

MINUTES OF THE COUNCIL MEETING HELD ON 23 JULY 2009

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 23 JULY 2009**

Amos Mrs P.C.	Flurry K.E.	Pinkerton Mrs J.M.
Ayers 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.
Bhadye S.	Jaffer H.R.	Royer M.T.
Broom Miss. P.A.	Leighton Mrs V.J.	Smith-Ainsley R.A. (Deputy Leader)
Budd S.E.W.	McShane D.L.	Spencer Caroline (Mayor)
Colison-Crawford R.B.	Nichols Mrs C.E.	Strong C.V.
Crabb T.W.	O'Hara E. (Deputy Mayor)	Thomson H.A.
Dunn Mrs S.A.	Packman J.D. (Leader)	Trussler G.F.

Mr Murray Litvak – Chairman, Standards Committee
Miss Sue Faulkner - Vice-Chairman, Standards Committee

Councillor Caroline Spencer, The Mayor, in the Chair

242/09 APOLOGIES

Apologies for absence were received from Councillors Mrs E. Bell, M.L. Bouquet, C.A. Davis, Miss. N.A. Hyams, C.D.G. Kuun, Mrs I. Napper, L.E. Nichols and R.W. Sider.

243/09 MINUTES

The minutes of the Special Council Meeting held on 19 May 2009 and the minutes of the Annual General Meeting [AGM] of the Council held on 21 May 2009 were approved as a correct record.

244/09 DISCLOSURES OF INTEREST

The following disclosures were made.

Councillor G.E. Forsbrey declared a personal interest in Agenda Item 21 (Appointment to Outside Bodies) as his wife, Mrs Frances Forsbrey, had been nominated for the position of Council representative to serve on the Ashford Relief in Need Charity for a period of 4 years.

Councillor A.P. Hirst declared a personal interest in Agenda Item 4(2) (Royal Air Force Award for Head teacher of the Year) as his wife had an active role in relation to Sunbury Manor School.

245/09 ANNOUNCEMENTS FROM THE MAYOR

(1) Retirement – Sue Hulme, Mayoral and Civic Events Officer

The Mayor announced that Sue Hulme, Mayoral and Civic Events Officer, would be retiring from the Council on 31 August 2009.

Sue had held the position since April 2004 and during that time had provided support to 6 Mayors and Deputy Mayors.

In her Mayoral role, Sue had always gone the extra mile to ensure that the Mayoral events had been successful. Such Civic events organised included Armed Forces Day, Remembrance Sunday and the Trident Memorial as well as performing other administrative tasks within the Chief Executive's secretariat. In addition to her Mayoral duties, Sue had organised and supported Twinning links with Melun, France and latterly with Grand Port Savanne District Council, in Mauritius.

The Mayor, on behalf of all Mayors and Deputy Mayors since 2004 and the Council, thanked Sue for her hard work, professionalism and dedication in her role as Mayoral and Civic Events Officer and wished her a very long and happy retirement. The Mayor also placed on record thanks and appreciation to her husband Jim for his tireless support at so many events.

(2) Louise Duncan – Royal Air Force Award for Head teacher of the Year

The Mayor welcomed Louise Duncan, Head teacher at Sunbury Manor School to the Council meeting.

The Mayor reported that Louise had been at the school for eight years and during that time had transformed the school from one previously described as “a sink school with a very bad reputation” into the current over-subscribed school of choice for local families. GCSE results had increased from 32% five or more A to C grades, to 74%. The Mayor went on to report that Louise had worked tirelessly to improve the school buildings and had overseen major improvements to facilities, which included the building of a new £1.5 million teaching block. In September 2007 the school became the first Specialist Humanities School in Surrey thanks to Louise's vision. The Award Judges said that Louise's sense of purpose was “tangible and infectious, and its essence lies in her personality, vision, leadership and professionalism”.

The Mayor congratulated Louise on this great achievement and presented her with the Royal Air Force Award for Head Teacher of the Year in a Secondary School in the South East of England.

(3) Forthcoming Events

The Mayor advised members that the National final of the Head Teacher of the Year Awards would take place on 25 and 26 October 2009 and would be televised on BBC2.

246/09 ANNOUNCEMENTS FROM THE LEADER

Order of Business

The Mayor agreed to the request from the Leader, Councillor Packman, to change the order of business by taking Agenda Item 22 – (Urgent Business) immediately following Item 5 – (Announcements from the Leader).

247/09 URGENT BUSINESS

Cabinet Membership

The Leader, Councillor Packman, reported that in common practice with all other committees of the council, where a vacancy arises, a group leader has the authority to make a nomination to fill that vacant position. The Leader went on to report that given the sudden nature of the resignation of Councillor Bouquet for personal reasons from the Cabinet, it was necessary that such a nomination was made. The Leader formally requested that Councillor S. Bhadye be appointed as Cabinet Member responsible for

Health and Independent Living and if members were mindful to agree to this appointment then he would be assessing the effect this appointment would have on the membership of other committees.

RESOLVED that Councillor S. Bhadye be appointed Cabinet Member for Health and Independent Living with immediate effect and to note that the Leader of the Council would be assessing the effect this appointment had on the membership of other committees.

