

MINUTES OF THE COUNCIL MEETING HELD ON 20TH OCTOBER 2005

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 20TH OCTOBER 2005 AT 7.30PM**

Amos Mrs P.C.	Forsbrey G.E.	Ponton Mrs J.E.
Ayers F.	Grant Mrs D.L.	Royer M.T. (Deputy Mayor)
Bain Ms M.	Hirst A.P.	Searancke E.J.
Beardsmore I.J.	Hyams Mrs M.	Spencer Mrs C.L.
Bhadye S.	James P.R.	Strong C.V.
Ceaser G.S. (Leader)	Leighton Mrs V.J.	Trussler G.F.
Chouhan K.	O'Hara E.	Turner Mrs D.
Colison-Crawford R.B.	Paton J.M	Weston Mrs P. (Mayor)
Culnane E.K. (Deputy Leader)	Pinkerton Mrs J.M.	Wood-Dow Mrs J.M
Davies F.	Pinkerton J.D.	

Co-opted Member - Mr M. Litvak

Mrs P. Weston, Mayor, in the Chair

338/05 APOLOGIES

Apologies for absence were received from Councillors R.V. D'Sa, J.M. Fullbrook, H.R. Jaffer, Mrs J.B. Langridge-John, S.B.S. Lorch, Mrs I. Napper, J.D. Packman and R.W. Sider.

339/05 MINUTES

RESOLVED that the Minutes of the Meeting of the Council held on 21 July 2005 be approved as a correct record.

340/05 DISCLOSURES OF INTEREST

The Mayor, Councillor Mrs P. Weston disclosed a Personal Interest in Item 13 – Appointments to outside bodies as she was one of the Council's appointed Trustees of Ashford Relief in Need Charities.

341/05 ANNOUNCEMENTS BY THE MAYOR

Presentation of Church Lammas Award

The Mayor invited Mr Courts, General Manager, Group Planning and Development, from Brett Aggregates Ltd to introduce and present the Church Lammas Award to the Council.

Mr Courts explained that the Cooper – Heyman Cup was the mineral industry's premier restoration award and was presented annually by the Quarry Products Association (QPA) to the company providing the best example of restoration judged by an independent panel.

Church Lammas was worked for gravel during the early 1990s and restored as a wetland site in 1997 in accordance with the original planning permission. In 2004 Brett Aggregates Ltd developed the idea of a demonstration project to further enhance the restoration so that the site would offer opportunities for recreation for people with mental and physical disabilities.

The initiative was supported by, and involved extensive consultation with Spelthorne Borough Council. Between August and December a full range of facilities was built on site. This included:-

- new 2m wide paths suitable for wheelchair users and the visually impaired
- an interpretation board with Braille panel, descriptive text and raised relief depicting the layout and features of the site
- a bird hide suitable for wheel chair users
- two viewing platforms
- additional seating
- bird and bat boxes
- sensory planting

The site complements the adjoining Lammas Park and offers ready access to a very attractive wetland wildlife site where the interests of nature conservation and the needs of people with disabilities have been effectively met. To encourage visitors an information leaflet has been produced and made available through the Council and disability organisations.

Having won the Cooper – Heyman Cup, for a second successive year Bretts presented the Mayor with a framed certificate in recognition of this Council's involvement in the scheme.

The Mayor responded by saying that she was delighted to receive this certificate from Brett Aggregates Ltd as recognition of Spelthorne Borough Council's partnership at Church Lammas Nature Reserve. The scheme, with all its new facilities, would offer enjoyment for a great number people from Spelthorne, especially those with a disability, for many years to come.

The Mayor announced that her Charity Ball would take place on 25 February 2006 at Kempton Park in the Premier Suite, and that further details would be published in due course.

342/05 ANNOUNCEMENTS FROM THE LEADER

The Leader, Councillor Ceaser had no announcements to make but stated that he wished to be associated with the comments already made on the Church Lammas restoration project. He considered that if all companies were to restore to the same standard as Brett Aggregates Ltd, there would be fewer problems with gravel extraction.

343/05 AUDIT COMMITTEE

The Council considered a recommendation from the Executive on the establishment of a separate Audit Committee and its overall terms of reference. The Leader, Councillor G.S. Ceaser explained that the Executive would consider a further report on the issues of membership number and proportionality. A further recommendation

would be put before Council on 15 December 2005, with a view to establishing the Audit Committee in early 2006.

