

**MINUTES OF THE COUNCIL MEETING HELD ON 22 FEBRUARY 2007
BOROUGH OF SPELTHORNE**

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL
CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 22
FEBRUARY AT 7.30PM**

Bain Miss M.M.	Forsbrey G.E.	O'Hara E.
Beardsmore I.J.	Fullbrook J.M.	Packman J.D.
Bhadye S.	Grant Mrs. D.L.	Pinkerton Mrs. J.M.
Bouquet M.L.	Hirst A.P. (Deputy Mayor)	Pinkerton J.D.
Ceaser G.S. (Leader)	Hyams Mrs. M.	Ponton Mrs. J.E.
Chouhan K.	Jaffer H.R.	Sider R.W.
Colison-Crawford R.B.	James P.R.	Strong C.V.
Culnane E.K. (Deputy Leader)	Leighton Mrs. V.J.	Trussler G.F.
Davies F.	Madams Mrs. M.	Weston Mrs P.

Co-Opted Members: Mr. M. Litvak and Mr. T. Davies

Councillor A.P. Hirst, The Deputy Mayor, in the Chair

39/07 APOLOGIES

Apologies for absence were received from The Mayor, Councillor M.T. Royer and Councillors F. Ayers, S.B.S. Lorch, Mrs. I. Napper, J.M. Paton, Mrs. C.L Spencer and Mrs. D. Turner.

40/07 MINUTES

RESOLVED that the Minutes of the Meeting of the Council held on 14 December 2006 be approved as a correct record.

41/07 DISCLOSURES

Councillor Ceaser, on behalf of all Members of the Council present, disclosed their interests in Agenda Item 10 on Members' Allowances, under Section 4 of the Members' Code of Conduct.

42/07 ANNOUNCEMENTS FROM THE MAYOR

Mayor's Charity Ball

The Deputy Mayor reminded Members that tickets were available from the Mayor's Secretary for the Charity Ball being held on 3 March.

Quiz

On 10 March a quiz would be taking place at the headquarters of the ATC (Air Training Corps).

Marches and Melodies

A concert by Staines Brass Band would be taking place on 31 March at St. Peter's Church. Tickets were available at a cost of £5.

43/07 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Deputy Mayor reported that under Standing Order 12, three questions had been received from a member of the public. He invited Mrs. Caroline Nichols to put each of her three questions in turn, and for responses to be given by either the Leader of the Council or the responsible Executive Portfolio Holder. He confirmed that a written response would also be

sent to her.

(1) Question from Mrs. Caroline Nichols: -

Q1. Please would the Council explain why the Benwell site is proposed for redevelopment as extra-care housing when the Greeno site is more suitable?

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

- a. The Greeno site was identified in the Dickinson report as suitable for sheltered accommodation whereas the Benwell site was not.

The Paul Dickinson report stated that there was a low potential for residential development at the Greeno Site and proposed a couple of options including retirement houses. The report also detailed some difficult planning issues including

- The site being in an area of Urban Open Space
- The scale and nature of surrounding development limited with generally domestic scale buildings with maximum two storeys height.

There are also a number of covenants on the Greeno site. The Council is the successor to the church wardens and oversees the park as it holds the recreation grounds on a statutory trust. Under section 1 of the Recreation Charities Act 1988, there is a requirement that the facilities are provided in the interest of social welfare. Any changes to this would require The Secretary of State to agree.

The Benwell site was seen as potential for development of housing and this could have included retirement housing.

(2) Question from Mrs. Caroline Nichols: -

Q2. Please would you give an update on the proposed redevelopment of (a) The Environment agency site in Fordbridge Road and (b) The Police College site in Green Street, Sunbury?

The Portfolio Holder for Planning Policy and Performance Management, Councillor G.S. Ceaser, responded as follows: -

(a) EA site, Fordbridge Road, Sunbury

Residents are aware that the EA are looking to dispose of this site, and an exhibition was held in 2005 to gauge public reaction to possible redevelopment opportunities. It is understood that the EA are currently out to tender for a preferred development partner, and a decision is likely to be made in the next month. As a result, an application is not expected until later on in 2007 at the very earliest. The Council have impressed upon the EA that the development partner will need to fully engage with the local community through a pre-application consultation exercise before formal submission of an application.

For information, the Riverworks site has been allocated as a site for residential redevelopment in the Development Plan Proposals document which forms part of the

emerging Local Development Framework. This will be subject to a formal Examination in late 2007/early 2008.

