



Please reply to:

Contact: Gillian Scott
Service: Committee Services
Direct line: 01784 444243
E-mail: g.scott@spelthorne.gov.uk
Date: 19 March 2019

Notice of meeting

Cabinet

Date: Wednesday, 27 March 2019

Time: 7.00 pm

Place: Goddard Room, Council Offices, Knowle Green, Staines-upon-Thames

The members of the Cabinet	Cabinet member areas of responsibility
I.T.E. Harvey (Leader)	Leader and Council Policy co-ordination
A.C. Harman (Deputy Leader)	Deputy Leader and Communications
M.M. Attewell	Community Wellbeing
C. Barnard	Planning and Economic Development
J.R. Boughtflower	Corporate Management
M.P.C. Francis	Housing
D. Patel	Environment and Compliance
O. Rybinski	Customer Service, Estates and Transport
H.R.D. Williams	Finance

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

AGENDA

Page nos.

- 1. Apologies for absence**
To receive any apologies for non-attendance.
- 2. Minutes** **5 - 16**
To confirm the minutes of the meeting held on 20 February 2019 as a correct record.
- 3. Disclosures of Interest**
To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.
- 4. Recommendations from the Local Plan Working Party** **To Follow**
Councillor Colin Barnard

To consider the recommendations from the meeting of the Local Plan Working Party on 21 March 2019.
- 5. New Jetty for River Thames** **17 - 24**
Councillor Colin Barnard

To consider a report on the construction of a new jetty with access from the bandstand in Staines-upon-Thames.
- 6. Surrey Waste Local Plan 2019** **25 - 36**
Councillor Colin Barnard

To note the Council's response to the Surrey Waste Local Plan 2019 consultation.
- 7. Leader's announcements**
To receive any announcements from the Leader.
- 8. Urgent items**
To consider any items which the Chairman considers as urgent.
- 9. Exempt Business**
To move the exclusion of the Press/Public for the following items, in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the

Local Government (Access to information) (Variation) Order 2006.

10. Exempt report - Acquisition V - Key decision

37 - 80

Councillor Ian Harvey

To consider the acquisition of a property for financial and asset investment purposes.

Reason for exemption

This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006 Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in the bidding process for the site by allowing other bidders to know the position of the Council. This in turn prejudices the Council by (i) distorting the bids process and (ii) prejudicing the opportunity for the Council to acquire a site through the Council for the prudent management of its financial affairs.

11. Exempt report - Decision on award of contract for the provision of a Property Management System - Key Decision

81 - 86

Councillor Ian Harvey

To consider an exempt report on the award of a contract to provide a Property Management System.

This report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006):

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, it would be too speculative at this time to give an indication of contract value to the market and to disclose information as this stage might distort price submissions in any tender processes that are held in the future.

12. **Exempt report - West Wing, Council Offices, Knowle Green, Staines - Key Decision**

87 - 106

Councillor Ian Harvey

To consider an exempt report on the procurement of construction services for conversion of the West Wing, Council Offices.

This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006:

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in the bidding procurement of contracts by allowing other parties to know the position of the Council. This in turn prejudices the Council by (i) distorting the procurement process and (ii) prejudicing the opportunity for the Council to place contracts for the prudent management of its financial affairs.

Minutes of Cabinet

20 February 2019

Present:

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination
Councillor A.C. Harman, Deputy Leader and Communications
Councillor M.M. Attewell, Community Wellbeing
Councillor C. Barnard, Planning and Economic Development
Councillor J.R. Boughtflower, Corporate Management
Councillor M.P.C. Francis, Housing
Councillor D. Patel, Environment and Compliance
Councillor O. Rybinski, Customer Service, Estates and Transport
Councillor H.R.D. Williams, Finance

Apologies:

Councillor Williams apologised for his lateness.

2567 Minutes

The minutes of the Cabinet meeting held on 30 January 2019 were agreed as a correct record.

2568 Disclosures of Interest

There were none.

2569 Recommendation of Members' Development Steering Group - Induction Programme

Cabinet considered a recommendation from the Members' Development Steering Group outlining an induction programme for new and re-elected councillors following the elections in May 2019.

The programme proposed covered all aspects of a councillor's role using a range of training methods.

Resolved to approve the Induction Programme as set out in Appendix A.

Reason for decision:

To provide councillors with the necessary training and skills to enable them to effectively fulfil the demands of the role.

2570 *Capital Strategy Report

Cabinet received the draft Capital Strategy for consideration and recommendation to Council for approval. The purpose of the Capital Strategy is to set out the Council's future need to incur capital expenditure and explain the rationale, set out how we manage risk and ensure we have the appropriate skills and resources to manage the activity.

Resolved to recommend that Council approves the Capital Strategy.

