

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, 21 February 2019 at 7.30 pm

Present:

Councillors:

M.M. Attewell	A.E. Friday	D. Patel
C. Barnard	N.J. Gething	O. Rybinski
R.O. Barratt	A.C. Harman (Deputy Leader)	D. Saliagopoulos
I.J. Beardsmore	I.T.E. Harvey (Leader)	J.R. Sexton
J.R. Boughtflower	N. Islam	R.W. Sider BEM
S. Capes	A.T. Jones	R.A. Smith-Ainsley
S.A. Dunn	J.G. Kavanagh	B.B. Spoor
Q.R. Edgington	A.J. Mitchell	H.A. Thomson
M.P.C. Francis	S.C. Mooney	H.R.D. Williams

Councillor J.M. Pinkerton OBE, The Mayor, in the Chair

Apologies: Apologies were received from the Deputy Mayor, Councillor M.J. Madams and Councillors S.J. Burkmar, R. Chandler, S.M. Doran, P.C. Edgington, T.J.M. Evans and V.J. Leighton. Also from Mr Murray Litvak, Chairman of the Members' Code of Conduct Committee.

41/19 Minutes

The minutes of the Council meeting held on 13 December 2018 were agreed as a correct record.

42/19 Disclosures of Interest

There were no disclosures of interest.

43/19 Announcements from the Mayor

The Mayor had circulated leaflets for her upcoming events which included:
Wednesday, 13 March - Race Night at Kempton Park
Friday, 22 March - Spelthorne's Got Talent
Tuesday, 23 April - St George's Day Lunch
Saturday, 27 April - Mayor's Charity Ball

44/19 Announcements from the Leader

The Leader made the following announcements:

“Firstly, I am pleased to announce that on Wednesday 30th January HRH Princess Alexandra paid a private visit to the Sunbury Walled Garden to view the Embroidery collection.

The new combined reception is now fully reopened and most of the work to relocate staff into renovated offices in the East and South Wings are complete. Congratulations to Siraj and his team for delivering this.

The redevelopment of the Bugle is to all intents and purposes complete and we will be welcoming our first tenants in the next couple of weeks.

Despite the efforts of a few we are now receiving very positive Press coverage, a very fair and balanced article appeared in this Monday’s Financial Times and I was able to explain our rationale on BBC5Live This is Money programme this morning. We are anticipating further positive exposure shortly.

As mentioned at our December Council meeting, we are continuing to work with Staines Park Residents Association towards a “Fields in Trust” commitment for Staines Park.

Our Capital Strategy has been published and property investment FAQs have been added to the website and social media accounts to explain the reasons behind our ambitious, yet prudent, strategy and what is enabling us to achieve.

We have responded to Heathrow’s latest consultation on proposed changes to airspace and future operations. These changes will have an impact on the whole Borough, not just those towns and villages closest to the airport, and don’t just relate to a third runway: they include changes to existing airport operations including the potential for an additional 25,000 flights.

Our response to the consultation includes the following points:

- We oppose an increase in flights before the third runway is operational and interim measures that will result in newly overflowed areas
- The Compton departure route, which results in low flying planes across our Borough, should be removed as soon as possible.
- A night-time ban should mean just that, except for emergencies; and fines for breaches of the ban should be used to compensate affected communities.

The consultation closes on 4 March 2019.

Comprehensive responses were also sent in respect of Surrey County Council’s recent consultations which proposed changes to five County Council service areas. Whilst we understand the financial pressure that the County Council is under, we will continue to look carefully at the changes to these services and make representations, where appropriate, to minimise adverse impacts.

Our Council has been working with partners to improve the CCTV coverage in Sunbury with new cameras being installed at Spelthorne Grove and Sunbury Cross roundabout. There are further plans to improve CCTV coverage in other parts of the Borough.

Clare Road shopping parade is the latest area to benefit from improvements following works to the shopping parades in Edinburgh Drive and Groveley Road. Works to improve Woodlands Parade, Ashford are expected to start soon.

As Members will recall we have been working on an initiative called “Every Ward at its best”; a project to deal with problem sites across the borough which could be an annoyance or an eyesore to residents and which would benefit from a fresh approach. The aim of the project was to help tackle these low level issues in a way that could lead to small but noticeable improvements to the Borough.

