

**MINUTES OF THE COUNCIL MEETING HELD ON 14 DECEMBER 2006
BOROUGH OF SPELTHORNE**

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL
CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 14
DECEMBER AT 7.30PM**

Amos Mrs. P.	Fullbrook J.M.	Ponton Mrs. J.E.
Ayers F.	Hirst A.P. (Deputy Mayor)	Royer M.T (Mayor)
Bain Miss M.M.	Leighton Mrs. V.J.	Sider R.W.
Beardsmore I.J.	Lorch S.B.S.	Strong C.V.
Bhadye S.	Madams Mrs. M.	Trussler G.F.
Ceaser G.S. (Leader)	O'Hara E.	Turner Mrs D.
Colison-Crawford R.B.	Packman J.D.	Weston Mrs. P.
Culnane E.K. (Deputy Leader)	Paton J.M.	Wood-Dow Mrs. J.M.
Davies F.	Pinkerton J.D.	

Co-Opted Member: Mr. T Davies

Councillor M.T. Royer, The Mayor, in the Chair

376/06 APOLOGIES

Apologies for absence were received from Councillors M.L. Bouquet, K. Chouhan, V. D'Sa, G.E. Forsbrey, Mrs D.L. Grant, Mrs M. Hyams, H.R. Jaffer, P.R. James, Mrs J.B. Langridge-John, Mrs I. Napper, Mrs J.M. Pinkerton, E.J. Searancke, Mrs C.L. Spencer and from Mr Murray Litvak.

377/06 MINUTES

RESOLVED: that the Minutes of the Meeting of the Council held on 19 October 2006 be approved as a correct record.

378/06 PRESENTATION - SOUTH EAST EMPLOYERS CHARTER FOR MEMBER DEVELOPMENT

The Mayor received on behalf of the Borough Council, the South East Employers Charter for Member Development presented by Mark Palmer, Head of Improvement and Development at the South East Employers. Mark Palmer in presenting the Charter reported that this Council was the first Borough/District Council to attain the Charter and congratulated the members on the regional and national recognition this would bring.

As part of the Charter ceremony the Leader of the Council, Councillor Gerry Ceaser, the Leader of the Minority Group, Councillor Colin Strong and the Chief Executive, Roberto Tambini signed the Policy statement.

379/06 OUTLINE BUDGET 2007/2008 TO 2010/2011

The Council considered the recommendations of the Executive on the changes to the Outline Budget 2007/2008 to 2010/2011, since it had been agreed by the Executive on 18 July 2006.

RESOLVED

- (1) That the one-off implementation costs relating to the move to alternate weekly refuse/recycling collection (marketing and roll out temporary staff) be funded from reserves in 2007-2008 (funding in the sum of £196,000) and in 2008-2009 (funding in the sum of £44,000);
- (2) That the target increase in fees and charges be five percent extra, unless a strong case can be argued for a lower or nil increase. Fees to be rounded up appropriately;

- (3) That a housing options reserve be set up with a fund of £1million to be used to support schemes, together with an appropriate delegated decision making process in relation to the fund which must include the Leader of the Council, the relevant Portfolio Holder and the relevant Strategic Director;
- (4) That the revised medium term financial strategy set out in the report of the Strategic Director (Support) be approved;
- (5) That the Executive approve the list of growth items as per Appendix 3 to the report of the Strategic Director (Support), and that relevant staff subsequently revisit the growth items, to see if any reductions can be made, as part of the detailed Budget process of reducing the deficit down to nil; and
- (6) That the target Budget be set as £13,866,275, an increase of £43,000 on the Outline Budget agreed by the Executive on 18 July 2006, the increase reflecting the higher than anticipated tax-base.

380/06 THE GAMBLING ACT 2005 - ADOPTION OF STATEMENT OF GAMBLING POLICY 2007-2010

The Council considered the recommendations of the Executive on the Adoption of Statement of Gambling Policy 2007-2010.

RESOLVED

- 1) That the Statement of Gambling Policy 2007-2010 as submitted to the Executive on 12 December 2006 be endorsed; and
- 2) That the list of delegations as submitted to the Executive on 12 December 2006 be endorsed.

381/06 CHANGE TO STANDING ORDERS IN THE COUNCIL'S CONSTITUTION

The Council considered the report of the Strategic Director (Support) on a revision to Standing Orders which would enable the deadline for written notice of public questions for Council to be brought forward.

RESOLVED that Standing Orders for Council be amended as follows:

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than 12noon three working days prior to the day of the Council meeting. Each question must give the name and address of the questioner and indicate the member of the Council to whom it is to be put.

