

MINUTES OF THE COUNCIL MEETING HELD ON 22 JULY 2010

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 22 JULY 2010**

Ayers F.	Dunn Mrs S.A.	Packman J.D. (Leader)
Bain Miss M.M.	Flurry K.E.	Pinkerton Jack D.
Beardsmore I.J.	Forsbrey G.E.	Rough Mrs M.W.
Bell Mrs E.M.	Grant Mrs D.L.	Royer M.T.
Bhadye S.	Hirst A.P.	Sider R.W.
Broom Ms P.A.	Hyams Ms N.A.	Smith-Ainsley R.A. (Deputy Leader)
Budd S.E.W. (Deputy Mayor)	Jaffer H.R.	Spencer Mrs C.L.
Chouhan K.	Leighton Mrs V.J.	Strong C.V.
Colison-Crawford R.B.	McShane D.L.	Thomson H.A.
Crabb T.W.	Nichols L.E.	Trussler G.F.
Davis C.A.	O'Hara E. (The Mayor)	

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

233/10 APOLOGIES

Apologies for absence were received from Councillors Mrs P.C. Amos, S.J. Fairfax, Mrs I. Napper, Mrs C.E. Nichols, Mrs J. Pinkerton and S.J. Rough. Apologies were also received from Mr Murray Litvak and Ms Sue Faulkner the Chairman and Vice Chairman respectively of the Standards Committee.

234/10 MINUTES

The minutes of the meeting held on 20 May 2010 were approved as a correct record.

235/10 DISCLOSURES OF INTEREST

Councillor T.W. Crabb declared a personal interest in Agenda Item 8.1 (Petitions) To receive a petition submitted to the Council by residents of The Avenue and Elmbrook Close, Sunbury on Thames as he lived in The Avenue, Sunbury. Councillor Crabb confirmed that he had not been involved in the matter.

236/10 ANNOUNCEMENTS FROM THE MAYOR

(1) Queen's Award for Voluntary Services

The Mayor, Councillor E. O' Hara, presented the Queen's Award for Voluntary Services to the Spelthorne and Runnymede Age Concerns. Two certificates were presented one to Sue Metcalf on behalf of Spelthorne Age Concern and the second to Diana Cotty of Runnymede Age Concern.

(2) Mayoral Events

The Mayor, Councillor E. O'Hara reported on arrangements being made to create a Mayoral Calendar setting out the events for the year which once finalised would be emailed to all members. The Mayor hoped that as many members as possible would support the events.

237/10 ANNOUNCEMENTS FROM LEADER

(1) Richard Powell – Retirement

The Leader, Councillor J.D. Packman, reported on the retirement of Richard Powell Principal Committee Services Manager who after 44 years of local government service was retiring today. On behalf of all members and officers he expressed appreciation and thanks to Richard for the service he had given over the years and to wish him well for a long and happy retirement. The Leader outlined highlights of his career which had started in 1966 with the Fire Service. Councillor I.J. Beardsmore on behalf of the Liberal Democrats endorsed the remarks made by the Leader of the Council.

(2) SLM Sports and Leisure Management Ltd (SLM) – Award for Facility Operator of the Year 2010

The Leader, Councillor J.D. Packman, reported that SLM the Sports and Leisure Management Company who operated the leisure centres on behalf of the Council had for the second year running been awarded the ASA Award for Facility Operator of the Year.

The Leader reported that to acknowledge this achievement a letter would be sent to SLM from the Mayor.

(3) TP26 Hawkes Park

The Leader, Councillor J.D. Packman, had pleasure in reporting that after many years of negotiation with Surrey County Council the purchase of the land known as the TP26 relief road had been completed and the plans for a cycle path through the land would now progress.

238/10 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Mayor, Councillor E. O'Hara, reported that under Standing Order 13, one question had been received from a Mr Mockford a resident of the borough, who due to other commitments was unable to attend the meeting. . A copy of the question from Mr Mockford of 36 Kinross Drive, Sunbury on Thames together with a response had been laid round at the meeting and would be sent to Mr Mockford.

For reference purposes the question together with the response of the Leader, Councillor J.D Packman is set out below:

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

As a resident of Sunbury I have recently received several apologies from the Council for its repeated failure to enforce straight forward planning conditions. One of the excuses offered for this failure was the cost and effort involved. Consequently I was shocked to discover that in another case the Council had hired a private investigator to spy on a local family prior to a planning appeal. The evidence given by the private investigator was proved false at the appeal and the council lost.