The Mayor had not been notified of any other urgent business.

248/09 ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE

The Chief Executive confirmed that he had no announcements to make.

249/09 PETITIONS

The Mayor invited Mrs Helena Weston to present a Petition objecting to the decision to stop grass cutting in Sykes Drive, Staines and invited her to address the Council.

Mrs Weston presented the Petition, which the Mayor duly received, and she outlined her reasons for submitting it.

It was moved and seconded that in accordance with Standing Order 15.4(c) the petition be referred to the Cabinet for consideration and a response be given to Mrs Weston in due course.

An amendment was moved and seconded that in accordance with Standing Order 15.4 (c) the petition be referred to the Performance Management and Review Committee.

The vote on the amendment was lost.

RESOLVED that in accordance with Standing Order 15.4 (c) the petition be referred to the Cabinet for consideration and a response be given to Mrs Weston in due course.

250/09 DETAILED BUDGET 2009-2010

The Council considered the report from the Chief Finance Officer on the re-setting of the overall Council Tax following the capping of Surrey Police by the Government.

Councillor Mrs Leighton the Cabinet member for Corporate Services reported that as a result of Surrey Police formally being capped on 9 July and having failed in their judicial appeal, had revised downwards their council tax figures for 2009-10. Spelthorne Borough Council as a council tax billing authority was required to formally re-approve the council tax figures making up the council tax bills it issues.

The figures for Spelthorne Borough Council and for the County Council remain unchanged. The Band D tax for Surrey Police had been reduced by £3.24 per annum or 6 pence a week. Officers had estimated that the cost of rebilling in Spelthorne would be approximately £160,000 which would be reimbursed by Surrey Police. Despite the small value of the change, the regulations required the Council to issue new bills rather than make an adjustment to next year's bills. Councillor Mrs Leighton advised that the new council tax bills were scheduled to go out in the first week of September with Council taxpayers making payments at the lower rate from 1 October.2009 In the meantime council taxpayers would continue to pay their instalments at the existing level.

RESOLVED:

1. To approve in support of an increase of 14p per week (4.69%) in the Spelthorne element of the council tax for 2009/10 the following proposals:

COUNCIL, 23 July 2009 – Continued

- a) The Revenue Estimates as set out be approved.
 - b) An amount not exceeding £175,000 as set out in this report be appropriated from General Reserves in aid of Spelthorne's local Council Tax for 2009/10.
 - c) To agree that the council tax base for the year 2009/10 is 40,164.1 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.
2. That the following sums be now calculated by the Council for the year 2009/10 in accordance with Sections 32 and 33 of the Local Government Act 1992.

(a)	£47,660,600	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
(b)	£33,242,200	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)	£12,349,747	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)	£5,630,308	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)	£167.30	Being the sum (c) above less the amount at (d) above, all divided by the amount at (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.

3. That the following amounts be now calculated by the council for the year 2009/10 in accordance with section 36 of the local government finance act 1992.

VALUATION BANDS

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
111.53	130.12	148.71	167.30	204.48	241.66	278.83	334.60

COUNCIL, 23 July 2009 – Continued

Being the amounts given by multiplying the amount at (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.

VALUATION BAND	A	B	C	D	E	F	G	H
1. Precepts issued to the Council								
i) Surrey County Council	726.12	847.14	968.16	1089.18	1331.22	1573.26	1815.30	2178.36
ii) Surrey Police	129.24	150.78	172.32	193.86	236.94	280.02	323.10	387.72
2. Spelthorne's Council Tax	111.53	130.12	148.71	167.30	204.48	241.66	278.83	334.60
The total of items 1 and 2								
3. above, which is the full Council Tax for 2009/10	966.89	1,128.04	1,289.19	1,450.34	1,772.64	2,094.94	2,417.23	2,900.68

251/09 MANAGEMENT OF ORDINARY WATERCOURSES IN SPELTHORNE – AMENDMENTS TO THE COUNCIL'S SCHEME OF DELEGATION

The Council considered the recommendation of the Cabinet to revise the Scheme of Delegations to Officers to reflect the relevant legislative requirements under the Land Drainage Act 1991.

RESOLVED that the recommendation of Cabinet to approve the proposed new officer delegations and authorise the necessary amendments to the Council's Constitution as set out below be approved.

Proposed Officer Delegations:

- (a) **Function:** To exercise the powers and functions of the Council, as the relevant Drainage Board, under the Land Drainage Act 1991 and to authorise officers to carry out powers and functions under the Act.

Authorised Officer: Head of Environment Services

- (b) **Function:** To issue and serve statutory notices and take follow up action under the Land Drainage Act 1991

Authorised Officer: Head of Environment Services

252/09 AMENDMENTS TO THE COUNCIL'S SCHEME OF DELEGATION

The Council considered the recommendation of the Cabinet on amendments and additions to the Council's Scheme of Delegation to enable the Head of Environmental Health and Building Control to enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation; to take prosecutions under the Health and Safety at Work etc Act 1974 and to enforce the Working Time Regulations 1998 (as amended).