382/06 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.

383/06 IMPROVEMENT AND DEVELOPMENT COMMITTEE

The Chairman of the Improvement and Development Committee, Councillor J.D. Packman, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting and responded to questions raised.

384/06 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

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

385/06 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.

386/06 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.

387/06 MOTIONS

In accordance with Standing Order 14, it was proposed by Councillor C.V. Strong and seconded by Councillor I.J. Beardsmore that:

"This Council notes the threat to the Accident & Emergency Department at St. Peter's Hospital and other A&Es across Surrey.

Spelthorne Council resolves

- a) Council is appalled at the possible loss of the A&E department at St. Peter's Hospital. Such a loss, given the further downgrading of Ashford Hospital's A&E to a Walk-in Centre, is unacceptable to the residents of Spelthorne.
- b) The loss of other A&E Departments across Surrey would result in greater pressure on the A&E at St. Peter's and such moves must also be resisted.
- c) Council demands that action is taken to make good the fifteen years of underfunding and cuts at Ashford Hospital.
- d) Council instructs the Chief Executive to write to The Surrey Primary Care Trust, Ashford & St. Peter's Hospital Trust Board and the Secretary of State for Health voicing the concerns of the Council."

During the discussion on the motion Members indicated that it was premature to support the Motion as any decision made by the full Council needed to be based on facts and not supposition. This could only be done once the formal consultation on the shape of the healthcare services had commenced. Although the formal consultation had been delayed it was envisaged it would take place early in the New Year.

The Leader of the Council, Councillor G.S. Ceaser, reported that the best course of action would be for the matter to be dealt with via the Performance Management and Review Scrutiny Committee once specific details were known. The Committee could then meet at the appropriate time and on similar lines as to the meeting held on 31 July 2006 when residents of the Borough had the opportunity to submit questions in advance of the meeting

Upon being put to the vote the Motion was lost.

388/06 QUESTIONS ON WARD ISSUES

Under Standing Order 13 Councillor E. O'Hara asked the Leader of the Council, Councillor G.S. Ceaser, the following question:

"At a time when Staines may well need all the land drainage capacity it can get, Sweeps Ditch has recently run dry, and residents have noticed vermin in the dry bed in the Budebury Road area.

Officers have indicated that a new pump is to be fitted which will hopefully restore flow, but there are obligations on the Council, not only as a riparian owner, but as the local authority, to ensure that residents are kept informed of changes in flow which might affect them.

Can assurances be given that appropriate residents will be kept PROMPTLY advised of changes in flow which affect their interests, and also an undertaking that the Council will exercise its obligations as a landowner promptly and effectively "

The Leader replied as follows:

"Thank you for your questions Councillor O'Hara, on behalf of local residents in Budebury Road. Sweeps ditch is classified as a Main River, and therefore, responsibility for monitoring its flow lies with the Environment Agency, as does flood warnings and abnormal water situations.

Residents can register with the Environment Agency to receive official flood warnings. It is the Environment Agency who also have the responsibility to enforce Riparian Rights for the ditch.

The Council has responsibility as a Riparian Owner itself for water flow through our property, such as in Staines Park and Memorial Gardens. For information, this Council has spent nearly £24,000 over the last two years on Sweeps Ditch clearances and plan to spend a further £25,000 in 2007/08. The pump, based in Memorial Gardens and used to maintain the water flow along Sweeps Ditch has malfunctioned recently and a hire pump will be installed on Monday 18 December.

With regard to vermin, I can confirm that the Council's Environment Health section has not received any complaints from residents in Budebury Road. Vermin live around water courses and survive on any available food. Residents have been previously advised of the need to keep the area clear of any food or rubbish that might attract vermin. Now that our Environmental Health team are aware of the current situation, I will ensure they monitor the situation.

I trust this clarifies the Council's responsibility with regards to Sweeps Ditch and we must accept the classification as a Main River."

389/06 GENERAL QUESTIONS

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

"Could we have a detailed timetable, please, for the redevelopment of the Benwell and Stanwell centres including when the centres concerned are due to be demolished?"

The Leader replied as follows:

"I will arrange for a copy of the timetable to given to Councillor Strong this evening, but I would like to take this opportunity to highlight some key dates on both properties:

Firstly for Benwell:

Return of initial tenders	13 December (yesterday)
Evaluation process	December/early January
Final bids	9 January 2007
Final evaluation	20 January 2007
Preferred partner/contract	February 2007

The timetable will be reviewed with developer with the expectation that build will be completed 2008

Secondly for Stanwell:

Return of initial tenders	28 January 2007
Evaluation process	1 – 15 February 2007
Final bids	22 February 2007
Final evaluation	22 – 28 February 2007
Preferred partner/contract	March 2007

The timetable to be reviewed with developer, but with the expectation that build of the health centre will be completed by 2008.