(b) Police College site, Green Street, Sunbury

The Council have not received any planning applications for the development/redevelopment of the above site to date. Obviously if and when an application is received the neighbouring properties will be notified and the application will be advertised in the local press.

(3) Question from Mrs. Caroline Nichols: -

Q3. In this financial year £120,000 was identified for management consultancy fees. Has the money been spent? If so, when, with whom, on what, and with what result?

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

Actual spend to date on the corporate activities consultant budget provision of £120k is £75,260 to date with commitments of £24,950 giving a potential spend for 06-07 (assuming all the commitments relate to services which will be delivered before 31/3/07) of £99K. As you would expect the vast majority of the spend to date relates to the consultants utilised for the Council's Business Improvement Programme, which has looked in detail at our business process within Planning, Direct Services, Environment Services and Financial Services. Next years programme of work will include Chief Executive, Environmental Health and Building Control, Human Resources and Customer and E-Government Services.

However, this expenditure has to be considered alongside the savings generated from the exercise which will be £235k in 2007/2008. These savings have already been incorporated into our future budgets.

44/07 PETITION

The Deputy Mayor invited Mrs. Elizabeth Lunn to present a Petition concerning Bridge Street Car Park and invited Mr. Mike Palmer to address the Council.

Mrs. Lunn presented a Petition, which the Deputy Mayor duly received, and Mr. Palmer outlined their reasons for submitting the Petition as summarised below.

“On behalf of businesses, local residents, families, fishermen and visitors to the riverside who use this car park we object most strongly to its sale. The businesses and residents in the Thames Edge development have nowhere for customer/visitor parking. The loss of Bridge Street Car Park would be destabilizing for this end of Staines Town Centre. The car park is under utilized because it has not been maintained. We question the viability of the decision and ask the Council to reconsider and hold a public meeting.”

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

45/07 REVENUE BUDGET AND COUNCIL TAX 2007/2008

The Council considered a report on the Council's net Revenue Expenditure Budget for 2007/2008, and the proposal for the Council Tax for 2007/2008.

The Deputy Mayor referred Members to the Budget Book [green cover] reflecting the decisions and recommendations made by the Executive on 6 February 2007 and the precepts being levied by Surrey County Council and the Surrey Police which had been circulated to all Members.

The Deputy Mayor gave consent under Standing Order 16.4 for the budget speech of each of the Group Leaders to exceed five minutes but not to exceed 10 minutes. The Council subsequently agreed that the speeches could exceed ten minutes.

The Leader of the Council, Councillor G.S. Ceaser, made a statement on the Budget and Council Tax and moved the recommendations set out in the Budget Book (green cover). This was seconded by the Deputy Leader, Councillor E.K. Culnane. The Leader of the Opposition Group, Councillor C.V. Strong also made a statement.

A copy of the Leader's statement was made available for other Members, the press and public at the meeting and is **attached at Appendix A**.

Councillor G.S. Ceaser requested that the voting on the motion be recorded. The voting was as follows:

For: 23

Councillors Miss M. M. Bain, S. Bhadye, M.L. Bouquet, G.S. Ceaser, K. Chouhan, E.K. Culnane, F. Davies, G.E. Forsbrey, J.M. Fullbrook, Mrs. D.L. Grant, A.P. Hirst, Mrs. M. Hyams, H.R. Jaffer, P.R. James, Mrs. V.J. Leighton, Mrs. M. Madams, E. O'Hara, J.D. Packman, Mrs. J.M. Pinkerton, J.D. Pinkerton, R.W. Sider, G.F. Trussler and Mrs. P. Weston.

Against: 4

Councillors I.J. Beardsmore, R.B. Colison-Crawford, Mrs. J.E. Ponton and C.V. Strong.

RESOLVED to: -

1. Approve the growth items, as set out in the report of the Strategic Director (Support).
2. Approve, in support of an increase of 11p per week (3.95%) in the Spelthorne element of the Council Tax (Band D) for 2007/2008, the following proposals:
 - a) The Revenue Estimates, as set out in the report of the Strategic Director (Support), be approved.
 - b) An amount not exceeding £290,000, as set out in this report of the Strategic Director (Support), be appropriated from General Reserves in aid of Spelthorne's local Council Tax for 2007/2008.
 - c) Note that the council tax base for the year 2007/2008 is 39,888.3, calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.
3. Agree that the following sums be now calculated by the Council for the year 2007/2008, in accordance with Sections 32 and 33 of the Local Government Act 1992.