RESOLVED that the recommendations of the Cabinet to approve the proposed new officer delegations and authorise the necessary amendments to the Council's Constitution as set out below be approved.

(1) Delegations 8.21 amended as follows:

Function: To enforce the recent changes made to the Official Feed and Food Control (England) Regulations legislation.

Authorised Officer: Head of Environmental Health and Building Control

(2) Delegation 8.33 amended as follows

Function: To carry out the full range of functions under the Health and Safety at Work etc Act 1974.

Authorised Officer: Head of Environmental Health and Building Control

(3) New Officer Delegation 8.34

Function: To exercise the Council's functions under the Working Time Regulations 1998 (as amended).

Authorised Officer: Head of Environmental Health and Building Control

253/09 REPORT FROM THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor J.D. Packman, presented his report, which outlined the various matters the Cabinet had dealt with since the last Council meeting and answered questions from Members.

254/09 AUDIT COMMITTEE

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

255/09 IMPROVEMENT AND DEVELOPMENT COMMITTEE

The Chairman of Improvement and Development Committee, Councillor Mrs J.M. Pinkerton, presented her report, which outlined the matters the Committee had dealt with since the last Council meeting.

256/09 LICENSING COMMITTEE

The Vice-Chairman of the Licensing Committee, Councillor M.T. Royer, presented the Chairman's report, which outlined the matters the Committee had dealt with since the last Council meeting and answered questions from Members

257/09 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Chairman of the Performance Management and Review Committee, Councillor Miss. P.A. Broom, presented her report, which outlined the matters the Committee had dealt with since the last Council meeting. Due to the nature of the question raised by Councillor Beardsmore on progress being made to increase the number of difficult properties participating in the alternate weekly collection scheme, the Chairman agreed to arrange for a detailed response to be sent to members.

The response sent to members is set out below:

1. The initial survey in 2007 identified about 8,000 out of 40,000 properties that were considered too difficult to access in the first roll out of the Alternative Weekly Collection (AWC) system.

COUNCIL, 23 July 2009 – Continued

2. This was reviewed as part of the implementation process prior to and during the launch of the AWC service in September 2007 and reduced to a figure of 5,142.
3. It should be noted that despite including some 3,000 previously identified difficult access properties the scheme was rolled out very successfully.
4. Grange Farm (174 properties) was moved onto the AWC system with effect from 27 July 2009.
5. A further 725 properties will be moved onto the AWC system in the next six weeks.
6. This will leave outstanding 4,243 properties. These will be surveyed over the next four months and where possible arrangements agreed to put on AWC.
7. Of this 4,243, we estimate that about 2,000 properties can only be put on AWC with structural change and associated cost. This would include sites with chutes and the islands in the River Thames.
8. This is a very time consuming exercise and in many cases requires innovative, sometimes experimental solutions. More complicated solutions require considerable consultation and subsequent cooperation from the residents affected.

258/09 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.

259/09 STANDARDS COMMITTEE

The Chairman of the Standards Committee, Mr M. Litvak, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

260/09 MOTIONS

(1) Surrey Police Capping

The motion on the effects of the Surrey Police Capping had been withdrawn by the proposer and seconder.

(2) Member participation in pre-application discussions.

Under Standing Order 16.3, a Notice of Motion had been received regarding Member participation in pre-application discussions.

Councillor Colin Strong proposed and Councillor Ian Beardsmore seconded the following Motion:

“Council notes that:

1. Pre-application discussions are an essential part of the planning process and can help identify problems and potential concerns prior to submission of a planning application.
2. The current Spelthorne Planning Code discourages members from attending pre-application meetings between officers and potential applicants.
3. Members are often unaware that such discussions are taking place that involve major proposals for sites within their wards.

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Council welcomes the recent Probity in Planning revised guidance note published in May 2009 by the Local Government Association.

Council welcomes the recognition that councillors, on behalf of their communities, should participate in discussions prior to the receipt of a planning application.

Council further notes that when drafting pre-application guidelines care needs to be taken in respect of those councillors who are members of the Planning Committee.

Council resolves to instruct the Monitoring Officer, as part of his ongoing review of the Planning code, to incorporate suitable text into the revised draft of the Planning Code that councillors should participate in pre-application discussions.”

Under Standing Order 18.6 (iii), Councillor R.A. Smith Ainsley proposed and Councillor H. A. Thomson seconded the following amendment regarding Member participation in pre-application discussions

“Council Notes that:

1. Pre application discussions are an essential part of the planning process.

Their aim is not just to identify problems and concerns. More importantly their role is to resolve these as far as possible prior to submission. As a result, when a scheme does come in for planning it meets policy requirements, is of a higher quality and anticipates the issues which might be raised as a result of the statutory consultations process. It is also an opportunity to encourage the developers to speak directly to the neighbours/local community to find out their views.”

The request from Councillor Strong that the meeting be adjourned for 15 minutes to enable members to consider the amendments circulated at the meeting was put to the vote and lost.

Councillor I.J. Beardsmore requested that the vote on part one of the amendment be recorded.

