

MINUTES OF THE COUNCIL MEETING HELD ON 27 APRIL 2006

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
MAIN HALL AT THE SPELTHORNE LEISURE CENTRE, KNOWLE GREEN,
STAINES ON THURSDAY 27 APRIL AT 7.30PM.**

Amos Mrs P.C.	Fullbrook J.M.	Paton J.M.
Ayers F.	Grant Mrs D.L.	Pinkerton Mrs J.M.
Bain Miss M.	Hirst A.P.	Pinkerton J.D
Beardsmore I J	Hyams Mrs M.	Royer M.R. (Deputy Mayor)
Ceaser G.S. (Leader)	Jaffer H.R.	Sider R.W.
Chouhan K.	James P.R.	Strong C.V.
Colison-Crawford R.B.	Leighton Mrs V.J.	Trussler G.F.
Culhane E.K. (Deputy Leader)	Lorch S.B.S.	Turner Mrs D.
Davies F.	Madams Mrs M.J.	Weston Mrs P. (The Mayor)
D'Sa R.V.	O'Hara E.	Wood-Dow Mrs J.M.
	Packman J.D.	

Councillor Mrs P. Weston The Mayor, in the Chair

100/06 WELCOME

The Mayor welcomed members of the public to the meeting which was being held in the Main Hall at Spelthorne Leisure Centre in order to accommodate the large number of members of the public wishing to attend. She explained the way in which the meeting would be run and outlined the procedure in the event of an emergency.

101/06 APOLOGIES

Apologies for absence were received from Councillors S. Bhadye, M.L. Bouquet, G.E. Forsbrey, Mrs. I. Napper, Mrs. J.E. Ponton, E.J. Searancke and Mrs. C.L. Spencer.

102/06 MINUTES

RESOLVED that the minutes of the meetings held on 23 February and 2 March 2006 be approved as a correct record.

103/06 DISCLOSURE OF INTERESTS

Councillor R.W. Sider declared a prejudicial interest in Item 7 of the agenda on the Older People's Services and Spelride Review as he was President of Spelthorne Multiple Sclerosis Society and a volunteer driver for that organisation and President of the Hope Stroke Club, both of which organisations were users of the day centres and Spelride.

Councillor E. O'Hara declared a prejudicial interest in Item 7 of the agenda on the Older People's Services and Spelride Review as his wife was a user of Staines Day Centre.

Councillor Mrs P.C. Amos declared a prejudicial interest in Item 7 of the agenda on the Older People's Services and Spelride Review as she worked for Citizen's Advice Bureau based at the Benwell Centre.

104/06 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Mayor reported that thirteen questions had been received from members of the public on the Older Peoples' Services Review, and 1 question from a member of the public on other matters. The Mayor reported that under Standing Order 12, thirty minutes was the period allowed at a Council meeting for public questions. In order to allow all concerned to speak under this item she asked for a motion to suspend Standing Order 12.1 for the duration of this meeting.

It was moved by Councillor G.S Ceaser, seconded by Councillor E.K. Culnane and carried that Standing Order 12.1 be suspended for the duration of this meeting.

The Mayor then invited each person to put their question in turn, and for responses to be given by the Leader or responsible Portfolio Holder. She confirmed that a written response would also be sent to the questioners.

1. QUESTION FROM MR CARRUTHERS

"An event of considerable importance to Spelthorne has been taking place and has just closed; The Inquiry into the A244 Thames Crossing at Walton on Thames. The vast majority of this bridge scheme (and all of the bridge itself) is within the Borough of Spelthorne. Spelthorne BC also has direct interest as owners of common land that is being replaced. However this Council chose to ignore the Inquiry, although I did see Mrs Leighton there as a spectator.

It attracted much protest from south of the river, even from as far away as Esher, causing the Inquiry to be extended from the expected just two weeks last November, to end on 2nd March this year. All seemingly intent on keeping the temporary bridge in place, in spite of serious traffic blockages caused by the 38,000 vehicles currently using the bridge every day. I will not rehearse the arguments here. It was remarkable though for the number of times during the Inquiry that the absence of SBC was mentioned. An extract from the closing speeches was 'the concept of an absentee planning authority is unknown in law', and the use by the Legal Counsel for Elmbridge BC of the absence of our own Borough council, to suggest Spelthorne BC agreed with Elmbridge BC's position on environmental grounds, and that he spoke for both.

In default of this Council's attendance, it was left to Jim Maxwell and myself to speak up for the vast majority in Spelthorne at the Inquiry, who want a permanent bridge in place as soon as possible. Luckily both of us had been on the County Council Bridge Task Group and so were reasonably well informed.

Please may I know why Spelthorne Borough Council chose to ignore the Inquiry, and what was hoped to be gained by not taking part, even as an observer, to ascertain no loss of benefit to the Council and our residents? "

The Leader of the Council responded as follows:

"Mr Carruthers refers to the recent Inquiry, which was set up specifically to hear "duly made" objections into Compulsory Purchase Orders and Side Road Orders for the proposed new Walton Bridge.

As a matter of background I recall that in March 2004 this Council considered and agreed a response to the consultation from the County Council for the construction of a new Walton Bridge. We resolved to support the principle and

proposed location of the new river crossing to replace the existing temporary Walton Bridge.

However, we requested the County Council to reconsider a number of aspects of the scheme, including the slip roads on the Cowey Sale side of the bridge because of their impact, the need to make better provision for cyclists and the need for exchange of land at Walton Lane Farm. We also expressed the strongest possible concerns with regard to the impact on amenity of HGV traffic in the vicinity of the bridge and suggested that the County Council initiate an early review in order to minimise the amount of HGV traffic.

Members also agreed that in view of the local concerns the proposal should be the subject of a Public Inquiry. After consideration by the County Planning Committee the proposal was referred to the Secretary of State who subsequently confirmed that he would not "call in" the application and that it would be determined by Surrey, as the county Planning Authority. On this basis there was no Public Inquiry and planning permission, with conditions, was granted on 19 July 2004.

Clearly, if the Secretary of State had "called in" the planning application, the Council would have pursued its concerns over aspects of the planning application at the public inquiry.

Following the grant of planning permission, the County Council published the necessary compulsory purchase and side roads orders in January 2005. Council officers considered these orders in relation to the implications for the land within the Council's ownership. It was concluded that these could be best pursued through negotiation rather than formal objection.

The remit of a compulsory purchase and side road order inquiry is to hear objections to the buying of land necessary to allow a public development to take place (e.g. the construction of a bridge and slip roads), it is not to re-examine the issues considered in determining a planning application, except to the extent that objectors may seek to establish that there is a better alternative to that proposed. As the Council supported the principle of the scheme, its design and general alignment, there were no grounds on which to object to the compulsory purchase and side road orders.

