

**ROBERTO TAMBINI
CHIEF EXECUTIVE**

Please reply to:

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Our ref: LP/OSCTTEE
Date: 19 December 2011

Notice of meeting:

Overview and Scrutiny Committee

Date: Tuesday 10 January 2012

Time: 7.30pm

Place: Council Chamber, Council Offices, Knowle Green, Staines

To: Members of the Overview and Scrutiny Committee

Ms P.A. Broom (Chairman)
Mrs M.W. Rough (Vice-Chairman)
A. Ayub
Mrs C.A. Bannister
I.J. Beardsmore

Ms M. Bushnell
R.D. Dunn
M.P.C. Francis
D. Gohil
Mrs I. Napper

Mrs C.E. Nichols
Miss D. Patel
A.C. Patterson
Ms J.R. Sexton
Ms S. Webb

EMERGENCY PROCEDURE

In the event of an emergency the building must be evacuated. All Members and Officers should assemble on the green adjacent to Broome Lodge. Members of the public present should accompany the Officers to this point and remain there until the Senior Officer present has accounted for all persons known to be on the premises.

THE LIFT MUST NOT BE USED

If you would like a copy of this agenda or the attached reports in a larger print please contact Liz Phillis (01784) 446276 or Email l.phillis@spelthorne.gov.uk

| Timing | | Agenda item | Lead |
|---|----|---|---|
| 7.30pm | 1. | Apologies To receive any apologies for non attendance. | Chairman |
| | 2. | Disclosure of Interests To receive any disclosure of interests from members in accordance with the Overview and Scrutiny Procedure Rules. | Chairman |
| | 3. | Minutes Page Nos. 4 - 9 To confirm the minutes of the meeting held on 15 November 2011 and the Crime and Disorder Scrutiny Committee minutes of the meeting held on 15 December 2012 (copy attached) | Chairman |
| <i>If any member of the committee has any issues arising from the minutes of the meeting held on 15 November 2011 that they wish to raise at the meeting please inform Terry Collier Assistant Chief Executive 24 hours in advance of the meeting</i> | | | |
| | 4. | Matters arising from the Minutes | Chairman |
| | 5. | Call in of Cabinet decisions No decisions have been called in for review. | Chairman |
| 7.50pm | 6. | Review of the petitions scheme Page Nos. 10 - 16 To consider the attached briefing paper of the Head of Corporate Governance | Michael Graham, Head of Corporate Governance |
| 8.15pm | 7. | Planning Review Page Nos. 17 - 27 To consider the attached report of the Assistant Chief Executive | Heather Morgan, Head of Planning and Housing Strategy |
| 8.55pm | 8. | Sweeps Ditch Page Nos. 28 - 37 To consider the attached briefing paper from the Environment Projects Officer and the Cabinet member for the Environment | Mark Rachwal, Environment Projects Officer |
| 9.20pm | 9. | Food Waste Collection Service Task Group Introduction from the Lead Member of the Task Group, Councillor Asif Ayub. To receive the attached briefing report from the Head of Sustainability and Leisure on the progress being made with the introduction of the food waste scheme. (Report to follow) The Cabinet member responsible for the Environment, Councillor Watts, has been invited to attend the meeting and take part in the discussion. | Dr Sandy Muirhead, Head of Sustainability and Leisure |

| | | | |
|--|------------|--|---|
| 9.25pm | 10. | Parks and Open Spaces Task Group Lead Member - Councillor Philippa Broom Cabinet Member responsible for Parks and Leisure Councillor Penny Forbes Forsyth and the Cabinet Member responsible for Economic Development, Councillor Colin Davis have been invited to attend the meeting and take part in the discussion | Chairman |
| 9.30pm | 11. | Cabinet Forward Plan Page Nos. 38 - 40 A copy of the latest Forward Plan is attached for consideration | Terry Collier, Assistant Chief Executive |
| If any members of the committee have any issues contained in the Cabinet Forward Plan they wish to look at please inform Terry Collier, the Assistant Chief Executive 24 hours in advance of the meeting with reasons for the request. | | | |
| | 12. | Work Programme To consider the work programme | Chairman |
| 9.35pm | 13. | Any Other Business If any member wishes to raise an issue at the meeting could you please notify Terry Collier, Assistant Chief Executive on 01784 446249 or email t.collier@spelthorne.gov.uk 24 hours prior to the meeting otherwise the request may not be accepted | Terry Collier, Assistant Chief Executive |

MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE
15 NOVEMBER 2011

Present:

Councillor Philippa Broom (Chairman)
Councillor Mrs Marian Rough (Vice-Chairman)

Councillors:

| | | |
|--------------------|------------------|----------------|
| Mrs C.A. Bannister | M.P.C. Francis | Miss D. Patel |
| I.J. Beardsmore | Mrs I. Napper | Ms J.R. Sexton |
| Ms M. Bushnell | Mrs C.E. Nichols | Ms S. Webb |
| R.D. Dunn | | |

Apologies: Councillors A. Ayub, D. Gohil and A.P. Patterson

284/11 DISCLOSURES OF INTERESTS

No disclosures of interests reported.

285/11 MINUTES

The minutes of the meeting held on 13 September 2011 were approved as a correct record.

286/11 MATTERS ARISING FROM THE MINUTES

(1) Minute No 228/11 Ashford and St Peter's Hospitals Seminar

The Chairman reported on a request received from a member of the committee for arrangements to be made for representatives from the Ashford and St Peter's Hospital Trust to give a presentation at an Overview and Scrutiny Committee meeting in February /March 2012.

RESOLVED that the officers to obtain information as to when the outcome of the bids for the merger with Epsom Hospital would be known and to invite representatives from the Ashford and St Peter's Hospital Trust to attend an Overview and Scrutiny Committee meeting. The date for the meeting to be arranged in consultation with the Chairman of the Committee.

(2) Minute 233/11 Capital Budget Outturn Position

The Chairman reported that the information previously requested on the Disabled Facilities Grant was being obtained and would be circulated to all committee members.

287/11 CALL IN OF CABINET DECISIONS

No decisions had been called in.

**288/11 REVENUE MONITORING AND PROJECTED OUTTURNS –
SEPTEMBER 2011**

The Committee discussed with Adrian Flynn, Senior Accountant, the report covering the revenue spend figures and how resources were spent on providing services for residents for the period April to September 2011. The committee noted that the forecast outturn was £12,620m against the revised budget of £12.367m an over spend of £253k before taking account of use of reserves to fund one off redundancy costs incurred in order to achieve ongoing savings.

During the discussion the Officers were asked to provide additional information on the following areas:

- A breakdown of the redundancy cost due to restructuring (£142k)
- Details of the partnership costs with Runnymede Borough Council which had inadvertently been omitted £140,215
- The reason for the portacabin costs for the Sea Cadets being £33k adverse
- Why the SLM annual contract income was lower than budgeted
- Details of the Surrey Jobs subscription £6k (adverse) for advertising on website and obtain details from Human Resources on how they advertise vacant posts.

RESOLVED that:

1. the report of the Chief Finance Officer outlining the current revenue spend position for the period April to September 2011 be noted;
2. an item be added to the work programme to enable the committee to look at Partnership arrangements and how they are progressing; and
3. the officers provide additional information on the issues raised at the meeting.

289/11 CAPITAL MONITORING REPORT 2011

The Committee discussed with Adrian Flynn, Senior Accountant, the report covering the current spend figures for April to September 2011 on the Capital Programme. The Committee noted that the anticipated projected outturn to spend by the end of the financial year was £1,942,000 which represented 95% of the revised budget.

RESOLVED that the report of the Chief Finance Officer outlining the Capital monitoring position for April to September 2011 be noted.

290/11 TREASURY MANAGEMENT HALF YEARLY REPORT

The Committee discussed with Terry Collier, Chief Finance Officer the report which provided an update on the treasury management activities for the first half of the year to 30 September 2011. The report indicated that we are on track to achieve our budgeted investment income for the year. The report also outlined proposed changes to the Treasury Management Strategy, the

OVERVIEW AND SCRUTINY COMMITTEE, 13 NOVEMBER 2011-
Continued

proposed use of pooled funds within the list of approved investments and outlined the revisions to the Council's counterparties' creditworthiness criteria.

