MINUTES OF THE COUNCIL MEETING HELD ON 21 OCTOBER 2010

BOROUGH OF SPELTHORNE

AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 21 OCTOBER 2010

Amos Mrs P.C Flurry K.E. Pinkerton Mrs J.M. Avers F. Forsbrey G.E. Pinkerton Jack D. Bain Miss M.M. Grant Mrs D.L Rough Mrs M.W. Beardsmore I.J. Hirst A.P. Rough S.J Hyams Ms N.A. Rover M.T Bhadye S. Broom Ms P.A Jaffer H.R. Sider R.W. Leighton Mrs V.J. Budd S.E.W. (Deputy Mayor) Spencer Mrs C.L. Napper Mrs. I Thomson H.A. Chouhan K. Colison-Crawford R.B. Nichols Mrs C.E Trussler G.F.

Crabb T.W. Nichols L.E

Davis C.A.

O'Hara E. (The Mayor)

Dunn Mrs S.A

Packman J.D. (Leader)

Councillor E. O'Hara, The Mayor, in the Chair

In attendance: Mr Murray Litvak- Chairman of the Standards Committee.

309/10 TRIBUTE TO TREVOR BAKER

The Mayor, Councillor O'Hara, paid tribute to Trevor Baker, Acting Principal Committee Manager and a dear friend and colleague who worked at Staines UDC and Spelthorne Borough Council for the last forty years.

The Mayor said:

"Today as many of you will already know was the funeral of Trevor Baker, Acting Principal Committee Manager and a dear friend and colleague who worked at Staines Urban District Council and Spelthorne Borough Council for the last forty years.

Trevor died suddenly on 6 October 2010 when after attending Licensing Committee he suffered a heart attack at Staines station. It was a blessing that he did not suffer.

I would like to take this opportunity to pay tribute to Trevor, who was a very special man in many different ways. He was an exemplary officer for this Council. Not only can we point to his long and loyal service, but also to his positive outlook. He refused to let his disabilities deter him from leading a full and active life.

Trevor was born in Hatfield in 1949. He developed diabetes when he was 5 years old and received treatment at King's College Hospital under Dr RD Lawrence the first doctor to prescribe insulin in England.

The family moved to Brookwood, Woking when he was 9 years old.

Later, he attended Knaphill Secondary school. He didn't confine himself to purely academic studies however, discovering a love for athletics, particularly the javelin. He also took up ice skating. He also worked on a market garden throughout his school

days saving enough money to buy a motor bike and a car by the time he was 17. He also ran his own aviary and bred finches and waxbills.

On leaving school, Trevor tried his hand at different jobs but found his heart just wasn't in it: a milk round and a carpet salesman to name but two.

In 1965 he started working in the supplies section at the Woking Excepted District for Education and this was his first taste of local government.

In 1970 he took a job as Junior Clerk at Staines UDC. Leaving Woking he decided to spend the summer touring Europe before his new job started in Staines. He enjoyed the trip so much, it was extended, and in the end, Trevor arrived back home just two hours before his new job started in Staines. He had driven back non-stop from the Munich Beer Festival with only a short diversion to home for a shower and change of clothes before clocking on with Staines UDC.

He was promoted and stayed in Staines to join Spelthorne Borough Council when it came into being in 1974.

On 1 January 1975, he was driving to work when his eyesight failed. He rested for 3 days at hospital and was told he would be driving again in 10 days but he never regained his sight. The following two years were difficult for Trevor and his family as they came to terms with his condition. Eventually, Trevor was given a guide dog and became more independent.

At work Trevor was supported by the Council as he coped with his disability. After about a week back at work Trevor went to see his manager Eric Tyerman and asked if it would be possible to keep his job as he thought he was just about coping. Eric told him not to be so stupid and to get back to work. But in those days, many blind people were not so lucky to have supportive managers and often faced unemployment or routine work such as telephony which was deemed suitable for the blind. Trevor remained forever grateful to Eric Tyerman for his support during this particular time.

In 1978 Trevor's wife Shirley gave birth to their daughter, Lorna.

