

Public Document Pack



14 October 2015

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To the Councillors of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held in the **Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames** on **Thursday, 22 October 2015** commencing at **7.30 pm** for the transaction of the following business.

A handwritten signature in blue ink that reads 'Roberto Tambini'. The signature is written in a cursive style and is underlined with a single horizontal line.

Roberto Tambini
Chief Executive

Councillors are encouraged to wear their badge of past office at the Council meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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AGENDA

Description	Page nos.
1. Tributes to the late Leader of the Council, Councillor Robert Watts	
2. Election of the Leader of the Council To elect the Leader of the Council for the remainder of the four-year term expiring at the Annual Council meeting in May 2019.	
3. Apologies for absence To receive any apologies for non-attendance.	
4. Minutes To confirm as a correct record the minutes of the Council meeting held on 16 July 2015.	1 - 6
5. Disclosures of Interest To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for members.	
6. Announcements from the Mayor To receive any announcements from the Mayor.	
7. Announcements from the Leader To receive any announcements from the Leader.	
8. Announcements from the Chief Executive To receive any announcements from the Chief Executive.	
9. Questions from members of the public The Leader, or their nominee, to answer any questions raised by members of the public in accordance with Standing Order 14. A Public Question has been received from Mr A. McLuskey: "In the light of the recent revelation by the Airports Commission that there has been an 'Exceedance' of NOx in this area for some time and given also the news about VW's evading of EU regulations on car emissions will the Council commit to the maximum effort a) to clean up the atmosphere in the Borough and b) work to avoid any expansion at Heathrow which might further pollute the environment."	

- 10. Petitions**
To receive any petitions from members of the public.
- 11. Recommendation from the Licensing Committee**
To consider the recommendation from the Licensing Committee held on 22 April 2015. 7 - 8
- 12. Report from the Acting Leader of the Council**
To receive the report of the Acting Leader of the Council on the work of the Cabinet at its meeting on 14 October 2015 (to follow).
- 13. Report from the Chairman of the Audit Committee**
To receive the report from the Chairman of the Audit Committee on the work of her Committee. 9 - 10
- 14. Report from the Chairman of the Licensing Committee**
To receive the report from the Chairman of the Licensing Committee on the work of his Committee. 11 - 12
- 15. Report from the Chairman of the Overview and Scrutiny Committee**
To receive the report from the Chairman of the Overview and Scrutiny Committee on the work of his Committee. 13 - 14
- 16. Report from the Chairman of the Planning Committee**
To receive the report from the Chairman of the Planning Committee on the work of his Committee. 15 - 16
- 17. Motions**
Under Standing Order 17, the Council has received Notice of the following Motions:
1. "Following the continued success that the Borough of Spelthorne has enjoyed with its twinning with the town of Melun in France over the past 25 years, that the Council now investigates the possibility of twinning with the German town of Vaihingen, Stuttgart."

Proposed by Cllr. Robin Sider BEM
Seconded by Cllr. Jean Pinkerton OBE
 2. "This Council deplores the recent description of the National Anthem as "cack" and "dull and boring" by local politicians and activists in social media. We call upon all elected representatives in the Borough to disassociate themselves from such remarks on

the grounds that they are unpatriotic, divisive and tend to bring the Borough into disrepute.”

Proposed by Cllr. Colin Davis
Seconded by Cllr. Quentin Edgington

3. “Out of loyalty to her Britannic Majesty, this Council shall henceforth at all ordinary meetings of Council, and the Annual Council Meeting, sing the National Anthem, led by the Mayor at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.”

Proposed by Cllr. Ian Harvey
Seconded by Cllr. Alfred Friday

18. Questions on Ward Issues

The Leader, or their nominee, to answer questions from Councillors on issues in their Ward, in accordance with Standing Order 15.

19. General questions

The Leader, or their nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 15.

20. Appointment of a representative Trustee

To consider the re-appointment of Mrs. Mary Haarer as a Council representative trustee to the Ashford Relief in Need Charities for a further four year term of office until October 2019.

MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 16 July 2015 at 7.00 pm

Present:

Councillors:

M.M. Attewell	A.E. Friday	J.M. Pinkerton OBE
R.O. Barratt	N.J. Gething	O. Rybinski
I.J. Beardsmore	A.L. Griffiths	J.R. Sexton
C.A. Davis	A.C. Harman	R.W. Sider BEM
S.M. Doran	I.T.E. Harvey	R.A. Smith-Ainsley
S.A. Dunn	N. Islam	B.B. Spoor
Q.R. Edgington	A.T. Jones	R.L. Watts
T.J.M. Evans	J.G. Kavanagh	H.R.D. Williams
K. Flurry	S.C. Mooney	
P.C. Forbes-Forsyth	D. Patel	

Mr. Murray Litvak, Chairman
of the Members' Code of
Conduct Committee

Apologies: Councillors R. Chandler, C.M. Frazer, V.J. Leighton, S. Lohmann, M.J. Madams, A.J. Mitchell, A. Neale, D. Saliagopoulos, H.A. Thomson and Ms. Sue Faulkner, Vice-Chairman of the Members' Code of Conduct Committee

Councillor M.P.C. Francis, The Mayor, in the Chair

123/15 A minute's silence for the passing of Honorary Freeman Ian Allan OBE

The Council observed a minute's silence in memory of the late Ian Allan OBE.

124/15 A presentation from Ashford and St. Peter's Hospitals NHS Foundation Trust

Chief Executive Suzanne Rankin, Chairman Aileen McLeish, and Medical Director Dr. David Fluck, gave a presentation on behalf of the Ashford and St. Peter's Hospitals NHS Foundation Trust.

125/15 Minutes

The minutes of the Annual Council meeting held on 21 May 2015 were agreed as a correct record.

126/15 Disclosures of Interest

There were no disclosures of interest.

127/15 Announcements from the Mayor

The Mayor invited one of the new members to join his Charity Committee.

128/15 Announcements from the Leader

The Leader announced that Councillor Daxa Patel is appointed as the Council's representative on the South West Middlesex Crematorium Board with immediate effect and until June 2015.

The Leader also announced that the Council is pleased to be supporting the Voices for Hospices Choir in a Massed Come and Sing performance of the Armed Man by Karl Jenkins at Kempton Park on Sunday 27 September. Also supported by Surrey County Council, it is expected that some 4000 singers will take part either as individuals or choirs, including the Spelthorne Choral Society.

All proceeds will go to local hospices so this is a hugely worthwhile event.

129/15 Announcements from the Chief Executive

The Chief Executive, Roberto Tambini, reminded councillors about the seminar taking place in the Chamber on 20 July on Planning enforcement and appeals. It is aimed primarily at Planning Committee members but any other councillors who are interested will be welcome to attend.

The Chief Executive also reminded councillors about two other seminars, the first one being on 7 September on the Lower Thames Strategy and the second one on 9 September on Planning Green Belt and flooding.

130/15 Questions from members of the public

The Mayor reported that, under Standing Order 14, one question had been received from a member of the public.

Question from Mr. McLuskey

“Given the danger of a Sipson-type blight descending on Stanwell following the alarming but somewhat vague comments regarding the area which are to be found at Paragraph 10.05 in the Business Annexe to the recent Airports Commission report, will the Leader undertake to find full details of when clarification will be available on what is planned and communicate these to local people?

Can he also enquire why, notwithstanding the enormity of this suggestion, the proposal was not included in any of the consultations mounted by the Commission; also the meaning of the alarming but somewhat obscure term ‘severance implications’?”

Response from the Leader of the Council, Councillor Robert Watts

Thank you for your question, Mr. McLuskey.

The Airports Commission on 1 July published its much awaited report and recommendation to government on an additional runway in the South East. It has recommended a new runway to the north west of Heathrow. The Commission’s report does not seek to present detailed plans for the proposal.

It will now be for the government to make a decision on whether or not to accept the Commission’s recommendation. Its decision is not expected before the end of the year.

Only then will the finally chosen scheme be able to be worked up in detail by its promoter.

This Council has already issued a press release and provided information on its website to explain the current position and we will certainly be doing all we can to keep our residents and businesses informed as matters progress over the coming months and years.

I am already on record as saying that whilst we support Heathrow it will be essential that the environmental and transport implications are properly addressed.

131/15 Petitions

There were no petitions.

132/15 Recommendation of the Cabinet

The Council considered the Cabinet recommendation from its meeting of 24 June 2015 on the draft Statement of Community Involvement which had been out to consultation for a four week period between February and March 2015.

RESOLVED that Council adopts the Statement of Community Involvement, subject to the changes proposed by the Local Plan Working Party following the consultation.

133/15 Recommendation of the Members' Code of Conduct Committee

The Council considered the Members' Code of Conduct Committee recommendation from its meeting of 18 June 2015 on the new role for Independent Persons.

