

MINUTES OF THE COUNCIL MEETING HELD ON 15 DECEMBER 2005

AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 15 DECEMBER 2005 AT 7.30PM

Ayers F.	Jaffer H.R.	Pinkerton J.D.
Bhadye S.	James P.R.	Searancke E.J.
Ceaser G.S. (Leader)	Leighton Mrs V.J.	Sider R.W.
Colison-Crawford R.B.	Lorch S.B.S.	Spencer Mrs C.L.
Culnane E.K. (Deputy Leader)	Madams M.J.	Strong C.V.
Davies F.	Napper Mrs I.	Trussler G.F.
D'Sa R.V.	O'Hara E.	Turner Mrs D.
Fullbrook J.M.	Packman J.D.	Weston Mrs P. (Mayor)
Hirst A.P.	Paton J.M.	Wood-Dow Mrs J.M
Hyams Mrs M.	Pinkerton Mrs J.M.	

Co-opted Member - Mr M. Litvak

Mrs P. Weston, Mayor, in the Chair

APOLOGIES

Apologies for absence were received from Councillors Mrs P.C. Amos, Miss M. Bain, G.E. Forsbrey, Mrs D. Grant, Mrs J.E. Ponton and M.T. Royer. Apologies were also received from Mr T. Davies the Vice Chairman of the Standards Committee.

419/05 MINUTES

RESOLVED that the Minutes of the Meeting held on 20 October 2005 be approved as a correct record.

420/05 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Mayor reported that six questions under Standing Order 12 had been received and invited those members of the public in attendance to put their question. The Mayor confirmed that a response would be given after each question with a written response being sent to the members of public who raised the question.

(a) Questions from Mr Leggett

“In each of the last, say, 20 years, how much public money has been spent on each of the four main shopping centres in Spelthorne, namely Staines, Ashford, Sunbury and Shepperton including public highways, pedestrian areas, parking and buildings?

How much private money has been spent as above and as encouraged by Spelthorne Council?

Does the Council consider that the residents of Spelthorne have been properly consulted on the development plan when publication of the questionnaire was limited and the range of possible answers restricted to only those desired by the Council?

If the consultation was indeed adequate, should it be revised and repeated?

Could Spelthorne Council's future annual accounts please show a breakdown of spends on the four shopping areas within the borough?”

The Leader of the Council, Councillor G.S. Ceaser responded to the question on the following lines:

1 & 5. I suspect that this question may be based on the capital expenditure as a result of the opportunity that arose for the Council, in partnership with the private sector, to pedestrianise Staines Town Centre. The facts are that since 1998/99 approximately £3.5m was spent on the roadwork's and pedestrianisation scheme.

Similar opportunities have not arisen with regard to Ashford, Sunbury and Shepperton Town Centres, but the Council would be keen to consider approaches from the private sector should they arise.

With regard to the Council's annual accounts, these are produced in accordance to function across the borough, following best accounting practice recommended by Chartered Institute of Public Finance and Accountancy. Unfortunately, this process hides the numerous other areas of spend that the Council has delivered in areas outside of Staines Town Centre over recent years. I have a long list here of examples of major expenditure outside of Staines Town Centre. I would like to mention a few, but, when I reply in detail to Mr Leggett I will include the entire lists. So some examples, from recent years are: -

Shepperton High Street - £134,000

Sunbury Leisure Centre Solar Panels £120,000

Sunbury Leisure Centre water treatment - £237,000

Laleham and Shepperton 'gateway signs' – £10,000

Affordable Housing Schemes In Ashford And Sunbury £6.8M

Long Lane artificial pitch - £116,000

£10,000 each to three senior schools for specialist status

£100,000 for the Sunbury Riverside Arts Centre purchase

£94,000 for the Millenium Embroidery

£250,000 for Orchard Meadow in Sunbury

£200,000 for an all weather sports pitch at St Paul's school

£200,000 for improvements to Sunbury Cross

£50,000 for an all weather sports pitch at Ashford Sports Association

£45,000 grant for Ashford Tennis Club

£120,000 for a multi games area in Long Lane

£160,000 for Staines and Laleham Sports Club's artificial sports pitch

£202,000 for Ashford Multi-Storey car park

Furthermore, we have 80 parks and public open spaces and spend about £800,000 per annum on parks outside of the Staines area. We will also have spent £2m additional government money in 6 of our parks by April 2006. Only the Lammas (in Staines) is included in this expenditure.