Reasons for decision:

Councils are required to have a Capital Strategy in place before the end of the current financial year.

2571 *Capital Programme 2019/20 to 2022/23

Cabinet considered a report on the Capital Programme 2019/20 to 2022/2023, in the light of the available resources and corporate priorities. The report covered progress on current schemes and included future schemes for consideration. The report also provided information on the availability of resources to continue moving forward with the proposed capital schemes within the Programme.

All bids to go on the Capital Programme had been critically assessed and reviewed by Management Team and Cabinet to ensure they met the new criteria of Capital expenditure.

Resolved to recommend that Council approves:

1. the Capital Programme for 2019/20 to 2022/2023 and
2. the Prudential Indicators for 2019/20 to 2022/2023.

Reason for decision

To allow the authority to spend its capital resources for the financial year 2019/20.

2572 *Revenue Budget 2019/20

Cabinet considered the Revenue Budget for 2019/20.

The revenue budget for 2019/20 presented a positive picture; a balanced budget has been proposed without the use of reserves, investment made to retain staff and resourcing issues addressed. The Council's operational service assets were maintained and revenue contributions made to Capital.

Resolved to recommend that Council approves:

1. Continuing the Council's Local Council Tax Support Scheme with the current rules and regulations.
2. Continuing 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. 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.

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 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.

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.

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

Reasons for Decision:

The Authority is required to set a balanced budget and a Council tax rate for the financial year 2019/20.

2573 Fees and Charges - 2019/20 - Key decision

Cabinet considered a report proposing the levels of the Council's fees and charges for 2019/20. The charges had been reviewed and taken into account inflation, market forces and other relevant factors. Car park charges remain at the 2018/19 rate to support local retailers and the business community.

Resolved to approve the charges as set out in Appendix A to the report.

Reasons for decision:

Fees are an important source of income for the authority and are of key importance in balancing the budget.

2574 Annual Revenue Grants 2019/20 - Key decision

Cabinet considered a report on the proposed grants to organisations in the voluntary and community sectors for 2019/20. The report outlined grant applications received and explained the benefits that the work of the voluntary sector provides to the local area and communities.

Alternative options considered and rejected by Cabinet:

Not to award grants as recommended.

Resolved to:

1. Agree the grants awards for 2019/20 as detailed in the report;
2. Note all other support to the voluntary/charity sector;
3. Note the development of Service Level Agreements (SLA's) for our top funded organisations.

Reasons for decision:

- To enable a number of charities to continue operating in the borough for the year ahead
- To maintain service levels where charities provide complementary activities to Council frontline services
- To enable new charities and community groups to begin working in the borough or expand their operations.

2575 *Pay Award 2019/20

Cabinet considered a report proposing a pay award of 2.5% to all staff, including those on protected salaries, personal salaries and apprentices. Following the move from national to local pay terms and conditions with effect from 1 April 2019, pay awards are decided by full Council.

Options considered and rejected:

To not approve the pay award or agree a lower pay award.

Resolved to recommend that Council approves the pay award of 2.5% to all staff for 2019/20.

Reason for decision:

To attract and retain staff and to ensure the award is comparative to other pay awards in the County.

2576 *Pay Policy Statement

Cabinet considered a report on the Annual Pay Policy Statement 2019/20. The statement sets 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.

Resolved to recommend that Council approves the Pay Policy Statement for 2019/20.

Reason for the decision:

Cabinet noted that the Localism Act 2011 required local authorities to publish an annual pay policy statement to increase transparency regarding the use of public funds to pay Council staff. The pay policy statement must be agreed by full council and published by 31 March each year.

2577 *Members' Allowances 2019

Cabinet received a report from the Independent Remuneration Panel which set out their findings following a review of the Members' Allowances Scheme for 2019/20.

Resolved to recommend that Council approves the Members' Allowances Scheme for 2019/20 as set out in Annex 1 to the Independent Remuneration Panel's report.

Reasons for recommendation:

The Council is required to make a scheme of allowances and the Independent Remuneration Panel is appointed by the Council to advise on the type of its allowances and the amounts to be paid.

2578 Capital Monitoring (Q3 Oct to Dec) & Projected Outturn

Cabinet considered a report on capital expenditure covering the period October to December 2018.

Resolved to note the current level of capital spend.

2579 Revenue Monitoring (Q3 Oct to Dec) & Projected Outturn

Cabinet considered a report on revenue covering the period October to December 2019. The forecast outturn shows a positive variance of £2.960m.

Resolved to note the current level of spend.

2580 Members' ICT 2019

Cabinet considered a report recommending the provision of a Council owned tablet computer to all councillors following the local elections in May 2019 and a reduced IT allowance of £250 for the four year term of office to cover any additional costs.