RESOLVED that Council agrees:

1. That the following be appointed as Independent Persons to support both the Council's Code of Conduct and Statutory Officer procedure rule requirements:

- a. Mr Roger Pett
- b. Mr Tony Allenby
- c. Ms Vivienne Cameron
- d. Mr Paul Sherar
- e. Mr David Seymour

2. To authorise the Monitoring Officer to make consequential amendments to the Employment Procedure Rules within the Constitution.

134/15 Reports from the Leader of the Council

The Leader of the Council, Councillor Watts, presented the reports of the Cabinet meetings held on 24 June and 15 July 2015, which outlined the matters the Cabinet had decided since the last Council meeting.

135/15 Report from the Chairman of the Audit Committee

In the absence of the Chairman of the Audit Committee, Councillor Madams, the Vice-Chairman, Councillor Harman, presented the report which outlined the matters the Committee had decided since the last Council meeting.

136/15 Report from the Chairman of the Licensing Committee

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

137/15 Report from the Chairman of the Members' Code of Conduct Committee

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

138/15 Report from the Chairman of the Overview and Scrutiny Committee

The Chairman of the Overview and Scrutiny Committee, Councillor Friday, presented his report which outlined the matters the Committee had decided since the last Council meeting.

139/15 Report from the Chairman of the Planning Committee

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

140/15 Motions

There were no motions.

141/15 Questions on Ward Issues

There were no questions on Ward issues.

142/15 General questions

The Mayor reported that one general question had been received, in accordance with Standing Order 15, from Councillor Sider.

Question from Councillor Sider

“Members will be aware that Shepperton Town Ward recently experienced what can only be described as a sudden invasion by Travellers on Dumsey Meadow, an area designated as a site of special scientific interest Their incursion, which numbered over 20 caravans and trailers, gave rise to a great deal of concern and anxiety amongst local residents. Would the Leader and members of this Council join me in congratulating the Head of Street Scene and the Council’s Legal department, on the way this situation was dealt with to the complete satisfaction of the community, on an issue which involved and required a great deal of tact and diplomacy in obtaining their eviction.”

Response from the Leader of the Council, Councillor Robert Watts

Thank you for your question, Councillor Sider, and your positive comments.

All the staff in the service areas concerned, who assisted with the removal of the travellers on Dumsey Meadow, are very grateful for your kind remarks. This type of event, whilst difficult to manage at the time, showcases to

residents how effective we can be when we all work together to achieve the same outcome.

143/15 Urgent Business

There was no urgent business.

Recommendation of the Licensing Committee

- 1.1 **Penalty Points Scheme for the taxi and private hire trade**
- 1.2 The Licensing Committee considered a report on the operation of the Council's Penalty Points Scheme since it came into effect on 20 October 2011, at its meeting held on 22 April 2015. The Scheme was designed to identify those drivers, vehicle proprietors or operators who repeatedly behaved in a manner which, if taken as a whole, indicated that they may not be "fit and proper" to hold licences as defined by the relevant legislation. The Scheme was also implemented to improve levels of compliance in order to improve standards, and ensure the safety and protection of the travelling public.
- 1.3 The Committee resolved to agree modifications to the current scheme. These included clarification to language which could be ambiguous or open to misinterpretation and amendments to the level of points awarded for some breaches to ensure drivers were only referred to a Sub-Committee at the most appropriate time.
- 1.4 The Committee noted the current procedure for dealing with appeals against the award of penalty points which were determined by the Deputy Chief Executive in consultation with the Chairman of the Licensing Committee.
- 1.5 In the interests of natural justice and transparency, the Committee proposed to recommend to Council that appeals against penalty points would in future be determined by the Senior Environmental Health Manager in conjunction with the Deputy Chief Executive, neither of whom would have had any involvement in the matter up to that point. Members of the Licensing Committee would then only become involved in determinations should drivers who had accumulated 12 penalty points be referred to a Licensing Sub-Committee.
- 1.6 No objections were received to this proposal following a six week consultation with the taxi trade.
- 1.7 **The Licensing Committee recommends Council that the proposal to amend the Scheme of Delegations, paragraph 7.44, so that authority to determine appeals against penalty points under the Council's Penalty Points Scheme be delegated to the Senior Environmental Health Manager in conjunction with the Deputy Chief Executive, be approved.**

Councillor R.W. Sider BEM

Chairman of the Licensing Committee

22 October 2015

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Report of the Chairman on the Work of the Audit Committee

The Audit Committee held a meeting on 24 September 2015 and considered the following items of business.