Mr Carruthers implies that the Council should have been present to support the scheme. I consider that this would have been a poor use of Council resources, given the primary purpose of the Inquiry to hear objections to the orders and the formal role of the County Council to promote the scheme. As the Council did not lodge a formal objection to the orders it had no right to appear at the Inquiry. The Council certainly did not seek to ignore the Inquiry but has continued to pursue its interests through the negotiation."

2. QUESTION FROM MR TRACE

"Will the Council publish:

- (a) the itemised details of the "savings" in financial terms of the two Centres, the figure they have put forward being some £360,000 to £400,000 (extract from Spelthorne Borough Council official financial

statement under heading “Community Services” – 1 Day Centre = £181,584); and

(b) an estimate of the social costs which the closures would precipitate?

I qualified as Associate of the Institute of Chartered Accountants in 1955 and became a Fellow in 1965. Shortly thereafter, I became an associate of the Institute of Cost and Management Accountants.

For many years, I chaired the Standing Committee for Accounting “A” Level and above, of the Associated Examining Board. The first item on our syllabus was Social Accounting.”

The Leader responded to the question, and said:

“Thank you for your question Mr Trace. I am sure you are aware that the issue will be discussed later in the meeting and issues surrounding your and other questions to be heard tonight will be borne in mind at that time.

As the financial situation is complicated, the written response to this question will include a full breakdown of the savings relating to both the original and revised proposals. To summarise briefly there are three main elements to savings.

- (a) Additional interest earned on the anticipated receipts for Benwell and Stanwell sites. This is split as additional interest income of £24,000 relating to Stanwell and £56,000 relating to Benwell, giving total additional annual interest income of £80,000
- (b) The revised proposals result in £326,000 direct savings relating to the day centres. Of the £326,000, the bulk of the saving relates to Staines £110,000, Benwell £70,000 and Stanwell £65,000. In terms of type of expenditure a little less than half of the £326,000 relates to savings on staff costs.
- (c) The balance of the savings relate to savings already built into the 2006-07 budget with regard to the community alarm network and the Meals on Wheels Service.

The three elements: £80,000 investment plus £326,000 direct net costs of day centres and £109,000 other savings already implemented make up the revised savings total of £515,000.

The written response, as I said earlier, will provide a summary of the financial breakdown of the proposed savings.

The Council has listened to the consultation and the key issue identified was the importance of social interaction. The new proposals are offering a place to meet in all locations, and although they may not be the same, there will still be a meeting point. There is also a social cost if we do not support those who need more help - the frailer, older person and these proposals will support this important group.”

3. QUESTION FROM MRS STEPHENS

“How much are all the alterations and changes to the Greeno and Fordbridge going to cost, and how long will the Centres have to be closed? Plus, where

are you going to get all the extra volunteers from, because without them, you cannot run the Centres?”

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

“The new proposal means that there **will not** be major changes at Fordbridge and Greeno, and therefore a closure will not be necessary. A capital sum of up to £70,000 has been identified for the major changes elsewhere in the Borough.”

4. QUESTION FROM MRS DENNIS AND MRS TAGG

“We wish to put two proposals to the Council Members

1. That the Stanwell Centre be given a year’s grace in order to try and put it on a more commercial footing. This would entail introducing a subscription fee of £12 annually (£1 per month); making adjustments to prices for tea bar goods, bar, cards, shop and bric-a-brac table; making realistic charges for groups who use the Centre – bridge, calligraphy, art, exercises and bowls. Members would also have to pay market price for use of the Centre outside usual hours. All the proceeds from the above would go to Spelthorne Borough Council and the charity status would be no more. We know from asking questions in the Centre that no one would mind paying more if it meant keeping the centre open.
2. That, although the Centre would be used primarily for older people (they are the ones with more leisure hours), Stanwell residents could be encouraged to visit the Centre for the facilities on offer. For example, the Centre would be great for weddings. Many couples in Stanwell have had to wait months to get married because they cannot find a venue for their reception. Advertising the Centre, including a board at the front of the building, would go some way to making us known.

This Centre accepts that we can no longer go on being subsidised, in the same way, by Council Tax payers, but many of us are those payers and have been for many years; surely we deserve to be recognised at this stage in our lives? We can never hope to “break even” in the Centre but we are willing to make changes to contribute all we can to ease the burden to the Council Tax payer. We think, that with the ever increasing ageing population, together with the public outcry in the media about lack of care for older people, it would be short sighted to close what will probably become an essential part of the community.”

The Portfolio Holder for Adult and Elderly Services, Councillor Mrs V.J. Leighton responded as follows:

“We do thank you for taking the time to develop this option. As you will be aware, in the new proposal the preferred option is to pursue with the North Surrey Primary Care Trust, the feasibility of a new health centre, library and community café on this site.

You will also be aware from the amended proposal that during the preparation of the feasibility study that other potential options for the site and a meeting place are considered.

A new health centre is needed for the whole community in Stanwell and the community café will provide a place for older people to meet, and also a new library. All these facilities together will be of benefit to the whole community.

With regard to additional income, the scale of this would have little impact on the overall running costs, however, we are proposing to introduce a membership fee because this was suggested via the consultation process. However, the situation has continued for many years and decisions on the future of our services to older people do need to be made now.”

5. QUESTION FROM MRS SEWARD

“If the Executive Committee has recommended the demolition of Stanwell Day Centre, has a full Feasibility Study been done on the proposed café in Clare Road regarding catering facilities for the elderly of Stanwell and how many will it accommodate?”

The Leader responded to this question and said

“You will note that there is a revised recommendation for Stanwell which states that other options be explored for reporting to the Executive in October/November 2006.

The Clare Road option is not our preferred route, but the key issue identified in the consultation was a place to meet to socialise and this would help to support this need.

To date there has not been a detailed feasibility study carried out at this stage, but contact has been made with the agents and the rent is affordable. It is likely that there will be a snack bar, teas/coffees and sandwiches, although accommodation numbers cannot be evaluated at this time.

The report also states that we will establish an older people task group to be involved in the final development of the proposals.”

6. QUESTION FROM MR WENT

“A: Have the Council, considered that closing the Day Centres at Stanwell and Sunbury will: -

1. Cause problems with the mental and physical health of those elderly people who are unable for various reasons to travel any distance from their homes?
2. Give extra expense to other organisations which pick up on the above problems?
3. Deprive local elderly people of a vital resource?
4. Deprive the local community of valuable venues for meetings and events which will create a loss to their communities forever?