In 1988, Trevor became involved with the Woodcraft Folk after being invited to give a talk at one of their local meetings. This opened up many years of volunteering with the Woodcraft Folk and saw Trevor elected onto the national council in 1992 and 1996. His involvement with young people and Woodcraft led to involvement with the disability rights movements and anti-racism movements both nationally and internationally.

At work Trevor serviced most of the Committees at Spelthorne Council. He had a great fondness for Licensing Committee and Licensing law and was responsible for the implementation of changes following on from the Licensing Act 2003. He was most proud of the training he delivered for the new Act and also the new systems which were implemented. In all that he did he was helped by his support workers. His last being Gill Hobbs, who was with him for 10 years. They formed a formidable partnership and developed a close relationship.

In 2008 Trevor was nominated by Councillor Robin Sider for Council Worker of the Year. Trevor made the finals and the Council celebrated Trevor's achievements publicly on the internet and in the Borough Bulletin to gather as many votes as possible for Trevor. The competition finished with a gala dinner and awards ceremony in Bournemouth and

although Trevor was not the successful candidate his achievements made a lasting impression on many people connected with the event.

This year, Trevor was promoted to Acting Principal Committee Manager following the retirement of Richard Powell. It was a challenge which he relished and he threw himself into the new responsibilities.

His death after 40 years of service is a tremendous loss to the Council. Many people will recall fond memories of Trevor and his work with the Council; the help and advice that he offered as well as the dedication and service of a true friend and colleague. I would like to ask you to stand now in a minute's silence to remember with me, Trevor Baker".

The Leader of the Council, Councillor J.D Packman in endorsing the words of the Mayor paid his own tribute to Trevor Baker:

"Mr Mayor, thank you for a very warm tribute to Trevor. Let us rejoice and celebrate his life because that is what Trevor would have wanted. It was an honour and a privilege to have met him and worked with him over so many years. Unique in his character, and as such you would not very often meet someone like this. He never bore a grudge and never lost his temper, highly regarded and respected and I have to say, one of the most respected persons to be working in this building. Trevor was highly regarded by all his colleagues and that is an ultimate honour to him.

You mentioned the funeral this afternoon and I was delighted that the Council was so strongly represented and Trevor would have had a little chuckle about that, I am sure.

I thought that along with the others I knew Trevor, which I did, up to a point. But it wasn't till this afternoon at the funeral when the vicar read out more or less a case history, together with Michael's tribute to him; thank you Michael for a genuinely sincere tribute, until I suddenly realised what he had achieved and what he had done, the places he visited. I would respectfully suggest to everybody here that he did more than most of us that are here. He visited so many places, mentioned the Woodcraft Folk – and some of his woodcraft experiences and what he had got up to which were a joy to hear. As I say it was a privilege and an honour.

Yesterday I took the opportunity to read the book of condolence outside the Goddard Room. Without exception, everybody that had written in that book pays tribute to his humour, his jokes and lessons in life, that he enjoyed so much. That is unique in itself.

The one story that I do remember of Trevor, which is absolutely true, was a few years ago. A lift was taken out of service and because it needed some work on it and the engineer forgot to barricade the entrance to the lift – poor old Trevor went along there and went straight down. So he laid on top of the lift in darkness and said "is anybody there?" and eventually the engineer came down and said "how did you get down there?" and Trevor said "by express lift".

I had a nick name for him and that was "Baker Man" and when he had frequently phoned me he would say "Baker Man here" so we always had a laugh and a joke about it. Baker Man, you were genuine, you were sincere, you will be sadly missed and we will remember you for a long time to come. Thank you".

Councillor Beardsmore on behalf of the Liberal Democrats endorsed the remarks made by both the Mayor and the Leader of the Council and paid his own tribute to Trevor Baker:

"Councillor Packman has hit the nail on the head about celebrating Trevor's life. Lets celebrate what Trevor achieved and who he was. I have only known him for 19 years — that's more than enough time to get to know somebody at least in passing. All the words, everything that has been said, about Trevor — conscientious, hardworking, reliable, solid but always just as Councillor Packman said, that wicked sense of humour underneath it. Just the little things that he would come out with, here and there, a little dig and other things that he'd put a smile on your face and you'd think, that's Trevor.