RESOLVED that the establishment of an Audit Committee be approved, with the following overall terms of reference:

‘The purpose of the Audit Committee will be to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority’s financial and non-financial performance to the extent that it affects the authority’s exposure to risk and weakens the control environment, and to oversee the financial reporting process.’

and that the detailed terms of reference and core functions of the Audit Committee in respect of audit matters would be:

- (a) To approve (but not direct) the internal audit’s strategy, plan and performance.
- (b) To review summary internal audit reports and the main issues arising, and to seek assurance that action has been taken where necessary.
- (c) To consider the reports of external audit and inspection agencies.
- (d) To consider the effectiveness of the authority’s risk management arrangements, the control environment and associated anti fraud and anti corruption arrangements. Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- (e) To be satisfied that the Authority’s assurance statements, including the Statement on Internal Control, properly reflect the risk environment and to take actions required to improve it.
- (f) To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- (g) To review the financial statements, external auditors opinion and reports to members, and monitor management action in response to the issues raised by external audit.

344/05 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor G.S. Ceaser, presented his report which outlined the matters the Executive had dealt with since the last Council meeting. Councillor Ceaser noted three matters arising from his report,

- The recommendation on the Primary Care Trust (PCT) configuration in Surrey and Sussex was for a single PCT for Surrey
- The relocation of the Stanwell Area Forum for November had not been possible but that the Spring 2006 meeting would take place at Stanwell Village Hall
- Although Councillor G.E. Forsbrey had been nominated to the Regional Environmental Protection Advisory Committee, the Surrey Local Government Association had appointed a member from Guildford Borough Council.

345/05 IMPROVEMENT AND DEVELOPMENT COMMITTEE

The Chairman of the Improvement and Development Committee, Councillor A.P. Hirst, presented his report which outlined the matters the Committee had dealt with since the last Council meeting. Councillor Hirst expressed his thanks to Councillor J.D. Packman and Councillor E.K. Culnane for their Chairmanship of the Best Value Review Panel on Community Engagement, and commended the Improvement Plan produced, which would be presented to the Executive in November 2005

346/05 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Chairman of the Performance Management and Review Committee, Councillor F. Ayers, presented his report which outlined the matters the Committee had dealt with since the last Council meeting.

347/05 LICENSING COMMITTEE

The Mayor read a message from the Chairman of the Licensing Committee, Councillor R.W. Sider in which he expressed his grateful thanks to all of the Council's officers and staff involved in the processing of licensing applications, whether or not they came before the Sub-Committee and to Members on both sides of the Chamber who gave freely of their time during the many meetings held during the day, and in the evenings. The message also paid tribute to the Vice-Chairman of the Licensing Committee, Councillor J.D. Packman who was unswerving in his commitment. Councillor Sider considered that the teamwork shown in Spelthorne Borough Council in implementing the new legislation set a fine example for other Authorities to follow.

In the absence of the Chairman of the Licensing Committee, Councillor J.M. Paton, presented the report which outlined the matters the Licensing Committee had dealt with since the last Council meeting. Councillor Paton also expressed his thanks to staff and commended Victoria Monk, Trevor Baker and Kathryn Thomas for their hard work and assistance to the Sub-Committee.

Councillor P.R. James asked how many licensing applications were left to process to meet the Government's deadline. In the absence of Councillor Sider, the Head of Corporate Governance replied that the transitional period for making applications for licence conversions was now over and that all such applications had been dealt with. A small number of premises did not meet the deadline, and there were 2 or 3 of these left to be dealt with as new applications.

348/05 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 Mrs V.J. Leighton asked for comment on the result of the Appeals against the Council's refusals to grant planning permission on the Rodd Industrial Estate site. Councillor O'Hara noted that the Council's decision had been upheld on the applications for 111 units and 98 units. He commented that the objections of five local residents who objected to both appeals had been taken up by the Planning Inspector and incorporated into his decision. Councillor O'Hara considered that this factor stood as a beacon to local residents who might wish to object at a planning appeal. He agreed to make the report of the decision available.

349/05 STANDARDS COMMITTEE

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

Councillor C.V. Strong asked for assurance that the letter referred to in Item 5 of the report had been sent. Mr Litvak stated that all members would receive the letter shortly.

350/05 QUESTIONS ON WARD ISSUES

Under Standing Order 13 Councillor Mrs D. Turner asked the Leader of the Council, Councillor G.S. Ceaser the following question:

"A number of residents of Staines have expressed concern at Spelthorne Borough Council's interpretation of policy and guidelines for planning applications within Conservation areas. It has been said that in recent years there has been a deterioration in the quality, detail and accuracy of Conservation Officer's reports being presented to the Planning Committee. Would the Leader please investigate this observation and consider evaluation and improvement of our Conservation procedures at officer level".

The Leader replied, as follows: -

"The Council has for the past four and a half years employed an external consultant to give advice on proposals affecting Conservation Areas and Listed Buildings. The consultant is a qualified architect and has extensive experience in this type of work. He comes from a local authority background where he was employed at a senior level conservation section in a provincial city.

Our consultant is also retained in a similar capacity by Elmbridge and the Borough of Runnymede.