5. Cause overcrowding at other Centres within Spelthorne which will in all probability affect the services provided?

6. Maybe generate costs in providing transport to adjacent Centres?

B: Will the Council confirm that the criteria for monitoring the final decision for the Benwell and Stanwell Day Centres (Joint report of Strategic Directors (Community and Support) – agenda item 5a Executive Summary) will follow similar criteria?”

The Portfolio Holder for Adult and Elderly Services, Councillor Mrs V.J. Leighton responded to the question and said:

“A The Council has considered all aspects of the proposals.

1. The new proposals do still provide opportunities for older people to meet.
- 2 The Primary Care Trust, Surrey County Council and the voluntary sector have been consulted and are supportive of the new proposals. These organisations in particular are responsible for the mental and physical health of older people.
- 3 The new proposal does provide local resources for the older person.
- 4 There is not extensive community use of the facility for meetings. There will still be five facilities, although different from the current ones.
- 5 We are currently nowhere near our full capacity of our centres and the new proposals will be able to absorb a substantial number of additional users.
- 6 A facility will be available in each area and people could walk. Those who are most vulnerable use Spelride already and it is a standard cost.

B As with all Council decisions, we consider the impact and re-assess issues at regular intervals.”

7. QUESTION FROM MRS WILKINS

“Why when there is a working purpose-built library in Stanwell is there any intention of pulling it down? To relocate it in a shop in Clare Road would be entirely unsuitable. It just seems sheer lunacy.

Does Spelthorne Council realise that the Playing Fields of Town Farm School have been eroded away over the years, beginning with sale to Airways Housing to erect a row of garages; then to build a Health Centre; then the Youth Club and the Day Centre?

Finally the Vibia Close for affordable housing was sold to Airways Housing but a cast-iron guarantee was given to the Governors, and I was one, that not another inch of ground would be taken. Please honour this Spelthorne and Surrey.”

The Leader of the Council responded to this question as follows:

“As you will understand, there is an updated recommendation for Stanwell this evening. The preferred option is a new health centre, very important for the health of the whole of Stanwell, new library and community café. For a new facility, it is more practical to rebuild and not refurbish a site.

With regard to the playing fields of Town Farm School, they are the responsibility of Surrey County Council and therefore they make the decision

to use / sell the land. Spelthorne Borough Council, therefore, is unable to comment on that aspect tonight. This comment also refers to Vibia Close.”

8. QUESTION FROM COUNTY COUNCILLOR AGARWAL

"At every public presentation so far Spelthorne Tory Borough Councillors have mentioned how Surrey County Council have delegated their responsibility for day centres to Spelthorne Borough Council. With a Conservative controlled Borough Council and a Conservative controlled County Council what actions have been taken recently following the proposal to close the day centres by the majority Conservative group at Spelthorne Borough Council and given that this has been the situation in Surrey pre May 1997 when the Tories were the party of Government and the largest group at both the Borough and County Councils. What action was taken then to work with Surrey County Council to have a workable, long term solution with clearly defined responsibilities."

The Leader responded as follows:

“A group, led by the previous Chief Executive, was established, including the North Surrey Primary Care Trust, Spelthorne Borough Council and Surrey County Council, to explore ways of working together for the benefit of older people. The key services identified as priority for each organization were SPAN and Meals on Wheels; services that support people living in their own homes for as long as possible. High needs clients with support from Surrey County Council are catered for at one of the day centres. Both the Primary Care Trust and Surrey County Council were consulted on the proposal and the Stanwell proposal identifies that these organisations and Spelthorne Borough Council should work together.

Surrey County Council have had their own business review and have allocated funding to support people staying in their own homes for as long as possible. They are financially contributing to the seven day week meals on wheels' service.

Once the changes with the Primary Care Trust and Surrey County Council have happened, the strategic group of the Primary Care Trust, Spelthorne Borough Council, Surrey County Council and the voluntary sector will be re-established.”

9. QUESTION FROM MRS SHOREY

In Mrs Shorey’s absence, her question was read out by the Mayor:

“How do you consider the suggested proposals uphold the recent government directive that elderly people benefit from exercise and social activities to promote an active and longer life?”

The Portfolio Holder for Adult and Elderly Services, Councillor Mrs V.J. Leighton responded to this question as follows:

“The proposals will still be providing places to meet for social interaction. The Benwell proposal will continue to provide exercise opportunities. Spelthorne

Borough Council has also introduced a range of new activities for older people at the Leisure Centre - short mat bowls, short tennis and the improved evergreen programme with a variety of activities (swimming, badminton etc). The Council also promotes walking through our walks programme to improve the health of local people with locations throughout the borough. We also grant fund and promote, through the leisure directory, a whole host of additional activities for the community."

10. QUESTION FROM MR LUFF

"The 'Past users of Holloway Day Hospital', a voluntary group of elderly people, men and women, aged 70 years and older were all patients at the Mental Health Service Unit for older people at Ashford Hospital and were subsequently discharged from the Day Hospital.

Each suffers from recurring bouts of depression and but for the group, founded in 2002, they would have mostly stayed indoors and been very lonely. They meet once a month at the Salvation Army Centre, Woodthorpe Road, Ashford, from 1300hrs-1500hrs.

Transport is vital for the "Club" group to continue and enjoy the companionship of established friends.

General public service is not suitable for them and their needs. Taxis have proved too expensive and the grant of £3,500 over 3yrs has virtually run out.

Will Spelride Accessible door-to-door transport for disabled and elderly people living in the Borough of Spelthorne, who cannot use conventional public transport now not be available to such people?

Many were members of and some had recently joined and paid their subscriptions, but just as the service was cancelled.

PLEA: Please restore this much needed vital service".

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

" The proposals are to operate a dial-a-ride service between the hours of 11am and 2pm daily to visit the most popular destinations and also to try and also accommodate current regular groups providing services to people with a disability and the older, frailer users. The information in your question states that the club meets between 1pm and 3pm, which is outside of these times and therefore the club would need to be flexible and work with us to try to accommodate the users.

By re-organising, and with some flexibility and goodwill, we anticipate accommodating the majority of our Spelride users."

"Councillor Mrs Leighton also stated that she had introduced Mr Luff to Mr Steve Connor, Head of Direct Services, prior to the start of the meeting and as his group was amongst the target audience for Spelride users she felt sure that with a little flexibility, agreement could be reached on a suitable arrangement for all."

11. QUESTION FROM MR ROBINSON

"My name is Ian Robinson and I am the originating honorary IT Tutor at the Benwell Day Centre for the last year. I wish to ask:

Question 1: "Have all the options for cost saving been fully evaluated?"

