

**MINUTES OF THE COUNCIL MEETING HELD ON 26 APRIL 2007
BOROUGH OF SPELTHORNE**

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL
CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 26 APRIL AT
7.30PM**

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

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

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

124/07 APOLOGIES

Apologies for absence were received from Councillor G.E. Forsbrey.

125/07 MINUTES

RESOLVED that the Minutes of the Meeting of the Council held on 22 February 2007 be approved as a correct record.

126/07 PRESENTATIONS

Investors in People Standard

The Mayor invited Paul Cook, Investors in People Assessor, and Jan Hunt, Head of Human Resources, to introduce and present the Investors in People Standard certificate and plaque to the Council, which signified that Spelthorne had maintained its status as an Investor in People.

127/07 ANNOUNCEMENTS FROM THE MAYOR

The Mayor reminded Members that the Race Night would be held at Kempton Park on 9 May and that the Civic Reception would be held on 17 May at BP.

128/07 ANNOUNCEMENTS FROM THE LEADER

The Leader, Councillor G.S. Ceaser, announced that he had three matters that he wished to bring to the attention of the Council.

Firstly, he reported that the Local Government Ombudsman had formally confirmed that it had closed complaints from one person and four residents' associations in Sunbury about its management of the Older People's Review and in particular over the closure of the Benwell and Stanwell Day Centres.

The complainants had suggested that the Council had provided incorrect information at its meeting in April 2006, had not consulted properly and had provided unreliable financial data, but the Ombudsman had rejected all of these claims. The Ombudsman had also found that 'there is no evidence of administrative fault by the Council that would warrant further investigation'.

He then made two announcements concerning the Older Persons Review, which the Council undertook last year and agreed one year ago today.

Firstly the Council had, in partnership with Surrey County Council, appointed Notting Hill Housing Trust as its preferred partner to re-develop the Benwell Day Centre site in Sunbury. This would have state of the art day centre facilities and Extra Care housing for older people including those with high needs.

This brand new, modernised day centre resource would be fully equipped, fit for purpose and available during the day for all older people living in the Spelthorne Community. It would be a community resource available during the evenings and weekends for local groups and organisations and their activities.

The 39 or so Extra Care homes on the site would be built above the day centre with some flats for rent or shared ownership and others to be sold on the open market. Social care would be provided to the complex by Surrey Social Services who would support older people's ever-changing needs.

It was expected that the site would be developed over an 18-24 month period and take its first residents in 2009.

In the meantime, temporary facilities were available at the Churchill Hall for those residents who used to attend the Benwell Centre where a range of activities and meals were available.

He then announced that Stanwell would be getting a brand new health centre, children's centre, library and coffee shop on the site of the old Stanwell Day Centre.

The Surrey PCT, at its board meeting on 24 April, agreed to give the green light for this project to go ahead. The building would be two to three storeys high, accommodating nine doctors and would provide an extended range of medical services for more of the Stanwell residents. It was proposed that there would also be a pharmacy on site and it was hoped that the surgery would be open for business in 2008/09.

The new surgery would replace the present St David's Health Centre that was no longer fit for purpose.

There would be state of the art medical facilities plus a brand new library and a community coffee shop with a children's information centre, providing a service to complement other children's services provided at Town Farm School and Stanwell Youth Centre. In the meantime current users had been relocated to Lord Knyvetts until the centre had been built.

In addition to the major developments at Benwell and Stanwell, meals on wheels had been improved to seven days a week and the Staines centre would provide lunches on a similar basis. Services had also been improved for the frailer members at Fordbridge and Greeno and added IT classes for those who wanted them. Spelride had been reorganised to ensure that residents could get to the daycentres and in the 11 to 2 period still offer a limited dial a ride service and both the Library in Stanwell and the CAB at Sunbury had been relocated.

129/07 COUNCIL'S CONSTITUTION – ANTI-FRAUD AND CORRUPTION STRATEGY

The Council considered the recommendation of the Executive on the Anti-Fraud and Corruption Strategy within the Council's Constitution.

RESOLVED that, at Section 5 of the Council's Constitution, paragraph 15 of the Council's Anti-Fraud and Corruption Strategy be amended to read as follows: -

- "15. The Council will deal with any instances of fraud or corruption swiftly. Disciplinary action will be taken as necessary and the police informed/involved, subject to the prior agreement of the relevant Executive Portfolio Holder. Where the Council has adopted a prosecution policy for any business area (e.g. Housing Benefit Fraud) this will be followed."

