.

Councillor Strong's statement that "In stark contrast Spelthorne Council has secured nothing" is wrong and he and his colleagues know it. As recently as last week, information was fed to the local press in a form which misleads everyone on the outstanding achievements of this Council in securing



developer contributions. Opposition Members clearly need some help on this issue and I hope the following will assist.

I first turn to the debate in February 2010 to which Councillor Strong refers. Contrary to what he has said, the motion was not voted down but rather it was sensibly amended, as the majority party have to do for most Liberal Democrat motions on the subject of Planning, and then carried by an overwhelming majority. It set out a positive approach to securing contributions and stated "this Council will continue to employ the most effective and justifiable means that are available for extracting developer contributions and other section 106 monies for infrastructure improvements."

Secondly, I would like to clarify the Council's position on Planning Infrastructure Contributions (PIC). In 2007, 7 of the 11 Surrey Districts agreed a common approach to seeking developer contributions as an interim measure because they did not have appropriate policies to otherwise help them do so. At the time, Spelthorne, which was quite advanced in preparing its development plan, already had a policy which enabled assessment on a scheme by scheme basis. For this reason we had no need to use the PIC approach. Irrespective of which approach is used, councils can secure significant sums but in all cases agreements have to be formalised under section 106 of the Planning Act.

Thirdly, the motion already referred to shows we have always been open to new ways of securing infrastructure contributions where they are justified. Cabinet, at its meeting on 20 September, accepted the advice of the Local Development Framework Working Party and agreed in principle the work necessary to introduce a new approach called the Community Infrastructure Levy or CIL for short. The Liberal Democrat representative on the working party is Cllr Ian Beardsmore, yet he failed to attend and so could not represent them or have any input into the working party's discussion or proposals.

The government's intention is that from April 2014, CIL will be the main way infrastructure contributions will be collected, although there will still be scope to use Section 106 agreements for specific schemes. Cabinet's recent decision on CIL is not a 'u-turn' but simply following through what the Council agreed in February 2010. However, it is only now that in our view it is sufficiently clear how the new CIL arrangements will work and real progress can now be made. It is of note that the government is still consulting on some of the necessary regulations and guidance. We are planning to ensure that by the April 2014 date we will be in position to fully use CIL and Section 106 agreements where appropriate.

Finally, I am sure members welcome accurate information on our impressive track record and our commitment to use all effective and justifiable means of securing the infrastructure needs of local residents and businesses."

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

**278/11 Re-Appointment of a Representative Trustee to the Ashford Relief in Need Charities**

**RESOLVED** that Mrs Mary Haarer be appointed as a Council representative trustee to serve on the Ashford Relief in Need Charities for a four year term of office until October 2015.