May I ask

- a. how much was spent on this private investigator; and
- b. how many private investigators have been hired by the council in the past 5 years & at what cost?

May I also have an assurance that in future the planning department will not hire private investigators, but will concentrate instead on enforcing straight forward planning conditions?

The response circulated at the meeting is set out below:

“Thank you for your question Mr Mockford. The Council always wishes to be clear and accountable with residents. Sometimes, things do not go as we would have wished and where this happens we will always investigate and, where appropriate, offer an apology.

I must, however, correct the impression that you have given within your question that the Council is unlikely to enforce planning conditions for reasons of cost and time. Without wishing to comment on the circumstances of your individual case, the statement which you have made is not Council policy and I would not wish for anyone reading the question and answer to have the impression that the Council does not take enforcement matters seriously, because that would be wrong.

For your information, in relation to a case you referred to, the private investigator used in the appeal did not attend the inquiry. He was used 15 months before the application was made to gather evidence for enforcement of planning conditions. The evidence which he gathered was not crucial for the council’s final decision in the case which is why the Inspector did not criticise the Council for using an investigator.

This recent appeal case started as an enforcement of a planning condition that a summer house should not be occupied as a year round residence. It is not very often that private investigators are used in planning enforcement cases. In fact in the last five years we have only used such agents twice.

The first case was the one to which you referred in your question. That investigation cost £739.

The second case involved a trace on a landowner that we wished to serve with enforcement proceedings and cost £235.

So as you will see, the use of private inquiry agents in planning is limited. Most of the people that we deal with either live in the Borough, or can be traced through land registry records.

Greater use is made of inquiry agents in relation to debt collection where debtors frequently abscond. If you are interested in further details in this area then they can be supplied.

In order to avoid any misunderstanding about the use of such inquiry agents in planning cases, I have asked for this question and response to be circulated to all councillors.”

239/10 PETITIONS

The Mayor, Councillor E. O’Hara, advised that under Standing Order 15.1, a petition had been received from the residents of The Avenue and Elmbrook Close, Sunbury on Thames, seeking the removal of car parking charges from Orchard Meadow Car Park.

Mr Alan Smith the Neighbourhood Watch co ordinator for the area presented the petition to the Mayor and addressed the Council on behalf of the petitioners.

Under Standing Order 15.4 there was no debate on the matter.

RESOLVED that the petition be referred to the Cabinet for consideration at the same time when the annual review of car parking charges takes place later in the year.

240/10 PETITIONS SCHEME

The Council considered the recommendation of the Cabinet on the adoption and implementation of a Petition Scheme and an electric petition facility, as required under the Local Democracy, Economic Development and Construction Act 2009.

It was moved by the Leader of the Council, Councillor J.D. Packman, and seconded by the Deputy Leader of the Council, Councillor R.A. Smith-Ainsley that the recommendation from the Cabinet at its meeting 8 June 2010 and as set out below be approved.

- (i) The Petitions Scheme, attached at Appendix 1 to the report of the Deputy Chief Executive to the Cabinet meeting held on 8 June 2010, be approved and adopted for immediate implementation, subject to the inclusion of under eighteen year olds and except for the e-petitions elements, which will be approved for implementation on 1 November 2010;
- (ii) The Head of Corporate Governance be authorised to determine any petitions received that are vexatious, abusive or otherwise inappropriate and therefore not covered by the Petitions Scheme;
- (iii) The Head of Corporate Governance be authorised to make the necessary amendments to the Council's Constitution, to include the Petitions Scheme and the e-petitions elements and the new role of the Council's Overview and Scrutiny Committee in relation to the Petitions Scheme; and
- (iv) The Overview and Scrutiny Committee be asked to review the operation of electronic petitions and the Petitions Scheme one year after operation.