The vote was as follows:

FOR (24)	Councillors Mrs P.C. Amos, F. Ayers, Miss M.M. Bain, S. Bhadye, Miss P.A. Broom, S.E.W. Budd, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O’Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack .D. Pinkerton, Mrs M.W. Rough, S.J. Rough. M.T. Royer, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
AGAINST (6)	Councillors I.J. Beardsmore, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols and C.V. Strong

The amendment was carried.

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

RESOLVED

Council Notes that:

(1) Pre application discussions are an essential part of the planning process.

Their aim is not just to identify problems and concerns. More importantly their role is to resolve these as far as possible prior to submission. As a result, when a

COUNCIL, 23 July 2009 – Continued

scheme does come in for planning it meets policy requirements, is of a higher quality and anticipates the issues which might be raised as a result of the statutory consultations process. It is also an opportunity to encourage the developers to speak directly to the neighbours/local community to find out their views.

Discussion took place as to whether the remaining amendments to the Motion should be taken individually or on block. It was agreed that the remaining amendments to the motion as set out below be taken on block.

“Council Notes that:

2. **The current Spelthorne Planning Code** states that ‘members will not normally attend such meetings’. However, the Council itself organises presentations to keep ‘members informed generally on matters which appear to have or are likely to have strategic importance for the borough’. This offers all councillors the chance to listen to presentations, ask questions and raise issues of local concern.
3. Ward members are not routinely told about pre-application discussions that are taking place. However, the Leader and Cabinet Member are made aware of such discussions.

Council welcomes the recent Probity in Planning revised guidance note published in May 2009 by the Local Government Association.

Council welcomes the principle of members participating in some way to this process on behalf of their communities.

Council agrees that following agreement by the Head of Planning and the Chairman of Planning, Ward members are informed about discussions taking place on strategic and major applications (50 houses or more than 10,000m²).

Council resolves to instruct the Monitoring Officer, as part of his ongoing review of the Planning Code to alter it to cover the above suggestions.”

In accordance with Standing Order 21.4, a request was made by Councillor C.V. Strong, for the voting on the remaining amendments to be recorded and on the subsequent substantive motion to also be recorded. The vote on the amendment was as follows:

FOR (23)	Councillors Mrs P.C. Amos, F. Ayers, Miss M.M. Bain, S. Bhadye, Miss P.A. Broom, S.E.W. Budd, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O’Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack D. Pinkerton, Mrs M.W. Rough, S.J. Rough, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
AGAINST (6)	Councillors I.J. Beardsmore, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols and C.V. Strong
ABSTAIN (1)	Councillor M.T. Royer

The amendment was carried.

The amendment was then put as the Substantive Motion and again carried.

The voting on the Substantive Motion was as follows:

FOR (23)	Councillors Mrs P.C. Amos, F. Ayers, Miss M.M. Bain, S. Bhadye, Miss
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	P.A. Broom, S.E.W. Budd, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, E. O'Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack D. Pinkerton, Mrs M.W. Rough, S.J. Rough, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
AGAINST (6)	Councillors I.J. Beardsmore, R.B. Colison-Crawford, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols and C.V. Strong
ABSTAIN (1)	Councillor M.T. Royer

RESOLVED:

Council Notes that:

- (2) **Pre application discussions are an essential part of the planning process.**
Their aim is not just to identify problems and concerns. More importantly their role is to resolve these as far as possible prior to submission. As a result, when a scheme does come in for planning it meets policy requirements, is of a higher quality and anticipates the issues which might be raised as a result of the statutory consultations process. It is also an opportunity to encourage the developers to speak directly to the neighbours/local community to find out their views.
- (3) **The current Spelthorne Planning Code** states that 'members will not normally attend such meetings'. However, the Council itself organises presentations to keep 'members informed generally on matters which appear to have or are likely to have strategic importance for the borough'. This offers all councillors the chance to listen to presentations, ask questions and raise issues of local concern.
- (4) Ward members are not routinely told about pre-application discussions that are taking place. However, the Leader and Cabinet Member are made aware of such discussions.

Council welcomes the recent Probity in Planning revised guidance note published in May 2009 by the Local Government Association.

Council welcomes the principle of members participating in some way to this process on behalf of their communities.

Council agrees that following agreement by the Head of Planning and the Chairman of Planning, Ward members are informed about discussions taking place on strategic and major applications (50 houses or more than 10,000m²).

Council **RESOLVED** to instruct the Monitoring Officer, as part of his ongoing review of the Planning Code to alter it to cover the above suggestions.

261/09 QUESTIONS ON WARD ISSUES

The Mayor reported that two Ward questions had been received from Councillors Mrs S.A. Dunn and L.E. Nichols.

Councillor Mrs S.A. Dunn asked for clarification on the agreed procedure for written responses to questions raised by members being available at the start of the council meeting.

The Mayor in response indicated that Constitution advice on this had been sent by email to Councillor Strong on 22 July 2009 and outlined that the appropriate time to make questions and answers available in writing was at the start of Questions by members.