A Spelthorne restaurant owner was convicted of food hygiene offences and ordered to pay a total of £3,970 including fines, a victim surcharge and prosecution costs. We seek a high standard of food hygiene to protect our residents and will work to maintain this.

During the recent cold snap, the Council helped four street homeless clients into emergency accommodation, with an opportunity to explore ways to help them in the longer term.

The Council’s website has been refreshed to make it easier for people to find information that’s relevant to them and easier to view on mobile devices.

Spelthorne MP Kwasi Kwarteng took the Speaker’s chair for a lively common’s style schools’ debate supported by the Parliament Education Service.

We held a very well attended Budget Business Briefing at BP last Friday morning.”

45/19 Announcements from the Chief Executive

The Chief Executive made the following announcement:

“I should like to put on record my appreciation to all colleagues at Knowle Green for their sterling support and cooperation throughout the consolidation of our operational footprint into two wings of our Civic offices – codenamed Project Lima. As members will have registered, the reoccupation of the ground floor and the commissioning of a new integrated reception marks the final stage of the project that will pave the way for the west wing to be converted into 25 affordable housing units – a physical manifestation of our commitment to putting the communities we serve at the very heart of everything we do.”

46/19 Questions from members of the public

There were no questions from members of the public.

47/19 Petitions

There were none.

48/19 Treasury Management Strategy Statement

Council considered the recommendation of the Cabinet on the Treasury Management Strategy Statement for 2019/20.

The proposed Strategy represented an appropriate balance between risk management and cost effectiveness.

Resolved to approve the Treasury Management Strategy Statement for 2019/20.

49/19 Revenue Budget 2019/20

The Council considered the recommendation of Cabinet on the detailed Revenue Budget for 2019-20 and the proposed Council Tax for 2019-20. The Mayor referred councillors to the Budget Book (green cover) reflecting the decisions and recommendations made by Cabinet on 20 February 2019, including the precepts being levied by Surrey County Council and the Surrey Police.

The Mayor asked the Council to agree, in accordance with Standing Order 20.4, that the respective Budget speeches of the Group Leaders may each exceed 10 minutes in length if necessary.

Resolved to agree that the respective Budget speeches of the Group Leaders may each exceed 10 minutes in length if necessary.

The Leader of the Council, Councillor I.T.E. Harvey and the portfolio holder for Finance, Councillor H.R. Williams, made a joint statement on the Budget and the Council Tax and moved and seconded the recommendations on the detailed Budget for 2019-20 as set out in the report circulated in the Budget Book. The Leader of the Ashford and Staines Residents' Group, Councillor D. Saliagopoulos then made a statement. Councillor I.J. Beardsmore, Leader of the Liberal Democrats declined the opportunity to make a speech.

A copy of Councillors Harvey and Saliagopoulos speeches are attached to these minutes as **Appendices A and B** respectively.

At the conclusion of the debate on the Revenue Budget, the Mayor explained it was a legal requirement to record in the minutes of the proceedings the names of the persons who cast a vote for the decision or who abstained from voting.

The voting was as follows:

FOR (23)	Councillors I.T.E. Harvey (Leader); A.C. Harman (Deputy Leader); M.M. Attewell; C. Barnard; R.O. Barratt; J.R. Boughtflower; S. Capes; M.P.C. Francis; A.E. Friday; N.J. Gething; N. Islam; A.T. Jones; J.G. Kavanagh; A.J. Mitchell; S.C. Mooney; D. Patel; J.M. Pinkerton; O. Rybinski; J. Sexton; R.W. Sider; R.A. Smith-Ainsley; H. A. Thomson; H.R.D. Williams
AGAINST (2)	Councillors D. Saliagopoulos; Q.R. Edgington
ABSTAIN (3)	Councillors I.J. Beardsmore; S.A. Dunn; B.B. Spoor

Resolved:

1. To continue the Council's Local Council Tax Support Scheme with the current rules and regulations;
2. To continue the complete disregard of war pension / armed forces pension income from benefit calculations;
3. The growth and savings items as set out in the report's appendices;
4. The Council Tax Base for the whole council area for 2019/20. [Item T in the formula in Section 31b(3) of the local government Finance Act 1992, as amended (the "act")] should be 39,688.00 band D equivalent dwellings and calculate that the Council Tax requirement for the Council's own purpose for 2019/20 is £202.44 Per Band D equivalent dwelling;
5. To approve a £5 or 2.53% increase on Band D in the Spelthorne Borough Council element of the Council Tax for 2019/20. Moreover:
 - a) The revenue estimates as set out in Appendix 1 be approved.
 - b) No Money, as set out in this report is appropriated from General Reserves in support of Spelthorne's local Council tax for 2019/20.
 - c) To agree that the Council Tax base for the year 2019/20 is 39,688.00 band D equivalent dwellings calculated in accordance with regulation 3 of the Local Authorities (Calculation of Council tax base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.
6. That the following sums be now calculated by the Council for the year 2019/20 in accordance with Section 31 to 36 of the Local Government Act 1992:

A	107,042,500	Being the aggregate of the amount which the council estimates for the items set out in Section 31A(2) of
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		the Act taking into account all precepts issued to it by Parish Councils.
B	99,008,100	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A(3) of the Act
C	8,034,400	Being the amount by which the aggregate at (A) above exceeds the aggregate at (B) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year
D	202.44	Being the amount at (C) above divided by the amount at 5c (above), calculated by the Council in accordance with Section 31B(1) of the act, as the basic amount of its Council Tax for the year (including Parish precepts)
E	0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
F	202.44	Being the amount at (D) above less the result given by dividing the amount at (E) above by the amount at 5c

		(above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings on those parts of its area to which no Parish precept relates.
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7. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011:

A £	B £	C £	D £	E £	F £	G £	H £
134.96	157.45	179.95	202.44	247.43	292.41	337.40	404.88

Being the amounts given by multiplying the amount at (F) above by the number which in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the sum which in that proportion is applicable to dwellings listed in valuation band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different band.

8. That it be noted that for the year 2019/20 Surrey County Council and Surrey Police and Crime Commissioner have stated the following amounts in precepts issued to Spelthorne Borough Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below:

Precepts issued to the Council

	A £	B £	C £	D £	E £	F £	G £	H £
Surrey County Council	969.00	1,130.50	1,292.00	1,453.50	1,776.50	2,099.50	2,422.50	2,907.00
Surrey Police & Crime Commissioner	173.71	202.67	231.62	260.57	318.47	376.38	434.28	521.14

9. That, having calculated the aggregate in each case above the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011, hereby sets the amounts as the amounts of Council tax for the year 2019/20.

The Council has determined that its relevant basic amount of Council Tax for 2019/20 is not excessive in accordance with the principles approved under Section 52ZB Local Government Finance Act 1992.

As the billing authority, the council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2019/20 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

50/19 Capital Programme 2019/20

Council considered the recommendation of the Cabinet on the Capital Programme for the period 2019/20 to 2022/23 in the light of the available resources and the corporate priorities and the Prudential Indicators for 2019/20 to 2022/23.

Resolved to approve:

1. the Capital Programme for 2019/20 to 2022/23
2. the Prudential Indicators for 2019/20 to 2022/23

51/19 Capital Strategy

Council considered the recommendation of the Cabinet on the Capital Strategy.

The aim of the Capital Strategy was to provide a clear and concise account to residents and other stakeholders of how the Council is going to prioritise its capital expenditure in the short, medium and long term, and how it manages risks with respect to delivering those capital objectives.

The proposed Capital Strategy had been created in line with guidance documents provided by CIPFA.

Resolved to adopt the Capital Strategy as attached to the supplementary agenda.

52/19 Pay Award 2019/20

Council considered the recommendation of the Cabinet on the Pay Award 2019/20.

The proposal had been subject to consultation and negotiation with UNISON.

Resolved to approve the 2019/20 pay award of 2.5% to all staff.

53/19 Pay Policy Statement

Council considered the recommendation of the Cabinet on the Pay Policy Statement for 2019/20.

The Pay Policy Statement set out the Council's policies on a range of issues relating to the pay of its workforce, particularly its senior staff and the lowest paid employees, including:

- Remuneration of its Chief Officers
- Remuneration of its lowest paid employees
- The relationship between the remuneration of its Chief Officers and the remuneration of those employees who are not Chief Officers
- The publication of and access to information relating to remuneration of Chief Officers.

Resolved to approve the Pay Policy Statement 2019/20.

54/19 Members' Allowances 2019

Council considered the recommendation of the Cabinet on the Members' Allowances Scheme for 2019/20, as set out in Annex 1 to the Independent Remuneration Panel's report.