An amendment which was circulated at the meeting was moved by Councillor T.W. Crabb and seconded by Councillor L.E. Nichols that :

- (i) The Petitions Scheme, attached at Appendix 1 to the report of the Deputy Chief Executive to the Cabinet meeting held on 8 June 2010, be approved and adopted for immediate implementation, subject to (1) the inclusion of under eighteen year olds and (ii) for petitioners with more than 30 signatories to present their petition to Council and address the members for no more than 3 minutes and to then subsequently be able to address the Committee to which the petition is referred;

Except for the e-petitions elements, which will be approved for implementation on 1 November 2010
- (ii) The Head of Corporate Governance be authorised to determine any petitions received that are vexatious, abusive or otherwise inappropriate and therefore not covered by the Petitions Scheme;
- (iii) The Head of Corporate Governance be authorised to make the necessary amendments to the Council's Constitution, to include the Petitions Scheme and the e-petitions elements and the new role of the Council's Overview and Scrutiny Committee in relation to the Petitions Scheme; and
- (iv) The Overview and Scrutiny Committee be asked to review the operation of electronic petitions and the Petitions Scheme one year after operation.

Councillor C.V. Strong under Standing Order 21.4 requested that the voting on the amendment be recorded. The vote on the amendment was as follows:

FOR (7)	Councillors I.J. Beardsmore, Mrs E.M. Bell, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, L.E. Nichols and C.V. Strong
AGAINST (25)	Councillors F. Ayers, Miss M.M. Bain, S. Bhadye, Miss P.A. Broom, S.E.W. Budd, K. Chouhan, C.A. Davis, K. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, Ms N.A. Hyams, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O'Hara, J.D. Packman, Jack D. Pinkerton, Mrs M.W.

	Rough, M.T. Royer, R.W. Sider, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
--	---

The amendment was lost. The original motion was put to the vote and carried

RESOLVED that:

- (1) The Petitions Scheme, attached at Appendix 1 to the report of the Deputy Chief Executive to the Cabinet meeting held on 8 June 2010, be approved and adopted for immediate implementation, subject to the inclusion of under eighteen year olds and except for the e-petitions elements, which will be approved for implementation on 1 November 2010;
- (2) The Head of Corporate Governance be authorised to determine any petitions received that are vexatious, abusive or otherwise inappropriate and therefore not covered by the Petitions Scheme;
- (3) The Head of Corporate Governance be authorised to make the necessary amendments to the Council's Constitution, to include the Petitions Scheme and the e-petitions elements and the new role of the Council's Overview and Scrutiny Committee in relation to the Petitions Scheme; and
- (4) The Overview and Scrutiny Committee be asked to review the operation of electronic petitions and the Petitions Scheme one year after operation.

241/10 AIRTRACK – PUBLIC CONSULTATION ON THE SECOND ADDENDUM TO THE ENVIRONMENTAL STATEMENT

The Council considered the recommendation from the Cabinet on a consultation response to the second Addendum to the Environmental Statement, originally produced by Heathrow Airport Ltd in July 2009 for the Airtrack and the extent to which it met the Council's 79 points of objection.

RESOLVED that the response set out in Appendix A to the report of the Deputy Chief Executive to the Cabinet, meeting held on 20 July 2010, be endorsed.

242/10 CORPORATE PLANS AND PRIORITIES

The Council considered the recommendation from the Cabinet on a review of the Corporate Plan 2008-2011, the achievements against targets after two year's of operation and total number of priorities. The Cabinet had supported the following six corporate priorities for adoption for 2010/2011:

- A Safer Spelthorne
- Supporting Housing Needs
- Supporting Younger People
- Help for Older People in Need
- A Cleaner and Greener Environment
- Economic Development

RESOLVED to approve the reduction in corporate priorities and approve the revised Corporate Plan 2008-11(2010 3rd Revision) as submitted to the Cabinet at its meeting on 20 July 2010.

243/10 OVERVIEW AND SCRUTINY COMMITTEE REMIT

The Council considered the recommendation from the Overview and Scrutiny Committee on its remit.

In response to a question raised on the need to increase the frequency of meetings the Chairman of the Committee, Councillor Philippa Broom confirmed that there was flexibility to hold additional meetings if required.

RESOLVED that the remit for the Overview and Scrutiny Committee as submitted be approved.

244/10 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor J.D. Packman, presented his report, which outlined some of the important issues the Cabinet had discussed at its meeting on 8 June 2010. In response to a question raised as to why only selected items from the Cabinet meeting were contained in the report the Leader confirmed that the agenda and reports on all matters considered by the Cabinet were available to all members therefore only those matters which he felt were relevant were contained in the report to Council.