I have in mind potential savings obtainable from the £10m/y HQ staff costs, by adopting alternative methods of working and staff cuts. The Officer authors of the Older People's Services Report cannot be expected to recommend staff cuts! As the ex-BP Senior Consultant for global Group lubricants operations, used to carrying out cost studies, I offered my honorary consultancy services 6 weeks ago. Only today has this offer been taken up!

Question 2: "Will Benwell be allowed to continue in its present form?" at least until all the options and priorities have been fully examined, including the economics and costs of alternative arrangements, extra medical care, project management, demolition, etc.?

I base my Questions on my personal observation that computer and art classes, ballroom dancing, bowls, hairdressing, chiropody, etc., are essential activities needed to attract and ensure the absolutely invaluable socialising induced by members mixing together, usually once week. This mentally stimulating benefit will not be provided during the proposed construction time, nor by the reduced space at Churchill Village Hall and eventually at Benwell.

I have experienced my "Mature Students" therapeutic laughing and giggling as they learn to master the computer. Most of them have computers at home - and don't know what to do with them! In their first lesson, they learn how to print their own headed notepaper - and they are delighted!

These activities must be allowed to continue - uninterrupted!

Thank you."

The Leader of the Council responded to the question as follows:

"1. The process of finding savings is an ongoing one of ensuring that the Council's finances are on a sustainable basis. In the last four annual budgets the Council has found a total of £5 million savings. Savings of £1.4 million have already been built into the 2006-07 budget. On top of these, the Council needs to identify a further £1.4 million savings in order to set a balanced 2007-08 budget.

The £10 million staff cost relates to the total employment costs of all staff employed by the Council. The Council is looking at ways to deliver services more efficiently. As part of this it will be undertaking this year, business process re-engineering reviews across four service areas of the Council. These will critically look at the processes we currently undertake and identify whether there are activities which may not be required and how we can perform tasks differently and more efficiently. The 2007-08 budget process will, therefore, be a challenging process.

The Council is critically looking at achieving procurement savings by working in partnership with other authorities and the South East Centre of Excellence, aggregating contracts, utilising electronic procurement in the future and rationalising its relationships with suppliers to obtain

better terms. Just this month the Council reduced its corporate insurance cover costs by approximately £72,000.

The Council will evaluate future options with regard to its central offices and whether there are more cost effective options in the medium term to accommodate its staff. This is likely to be linked to new methods of working.

The Council is actively looking at measures to improve the energy efficiency of its buildings both for environmental reasons and to achieve cost savings. In so doing the Council will seek to maximise any grant funding available to support investment in energy efficiency initiatives. This will build upon measures already in place such as the generation of electricity from solar power at our leisure centres.

2. Although we understand that Churchill Village Hall will not provide room for all the activities, it is a place to meet, with the ability to provide some activities, such as bingo, art and gentle exercise classes. We have been discussing with library staff about computer courses, including Sunbury library, and we will continue to look for alternative venues for computer classes.

The Council has to look at the needs of the whole borough, which means that the centres will need staffing and we need to ensure staff have the opportunity to move into new roles and therefore we do need an end/start date for the new works to allow the service to continue."

12. QUESTION FROM MR RUSHBROOK

'Can we be assured that in the future there will be better public consultation in major decisions such as closure of Day Centres and not rely on such gimmicky initiatives as 'Road Shows' at tables in the open air, in mid-winter in Supermarket Car Parks'.

It was only through local public pressure that a Council organised public meeting was agreed to in Sunbury.

For a matter that has allegedly been considered for 5 years there appeared to be an indecent haste to get comments and options over the Christmas and New Year period.

The public perception is, perhaps wrongly, that this was a 'done deal' to close the Centres to save and earn money and only through late public pressure have other options been quickly put together. A hasty decision we may regret in time.

Whatever the reason for this situation, the result has been considerable concern and distress amongst the community especially the elderly and their carers.

In addition to our assurance for better public consultations, can we be assured that the Councillors' vote tonight be their moral conscience for their care of the elderly and not constrained by Party whip ? '

The Leader responded to the question on the following lines:

" There was a range of consultation:

- 40,000 leaflets were distributed to households, with 750 responses.

- Over 500 people attended the five roadshows.
- 40 partners were consulted with 15 responding.
- Informal consultation through meetings with partners and users.

We will review the process as we do with any major service changes so we can learn and so we can improve. There is no "done deal" and Members will vote as they wish."

13. QUESTION FROM MRS NICHOLS

"Councillor Leighton, in her capacity as portfolio holder for Adult and Elderly Services has indicated that Brockhill in Woking is the model for sheltered accommodation proposed for the Benwell site. Please may we have a description of the Brockhill model and how it will be applied to the Benwell site?"

The Portfolio Holder for Adult and Elderly Services, Councillor Mrs V.J. Leighton responded to this question and said

" The Brockhill concept is the model for the Benwell site - that is, a day centre within extra care housing. As detailed in the report, we will work with the users to develop the plans for the community element. The Brockhill site has more accommodation, but the community facility consists of a restaurant, hairdressers, chiropody/treatment room activity room, tea bar and a conservatory.

The specification will be developed with the users and Social Services, before procuring a housing specialist.

I can assure Mrs Nichols that this proposed future provision will provide quality opportunities for older people, including the frailer elderly, whom we wish to support."

14. QUESTION FROM MR JOHNSON

"I refer to the report to the Executive on Older People's Services and Spelride Review, Agenda Item 5a on 25th April 2006. The financial implications in para. 5.1 are not transparent.

I should like to know:

- a) How is the investment income of £80,000 derived?
- b) What is the make-up of the current cost quoted of £568,000 and from which annual budget will this be taken?
- c) What is the make-up of the estimated cost scenarios of £201,000 for the November proposal and £242,000 for the current proposal?
- d) What is the make-up of the savings to date of £109,000?
- e) Where are the savings on the original proposal of £556,000 quoted in the original proposal to the public as part of the consultation process?

The Leader of the Council responded as follows:

- a) The investment income relates to the assumed interest which will be earned on annual basis from the anticipated receipts from the Benwell site (£1.4 million) and Stanwell site (£600k). A cautious assumed interest rate of 4% has been used (that is 4% of £2m = £80,000).
- b) With regard to the £568k, this relates to the net direct running costs of the day centres, excluding asset rentals, excluding central recharges to the day centres. The figures are taken from the annual 2006-07 revenue budget for day centres.

With regard to the other financial questions you have raised, these have been detailed in the earlier response to Mr Trace, and these will be copied to you."

The Mayor thanked all those who had presented questions for taking the time and trouble to attend the meeting.