Under Standing Order 14, Councillor Mrs S.A. Dunn asked the following question:

“I have received complaints from residents concerning the poor visual amenity and lack of access now that the grass is no longer being cut at The Old Bathing Station on Fordbridge Road, Lower Sunbury. This land contains a small playground and was, before the grass was left uncut, used by young children for ball games. As the savings on the grass cutting contract for this area are very small, would the Council please consider reinstating a full summer cut?”

The Cabinet Member for Young People and Cultural Services, Councillor Mrs D. Grant, responded as follows:

“The decision made by this Council to reduce grass cutting in this and 26 other areas around the Borough was taken following resident feedback and the need to make efficiency savings on the new grounds maintenance contract. The areas selected were chosen as they would be less likely to impact on the community because they were not highly used, but we do acknowledge that they will have a visual impact for some residents.

We should not focus on the individual cost savings from the 27 sites but instead concentrate on the overall combined savings that are being achieved which are in excess of £40,000 per annum for a contract that could run for ten years, i.e. £400,000 saving!

All uncut areas are being monitored by Officers and Members, and we feel that there is sufficient space within the cut area for children to play ball games and other such activities.

Once the cutting season has finished we will be reviewing all 27 areas and will take into consideration all representations made to the Council from residents and users of the facilities.”

Under Standing Order 14, Councillor L.E. Nichols submitted the following question; in his absence; Councillor C.V. Strong asked the question on his behalf.

“The Council is currently undertaking measurement of particulate matter (PM10s) at Sunbury Cross close to the A316 slip road. Bearing in mind that the Council has received funding support from DEFRA for this exercise, could measurements also be taken on the M3 side, where residents living close to Halliford station complain of bad air pollution? Could the measuring also be extended to include the smaller PM3 particles which are in fact those considered most injurious to lung and heart health?”

In the absence of Councillor L.E. Nichols it was agreed that a written response would be provided.

The written response provided is set out below:

“The Council’s air quality monitoring station was specifically set up in the Sunbury Cross area because it has the poorest air quality in Spelthorne. This is due to the high volumes of traffic and congestion in the area, particularly where the M3, A316 and A308 converge at the Sunbury Cross roundabout.

We currently measure airborne particulates by filtering out and weighing all particles that are 10 microns or less in size. These are scientifically known as PM₁₀. We have been monitoring in this way at Sunbury Cross since 2007 and our results to date have indicated that the Government’s national air quality objectives for PM₁₀ are unlikely to be exceeded in this area.

Although Halliford is close to the M3, it does not experience traffic congestion to the extent of Sunbury Cross. It is therefore highly unlikely that the national air quality objectives for PM₁₀ will be exceeded at Halliford. Consequently we cannot justify moving the current monitoring station from Sunbury Cross to Halliford or setting up an additional monitoring station, which would cost in the region of £10,000.

We are not aware of any local authority currently monitoring for PM₃. Although the Government has set new national air quality objectives for smaller particles of 2.5 microns or less in size (known as PM_{2.5}), these objectives have not been incorporated into Local Air Quality Management Regulations. We cannot, therefore, justify the costs of modifying our equipment to monitor PM_{2.5} at this time without receiving further financial support from DEFRA.

Particulate matter

Particulate matter (PM₁₀) – solid/liquid particles suspended/carried in air.

Sources: Man-made include burning of diesel fuels, incineration of rubbish, mixing and applying fertilizers and pesticides, road construction, steel making, mining, field burning, forest fires, fireplaces and woodstoves.

Natural include volcanic eruptions, forest fires.

Scientific studies have linked particulate matter, especially fine particles with a series of significant health problems which result in work/school absences, respiratory related hospital admissions and emergency room visits and premature death. Health impacts include:

- Aggravated asthma;
- Acute respiratory symptoms, including aggravated coughing and difficult or painful breathing;
- Chronic bronchitis;
- Decreased lung function that can be experienced as shortness of breath.

Some size comparisons for a micron (otherwise call a micrometer)

1 micron = 1 millionth of a metre (or 0.000001 metres)

10 microns = 0.00001 metres

1 millimetre = 1 thousandth of a metre (or 0.001 metres)."

262/09 GENERAL QUESTIONS

The Mayor reported that six general questions had been received from Councillors R.W. Sider, R.B. Colison-Crawford, Mrs C.E. Nichols, T. W. Crabb, C.V. Strong and D.L. McShane and this would be the order in which the questions would be taken.

Under Standing Order 14, Councillor R.W. Sider submitted the following question, in his absence, Councillor H.R. Jaffer asked the question on his behalf.

“Will the Leader join me in congratulating Team Spelthorne on their recent achievement of equal first place in this years Surrey Youth Games, with a tally of 3 gold, 6 silver, and 2 bronze medals respectively? And will he acknowledge that this represents continual progress in the sporting field, and demonstrates the commitment that our staff have in promoting our Youth services and a healthy Spelthorne?”

The Leader, Councillor J.D. Packman responded as follows:

“I would like to thank Councillor Sider for this question. It was indeed an excellent result, especially as Spelthorne is one of the smallest Boroughs, in terms of population in Surrey.