The Committee noted that in the first six months of the current financial year the Council had operated within the treasury limits and Prudential Indicators set out in the Treasury Policy Statement, the annual treasury management strategy statement and the annual investment strategy approved by Council in January 2011.

The Committee were pleased to note that the officers were being proactive in seeking ways of maintaining and improving current levels of return against a very challenging global investment environment

RESOLVED the report of the Chief Finance Officer be received and the actions being taken be supported.

291/11 ECONOMIC SITUATION

The Chairman introduced the matter by advising that it was a scrutiny matter to look at the overall framework of how the economic situation was affecting the borough in terms of its aspirations for growth, housing needs, levels of crime and requirements to support vulnerable people.etc As well as looking at the changes to government legislation being introduced particularly with the welfare changes.

The Committee received a presentation from Terry Collier, Chief Finance Officer on the impact of the economic situation and how the resulting risks were being managed. A copy of the presentation is attached

The monthly fact sheet providing information on employment and housing development trends for October 2011 were circulated at the meeting.

The Chairman invited members of the Committee to identify key areas for further consideration such as business rates, economic risks and the welfare reform as well as future economic opportunities and how to link in with the planning processes.

RESOLVED that the presentation from the Chief Finance Officer be received.

MINUTES OF THE CRIME AND DISORDER SCRUTINY COMMITTEE
15 NOVEMBER 2011

Present:

Councillor Philippa Broom (Chairman)
Councillor Mrs Marian Rough (Vice-Chairman)

Councillors:

| | | |
|--------------------|------------------|----------------|
| Mrs C.A. Bannister | M.P.C. Francis | A.C. Patterson |
| I.J. Beardsmore | Mrs I. Napper | Ms J.R. Sexton |
| Ms M. Bushnell | Mrs C.A. Nichols | Ms S. Webb |
| R.D. Dunn | Miss D. Patel | |

Apologies: Councillors A. Ayub and G. Gohil

In Attendance

Councillor Ernest Mallett - Spelthorne Member for the Surrey Police Authority
Sarah Haywood an officer from the Surrey Police Authority
Police Sergeant Richard Conway from Surrey Police
Borough Councillor F. Ayers the Cabinet Member for Community Safety and Assets.

281/11 DISCLOSURES OF INTERESTS

No disclosures of interests reported.

282/11 REVIEW OF COMMUNITY SAFETY –NOVEMBER 2011

The Committee received a report from the Head of Community Safety and Corporate Services detailing progress being made with the review of community safety activities across the county. The review had been undertaken due to the Government's major reduction in funding for community safety over the financial years of 2011/12 and 2012/13 as well as the introduction of Police and Crime Commissioners who would be elected in November 2012. The streamlining of the current structure would significantly reduce the number of Boards across the county and subsequently supporting costs would be reduced.

It was noted that one of the biggest problems that is facing the police and other agencies is communication and over duplication of meetings - so it was hoped that a positive effect of the reduction in funding would lead to a more focused approach to meetings etc

As part of the comprehensive spending review Government funding for community safety in Surrey had been reduced by 20% this financial year against 2010/11 and would be further reduced by 40% in 2012/13. This equated to a reduction in grant from £794,000 to £402,000. This had led to a

reduction of 10% for Domestic Abuse Services, 20% for the Drug and Alcohol Action Team, and a 54% reduction for local partnerships. In addition 20% of the remaining budget this year was being held for contingency purposes, although a number of bids had now been approved from that fund.

The Committee noted that the membership of the Spelthorne partnership had always been wider than the statutory requirement and was chaired by the Council's Chief Executive with a County Councillor as the Vice Chairman. Its main roles were agreeing key priorities, overseeing financial planning and partnership working.

Neighbourhood Watch

The Committee noted that since last year 24 new Watches had been created giving a total of 236 watches with 1218 members. Discussion took place on the numerous activities being undertaken including community meetings, development of Park Watch with Laleham Park as a pilot scheme and Neighbourhood Watch Co ordinator meetings and the sharing of information.

The Committee was pleased to learn of the sponsorship funding obtained from BP of £3,300pa over a three year period. The Committee was also pleased to learn of the community well being initiative being encouraged whereby groups of roads were coming together, and this had successfully been created in Stanwell, Sunbury Common and Shepperton.

Police and Crime commissioners

Sarah Haywood from the Surrey Police Authority outlined the proposals contained in the Police Reform and Social Responsibility Act 2011 and the implications for this Council, the Safer, Stronger Partnership and future relationships with the Police.

Under these arrangements the Police authorities would be abolished and a Police and Crime Commissioner appointed. Their key responsibilities would include publishing a police and crime plan, setting local police and crime objectives, appointing Chief Constables, and setting the budget and local precept. Elections for Commissioners would be every four years by the Supplementary vote system and Commissioners would be limited to serving two terms. The first elections would take place on 15 November 2012.

Police and Crime Panels would be established in place of Police Authorities to scrutinise the work of their Commissioner including reviewing and reporting on the draft police and crime plan, review annual report and proposed budgets.

As Surrey is a two tier area there would be a single panel consisting of a minimum of ten councillors with one member representative for each borough. The Panels would need to be representative of the political make up of the local area, which currently would be 8 Conservatives, 3 Liberal Democrats and 1 Resident Association. It had been agreed that Surrey County Council would manage and provide administrative support to the Panel.

Discussion took place on the effect this new Police and Crime Panel would have on the scrutiny role of this committee.

The Chairman asked Sarah Haywood to provide a guide on the new arrangement for circulation to all members of the Committee.

Councillor Mallett mentioned funding opportunities arising from the proceeds of crime and the new community development levy.

Performance

The Committee discussed the performance information presented by the Community Safety Manager and identified that in future much clearer and transparent set of figures including the time line be provided giving councillors a straightforward picture of the crime rates in the borough.

RESOLVED:

1. That the report of the Head of Community Safety and Corporate Services be received and the action being taken be supported;
2. To note that the future funding beyond 2012/13 was unknown as was the impact of the new Police and Crime Commissioners, but the Partnership and Council as a key member of the Partnership would remain committed to tackling crime and disorder as a priority;
3. Further performance information and information from the Police authority on the new Commissioner's role and likely impact, as requested, be circulated with the minutes; and
4. That Ward Councillors be kept informed of Neighbourhood watch issues /co-ordinators meetings etc in their Ward.

283/11 WORK PROGRAMME

The Committee noted that Councillor F. Ayers, the Cabinet Member responsible for Community Safety and Asset Management would be leading on a group to look at communication and how support can be given to the Police.

Review of the Petitions Schemes

Report of the Head of Corporate Governance

1. Background information

- 1.1 In July 2010, the Council adopted a new petitions scheme for immediate implementation with the exception of the e petition element being approved for implementation on 1 November 2010. The timing and key elements of the new scheme were driven by the requirements of the Local Democracy, Economic Development and Construction Act 2009
- 1.2 The Council's scheme goes further than the statutory requirements in relation to handling petitions. The scheme takes the opportunity to improve customer engagement and to offer the public as wide an access as possible to the council's decision making process.
- 1.3 This briefing paper reviews the scheme with the benefit of a years' experience of implementation and in the context of the Localism Act, which has repealed the provisions about petitions to local authorities

2. Key features of the petition scheme

- 2.1 A copy of the petition scheme is attached at appendix one. The key elements of the scheme are set out below:
 - (a) The ability to trigger a debate at an ordinary meeting of the Council with a threshold of at least 1000 signatories for a single ward issue and at least 4500 signatories for an issue affecting two or more wards.
 - (b) The ability to hold a senior officer to account at an overview and scrutiny committee with a threshold of at least 300 signatories for a single ward issue and at least 400 signatories for an issue covering two or more wards.
 - (c) The ability to trigger a debate at a Cabinet meeting with a threshold of between 20 to 200 signatories for a single ward issue and between 30 to 300 signatories for an issue covering two or more wards.
 - (d) There is a right for the lead petitioner to request a review of the Council's response to the petition where the lead petitioner is unhappy with the way the petition has been handled.
 - (e) Vexatious, abusive or otherwise in appropriate petitions are excluded from the scheme, together with petitions which relate to individual planning, licensing or other issues where there is a statutory right of appeal.
 - (f) The lead petitioner has an option under the scheme of requesting a response from a senior officer rather than taking the petition to a decision making meeting.
 - (g) Elected councillors are eligible to sign petitions.
The scheme allows a wider definition of those who can petition the Council namely any person of any age who lives, works, studies or uses services in Spelthorne.

