

MINUTES OF THE COUNCIL MEETING HELD ON 30 OCTOBER 2008

BOROUGH OF SPELTHORNE

**AT THE MEETING OF THE SPELTHORNE BOROUGH COUNCIL HELD IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, KNOWLE GREEN, STAINES ON
THURSDAY 30 OCTOBER AT 7.30PM**

Ayers F.	Flurry K.E.	O'Hara E.
Beardsmore I.J.	Forsbrey G.E.	Packman J.D. (Leader)
Bell Mrs E.	Grant Mrs D.L.	Pinkerton Mrs J.M.
Bhadye S. (Mayor)	Hirst A.P.	Rough Mrs M.W.
Bouquet M.L.	Hyams Ms N.A.	Rough S.J.
Broom Ms P.A.	Jaffer H.R.	Sider R.W.
Budd S.E.W.	Leighton Mrs V.J.	Smith-Ainsley R.A. (Deputy Leader)
Colison-Crawford R.B.	McShane D.L.	Spencer Mrs C.L. (Deputy Mayor)
Collis M.J.	Napper Mrs I.	Strong C.V.
Davis C.A.	Nichols Mrs C.E.	Thomson H.A.
Dunn Mrs S.A.	Nichols L.E.	Trussler G.F.

Councillor S. Bhadye, The Mayor, in the Chair

317/08 DEATH OF FORMER COUNCILLOR MRS PATRICIA WESTON

Members, officers and public present, joined the Mayor to stand in silence as a token of respect for the late Councillor Mrs Patricia Weston.

318/08 APOLOGIES

Apologies for absence were received from Councillors Miss M.M. Bain, K. Chouhan, T.W. Crabb, C.D.G. Kuun, J.D. Pinkerton and M.T. Royer and Independent Members, Mr Murray Litvak and Miss Sue Faulkner.

319/08 MINUTES

The minutes of the meeting held on 24 July 2008 were approved as a correct record.

320/08 ANNOUNCEMENTS FROM THE MAYOR

Planned Mayoral Events

The Mayor reminded Members of the following forthcoming Mayoral events:-

- Night at the Races – 25 November 2008;
- Weybridge Male Voice Choir at St Hilda's Church, Ashford – 24 January 2009;
- Valentine Ball at Shepperton Studios – 14 February 2009.

Youth Council – Anti-Knife Campaign

The Mayor welcomed Youth Councillors from Spelthorne Youth Council and Andy Holdaway, the Borough Youth Officer to the meeting.

The Youth Council had started a campaign against Knife Crime and made a presentation to the Council on their success so far.

The Mayor thanked the Youth Councillors for an excellent presentation. He congratulated them for being the first to make a stand against knife crime in the Borough and getting others on board to advertise the campaign. He praised them for being a credit to the Borough and this Council.

Councillor Mrs. Denise Grant, in her capacity as Portfolio Holder for Young People and Cultural Services, had fully supported the Youth Council campaign and joined the Mayor in commending their achievements.

321/08 ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE

The Chief Executive, as Returning Officer at the Election of a Councillor for the Ashford East Ward held on Thursday 23 October 2008, informed the Council that the number of votes cast for each Candidate was as follows:

APPLEBY Diane	452
APPLEYARD Mark Anthony	163
BROWNE Christopher Alan	185
ROUGH Steven James	858

He welcomed, to his first meeting of the Council, Councillor Steven James Rough, the Conservative Party Candidate, who was elected as a Councillor for the Ashford East Ward.

322/08 ANNOUNCEMENTS FROM THE LEADER

The Leader, Councillor J.D. Packman, welcomed Councillor Steven Rough to the Chamber and commended his election as a positive endorsement from the local community, which demonstrated that local people recognised the achievements of Spelthorne Borough Council.

323/08 COUNCILLOR CHRISTOPHER KUUN

The Council considered the recommendation of the Monitoring Officer on the absence of Councillor Christopher Kuun from Council meetings due to ill-health. Council had so far excused the absence of Councillor Kuun from 5th March 2008.

During the debate, members sought clarification on the reason for Councillor Kuun being further excused from Council meetings. The fact of his ill health had been clearly referred to in the report to this meeting and was also stated in the resolution

agreed at the June 2008 Council meeting, when the situation was previously reviewed. The Leader agreed for the sake of completeness, that the resolution should include the reason for Councillor Kuun's continued absence.

RESOLVED that Councillor Christopher Kuun be further excused from Council meetings due to ill health, and that the matter be reviewed again at the February 2009 meeting of the Council.