The team that represents Spelthorne on the day is only part of the picture of the games. Young people come along, try the sport at the training sessions and many join local clubs following the Youth Games.

Special thanks must also go to the Leisure Team, especially Clare Moore and Helen Carr who have worked very hard to support the young people.

Further special thanks must go to the coaches, the volunteers, parents and most importantly the young people who participate.

At the next Full Council we plan to show the video and invite some young people and to re-present the trophy so that Councillors will be able to show their appreciation for this wonderful achievement.

I would also mention the excellent Sports Awards evening held at Kempton Park and place on record the Council’s thanks to the Borough Youth Officer and Leisure staff for this and other Leisure events recently held in the Borough, including Summer Safe for 11 to 17 year olds, which are fully endorsed by Members in particular Councillor Mrs. Napper.”

Under Standing Order 14, Councillor R.B. Colison-Crawford asked the following question:

“I welcome the announcement in May 2009 that audio recordings of Council meetings have commenced. Can the Cabinet Member inform me when the audio recordings will become available for residents to listen to via the Council’s website?”

The Cabinet Member for Communications and Engagement, Councillor A.P. Hirst, responded as follows:

“The digital recorder was originally purchased to record Licensing Sub-Committees and has been available since early 2006. It is recorded onto a memory card and then downloaded onto our PC in Media Player.

A distinction needs to be made between recording of meetings and putting those recordings on the website in a useable format for the public. As agreed we have commenced recording Council meetings. The issue is now putting the recordings on to the website in a format which will be readily accessible by the public. The Council is able to put audio files on to our website already, indeed we have two 5 minute files already available on the web-site one relating to advice on how to fill in licensing e-forms and another relating to the Spelthorne Business Forum e-mag. However, these are both small files. The issue is putting larger files, such as would be the case with recordings of complete meetings, on the web in a way that enables the public easily to listen to them. Research undertaken by officers has revealed that in the case of the small number of councils who have published audio files on their web-site, these have been edited and 'portioned' into manageable chunks so that the downloading of them by the public is not too time consuming. This requires the files to be edited once recorded and officers are currently investigating the most practical options for doing this. We may also need to improve the quality of the recording. It is anticipated that we should be able to place recordings of Council meetings on the web in time for the October Council meeting.”

Under Standing Order 14, Councillor Mrs C.E. Nichols asked the following question:

“Given the recent announcement from the Leader of Surrey County Council that he is reconsidering the principle of incineration within Surrey, would the Cabinet Member for Environment please state whether the Council is currently in favour or against incineration at Charlton site?”

The Cabinet Member for the Environment, Councillor G.E. Forsbrey responded as follows:

“We understand that the comments by the Leader of Surrey County Council reflect his view that significant improvements to recycling rates across the county may remove or reduce reliance on energy from waste plants. However, at present there has been no formal change to Surrey County Council’s policies as set out in the Joint Municipal Waste Strategy or the Waste Plan 2008. In the light of recent events it is anticipated that Surrey may consider a review of its Waste Strategy. In the meantime, this Council’s position in relation to any energy from waste plants at Charlton Lane remain unaltered.

As a result, Charlton Lane remains one of thirteen sites identified for the recycling, storage, transfer, materials recovery and processing of waste (including in-vessel composting, but excluding thermal treatment); and one of four sites identified for the thermal treatment of waste. There are various different approaches for the thermal treatment of waste, of which incineration is one, it would be inappropriate for this Council to express a particular preference for a specific technology without a full and proper consideration of all the evidence and of alternatives.

The current position therefore remains that any proposal for development at Charlton Lane would need to be assessed against the development criteria set out in the Waste Plan and the demonstration of very special circumstances relating to development in the Green Belt, would need to be satisfied.

The Council will of course review its position in the events of any formal change in the County Council’s approach to waste management.”

In response to a supplementary question from Councillor Mrs C.E. Nichols regarding the issue of incineration at Charlton Lane, Councillor Forsbrey advised that in light of recent events it is anticipated that Surrey may consider a review of its waste strategy but in the meantime this Council’s position in relation to any energy from waste plants at Charlton Lane remained unaltered.

Under Standing Order 14, Councillor T.W. Crabb asked the following question:

“The Decent Homes Grant is designed to enable the Council to assist vulnerable people to bring their properties up to the Decent Homes Standard.

For the 2008/09 financial year can the Council please give the outturn total spend from the Decent Homes Grant budget and the number of households that received the grant?”

The Cabinet Member for Corporate Services, Mrs V.J. Leighton, responded as follows:

“During 2008/09, the expenditure from our discretionary housing investment programme budget on Decent Homes Grants was £33,660, with six households receiving a grant. The eligibility criteria for this grant was modified part-way through that year to try to attract more applicants, but demand remained low, possibly due to householders being concerned over the economic crisis.

Earlier in 2009, the Council increased its marketing of these grants, which is starting to show positive results. During the first quarter of this financial year three Decent Homes Grants were approved (to a total value of £11,874) and the environmental health team

are currently dealing with a further 12 enquiries, which, it is anticipated, could lead to grant expenditure of between £48,000 to £60,000. Further grant expenditure is likely in the second half of the year.

