

MINUTES OF THE COUNCIL MEETING HELD ON 29 APRIL 2010

BOROUGH OF SPELTHORNE

AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON THURSDAY 29 APRIL 2010

Amos Mrs P.C.	Dunn Mrs S.A.	O'Hara E.
Ayers F.	Flurry K.E.	Packman J.D. (Leader)
Bell Mrs E.M.	Forsbrey G.E.	Pinkerton Mrs J.M.
Bhadye S.	Hirst A.P.	Pinkerton Jack D.
Bouquet M.L.	Jaffer H.R.	Rough S.J.
Budd S.E.W.	Leighton Mrs V.J.	Sider R.W.
Chouhan K.	Napper Mrs I.	Smith-Ainsley R.A. (Deputy Leader)
Crabb T.W.	Nichols Mrs C.E.	Trussler G.F.
C.A. Davis	Nichols L.E.	

Mr Murray Litvak - Chairman of the Standards Committee
Miss Sue Faulkner - Vice-Chairman of the Standards Committee

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

133/10 APOLOGIES

Apologies for absence were received from the Mayor, Councillor Caroline Spencer, Councillors Miss M.M. Bain, I.J. Beardsmore, Ms P.A. Broom, R.B. Colison-Crawford, S. Fairfax, Mrs D.L. Grant, Ms N.A. Hyams, D.L. McShane, Mrs M.W. Rough, C.V. Strong and H.A Thomson.

134/10 MINUTES

The minutes of the meeting held on 25 February 2010 were approved as a correct record.

135/10 ANNOUNCEMENTS FROM THE MAYOR

(1) Presentation of the Civic Pride Environmental Awards

The Deputy Mayor welcomed Jill Stephens the Chairman of the Spelthorne Civic Pride and some of the volunteers and the Award winners who were in attendance at the meeting.

The Deputy Mayor reported that it was a privilege to be involved with the Spelthorne Civic Pride Environmental Awards Scheme which had started in 1992 to acknowledge the work of its volunteers. Currently Civic Pride had seven on-going community projects (1) Black Ditch Walk in Shepperton, (2) Laleham Pond, (3) Millennium Wood, (4) St. Nicholas Nature Reserve, Shepperton, (5) Splash Pond, (6) Nutty Wood and (7) Community Orchard as well as undertaking organised litter picks throughout the Borough during April and October.

The Deputy Mayor then invited Jill Stephens the Chairman of Spelthorne Civic Pride to address the Council, before he presented the awards to the successful winners in each category. Jill Stephens in addressing the Council outlined the significant contributions and long term dedication of the Civic Pride volunteers. She reported that the Spelthorne Civic Pride Environmental Awards were now in their 18th year and since 1992 they had

been given to a wide variety of individuals and groups. The environmental awards covered two categories. The first was the Junior Award for those under 18, and the second Senior Award was for the more mature volunteers.

The Deputy Mayor and Jill Stephens then presented the 2009 Senior Environmental Award to Eric Hubbard in recognition of over 20 years continuous voluntary work to improve the environment by removing litter from around the river Thames in Spelthorne.

Jill reported that it was decided to give Junior Awards to an unprecedented three groups, as the Steering Group felt that none of the projects should wait until next year for recognition.

They then presented the 2009 Junior Environmental Award to firstly, representatives from A2 Housing Beards Road Project Team in recognition of their work in bringing together all sections of the community to reduce litter, graffiti and vandalism and build pride in the area. The second award was presented to representatives from St Nicholas' primary School, Shepperton who had already earned a Green Flag Award, for their continuing efforts to improve the local environment. This had included during this year: organising litter picks in the streets around the school, holding lunch time waste challenges to reduce waste from packed lunches and using water butts to water their vegetable garden. They were also the leading partner in the Funky Footprints Nature Reserve which was currently being considered as a Site of Nature Conservation Importance by Surrey Wildlife Trust. The third award was presented to Sunbury Manor School's Eco Team, whose initiatives included community litter picks, an eco rally, providing community recycling facilities for local residents, recycling within the school itself and an annual recycling audit.