105/06 PETITION

The Mayor invited Mrs Nichols to present a petition concerning Improving Older People's Services in Spelthorne and to address the Council.

Mrs Nichols presented a petition with over 1,100 signatories, which the Mayor duly received, and she outlined her reasons for submitting the petition.

The petition formed part of the Day Centres campaign, which started in December 2005 in response to the proposed closure of Benwell and Stanwell Day Centres and the reduction in Spelride and Staines Community Centre services.

It was supported by the Liberal Democrats, Labour Party, Senior Citizens Party and numerous voluntary and residents associations.

The petition requested the Council to keep open all the Day Centres across Spelthorne. Mrs Nichols wished to impress upon the Council that there was a widespread consensus that these Day Centres were highly valued social assets. In particular they provided a vital contact point for the frail elderly who otherwise would have a limited social life.

She urged the Council to defer the decision on Benwell, pending further evaluation of options, as she hoped the Council would also do for Stanwell.

In accordance with Access to Information Rule 23.2 the Petition stood referred to the Executive without discussion.

106/06 OLDER PEOPLE'S SERVICES AND SPELRIDE REVIEW / COMMUNITY TRANSPORT BEST VALUE REVIEW

The Leader reported that the Executive had considered a report on proposals for the future model of personal social care services for older people in Spelthorne. After a fundamental review and extensive public consultation about the way older people's services were provided in Spelthorne, the Executive had considered these revised proposals, which had been amended from the initial ones in light of the feedback from the public consultation. It had agreed to recommend that the Council agree to target services on the more vulnerable in the community. That the Council planned to support individuals to be independent in their own homes as much as possible by:

Extending the meals on wheels service to seven days a week.

Expanding the Spelthorne Personal Alarm Network (SPAN) to include falls' detectors and using technology to detect abnormal events to support safer living at home.

Retaining Fordbridge (Ashford) and Greeno (Shepperton) Centres to include current facilities such as meals, hairdressing, chiropody, outings and introducing higher needs provision.

Retaining a Sunbury day centre for the community which will include an activity room, meals, chiropody and hairdressing within new extra care housing on the Benwell (Sunbury) Centre site to meet the needs of older people. The Citizens Advice Bureau to be relocated to Sunbury Library.

Working with the North Surrey Primary Care Trust on a feasibility study for constructing a new facility on the existing Stanwell Day Centre site which would include a new health centre, library and community café for older people.

Continuing to provide existing community activities on the first floor of the Staines Community Centre while franchising the café service to another organisation.

For Spelride, the priority would be to service the four day centres and Staines Community Centre as well as all the groups who currently used these buses to take them to activities around the Borough. The Dial-a-ride (taxi) service would, in future, operate between 11am and 2pm daily and would try to group bookings around popular destinations so as to optimise use.

The final options, proposals and recommendations to the Council were made in light of the public consultation on future services for older people in Spelthorne.

It was moved by Councillor G.S. Ceaser and seconded by Councillor Mrs V.J. Leighton to: -

“

1. **Endorse the approach of targeting services for the frailer, older person.**
2. **Expand the Community Alarm Service (SPAN) to include falls detectors, room sensors.**
3. **Extend meals on wheels services to seven days per week for critical needs.**
4. **Retain Fordbridge and Greeno Centres, and their existing services, with some minor improvements and incorporate IT opportunities and a facility that can be used by visiting services, e.g. health / mental health / district nurse.**

5. **Build extra care housing on the Benwell site in partnership with a specialist housing developer and Surrey County Council. This to include a community day centre with activity space, hairdressing, chiropody and hobby rooms. This area to be staffed and developed by the Council and to be linked with the Greeno Centre.**
6. **In the interim whilst this facility is being built, agree to retain Churchill Village Hall for the older residents of Sunbury as a place to meet and participate in activities.**
7. **Continue working with the North Surrey Primary Care Trust [NSPCT] on the feasibility study of building a new health centre / library and older people's community café on the Stanwell site with a report back to the Executive in October / November 2006. In the event of this not being achievable, further options will be investigated including the original proposal (affordable housing) detailed in this report. Interim provision will be provided in Stanwell.**
8. **Franchise the café at Staines Community Centre, with a specification detailing that members receive a discount and that the operation is six /seven days a week. The Council will continue to operate the first floor for the community with the centre linked to the Fordbridge Centre.**
9. **Introduce a membership fee for residents / non-residents from 2007/2008, with differential charges for residents / non-residents.**
10. **Change the status of the charity at each centre to become "Friends of relevant day centre ".**
11. **Agree that all activity income and expenses to be the responsibility of the Council.**
12. **Operate Spelride as proposed in paragraphs 3.1(p and q) of the report of the Strategic Director (Community).**
13. **Agree to make available a supplementary capital estimate of up to £70,000 for facility improvements in year 2006/2007.**
14. **Note that the Chief Financial Officer is required to report on significant variations from the approved budget. If the recommendations are approved, then the full year savings will be £40,000 less than the original assumption in the 2006-2007 budget. The Chief Financial Officer is comfortable that offsetting budget savings at this level can be found during the course of the current financial year."**

The Chief Executive had been notified that members of the public wished to make statements on this recommendation.

The Mayor then invited each person to present their statement in turn.

(1) Mr Ollington.

The report approved by the executive has sections, which do not have the requisite information to make decisions. These require more information, ideas and decisions when a feasibility study has been carried out. How can you approve the recommendations when so many changes will be necessary before implementation? You will be told about the difference between Benwell

and the Woking establishment and what a feasibility study should be by others. The Sunbury site cannot accommodate anything close to the one described and the facilities represented as available for daycentre use will be virtually non-existent. Clearly the research needs to be carried out before a firm decision is made. The delay, which is part of the report, will already affect the current years budget and also next year's budget whatever you do tonight.

Span is profit making so will assist the budget and should be expanded to increase the profit. Meals on wheels is not a loss maker if the true costs only are allocated because in all this you will not make a saving in the overhead figures.

The report shows a large increase in the relevant age group, it is important that the large increase in people requiring the centres are included in the plan.

Does it make sense to sell off capital assets now and try to find more money to develop centres later; this is the worst of short-term thinking! The idea of selling assets for short term financial benefit has been tried before by other councils and is always regretted later. Extra care housing sounds very good and makes you feel cosy in approving it. I agree we should have it but on a suitable site Benwell can never provide housing and a day centre it will just be grossly overcrowded besides other problems we can already see. Remember if the leases are sold this will exacerbate the problem as older people move into the Borough. We will not have a Council run fully rented scheme. It is proposed to interfere with the Charities. The money belongs to the members, A proper constitution will be needed but the Council set up Friends of Kenyngton Park and have a draft constitution presented to them which has sat in limbo ever since. Let the members decide what they want.