Resolved to approve:

1. The provision of a council owned tablet to councillors after the May 2019 election for use with Modern.Gov
2. Councillors receive an IT allowance of £250 to cover any additional costs for the four year term of office.

Reason for the decision

The use of an iPad or Tablet by councillors will result in efficiencies and financial savings for the Council.

2581 Food and Health and Safety Service Plans

Cabinet considered a report on the proposed food and health and safety service plans for 2019/20.

Resolved to adopt the proposed food and health and safety service plans for 2019/20.

Reason for the decision:

Cabinet noted that Local Authorities are required by the Food Standards Agency and the Health and Safety Executive to produce annual service plans for their food safety and health and safety services.

2582 Laleham Park Pavilion

Cabinet considered a report proposing the demolition of the existing Laleham Park pavilion and toilets and replacing them with a new toilet facility and a hardstanding area for mobile catering. There is provision of £200,000 in the 2018/19 capital programme for expenditure on the pavilion and it is considered that an additional sum of up to £50,000 is required for this project.

Other options considered and rejected:

To do nothing which would leave the health and safety concerns unresolved.

Resolved to recommend to Council:

1. *That the capital programme provision of £200,000 for expenditure on Laleham Pavilion is carried forward to 2019/20.
2. *That the capital provision be increased by £50,000 to a total of £250,000.

Cabinet resolved, subject to the above, to:

3. Agree to allocate the capital budget to demolition of the pavilion, and creation of a new toilet facility and hardstanding
4. Agree to spend part of the budget now on the design stage
5. Give delegated authority to the Group Head for Regeneration and Growth, in consultation with the Leader and the Portfolio Holder for Neighbourhood Services, to agree the works and appoint contractors to undertake the demolition and build.

2583 Leader's announcements

The following are the latest service updates from various Council departments.

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

The Council has 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 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.

The 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.

The Council has been working on an initiative called "Every ward at its best" which is 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.

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.

2584 Urgent items

The Chairman agreed to take an urgent confidential item on the acquisition of property U at the end of the agenda.

The matter was urgent as the Council had only received confirmation of the opportunity to bid after the agenda had been published.

2585 Exempt Business

Resolved to move the exclusion of the Press and Public for the following items in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by

the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

2586 Exempt report - Acquisition of Property U

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Cabinet considered a confidential report on the proposed acquisition by Knowle Green Estates Ltd of a residential property in the borough.

Alternative options considered and rejected by the Cabinet:

1. Formally agree not to submit a bid
2. Purchase the property and seek a long term tenant

Resolved that Cabinet:

1. Approve the acquisition of the residential property identified in this report to be held in the name of its subsidiary Knowle Green Estates Ltd, and offered to the Council as emergency accommodation.
2. Recommend to Knowle Green Estates Board that the reduced nightly rate is charged to the Council, as per paragraph 2.5 of this report.
3. Authorise the Chief Financial Officer to make prudent financing arrangements for the transaction
4. Authorise the Chief Financial officer to determine with Knowle Green Estates Ltd the most financially prudent way of financing the transaction between the Council and the Company, noting this may include a Council loan to Knowle Green Estates for the full amount of the funds at cost
5. Formally agree the offer submitted, and authorise the Chief Executive to undertake any necessary subsequent negotiations and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader, Cabinet Member for Finance, Portfolio Holder for Housing, Portfolio Holder for Corporate Management and Portfolio Holder for Community Wellbeing).
6. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the asset in the name of Knowle Green Estates Ltd.

Reason for recommendation

To improve the quality of emergency accommodation within the borough for vulnerable homeless households, thereby avoiding costly emergency placements away from Spelthorne.

NOTES:-

- (1) Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule 16, the “call-in” procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.**
- (2) Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.**
- (3) Within five working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to “call in” a decision;**
- (4) To avoid delay in considering an item “called in”, an extraordinary meeting of the Overview and Scrutiny Committee will be convened within seven days of a “call in” being received if an ordinary meeting is not scheduled in that period;**
- (5) When calling in a Cabinet decision for review the members doing so should in their notice of “call in”:-**

 - Outline their reasons for requiring a review;**
 - Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;**
 - Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and**
 - Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.**
- (6) The deadline of five working days for “call in” by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 28 February 2019.**

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Cabinet**27 March 2019**

Title	New Jetty for River Thames		
Purpose of the report	To make a decision		
Report Author	Keith McGroary		
Cabinet Member	Councillor Colin Barnard	Confidential	No
Corporate Priority	Economic Development		
Recommendations	Cabinet is asked to: Approve the construction of a new jetty with access from the bandstand in Staines-upon-Thames		
Reason for Recommendation	The introduction of a new jetty for the exclusive use of commercial riverboat operations would increase the competitiveness of Staines-upon-Thames as a destination and increase the number of visitors to the town which would support our retailers.		