(2) Planned Mayoral Events

The Deputy Mayor advised Members of the following forthcoming events in the Mayor's diary:

Civic Community Reception 13th May 2010 at the Orangery, Shepperton Studios
Past Mayor's Dinner 14th May 2010

136/10 ANNOUNCEMENTS FROM THE LEADER

Customer Service Excellence Award

The Leader informed the Council that Spelthorne Council had been re-awarded the prestigious Customer Service Excellence Award for its Revenue and Housing Benefits Services for Borough residents, despite the increased demands on the service because of the recession. He recorded the Council's thanks and appreciation for the Revenue and Housing Benefits Teams' customer focussed service and congratulated them on their achievement.

London Marathon

The Leader announced that three members of staff, Liz Borthwick, Andy Holdaway and Steve Bowden had successfully completed the London Marathon on Sunday 25 April.

137/10 STREET TRADING POLICY REVISIONS

The Council considered the recommendation of the Cabinet on Spelthorne's Street Trading Policy 2010 following its revision in the light of a six week consultation process.

RESOLVED that the revised Street Trading Policy be approved.

138/10 SURREY FIRST INITIATIVE – JOINT COMMITTEE FOR THE OVERSIGHT OF DELIVERY OF SURREY PUBLIC AUTHORITY SERVICES

The Council considered the recommendation of the Cabinet on the Surrey First Initiative which aimed to provide significant savings, increased resilience, improved efficiency and customer service, foster innovation, improve income generation and help influence the S.E. region.

RESOLVED that:

- (a) the Memorandum of Understanding already signed by the Leader and the Chief Executive be endorsed.
- (b) a Joint Committee be established to explore the Surrey First Initiative in line with the Memorandum of Understanding.
- (c) the remit of the Joint Committee be as follows:
 1. to oversee the joint working arrangements of the parties;
 2. to promote good joint working practice amongst the parties;
 3. to appoint such task groups or sub-committees as it considers necessary;
 4. to identify the range of services for inclusion in a joint venture company (JVC);
 5. to approve the draft articles and memorandum of association of the JVC ;
 6. to approve the draft revised terms of reference for the joint committee to provide for governance and oversight of the JVC; and,
 7. to manage the project budget.
- (d) Councillor J.D. Packman be nominated as the representative of SBC on the Joint Committee for the remainder of this municipal year.
- (e) the Head of Corporate Governance be delegated to make consequent changes to the Constitution to give effect to these decisions.
- (f) the Council notes further decisions on participation in any joint venture company will be taken by Cabinet on the advice of the Joint Committee.
- (g) the Chief Executive be delegated, in consultation with the Leader, to make decisions on spending, as necessary, to assist the progress of this Surrey First Initiative.

139/10 UPDATES TO THE COUNCIL'S CONSTITUTION

The Council considered the recommendation of the Cabinet on the updates to the Council's Constitution to accommodate structural changes, current practice and legislative changes that had occurred since the last revision to the constitution in April 2009.

RESOLVED that the revisions to the Council's Constitution as set out in the report of the Deputy Chief Executive be approved.

140/10 THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Council considered the recommendation from the Cabinet on the provisions in relation to the required introduction and operation by the Council of one of two new forms of executive arrangements and how this must be implemented.

RESOLVED that

1. the proposals for consultation from 1 May to 31 July 2010 on the Council's future executive arrangements be agreed.
2. the Council should consult on the basis that it prefers the Strong Leader and Cabinet model rather than the Elected Mayor and Cabinet Model.
3. Authority be delegated to the Chief Executive, in consultation with the Leader, to agree the final wording for the consultation exercise on the future executive arrangements.

141/10 CHANGES TO OVERVIEW AND SCRUTINY

The Council considered the recommendation from the Cabinet on changes to the arrangements for Overview and Scrutiny to move from two committees to one.