130/07 AMENDMENTS TO THE COUNCIL'S CONSTITUTION

The Council considered the recommendation of the Executive on updating the Council's Constitution including the Scheme of Delegations to Officers.

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

"the revisions to the Council's Constitution, including the Scheme of Delegations to Officers and Contract Standing Orders be approved."

An amendment was moved by Councillor C.V. Strong and seconded by Councillor I.J. Beardsmore that

"the following words be added after the motion: -

Subject to the following amendments to the Standing Orders for Council.

- a) Delete the following words from new para 13.1

"This time limit to include any Petitions being presented by members of the public."

- b) Delete all the words from new para 18.4 and substitute the following words

"Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed FIVE minutes without the consent of the Mayor and may only exceed ten minutes with the consent of the Council."

This amendment was carried.

The amendment was then put as the substantive motion and again carried.

RESOLVED that the revisions to the Council's Constitution, including the Scheme of Delegations to Officers and Contract Standing Orders be approved subject to the following amendments to the Standing Orders for Council.

- a) Delete the following words from new para 13.1

"This time limit to include any Petitions being presented by members of the public."

- b) Delete all the words from new para 18.4 and substitute the following words

"Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed FIVE minutes without the consent of the Mayor and may only exceed ten minutes with the consent of the Council."

131/07 LOCAL DEVELOPMENT FRAMEWORK [LDF] - CORE STRATEGY AND POLICIES DEVELOPMENT PLAN DOCUMENT

The Council considered the recommendations of the Executive arising from the report of the Local Development Framework Working Party meeting held on 3 April 2007.

It was moved by Councillor G.S. Ceaser and seconded by Councillor E.K. Culnane that the following be agreed:

“(a) Core Strategy and Policies Development Plan Document

The Core Strategy and Policies DPD for submission to the Secretary of State subject to:-

- i) Policy HO3 on affordable housing being amended by:
 - Sub point (b) being amended to apply to smaller sites up to 10 dwellings.
 - Sub point (c) being amended to replace the word ‘requiring’ with ‘negotiating for’ and replacing the word ‘one’ with ‘four’.
 - Sub point (d) being amended to replace the word ‘requiring’ with ‘negotiating for’.
- ii) Policy HO4 on Housing Type and Size – in sub point (a) replace the word ‘three’ with ‘four’.
- iii) Appendix 1 - amend the description of site A16 by putting in brackets ‘(TP26)’.

The Officers being authorised to make any final drafting adjustments and corrections.

(b) Allocations Development Plan Document [DPD]

The Allocations DPD for submission to the Secretary of State, subject to any formal drafting adjustments and corrections.

(c) Submission Proposals Map

The Submission Proposal Map for submission to the Secretary of State subject to any final drafting adjustments and corrections.

(d) Sustainability Appraisal and Appropriate Assessment

The Sustainability Appraisal and Appropriate Assessment for submission to the Secretary of State with the Core Strategy and Policies DPD, Allocations DPD and Submission Proposals Map and subject to any final drafting adjustments and corrections.

(e) Response to Consultation on the Preferred Option Stage

The Response to Consultation on the Preferred Options.

(f) Date of Use of the Submission DPDs.

- i) Agree to the use of the Submission Core Strategy and Policies DPD, Submission Allocations DPD and Submission Proposals Map for determining all planning applications received from the 1 August 2007.
- ii) Note, as previously agreed, certain limited policies and proposals from the Local Plan are being ‘saved’ in the LDF.
- iii) Appropriate arrangements are made to explain the use of the LDF documents for Members and the public.

(g) Examination of the submitted DPDs

Agree that Officers be authorised to agree or advance alterations to the 'examination' of the DPDs to overcome objections or concerns so long as they are in line with what the Council is seeking to achieve overall.

(h) Local Development Scheme [LDS]

Note the further minor adjustments to dates that Officers have had to make to the previously agreed LDS to meet the requirements of the Government Office."

It was moved by Councillor C.V. Strong and seconded by Councillor I.J. Beardsmore that in accordance with Standing Order 16.6 i) this matter be referred back to Executive for reconsideration.

This reference back was lost.

An amendment was moved by Councillor I.J. Beardsmore and seconded by Councillor C.V. Strong that

"Objectives 4 delete the first paragraph and replace with:

"Noise is a significant factor effecting the quality of the environment in the Borough. Heathrow and the M3 corridor being particular problems along with background traffic noise generally."