1. Key issues

- 1.1 Spelthorne Council has one of the longest stretches of the river Thames along its border outside of the London Boroughs, this extends for around 11 miles. The river Thames has always been regarded as a key asset of the Borough, but the council has never been able to maximise the potential that the river offers.
- 1.2 Spelthorne council has been keen to exploit the benefits of the River Thames and recognise that there are limited opportunities for riverboat companies to offer regular public trip to and from Staines-upon-Thames. Salters provide such trips from their moorings at Victoria Gardens in the town, but this is the sole provider of public boat trips along the Thames. French Brothers would also like to be able to offer trips along the Thames and attract more visitors to our town, but there are no facilities available to allow them to do so.
- 1.3 The reason more companies have never been able to exploit the opportunity Spelthorne offers, particularly in our main town of Staines-upon-Thames, is that they have never had exclusive access to moorings. This is essential to any riverboat operation as they need to advertise the days and times that they are going to stop off and collect or drop off passengers. Potential customers then know when to turn up and take a trip.

- 1.4 The current position with moorings is that any boat can stay at our mooring sites for 24 hours in any 48 hour period, which means that the riverboat businesses wanting to use the current mooring sites in Staines-upon-Thames cannot be sure if they will be able to moor and passengers embark / disembark. Potential passengers may take wasted journeys and confidence in the service and uptake will decline.
- 1.5 Economically there are some really important benefits to increasing greater use of the River Thames, especially around Staines-upon-Thames encouraging more visitors. Staines-upon-Thames would enhance its position as a tourist destination for sight-seers and those who wish to travel to other destinations on a boat; this would bring a new clientele into the town who would be able to catch the riverboat in the town. The same people may also visit our shopping area, take a meal and purchase goods from our retail outlets. This would add much needed additional footfall and spend for retailers who are competing in a very tough climate. The new jetty would also be a point for passengers to disembark from other locations to visit our town and then catch the riverboat back home again later in the day.

2. Options analysis and proposal

- 2.1 The proposal for the new jetty comes from the River Thames Task Group which consists of officers, councillors as well as local businesses and people who have a life-long interest and significant knowledge of the Thames. The group have a budget of £25,000 in order to stimulate activity on the River Thames. He preferred option: The proposal that the Cabinet is asked to support is the building of a new jetty near to the bandstand for the exclusive use of commercial boat trips.
- 2.2 Another option to facilitate boat trips along the Thames would be to provide a licence for exclusive use of part of the moorings opposite the old Town Hall, but this would have an adverse effect on regular users of the Thames as it would reduce the mooring opportunities available.
- 2.3 There has been a very strong demand for a stopping off point for commercial boat trips along the Thames in Spelthorne for many years, we believe that the risk of no uptake of this opportunity is remote.

3. Financial implications

- 3.1 A feasibility study has been carried out which shows that the proposal appears to be deliverable. A guideline estimate of £25,000 was provided by Company A for the works. A written quote has also been obtained for less than that amount.
- 3.2 One of the riverboat operators has already expressed great interest in the proposition and would be willing to pay a licence fee to access the jetty; other riverboat companies will also be contacted for expressions of interest. Use of the jetty would produce an on-going income stream for the council.
4. We will consider adding the requirement that any successful licensee would as a condition of that licence need to service the jetty annually and pay for its upkeep.

5. Other considerations

- 5.1 Access to the new jetty would be provided by an existing concrete path giving physically challenged people easy access to participate.

6. Timetable for implementation

- 6.1 In order to develop the new jetty permission would need to be in place from the Environment Agency, a planning application approved and licences for use of the jetty agreed. We would also need to go out to formal tender for the works.
- 6.2 Should work get under way quickly, a new jetty could be in place in the 2019 calendar year.

Background papers: None

Appendices: None

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Methodist
Church



Landing Stage

Riverside Car Park, Staines.

Scale: 1:500

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Cabinet**27 March 2019**

Title	Surrey Waste Local Plan 2019		
Purpose of the report	To note		
Report Author	Geoff Dawes		
Cabinet Member	Councillor Colin Barnard	Confidential	No
Corporate Priority	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
Recommendations	Cabinet is asked to note the report.		
Reason for Recommendation	The Surrey Waste Plan consultation period was set to end before the Council's response could be considered by Cabinet. A response therefore needs to be agreed by the Portfolio Holder before 10 March and subsequently submitted to Cabinet to note the recommended response.		