(a)	£41,680,100	Being the aggregate of the amount which the council estimates for the items set out in Section 32 (2)(a) to (e) of the Act
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(b)	30,021,606	Being the aggregate for the amounts which the Council estimates for the items set out in Section 32 (3)(a) to (c) of the Act.
(c)	£11,658,494	Being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
(d)	£5,523,720	Being the aggregate sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant or additional grant, increased by the sum which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 (Council Tax surplus) and increased by the sum which the council estimates will be transferred from its collection Fund to its General Fund pursuant to the collection Fund (Community Charges) Directions under Section 98(4) of the Local Government Finance Act 1988 made on 7 th February 1994 (Community Charge surplus).
(e)	£153.80	Being the sum (c) above less the amount at (d) above, all divided by the amount at 17.2(c) above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

4. Agree that the following amounts be now calculated by the Council for the year 2007/2008, in accordance with Section 36 of the Local Government Finance Act 1992.

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
102.53	119.62	136.71	153.80	187.98	222.15	256.33	307.60

Being the amounts given by multiplying the amount at 17.4(e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the sum which in that proportion is applicable to dwellings listed in valuation Band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different band.

5. Agree that it be noted that for the year 2007/2008, the Surrey County Council and the Surrey Police Authority have stated the following amounts in precepts issued to the council, in accordance with section 40, as amended, of the Local Government Finance Act 1992, for each of the categories of the dwellings shown below.

Precepting Authority	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Surrey CC	673.08	785.26	897.44	1009.62	1233.98	1458.34	1682.70	2019.24
Surrey Police	114.18	133.21	152.24	171.27	209.33	247.39	285.45	342.54

6. That having calculated the aggregate in each case of the amounts above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2007/2008 for each of the categories of dwellings shown below:

Valuation Bands							
A	B	C	D	E	F	G	H
£889.79	£1,038.09	£1,186.39	£1,334.69	£1,631.29	£1,927.88	£2,224.48	£ 2,669.38

46/07 CAPITAL PROGRAMME 2007/2008 TO 2010/2011

The Council considered the recommendation of the Executive on the Capital Programme 2007/2008 to 2010/2011.

RESOLVED that the Capital Programme 2007/2008 to 2010/2011 as set out in the report of the Strategic Director (Support) be approved.

47/07 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2007/2008

The Council considered the recommendations of the Executive on the Annual Investment Strategy and the Prudential Indicators for 2007/2008 to 2009/2010.

RESOLVED that:

1. The Annual Investment Strategy and the Prudential Indicators for 2007-2008 to 2009-2010, as set out in the report of the Strategic Director (Support), be approved.
2. The Investment Criteria and Limits, as set out at Appendices B and C to the report of the Strategic Director (Support), be approved.

48/07 MEMBERS' ALLOWANCES

The Council considered the recommendation of the Executive to support the recommendations of the Independent Remuneration Panel appointed to consider Members' Allowances. The report from the Independent Panel had been circulated to all Members of the Council.

RESOLVED:

- (1) That with effect from 1st April 2007, the following Members' Allowances should be paid:-

Basic Allowance	Current	New Allowance - 1 April 2007
Payable to all Members	£3732	£3833
Special Responsibility Allowances	Current	New Allowance - 1 April 2007
Leader	£8562	£8795
Deputy Leader	£5686	£5840
Other Executive members (4)	£2854	£2931
Chairmen of Overview and Scrutiny Committees (2)	£2854	£2931
Chairmen of Planning and Licensing Committees (2)	£2854	£2931
Opposition Group Leader	£2854	£2931

- (2) That the undertaking of a further questionnaire survey on Members Allowances [see paragraphs 3.3 and 3.4 of the Panel's report], to be completed by all Councillors, be considered further by the Panel at the next Review of Members' Allowances in Summer / Autumn 2007.
- (3) That the issues regarding the position of the Leader of the Council, set out at paragraph 3.14 of the Panel's report, be considered further at the Panel's next Review of Members' Allowances in Summer / Autumn 2007.
- (4) That for the reasons set out in paragraph 3.15 of the Panel's report, the Chairman of the Licensing Committee should receive a normal special responsibility allowance for 2007/2008, but that the Vice-Chairman of the Licensing Committee should not receive such payment for 2007/2008.
- (5) That for the reasons set out in paragraph 3.16 of the Panel's report, the Chairman of the Audit Committee should not receive a special responsibility allowance for 2007/2008.
- (6) That for the reasons set out in paragraph 3.17 of the Panel's report, the Chairman of the Standards Committee, as a Co-optee, should not receive a special responsibility allowance.