245/10 AUDIT COMMITTEE

The Chairman of the Audit Committee, Councillor M.T. Royer, presented his report, which outlined the matters the Committee had considered at its meeting on 24 June 2010. In response to a question raised the Leader agreed to look into why the minutes of the meeting held on 24 June 2010 were not available on the Council's website.

246/10 LICENSING COMMITTEE

The Chairman of the Licensing Committee, Councillor R.W. Sider, presented his report, which outlined the matters the Committee had decided since the last Council meeting.

247/10 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 decided since the last Council meeting. The Chairman went on to confirm that the outstanding responses to issues raised at the last committee meeting would be available shortly.

248/10 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor H.A. Thomson, presented his report, which outlined the matters the Committee had decided since the last Council meeting.

249/10 MOTIONS

Under Standing Order 16.3, the Council had received Notice of the following Motion:

“Council notes the substantial over-development that has taken place across the Borough in the last decade to the detriment of our environment.

Council further notes that many new dwellings across Spelthorne have been built on back gardens.

Council welcomes the recent moves by the Conservative-Liberal Democrat coalition government to end ‘garden grabbing’ by developers and the removal of top-down targets for house building.

Council resolves:

- 1) That in order to compensate for the exceptional over-development in the last decade to substantially reduce the rate of new development over the next 5 years
- 2) To resist any new dwelling built on back gardens.
- 3) To work towards substantially increasing the number of new family homes with gardens as a proportion of the number of new dwellings that are built each year.”

COUNCIL, 22 July 2010 - Continued

Proposed by: Councillor Ian Beardsmore

Seconded by: Councillor Colin Strong

Councillor R.A. Smith-Ainsley circulated the following amendment to the Motion which was seconded by Councillor H.A. Thomson

“Council notes development that has taken place across the Borough in the past decade as part of the Council’s strategy to deliver housing as required by our top down housing targets.

Council further notes that many new dwellings across Spelthorne have been built on back gardens which had been designated as Brownfield land.

Council welcomes the recent moves by the Conservative led coalition government to amend PPS3 and give LPAs more power to refuse ‘back garden’ development where appropriate.

Council notes that as one of the leading planning authorities in the country, with an already adopted Core Strategy it has already been able to start on long planned work on Supplementary guidance on ‘Design of Residential Extensions and New Residential Development and Size of Dwellings. These will further strengthen the Council’s position in rejecting poor development on any type of site, securing high standards of design and ensuring new dwellings meet local needs.

The Council resolves:

- 1 To take into account the change in PPS3 along with all the other guidance in our adopted Core Strategy as well as Supplementary Planning Guidance and other relevant planning issues when determining development applications on ‘back garden’ land; and
- 2 To affirm the importance of the supplementary guidance the Local Development Framework Working Party will be bringing forward over the coming months to deal with design issues and size of new dwellings.”

Councillor T.W. Crabb asked for a point of order as he felt that the amendment was a negative to the motion which under Standing Order 18.7 was not permitted. The Head of Corporate Governance clarified the matter and the amendment was allowed.

Councillor C.V. Strong requested under Standing Order 21.4 that the vote on the amendment be recorded. The voting was as followed:

FOR (23)	Councillors F. Ayers, Miss M.M. Bain, S. Bhadye,, S.E.W. Budd, K. Chouhan, C.A. Davis, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, Ms N.A. Hyams, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O’Hara, J.D. Packman, Jack D. Pinkerton, Mrs M.W. Rough, M.T. Royer, R.W. Sider, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
AGAINST: (7)	Councillors I.J. Beardsmore, Mrs E.M. Bell, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, L.E. Nichols and C.V. Strong

The amendment was carried. The amendment was then put as the substantive motion and Councillor C.V. Strong requested the voting on the Substantive motion be recorded. The voting was as follows:

FOR: (23)	Councillors F. Ayers, Miss M.M. Bain, S. Bhadye, S.E.W. Budd, K. Chouhan, C.A. Davis, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, Ms N.A. Hyams, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E.
------------	--

	O'Hara, J.D. Packman, Jack D. Pinkerton, Mrs M.W. Rough, M.T. Royer, R.W. Sider, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
AGAINST (7)	Councillors I.J. Beardsmore, Mrs E.M. Bell, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, L.E. Nichols and C.V. Strong

RESOLVED:

1 To take into account the change in PPS3 along with all the other guidance in our adopted Core Strategy as well as Supplementary Planning Guidance and other relevant planning issues when determining development applications on 'back garden' land; and

2 To affirm the importance of the supplementary guidance the Local Development Framework Working Party will be bringing forward over the coming months to deal with design issues and size of new dwellings.