1. External Audit Report on 2014/15 Audit and Statement of Accounts

- 1.1 The Committee noted the External Audit report on the 2014/15 Statement of Accounts and the officer responses to the External Auditors' recommendations.
- 1.2 The Committee authorised the Chief Finance Officer to sign the letter of representation and the Chief Finance Officer and the Chairman of the Audit Committee to sign the Statement of Accounts.

2. Corporate Risk Management

- 2.1 The Committee noted and accepted the quarterly update on the Corporate Risk Register including progress with actions to mitigate the Council's risks.

3. Internal Audit Interim Report

- 3.1 The Committee noted the Internal Audit Interim report which summarised the work undertaken by Audit Services during the period April 2015 to August 2015 and provided the Council with assurance on the adequacy of its internal audit systems of control

4. Report on the effectiveness of the system of Internal Audit

- 4.1 The Committee noted a report on the effectiveness of the system of internal audit.

5. Annual Governance Statement

- 5.1 The Committee approved the draft Annual Governance Statement and endorsed the improvement actions identified in the Statement.

6. Committee Work Programme 2015/16

- 6.1 The Committee approved its Work Programme for the remainder of the Municipal Year 2015/16.

Councillor M.J. Madams

Chairman of the Audit Committee

22 October 2015

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Report of the Chairman on the work of the Licensing Committee

There have been three Licensing Sub-Committee meetings since my last report. Details of those meetings are set out below.

1. Licensing Sub-Committee – 13 July 2015

A Licensing Sub-Committee considered a report to determine whether or not Mr M.S. Kapur was a fit and proper person to hold a Hackney Carriage driver licence. The Sub-Committee resolved to refuse the application for a Hackney Carriage licence for the reasons set out in the decision notice.

2. Licensing Sub-Committee – 1 September 2015

A Licensing Sub-Committee considered a report to determine whether or not Mr M. Nasim was a fit and proper person to hold a Hackney Carriage driver licence. The Sub-Committee resolved to grant the application for a Hackney Carriage licence for the reasons set out in the decision notice.

3. Licensing Sub-Committee – 7 September 2015

A Licensing Sub-Committee considered a report on an application to vary the Premises Licence at Dream Food and Wine, 129 Groveley Road, Sunbury-on-Thames, TW16 7JZ. The Sub-Committee resolved to grant the licence subject to modification to the licensable hours for sale of alcohol on a Sunday.

Councillor Robin Sider

Chairman of the Licensing Committee

22 October 2015

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Report of the Chairman on the work of the Overview and Scrutiny Committee

This report gives an overview of the issues considered at the 15 September 2015 meeting.

1. Review of Community Safety

- 1.1 The Committee noted a report on a review of Community Safety over the past year and that although, overall reported crime figures were up by 6%, this increase was influenced by: lack of police resources, different reporting methods and police officers being diverted to deal with 'new' crimes, e.g. child sexual exploitation via the internet.
- 1.2 It was pleased to note that the Joint Enforcement Team (JET), piloted in the Borough in December 2014, has had a positive impact and was well received by the general public.

2. Housing Issues

- 2.1 The Committee received a presentation from the Joint Heads of Housing and Independent Living on how the Council is dealing with: homelessness, affordable housing, the winter shelter duty and Registered Social Landlords (RSLs).
- 2.2 The Committee noted the Council's situation and approach with regards to: homelessness, prevention initiatives, the private rented sector, fraud, access into social housing, affordable housing, Partnership working, winter shelter provision, RSLs and new developments.

3. Corporate Project Management update

- 3.1 The Committee noted an update on progress with the Council's priority projects and the Towards a Sustainable Future programme.

4. Leader's Task Groups

- 4.1 The Committee noted updates on progress with the work of the Leader's Sub-Task Groups for Assets and Regeneration in relation to Riverside car park, Ashford car park and all other assets.

5. Committee Work Programme 2015-2016

- 5.1 The Committee noted that I and the vice-chairman had worked with officers to produce a draft work programme from the topics identified by the Committee at its last meeting.
- 5.2 I also asked the Committee to keep in mind the subject of devolution for inclusion in the current work programme, once the government's response to the Three Counties proposals was known.