Therefore, we have invested in our major urban area (Staines) and in our more residential areas, where we have invested in parks and local amenities.

2. I believe the investment by the private sector as a result of our expenditure has been substantial. We do not know the detail of that expenditure but we believe it is in the region of £80m. Furthermore, the recent developments at the Elmsleigh Centre cost £8-9m. This is a very positive return on our investment.
- 3 & 4. Firstly the Council has not yet prepared a new plan for the Borough but has been consulting local people about what should go in it. The consultation included delivery of the Bulletin to residential and business properties in the Borough, sending letters to over 600 people on our contact list, holding 11 public meetings and extensive information on our web site. Furthermore, in the September Special Edition of the Borough Bulletin we asked people questions about the future of the area and provided space in the questionnaire for people to set out any views they wanted to express. 1674 people have completed and returned the questionnaire and over 150 have also written letters. I am, therefore, satisfied that our consultation has been comprehensive, thorough and properly focussed on key issues and realistic options facing the Borough.

However, one of the issues we do need to address is the role our town centres should play in the future. We have undertaken detailed surveys of local people's shopping patterns and needs, and have taken advice on how best to meet those needs. One of the realities we have to face is that Staines is our main town centre with scope to expand, whereas our other centres are relatively small and hemmed in by residential streets. These other centres have little space to expand, but nevertheless, provide an important local function and that is why we have specifically asked people about the role they should undertake in the future. We will, of course, consider Mr Leggett's views on this along with everyone else's.

(b) Questions from Mr Monk

"I live at 16 Croysdale Avenue, Lower Sunbury and have since May 2004 been trying to get something done about the crumbling road surface outside my house. Prior to 2004 if I reported any potholes they were generally repaired within a reasonable time scale to a reasonable standard.

Since I reported the current holes in May 2004 to the Highways dept of Surrey County Council (SCC) nothing has been done and there are now several very large areas where the tarmac has now vanished right along the road. The standard response from SCC is that our road is on a priority list to be resurfaced at some point in the next 5 years, if a budget can be agreed. Presumably if a budget cannot be agreed then it will be more than 5 years!

These holes are not only dangerous to cyclists and motorcyclists but are also causing unnecessary wear and tear on the tyres and shock absorbers of all the residents vehicles.

If the council, to whom we all pay a not inconsiderable amount of council tax each year, are not prepared to maintain the roads which they have adopted then I do not consider it unreasonable to ask for a reduction in the council tax of the residents of Croysdale Ave.

I have provided 3 photos showing just some of the holes.

I look forward to hearing the councils views."

Mr Monk was not in attendance to put his question, but subsequently Surrey County Council as the Highways Authority have, on behalf of the SCC Local Committee for Spelthorne, replied to his question.

(c) Questions from Mrs Janet Milligan

"Notwithstanding the previous public meetings that followed the recent planning application by Henry Streeter Ltd to extract gravel from Hengrove Recreation Ground; is Spelthorne Council still seriously considering leasing this vital community asset? If so, can we have an undertaking that all local residents can expect full and open consultation, including an exhibition of the plans and their implications, further public meetings and a consultation period to allow people to express their views to the Spelthorne Borough Councillors?"

The Leader of the Council, Councillor G.S. Ceaser, responded to the question on the following lines:

Firstly, I would like to confirm the statement made at the two public meetings held on 19 November and 24 November 2005 that a planning application has not been submitted by Henry Streeters Ltd, only an initial proposal.

When we meet Streeter's representative's next week, officers will be discussing the issues that arose at those public meetings. Although we cannot insist on pre-application consultation and an exhibition, we will indeed be recommending that this approach is taken as I believe it is the very best way to listen to the views of the local community.

If and when a planning application is received on this issue the normal statutory notices will be placed.

In addition he reported on a petition received from residents of Hengrove. The petition contained 300 signatures with a further 150 signatures but without giving any address and stated " Petition against the extension to the existing Hengrove Farm mineral works for the extraction of sand gravel - We the undersigned object to the proposed extension for the following reasons: The Development of the Hengrove Park green belt area in particular, this may affect the health and well being of the local residents and children of Ashford Park School and It is a popular and well used local green belt recreation area, for residents and children from the neighbouring school". The petition would be taken into account when the Executive considered the matter.