Look elsewhere for the savings. Where have you ever seen an organisation as small as this with a Chief executive, and two or three assistant chief executives, responsible for no departments and then heads of service who actually do the work?

The first Item on of the recommendations is to improve services for the frail and elderly. The truth will be in your action voting tonight not in the unimportant words masking an attack on this group.

Just consider who is responsible for the current state of the Day centres?

Did you take your eye off the ball, or were you unaware because the council structure which removes activities from proper democratic scrutiny?

WE are looking at you, not your party, central office or anyone else.

Will you stand up for your ward or take the easy option?

Can you understand or are you just not of the right moral and ethical integrity to be in the position you now hold?

Each one of you is responsible for your vote on this subject. The people have put their trust in you do not let them down.

(2) Mr Wakefield, Statement on behalf of Kempton Residents' Association

I write on behalf of Kempton Residents Association and as a member of the Sunbury Campaign Committee which was set up to oppose and hopefully prevent the closure of our much prized Benwell Day Centre. We have been implacably opposed to this proposal, and we remain so at this juncture even though the original plan to replace it with affordable housing has now been dropped.

We fully understand the economic problems the Council faces, with a reduced Rate Support Grant and Rate Capping set at 5%, but we feel that there is a strong moral obligation here towards elderly people and this venerable section of our community should not have been targeted in the first place. Indeed the wellbeing of many old people, to whom access to a local day centre provides a lifeline, makes this a health issue as well.

We do appreciate that the Council has now re - thought its proposals, undoubtedly in the light of the widespread and trenchant opposition which is being exhibited throughout the Borough, and that the Option now being considered is to provide Extra Care Housing and a new but much smaller Day Centre on the same site.

However, we have a number of comments and concerns in this regard, and these are as follow:-

1. Deferment.

The change of direction of the Council's proposals is, of course, welcomed, but it has come too late for proper in depth research and analysis to have been carried out for such a major issue. No feasibility study has been produced, only an outline plan of possible layouts.

The new options were only published on April 18th, and decisions are mooted for tonight, just nine days later. This is just not sensible in advance of the considerable extra work that needs to be done in order to reach a much better informed and more measured decision.

At the Public Meeting held on April 22nd this was the overwhelming message from the floor, and we formally request, therefore, that your final decision for Benwell is deferred.

2. Current Centre.

We would prefer that the Day Centre would remain as it is now, whilst at the same time recognising that it needs to be much better marketed and publicised. There is considerable scope for much wider use, and for a lot more revenue to be raised by renting the Centre out in the evenings to more firms and associations. Please consider this as a continuing option.

3. Alternatives.

This begs the question of alternative solutions and there must be scope within other areas of the Council's overall budget in which, for example, staffing costs contribute well over 50%. In this context we understand that the Council's new Chief Executive starts work next month, and he will surely wish to look at the Council's administrative costs and overheads from which

considerable savings could undoubtedly be made. This is another major reason for deferring your decisions.

4. Citizens' Advice Bureau.

We have a pleasant and well run Library in Sunbury and the arrival of the C.A.B. there is just not viable. Confidentiality is crucial and it would simply take up too much space making the Library cramped and much less attractive.

(3) Mr Johnson

This consultation is not about improving older people's services. It is about saving money cutting two day centres and reducing Spelride services. All other items are financially insignificant.

The main financial decision was taken by the Executive on the 8th November 2005 as an Exempt item under Minute 881. The Executive has not moved from its original plan to redevelop Stanwell and Benwell day centres.

Cllr. Leighton has extolled the virtues of Woking's Brockhill Centre which she described as a combined day centre and extra-care facility. This was misleading.

Brockhill's communal facilities are provided for its residents with only a small amount of day care provision - and this only for disabled needs patients. It is built at 60 units per hectare. By comparison, Benwell's proposals are between 150 and 180 units per hectare making the proposal unworkable. No feasibility study has been provided to show how future expanded level of day centre activity can be met - let alone the current level. No proposals have been made on how the expanded meals on wheels service can be met when Benwell is lost as the main distribution centre.

Benwell has 27% of Spelthorne's over-65's living within a one-mile radius of its site and who are not covered within a similar distance by any other site.

If the recommendation is adopted it will guarantee a loss in public assets not to be replaced, a loss in day centre capability and a loss in elderly transport facility.

As this is a financially lead consultation I would suggest the council consider cost savings from other areas to include:

- 1) a cut in staffing at all levels. The budgeted manpower is 376. The manpower at Feb.2006 was 312 full time equivalent – which is 15 greater than in June 2004
- 2) Cancellation of Spelthorne in Bloom and the Spelthorne Festival.
- 3) Transfer of all members £1000 discretionary spending facility totalling £39,000 into the older people's cause.

It is quite clear that there has been insufficient study into how the needs of the elderly will be met. I ask that this recommendation be rejected and a revised proposal put forward when a proper fully detailed and transparent feasibility is completed.

(4) Mrs Nicholls

Madam Mayor and Councillors,

With regard to the proposed decision to close two day centres, I wish to draw your attention to a statement made by Conservative Councillors in 2003. It is as follows: " Conservative councillors are proud that Spelthorne Council manages 5 day centres including the brand new Community Centre built in Staines last year as promised. Spelthorne Conservatives can be relied upon to be true to their word. Confirming this, Spelthorne Council was awarded 'Beacon Status' for elderly services in 2002." (Source - Conservative borough election leaflet, 2003.).

I hope you will bear this in mind when you come to vote on the proposals before you. Thank you.

(5) Mr Hirsh

1. No one, least of all the RAs enjoy doing battle with the Council. Hundreds of hours have been (some would say, needlessly) spent on this issue. We would much more have preferred to have been working with the Council from inception.

2. With regard to the proposals for the Benwell and Stanwell Centres, the only certainty on which the members are being asked to vote is the closure of these two Day Centres. The ' feasibility study' presented at the Executive on 25th April was previously exposed as being a fiction at the public meeting on the previous Saturday. Despite the fact that Liz Borthwick apologised publicly for the use of this misleading term, it still appeared before the Executive 3 days later. The Executive have therefore voted on a false prospectus. The inescapable fact is that no feasibility study in respect of the proposals for Benwell Centre has been completed. (I will define feasibility study).

The Council are therefore expecting a leap of faith from the Community when from the beginning, they have demonstrated bad faith through the publication of the now infamous *Improving older peoples services* consultation leaflet - a document which many councillors have privately conceded was ill-conceived spin.