1. Key issues

- 1.1 The Surrey Waste Local Plan – Submission Plan was published for consultation in January 2019. The consultation period ends on 10 March. Whilst generally supporting the approach of the Plan, its Strategic Objectives and the specific policies, there remain a number of important issues on which this Council has concerns relating to the development of waste facilities in the Green Belt and in particular the impact of potential delays in the final restoration of mineral sites. These concerns were expressed at the earlier draft plan consultation stage last year and whilst the County Council has addressed some of these concerns the overriding issues remain.
- 1.2 The attached report sets out the main issues relating to the Waste Plan and the recommended response to the County Council.

2. Options analysis and proposal

- 2.1 See attached report.

3. Financial implications

- 3.1 None

4. Other considerations

- 4.1 None.

5. Timetable for implementation

- 5.1 The recommended response needs to be agreed by the Portfolio Holder and submitted to the County Council before the end of the consultation period on 10 March 2019.

Background papers:

None

Appendices:

Briefing note and recommended response to Surrey County Council

Surrey Waste Local Plan 2019

Part 1 – Policies Submission Plan

Part 2 – Sites and areas of search

Consultation 14 January 2019 – 10 March 2019

Briefing note and recommended response to Surrey County Council

1. Background

- 1.1 The current Surrey Waste Local Plan was adopted in May 2008 following a public examination in 2007 at which this Council made a number of representations. The Plan contains policies designed to direct the development of waste facilities to appropriate locations across the County and includes the identification of two specific sites in Spelthorne for the treatment of waste (excluding thermal treatment) under Policy WD2. The two sites were Charlton Lane and Oak Leaf Farm. Charlton Lane is currently being developed as a waste to energy facility and Oak Leaf Farm has been granted planning permission for a number of waste recycling facilities including an advanced MRF (Materials Recycling Facility). No sites in Spelthorne were allocated for the thermal treatment of waste under Policy WD5.
- 1.2 The Surrey Waste Plan 2008 is one of a suite of four development plan documents which are complementary and deal with the whole range of development issues relating to minerals and waste. The other documents are:
- Surrey Minerals Plan July 2011
 - Minerals Site Restoration SPD July 2011
 - Aggregates Recycling Joint DPD February 2013

The Surrey Waste Plan is the first to be reviewed and the new plan will replace the 2008 document.

- 1.3 In September/November 2016 the County Council consulted on issues and options and carried out extensive consultations with local authorities under the Duty to Cooperate and with a wide range of organisations and public bodies. The results of this engagement were considered in the preparation of the Draft Plan which was published for consultation in November 2017. Spelthorne BC submitted representations in February last year. Some, but not all of the points raised have been taken into account by the County Council in the preparation of the Submission Plan which has been published in two parts for further consultation prior to submission to the Secretary of State.
- 1.4 Whilst generally supporting the approach of the Plan, its Strategic Objectives and the specific policies, there remain a number of important issues on which this Council has concerns relating to the development of waste facilities in the Green Belt and in particular the impact of potential delays in the final restoration of mineral sites. There are four particular policies in Part 1 which relate to these issues, the recycling of Construction, Demolition and Excavation waste (CD&E) at existing mineral sites (Policy 3), the safeguarding of sites (Policy 7), the enhancement or extension of existing facilities (Policy 8) and Green Belt (Policy 9). In addition Policy 11a Strategic Waste Site Allocations, includes the proposed allocation of Oak Leaf Farm for further waste processing facilities details of which are set out in the Part 2 – Sites and areas of search document.

2. Surrey Waste Local Plan Part 1 – Policies Submission Plan

- 2.1 The Submission Plan (Part 1), as previously, contains eight Strategic Objectives, one of which confirms that the County Council will work closely with its partners, including District and Boroughs, to deliver the Waste Local Plan (Strategic Objective 8). The

Submission Plan also includes 16 policies, some of which have been amended from those set out in the Draft plan, designed to implement the Strategic Objectives.

Policy 3 - Recycling of Inert Construction, Demolition and Excavation Waste

- 2.2 This policy considers how recycling CD&E waste should be encouraged and how its management should be considered. The plan recognises that a significant proportion of existing CD&E waste recycling facilities are on land associated with mineral workings. Surrey County Council recognises 'the tensions that may exist between supporting recycling of CD&E waste and encouraging timely restoration' (para 5.2.3.7). The policy states that planning permission will be granted where the site is a mineral working or land raising or landfilling operation where the duration of the proposed operations are tied to that of a landfill or mineral working or restoration scheme.
- 2.3 In general terms the co-location of recycling facilities at existing mineral sites is to be welcomed particularly where the recycling supports the timely restoration of a mineral working. The problem exists, however, where the recycling activity starts to take precedence over the restoration works and thereby leads to applications to extend the end date of final restoration and with significant delays to the provision of environmental enhancements or amenity benefits for residents. We have seen a recent example of this at the Stanwell Place site where restoration had not been completed within the original five year time period and a further temporary permission of ten years was granted by the County Council for a recycling facility of twice the size. The County Council, rather than just recognising that a 'tension exists', needs to ensure that the policy, and the application of the policy, is robust in ensuring that the co-location of facilities does not result in the unacceptable extension of minerals and waste operations at a site to the detriment of amenity or the environment and considerable delay in final restoration. This is particularly important where residents, after years of enduring the effects of mineral working may reasonably expect to see the benefits of a well-designed restoration and landscaping scheme come to fruition only to be denied by the prolonged extension of waste operations on the site.