3. Review of the petitions scheme after 1 year in operation

- 3.1 Since the petitions scheme and the e petition facility were launched in July/November 2010 there have been no e petitions and no paper petitions that have triggered the need for a debate at an ordinary meeting of Council.

- 3.2 There have been two petitions submitted to the Cabinet following the launch of the scheme (Staines-upon-Thames and Stanwell Health Centre), therefore the committee may wish to consider whether the current triggers for petitions being considered at the different forums are set at the right level.
- 3.3 The statutory guidance currently requires councils to ensure that the trigger for a debate at a council meeting is not more than 5% of the population. This would be approximately 4,500 (based on mid 2008 population estimate) members may wish to consider reducing the thresholds, given that e-petitions have not been used to the extent first feared.
- 3.4 Councillors may also wish to consider the usefulness of e-petitions generally as a way to engage local residents in controversial topics. Surrey County Council's recent proposals for on-street parking resulted in a wide response and the availability of an electronic solution assists the Council to manage the response to all those interested in a topic.

4. The Localism Act 2011

- 4.1 One of the proposed changes under the Localism Act is to remove the requirement for councils to have a petitions scheme. This includes removing the requirement to debate at ordinary council meetings where petitions hit a certain number of signatories and the requirement around reviewing the outcome of petitions and holding senior officers to account. It is further proposed that local authorities will be free to adopt their own mechanisms for responding to petitions as was the position prior to the Local Democracy, Economic Development and Construction Act 2009.
- 4.2 Despite the statutory requirement being lifted in due course, the expectation of the Localism Act in its entirety is that councils should be more responsive to local needs. It would be a relaxation of regulation to be absolved of the requirement to have a compliant petitions scheme yet there may still be benefits in keeping the technology and promoting it in our own way to assist the Council in its own efforts to engage residents.
- 4.3 Currently the Council pays £500 per year to www.mysociety.org to provide the online petition service.
- 4.4 We are currently obtaining details of what the other Surrey authorities are doing following the relaxation of the statutory requirements and this information will be reported at the meeting.

5. Recommendation

- 5.1 The Overview and Scrutiny committee is requested to:
- (a) note the information in this report;
 - (b) consider whether or not changes to the petition schemes are required and if so make recommendations for the implementation of such changes to Cabinet and Council; and
 - (c) consider whether a further review of the petitions scheme is required once the Localism Act is enacted and the legal requirements to have petitions schemes is repealed.

Contact: Michael Graham, Head of Corporate Governance 01784 446227

Spelthorne Borough Council - Petitions Scheme

Background:

This scheme applies to all petitions submitted to the Council with 30 or more signatures. Petitions regarding a planning or licensing application, of a statutory nature, or on a matter where there is already an existing right of appeal, other procedures apply (see section 3).

Any petition that contains less than 30 signatures, or does not meet the guidelines within the scheme, will be treated by as standard correspondence and receive a reply from the relevant Head of Service.

1. Petitions:

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

Petitions may be created, signed and submitted online through the Council's e-petitions facility. *The target for implementation of on-line petitions at Spelthorne is 1st November 2010.*

Paper petitions can be sent to:
The Chief Executive
Spelthorne Borough Council
Council Offices, Knowle Green
STAINES, TW18 1XB

2. What are the guidelines for submitting a Petition?

Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take; and
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person the Council will contact to explain how we will respond to the petition.

The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

3. What type of Petitions are excluded?

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available here on our website ([Planning Meetings](#), [Licensing Applications](#)) or by contacting Committee Services.

Where a petition is received on the same or similar topic as one the Council has received in the last six months it will not be treated as a new petition. The Council will acknowledge receipt of the petition within 10 working days and include details of its response to the previous petition on the topic.

Where the Council is still considering a petition on the same or similar topic, the new petition will be amalgamated with the first received petition.

4. What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the Petition. It will let them know what we plan to do with the Petition and when they can expect to hear from us again. It will also be published on our website, except in cases where this would be inappropriate.

We will write to the petition organiser at each stage of the petition’s consideration.

Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed.

5. How will the council respond to Petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a meeting of the Council or Cabinet
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Council’s Overview and Scrutiny Committee
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

The type of response the Council provides may be dependent on the number of signatories to the petition. The table below summarises the Councils approach:

| Number of signatories – single ward issue | Number of signatories – issue affecting 2 or more wards | Response |
|--|--|---|
| less than 30 | less than 30 | Response from Officer (treated as standard correspondence). |

| | | |
|---------------|---------------|--|
| 30 to 200 | 30 to 300 | Referred to the Cabinet. |
| At least 300 | At least 400 | Officer(s) to be called to provide evidence at a meeting of the Overview and Scrutiny Committee (see section 7), where such action is requested in the petition. |
| At least 1000 | At least 4500 | Debated at a meeting of Council (see section 6). |

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

Where the petition is referred to the Council, the petition organiser will be given three minutes to present the petition at the meeting and the petition will then be discussed by councillors.

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table gives some examples.

| Petition subject | Appropriate steps |
|------------------------------------|---|
| Request for play facilities | <p>If your petition requests the provision of new play facilities in the local area, the Council will consider the level of demand and the location and type of existing facilities.</p> <p>The Council will also consider what, if any, facilities are included within the existing budgets.</p> <p>If it is considered that the demand warrants further facilities, the Cabinet may seek to make future provision in the budget or request additional resources to increase the programme.</p> |
| Alcohol related crime and disorder | <p>If your petition is about crime or disorder linked to alcohol consumption, the council will, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a designated public place order or, as a last resort, imposing an alcohol disorder zone.</p> <p>When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The council's response to your petition will set out the steps we intend to take and the reasons for taking this approach.</p> |
| Under-performing health services | <p>We will work with local health partners to consider the matter raised in the petition. We may explore what role the Surrey Health Scrutiny Committee of Local Involvement Network (LINK) might have in reviewing and feeding back on the issue (each has a role in identifying local health service preferences, monitoring services and to use their powers to hold them to account).</p> |

If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners [link to list of LAA partners] and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible here [link].

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

6. Council debates:

If a petition contains more than 4,500 signatures (1,000 for a single ward issue) it will automatically be referred to Council for debate unless it is a petition asking for a senior council officer to give evidence at the Council's Overview and Scrutiny Committee (see section 7).

We will contact the petition organiser before the meeting. If the organiser wishes to present the petition at the meeting, confirmation must be given to the Acting Principal Committee Manager on 01784 446267 at least 10 working days before the meeting.

The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given three minutes to present the petition at the meeting and the petition will then be discussed by councillors.

The Council will decide how to respond to the petition at this meeting. They may decide to support the action the petition requests, or not, or refer the matter to the Cabinet or Overview and Scrutiny Committee for further consideration. The petition organiser will receive written confirmation of this decision.

7. Petitions Asking Senior Officers to Provide Evidence:

Your petition may ask for a senior council officer to give evidence at a meeting of the Overview and Scrutiny Committee about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition requests such action and contains at least 400 signatures (300 for a single ward issue), the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee.

Only Chief Officers and Deputy Chief Officers of the Council can be petitioned to give evidence. This includes the Chief Executive, the Deputy Chief Executive and the Assistant Chief Executives.

You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant Councillor to attend the meeting.

Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chairman of the committee by contacting the Acting Principal Committee Manager on 01784 446267 up to 10 working days before the meeting.