3. The proposals should now be the subject of further consultation once feasibility studies have been completed, for what would happen if the study should prove the day centre proposals to be unfeasible? Would the Council then halt the sale of the land and demolition of existing facilities? We suspect not.

4. We will be asking for this matter to be deferred until we have facts; not visions or concepts that may or may not happen, or which may happen but with vastly reduced facilities of the older person using the day centres.

An amendment was moved by Councillor C.V. Strong, seconded by Councillor I.J. Beardsmore that: -

"in accordance with Standing Order 16.6(i) the recommendation of the Executive on the Older People's Review be referred to the Improvement and Development scrutiny Committee for further investigation and consideration".

The amendment was lost.

In accordance with Standing Order 18.4 a request was made by Councillor C.V. Strong for the voting on the above matter to be recorded. The vote was as follows:

FOR (3)	Councillors I.J. Beardsmore, R.B. Colison-Crawford and C.V. Strong.
AGAINST (23)	Councillors F. Ayers, Miss M. Bain, G.S. Ceaser, K. Chouhan, E.K. Culnane, F. Davies, R.V. D'Sa, J.M. Fullbrook, Mrs D.L. Grant, A.P. Hirst, Mrs M. Hyams, H.R. Jaffer, P.R. James, Mrs V.J. Leighton, S.B.S. Lorch, Mrs M.J. Madams, J.D. Packman, J.M. Paton, Mrs J.M. Pinkerton, J.D. Pinkerton, G.F. Trussler and Mrs D. Turner and Mrs J.M. Wood-Dow
ABSTENTION (2)	Councillors M.T. Royer and Mrs P. Weston

RESOLVED that the Council:

1. **Endorse the approach of targeting services for the frailer, older person.**
2. **Expand the Community Alarm Service (SPAN) to include falls detectors, room sensors.**
3. **Extend meals on wheels services to seven days per week for critical needs.**
4. **Retain Fordbridge and Greeno Centres, and their existing services, with some minor improvements and incorporate IT opportunities and a facility that can be used by visiting services, e.g. health / mental health / district nurse.**
5. **Build extra care housing on the Benwell site in partnership with a specialist housing developer and Surrey County Council. This to include a community day centre with activity space, hairdressing, chiropody and hobby rooms. This area to be staffed and developed by the Council and to be linked with the Greeno Centre.**
6. **In the interim whilst this facility is being built, agree to retain Churchill Village Hall for the older residents of Sunbury as a place to meet and participate in activities.**
7. **Continue working with the North Surrey Primary Care Trust [NSPCT] on the feasibility study of building a new health centre / library and older people's community café on the Stanwell site with a report back to the Executive in October / November 2006. In the event of this not being achievable, further options will be investigated including the original proposal (affordable housing) detailed in this report. Interim provision will be provided in Stanwell.**
8. **Franchise the café at Staines Community Centre, with a specification detailing that members receive a discount and that the operation is six /seven days a week. The Council will continue to operate the first floor for the community with the centre linked to the Fordbridge Centre.**
9. **Introduce a membership fee for residents / non-residents from 2007/2008, with differential charges for residents / non-residents.**

10. **Change the status of the charity at each centre to become "Friends of relevant day centre ".**
11. **Agree that all activity income and expenses to be the responsibility of the Council.**
12. **Operate Spelride as proposed in paragraphs 3.1(p and q) of the report of the Strategic Director (Community).**
13. **Agree to make available a supplementary capital estimate of up to £70,000 for facility improvements in year 2006/2007.**
14. **Note that the Chief Financial Officer is required to report on significant variations from the approved budget. If the recommendations are approved, then the full year savings will be £40,000 less than the original assumption in the 2006-2007 budget. The Chief Financial Officer is comfortable that offsetting budget savings at this level can be found during the course of the current financial year.**

In accordance with Standing Order 18.4 a request was made by Councillor C.V. Strong for the voting on the above matter to be recorded. The vote was as follows:

FOR (24)	Councillors F. Ayers, Miss M. Bain, G.S. Ceaser, K. Chouhan, E.K. Culnane, F. Davies, R.V. D'Sa, J.M. Fullbrook, Mrs D.L. Grant, A.P. Hirst, Mrs M. Hyams, H.R. Jaffer, P.R. James, Mrs V.J. Leighton, S.B.S. Lorch, Mrs M.J. Madams, J.D. Packman, J.M. Paton, Mrs J.M. Pinkerton, J.D. Pinkerton, M.T. Royer, G.F. Trussler and Mrs D. Turner and Mrs J.M. Wood-Dow
AGAINST (3)	Councillors I.J. Beardsmore, R.B. Colison-Crawford and C.V. Strong
ABSTENTION (1)	Councillor Mrs P. Weston

(In accordance with Minute No. 103/06, Councillors Mrs P.C. Amos, E. O'Hara and R.W. Sider all left the Main Hall of the Spelthorne Leisure Centre during consideration of this item on the Older People's Services and Spelride Review / Community Transport Best Value Review.)

107/06 ADJOURNMENT OF MEETING

The Mayor thanked everyone who had attended and those who had contributed to the debate by participating in the consultation and asking questions of the Council.

She asked for a motion to adjourn the meeting for 10 minutes so that any members of the public wishing to leave might do so before continuing to consider the further business on the agenda.

It was moved by Councillor G.S. Ceaser, seconded by Councillor E.K. Culnane and carried that the meeting be adjourned for 10 minutes.

108/06 RE-CONVENED MEETING

The meeting re-convened in the Main Hall of Spelthorne Leisure Centre, Knowle Green, Staines at 10.20pm

109/06 ANNOUNCEMENTS BY THE MAYOR AND LEADER

ANNOUNCEMENTS BY THE MAYOR

The Mayor commented on the success of her charity dinner last evening and thanked Councillors for their assistance with the event.

The Mayor reminded Members that the Spelthorne Civic Day would be held on 3 May and asked those who had not indicated that they wished to attend to respond as soon as possible.

ANNOUNCEMENTS BY THE LEADER

The Leader, Councillor G.S. Ceaser stated that due to the lateness of the hour his announcement giving an update on the proposed merger of Surrey and Sussex Police forces would be circulated to Members in print.

110/06 REVISIONS TO THE CONSTITUTION – MINOR CHANGES TO THE SCHEME OF DELEGATION IN RESPECT OF MAJOR PLANNING APPLICATIONS

The Strategic Director (Community) advised the Council that its Constitution needed to be reviewed to reflect minor changes to the scheme of delegation in respect of major planning applications by authorising Officers to refuse certain applications in order to allow Members to focus on those Key Decisions where value could be added.

RESOLVED that the minor changes to the Constitution under the scheme of delegation to Officers in respect of refusals of major planning applications be agreed.