324/08 OFFICER DELEGATIONS – EMPLOYMENT MATTERS

The Council considered the recommendation of the Head of Human Resources on changes required to the employment policies and procedures and to the Council's Constitution / Officer Delegations relating to personnel matters, to reflect the Council's new Management structure.

RESOLVED that

- (1) the employment policies, procedures and arrangements, as set out in paragraph 2 and Appendix A to the report, be updated to take account of the Council's new Management structure.
- (2) the Head of Corporate Governance be asked to incorporate relevant changes to the Council's Constitution relating to employment matters, as covered in paragraphs 3 to 6 and Appendix B to the report.

325/08 DEBT RECOVERY PROJECT DELEGATIONS

The Council considered the recommendation of the Executive on debt recovery project delegations.

RESOLVED that paragraph 6.17 of the Council's Constitution - Delegation to Officers, be updated to confirm that the Revenues Manager has delegated authority to write off Council Tax up to £3,000 and Business Rates debts up to £6,000; and that the Heads of Housing Options and Housing Benefits have the delegated authority to write off Housing benefits debts up to £3,000.

326/08 CHANGES TO THE COUNCIL CONSTITUTION – RECOMMENDATIONS FROM THE STANDARDS COMMITTEE

The Council considered the recommendations of the Standards Committee on changes to Article 9 and other consequential changes to the Constitution.

RESOLVED that

- (i) The size of the committee be increased from 7 to 8 to enable a member of the Executive to be appointed on to the Standards Committee, with the current members continuing to serve on the committee;
- (ii) The following three sub committees be established to assess, review and determine complaints against councillors under the Code of Conduct

Standards (Assessment) Sub Committee – To make initial assessments of allegations of misconduct by Borough Councillors.

Standards (Review) Sub Committee – At the request of a complainant, to review any decision of the Standards (Assessment) Sub Committee

to take no action in relation to an allegation of misconduct by Borough Councillors.

Standards (Determination) Sub Committee – To determine complaints about the conduct of Borough Councillors and, where appropriate, to impose sanctions.

- (iii) All members of the Standards Committee be eligible to serve on a sub committee and delegated authority be given to the Monitoring Officer, in consultation with the Chairman of the Standards Committee, to select members in accordance with the regulations to serve on the three sub committees on a case by case basis; and
- (iv) Any sub committee must be chaired by an Independent member and at least three members must be present at any meeting, including at least one borough councillor but preferably two.
- (a) Councillor Colin Davis be nominated as the Executive Portfolio Holder for Regeneration (with responsibility for Standards in Public Life to be included within that Portfolio) to serve as an additional member of the Standards Committee.
- (b) The Monitoring Officer be authorised to make such consequential amendments to the Council's Constitution as are necessary to reflect the revised membership of the Standards Committee.

327/08 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 Executive had dealt with since the last Council meeting.

328/08 LICENSING COMMITTEE

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

329/08 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 dealt with since the last Council meeting.

330/08 PLANNING COMMITTEE

The Chairman of the Planning Committee, Councillor E. O'Hara, presented his report, which outlined the matters the Committee had dealt with since the last Council meeting.

331/08 AUDIT COMMITTEE

Councillor E. O'Hara, a member of the Audit Committee, presented the report on behalf of the Chairman, which outlined the matters the Committee had dealt with since the last Council meeting. The report had been circulated separately to all Members prior to the meeting.

332/08 STANDARDS COMMITTEE

Councillor Colin Davis, Portfolio Holder for Regeneration, presented the report of the Standards Committee on behalf of the Chairman. The report outlined the matters the Committee had dealt with since the last Council meeting.

333/08 MOTIONS

Under Standing Order 16, two Notices of Motion had been received.

(i) The first was regarding the Government Capping of the Surrey Police Budget.

Councillor R.W. Sider moved and Councillor Mrs V.J. Leighton seconded the following motion:

“That this Council deplores the Government capping of the Surrey Police Budget, expresses its concerns that no formal reason for such capping has been given, and requests that a letter to this effect be prepared and be sent in the strongest terms to the Home Secretary.”