Resolved to approve the recommendations of the Independent Remuneration Panel in relation to the Members' Allowances Scheme 2019-2020, as set out below:

Allowance	Current amount	Number	Recommended Allowance for 2019/20¹
Basic:	£6049	39	£6200
Special Responsibility:			
Leader of the Council	£13911	1	£14259
Deputy Leader	£9182	1	£9412
Cabinet Member for finance	N/A	1	£9412
Cabinet Members	£6956	6 ²	£7130
Spelthorne Joint Committee Chairman/Vice-Chairman	£4877	1	£4999
Planning Committee Chairman	£5564	1	£5703

Licensing Committee Chairman	£4869	1	£4991
Overview and Scrutiny Committee Chairman	£4869	1	£4991
Audit Committee Chairman	£3479	1	£3566
Opposition Group Leader	£3241	1	£3322
Co-Optees' Allowance	£1000 (Chair) £500 (Vice-Chair)	1 1	£1000 (Chair) £500 (Vice-Chair)
Total Budget	£336,095		£346,735

¹ On an assumption of a 2.5% staff pay award

² Based on the existing Cabinet and excluding the Leader, Deputy Leader and Cabinet member for Finance

Allowance for expenditure incurred in relation to Approved Duties (Schedule 1 to Scheme)	Unchanged allowances for 2019/20
Dependants' Carer's Allowance	Reimbursement of actual costs incurred

Travelling and Subsistence Allowances	
Motor Mileage Allowance (per mile)	
Cars	Up to 999cc – 46.9p 1000cc – 1199cc – 52.2p 1200cc and over – 65p
Motorcycles	24p
Cycle	Nil
Day Subsistence Allowance	Reimbursement of actual costs incurred

55/19 Laleham Park

Council considered the recommendation of the Cabinet on the capital programme provision for the demolition of Laleham Park Pavilion and toilets, and replacement with a new toilet facility and hardstanding area for mobile catering.

Resolved:

1. to approve the capital programme provision of £200,000 for Laleham Park Pavilion is carried forward from 2018/19 to 2019/20 and
2. that the capital provision is increased by £50,000 to a total of £250,000.

56/19 Joint Appointments Panel for Independent Persons appointments 2019

Council considered the recommendation of the Members' Code of Conduct Committee on the appointment of Independent Persons 2019–2023.

Resolved:

1. That the Monitoring Officer (Michael Graham) be authorised to establish a Joint Appointments Panel with participating Surrey councils' monitoring officers so that the Panel may:
 - (a) advertise for, short-list, and interview candidates and
 - (b) make recommendations to the respective councils for the appointment of Independent Persons under Section 28(7) of the Localism Act 2011, for a four-year term of office expiring in May 2023;
2. That the Independent Persons appointed by this Council be entitled to receive the same level of travelling expenses as are provided for councillors under the Scheme of Allowances for Councillors; and
3. That the Monitoring Officer be authorised to withdraw from joint arrangements in the event that we are not content with the process or proposed appointments, and make separate arrangements for Spelthorne Borough Council to appoint its Independent Persons.

57/19 Review of procedure for Gifts, Hospitality and Sponsorship

Council considered the recommendation of the Members' Code of Conduct Committee on the Policy on Gifts, Hospitality and Sponsorship.

It was moved and seconded that the Policy on Gifts Hospitality and Sponsorship be amended as proposed in the supplementary agenda papers, and subject to the following changes proposed by the Committee:

- a. That the nominal value for gifts be raised to £50;
- b. Offers of hospitality open to all members to be recorded by officers
- c. Gifts below the nominal value received by Refuse operatives, Community Day centre staff, Meals on Wheels and Spelride drivers from grateful members of the public are not required to be recorded

- d. Gifts below the nominal value received by the Mayor or Deputy Mayor, in the course of fulfilling their civic role are not required to be recorded.

The Monitoring Officer thanked the Committee for their consideration of his report on the Policy and advised the Council on the recommendations before them.

Councillor H.R. Williams moved and Councillor I.T.E. Harvey seconded an amendment to the recommendation as follows:
under part a. – amend the words “be raised to £50” to read “remain at £35” and remove part d. in its entirety.

The Leader, Councillor I.T.E. Harvey, called for a recorded vote on the amendment.