8. E-Petitions:

The council welcomes e-petitions which are created and submitted through our website [link]. E-petitions must follow the same guidelines as paper petitions set out above.

The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures, up to a maximum of 12 months.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to Committee Services. In the same way as a paper petition, you will receive an acknowledgement within 10 working days.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

9. How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here [insert link].

When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

10. What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

The Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may investigate the matter, make recommendations to the Cabinet or arrange for the matter to be considered at a meeting of the full council.

Once the Committee has completed its review the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

PLANNING REVIEW
Overview and Scrutiny- 10 January 2011
Resolution required
Report of the Assistant Chief Executive
REPORT SUMMARY

How does the content of this report improve the quality of life of Borough Residents

To ensure that implementation of the Trevor Roberts Associates (TRA) review has resulted in a planning service which is focused on delivery of outcomes, and is more responsive to the public

Purpose of Report

- To advise Overview and Scrutiny of the completion of all recommendations of the TRA review, and the work of the Leaders Monitoring Group in this process.
- To recommend options for reviewing the success of the review one year post full implementation

Key Issues

The external review has been completed and the recommendations implemented.

There has been no formal closedown of the project, nor an opportunity to learn from pitfalls and successes.

Financial Implications

None

Corporate Priority 5.A Cleaner and Greener Environment

Officer Recommendations

That Overview and Scrutiny set up a Post Implementation Review (PIR) Panel to assess the effectiveness of the changes implemented

That the PIR Panel meet in March/April 2012 and then report back to the next available Overview and Scrutiny meeting

That the PIR Panel consider and make recommendations on areas where further improvements might be made to the planning service

**Report Author: Heather Morgan, Head of Planning and Housing Strategy
(01784) 446352**

Cabinet Member: Cllr Smith Ainsley

MAIN REPORT

1. BACKGROUND

- 1.1 Trevor Roberts Associates (TRA) were selected and employed to undertake an external review of the planning service in late 2009, as a result of a desire by the then Leader to seek to improve the services offered to the local community. TRA undertook a comprehensive review of the development control service itself, but also looked at wider aspects of planning within the Council including planning committee, member involvement, as well as corporate awareness and understanding.
- 1.2 At the same time as the review was being undertaken the Council undertook a series of surveys to gain an external view of the service. These results were incorporated into the final TRA report.
- 1.3 The final report was received on 12 March 2010, and there were some 250 recommendations, principally covering processes and customer care issues. As a result, a series of action plans have been put in place to prioritise the recommendations. In order to ensure the action plans were delivered a Leaders Monitoring Group was set up. Their remit was to discuss on a monthly basis the progress being made in implementing the recommendations set out in the action plans. The Group challenged effectively and guided where necessary to ensure the changes were put in place. The group comprised Cllr Mrs Pinkerton and Cllr Rough (both Scrutiny) and Cllr Smith Ainsley (Cabinet Member for planning).
- 1.4 An outcome report was agreed by Cabinet on 20 September 2011, which effectively signed off the project as complete. A copy of the report and appendices are **attached at Appendix 1. At their meeting**, Cabinet also agreed that the matter of the planning review should be referred to Overview and Scrutiny for their further consideration.

2. KEY ISSUES

- 2.1 The planning service has undergone an external review, and a Leaders Monitoring group was set up to ensure that the action plans which flowed from the review were implemented. This process worked well and the changes are in the process of bedding in. However, as it stands at present there has been no formal closedown process of the project, particularly in relation to successes, and lessons to be learnt. There is a risk that without this that future reviews will not be able to build on those successes or avoid the pitfalls.

3. OPTIONS ANALYSIS

- 3.1 **Option 1 (preferred).** Set up a Project Implementation Review (PIR) Panel to determine the level of success of the planning service review. To report back to Overview and Scrutiny as soon as practicable after April 2012. For that Panel to consider and make recommendations on possible areas for further improvement in service delivery.
- 3.2 **Option 2.** Undertake a further whole-scale review of the service just over two years after an external review was undertaken. This would have budgetary and resource implications, and may well represent wasted effort in terms of the final outcomes which result.
- 3.3 **Option 3.** To discuss and consider the content of the Cabinet report of September 2011 and take no further action. This would not allow the project cycle to be completed or for lessons to be learnt for future service improvements.

4. PROPOSALS

- 4.1 It is proposed that a Post Implementation Review (PIR) Panel is set up with a similar make up to the Leaders Monitoring Group. A PIR is performed after a project is complete, and is the last critical step in the project life cycle. It allows an independent party (suggestion here is for a Councillor led PIR panel) to validate the success of the project and give confidence to stakeholders that it has met the objectives it set out to achieve. Officers would need to be present to give guidance and advice and provide the relevant information for the Panel to be able to go through this set process.
- 4.2 The purpose of a Post Implementation Review is twofold. Firstly, to determine whether the actual level of success of the project (i.e. identify key project achievements and milestones). Secondly to document valuable lessons learned for future projects. There is also the option of communicating the success of the project to stakeholders.
- 4.3 A PIR follows five key steps: (1) review the project performance (2) review the project conformance (3) identify project achievements (4) identify project failures (5) identify lessons learned. It is suggested that the PIR Panel could adopt this approach.
- 4.4 In order to be meaningful, such a process needs to take place after the changes have bedded in (generally recommended to be at least 6 months post full implementation). It is therefore suggested that the PIR Panel convene to review the outcomes in March/April 2012. However, different timescales could be considered in discussion with the Chairman of the Panel once it has been set up.
- 4.5 Scrutiny should also be aware that an external satisfaction survey will be undertaken in November 2011 with applicants/agents, contributors (e.g. those who wrote in about an application) and residents associations/amenity groups (plus councillors). This will replicate the surveys of November 2009 when the review was underway. The results will be available in February 2012 and will give valuable feedback from the wider community on the success of the change implemented through the TRA review. This of itself will provide useful external validation of the changes since the review.
- 4.6 The intention would be for the PIR Panel to report back to Overview and Scrutiny on all the key steps set out above.
- 4.7 There is also scope for the PIR Panel to consider whether there are any other areas where the service could benefit from further improvement. Whilst this is not the usual role of a PIR there is no reason in principle why this could not happen. These improvements may well be different/new from those considered by the TRA review, or with a different emphasis. In doing so, the Panel would in effect perform both an overview role (e.g. reviewing the completed project) and providing a steer on future improvements (scrutiny).

5. BENEFITS AND SUSTAINABILITY

- 5.1 The PIR Panel will enable the service to review its achievements and learn from those less successful elements. This will benefit the service in how it approaches future changes to service delivery and the management of this process.

6. FINANCIAL IMPLICATIONS

- 6.1 None.

7. LEGAL IMPLICATIONS / OTHER CONSIDERATIONS

7.1 None.

8. RISKS AND HOW THEY WILL BE MITIGATED

8.1 None.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Set up PIR Panel in early 2012 to be in a position to undertake a full assessment in March/April 2012.

Report Author: Heather Morgan, Head of Planning and Housing Strategy
(01784) 446352

Background Papers: Cabinet Report 20.09.11 'Trevor Roberts Associates
(TRA) report on planning – outcome report.'

TREVOR ROBERTS ASSOCIATES (TRA) REPORT ON PLANNING OUTCOME REPORT

Cabinet: 20 September 2011

Resolution required

Report Deputy Chief Executive

REPORT SUMMARY

How does the content of this report improve the quality of life of Borough Residents

Implementation of the Trevor Roberts Associates (TRA) review will ensure the Council has a planning service which is focused on delivery of outcomes which are important to the local community.

Purpose of Report

To advise Cabinet of the completion, and implementation, of all recommendations of the TRA review.

Key Issues

- The key recommendation of the review was a move towards development management (more emphasis pre and post application)
- The service is moving forwards without additional resources (that were recommended by the TRA review).
- Feedback on implementation of action plans

Financial Implications

None.

Corporate Priority 5.A Cleaner and Greener Environment

Officer Recommendations

The Cabinet is asked to note the contents of the report and confirm that the TRA planning review has been successfully completed.