The Leader of the Council, Councillor G.S. Ceaser, indicated that he had not been provided with a copy of the amendment and could not deal with the issue presented without having access to this and the LDF document or paperwork.

The Monitoring Officer reported that the amendment did not relate to the motion before the Council as set out in the agenda. This amendment was ruled out of order as, under the Council's Constitution, only specific changes of wording to the recommendations under consideration were permitted and not to the wording of the actual documents subject to recommendations.

Councillor Beardsmore sought to move a further amendment in relation to the LDF recommendation. A copy of this was handed to the Mayor and circulated to the meeting. Councillor E.K. Culnane sought a ruling as to whether this was admissible, as it appeared that there were two proposals seeking to amend the LDF document and not the recommendation before Council. The Monitoring Officer advised that the amendment did not appear to be in order. After clarification with Councillor Beardsmore, the Monitoring Officer advised that the amendment contained an error in its drafting and with rectification of the error it could be a valid amendment.

Councillor J.D. Packman moved and Councillor Mrs D.L. Grant seconded a motion that the question be now put.

The Mayor declined further debate on the matter and proceeded to the vote on the original motion.

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 (28)	Councillors Mrs P.C. Amos, F. Ayers, Miss M. Bain, S. Bhadye, M.L. Bouquet, G.S. Ceaser, K. Chouhan, E.K. Culnane, F. Davies, Mrs D.L. Grant, Mrs M. Hyams, H.R. Jaffer, P.R. James, Mrs V.J. Leighton, Mrs M.J. Madams, I. Napper, E. O'Hara, J.D. Packman, J.M. Paton, Mrs J.M. Pinkerton, J.D. Pinkerton, E.J. Searancke, R.W. Sider, Mrs C.L. Spencer, G.F. Trussler, Mrs D. Turner, Mrs P. Weston and Mrs J.M. Wood-Dow
AGAINST (4)	Councillors I.J. Beardsmore, R.B. Colison-Crawford, Mrs J.E. Ponton and C.V. Strong.
ABSTENTIONS (2)	Councillors M.T. Royer and A.P. Hirst

This motion was carried.

RESOLVED that the following be agreed:

(a) Core Strategy and Policies Development Plan Document

The Core Strategy and Policies DPD for submission to the Secretary of State subject to:-

- iv) Policy HO3 on affordable housing being amended by:
 - Sub point (b) being amended to apply to smaller sites up to 10 dwellings.
 - Sub point (c) being amended to replace the word 'requiring' with 'negotiating for' and replacing the word 'one' with 'four'.
 - Sub point (d) being amended to replace the word 'requiring' with 'negotiating for'.
- v) Policy HO4 on Housing Type and Size – in sub point (a) replace the word 'three' with 'four'.
- vi) Appendix 1 - amend the description of site A16 by putting in brackets '(TP26)'.

The Officers being authorised to make any final drafting adjustments and corrections.

(b) Allocations Development Plan Document [DPD]

The Allocations DPD for submission to the Secretary of State, subject to any formal drafting adjustments and corrections.

(c) Submission Proposals Map

The Submission Proposal Map for submission to the Secretary of State subject to any final drafting adjustments and corrections.

(d) Sustainability Appraisal and Appropriate Assessment

The Sustainability Appraisal and Appropriate Assessment for submission to the Secretary of State with the Core Strategy and Policies DPD, Allocations DPD and Submission Proposals Map and subject to any final drafting adjustments and corrections.

(e) Response to Consultation on the Preferred Option Stage

The Response to Consultation on the Preferred Options.

(f) Date of Use of the Submission DPDs.

- i) Agree to the use of the Submission Core Strategy and Policies DPD, Submission Allocations DPD and Submission Proposals Map for determining all planning applications received from the 1 August 2007.
- ii) Note, as previously agreed, certain limited policies and proposals from the Local Plan are being 'saved' in the LDF.
- iii) Appropriate arrangements are made to explain the use of the LDF documents for Members and the public.

(g) Examination of the submitted DPDs

Agree that Officers be authorised to agree or advance alterations to the 'examination' of the DPDs to overcome objections or concerns so long as they are in line with what the Council is seeking to achieve overall.

(h) Local Development Scheme [LDS]

Note the further minor adjustments to dates that Officers have had to make to the previously agreed LDS to meet the requirements of the Government Office.