(d) Questions from Mr Rawlinson which was asked on his behalf by Mr Johnson

" In 2001 the Council put in place an Air Quality Assessment Plan. In the course of this the Council declared the Borough as an Air Quality Management Area and set targets for compliance with National Standards for air pollution by 2005. Has the Council been able to achieve the targeted reductions in air pollutants to the required levels, in particular with respect to Sunbury Cross, which was identified as an area of non-compliance, having very high Nitrogen oxide levels? What impact has continued housing development in the area of Sunbury Cross, with the consequent rise in vehicle and domestic emissions, had on the Council's ability to meet its targets, and have any further targets been set for the future improvement of air quality in the Borough?"

The Leader of the Council Councillor G.S. Ceaser responded to the question on the following lines:

For Member's information, we originally had three nitrogen dioxide monitoring sites around Sunbury Cross. We have added a further three in December 2004 as 'hotspots'.

Five of those six sites are currently showing levels above the annual target for nitrogen dioxide.

Since 1999 there has, however, been a downward trend in nitrogen dioxide levels across 'the borough', including at Sunbury Cross.

Technical advice, given to us by the government, advises caution when looking at air quality data as trends should be considered over a longer term period. This is because the data can be affected by a number of things, for example, the weather and major road works (such as the M25 widening).

It is impossible to determine that the current air quality statistics have been rising because of housing development. With regard any future planning applications, the government also advises against using air quality data solely to determine planning applications, as all sustainability aspects should be considered.

(e) Questions from Mr Hirsh

"I would like to raise the question of the future of the Benwell Centre and Older People's Services and ask that I may put the following sequential questions:

Will the Council accept that the Benwell Centre, as it is currently used, does not fall within the definition of 'Surplus Property' (as described at minute 5.8 of the Asset Management Plan 2005)?

Would the Council also accept that if their proposals in respect of the Benwell Centre were put into effect, then the Centre would, de facto, fall within the definition of 'Surplus Property'?

Will the Council confirm that it is their policy, within the Disposals Programme, to sell 'surplus property' on the open market?

Will the Council confirm or deny that the sale of this valuable asset for development constitutes the real imperative behind the '*improving*' of Older People's services in the Borough; and that minutes of meetings held under s.100A (4) of the Local Government Act, 1972 (power to exclude press and public) will confirm their response to this question?

Councillor Mrs V.J. Leighton the Portfolio Holder for Adult and Elderly Services responded to the question on the following lines:

1. At present the Benwell Centre as it is currently used does not fall within the definition of surplus property. (The definition of surplus is that it is unsuitable for alternative use or partnership within the community).
2. We are still communicating our proposal for comments and until this period is completed then we are not in a position to say whether the Benwell Centre will fall into this category of "Surplus Property".
3. The Council's policy if a property is surplus is that it is normally disposed on the open market, for example, St Martins Court Village Hall has recently been

leased on the open market, Churchill Village Hall is being marketed and the Old Town Hall was sold on the open market.

4. As stated earlier, we are still consulting on our proposal. As explained in the leaflet that is being distributed over the next few weeks, the aim of these proposals for older people's services is to meet older people's needs for the future and primarily to keep them independent in their own homes. There is of course a need for all services to deliver value for money, so there are bound to be financial matters to be taken into account.

(f) Questions from Mr Johnson

"I notice in the Leader of the Council's Report on the work of the Executive, Agenda Item 8, that the Asset Management Plan and Capital Strategy has been adopted.

On reading the Asset Management Plan I notice in para 5.8 that more than £6 million of assets has been disposed in the last three years and that there is just under £33 million left.

Also I note in para 8.33 that the Council plans to dispose of £8 million over the next four years. This amounts to an intended disposal of about 35% of the year 2003 asset base.

Furthermore in para 8.39 mention is made that a developer has identified alternative uses for the day centre sites and the values they could attract.

I should like to know:

- a. How does selling over one third of the infrastructure achieve the key priority of 'making Spelthorne a better place'?
- b. How can such a massive disposal policy take place without the approval of this committee?
- c. Is it the intention to turn the disposal of assets into housing?
- d. What attempt has been made to market the day centre services and facilities for the benefit of the community?"

Councillor Ed Searancke the Portfolio Holder for Corporate Services responded to the question on the following lines:

- a. The Council has adopted a number of key principles in the context of the management of its asset portfolio. Two relevant ones are as follows:

Assets are a means to an end, not a resource in themselves, ie. the Council holds them to achieve a service delivered to the public.