In April 2009, Spelthorne initiated a separate “Warmth for 1000” grant from its discretionary housing investment programme budget. This is a new home insulation scheme aimed at improving hard to insulate homes, such as park homes and houses with solid walls. There has been a good response to this initiative with approximately 20 grants likely to be issued over the next few months, to a total value of around £25,000.”

In response to a supplementary question from Councillor Crabb concerning whether grants are rolled over to the next financial year or not the Cabinet Member confirmed that grants were determined each year.

Under Standing Order 14, Councillor C.V. Strong asked the following question:

“Many Councils throughout Surrey have followed nationally recommended best practice (ODPM Circular 05/2005) to use planning infrastructure contributions to generate significant monies from small schemes. These monies help to fund local services.

Spelthorne Council has, so far, ignored this route and secures little money in relation to small schemes. This results in a significant shortfall in funds that could be used to provide local services.

It is recognised nationally that the cumulative effect of many small schemes, whether commercial or housing, has a significant effect on both local infrastructure and public services.

Why does the Council NOT intend to introduce an infrastructure contributions Supplementary Planning Document that would generate additional monies?”

The Cabinet Member for Planning and Housing and Deputy Leader, Councillor R.A. Smith-Ainsley, responded as follows:

“Firstly I am pleased to clarify that, contrary to Councillor Strong’s misleading assertions, this Council has very clear policies requiring infrastructure contributions and has in fact secured over £3.5 million in the last 10 years – a substantial sum which even he must agree with.

Rather than ignoring Government guidance we are actually leading the way.

Our Core Strategy and Policies Development Plan Document, which was adopted by this Council in February of this year, has specific policy requirements for contributions to affordable housing, open space and transport works, as well as general provisions to meet any other justified need. We already have a commitment to prepare Supplementary Guidance on how those policies operate.

Some Surrey Districts have adopted interim Supplementary Guidance on infrastructure contributions in lieu of having adopted Core Strategies. But such guidance does NOT have the weight our OWN policies have”.

Councillor R.A. Smith-Ainsley agreed to obtain a written response to the supplementary question raised by Councillor C.V. Strong concerning a breakdown on the infrastructure contributions obtained over the last ten years and whether the contributions were for large or small schemes.

The response obtained is set out below:

“**Attached at Appendix A** to these minutes is a schedule of all the sites where money has been secured since the beginning of 1998.

The figure given in the original answer at Council on 23 July 2009 of £3.5m was actually the same figure given more than a year earlier to a similar question and the figure was rounded. It nevertheless was thought helpful in providing a general indication of the order of magnitude of contributions secured. The Council now has some 11.5 years since the original base date Officers were working to and the precise total is of course now larger.

The sites are all defined as large sites and include both those where money has already been paid and also where construction is still to commence and the requirement for payment, whilst secured by agreement, has not yet been triggered. The schemes in the schedule add up to over £4.9 million now.”

Under Standing Order 14, Councillor D.L. McShane asked the following question:

“I have been contacted by several residents concerned that Spelthorne is building 1400 houses more than the Government target.

This misleading information has been supplied to them in one of Councillor Beardsmore's recent pieces of literature.

This misinformation has been reproduced despite the fact that Councillor Beardsmore was advised, in answer to his own question last December at Full Council in this very Chamber, that such information was absolutely untrue.

Could the Leader once again please remind Councillor Beardsmore of the facts, thus clarifying the situation for all in order to prevent any continuation of our residents being misled in this instance?”

The Cabinet Member for Planning and Housing and Deputy Leader, Councillor R.A. Smith-Ainsley, responded as follows:

“You are correct Councillor McShane in that this very issue was indeed responded to, in detail, at the Full Council Meeting last December. It is of note that Councillor Beardsmore was then, albeit erroneously, referring to only a 1000 not 1400.

For the sake of our residents I am pleased to clarify once again the true position.

Firstly the Government's South East Plan requires Spelthorne to build 3320 dwellings between 2006 and 2026. Our Core Strategy and Policies Development Plan Document is required to deliver that and explain how it will be achieved.

The Government also require Council's not just to demonstrate they can meet the minimum number, but also to demonstrate it has 'flexibility' to meet the requirement in case some of the sites it proposes do not come forward.

By a combination of identifying specific sites and projection of trends, the Council has shown a 'capacity' or flexibility for 1000 dwellings over and above the 3320 requirement. This is not the same as saying a 1000 extra will be built and there is certainly no basis for Councillor Beardsmore's claim now of 1400.

The flexibility we have shown has provided the certainty our requirements can be met from within the existing urban area and this ensures that our Green Belt can continue to be protected.

I hope Councillor Beardsmore will in future comment accurately on the housing position and not continue to mislead the public with the consequent distress and concern this can cause.”

263/09 APPOINTMENTS TO OUTSIDE BODIES

RESOLVED that Mrs Frances Forsbrey be appointed as a Council Representative to serve on the Ashford Relief in Need Charities for a four year term of office.

