

MINUTES OF THE COUNCIL MEETING HELD ON 29 OCTOBER 2009

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN
THE COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN,
STAINES ON THURSDAY 29 OCTOBER 2009**

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

Councillor Caroline Spencer, The Mayor, in the Chair

323/09 PROCEDURE FOR DEALING WITH MEMBERS' QUESTIONS

The Head of Corporate Governance outlined the new Members' Questions Procedure, which was circulated at the meeting.

**324/09 DEATH OF FORMER COUNCILLORS ROSEMARY FOX AND
PETER BARKER**

Members, officers and public present, joined the Mayor to stand in silence as a mark of respect for the late former Borough Councillors Rosemary Fox (former Mayor of Spelthorne 1987/88) and Peter Barker.

325/09 APOLOGIES

Apologies for absence were received from Councillors Mrs. P.C. Amos, M.L. Bouquet, R.B. Colison-Crawford and S.J. Fairfax and Independent Members, Mr Murray Litvak, Chairman of the Standards Committee and Miss Sue Faulkner, Vice-Chairman of the Standards Committee.

326/09 MINUTES

The minutes of the meeting held on 23 July 2009 were approved as a correct record.

327/09 DISCLOSURES OF INTEREST

Councillor E. O'Hara, the Deputy Mayor, declared a personal interest in Item 21, Appointment of a Representative Trustee to the Staines Parochial Charity, as he was Chairman of the Charity.

328/09 ANNOUNCEMENTS FROM THE MAYOR

Team Spelthorne's achievements at the Surrey Youth Games

The Mayor, Councillor Caroline Spencer, congratulated Team Spelthorne on winning the Surrey Youth Games for the second year running. A DVD presentation showing the activities in which the young people competed was shown to the Council.

Councillor Mrs Grant, Cabinet Member for Young People and Cultural Services joined the Mayor in congratulating the young people on their achievements.

The Mayor presented the Team with a plaque in recognition of their successful achievement at the Surrey Youth Games.

Spelthorne Gymnastics Team's achievements at the European Championships

The Mayor also expressed the Council's congratulations to all the gymnasts from Spelthorne Gymnastics Club who recently represented Great Britain at the European Championships in Lisbon, Portugal.

She presented a special certificate to the Club in recognition of the achievements of its athletes.

Planned Mayoral Events

The Mayor reminded Members of the following forthcoming events:

31 October 2009 – Halloween Rock and Roll night

20 March 2010 – Mayor's Ball

23 April 2010 – St George's Day lunch

14 February 2010 – Valentine's Day lunch

329/09 AIRTRACK TRANSPORT AND WORKS ACT SUBMISSION

The Council considered the recommendation of the Cabinet on the objections to the Airtrack Scheme – Airtrack Transport and Works Act Submission, subject to the replacement of the word "car" with the word "rail", in the second line of paragraph 1.2 on page 25.

RESOLVED that the recommendation of the Cabinet of the objections to the Airtrack Scheme – Airtrack Transport and Works Act Submission be approved.

330/09 HOUSING STRATEGY 2009-2014

The Council considered the recommendation of the Cabinet to adopt the four priorities for the new Housing Strategy 2009-2014 and the Action Plans.

RESOLVED that the recommendation of the Cabinet to adopt the four priorities for the new Housing Strategy 2009-2014 and Action Plans be approved.

331/09 CORPORATE PLAN 2008-2011 AND CABINET ARRANGEMENTS

The Council considered the recommendation of the Cabinet on suggested amendments to the Corporate Plan and changes to the Cabinet Member responsibilities.

RESOLVED that

1. Amendments to the Corporate Plan 2008-2011, as attached at Annex A to the report of Assistant Chief Executive be approved and
2. Amendments to the Council's Constitution to amend the Cabinet Member titles and responsibilities, as attached at Annex C to the report of the Assistant Chief Executive and as further amended, to change the title of Corporate Services to Finance and Resources, be approved.

332/09 REVIEW OF CONTRACT STANDING ORDERS

The Council considered the recommendation of the Cabinet on amendment of the Contract Standing Orders which formed part of the Council's Constitution.