I did know a little thing about his activities at the Woodcraft Folk, but not the detail. He will be sorely missed and for me, he always was Council Employee of the Year, no matter what anyone else says".

Members, Officers and residents present joined the Mayor to stand for a minute's silence in honour of his memory.

310/10 APOLOGIES

Apologies for absence were received from Councillors Mrs E.M Bell, S.J. Fairfax, D.L McShane, R.A Smith Ainsley (Deputy Leader) and C.V Strong. Apologies were also received from Ms Sue Faulkner, the Vice Chairman of the Standards Committee.

311/10 MINUTES

The minutes of the meeting held on 22 July 2010 were approved as a correct record.

312/10 ANNOUNCEMENTS FROM THE MAYOR

1) Staines Brass Band

The Mayor, Councillor O'Hara, reported the success of the Staines Brass Band for winning the Brass Band Challenge Shield at a recent competition.

2) Mayoral Events

The Mayor reminded members of the following forthcoming civic events: Race Night at Kempton Park Racecourse on 04 November 2010 and the Service at St Peter's Church on 12 November 2010.

313/10 ANNOUNCEMENTS FROM LEADER

1) Special Overview and Scrutiny Committee

The Leader of the Council, Councillor J.D Packman, reported on the success of the Special Overview and Scrutiny Committee meeting held at Halliford School to consider the Surrey County Council Eco Park proposals for Charlton Lane, Shepperton. He reported that it had been an excellent meeting with over 300 residents in attendance. The Leader gave his thanks and appreciation to the officers involved in the arrangements and the Chairman Councillor Philippa Broom for conducting the meeting in a fair manner.

2) The Benwell Centre

The Leader of the Council, Councillor J.D. Packman reported on the opening of the new Benwell Centre and was pleased that it had become a reality. He invited Members to

visit the centre and see for themselves how delighted the residents were with the new facility.

314/10 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Mayor, Councillor E. O'Hara, reported that under Standing Order 13, two questions had been received from residents of the borough, who due to other commitments were unable to attend the meeting. A copy of the questions together with responses had been laid round at the meeting and would be sent to the residents concerned.

For reference purposes the questions together with the responses are set out below:

Question from Mr. A.L. Mockford, 36 Kinross Drive, Sunbury on Thames:

"How much does it cost the council to produce, publish & deliver the Borough Bulletin each year? Not the cost per household, but the total cost per annum including officer time."

Councillor Mrs. J Pinkerton the Cabinet member responsible for communication responded as follows:

"The Bulletin contract has only recently been re-tendered and so it has not run for a complete year. However, based on the last (September) edition, the annual cost, including advertising income, print, paper and distribution as well as staff time, should be £43,688. This could be slightly more or less as advertising income is variable.

Three years ago, the cost was £58,796 which included external design, print, paper and distribution and Spelthorne Council staff time. On this basis, the unit cost of each edition is currently 26p compared with 35p in 2008.

The public rightly expects to see evidence of what its local authority is doing with its money and Spelthorne, like most other authorities, has published a regular publication for more than 10 years.

During this time, it has carried out both informal and formal surveys into residents' attitude to the Borough Bulletin.

Those who have taken part show a strong connection with it and think it should be further developed to be the Council's main source of information thus streamlining and saving on print costs.

Interest is shown in local news and 'news to use' – that has a shelf life like the annual rubbish and recycling collection days' calendar - and is kept as a reference. There is also interest in community news and crime prevention advice.

Residents also clearly recognise the Bulletin as a Council publication, associating it strongly with the Spelthorne tree logo and the consistent use of the Council's blue and green colours.

Bearing this in mind and the costing demonstrated, it represents very good value when compared with the average cost of a daily newspaper or the price of the local paid for paper."

(1) Question from Martin Willing, 214 Clare Road, Stanwell:

"I would like to ask this question at the next council meeting dated 21st October 2010.

In March this year I contacted Spelthorne Council to apply for an allotment at the 'Vineries' site, Spout Lane, Stanwell Moor. I have since spoken to Sabina Simms on several occasions and have still got no further.

Having visited the site, it appears most of the land has not been worked for many years. I have offered to mark out and clear a plot for myself, which has also been rejected.