In accordance with Standing Order 21.4, a request was made by Councillor Mrs D.L. Grant for the voting on the motion to be recorded. The vote was as follows:

FOR (33)	Councillors F. Ayers, I.J. Beardsmore, Mrs E.M. Bell, S. Bhadye, M.L. Bouquet, Miss P.A. Broom, S.E.W. Budd, R.B. Colison-Crawford, M.J. Collis, C.A. Davis, Mrs S.A. Dunn, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, Miss N.A. Hyams, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, Mrs I. Napper, Mrs C.E. Nichols, L.E. Nichols, E. O’Hara, J.D. Packman, Mrs J.M. Pinkerton, Mrs M.W. Rough, S.J. Rough, R.W. Sider, R.A. Smith-Ainsley, Mrs C.L. Spencer, C.V. Strong, H.A. Thomson and G.F. Trussler.
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The motion was unanimously carried.

RESOLVED that this Council deplores the Government capping of the Surrey Police Budget, expresses its concerns that no formal reason for such capping has been given, and requests that a letter to this effect be prepared and be sent in the strongest terms to the Home Secretary.

The Leader, Councillor J.D. Packman, in his community leadership role, deemed it appropriate for himself to write, on behalf of the Council, to the Acting Chief Constable of Surrey Police to advise him of this Council’s motion and giving Surrey Police the Council’s full support.

(ii) The second Notice of Motion was regarding fuel reimbursements for volunteer drivers.

Councillor Mrs V.J. Leighton moved and Councillor G. F. Trussler seconded the following motion:

"That, on behalf of volunteer drivers UK wide, this Council supports the Petition to the Prime Minister requesting the HM Revenue and Customs to raise the rate at which they permit charities to reimburse volunteer drivers from 40p per mile to 50p per mile for their fuel costs."

In accordance with Standing Order 21.4, a request was made by Councillor G.F. Trussler for the voting on the motion to be recorded. The vote was as follows:

FOR (33)	Councillors F. Ayers, I.J. Beardsmore, Mrs E.M. Bell, S. Bhadye, M.L. Bouquet, Miss P.A. Broom, S.E.W. Budd, R.B. Colison-Crawford, M.J. Collis, C.A. Davis, Mrs S.A. Dunn, K.E. Flurry, G.E. Forsbrey, Mrs D.L. Grant, A.P. Hirst, Miss N.A. Hyams, H.R. Jaffer, Mrs V.J. Leighton, D.L. McShane, Mrs I. Napper, Mrs C.E. Nichols, L.E. Nichols, E. O'Hara, J.D. Packman, Mrs J.M. Pinkerton, Mrs M.W. Rough, S.J. Rough, R.W. Sider, R.A. Smith-Ainsley, Mrs C.L. Spencer, C.V. Strong, H.A. Thomson and G.F. Trussler.
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The motion was unanimously carried.

RESOLVED that, on behalf of volunteer drivers UK wide, this Council supports the Petition to the Prime Minister requesting the HM Revenue and Customs to raise the rate at which they permit charities to reimburse volunteer drivers from 40p per mile to 50p per mile for their fuel costs

334/08 QUESTIONS ON WARD ISSUES

Under Standing Order 14, Councillor Mrs E. M. Bell asked the following question:

"It has now been just short of 2 years since the closure of the Benwell Day Centre in Sunbury. I was under the impression that the new build was due to be occupied by summer 2009. As yet there has been no apparent progress on site. Could you please provide us with an accurate timetable for both occupation and opening of the day centre for non residents?"

The Portfolio Holder for Health and Independent Living, Councillor Mrs V.J. Leighton, responded as follows:

"Thank you, Councillor Mrs Bell for your question.

Although planning has been concluded and the legal documents completed and ready to sign, there have been a number of issues. You may be aware that there had been a notification of a judicial review by an organisation. The time period for a potential challenge concludes on 19 December. We have since learnt from the press in the past week that the organisation is no longer pursuing this action, although as yet the Council has not been formally advised.

Although Notting Hill has continued to work on this project until such time as a challenge period concluded, the Board is not able to authorise the funds for the project to go ahead. Also during this period the economic climate has changed at Notting Hill and their builders are reviewing the build costs and sale prices for the flats.

It is hoped that Notting Hill will be on site in December and completion is likely to be early 2010. We are disappointed that the facility will not be open sooner, but there was a threat of a judicial review and the economic downturn has also impacted on this project.

We will continue to operate the centre at Churchill Village Hall, which is offering a range of activities, together with hot meals. We are also offering computer classes from Sunna Lodge and making the best use of the Council and other's facilities.

We will keep Members advised and residents updated via the Bulletin."

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

"Local residents are concerned at persistent rumours that the Council is in discussions with the owners of Kempton Park regarding building homes on the car park or any other land at Kempton. Please would the Portfolio Holder state whether such discussions have occurred or are planned?"