**Report Author: Heather Morgan, Head of Planning and Housing Strategy
(01784) 446352**

Area of Responsibility: Nigel Lynn, Deputy Chief Executive (01784) 446300

Cabinet Member: Councillor Richard Smith-Ainsley

MAIN REPORT

1. BACKGROUND

- 1.1 Trevor Roberts Associates (TRA) were selected and employed to undertake an external review of the planning service in late 2009, as a result of a desire by the Leader to seek to improve the services offered to the local community. TRA undertook a comprehensive review of the development control service itself, but also looked at wider aspects of planning within the Council including planning committee, member involvement, as well as corporate awareness and understanding.
- 1.2 At the same time as the review was being undertaken the Council undertook a series of surveys to gain an external view of the service. These results were incorporated into the final TRA report.
- 1.3 The final report was received on 12 March 2010, and there were some 250 recommendations, principally covering processes and customer care issues. As a result, a series of action plans have been put in place to prioritise the recommendations. In order to ensure the action plans were delivered a Leaders Monitoring Group was set up. Their remit was to discuss on a monthly basis the progress being made in implementing the recommendations set out in the action plans. The Group challenged effectively and guided where necessary to ensure the changes were put in place.
- 1.4 Councillors have been updated on progress, and reports were considered by Cabinet in June and November 2010.
- 1.5 The focus of this report is to update members of the implementation of those changes.

The report summarised that:

"Many aspects of the Development Control service in Spelthorne are essentially sound" But it also concluded that:

The Development Control service is not structured or resourced to deal with "outcomes" i.e. to ensure that development is carried out as approved. Public confidence in the delivery of the service will only be achieved if resources are invested in dealing with complaints and by having effective development monitoring seen to be happening on the ground."

- 1.6 The report also made it very clear that there was an urgent requirement for the service to become more responsive to the needs of its customers.
- 1.7 A copy of the full TRA review is available in the Members Room (and is available on the Council's website – planning home page).

2. KEY ISSUES

- 2.1 The key recommendations of the TRA review are set out below;
 - Focus on moving to Development Management rather than Development Control
 - The management structure needs to be changed to ensure that the administration and development monitoring aspects are properly managed.
 - A more rigorous approach to monitoring and managing processes, is needed

- There should be agreed priorities and regular reports on the wider level of as a means of informing the wider public of the work and achievements.
- Investment made in the use of ICT to speed up processes and reduce costs.
- A Development Monitoring and Compliance team is proposed to monitor development. This will require additional staff resources.
- Major revisions to the scheme of delegation to make it more understandable
- Improve public relations to demonstrate the contribution of the planning service to the community and to improve the understanding of the planning system.
- Urgent need for customer care training and member training on planning issues

2.2 The recommendations sought to ensure that the service was based on outcomes, rather than being purely oriented around the process of dealing with planning applications. There was the need for the service to be more outward looking, and more understanding of the expectations of the wider community.

2.3 The report suggested more focus was needed in monitoring development to ensure it is carried out as approved, and “up-skilling” the administrative staff to a higher technical level, freeing up valuable time at a more senior level. The report suggested both of these would require additional staff.

2.4 Ongoing planning training for councillors was also recommended, in particular on enforcement, to ensure that they were fully informed when making formal decisions at planning committee.

2.5 Since the TRA report was published, there has been a considerable tightening of the financial situation. Whilst the recommendations of the TRA review are still important they need to be viewed in the wider context. Service improvements in the future will need to be made within existing or reduced budgets.

3. OPTIONS ANALYSIS

3.1 To note that all the recommendations of the TRA review have been implemented, and agree the project is complete.

To note that all the recommendations of the TRA review have been implemented, but to suggest further improvements

4. PROPOSALS

The planning service has now completed implementing all the 250 recommendations of the TRA review. **Appendix 1** sets out in more detail how we have implemented all five of the key priorities, and a full commentary is given in the finalised action plans which are available in the members room. The key information is set out below:

Communication

4.1 We have focused much more closely on how we communicate and build relations with others internally and externally. This has been achieved through a focused training course for all staff, and quarterly liaison meetings with residents associations and planning agents.

- 4.2 The website has been comprehensively reviewed and updated to ensure information is readily accessible. We also have a 'latest news' section so the public can access information immediately on key planning issues on the borough.

All our letters have been reviewed with Communications to ensure they are more understandable (plain English).

Managing the service

Staff are now in two teams, with a principal officer taking responsibility for mentoring and giving advice as well as signing off delegated cases.

The assistant head of planning is now able to focus more on managing the service overall and on planning enforcement.

Resources

- 4.3 The TRA report suggested that additional resources were required within planning enforcement and support. . We have re-configured the planning support team and at the same time provided a permanent budget saving.

We have also looked again at our priorities and timescales for action in terms of planning enforcement. These have been altered and are achievable within existing budgetary constraints. We will continue to look at ways of being more proactive in this area.

Councillor Training

- 4.4 Enforcement training was given to Councillors in the autumn of 2010. New Councillors (post May 2011) have already received two training sessions and three more are planned by the middle of September. Councillors have also been encouraged to liaise closely with officers if they have any concerns of applications.

5. BENEFITS AND SUSTAINABILITY

- 5.1 Implementing the review has gone a long way to providing a planning service which is focused on dealing with outcomes, and is more outward looking. Officers believe that, as a result, we are starting to build a solid reputation with the wider community.

6. FINANCIAL IMPLICATIONS

- 6.1 Any future changes to the structure will be done within existing/reduced budgets. The Council has a PDG transition reserve which may need to be called on if required.

6.2 LEGAL IMPLICATIONS / OTHER CONSIDERATIONS

- 6.3 None.

7. RISKS AND HOW THEY WILL BE MITIGATED

- 7.1 None. The Action Plans were monitored by the Leader Monitoring Group.

8. TIMETABLE FOR IMPLEMENTATION

Not applicable.

**Report Author: Heather Morgan, Head of Planning and Housing Strategy
(01784) 446352**

Background Papers:

TRA review (Members Room and on the Council's website – planning home page)

Updated Action Plan (Members Room)

Appendix 1 – Key priorities completed

Cabinet report June 2010

Cabinet November 2010

TRA Planning Review – Update on Action Plans

Action Plans

Seven separate action plans were developed as a result of the recommendations set out in the TRA review. These are:

- | | |
|----|---|
| 1 | Structure/Flexibility/Capacity |
| 2a | High Quality Outcomes – Application processing |
| 2b | High Quality Outcomes – Validation and decision |
| 2c | High Quality Outcomes – Enforcement |
| 3 | Customer Interface |
| 4 | Staff Development |
| 5 | Corporate/Member involvement. |

The actions in 2a, 2b and 2c are almost exclusively confined to internal improvements on the way the service operates procedurally.

The actions in 1, 3, 4 and 5 have a more corporate or customer focus, and will largely influence how the service is perceived by the wider community. It is in this area that our focus needs to be directed to first.

Top Priorities for delivery and update

These are not set out in any particular order of importance, but give a clear indication of the breadth of work that the service needs to do to achieve change.

Customer care/complaint handling training for staff **priority delivered**

A two day course was held for all staff within planning and housing strategy in mid September 2010. Four key values in providing customer care have been established by the team, which they are using to inform all the work they do.

The practical training given is being used by staff to listen more effectively to understand what people want, and to help deal with the more challenging customers.

Member training **priority delivered**

A get together session between planning staff and councillors was held on 21 July 2010. This was an opportunity for everyone to get to know each other in an informal setting. Staff have been attending recent training seminars to get to know new councillors

A full day member training session on planning enforcement took place on 18 October 2010. This was identified as the top priority by councillors.

Training programme for new councillors post May 2011 is underway. Three seminars have been held to date.

Additional resources for the service

will not be delivered

This is covered in the main body of the report. The service has nevertheless delivered the recommendations within existing resources.