RESOLVED that

1. the Constitution be changed to abolish the current arrangements for Performance Management and Review Committee and the Improvement and Development Committee.
2. one new Overview and Scrutiny Committee be instituted with the initial remit
 - a. To act as the Council's Overview and Scrutiny Committee under the Local Government Act 2000
 - b. To take on the responsibilities for crime and disorder scrutiny under the Police and Justice Act 2006
3. the Monitoring Officer be authorised to make such incidental and consequential changes to the Constitution as are necessary to give effect to the changes.
4. the Overview and Scrutiny Committee in consultation with the Standards Committee be asked to advise the Council on the future remit of the Overview and Scrutiny Committee

142/10 RECOMMENDATION FROM THE PLANNING COMMITTEE

The Council considered the recommendation from the Planning Committee seeking approval on the making of an Article 4 Direction to withdraw permitted development rights in respect of land at The Nutshells, Abbey Road, Shepperton.

RESOLVED that an Article 4 (1) Direction to remove the permitted development rights 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 issued.

143/10 RECOMMENDATION FROM THE STANDARDS COMMITTEE

The Council considered the recommendation from the Standards Committee on Political Restrictions on Local Government Employees.

RESOLVED that:

1. the new arrangements for appeals as set out in Appendix A to the joint report of the Monitoring Officer and Head of Human Resources be adopted; and
2. the updated list of Politically Restricted Posts at Appendix B to the joint report of the Monitoring Officer and Head of Human Resources be noted.

144/10 REPORT FROM THE LEADER OF THE COUNCIL

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

145/10 APPOINTMENTS COMMITTEE

The Chairman of the Appointments Committee, Councillor John Packman, presented his report, which outlined the matter the Committee had decided since the last Council meeting.

146/10 AUDIT COMMITTEE

The Vice-Chairman of the Audit Committee, Councillor Stephen Rough, presented the report, which outlined the matters the Committee had decided since the last Council meeting.

147/10 IMPROVEMENT AND DEVELOPMENT COMMITTEE

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

148/10 LICENSING COMMITTEE

The Chairman of the Licensing Committee, Councillor Robin Sider, presented his report, which outlined the matters the Committee had decided since the last Council meeting. The Chairman placed on record his thanks to the Members and Officers involved for all their hard work on the various Licensing Sub-Committee meetings referred to in his report.

149/10 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Vice-Chairman of the Performance Management and Review Committee, Councillor Sam Budd, presented the report, which outlined the matters the Committee had decided since the last Council meeting.

150/10 PLANNING COMMITTEE

The Vice-Chairman of the Planning Committee, Councillor Richard Smith-Ainsley, presented the report, which outlined the matters the Committee had decided since the last Council meeting.

151/10 STANDARDS COMMITTEE

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

152/10 GENERAL QUESTIONS

Under Standing Order 14, Councillor Tony Crabb submitted the following question:

“What plans has the Leader for keeping members informed of the progress of the lengthy task of prioritising the recommendations of the welcome comprehensive report from Trevor Roberts Associates on the planning service and the resulting action plans? What member involvement will there be in that process?”

Reply by the Leader, Councillor John Packman

“Thank you for your question Councillor Crabb. Those members who have taken the opportunity to read the Trevor Roberts Associates Report will know that it contains a great deal of detail and many recommendations. It also confirms that the Council provides an ‘essentially sound’ planning service. Some of these recommendations are operational, some are constitutional. There are also matters which affect wider management issues, for example complaints handling. It was therefore appropriate that I considered the most flexible and suitable way to address all these issues.

As a result, I have decided to institute a Leader’s Monitoring Group which will have the initial remit to consider the Trevor Roberts Report.

I will ask the Monitoring Group to report to myself and the officers’ Management Team and suggest how issues can be tackled. I am sure some recommendations can simply be implemented by the planning service. Others might need more consideration by the Overview and Scrutiny Committee, the Cabinet or in some cases by the Standards Committee. If this is the case then I would refer the matters to be looked at formally by those different committees. This means that the bigger issues are likely to come before other committees as part of their business.

It is my intention that the actions of the Council will be transparent to the public who will clearly want to know the response which we have taken to all the issues raised in the report. I will be asking the Monitoring Group to consider how best this can be achieved and to report to me on that as one of its earliest tasks.

The draft summary report is proceeding through Management Team and will be presented to Cabinet to start the process of Councillor involvement on 8 June 2010.”