RESOLVED that the revisions to the Contract Standing Orders, as detailed in Appendix 1 to the report of the Deputy Chief Executive be approved, and the Head of Corporate Governance be authorised to make the necessary amendments to the Council's Constitution.

333/09 CHARTER FOR ELECTED MEMBER DEVELOPMENT

The Council considered the recommendation of the Cabinet on the Elected Member Development Charter Re-accreditation.

Councillor C.V. Strong requested that the vote on the recommendation be recorded.

The vote was as follows:

FOR (28)	Councillors F. Ayers, Miss M.M. Bain, S. Bhadye, Miss P.A. Broom, S.E.W. Budd, K. Chouhan, C.A. Davis, K.E. 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, Mrs I. Napper, E. O'Hara, J.D. Packman, Mrs J.M. Pinkerton, Jack D. Pinkerton, Mrs M.W. Rough, S.J. Rough, M.T. Royer, R.W. Sider, R.A. Smith-Ainsley, Mrs C.L. Spencer, H.A. Thomson and G.F. Trussler
ABSTAIN (7)	Councillors I.J. Beardsmore, Mrs E.M. Bell, T.W. Crabb, Mrs S.A. Dunn, Mrs C.E. Nichols, L.E. Nichols and C.V. Strong

RESOLVED that the undertaking by the Borough Council in respect of the re-accreditation process for the South East Employers Charter for Elected Member Development, be approved.

The Leader of the Council and the Chief Executive then signed the South East Employers' Certificate to signify the Borough Council's commitment to the principles of the Elected Member Development Charter.

334/09 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 decided since the last Council meeting.

335/09 AUDIT COMMITTEE

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

336/09 IMPROVEMENT AND DEVELOPMENT COMMITTEE

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

337/09 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.

338/09 PERFORMANCE MANAGEMENT AND REVIEW COMMITTEE

The Chairman of the Performance Management and Review Committee, Councillor Ms. P.A. Broom, presented her report, which outlined the matters the Committee had scrutinised since the last Council meeting.

339/09 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.

340/09 STANDARDS COMMITTEE

In the absence of both the Chairman and Vice-Chairman of the Standards Committee, Councillor G.F. Trussler presented the report from the Chairman, which outlined the matters the Committee had considered since the last Council meeting.

341/09 MOTIONS

Under Standing Order 16.3, a Notice of Motion was received concerning the 10:10 Campaign.

Councillor C.V. Strong proposed and Councillor L.E. Nichols seconded the following motion:

“Council notes that:

- 1) Under the UK Climate Change Act 2008 the UK is due to cut its emissions by 34% by 2020 but according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.
- 2) The United Nations Framework Convention on Climate Change meets in Copenhagen in December of this year. To ensure a breakthrough there government ministers need to know that their public support more dramatic cuts in emissions than have hitherto been proposed.
- 3) Twenty seven councils are among those who have already signed up to the "10:10 Campaign" which seeks to persuade individuals, businesses, organisations and the UK government to reduce their CO2 emissions by 10% in 2010.

This Council supports the aims and ambitions of this national 10:10 Campaign. This Council therefore resolves to sign Spelthorne Borough Council up for the 10:10 Campaign.”

Under Standing Order 18.6 (i), Councillor G.E. Forsbrey proposed and Councillor R.A. Smith-Ainsley seconded an amendment to refer the matter to the Cabinet for consideration.

The amendment was carried.

RESOLVED that the Motion on the 10:10 Campaign be referred to Cabinet for consideration.

342/09 QUESTIONS ON WARD ISSUES

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

“Now that Surrey County Council is moving towards rejecting the concept of mass burn, what waste related activities, and at what scale, would Spelthorne Council find acceptable at the Charlton site?”

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

“There is a range of potential technologies to deal with waste which Surrey identified in its Waste Plan but so far no changes have been made to this plan or details provided of the implications of the technologies involved. It would be inappropriate therefore 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.