My question is: when can I expect to be offered an allotment on this almost vacant site?"

Councillor Mrs D.L. Grant, Cabinet Member responsible for Young People and Culture responded as follows:

"Mr Willing, Thank you for your question and we commend you for your determination to obtain an allotment plot.

A large number of the plots at the Vineries, Spout Lane, Stanwell are overgrown and not in a fit state to be let however, I do have some good news. The ward Councillors Flurry, Pinkerton and Chouhan have donated a sum of money from their Neighbourhood Grant to clear and mark out some of those plots which will be let to the next people on the waiting list. Mr Willing you will be one of them."

315/10 PETITIONS

None had been received.

316/10 ARTICLE 4 DIRECTION -09/00739/CLD – THE NUTSHELLS, ABBEY ROAD, SHEPPERTON

The Council considered the recommendation of the Planning Committee from its meeting held on 13 October 2010 requesting that Article 4 (1) Direction to withdraw the permitted development rights in respect of land at The Nutshells, Abbey Road, Shepperton to be confirmed.

The Chairman of the Planning Committee, Councillor Thomson, in presenting the recommendation asked that the date of when the Direction was made be incorporated within the recommendation and not the date the Direction was issued.

RESOLVED that the Article 4 (1) Direction made on the 22 June 2010 to remove the permitted development rights at The Nutshells, Abbey Road, Shepperton and relating to Classes A, B, D and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 be confirmed.

317/10 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor J.D. Packman, presented his report, which outlined the various matters that Cabinet had decided since the last meeting.

318/10 AUDIT COMMITTEE

The Chairman of the Audit Committee, Councillor M.T. Royer, presented his report which outlined the matters the Committee had dealt with since the last Council meeting. Councillor M.T Royer responded to a question raised concerning Committee Members' attendance at Audit Committee meetings.

319/10 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 also placed on recorded his thanks and appreciation to Trevor Baker for the support he had given to the work of the committee over the years and in particular his work on the Licensing Act 2003.

320/10 OVERVIEW AND SCRUTINY COMMITTEE

The Chairman of the Overview and Scrutiny Committee, Councillor Philippa Broom presented her report which outlined the matters the Committee had dealt with since the last Council meeting. The Chairman responded to questions raised about the Special Overview and Scrutiny Committee held to consider the Proposed Eco Park development at Charlton Lane and confirmed that answers would be obtained for the questions submitted by residents and publicised on the Councils website. The Chairman also confirmed that the outcome of the meeting would be considered at the Committee meeting taking place on the 02 November 2010.

321/10 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor H.A. Thomson, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting and responded to the question raised.

322/10 STANDARDS COMMITTEE

Mr Murray Litvak, the Chairman of the Standards Committee presented his report which outlined the matter that the Committee had dealt with since the last meeting.

323/10 REPORT ON THE WORK OF THE YOUTH COUNCIL

The Council received and noted the report of the Management Committee which outlined the matters the Youth Council had dealt with since the last meeting of the Council.

324/10 NOTICE OF MOTION

Under Standing Order 16.3 a Notice of Motion had been received on the current planning legislation:

Councillor I.J Beardsmore proposed and Councillor T.W Crabb in the absence of Councillor Strong seconded the following motion:

"This Council recognises the over-centralised and bureaucratic nature of the current planning system bequeathed by the previous Labour government.

This Council further recognises that Labour's top down heavy approach has resulted in frequent interventions by such people as the Planning Inspectorate that limits the way the Local Development Framework (LDF) can truly represent local opinion.

With the coalition government clearly signalling major changes in the planning system, this Council resolves to instruct the Leader and Chief Executive to write to the Secretary of State for Communities and Local Government to urge him to quickly introduce..

- 1. Legislation that allows appeals against local planning decisions by local residents
- 2. Legislation that developers of larger developments must collaborate with local residents before a plan is submitted

3. Legislation that all non-market housing built by housing trusts remain in public ownership in perpetuity"

An adjournment of the motion was moved by Councillor J.D Packman and seconded by Councillor Mrs V.J Leighton:

"I understand that the opposition group want to be seen to influence change, but legislation is on its way no matter what motion is passed this evening. This subject is too important to residents for us to treat it so lightly and I suggest that we debate the matter properly once the detail of the legislation is known.