49/07 LONDON BOROUGH OF HILLINGDON TO ACT AS AGENT FOR SPELTHORNE COUNCIL FOR IMPORTED FOOD LEGISLATIVE CONTROL FUNCTIONS AT REMOTE TRANSIT SHEDS IN ITS AREA

The Council considered the recommendations of the Licensing Committee to appoint the London Borough of Hillingdon to act as agent for Spelthorne Council for imported food legislative control functions at remote transit sheds in its area.

RESOLVED:

1. That the London Borough of Hillingdon be appointed as this Council's agents to enforce imported food legislation in its Remote Transit Sheds; and

2. That the Scheme of Delegation be amended to read as set out below.

<p>69. Authority under the Food Safety Acts and associated Regulations to make application for Emergency Prohibition Orders for appropriate premises and to issue certificates that the measures specified by the Prohibition Orders have been carried out.</p>	<p>All Environmental Health Staff identified for this purpose within the Council's Food Hygiene Policy. Also authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds.</p>
<p>70. To exercise the Council's powers under the Food Hygiene (England) Regulations 2006 ("2006 Regulations") and authority under the 2006 Regulations to serve/apply for (as appropriate) hygiene improvement notices, hygiene prohibition orders, hygiene emergency prohibition notices and orders, remedial action notices and detention notices</p>	<p>All Environmental Health Officers. Also authorised officers from the London Borough of Hillingdon in relation to imported foods located in the Borough's Remote Transit Sheds.</p>
<p>71. To exercise the Council's powers under the Official Feed and Food Control (England) Order, including (but not limited to) detention, destruction, special treatment and the re-dispatch of feed and food, the service of notices, the procurement of samples of food and to take other appropriate measures'</p>	<p>All Environmental Health Officers. Also authorised officers from the London Borough of Hillingdon in relation to imported foods located in the Borough's Remote Transit Sheds.</p>

50/07 STANDARDS COMMITTEE

The Council considered the recommendations of the Standards Committee on Members' Activity Reports. Members emphasised that in connection with sub-paragraph (b) below, recording of attendance should show actual attendance against possible attendance, to highlight the difference between the two.

RESOLVED that:

- (a) Members Activity Reports be discontinued with immediate effect;
- (b) Information on Members attendance at committee meetings, seminars and training events [i.e. showing actual attendance against possible attendance] be published annually on the Council's web site and referred to in the Borough Bulletin when the Members Allowances Scheme is published; and
- (c) To note that the Officers will be exploring options to enable Members to promote their work and involvement in the community through other avenues such as interactive web sites etc for consideration by the Standards Committee.

51/07 INDEPENDENT MEMBER APPOINTMENT

The Council considered the recommendation of the Chief Executive on an Independent Member appointment.

RESOLVED that the appointment of Mr. Murray Litvak as Chairman and an independent non elected member of the Standards Committee for a further term of four years from the Annual Council meeting taking place on 24 May 2007, be renewed.

The Deputy Mayor, on behalf of the Council, thanked Mr. Litvak for his excellent work over the past four years.

52/07 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.

53/07 AUDIT COMMITTEE

The Chairman of the Audit Committee, Councillor M.L. Bouquet, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

54/07 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.

55/07 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.

56/07 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor E. O'Hara, presented his report, subject to reference to Staines in Item 1(a) being amended to read Shepperton, which outlined the matters the Committee had dealt with since the last Council meeting.

57/07 GENERAL QUESTIONS

Under Standing Order 13, Councillor P.R. James asked the following question:

“What was the council tax when it started on a band D property in 1999 and what it will be this coming financial year?
What will the increase be as a percentage?”

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

The direct answer is that a rise for Spelthorne Council Tax element (band D) from £98.86 for 1999-2000 to £153.80 represents a 56% increase. I will let Councillor James have a copy of a table which shows this.

This is better than the 78% increase for the combined county and police elements or the increase in the overall bill for the period of 75%.

As a result of our council tax element having risen more slowly than the county and police our share of the total bill has fallen from 13% to 11.5%. In the period in question Spelthorne Borough Council has added a total of £54.94 on to its bill, equivalent to just over a £1 extra per week, whereas the police and county between them have added £518.36 or almost £10 a week. Therefore the impact of Spelthorne's increase on council taxpayer pales in comparison to the county and policy element.

Putting our 56% council tax increase into context of government funding – over the period in question, grant funding of the council has increased by only 12% which represents a 10% real terms reduction (as measured by RPI - Retail Price Index) in funding which has pushed up the proportion of the net budget funded from council tax from 43% to 53%.