Assets will be reviewed to ensure that they meet the Council's requirements, in terms of service requirements and giving value for money. Comparative option appraisals will be carried out on assets as to the future use or possible disposal.

Assets that have been disposed of have ceased to offer value for money, eg. the old Depot site or are no longer required. Thus, in each case an option appraisal has been carried out. The sale of these assets does not detract from 'Making Spelthorne a Better Place', indeed it enhances it by giving us more opportunity to focus resources where they are required.

- b. Each disposal takes place with the consent of the Executive Committee, £8m is not massive and may only relate to one/two properties.
- c. We will consider future use of sites in the context of our current planning policy and if necessary, we will produce supplementary planning guidance which will help determine the future use of a site.
- d. Every attempt has been made to market the day centre services by each of the managers, but usage numbers, particularly for lunches have continued to fall.

421/05 PRESENTATION OF PETITIONS TO COUNCIL

The Mayor reported that a petition concerning the Council's proposal on improving older people's services in Spelthorne had been submitted and called on Councillor Mrs V.J. Leighton the Portfolio Holder for Adult and Elderly Services to report further.

Councillor Mrs Leighton reported that she had accepted the petition from the people of Stanwell because it showed their feelings about the possible closure of the Stanwell Centre. The petition would be referred to the Executive as part of the responses to the Council's consultation on older people's services in Spelthorne.

The Mayor reported that the name and address of the lead person for the petition was not known.

422/05 OUTLINE BUDGET 2006/2007 TO 2009/2010

The Mayor invited Mr Johnson to read out his statement, which is set out below:

"I refer to the recommendation that a guideline Council Tax increase be set at 15%.

I should like to make the following points:

1. The Chancellor stated last week that he would cap councils that proposed an increase of greater than 5%.
2. As a retired homeowner my council tax has risen a mighty 130% since 1993/94. The Halifax stated that the national average had risen by 62% and pensioner income has risen by 34% during this time period.

This implies that Spelthorne has levied over a twelve-year period twice the average increase in council tax, which is 3.8 times the average increase in pensioner earnings.

3. Yesterday's press indicated that ministers are considering placing a cap on the amount pensioner's pay in council tax as an attempt to end the non-payment protest and imprisonment of elderly people who withhold payments.

The pensioner cap may affect the council tax income from 15 – 20% of properties.

4. The overall suggested Government general cap and the pensioner cap will have a significantly negative effect on projected income.

The proposed council tax rise is unacceptable and unsustainable.

5. I would suggest that the Council:
 - a. Rejects the recommendation;
 - b. Makes representations to Government and County on the impossibility of running a socially responsible council."

The Council considered a recommendation from the Executive on an Outline Budget covering a four-year period.

RESOLVED:-

- (1) That the net budgeted expenditure for 2006/2007 be set at a maximum level of £13.587m.
- (2) That, in order to reach this level [see (1) above], the Strategic Director (Support) identify a package of options by which the budget can be balanced both in 2006/2007 and over the next 2 years of the Outline.
- (3) That the Strategic Director (Support) reports back to the next Executive on the Provisional Grant Settlement.
- (4) That, subject to the assumptions in the report of the Strategic Director (Support) being valid, a guideline Council Tax increase be set at 15%.
- (5) That the growth items totalling just over £1.6m, as shown at Appendix B to the report of the Strategic Director (Support), be supported for inclusion in the revenue budget 2006/2007.

423/05 AUDIT COMMITTEE

The Council considered the recommendations of the Executive on the size and composition for an Audit Committee, which took account of the CIPFA Practical Guidance on Audit Committees.

RESOLVED:-

1. That, in accordance with Articles 6, 8 and 9 of the Council's Constitution, the size of the Audit Committee, as established by the Council on 20 October 2005, should be 7 voting members.
2. That, pursuant to the requirements of Section 15 of the Local Government and Housing Act 1989 [in particular Section 15(4)], the representation of the different political groups on the Audit Committee should be Conservative 6 seats and Liberal Democrat 1 seat.
3. That the Group Leaders be requested to notify the Chief Executive of the nomination of Members to serve on the Audit Committee, based on the allocation of seats at recommendation 2. above and the guidance on the independence of the Committee at 4. below.
4. That the Council's Constitution be amended, in particular to reflect that the Audit Committee is independent of the executive and scrutiny functions. The amendment to the Constitution to specify that the proposed membership of 7 voting members on the Committee should not include more than one member of the Executive or the Overview and Scrutiny Committees and in particular that the Chairman should not be a member of the Executive.