The Chairman of the Planning Committee, Councillor E. O'Hara, responded as follows:

"Thank you, Councillor Mrs Nichols for your question.

As part of consultation on the LDF, Kempton Park Racecourse has proposed both the area of the car park and buildings, and an area of open land to the east of the main course, be released from the Green Belt for housing and other development, and that is their right.

As required the Council advertised the proposals during the summer along with many other sites developers have proposed.

At the recent LDF Examination, Kempton Park's consultants sought to make their case for development. Our officers set out this Council's staunch opposition to the loss of any part of the Borough's Green Belt. Our Green Belt is not negotiable and that position has been established for many years and won't change. Unfortunately some people persist in undermining our policy with misleading and mischievous statements, which lend to rumours circulating around the Borough. Those people should be ashamed of themselves. May I also point out that a similar question was asked at the last Council meeting and I gave a similar response."

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

"I am well aware of the Council's position on Green Belt but there is a strong belief amongst residents that the owners of Kempton Park have been talking to the

Development Control department and they would like the Council's reassurance that that has not happened."

Councillor E. O'Hara responded:

"Planning officers are spoken to routinely by developers but I cannot inform you if such discussions have taken place with Kempton Park. Once the Council receives a formal application, all those who are affected will be notified."

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

"I have been assured that the car parking machines will be installed shortly in Lower Sunbury. Can the Portfolio Holder confirm the date when charging will commence, the capital cost of the machines and the anticipated revenue for this financial year for both Lower Sunbury car parks?"

The Portfolio Holder for the Environment, Councillor G.E. Forsbrey, responded as follows:

"Thank you, Councillor Nichols for your question. The machines at both Thames Street and the Old Bathing Station have been installed and will be commissioned this week. If this is successful then charging can start, although at Thames Street we are awaiting delivery of a smaller tariff board that will fit into the surroundings better.

Once charging starts we will have a period of 2 weeks where drivers will be given warning notices instead of Penalty Charge Notices where they are not displaying a ticket or permit.

The Capital cost for the machines and installation is £7000. The anticipated revenue in this financial year for both car parks is £4500. The payback period is estimated to be 2 years."

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

"Could the Portfolio Holder please provide an update on the programme to transfer ownership and then enhance TP26, the strip of linear park in Lower Sunbury?"

The Portfolio Holder for Community Safety, Councillor F. Ayers, responded as follows:

"Thank you for the opportunity to bring the Council up to date about this matter. The Council's Head of Asset Management is due to meet with his counterpart at the County in mid-November. It is the intention that at this meeting the parties will finalise the detail of the transfer following which the respective legal departments will be instructed to draft the transfer deeds and complete the transaction."

335/08 GENERAL QUESTIONS

Under Standing Order 14, Councillor Mrs I. Napper asked the following question:

“Due to the present financial turmoil, how will our housing targets be affected if first time buyers are not able to enter the market?”

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

“Thank you for your question Councillor Napper.

As mentioned earlier this evening, undoubtedly the nature of the current financial circumstances, which affect us all in one way or another, will have some impact on the level of house building in the Borough in the short term, and I respectfully suggest into the medium term also.

The extent of that impact is not easy to predict locally - in particular how first time buyers can on one hand take advantage of lower house prices, but, on the other hand cope with greater restrictions on lending. As a Borough Council we cannot directly control such matters, but I have enormous sympathy for those who had been planning to buy their first home at this time.

Our housing targets go to 2026, which is some way ahead and I believe we have sufficient capacity to meet them. Building levels might be less over the next few years than might otherwise have been the case. Nevertheless we have about 250 houses currently under construction and Housing Associations are beginning to receive greater national funding to boost their activity.

I am confident therefore that we will meet our long term housing targets.”

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

"I understand that the costs and options in respect of the webcasting of council meetings are being looked at by officers of Spelthorne council. I understand that in the interim the audio recording of planning committee meetings is also being considered. Could the council give an indication of the target date for introducing webcasting of either audio or audiovisual recordings of council meetings, or indeed both?"

The Portfolio Holder for Communications and Engagement, Councillor A.P. Hirst, responded as follows:

“I can confirm that the Council is looking at various options to further extend the way it communicates with local residents, which includes webcasting and audio recording. We hope to start audio recording of the Planning Committee in November, but the logistics of making recordings publicly available still needs to be resolved.”

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

"Can the Portfolio Holder for Regeneration state the current position of the Council towards the disposal of the Oast House site by Surrey County Council?"