Establish quarterly liaison meetings

priority delivered

The first quarterly meeting with the key residents associations and amenity groups took place on 20 September 2010. All the key parties were there. Decisions were made on the format and frequency of the meetings. The second part of the meeting focused on current issues/concerns and feedback on how we could improve communication and the website. There was a general consensus that the service provided was good but could always be improved.

We attended two evening meetings with individual residents associations to discuss the draft SPD on residential extensions and new development.

A meeting was also held on 4 October 2010 with key agents to discuss the draft SPD on residential extensions and new development. During the second half of the meeting we asked for their views on current issues/concerns with the service. They agreed that it would be useful to have a similar quarterly meeting with them to consider service improvements.

Meetings with residents associations and planning agents have continued in 2011 (January, May, September).

Customer Care

priority delivered

The service had a session on 6 October 2010 to discuss our core values in terms of customer care. Staff agreed that it is essential that we are consistent in the levels of service which we provide and that the approach we take to dealing with customers is the same across the service and the organisation as a whole. Knowledge was also important, and even where this was lacking staff felt it was very important to take ownership of an issue and find out who could help.

Staff agreed it was important that we listen to and understand peoples needs rather than automatically assuming what they are asking for is the right thing. Communication throughout the process with everyone (applicants, agents, neighbours, councillors) was seen as critical.

Letters to the public had been made more understandable and we are maximising email and phone to enable a timely response. We have reviewed our service in the light of our new four key values.

Update website to ensure it is customer focused **priority delivered**

The front pages of the website have been updated, in discussion with the communications team. Views were sought from the residents groups and planning agents who felt the changes were beneficial.

The headings have been simplified with the first one now headed 'viewing /commenting on a planning application'. The route to 'public access' which allows the public to view details of planning applications has also been simplified considerably.

Work has been completed on the individual pages of the website to make sure it is quick and easy to find the information people really want. Enforcement information has been updated (again in consultation with residents groups).

Produce a Service Commitment **priority delivered**

Service commitment and priorities for enforcement published on the website. This reflects the level of resources which the service has to deliver its main functions.

Comprehensive review of delegation **priority delivered**

A revised scheme of delegation based on an exceptions approach was agreed by Council 28 April 2011. Importantly this retains the ability of councillors to call in applications.

Amend Planning Code **priority delivered**

Revisions to the planning code were agreed at Standards Committee on 30 September 2010, and Full Council on 21 October 2010. The key issues which have been debated and updated relate to:

- (1) Pre-disposition of councillors to overturn an officer recommendation and the actions which should be taken when this occurs
 - (2) Communication between residents and councillors and the ability of councillors to take a leadership role in the community when on the Planning Committee
 - (3) Issues associated with multi-member wards
 - (4) The nature of pre-application discussions and the ability of councillors to engage with these discussions
 - (5) Role of ward councillors in appeals
- Technical questions at Planning

Sweeps Ditch Report - Update

Briefing Paper for Information

Report of Mark Rachwal, Environment Projects Officer Cabinet member: Councillor Watts

1. BACKGROUND

- 1.1 Under the Land Drainage Act 1991 Spelthorne Borough Council (SBC) is the operating authority for Ordinary Watercourses¹ and manages or has riparian responsibility for a number of these, while Main Rivers² are looked after and/or managed by the Environment Agency (EA).
- 1.2 Sweeps Ditch is designated as a Main River by the Environment Agency for nearly its entire length. However, Sweeps Ditch has been managed by Spelthorne Borough Council instead of the Environment Agency in recent decades, as the upstream reach of this watercourse is primarily constituted by a piped section which is considered as an Ordinary Watercourse (i.e. main overview is the responsibility of Local Authorities).
- 1.3 The EA has confirmed their position on Sweeps Ditch in a letter dated May 2008, by indicating that although '*Sweeps Ditch is a Main River over part of its length*', the EA has '*powers but not a duty to maintain*' such watercourse as '*the responsibility to maintain the watercourse rests with the riparian owners*'. They also state that "*we cannot see any valid reason in terms of flood risk for us to take over the responsibilities currently being undertaken by Spelthorne Council*". A copy of such letter is included in **Appendix 2**.
- 1.4 Sweeps Ditch was originally part of a network of channels and mill streams that drained the area of Staines braiding with each other as off-takes or secondary channels flowing in and out of the main River Thames channel. However, the headwaters of Sweeps Ditch have been changed artificially in the last century. Sweeps Ditch is currently linked directly to the River Thames via a culvert (piped section) through which water from the River Thames has to be pumped into Sweeps Ditch in order to maintain minimum flow levels within the ditch. Therefore, the flow of Sweeps Ditch is dependent on the regulated inflow from the River Thames.
- 1.5 Some discharges from sewers and surface water drains, as well as direct surface water runoff, flow into Sweeps Ditch, Additionally an uncertain amount of groundwater inflows also contribute to the Sweeps Ditch base flow.

¹ Ordinary Watercourses – watercourses other than main rivers (e.g. minor ditches and streams).

² Main Rivers – includes rivers and watercourses that form part of the main drainage network

- 1.6 The pump supplying water to Sweeps Ditch is located in Memorial Gardens, Staines, by Riverside Car Park. Two inlets (pipes) allow water to flow from the River Thames into the pump chamber via two isolation valves. The isolation valves allow water to be prevented from entering the pump chamber when necessary (for maintenance etc). One of the inlet valves is considerably higher than the other and often the River Thames level falls below the level of the inlet.
- 1.7 From the pump chamber water is pumped through a culvert running through Riverside car park, under Thames Street, Elmsleigh Surface Car Park, the rail way bank and discharges into the channel just the other side of the railway bank, along Drakes Avenue. The course then follows a Southerly path running past Staines Park, residential houses and roadways before re-joining the River Thames at Penton Hook. A map of the course can be found in **Appendix 1**.
- 1.8 Sweeps Ditch experiences problems of low flow levels which have in the past led to the channel completely drying out, and even to fish losses in the downstream reaches of the watercourse.
- 1.9 A drop in flow normally results in prompt contact from both concerned residents, who have properties bordering the course and take a keen interest in its condition, and the Environment Agency, who are concerned about the condition of the main river section and the resident wildlife that may be affected.
- 1.10 Spelthorne Borough Council have undertaken significant works in recent years to maintain and improve the pump, its feed and the pumping chambers to ensure a constant flow of water and to solve issues that have arisen with low flows. These works have helped to solve much of the problems encountered.
- 1.11 There have been no reported issues with the flow of Sweeps Ditch since Autumn 2010.

2. CURRENT MANAGEMENT OF SWEEPS DITCH FLOWS:

- 2.1 As stated previously, the headwaters of Sweeps Ditch have been changed artificially over time. This has meant that the Sweeps Ditch source has changed and is currently linked directly to the River Thames via a culvert (piped section).
- 2.2 In addition to this unconventional origin, the average water level in the River Thames is lower than the level of Sweeps Ditch culvert intake, and thus water does not flow into Sweeps Ditch by gravity, but has to be pumped from the River Thames into Sweeps Ditch in order to maintain minimum flow levels within the Sweeps Ditch open channel.
- 2.3 With the exception of some discharges from sewers and surface water drains as well as direct surface water runoff flowing into Sweeps Ditch, plus an uncertain amount of groundwater inflow that might also

contribute to the Sweeps Ditch base flow in winter, the flow of Sweeps Ditch appears to be dependent on the regulated inflow pumped from the River Thames. As such Spelthorne Borough Council has concentrated efforts in maintaining the pump in good working order.