I am pleased to inform Councillor Strong that, apart from a few minor adjustments, the timetable is still on track in relation to the key dates provided to members in July 2006.

We cannot provide a detailed programme because we are reliant on partners and developers coming forward with acceptable proposals and, therefore, the Council needs to remain flexible within its proposed programme."

Under Standing Order 13 Councillor C.V. Strong asked the Portfolio Holder for Adult and Elderly Services, Councillor Mrs V.J. Leighton, the following question:

“A local resident and user of the Benwell Day Centre has been told by Council staff that there are no more spaces available on Spelride. This has been confirmed to me by Council staff. When will the Executive take steps to rectify Spelride's carrying capacity“

The Portfolio Holder for Adult and Elderly Services, replied as follows:

“As Councillor Strong is aware, Spelride is going through a certain amount of upheaval during this interim period whilst the reconfiguration of Older People's Services takes place.

I am pleased to say that the actual carrying capacity of Spelride has increased by 30% in recent months with our current fleet of buses either 100% or almost full. Which does result in occasional difficulties. Because the current carrying capacity is so highly used it is not possible to take on new members at this time.

It is quite appropriate that the Council is considering bringing questions forward earlier to officers (Agenda item 11) because the relevant member of staff who would have the specific knowledge of this particular case was not available today to brief me.

Therefore, the answer to this specific case will probably hinge on the individual's ability to travel because they may have been able to take advantage of the free public transport bus pass scenario that this Council funds to the tune of £0.70m per annum. We have taken the decision to focus our services on the frail and vulnerable members of the public.

Sadly, we are unable to provide the full service we would like to at the moment but we will adjust our provision as soon as possible and it is envisaged that, once the reconfigured Older People's Services have progressed further, officers will be able to review the situation based on actual usage of Churchill and Lord Knyvetts Halls, probably in April 2007.”

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

“My question concerns agenda item nine of the Performance Management and Review committee meeting of December 5 2006.

Could I have an explanation as to why car parking income of some £90,000 from Standard Life for the period 1996 to 2001 has taken so long to materialise?“

The Leader replied as follows:

“The Lease for Communications House was assigned to Standard Life Investment Funds Limited in 1997 and at the same time a licence for 144 car parking spaces at the Tothill Car Park was drawn up in their favour. This licence was on the basis of £100 per space to be reviewed after five years and every five years thereafter. The five year period started on 29th July 1997.

The licence contains complicated provisions for review of what should be paid every five years based on the Council's costs for the car park.

For the five-year period from the commencement date the licensee had to pay to the Council a fixed sum multiplied by the number of car parking spaces. After the expiration of the fifth year and every succeeding fifth year the Council's treasurer was to prepare an account of the service charges incurred in respect of the car park.

As you can sense from this explanation, the licence calculations are complicated and for some reason no calculation was made at the end of the fifth year. Technically we should have done a calculation on costs in 2002 and discussed the amount to be paid from 29.7.2002 with Standard Life which we did not do. In 2004 the issue was spotted by the then Head of Corporate Governance who alerted the then Car Parking Manager and then Head of Finance. Those staff have since left the authority and I cannot offer any explanation as to why the matter was not resolved then. However the fact that a contract had been missed was sufficiently worrying for Corporate Governance and Finance teams to cross reference their files and check that lease / licence income was being received from other sites. This case concerns service charges which

relies on Services calculating the costs spent in the relevant years. In April 2006 the new Car Parking Manager reviewed all the agreements relating to the car parks and spotted that the service charges for Tothill were unresolved. The matter was raised it with the Head of Finance who has subsequently resolved it and is in discussions with Standard Life about simplifying the procedure for future years.

The Heads of Finance and Corporate Governance are alert to the potential risks of poor contract management within the authority. Last summer they commissioned work to review the Council's contracts and prepare an up to date contracts register. The Head of Corporate Governance now requires all contracts over £10,000 to have a named contract manager and it is hoped that this will improve accountability and prevent further contracts being missed. The Executive recently received a presentation on the new Contracts Register to allay their concerns. Furthermore, the forthcoming review of the Constitution will also include new measures within Contract Standing Orders to specify minimum standards for contract management.

This matter will also be reviewed by the Performance Management and Review Committee in March 2007 to ensure that procedures are robust.”