We have every confidence in his ability and the advice he gives to this Authority. I therefore do not believe any evaluation or improvement of our conservation procedures is required at this time."

351/05 GENERAL QUESTIONS

Under Standing Order 13, the Council had received the following question addressed to Councillor G.S. Ceaser, the Leader, from Councillor R.W. Sider:

" Can the Leader inform me of the current cost of hiring contractors to carry out gravestone safety testing as directed by the Government's Health and Safety Executive in Sunbury Cemetery, and the future cost of carrying out such testing in the Borough's other three cemeteries, namely Stanwell, Staines and Ashford and will the Council be reclaiming such costs incurred from central government, or will it be a charge to the Council tax payer, or those who are identified as owning the headstones."

The Leader replied, as follows: -

"Firstly, it should be noted that the guidance issued by the Health and Safety Executive is as a result of at least 21 serious accidents to members of the public, which included three fatalities over the last six years.

The cost of carrying out current works in Sunbury Cemetery is about £6000, which only includes making safe temporarily. Work is now being carried out to identify and contact the owners of memorials in Sunbury Cemetery so that a more permanent

solution can be found. If owners of the unsafe memorials are located they will be required to make the memorials safe. If the Council cannot contact the owners any costs of permanently ensuring the safety of the memorials will fall on the Council.

The Health and Safety Executive have recommended that memorials are safety checked every five years as part of an on going programme and costs will vary for a variety of reasons such as age of the memorial and standards of workmanship when it was put in situ. Staines was checked just over a year ago and cost £7,000. Ashford is scheduled for the next few weeks and Stanwell after that. We will then have to consider Closed Churchyard Cemeteries, which may present an additional cost. Once a check has been made in all cemeteries for which the Council has responsibility and has observed its immediate legal responsibilities, consideration will then be given to a five-year programme for the future.

It is the Council's responsibility to maintain Health and Safety standards in its property, including cemeteries, and it is unlikely that this money could be reclaimed from Central Government.

I do acknowledge that the work being carried out is sensitive, but in view of possible serious injury and fatalities, the Council has a duty that it must fulfill".

The Mayor and the Leader requested that the officers ensure that a written copy of this response was sent to Councillor Sider.

Under Standing Order 13, the Council had received the following question addressed to Councillor G.E. Forsbrey, the Portfolio Holder for Environment and Planning, from Councillor C.V. Strong:

"On Saturday October 15th I visited the Lammas and Laleham parks where car parking charges were introduced this year. At the Lammas I observed that the car parking ticket machines gave no indication that charges only apply between May and September. A sticker on the machines did refer users to a notice board that would show "terms and conditions". As far as I am aware no such notice board exists.

At Laleham Park in Abbey Drive a notice was affixed to the ticket machine advising users that the charges only applied between May and September. However the notice was of a temporary nature and could easily be removed.

Can the Council please tell me when permanent notice boards will be installed in both the Lammas and Laleham car parks to ensure that users are fully aware that charges only apply between May 1st and September 30th."

Councillor Forsbrey replied, as follows: -

"The ticket machines in Lammas and Laleham Parks are due to be removed from the car parks shortly and stored over the winter period for protection from the elements and vandalism. All the machines do state that they are currently "not in use" and any money put in falls directly through. The use of temporary signage providing details on the charging dates has been used as a temporary measure pending winter storage of the machines. Unfortunately, the car park signs within the borough are currently being vandalised at a high rate.

We are currently awaiting new signage for all our car parks and this will carry the necessary information with regard to charging and terms and conditions. There will, therefore, be permanent signage boards in the parks as part of the overhaul of signage in all the Borough's car parks.

In view of the current concerns, replacement temporary information has been displayed on the machines this week.”

352/05 APPOINTMENTS TO OUTSIDE BODIES

(a) Staines Parochial Charity

It was moved by Councillor G.S. Ceaser and seconded by Councillor E.K. Culnane and

RESOLVED that Mr F.A. Willett be appointed as a Council Representative Trustee to serve on the Staines Parochial Charity for a further 4 years until 24 April 2010.

(b) Ashford Relief in Need Charities

It was moved by Councillor G.S. Ceaser and seconded by Councillor E.K. Culnane and

RESOLVED that Mrs Brenda Bartlett and Councillor Mrs Patricia Weston be appointed as Council Representative Trustees to serve on the Ashford Relief in Need Charities for a further 4 years until 16 October 2009.

353/05 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated above.

354/05 LEISURE CENTRE PROCUREMENT

(Paragraph 9 - Proposed Terms of a Contract)

The Council considered the exempt recommendation of the Executive in relation to the Council’s leisure contract.

RESOLVED to approve the recommendations laid out and numbered 854 in the record of decisions of the Executive, held on 13 September 2005.

Mayor _____

15 December, 2005