Under Standing Order 14, Councillor Lawrence Nichols submitted the following question:

“Has the Cabinet accepted the principle of the Eco Park at Charlton or will it be making that decision when it considers the report to be submitted at the Cabinet meeting in June?”

Reply by Councillor Gerry Forsbrey:

“The Eco Park project is being progressed by SITA UK and it is expected that a planning application for the Eco Park scheme at Charlton Lane will be submitted in due course. SITA are keeping us and the community informed of progress but when the planning application is submitted it will be submitted to Surrey CC and Spelthorne as a statutory consultee. Until that submission received, along with all of the relevant information pertaining to the environmental impact of the proposed scheme, only then will the Cabinet be in a position to arrive at a decision. Councillors and residents are advised not to pre-judge the outcome and await the outcome of the application.”

Under Standing Order 14.2, Councillor Lawrence Nichols asked the following supplementary question:

“What arrangements are Spelthorne Borough Council considering so that we may listen to the legitimate concerns of residents?”

Reply by Councillor Gerry Forsbrey:

“Two open days have already been held by SITA at Shepperton Village Hall and another is planned. The proposals are currently being devised and when the planning application is received the Council will notify the Charlton Village and Upper Halliford Residents Associations. SITA is also in the process of sending letters to interested stakeholders to invite them to a constituents’ liaison group.”

Under Standing Order 14, Councillor Mrs. Caroline Nichols submitted the following question:

“Does the Leader share my concern at the amount of officer time which is being devoted to handling complaints from residents affected as a result of the introduction of charges in the Lower Sunbury car parks? Can the Council’s parking review be brought forward?”

Reply by the Leader, Councillor John Packman

“The Councillor can be assured that the introduction of charges in Lower Sunbury has not generated any greater correspondence than normal for changes in charging regimes. Parking services, by its very nature, generate correspondence which is dealt with by the officers as a normal part of their duties. Parking services has recently been reviewed in terms of the operation on a day to day basis and considerable improvements have been made and it is not our intention at the present time to carry out a further review in the foreseeable future.”

Under Standing Order 14.2, Councillor Mrs Caroline Nichols asked the following supplementary question:

“Can you advise what the improvements are that have been made following the parking services review? Why do agency agreements affect a decision as to when to do a review? As a ward councillor the review that seems to be required is to see the consequences of impact on the area as a result of the introduction of parking charges.”

Reply by the Leader, Councillor John Packman

“The reference to agency agreements was in the written answer circulated to members prior to the Council meeting but has now been withdrawn from the answer. I have also indicated previously that a review has already been carried out and a further review will not take place in the foreseeable future. The Council has to discuss issues relating to off street parking with the County Council. If the Councillor has further questions on this subject she is entitled to ask officers of the Council outside of the meeting.”

Under Standing Order 14, Councillor Mrs Elizabeth Bell submitted the following question:

“Please could the portfolio holder give an update on the Mitchison Court development, including the expected date for the first residents to move in and the date the Benwell Community Centre is expected to open?”

Reply by Councillor Mrs Leighton

“I am delighted to report that the Mitchison Court Development and the Benwell Community Centre are progressing well despite the very bad weather that we experienced in January. At that time about three weeks work was lost but with the good

weather work is now moving forward at a fast pace and it is hoped that we will shortly be back on track.

The plan is for resident occupation by the end of September or early October. This, members will recall will provide urgently needed Extra Care housing. The Benwell Community Centre is expected to open the beginning of October 2010. I am also pleased to report that staff from Spelthorne Borough Council and Nottingham Housing Trust have already met with the users of the Churchill Over 50's club to identify what activities they want so all is ready for the transfer.

This Council should be justly proud of what it has achieved with this exciting new development and I hope that all Councillors will join me in looking forward to the opening of this facility which will benefit so many in the community.”

153/10 APPOINTMENTS TO OUTSIDE BODIES

Re-appointment of a Representative Trustee to the Ashford Relief in Need Charities

RESOLVED that Mrs Brenda Ann Bartlett of 21 Clifford Grove, Ashford be appointed as a Council Representative to serve on the Ashford Relief in Need Charities for a four year term of office until 28 April 2014.