- 2.4 The pump itself was changed in early 2008 and there is a spare pump now stored in the Riverside Car park hut. This provides further resilience as if there is a problem with the pump it is more likely that engineers attending can swap the damaged pump over for the spare and take the other away for repair.
- 2.5 Spelthorne BC has recently implemented a new maintenance regime for the pump and pump chambers, through a one year contract with Pims Group, running until July 2012. This encompasses:
 - 1 major service and 1 minor service annually
 - Annual pump chamber clearance of silt/debris
 - 24-hour emergency call out facility
 - Telemetry System which automatically reports any faults directly to PIMS customer response centre on a 24/7 basis.
- 2.6 As well as this maintenance regime the gabion walls that protect the lower inlet are checked and if necessary flushed on an annual basis to remove any build up of silt and debris.
- 2.7 A recent CCTV survey of the main culvert running from the pump chamber to Elmsleigh Surface Car Park also showed it to be in a good condition.
- 2.8 As well as responsibilities for the pump Spelthorne BC has riparian responsibilities for where Sweeps Ditch borders Staines Park . This area extends for 475m. Our responsibility is to keep the channel and banks fairly clear to allow the through flow of water. This includes vegetation clearance of the banks and course, removal of rubbish and litter and can also include clearance of silt. Vegetation clearance is normally reviewed on an annual basis, rubbish is cleared on an ad-hoc basis and silt clearance reviewed every 2 – 3 years

3. **PAST ISSUES WITH THE FLOW:**

- 3.1 In recent years there have been a number of incidents when low flows have been experienced in Sweeps Ditch, which has led to various investigations on the causes and potential solutions to the Sweeps Ditch problems. In the majority of cases, problems have occurred as a result of the pumping system failing to drive water into Sweeps Ditch for different reasons, including debris blockages, electrical power cut and mechanical failures in the pump itself.
- 3.2 Evidence of low or negative gradients along the piped section has been found in the pump itself in the past, in the way of evidence of backflows into the pump from the culvert end (i.e. a beaker-cup made its way into the pump from the culvert causing an obstruction to the pump and suggesting negative gradients).

- 3.3 Prior to the involvement of Kirsty Rice from 2006, there were almost no records of works, locations or set up files kept. This was due to Sweeps Ditch originally being dealt with by the Surrey County Council staff from the highways team that worked within the Spelthorne Offices. When this team returned to Surrey, Environment Services were left with the responsibility to manage the pump, without any records or information being left to consult upon.
- 3.4 In Autumn 2008, as a response to investigations about dropping in the water level, it was discovered that the lower inlet from the River Thames into the pump chamber had been severed. This meant that water was being pumped from the River Thames into the pump chamber and Sweeps Ditch only via an upper inlet, but when water levels were low in the River Thames, water supply to the pump, and thus into Sweeps Ditch, was interrupted. As the lower inlet was blocked beyond repair a new lower inlet had to be constructed to the pump chamber. In order to avoid debris and silt from flowing from the River Thames into the chamber and obstructing the pump, gabion blocks were placed in front of the inlet. These significant works appear to have solved much of the problems with the intermittent drops in flow.
- 3.5 In Summer 2009 Sweeps Ditch dried out in parts. Investigations discovered that there had been vandalism to the chambers with debris thrown down inside. At this time Environment Services were not informed of the vandalism. As a result the chamber covers were further secured and once the pipes were cleared the flow restored.
- 3.6 In Autumn 2010 the water levels of Sweeps Ditch dropped and led to the temporary drying up of the course. On investigations of the pump, chambers and inlet no problems or blockages were found. The flow returned within a week, though it appeared to be initially lower than usual and therefore a CCTV survey of the culvert from the pump chamber was conducted with no specific blockages found. Therefore investigations into the reason for the drop in flow were inconclusive.
- 3.7 There have been no significant issues with the flow of Sweeps Ditch since autumn 2010.
- 3.8 A number of local residents, who live along the course, take a keen interest in the condition of Sweeps Ditch, and will promptly contact the Council if the level of the ditch ever falls. We are also contacted by residents regarding vegetation growth in Staines Park.
- 3.9 A number of residents, who are frustrated by the past intermittent drops in and loss of flow, are keen to see the watercourse returned to a natural base rather than artificially fed.
- 3.10 Dealing with such resident issues can take up significant officer time, particularly when a drop in flow occurs.

4. FINANCIAL IMPLICATIONS

- 4.1 Over the last 5 years the cost to Spelthorne BC for maintaining a flow to Sweeps Ditch and undertaking our riparian responsibilities has been £122,000 (excluding officer time)
- 4.2 The main areas of expenditure have been on capital costs, including: pump replacement and purchasing of a spare; inlet and gabion walls work; isolation valves installation; improvements and repairs to the pumping system; a number of CCTV surveys of the culverts and a Sweeps Ditch Strategy report. There have also been annual costs for the maintenance of the pump and its chambers and vegetation, litter and silt clearance.
- 4.3 As described previously, significant works have been carried out to improve the pump, its feed and the chambers. These works were carried out between 2006 and 2009 with the resultant high spend.
- 4.4 In the last two years the improved resilience of the pumping system has meant that the main spend has been on annual maintenance and therefore costs have significantly reduced to less than £10,000 annually (excluding officer time).
- 4.5 The current critical ditch budget for year 2011/12 is £9,100.
- 4.6 The current 1 year maintenance schedule with PIMS Group has a total cost of £1,435 not including replacement of spare parts.

5. FLOODING

- 5.1 Spelthorne lies within the Thames Valley and parts of the Borough are liable to flooding from the Rivers Thames, Colne and Ash. Flood risk means that properties and land can be subject to flooding.
- 5.2 Some properties bounded by Sweeps Ditch suffered flooding within gardens and garages in 2003. Following the flood event of January 2003 that affected Staines, a flood analysis study was commissioned to look at the flooding mechanisms and flood risk potential in the Staines area including Sweeps Ditch (JMP Consultants Limited – Flood Analysis Report Final R.001 V3, October 2003.)
- 5.3 Although this study did not specifically look at low flows management, it states that the Sweeps Ditch's natural base flow is low throughout the year, and as a consequence a pumping station was installed by Thames Water in 1982 to pump water from the River Thames into the Sweeps Ditch as part of a river recharge/low flow control system.
- 5.4 According to this study, the pump operates discharging a small flow into the Sweeps Ditch all year round, which constitutes most of the river's discharge at any given time.

- 5.5 The study states that when the River Thames is in flood, floodwater can back up Sweeps Ditch from its downstream confluence with the River Thames at Penton Hook Lock via the existing free outfall. The study reports that pumping, if occurring at a constant rate regardless of the flows in the River Thames or Sweeps Ditch, could lead to additional water being transferred to an already at risk of flooding near the confluence with the River Thames (i.e. areas around Grosvenor Road, Baden Close and Staines Road), thus worsening the situation there during flood conditions.
- 5.6 Almost the full length of Sweeps Ditch is within a 1 in 100 flood risk area, including where it borders residential households on Budebury Road, Knightsbridge Crescent; Grosvenor Road; Baden Close; The Ryde and Thamesgate.

6. FUTURE MANAGEMENT OF SWEEPS DITCH FLOWS

6.1 Options that have been considered include

6.2 Turn the pump off permanently:

6.3 Allowing and/or encouraging Sweeps Ditch to dry out by permanently turning the pump off. This would remove our obligation and cost of maintaining the pump and its chambers. This would mean the purpose of Sweeps Ditch would be solely as a ditch/drainage channel in times of high rainfall.

6.4 The EA designate Sweeps Ditch as a Main River therefore it is very unlikely they would willingly allow us to stop the flow of the course and there would be repercussions if we did. The watercourse also currently provides a habitat corridor and safe environment for a variety of wildlife, including fish, newts, ducks and various plant species, which if the course was allowed to dry up would be lost.

6.5 There would be a potential public backlash from residents who live along the course. Therefore this was not considered a feasible option.

6.6 Works to feed Sweeps Ditch by gravity from another watercourse:

6.7 Works to reconnect Sweeps Ditch to a natural flow, such as connecting to the River Colne would be a sustainable solution, removing the need for the pump. However this would likely be at a significant cost without a guarantee that this is achievable. It would also involve working with and gaining the agreement of a number of other landowners.

6.8 A preliminary CCTV survey was conducted in 2007 to ascertain the extent and direction of existing old culverted routes under the Elmsleigh and Two River centres. It confirmed that a large (1.2 metre diameter) culvert exists from the current route of Sweeps Ditch, under the Elmsleigh Surface Car Park, in a northerly direction towards the River Colne. However, the survey was suspended at the cross between South Street and the High Street due to problems finding further access points and a lack of resources to continue.