132/07 REVIEW AND UPDATE OF HOUSING STRATEGY 2007-2009

The Council considered the recommendations of the Executive on the four proposed priorities that formed the basis of the revised Housing Strategy 2007-2009 and the Action Plan appended to the joint report of the Strategic Director (Community) and the Strategic Director (Support).

RESOLVED

1. That the four priorities contained in the revised Housing Strategy 2007-2009 and set out under 'Key Issues' be accepted and approved.
2. That the Action Plan attached as Appendix A to the joint report of the Strategic Director (Community) and the Strategic Director (Support) be agreed.
3. That Members receive six monthly reports on the progress and effective implementation of the Housing Strategy.

133/07 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.

134/07 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.

135/07 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 and commended the work of the Task Groups of this Scrutiny Committee.

136/07 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. Councillor Sider added his thanks to both Members and Officers for their help and support over the life of the Council.

137/07 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 and commented that the work of Scrutiny had moved forward over the past four years.

138/07 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor E. O'Hara, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting. Councillor O'Hara wished to thank both Members and Officers for their help and support over the life of the Council.

139/07 STANDARDS COMMITTEE

The Chairman of the Standards Committee, Murray Litvak, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting. He thanked Members on both sides for their support and had been delighted by the overall standard of conduct within the Council. He wished those Councillors well who were standing for re-election.

140/07 GENERAL QUESTIONS

Under Standing Order 13, Councillor I.J. Beardsmore asked the following question:

“12 times in the last year Surrey has recommended refusal to Spelthorne planning applications on highways grounds. Which application and what was Spelthorne’s final decision on them?”

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

Thank you for this question Councillor Beardsmore. I have here a list of the application details, which will be passed on to you.

As a member of the Council’s Planning Committee I am sure you are aware that the Committee is frequently surprised by the lack of recommendations to refuse from Surrey County Council on Highway grounds.

In summary, Surrey County Council have recommended refusal on 10 occasions and this Council has refused those same applications 8 times. Of the two remaining applications, which were Majestic House and Centrica, we went against their advice on the basis that both schemes complied with our current car parking standards.

I trust this clarifies the issue.

COUNTY HIGHWAY RECOMMENDATIONS FOR REFUSAL OF PLANNING PERMISSION

REF	ADDRESS	COMMENTS	DECISION
06/00865	15 &18 Echelforde Drive, Ashford	Refused on inadequate access ground	21.12.06
06/01122	161 Gaston Bridge Road	Refused on inadequate access grounds	31.01.07

06/0946	102 Windmill Road	Refused on inadequate access grounds	28.11.06
06/0521	58 Acacia Avenue, Shepperton	Refused on inadequate access grounds	06.10.06
06/00421	Nissin Garage, Russell Road, Shepperton	Refused on inadequate access ground and Enforcement action supported	19.07.06
06/000481	77 Kingston Road, Staines	Refused on grounds of intensification in use of existing inadequate access	31.07.06
07/0085	36-38 Clockhouse Lane, Ashford	Refused on grounds inadequate access	28.3.07
06/01065	Flowerpot, Thames St, Sunbury	Refused on grounds of vehicles reversing out directly onto highway	1.02.07
06/00884	Majestic House London Road, Staines	CHA recommended refusal on grounds excessive parking Application recommended for approval subject to legal agreement	
06/00887	Centrica, London Rd, Staines	Recommended for refusal on ground excessive parking Application approved subject to legal agreement	28.03.07

141/07 THANKS

With the agreement of the Mayor, the Leader, Councillor G.S. Ceaser, stated that as this was the last meeting of the Council before the elections, he would like to take the opportunity to thank all retiring Members for their immense contribution to the life and work of the Council. In particular, he wished to thank Councillor F. Davies who had been Chairman of the Council's Housing Committee and subsequently its Leader and for his leadership and financial acumen, which had left the Council debt free. On behalf of the Council he wished him a long and happy retirement.

To those seeking re-election he wished them well. He thanked, on behalf of all Members, the staff and in conclusion he thanked Members of the Executive, and his deputy, Councillor E.K. Culnane, for their help and advice in making Spelthorne an excellent Council.

Councillor Davies thanked Councillor Ceaser for his remarks and thanked the Council, which had been served by Members and Officers who had been committed to the community of Spelthorne. He had served seven Councils in his time and thanked all those Members over that period. Spelthorne had been top rated and would continue to be so. In conclusion he thanked Councillor J.D. Packman who had been his loyal and supportive friend and an excellent deputy Leader.