I therefore move under Standing Order 18.16 (e) that this motion be adjourned until detail of the legislation is known".

The Mayor, Councillor O'Hara reported that on such a procedural motion there would be no debate on the matter and moved to the vote.

RESOLVED to adjourn consideration of the Motion until detail of the legislation was known.

325/10 QUESTIONS ON WARD ISSUES

There were no Ward issues or questions.

326/10 GENERAL QUESTIONS

The Mayor, Councillor O'Hara had reported at the start of the meeting that under Standing Order 14.3 (b) and (c) the questions submitted by Councillors T.W Crabb, Mrs M.W Rough, Mrs S.A Dunn and C.V Strong together with the answers to these questions would not be read out but had been circulated. However, in accordance with Standing Order 14.5 supplementary questions would be permitted but that any such question would be answered in writing at a later date.

(1) Question from Councillor T.W Crabb:

"18 months ago Council was told that in the past ten years as a result of s106 agreements "more than two million pounds has been secured and already spent in the borough". However the summary received by the planning committee this July revealed that of 2.3 million received only £1.3 million had actually been spent. Can the Leader please explain this discrepancy? Can he also say what pressure he will put on Surrey County Council Highways to use the £389,000 from s106 agreements that has remained unspent and "under discussion" with Spelthorne for more than ten years?"

The response was provided by Councillor J.D Packman, the Leader of the Council is set out below:

"In December 2008 I responded to a question from Councillor T.W Crabb on this same issue. A significant amount of the money we collect under Section 106 agreements is for highway related work and Surrey County Council are party to the agreements. We forward such monies to them and they are responsible for ensuring it is spent.

The information I gave previously was provided in good faith based on our best understanding of the position at the time.

The County Council's record keeping and performance in spending monies they have received has fallen short of what it should have been and it has transpired that some

monies that were thought to have been spent had not. Some money is however correctly held for future planned maintenance of works and the figures are not quite as portrayed by Councillor T.W Crabb. The report to the Planning Committee to which he refers sets out the detailed position which I will not rehearse tonight.

I am pleased to say that as a result of a lot of work by Borough officers behind the scenes and efforts by the County Council to get its house in order that the cause of the problems to which I refer is being largely addressed. In fact the newly appointed officer with responsibility for Section 106 monies and spoke at the last Local Committee.

I am sure Members share my disappointment in what has happened but equally be pleased to know that as reported to the Planning Committee in July this year this Council has now negotiated through Section 106 agreements a sum of just over £5.8 million pounds".

Councillor T.W Crabb asked a supplementary question asking for clarification on the figure provided as he felt that there was a discrepancy in the figures for spending Section 106 monies:

(For reference purposes the response from the Leader of the Council, Councillor Packman to the supplementary question is set out below)

"Your question referred to £2.3 million being received and only £1.3 million having been spent – this gives a difference of £1 million. The actual figures in the Planning Committee report you referred to in the question were £2.106 million received and £1.324 million spent giving a difference of £782,000. My answer also referred to monies held for maintenance of projects already implemented. This is sum of £69,400 and in my view should be treated differently to monies held for unimplemented projects. The Planning Committee report also identified a further £74,950 which has been spent, but at the time of the report, had not been transferred to the budget account from which the project had been managed. Deducting these two sums gives a difference of £637,650 between what has been received and what has been spent or properly held for future maintenance.

Of this sum £253,100 has been held by Surry County Council for more than 10 years rather than the figure of £389,000 you referred but irrespective of the precise amount the position is of course unacceptable and reflected in my answer to your question.

I appreciate there was enormous amount of technical detail with the Planning Committee report from which you drew your figures and if you want to pursue any further points John Brooks will be pleased to assist".

(2) Question from Councillor Mrs M.W Rough:

"Would the Leader join me in thanking Brian Kingston for all his hard work to enable Spelthorne children to enjoy and benefit from Junior Citizen Programme hosted by British Airways, but also on his efforts to provide residents with a viable opportunity to express their concerns with anti social behaviour? This has been a successful approach, demonstrating to the individual, that he or she is important and their input and local experience is valued and that change is achievable. Small local open meetings linking all resources from police, A2D and neighbourhood watch have proved a very useful tool reinforcing the larger roadshows".