6.9 It was considered that the Elmsleigh re-development plans and Air-track proposals might have provided an opportunity to further investigate existing routes, and examine the possibilities of opening up a new route or re-instating old/disused culverted routes linking Sweeps Ditch with the River Colne.

6.10 However these proposals have either been abandoned or put on hold for the time being.

6.11 Continuation and Improvement to the current management scheme:

6.12 As discussed previously a new maintenance scheme has been implemented, through a one year contract with Pims Group. This can be extended for a longer term if the initial term of the contract runs smoothly.

6.13 The local fire brigade have an underwater camera that could be utilised for checking the condition of the lower inlets once a year. They have been contacted and are willing to run a trial to see if this could become a suitable arrangement. Options for the removal of silt build up, if it is found, are being investigated and could include the use of a mobile-jetter from Street Scene.

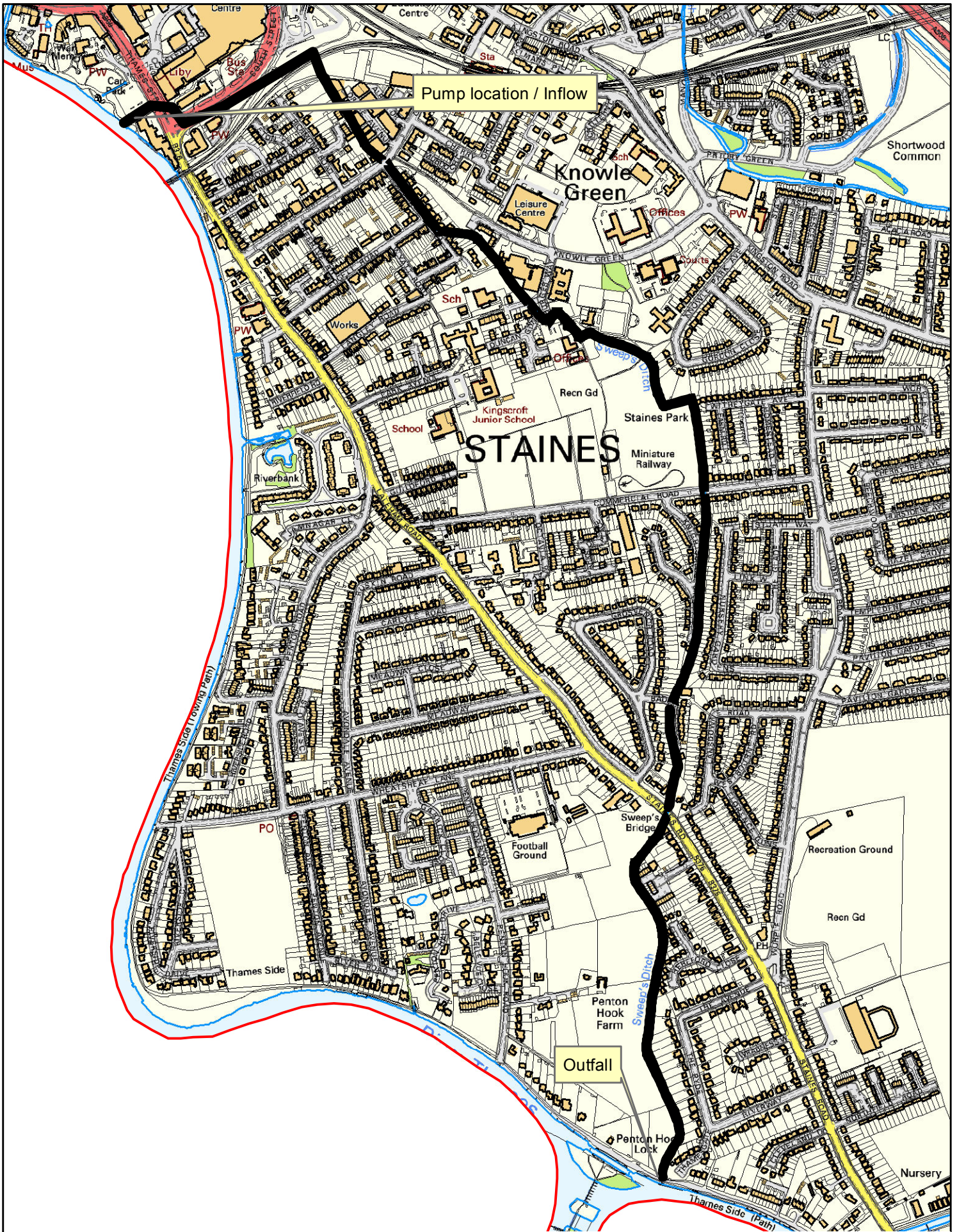
6.14 There is also the potential for Community Payback to undertake our riparian responsibilities in Staines Park to clear and maintain the vegetation and rubbish. Initial discussions have been positive and the Development Officer is due to carry out a risk assessment of the site.

6.15 The successful utilisation of Community Payback and the fire brigade underwater camera could reduce annual costs for maintenance.

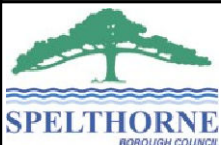
6.16 This is regarded as the best option

7. OFFICER RECOMMENDATION

7.1 Overview and Scrutiny committee are asked to note that the current intention is to implement the continuation and improvement to the current management scheme and review the situation again in a year's time.



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Appendix 1: Sweeps Ditch Course

Date: 27/10/11

Licence Number:
100024284

Scale 1:8,674



Mr. Nick Moon

Our ref: NE16870_LL

Spelthorne Borough Council

Date: 22 May 2008

N.Moon@spelthorne.gov.uk

Dear Mr. Moon

Enquiry regarding: Sweeps Ditch, Staines, Spelthorne.

Thank you for your enquiry.

Designation of main rivers is decided by the Department for the Environment Food and Rural Affairs (Defra). We recommend that you contact them regarding reassessment of the above river.

Our Fisheries team have an interest in this watercourse because the loss of flow leads to fish mortalities but we would wish to see a sustainable solution to how the flow is maintained. We would carry out fish rescues or pollution investigations on the ditch but that still would not make the ditch itself our responsibility. The environment agency only has powers in the management of main rivers.

The failure of the pump to raise water from the River Thames at Riverside Car Park in Staines to feed Sweeps Ditch has happened on and off over the past few years resulting in fish death followed by numerous calls to the agency from distressed members of the public. Reasons for pump failure included 'spare parts not kept on the shelf' and 'blockage in the pump chamber at Riverside Car Park'.

Essentially the feed from the River Colne at Lino Weir to Sweeps Ditch was severed when the Elmsleigh Centre was built in Staines. Interested parties would have been us (predecessor as Thames Water Authority), Spelthorne DC and Surrey CC. Plans, documents and correspondence should confirm this; the Planning Authority should have archives.

A meeting was held with Kirsty Rice from Spelthorne District Council on 1st May 2007 when the whole issue of a more sustainable feed to Sweeps Ditch was discussed. We were told that some investigatory works on possible routes were being carried out by the District Council but I believe that there were difficulties in getting access for surveying the surface water culverts within the old part of the town combined with way leave.

All interested functions within EA agree that this arrangement should remain within Spelthorne DC.

A more sustainable solution, e.g. gravity feed, has to be explored and costed as the current system - unless updated with a reliable maintenance contract - is likely to fail regularly.

The responsibility to maintain the watercourse rests with the riparian owners to which Spelthorne may be one. The Sweeps ditch is a main river over part of this length and we have powers but not a duty to maintain. It has no natural base flow and is fed by a pump operated by Spelthorne Council. We do not know what agreement brought this arrangement about, but can understand that it is not a very sustainable solution. We only take over the management of rivers if they pose a significant flood risk. We cannot see any valid reason in terms of flood risk for us to take over the responsibilities currently being undertaken by Spelthorne Council.

If I can be of any further help, please contact me.

Yours sincerely

Lisa Llewellyn

External Relations Officer

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