Councillor A.E. Friday

Chairman of the Overview and Scrutiny Committee

22 October 2015

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Report of the Chairman on the work of the Planning Committee

1. The Planning Committee has met on three occasions since the previous report was prepared for the Council meeting. This report therefore gives an overview of the key items considered by the Committee at its meetings on 29 July, 26 August and 23 September 2015.
2. The July meeting dealt with 14 planning applications and one enforcement item. Public speaking took place on five items with eight people taking the opportunity to address the Committee. The key items considered by the Committee are set out below.
3. Planning application 14/01882/FUL related to Jewson Builders Merchant Moor Lane, Staines-upon-Thames. The application proposed the demolition of existing buildings and redevelopment of the site to provide 36 residential units comprising 25 houses (7no. 2 bed, 8 no. 3 bed and 10 no. 4 bed) and 11 flats (3 no. 1 bed and 8 no. 2 bed) together with associated accesses, car parking, amenity space and landscaping (renewal of planning permission 11/00941/FUL). The application was approved.
4. The next six applications all concerned the former Majestic House site, High Street, Staines-upon-Thames (15/00738/RVC, 15/00739/RVC, 15/00753/RVC, 15/00754/RVC, 15/00755/RVC and 15/00756/RVC). The proposals involved variations to planning permission 09/00566/OUT which was allowed on appeal in 2011 for the re-development of the Majestic House site. The Committee resolved to approve all six applications.
5. Planning application 15/00254/FUL and listed building application 15/00255/LBC related to Hithermoor Farm, 6 Farm Way, Stanwell Moor, Staines-upon-Thames. The proposals were for the:
 - (i) Conversion of 4 no. buildings and farmhouse to a hotel use;
 - (ii) Alterations and extensions to the external elevations, and the erection of a single storey canopy to the rear of the farmhouse;

Both applications were approved

6. Planning application 15/00559/FUL related to the St David's Health Centre Hadrian Way, Stanwell and proposed the demolition of existing buildings and the erection of 12 dwellings in a mix of 1 and 2 bedroom apartments and 2 and 3 bedroom houses, with associated landscaping, parking and accesses. The application was approved.
7. Planning application 15/00718/HOU concerned 21 Chesterfield Road, Ashford. It proposed an alteration to the roofline from that was previously approved under application 13/00769/HOU (not as had been constructed). The application was refused and enforcement action authorised.
8. The next item related to 108 The Avenue, Sunbury on Thames (15/00364/HOU). The application proposed the retention of a single storey side/rear extension following the demolition of the former side garage and was approved.

9. Planning application 15/00859/FUL related to the Courtyard, High Street, Staines-upon-Thames. It proposed the change of use of The Courtyard (Use Class B1a) to 17 residential dwellings (Use Class C3) comprising 16 no. 2-bed and 1 no 3-bed units, together with replacement windows and entrance doors, the provision of a new entrance feature, bin storage, cycle storage and the realignment of existing car parking spaces. The application was approved.
10. The last planning application on the agenda concerned 47 Queensway Sunbury on Thames (15/00863/HOU). The proposal was for the demolition of existing garage and erection of a part single storey/part two-storey side extension, two-storey rear extension and single storey front extension and was approved.
11. The enforcement item related to 33 School Road, Ashford and concerned the unauthorised use of an outbuilding for residential purposes. The Committee resolved to take enforcement action to secure the cessation of the unauthorised use.
12. The Planning Committee meeting on 26 August dealt with one planning application and two enforcement items. No public speaking took place. The key items considered by the Committee are set out below.
13. The first item, planning application 15/00511/HOU, related to Satsun, Park Road, Shepperton. The proposal was for the erection of rear extension following demolition of existing toilet and shower building (retrospective) and use of the buildings as a permanent residential dwelling. The application was refused permission and authorisation to take enforcement action was agreed.
14. The first enforcement item related to 22 Thames Meadow, Shepperton (15/00098/PLNCON). The breach of control concerned the use of the land for residential purposes and a storage facility. The Committee resolved to agree to take enforcement action to cease the unauthorised uses and to remove the unauthorised structures/storage.
15. The last item related to Beulah, Riverside, Shepperton and concerned the unauthorised use of barn for residential purposes comprising two units. The Committee resolved to agree to take enforcement action to ensure that the building is returned to its approved use as a garage.
16. The September meeting dealt with one enforcement item. Public speaking took place on this, with one person taking the opportunity to address the Committee. The item related to 72 Charles Road, Staines –upon-Thames and concerned the unauthorised use of an outbuilding for residential purposes. The Planning Committee resolved to agree to the taking of enforcement action to cease the unauthorised use.

Councillor Richard Smith-Ainsley

Chairman of the Planning Committee

22 October 2015