111/06 DRAFT CALENDAR OF MEETINGS FOR 2007/2008

The Council considered the recommendation of the Executive to approve a draft Calendar of Meetings for 2007/2008, covering the 12 months period from 1 June 2007 to 31 May 2008. The draft Calendar as submitted to the Executive, had since been revised to reflect the Executive's request that not more than one meeting be scheduled on any one date in the 2007–2008 period in question to avoid any clashes of dates for Members. A revised draft Calendar was circulated at the Council meeting for approval.

RESOLVED that the draft Calendar of Meetings for 2007/2008, covering the 12 months period from 1 June 2007 to 31 May 2008, be approved subject to the Leader being authorised to settle any further minor amendments.

112/06 CRIME AND DISORDER REDUCTION STRATEGY ANNUAL REPORT 2005/2006 AND ACTIONS 2006/2007

The Council considered the recommendation of the Executive on actions for year one of the Spelthorne Crime and Disorder Reduction Partnership (CDRP) three-year strategy.

RESOLVED to

- (1) Note the report for Year 1 (2005/2006) of the Crime and Disorder Reduction Strategy.

- (2) Endorse the action plan for Year 2 (2006/2007) of the Crime and Disorder Reduction Strategy, as submitted, and receive further annual reports on the outcome of the plan.
- (3) Agree that the Surrey Safer and Stronger Communities Board be requested to include Borough/District Council Member representatives within its membership.
- (4) Agree that the Surrey Safer and Stronger Communities Board also be requested to review the allocation of funding to the Spelthorne Partnership to ensure a more equitable distribution based on overall crime levels and targets set by the Home Office.

113/06 REPORT FROM THE LEADER OF THE COUNCIL

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

114/06 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

Councillor J.D. Pinkerton, a Member of the Performance Management and Review Committee, presented the Chairman's report, which outlined the matters the Committee had dealt with since the last Council meeting.

115/06 LICENSING COMMITTEE

The Chairman of the Licensing Committee, Councillor R.W. Sider, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting and the outcome of Appeals against decisions of the Licensing Sub-Committee brought in the Staines Magistrates' Court.

116/06 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.

117/06 QUESTIONS ON WARD ISSUES

- (1) Under Standing Order 13, Councillor Mrs P.C. Amos asked the following question:

“As Ward Member for Ashford East, I should like to know why there has been such a delay in the testing of the contaminated soil in Denman Drive and surrounding areas. This area is populated by young families and first time buyers many of whom are in the unfortunate position of not being able to sell their properties until a confirmed diagnosis has been made. We were told originally that the results would be known by the end of March and now we are told it will be July. What has caused this delay?”

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

“Unfortunately, the delay in starting the site sampling at Denman Drive and surrounding areas has been due to contractual complexities. The original date for commencing site sampling in the area was March 2006 with the results being due at the end of June 2006.

Unfortunately, this process has taken the legal advisors to the contractor (Hyder Consulting) and the Council longer than anticipated. As these negotiations progressed it became apparent that Hyder Consulting wanted to impose contract terms, which were not acceptable to the Council. It was essential that the terms of the contract provided adequate protection to both the Council and the residents living on the site.

After extensive work by Legal Services and our pollution control team this issue has now been addressed to the satisfaction of both parties and the contract is in the process of being signed and sealed. This delay has unfortunately meant that the site sampling has now been delayed until early June with results due at the end of September. We will shortly be sending out a newsletter to advise residents on how the site investigation will progress.

It is unfortunate that the site sampling has been delayed, but it was essential that our Legal Services ensure that the contract meets the Council's requirements. Although this may be causing concern amongst residents of the area they should be reassured that, in the meantime, Hyder Consulting have been progressing their desk study of the site in order to speed things up as much as possible."

- (2) Under Standing Order 13, Councillor Mrs V.J. Leighton asked the following question:

"Please may I be advised of the legal position on the access rights regarding the use of the Bishop Duppas Park "Right of Way"? I understand that Surrey County Council believe there is a good case for public access based on free unhindered public use over 20 years. The County also believe that this follows the same laws as those used by the Joint Action Group [JAG - This is a police-led partnership between agencies]. I also understand that the worst crime areas, or hotspots, are referred to JAG for selection of those to be targeted at a point in time. The problems at Bishop Duppas Park fall into the JAG serious category to be dealt with.

Regarding the health and safety issue, which is also being raised, local residents have pointed out the need to look at the other access points, as the barriers erected do not even allow disabled access into the Bishop Duppas Park. Please may I be updated on the latest position on this issue?

There is public feeling on this issue that has been demonstrated by all those local residents who have signed a recent local petition. Their main concern is that local residents have not been consulted or updated on the action being taken on this matter."

Councillor E.K. Culnane, Portfolio Holder for Community Safety and Community Liaison, replied, as follows,

"The history of this issue is, I believe, that there was a fence along this section of the park. The fence was subsequently damaged and has not been replaced.

As a result of numerous complaints from residents and Councillors concerning youths riding motor cycles illegally across the park, and general vandalism and misbehaviour, the Council, in consultation with the Police, re-instated the fence.

With regard to the public right of way, the Council does not believe there is any right of way to the park at this point.

With regard to disabled access, the Walton Bridge Road entrance is the main access to the park and the play facilities, and this access is fully open 24 hours a day for people with disabilities.

I would add that, since the fence has been installed, we have had very few reports from residents or users of any anti-social behaviour in this area of the park.

The action has had to be taken quickly to resolve practical operational issues and I believe that the action has greatly assisted the majority of park users."

118/06 GENERAL QUESTIONS

Under Standing Order 13, Councillor R.W. Sider asked the following question:

"With the new legislation under the Neighbourhood and Environment Act 2005 coming into force on the 6th April, can the portfolio holder inform me how the Council plan to enforce the issues covered by the aforesaid Act."

Councillor E.K. Culnane, Portfolio Holder for Community Safety and Community Liaison, replied, as follows,

"The Council agreed in January to make budget provision available from this year to employ 2 Officers to enforce the new powers available under the above Act; many of which became operational on 1st April. These include fixed penalty notices for abandoned vehicles, litter, dog fouling, graffiti and flyposting. However, although the powers came into force in early April, officers only received the final guidance document at the same time, preventing any earlier advice to members of the Council. Consultation has been undertaken with London Borough of Richmond.

It is anticipated that a detailed report on the new powers, with proposals to enforce them will be submitted to the Executive in May."

119/06 THANKS

The Mayor thanked Members for attending the Council meeting and the Officers and staff for their organization of the meeting at the Main Hall of the Spelthorne Leisure Centre.