250/10 QUESTIONS ON WARD ISSUES

The Mayor, Councillor E. O'Hara, had reported at the beginning of the meeting that questions together with the answers would not be read out but had been circulated. However under Standing Order 14.5 supplementary questions would be permitted but that in the interest of fairness gave a direction that the answers would be provided in writing in order to ensure that a properly considered response was provided.

Question from Councillor L.E. Nichols

"Is Spelthorne Borough Council satisfied with the level of consultation that Surrey County Council has undertaken in respect of the development of a co-incinerator and anaerobic digester at Charlton Lane? What direct involvement has Spelthorne Borough Council had with SITA in respect of this proposed development?"

The response circulated at the meeting is set out below:

"To date, Surrey County Council and SITA have undertaken some initial consultation (letters, exhibitions) on the proposed gasification plant and anaerobic digester at Charlton Lane. The first exhibition in April 2010 was attended by a Spelthorne Borough Council officer and the Community Liaison Group meeting was attended by a member and officer to hear what residents have to say. Similarly the technical group meeting on 15 July 2010 for local residents was also attended by a Spelthorne Borough Council officer. The Service Head attends Surrey Waste Partnership meetings, where all partners provide updates on projects relevant to all authorities, and County has provided updates on progress at these meetings over the last three months. In between, four meetings have been held with Surrey County Council and SITA for short updates on the progress being made.

We understand that, as information from studies associated with the application emerges, Surrey County Council and SITA will be providing information to residents via letters, meetings with residents, specialist technical meetings. There will also be discussions on information as it arises via the Community Liaison Group, which has independent residents and representatives of Resident Associations attending. An exhibition of the plans and results of studies will be held in September 2010.

At the recent Local Committee meeting (12 July 2010) Surrey County Council emphasised that they were very keen to ensure the local community were kept informed about the scheme, as the detail and environmental impact assessments for the proposed scheme are finalised, before submission of the planning application to Surrey County Council.

Spelthorne Borough Council has always emphasised the need for consultation with local residents and have encouraged SITA to hold meetings, such as one arranged with Charlton and Halliford residents, held at the Sunbury Golf Club on 18 May 2010.

As with any scheme of this size in the Borough, even as consultee as in this case, Spelthorne Borough Council would expect to meet with developers prior to submission of the application, to discuss details and to ensure all aspects required in commenting on an application such as this were covered.

The Council has encouraged Surrey County Council and SITA to undertake public consultation and at the Local Committee meeting on 12 July 2010, the Leader spoke strongly on the need for Surrey County Council to undertake public consultation and keep the residents informed. He received assurances that this would occur.

Councillor L.E, Nichols asked for confirmation as to whether the consultation being undertaken by the County was to the satisfaction of the Borough Council. The Leader confirmed that the council had and would continue to encourage the county and SITA to undertake public consultation and to keep the residents informed.

251/10 GENERAL QUESTIONS

Question from Councillor R.W. Sider

'Will the Leader join me in congratulating 'Team Spelthorne' on their performance in this year's Surrey Youth Games, and whilst they did not follow up their winning vein of last year, they were awarded the Surrey County Playing Fields Association 'Fair Play' award for their good sporting attitude. That said, will the Leader and members of both parties agree that this Award is perhaps far greater to achieve than that of winning any titles and demonstrates team spirit, respect for opponents, camaraderie and is a great credit to the youth of Spelthorne.'

The response circulated at the meeting is set out below:

"May I thank Councillor Sider for his question.

In response I feel sure that all councillors will join me in congratulating 'Team Spelthorne' in their performance at this year's Surrey Youth Games which included the following achievements:

- Gold medal for mild learning disability football
- Girls cricket
- Boys hockey
- Silver Medal for mixed hockey, girls hockey and senior squash
- Bronze Medal for boccia and junior squash
- 5 Gold, 2 Silver and a Bronze in the Judo event

Over 200 young people took part in the event over the 2 days but 300 young people were selected for the initial squads. It is anticipated that many of the young people are now involved in various local sports clubs. I attended the Sports Council AGM two weeks ago and put the point to all the clubs in attendance that they could do more to encourage our youths to join their clubs.