What is clear is that the Charlton Lane site is a very constrained site in the Green Belt, visible from a wide area and close to existing residential areas through which traffic to it would have to pass. If Surrey County Council's waste contractor as applicant does apply, which of course they are entitled to do, they would need to justify the very special circumstances necessary to allow any development in the Green Belt and how it could possibly overcome

the impact of a particular facility on residents. This Council of course has a very strong policy on protecting the Green Belt.”

343/09 GENERAL QUESTIONS

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

"The Leader of the Council and the Chief Executive have expressed their keenness to have an urgent review conducted into the Council's planning arrangements. If funds are not currently available for this, will the Leader undertake to set up immediately an interim internal all-party review? Will he also undertake to have the following principles embodied in planning policies subsequently adopted?

1. The views of local residents to be genuinely taken into account at the start of the planning process;
2. Pre-application consultations between developers and local people to be mandatory for major applications;
3. An end to over-development of neighbourhoods and 'garden grabbing'."

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

“With regard to the Planning Review I am very pleased to be able to inform all Members that there has been considerable progress in moving the planning review forwards. We have appointed Trevor Roberts Associates Ltd who have a wealth of experience in such matters. They have considerable expertise in development control, having done similar reviews for some 30 other authorities.

The review will start in mid November and a final report is expected in March 2010. At the end, the Council will have an in depth review with a series of specific recommendations. I have every confidence that the outcome will be a high quality piece of work, and this will act as a springboard for further continuous improvement in our planning service.

With regard pre-planning consultations I dealt with these issues at Full Council on 23 July this year, and am somewhat disappointed that the matter of pre-application consultations has been raised yet again.

Officers always actively encourage developers to undertake pre-application consultation with the local community. They will also highlight the need to involve local groups and associations, where it is considered their input would be valuable.

The Council is fully aware of the benefits of such consultation, especially for larger applications with potentially significant issues which local residents are well placed to comment on. Unfortunately the Council is not able to make such pre-application discussions mandatory for major applications.

Local residents are always consulted on any planning application which will directly affect them, and their views are actively sought. The Council take these comments into account during the consideration of an application. Residents' views have to be weighed up against planning policy, and whilst these do not always coincide, we do take all comments seriously.

All Members are aware that our location close to London means that we face significant development pressures, and this inevitably results in a large proportion of housing infill schemes. Unfortunately we are severely constrained by central government advice which clearly states that rear gardens are 'developed areas' and have no specific protection from such infill.

However, the Council still frequently refuses developments which do not protect the privacy of residents, or the character of the area. Policy EN1 of the Core Strategy and Policies DPD is key to this. The Council is currently in the process of setting a timetable for more detailed work to take place on setting out clear guidance on interpreting this critical policy in the future. "

Under Standing Order 14.2, Councillor T.W. Crabb asked the following supplementary question:

"Will all Members have an opportunity to provide their views to the Consultants undertaking the Planning Review?"

The Leader, Councillor J.D. Packman responded on the following lines:

"All Councillors will be involved in the Review and their views sought. The actual process for the Review will be advised by the Consultants."

Under Standing Order 14, Councillor D.L. McShane on behalf of Councillor S.J. Fairfax, asked the following question:

"I have been contacted by several residents about comments made by the Liberal Democrat Candidate in the recent By-Election in Laleham and Shepperton Green Ward. Their candidate stated, regarding car parking charges, and I quote:

"I am against this Tory tax on our leisure. Car parking charges should be scrapped. We should not have to pay to enjoy our local environment."

Could the Leader inform me if it would be possible to scrap car parking charges and still maintain our car parks given Government rulings on subsidies, such that no one would have to pay? Our local residents would then know whether free car parking for all is practical or an empty promise."

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

"Although we may all dislike car park charges, they actually have two particular uses. The first is that they encourage people not to leave their cars in car parks for long period of times, thereby freeing up space for other users, either in shopping centres or in our parks and the community.

Secondly, car park income is a major contributor to the income of most Council's throughout England and this Council is no exception to that. If this Council were to "scrap car parking fees" as has been suggested, we would have to consider the financial consequences. The estimated direct cost of running our car parks is approximately £635,000 this year, whilst the income is approximately £1.7m, leaving a net surplus of approximately £1.15 million which would be forgone if we cease to charge for car parking. This surplus helps us to deliver a range of environmental and transport services within our existing revenue budget. The net result would be a Council Tax increase to our residents (using Band D as an example) of £28.64 or 17% per household."