Policy 7 – Safeguarding

- 2.4 The Plan proposes that existing waste sites or those allocated for waste facilities be safeguarded to ensure that the need for waste management infrastructure is taken into account in decision making by all planning authorities. Surrey recognises that it is essential that districts and the County Council work together to ensure the provision of suitable waste management infrastructure. The principle of safeguarding is a material planning consideration but does not rule out alternative development. The policy applies to allocated sites and existing waste sites and also includes those with temporary permission. It seeks to ensure that alternative uses either on, or close to, existing sites do not prejudice the operation of a site for waste purposes. The policy and the text has been expanded and clarified since the Draft Plan version and there are no longer concerns on this particular policy.

Policy 8 – Enhancement or extension of existing facilities

- 2.5 This policy also deals with existing sites in waste use and again includes sites with temporary planning permission. The Borough Council has concerns that because of the difficulty of finding alternative waste sites there is a strong possibility that those sites in temporary use in the Green Belt will, once established, be extended or even become permanent rather than being properly restored to an appropriate use. The supporting text has been changed to make it clear that any applications for the improvement or extension of facilities with temporary planning permission should take account of the

original reasons for the permission being time limited and not result in development (or extensions of time) that would undermine them (para 5.2.8.4). Whilst this clarification is welcomed it is considered that appropriate text to this effect should be included in the Policy itself.

Policy 9 – Green Belt

- 2.6 The Submission Plan considers that it will not be possible to meet the anticipated waste management needs of the County without developing facilities in the Green Belt. However, such facilities will, by definition, be harmful to the Green Belt and only be acceptable if they preserve the openness of the Green Belt or can be justified by the existence of very special circumstances. The policy confirms this, and the wording has been amended from the draft version. However it is considered that the policy could be more closely aligned with the wording set out in the latest version of the NPPF (published in 2018) to make it clear that “very special circumstances” have to be demonstrated for each and every proposed development in the Green Belt which has to be considered on its own merits so that “the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations”. The Policy includes six factors that could contribute to “very special circumstances”. However, each proposal has to be considered separately on its merits and it is not appropriate to include any such list within the policy itself. If the County Council wishes to include reference to these possible indicative factors it should only be set out in the supporting text as factors which could be taken into account when considering very special circumstances.
- 2.7 The supporting text in paragraph 5.3.1.4 refers to the positive role of waste development in relation to the restoration of mineral sites in the Green Belt and confirms that, because it is inappropriate development, it should remain linked to the restoration activity. This complements the intentions of Policy 3. However, as referred to above, this positive role will only be a benefit where it assists with the timely restoration of sites in the Green Belt and does not delay the completion of final restoration schemes. For this reason, it is imperative that timescales are imposed so that there is a clear expectation of when temporary uses will cease and when the benefits of restoration will be achieved. There are currently three waste sites in the Green Belt in Stanwell and Stanwell Moor. One, Oak Leaf Farm, is now permanent and has been allocated for waste development in this Plan. The site at Stanwell Quarry has recently been granted a 10-year extension to 2027 and the other at Hithermoor is due to cease operation and to be restored for agriculture/amenity use by 2023. It remains to be seen whether either of these two sites will be finally restored as originally proposed although the future of both sites is now very much affected by the proposals for the expansion of Heathrow Airport.

Policy 10 – Areas suitable for development of waste management facilities and;

Policy 11a – Strategic Waste Site Allocations

- 2.8 Policy 10 identifies different types of site where permission will be granted for waste related development. It includes sites listed in Policy 11a – Strategic Waste Site Allocations which addresses the development of facilities to meet identified shortfalls in waste management capacity. In the preparation of the Draft Plan the County Council considered 20 sites in Spelthorne to which it applied a preliminary sieving process. This reduced the list to three, Oak Leaf Farm (SP02), Riverscroft Farm (SP07) and land at Bugle Nurseries (SP20). All these sites are in the Green Belt. Further, more detailed, secondary sieving eliminated all but Oak Leaf Farm for inclusion as a proposed allocation in the Draft Plan and this has now been brought forward into the Submission Plan as one of five Allocated sites for waste related development.