I do agree though that although the team did not meet the dizzy heights of first place again they did achieve something greater - The Surrey Playing Fields Association 'Fair Play' Award for their good sporting attitude. This shows that Spelthorne has young people who, as they move on in life, have the important values; respect, spirit and camaraderie – it is indeed a great credit to the young people of Spelthorne and we are justly proud of them".

Question from Councillor C.V. Strong

“The Leader will recall that I led a debate in October 2009 to sign the Borough up to the national 10:10 campaign where organisations pledge to seek to reduce carbon emissions by 10% during 2010.

The Leader will also recall that the issue was referred to Cabinet for consideration where the chance to sign up to the 10:10 campaign was, sadly, rejected.

I warmly welcome the coalition government's announcement of their decision to sign up to the 10:10 campaign. They recognise that strong leadership on this issue is required and have pledged to reduce central government's carbon dioxide emissions.

Will he give a similar commitment that the Borough will now sign up to the 10:10 campaign and work to reduce the Council's carbon emissions by 10% over the next 12 months?”.

The response circulated at the meeting is set out below:

“The 10% target, whilst to be commended, has been agreed for central government who should, with the resources available to them, be able to drive the 10% reduction through. However, in smaller authorities, such as ourselves it is not so easy to achieve with the limited resources available.

However, we do continue to be focused on reducing our energy consumption and in fact have over the last year achieved a 10% reduction in energy usage at Knowle Green. We have also already seen a fall in energy use in Tothill car park since the introduction of energy efficient lighting and “Powerperfector” earlier this year.

For the coming year we have further energy reduction projects planned for Knowle Green and our community centres. The Council is also looking at the feasibility of a Combined Heat and Power Scheme with the Leisure Centre which will achieve further savings both for the Council and our partner SLM.

Therefore, the Councillor and our residents can be assured that we are continuing to reduce our energy consumption (with associated carbon savings) and have achieved this without making a gesture of signing a commitment to a 10% reduction. When the opportunities arise we will respond subject to finance being available”.

Question from Councillor L.E. Nichols

“What are the implications for Spelthorne in 2010/11 and beyond of the loss of Local Authority Business Growth Incentive (LAGBI) and Housing and Planning Delivery Grant (HPDG)? What government incentives remain to encourage delivery of housing in Spelthorne?”

The response circulated at the meeting is set out below:

“The financial implications of the loss of Local Authority Business Growth Incentive (the LABGI), is that we will not receive the £50,000 built in our budget in anticipation of receipt of the grant. We were notified in March that we would receive £47,000 in 2010-11. Similarly, with respect to Housing and Planning Delivery Grant, we had anticipated £100,000 grant income this year. The combined effect is that we have an additional budget pressure this year and for future years of £150,000. The Council's Management Team have, in response to this problem, already worked with Heads of Service to ensure that we have already identified sufficient additional savings which can be made in 2010-11 to offset this, and on an ongoing basis.

The Conservative Green Paper ‘Open Source Planning’ put forward the principle of providing incentives for housing development by allowing Councils to keep the Council tax base generated by this development for a period of six years. There is also a

proposal to allow local neighbourhoods to keep some of the money contributed by developers at the time when planning permission is granted.

However, at present, there is little detail on the mechanisms for delivering housing by this means. Once this is available, the Council will need to carefully weigh up the financial incentives to determine what is considered to be an appropriate level of development, bearing in mind there is still a demand for housing of all kinds in the Borough.

Councillors can be assured that we are keeping the matter under close review.”

The Leader of the Council, Councillor J.D. Packman agreed to arrange for a response to be provided to the supplementary question raised by Councillor L.E. Nichols concerning a mechanism for neighbourhoods to retain money via Section 106 Agreements.

The response is set out below:

"As part of your question at full Council on Thursday 22 July you asked what government incentives remain to encourage the delivery of housing in Spelthorne. My answer included reference to the idea of Council's being allowed to keep the Council tax generated by development for a period of six years and allowing neighbourhoods to keep some of the money contributed by developers. I explained there was little detail at this stage but we would keep the matter under close review.

In a supplementary question you asked whether the mechanism for neighbourhoods to retain money would be through Section 106 agreements.