At the conclusion of the meeting the Mayor reminded members of the arrangements made for the annual Staff/Members bowls match taking place at Staines Bowls Club on 7 August 2009, with any member interested in participating to contact Councillor Jaffer.

SECTION 106 REPORT

1998 to 2009

The following list includes both monies already paid and sums secured by agreement but still to be paid on commencement of development.

1998

Tillys Lane

£20,000 – Landscaping at old Staines West Railway station

£50,000 – Environmental enhancements in Church Street

£120,000 – Public Art to a value of £120,000

Venture House, 42 - 54 London Road, Staines

£48,000 – Alternative car park provision in Staines area in lieu of parking shortfall. Agreement negotiated in 1998, money paid 2005

Magna House, 18-32 London Road, Staines

£32,000 – Public Art, Lino Sculpture

BP Sunbury

£40,000 - Block Paviers replacement contribution

£50,000 – Controlled parking zone -

The Grange, Gresham Road, Staines

£4,000 – Traffic calming measures in Gresham Road

Tillys Lane, Staines –

£214,527 – Contribution towards transport initiatives within Staines Town Centre designed to encourage modes of transport other than private car - The £14,527 which was interest on the late payment of £200,000 was never transferred to SCC and was recently allocated to SBC Colne River project

Total = £578,527.

1999

Kempton Park Race Course

£23,700 - Provision of Highways

£10,000 - To encourage use of public transport

Waitrose, Two Rivers

£134,000 - Installation and operation of variable message signage system

£25,000 – Installation of Routel or similar system on site or nearby location

£11,000 – Additional signage in Staines Town Centre to & from rail station etc

£10,000 - Payment towards introduction or improvement of bus service serving Staines Town Centre

Total = £213,700

2000

Former Remand Centre – Bronzefield

£25,000 – Upgrade existing childrens play area

£1,200 & £15,000 – Upgrade existing sports pitch – maintenance

£50,000 – CCTV cameras –

£35,000 – Provide open space of not less than 5 ha, for the Council for £1 + 10 years maintenance costs

Landscaping at Shortwood allotments

Former Police Station, Staines

£152,000 – Provision of public transport and cycle and pedestrian improvements in the area -

London Irish - Health Club on part of London Irish land

£30,000 - Suitable traffic calming & 2 pedestrian refuge islands on The Avenue -

£18,000 - Implementing a cycle infrastructure and associated facilities in local area

Former Remand Centre – Bronzefield

£33,000 – Traffic signal improvements at Kingston Rd junction & traffic calming in Woodthorpe Rd

Total = £359,200

2001

Former ABC Cinema – Now Thames Edge

£50,000 – Installing and upgrading the Council's CCTV network

£50,000 – At least £50,000 for the use of public art

£25,000 – Upgrading of the pedestrian route under Staines Bridge

£13,300 – Upgrade to towpath and environs –

£91,200 - Highway works

Former Council Depot – Commercial Road, Staines

£90,000 - Provision of appropriate traffic signals or other junction improvement and associated highway works at the junction of Commercial Rd and Laleham Rd

Staines FC – Wheatsheaf Lane, Staines

£17,000 - Traffic measures in the vicinity of the property at the Councils discretion

Total = £336,500

2002

International Way

£75,000 – Selective Vehicle detection system

Ashford Hospital

£60,000 – Provision and maintenance of play area for further 10 years

COUNCIL, 23 July 2009 – Continued

£15,000 – Off site playground

£2,000 – Fencing around the on site provision play area

Total = £152,000

2003

There were no Section 106 Agreements that secured financial contributions in 2003

2004

Shepperton Studios

£15,000 – River Ash Landscape

£30,000 – Repair and refurbish Squires Bridge Road entrance gates and railings

£20,000 – Funding for childrens play area

Total = £65,000

2005

Kempton Park

£10,000 – Contribution to the installation of air quality monitoring equipment at Sunbury Cross

£20,000 – Contribution to upgrade the subway system at Sunbury Cross

Celotex

£54,895 – For CCTV

£15,000 – Mural for Sunbury Cross

Total = £99,895

2006

Shepperton Studios

£70,000 – River Ash Corridor

£30,000 – Childrens play area off Studios Road

£10,000 – Shepperton Rec Youth Shelter

£20,000 – Public Art in vicinity

£20,000 – Environmental enhancements in adjacent residential areas

2,200,000 – To fund affordable housing provision in the Borough

Total = £2,350,000

2007

Majestic House

£182,400 – CCTV

£117,000 – Public Art

£18,000 – Air Quality

Total = £317,400

2008

17-51 London Road

£40,000 – For landscaping at Birch Green

£370,673 – For local housing needs

Total = £410,673

2009

West Wing, Ashford Hospital, London Road, Ashford

£14,500 towards highway improvements relating to the London Road and Town Lane/Stanwell Road crossroads

£6,150 to pay towards the cost of Surrey County Council auditing and monitoring the Travel Plan

£49,343 to pay towards the cost of purchasing, implementing and maintaining the proposed public open space to the west of Edward Way, Ashford

£1,500 towards a Strategic Air Quality Assessment

Total = £71,493

Overall Total = £4,954,388