- 2.9 The site is already established as a waste recycling site having been identified as an allocation in the current Waste Plan 2008. There are no grounds for raising an objection to the inclusion of this site as a Strategic Waste Site Allocation given its previous status and the planning permissions which have been granted. However, it is listed as a site on “previously developed land” which is inconsistent with the definition of “PDL” included in the NPPF 2018. This needs to be corrected. As the site is in the Green Belt any new proposals for waste development will need to be assessed against very special circumstances and the impact on openness. The policy confirms that any proposals for new waste development will need to demonstrate how the key development requirements for each site have been met. There would be a concern if this site were to be more intensively developed with additional buildings on the site which would further erode the openness of the Green Belt.

3. Surrey Waste Local Plan Part 2 – Sites and areas of search

- 3.1 This part of the document provides more specific information around the areas and sites identified as being suitable for waste management in accordance with Policies 10,11a and 11b. It is not considered that there are any other sites which the Borough Council could identify as being suitable for inclusion in the plan.
- 3.2 Whilst the identification of Oak Leaf Farm for waste development is consistent with its current use there are a number of matters of fact and detail which need to be clarified having regard to the possible extent of future uses and activities which might be proposed on the site. It is suggested that the site may be suitable for small, medium or large scale thermal treatment facility. It would be helpful and provide greater certainty for residents if more detail on the types and scale of future waste operations were set out.
- 3.3 There are also concerns about the potential impact of significant additional HGV movements on the local area if the site were to be more intensively developed. There are already issues concerning HGV movements affecting the village and therefore, in order to avoid such impacts, the Council considers that an essential requirement for allocating this site for additional waste development is to ensure that proper consideration is given to providing a dedicated access to the site which will prevent the possibility of any HGV movements through the village.
- 3.4 The key development issues confirm that the site is in the Green Belt and is within an area which has been assessed as performing moderately against the purposes of the Green Belt in the Council’s recent Green Belt Assessment Part 1. The Borough Council has no proposals to remove the site from the Green Belt and it remains the case therefore that any proposals for further waste development which affect the openness of the Green Belt site will be considered as inappropriate development and will need to be assessed in terms of very special circumstances.
- 3.5 The site area identified as the Allocation Site in the plan excludes the area of the existing MRF building which was constructed on the site a few years ago as part of the overall planning permission for the permanent waste use of the site. This permission also required the construction of an earth bund around the whole area to provide a visual and sound barrier. The site description and criteria make no reference to this although it would be reasonable to expect any additional waste facilities to be provided within the bunded area. Other parts of the site within the bund are in current waste uses which include some additional buildings. It seems illogical to exclude from the allocation site one particular building and use rather than defining the whole area together with the bunds as being suitable for waste related development.

4. Recommended response to Surrey County Council

- 4.1 Having regard to the points made above the recommended response to the County Council is set out below for agreement by Management Team and the Portfolio Holder for Planning and Economic Development.

Surrey Waste Local Plan - Submission Plan
Representations from Spelthorne Borough Council
March 2019

- 1.1. Spelthorne Borough Council welcomes the opportunity to comment on the Surrey Waste Local Plan and generally supports the objectives of the plan and proposed policies. However, there remain a number of matters set out below where it is considered the plan could provide greater clarity or certainty concerning the provision of additional waste infrastructure particularly in relation to sites within the Green Belt.

Policy 3 - New or Improved Facilities for Recycling of Construction, Demolition and Excavation Waste.

- 1.2. In general terms the co-location of recycling facilities at existing mineral sites is to be welcomed particularly where the recycling supports the timely restoration of a mineral working. The problem exists, however, where the recycling activity starts to take precedence over the restoration works and thereby leads to applications to extend the end date of final restoration and with significant delays to the provision of environmental enhancements or amenity benefits for residents. We have seen a recent example of this at the Stanwell Place site where restoration had not been completed within the original five year time period for restoration and a further temporary permission of ten years was granted by the County Council for a recycling facility of twice the size. The County Council, rather than just recognising that a 'tension exists' (para 5.2.3.7) needs to ensure that the policy, and the application of the policy, is robust in ensuring that the co-location of facilities does not result in the unacceptable extension of minerals and waste operations at a site to the detriment of amenity or the environment and considerable delay in final restoration. This is particularly important where residents, after years of enduring the effects of mineral working, may reasonably expect to see the benefits of a well-designed restoration and landscaping scheme come to fruition only to be denied by the prolonged extension of waste operations on a site.