Section 106 is the current legal mechanism through which developer contributions can be secured to fund any infrastructure requirements imposed by a particular scheme, however, as I have said there is little detail of how proposed future initiatives will operate."

Question from Councillor Mrs S.A. Dunn

“What independent consultation has Spelthorne undertaken in respect of the proposed “Eco-Park” at Charlton Lane? What further consultation will Spelthorne be undertaking before the planning application due to be submitted in October?”

The response circulated at the meeting is set out below:

“As the councillor is I am sure fully aware, the application for the Eco Park is being made by SITA. Surrey County Council is the planning authority for waste and in this case they are responsible for appropriate publicity of the eventual application and for ensuring appropriate pre-application consultation takes place. It would be inappropriate for this council to organise their consultation for them. Once the application is submitted, it will be placed on our website so that our residents are kept informed. It must be noted in this case Spelthorne Borough Council is a consultee, not the planning authority.

The Leader of the Council, Councillor J.D. Packman responded to a supplementary question raised by Councillor Mrs Dunn who requested an assurance that ward councillors would be kept briefed of the arrangements for the proposed eco park.”

In addition the Leader indicated that he would contact the County to ask that they contact the councillor with consultation dates and processes.

Question from Councillor Mrs C.E. Nichols

“At the scrutiny meetings since December last year I have sought a members working group be established to scrutinise the proposal by Surrey County Council for an anaerobic digester and co-incinerator at the Charlton Lane site. These requests have

consistently been refused by the Chairman. Does the portfolio holder agree with me that the refusal to establish a working group was a lost opportunity? Given the short timescales before Surrey County Council intends to submit a planning application, is the portfolio holder prepared to establish immediately a working group to allow members to officially scrutinise what is one of the most important developments for the residents of Spelthorne?"

The response circulated at the meeting is set out below:

"As already explained in the answer to Councillor Mrs Dunn, the proposed application is being submitted by SITA. As a waste application, Surrey County Council is the Planning Authority, Spelthorne Borough Council is a consultee.

I will repeat that the Planning Committee for Spelthorne will have the opportunity to discuss the proposal when submitted. It is a Planning Committee's role to scrutinise any proposals for development.

At this stage relatively little information is available on the detail of the scheme, as the master plan has only just been finalised by Surrey County Council. Therefore, the most information available at this time was presented to the Local Committee on 12 July 2010 when Members including Councillor Mrs Nichols had ample opportunity to hear about the scheme and ask questions."

Question from Councillor Mrs E. Bell

"What progress has Spelthorne Borough Council made with introducing recycling for "hard to reach" properties? What are the numbers of "hard to reach" properties without recycling facilities on a quarterly basis since Alternate Weekly Collection was introduced?"

The response circulated at the meeting is set out below:

"Unfortunately, it is not possible to provide these figures on a quarterly basis. Any work on difficult access properties is carried out on an on going basis when officer time is available, as this function is not allocated to a specific officer. However, there has been a significant amount of work done in this area as the original number of 'hard to reach' Alternate Weekly Collection (AWC) properties, was more than 5,000 properties in September 2007.

There are currently about 41,000 domestic residential properties in Spelthorne, of which about 3,900 are currently not on the AWC service, which represents 10% of all properties versus an original 13%.

We estimate that of the 3,900 properties not on AWC, 2,000 properties cannot be put on the AWC service without major structural change and associated costs. Councillors need to understand that these properties include blocks of flats with chutes, islands in the River Thames, and other properties with similar access or capacity problems.

Therefore, our current target is to reduce the remaining 1,900 properties (that are achievable) as soon as practicable".

Question from Councillor T.W. Crabb

"What minimum standard of air quality does the Council have for children's play spaces?"

The response circulated at the meeting is set out below:

"There are no minimum standards set for outdoor play spaces. However, we are guided by the European Union's air quality limit standards.

COUNCIL, 22 July 2010 - Continued

The EU air quality limit standards are only a guide because the limits set are based on an averaged exposure periods (a year, a day, an hour). The limit used is therefore based on the likely exposure time for the land use”

Councillor T.W. Crabb asked a supplementary question concerning the skate park proposal and whether the site was suitable due to the air quality of the area. The Leader suggested that the Councillor should raise the matter at an Area Regeneration Board Meeting.