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

“There are three ongoing Area Investment Programmes for Sunbury Cross, Ashford and Shepperton.

For each Programme how much has been spent to date and on what? Can the Cabinet member also outline the proposed future timelines and milestones?”

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

“As you will be aware we made provision for a total of £300,000 for this programme to be taken from budgets over 3 years. I am very pleased to report that after significant effort by myself and the Chief Executive, and also the intervention of Richard Walsh the Conservative County Councillor for Shepperton, we have now been able to secure a final agreement from Surrey County Council to match fund the entire programme. The total budget for the programme is now £600,000 - this is excellent news for Ashford, Sunbury and Shepperton. I would like to place on record my thanks to County Councillor Walsh for his efforts to help us secure this funding.

The early stage of the programme was always likely to involve less expenditure as the projects concentrated on consultation and design of the solutions in each area. This has been born out by experience. So far only Sunbury has expended significant revenue of £8k for professional market research in Sunbury Cross. This money came from the consultation budget and so the money available for regeneration works has been untouched.

As regards each of the areas:

Progress to date with the **Ashford** project has involved consultation with key stakeholders especially residents. A number of issues have emerged particularly the general appearance of Church Road and especially the multi storey car park. An action plan including costings is being drawn up and will start with a deep clean of Church Road in early spring 2010, other environmental improvements will follow after that.

Following the market research I mentioned earlier, the **Sunbury Cross** project has proceeded with further consultation of key stakeholders particularly young people and the County Council. A list of schemes is being brought together to address the priorities identified. Further consultation with local stakeholders to prioritise the projects will lead to a final scheme emerging early next year.

In **Shepperton**, there has been consultation at the Shepperton Village Fair and in association with the Residents Association. Issues have been identified e.g. to enhance the village environment and boost the economy. The Steering Committee is commissioning the development of a master plan which will start in November, and is expected to be completed by January 2010. Research is also taking place to establish the viability of specialist markets.

In all cases the end date of March 2011 still stands for the completion of all works and improvements. We expect works to commence from 2010 onwards.”

Under Standing Order 14.2, Councillor C.V. Strong asked the following supplementary question:

“Who will be approving the Action Plan for each area?”

The Leader, Councillor J.D. Packman responded on the following lines:

“The schemes are still being worked up but when they are completed I will meet with the Steering Group and approve the Action Plans before taking them to Cabinet. Residents will be advised of the programme of works before they commence.”

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

“In September Spelthorne Council welcomed the Environment Agency’s public consultation on its proposed Lower Thames Flood Risk Management Strategy. Does the Council agree the EA’s recommendations and will the Council be submitting a formal response?”

Councillor Mrs V.J. Leighton, Cabinet Member for Finance and Resources, responded as follows:

“We have long supported the principle of appropriate comprehensive proposals to reduce the serious flood risks faced by the Borough. For this reason the Council has welcomed the Environment Agency’s current consultation as it provides the opportunity for residents to shape the proposals that are emerging.

This is an important and complex issue and our officers are now carefully evaluating the specific measures proposed in the Agency’s consultation documents. It is therefore premature to give a view on the proposals in advance of receiving the officer report and Cabinet’s consideration of the subject at its meeting on 8 December.”

Under Standing Order 14.2, Councillor Mrs C.E. Nichols asked the following supplementary question:

“Could the Cabinet Member clarify the date the Council was given as its final deadline for response, in view of the fact that the public deadline is 4 December?”

Councillor Mrs V.J. Leighton, Cabinet Member for Finance and Resources, responded on the following lines:

“I have spoken to senior project leaders at the Environment Agency and their first priority was to ensure residents had the relevant information. I am confident they understand the Council has a timetable for meetings and will be expecting our response as soon as possible after the meeting on 8 December.”

344/09 APPOINTMENTS TO OUTSIDE BODIES

RESOLVED that Mrs Christine Bannister be appointed as a Council Representative to serve on the Staines Parochial Charity for a four year term of office until April 2014.