The Portfolio Holder for Regeneration, Councillor C.A. Davis, responded as follows:

"Surrey County Council was developing plans for the disposal of the Oast House site in Staines. As Councillors will be aware, this site is suitable for housing under our Local Development Framework. The County Council allowed us an opportunity to bid for future parking provision on the site but the Executive considered that the costs were prohibitive and did not provide a viable return on investment. Officers are in regular contact with counterparts at Surrey County Council in order to assess opportunities for future development of the site, though it will come as no surprise to learn that due to the current economic climate there have been no new proposals to date from the County Council to dispose of this site."

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

"I understand that the schedule of locally listed buildings drawn up in 2004 was scheduled for review from April 2008. What is the process and timetable for this review and will residents be consulted? I note that the list includes homes that are Edwardian or older; will the Council consider adding to the list homes of merit that are more recent than early 20th Century?"

The Chairman of the Planning Committee, Councillor E. O'Hara, responded as follows:

"A local list of buildings of archaeological and historic interest was adopted in 2004 following extensive public consultation.

We intend to review the Local list alongside preparing other Supplementary Planning Documents, once the Core Strategy and the Alterations Development Plan Documents have been adopted. The detailed programme for preparing all these documents will be prepared once the two Development Plan Documents have been adopted.

Local lists need to be based on robust criteria and careful assessment, and it would be inappropriate to speculate at this stage the outcome of a review of the 'list'. May I add that the local list contains over 200 properties, which is not likely to change significantly as the criteria are quite stiff"

Under Standing Order 14, Councillor L.E. Nichols asked the following question and indicated he was happy to receive a written reply:

"I note that, at the special meeting on 23rd September with Surrey Primary Care Trust, the Performance Management and Review Committee accepted the PCT's assurances that an extra GP-led service at Ashford hospital would not adversely

affect existing GP services or other local health provision. What guarantees has the PCT given in support of those assurances which have satisfied the Committee?"

For record purposes the response which would have been given by the Chairman of the Performance Management and Review Committee, Councillor Ms P.A. Broom is set out below:

"As the Members who were at the special meeting of the Performance and Management Committee on 23 September will recall, the impact on the present health centres was discussed at length.

The PCT stated that the service specification covered the commissioning of an integrated service with the existing walk-in centre at Ashford Hospital. The integration would enhance the services available to patients as well as providing them with an increased range of professional and a vastly improved range of services.

The services planned in the new GP-led clinic will complement existing GP services.

The PCT stated that many people will stay with their existing GPs due to locality, and loyalty.

As the PCT pointed out, it is about patient choice and if, as we are told, the GPs are already providing excellent services, it is therefore unlikely that there will be an impact of patient list size.

Further I would direct you to the Minutes / presentation / questions and answers which are available on the Council website."

Under Standing Order 14, Councillor I.J. Beardsmore asked the following question from Councillor T.W. Crabb:

"Does the Council still support expansion of Heathrow Airport? If so what are the criteria, if any, for that support?"

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

"The Council continues to support the principle of expansion at Heathrow subject to significant and important qualifications relating to air quality, noise and any other environmental impacts being properly addressed.

As agreed earlier this year, our position has not changed."

Under Standing Order 14, Councillor I.J. Beardsmore asked the following question:

"Up to last December the LDF had cost the Borough £1.1million. How much has the development of the core strategy (Not counting the Allocations DPD) cost between last December and now?"

The Deputy Leader of the Council, Councillor R.A. Smith-Ainsley, responded as follows:

“The cost of the Core Strategy so far this calendar year has been approximately £160,000. I am pleased to confirm we are to receive £294,000 of Housing and Planning Delivery Grant this year from the government for our progress on the LDF.”

336/08 APPOINTMENT OF REPRESENTATIVE TRUSTEES TO CHARITIES

Appointment to serve as a Representative Trustee on the Ashford Relief in Need Charities.

It was proposed by Councillor J.D. Packman and seconded by Councillor R.A. Smith-Ainsley and

RESOLVED that Mrs Mary Collis of 65 Wrens Avenue, Ashford be appointed as a Council Representative Trustee to Ashford Relief in Need Charities for a four year term of office.

Appointment to serve as a Representative Trustee on the Staines Parochial Charity.

It was proposed by Councillor J.D. Packman and seconded by Councillor R.A. Smith-Ainsley and

RESOLVED that Mrs Alice Deere, of 8 Balmoral Grange, Thames Side, Laleham, Staines, be re-appointed as a Council Representative Trustee to Staines Parochial Charity for a four year term of office from 31 December 2008.