The vote was as follows:

FOR (21)	Councillors I.T.E. Harvey (Leader); A.C. Harman (Deputy Leader); M.M. Attewell; C. Barnard; I.J. Beardsmore; J.R. Boughtflower; S. Capes; S.A. Dunn; Q.R. Edgington; M.P.C. Francis; A.T. Jones; S.C. Mooney; D. Patel; O. Rybinski; D. Saliagopoulos; J. Sexton; R.W. Sider; R.A. Smith-Ainsley; B.B. Spoor; H. A. Thomson; H.R.D. Williams
AGAINST (6)	Councillors A.E. Friday; N.J. Gething; N. Islam; J.G. Kavanagh; A.J. Mitchell; J.M. Pinkerton;
ABSTAIN (1)	Councillors R.O. Barratt

The amendment was carried.

The Council then voted on the substantive motion and

Resolved that the Policy on Gifts Hospitality and Sponsorship be amended as attached and subject to the following changes proposed by the Committee:

- a. That the nominal value for gifts remain at £35;
- b. Offers of hospitality open to all members to be recorded by officers and
- c. Gifts below the nominal value received by Refuse operatives, Community Day centre staff, Meals on Wheels and Spelride drivers from grateful members of the public are not required to be recorded.

58/19 Report from the Leader of the Council

The Leader of the Council, Councillor I.T.E. Harvey, presented the report of the Cabinet meeting held on 20 February, which outlined the matters the Cabinet had decided since the last Council meeting.

59/19 Report from the Chairman of the Audit Committee

The Vice-Chairman of the Audit Committee, Councillor H.A. Thomson, presented a report on behalf of the Chairman, which outlined the matters the Committee had decided since the last Council meeting.

He also made the following statement:

“At the Audit Committee on 5th February, the external auditors signed off, with an unqualified opinion, the Statement of Accounts for 2016/17. This opinion had been significantly delayed due to the amount of time KPMG has spent coming to a view on its Value for Money opinion.

Members will be aware that KPMG has issued a qualified adverse opinion on the Council’s 2016/17 arrangements to secure economy, efficiency and effectiveness in its use of resources, or ‘Value for Money’ opinion. This was in relation to the purchase of the BP campus. It is important to understand that the ‘Value for Money’ opinion is not about a judgement on whether the BP transaction itself represents “value for money” for the Council, but rather is a the auditor’s view on whether the governance arrangements would result in decisions that are likely to contribute towards value for money. The auditors did comment to the Committee that if the value of the transaction had been lower the opinion would have been “non-standard” rather than “adverse”

The Council has put on record that it disagrees with the auditor’s findings that there were ‘significant weaknesses’ in those arrangements, for the following reasons:

- The Council’s failure to publish decisions delegated to officers in the correct format in the Council’s view has no bearing on securing economy, efficiency and effectiveness.
- The Council provided an audit trail of the decision making process consisting of a large volume of documentation in the form of emails. Due to the timing of the BP purchase, teleconferences were necessary between our advisors, senior officers and councillors. These emails ensured a written record of decision taking and the discussions which took place during those calls.
- The Council had fully considered the financial impact on the Authority at the end of the BP 20 year lease. It had assessed alternative use values for the site, bearing in the mind the strength of the location close to an expanding Heathrow and a future Crossrail 2 station, with reports from competent professionals which had been shared with the auditors.
- The Council had considered and took into account Counsel’s opinion on the proportionality of the BP investment in making its decision. The fact this consideration was not documented has no bearing on whether the Council can deliver its services and secure economy, efficiency and effectiveness.”

60/19 Report from the Chairman of the Licensing Committee

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

Councillor D. Saliagopoulos asked what was being done to address the numbers of taxis parking outside the rank on Gresham Road. Councillor Sider explained that attempts to increase ranks both at this location and in the town centre had not been successful. He offered to raise the matter with officers and respond directly to Councillor Saliagopoulos.

61/19 Report from the Chairman of the Overview and Scrutiny Committee

The Chairman of the Overview and Scrutiny Committee, Councillor S.C. Mooney, presented her report which outlined the matters the Committee had decided since the last Council meeting.

62/19 Report from the Chairman of the Planning Committee

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

Councillor Smith-Ainsley thanked the principal Planning Officer, Russ Mounty, for his comprehensive report and presentation on the Shepperton Studios application. The debate on this matter of national significance, heard at Committee on 12 February, had been a credit to the Council.

63/19 Motions

No motions were received.

64/19 Questions on Ward Issues

There were no questions on Ward issues.

65/19 General questions

No General questions were received.