Policy 8 – Enhancement or extension of existing facilities

- 1.3. The Borough Council has concerns that because of the difficulty of finding alternative waste sites there is a strong possibility that those sites in temporary use in the Green Belt will, once established, become permanent rather than being properly restored to an appropriate use. The supporting text (par 5.2.8.4) has been changed to make it clear that any applications for the improvement or extension of facilities with temporary planning permission should take account of the original reasons for the permission being time limited and not result in development (or extensions of time) that would undermine them. Whilst this clarification is welcomed it is considered that appropriate text to this effect should be included in the Policy itself.

Policy 9 – Green Belt

- 1.4. The Submission Plan considers that it will not be possible to meet the anticipated waste management needs of the County without developing facilities in the Green Belt. However, such facilities will, by definition, be harmful to the Green Belt and only be acceptable if they preserve the openness of the Green Belt or can be justified by the existence of very special circumstances. The policy confirms this, and the wording has been amended from the draft version. However it is considered that the policy could be more closely aligned with the wording set out in the latest version of the NPPF (published in 2018) to make it clear that "very special circumstances" have to be

demonstrated for each and every proposed development in the Green Belt which has to be considered on its own merits so that “the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations”. The Policy includes six factors that could contribute to “very special circumstances”. However, it is considered that each proposal has to be considered separately and it is not appropriate to include any such list within the policy itself. If the County Council wishes to include reference to these possible indicative factors it should only be set out in the supporting text as factors which could be taken into account when considering very special circumstances.

- 1.5. The supporting text in paragraph 5.3.1.4 refers to the positive role of waste development in relation to the restoration of mineral sites in the Green Belt and confirms that, because it is inappropriate development, it should remain linked to the restoration activity. This complements the intentions of Policy 3. However, as referred to above, this positive role will only be a benefit where it assists with the timely restoration of sites in the Green Belt and does not delay the completion of final restoration schemes. For this reason, it is imperative that timescales are imposed so that there is a clear expectation of when temporary uses will cease and when the benefits of restoration will be achieved.

**Policy 10 – Areas suitable for development of waste management facilities; and
Policy 11a – Strategic Waste Site Allocations**

- 1.6. Policy 10 identifies specific locations where permission will be granted for the development of facilities to meet identified shortfalls in waste management capacity and the allocated sites are set out in Policy 11a. The Oak Leaf Farm site is already established as a waste recycling site having been identified as an allocation in the current Waste Plan 2008. Spelthorne considers that there are no grounds for raising an objection to the inclusion of this site as a Strategic Waste Site Allocation given its previous status and the planning permissions which have been granted. However, it should not be described as “previously developed land” as this is inconsistent with the precise definition set out in the NPPF 2018. The policy confirms that any proposals for new waste development will need to demonstrate how the key development requirements for each site have been met. As the site is in the Green Belt any new proposals for waste development will need to be assessed against very special circumstances and the impact on openness.

Allocation of Oak Leaf Farm Horton Road Stanwell Moor

- 1.7. Whilst the identification of Oak Leaf Farm for waste development is consistent with its current use there are a number of matters of fact and detail which need to be clarified having regard to the possible extent of future uses and activities which might be proposed on the site. It is suggested in the Plan that the site may be suitable for a small, medium or large scale thermal treatment facility. It would be helpful and provide greater certainty for residents if more detail on the types and scale of future waste operations were set out.
- 1.8. The Council is concerned about the potential impact of significant additional HGV movements on the local area if the site were to be more intensively developed. There are already issues concerning HGV movements affecting the village and therefore, in order to avoid such impacts, the Council considers that an essential requirement for allocating this site for additional waste development is to ensure that proper consideration is given to providing a dedicated access to the site which will prevent the possibility of any HGV movements through the village.

- 1.9. The key development issues confirm that the site is in the Green Belt. The area has been assessed as performing moderately against the purposes of the Green Belt in Spelthorne Borough Council's recent Green Belt Assessment Part 1. Consequently the Borough Council has no proposals to remove the site from the Green Belt and it remains the case therefore that any proposals for further waste development which affect the openness of the Green Belt site will be considered as inappropriate development and will need to be assessed in terms of very special circumstances. The Council would be concerned if this site were to be more intensively developed with additional buildings on the site which would further erode the openness of the Green Belt
- 1.10. The site area identified as the Allocation Site in the plan excludes the area of the existing MRF building which was constructed on the site a few years ago as part of the overall planning permission for the permanent waste use of the site. This permission also required the construction of an earth bund around the whole area to provide a visual and sound barrier. The site description and criteria make no reference to this although it would be reasonable to expect any additional waste facilities to be provided within the bunded area. Other parts of the site within the bund are in current waste uses which include some additional buildings. It seems illogical to exclude from the allocation site one particular building and use but to include other parts of the larger site which are also in use for waste purposes but on which there are currently no large buildings. For consistency the whole area together with the enclosing bunds should be defined as being suitable for waste related development.

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