424/05 REVIEW OF DELEGATIONS TO OFFICERS

RESOLVED that the recommendations of the Executive on revisions to the scheme of delegation to officers to reflect changes in legislation and updates to current working practices be approved as set out in the appendix to the Strategic Director (Support) report to the Executive meeting held on 13 December 2005.

425/05 APPOINTMENT OF INTERIM CHIEF EXECUTIVE

The Council considered the recommendations of the Executive on the appointment of an interim Chief Executive and Head of the Paid Service for the period until a new appointment is made to the post, following the resignation of the present postholder.

RESOLVED:

1. To approve the appointment of Mr. Geoff Chilton as Interim Chief Executive and Head of the Paid Service until such time as a replacement Chief Executive is in post, subject to the terms of a contract to be agreed for this interim appointment; and
2. To approve the appointment of Tribal Resourcing to assist in the recruitment of the replacement Chief Executive.

426/05 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor G.S. Ceaser, presented his report, which outlined the significant matters the Executive had dealt with since the last Council meeting and responded to questions raised.

427/05 LICENSING COMMITTEE

The Chairman of the Licensing Committee, Councillor R.W. Sider presented his report, which outlined the matters the committee and Sub Committees had dealt with since the last council meeting.

428/05 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 and responded to questions raised.

429/05 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 and responded to questions raised.

430/05 NOTICE OF MOTION

In accordance with Standing Order 14 it was proposed by Councillor E. O'Hara and seconded by Councillor Mrs D. Turner:

“This Council requests the Highways Agency to investigate as a matter of urgency, vehicle speeds on the A30 Trunk Road through this Borough.

We would further ask that measures are introduced as a matter of urgency to reduce the increasingly dangerous speeds being reached by vehicles on this road, highlighted by a recent event when a residential property set back from the road was seriously damaged by vehicles.”

RESOLVED that the motion stand referred to the Executive.

431/05 QUESTIONS ON WARD ISSUES

Councillor R.W. Sider reported that he had already received a response to his question on irregular parking in Church Road, Shepperton and therefore his question was withdrawn from the Council agenda.

432/05 GENERAL QUESTIONS

Under Standing Order 13, Councillor C. Strong asked the Leader of Council, Councillor G.S. Ceaser the following question:

"I understand that negotiations have now concluded between Spelthorne and Kempton Park regarding the surrender of the lease that Spelthorne had of 120 acres of land at Kempton Park.

Can we please know the final terms of the deal both financially and in park area retained."

The Leader of the Council, Councillor G.S. Ceaser replied as follows:

The full details of the negotiated agreement are available on the Council's website

Councillor Strong took the opportunity to raise a supplementary question "Did any consultation take place on the Kempton Park disposal?" and received an affirmative "yes" response from Councillor G.S. Ceaser.

433/05 FAREWELL TO THE COUNCIL'S CHIEF EXECUTIVE

The Leader of the Council, Councillor G.S. Ceaser, reported that this was the last meeting that Karen Satterford, the Chief Executive would be attending before leaving to take up her new position as Chief Executive of Wycombe District Council. He thanks her for her service to the council over the last 3½ years. He highlighted some of the main projects she had been involved with including helping to obtain 'excellent' CPA status, the completion of the Staines Town Centre and the completion of Phase 1 of the Elmsleigh Centre redevelopment and extended best wishes for every success with her new appointment. Councillor F. Davies the previous leader of the council also paid tribute to her service during his time as Leader of the Council. Councillor Mrs P. Weston the Mayor also thanked Karen for her support during her year in office. The Leader of the opposition Group, Councillor C.V. Strong also paid tribute to Karen Satterford and expressed his appreciation, for the support she had given.

434/05 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 they involved the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated above.

435/05 ELMSLEIGH CENTRE RECONFIGURATION

(Paragraph 9 - Proposed Terms Of A Contract

The Council considered the exempt recommendations of the Executive on the future development of the Elmsleigh Centre.

RESOLVED that the recommendations of the Executive from its meeting on 13 December 2005 be approved as submitted.

436/05 APPOINTMENT OF CHIEF EXECUTIVE

(Paragraph 1 – Information Relating to a Particular Employee)

The Council considered the exempt recommendation of the Executive on the appointment of the new Chief Executive.

RESOLVED that the recommendations of the Executive from its meeting on 8 November 2005 be approved as submitted.

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