The response was provided by Councillor F. Ayers, Portfolio Holder for Community Safety and is set out below:

"With regards to the Junior Citizen scheme I am sure that all Members are aware of its value and success. The event, organised by the Safer and Stronger Partnership - was a resounding success with 20 schools and 1024 Year 6 pupils participating.

The scheme equips young people with the knowledge and confidence they need to deal with potential dangerous situations. Feedback from all those involved has been positive. As well as members of the Council, Police, Fire Service and British Airways staff all worked on this year's event and we are extremely grateful to British Airways for its continued financial support and use of their Community Learning Centre.

The Partnership does of course play a key role in co-ordinating responses to tackle and prevent this behaviour which can be so distressing for residents and communities alike. Often this involves our Police colleagues, A2 Dominion and other social landlords and we recognise the contribution of the neighbourhood watches in making their communities and streets safer and stronger".

(3) Question from Councillor S.A Dunn:

"Given the recent news that Surrey County Council are considering dropping their objection to the Airtrack scheme in favour of BAA paying £11.4 million to fund a mitigation scheme could the Leader state the current position of this Council?"

The response was provided by Councillor J.D. Packman, Leader of the Council and is set out below:

"As Members will re-call in September 2009, this Council raised 79 points of objection to the Aitrack scheme. In summary Airtrack would cause a wide range of problems for the residents of this Borough with little if any tangible benefit.

Over the past year we have been discussing with BAA's consultants the extent to which some of the objections could be overcome. Despite our officers efforts BAA's response has been slow with very few issues resolved.

At a meeting two weeks ago with Colin Mathews, Chief Executive of BAA I again pressed for him to get involved and understand our reasoning of objection.

Therefore, the Council's position has not changed. The full impact of the Airtrack scheme has still not been properly assessed. This includes the extent of some highway impacts which neither BAA or SCC can provide credible evidence. Until you properly quantify the scale of a problem you can not identify satisfactory solutions - if they exist – and certainly not the likely cost.

One of the many issues still to be resolved is the impact of level crossing down times and the knock on effect on Staines town centre.

I am heartened by the recent statement by Phillip Hammond – MP for Runnymede and Secretary of State for Transport who sees a failure to properly address this issue as a 'showstopper'.

This Council's position has, therefore, not changed."

(4) Question from Councillor C.V Strong:

"This Council held a symposium over two days, 26th and 27th July 2010. In the interests of transparency and openness could we please have:

a) the total expenditure on this symposium

- b) the names of any donors who contributed towards this expenditure and the sum donated
- c) an estimate of the total amount of officer time, in hours, spent on preparing and running this symposium"

The response was provided by Councillor V.J Leighton, Portfolio Holder for Finance and Resources and is set out below:

"The cost of the symposium, held on 25-27th July 2010, was £8228. The cost needs to be seen in the context of the overall cost of the 20th Anniversary celebrations which included the trip to Melun and Brussels from 7th -10th May. The total cost for both events was £14856 - with income from the Twinning budget, payments by visitors to Melun and sponsorship totalling £14765, meaning that almost all costs were covered (a £91 shortfall!).

In terms of sponsorship this again covered both events. It totalled £4150 and was made up as follows:

BUPA-£500 BP-£500 Lotus-£500 Myers Catering-£300 Steria-£500 HJR-£300 Huntford-£500 County Councillor Walsh-£250 County Councillor Saliagopoulos £300 SLM-£500

We have not kept any records of Officer time on this project and do not see why anybody would think it necessary for us to do so. Over the two days 19 Officers were involved in the running of the symposium for <u>part</u> of their time there. However, more importantly, a number of Officers and Members learnt a great deal about environment, waste, democracy and economic development in Mauritius, Japan and France; subjects that this council recognise as important to us here in Spelthorne. It is a real pity that Liberal Democrat Councillors chose not to participate in this most worthwhile event. They might have learned something."