



**Spelthorne
Borough Council**

Council Meeting
Thursday, 13 December 2018



5 December 2018

Please reply to:

Contact: Gill Scott

Direct line: 01784 444243

E-mail: g.scott@spelthorne.gov.uk

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, 13 December 2018** commencing at **7.30 pm** for the transaction of the following business.

Daniel Mouawad
Chief Executive

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

For those Councillors wishing to participate, prayers will be said in the Leader's office starting at 7pm.

AGENDA

Description	Page nos.
1. Minute's Silence The Mayor will invite all present to join her in a Minute's silence in respect for the late Past Mayor Sam Budd who passed away on 19 November 2018.	
2. Apologies for absence To receive any apologies for non-attendance.	
3. Minutes To confirm as a correct record the minutes of the Council meeting held on 18 October 2018.	7 - 16
4. Disclosures of Interest To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.	
5. Announcements from the Mayor To receive any announcements from the Mayor.	
6. Announcements from the Leader To receive any announcements from the Leader.	
7. Announcements from the Chief Executive To receive any announcements from the Chief Executive.	
8. Questions from members of the public The Leader, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 14. <i>Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 6 December 2018.</i>	
9. Petitions To receive any petitions from members of the public.	
10. Staines Park - Fields in Trust To consider a report on a proposal to protect Staines Park as an Open Space.	17 - 28

11. Recommendations of the Cabinet

To consider the recommendations of the Cabinet from its meetings held on 21 November, see attached for (a) and (b), and 11 December 2018 (to follow). 29 - 32

a) Calendar of Meetings 2019-2020

b) West Wing, Council Offices, Knowle Green - Key Decision

12. Recommendations of the Licensing Committee

To consider the recommendations of the Licensing Committee from its meeting on 5 December 2018. To Follow

13. Reports from the Leader of the Council

To receive the reports from the Leader of the Council on the work of the Cabinet at its meetings on 21 November 2018 and 11 December 2018. 33 - 34

14. 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. 35 - 36

15. 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. To Follow

16. 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 her Committee. 37 - 38

17. Report from the Chairman of the Planning Committee

To receive the reports from the Chairman of the Planning Committee on the work of his Committee at their meetings on 14 November (attached) and 12 December 2018 (to follow). 39 - 40

18. Motions

To receive any motions from Councillors in accordance with Standing Order 19.

*Note: The deadline for motions to be considered at this meeting was Monday 3 December 2018 **and none were received.***

19. Questions on Ward Issues

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

Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 6 December 2018.

20. General questions

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

Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 6 December 2018.

One Question was received from Councillor R.W. Sider, BEM:
“The 9th of November 2018 saw the council holding a special Service of Remembrance for schools to mark the Centenary of the end of the Great War, and was the largest gathering of young people ever seen at Knowle Green. That said, will the Leader and members of this council join me in congratulating the Head of Corporate Governance who worked tirelessly in the organisation and planning of this special day, together with Head of Neighbourhood Services and her team who executed the plan with supporting council staff. In essence will the Leader agree with me that this was a fantastic team effort where everyone played a significant part in its success.”

21. Appointment of a representative Trustee

Ashford Relief in Need

To consider the re-appointment of Alison Blundell as a representative Trustee to the Ashford Relief in Need Charity for a further four year term until 31 October 2022.

Laleham Charities – Village Hall and Recreation Grounds

To consider the re-appointment of Mavis Duncan, Richard Stokes and Keith Vigurs, as representative Trustees to the Laleham Charities – Village Hall and Recreation Grounds for further four year terms each, until December 2022.

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, 18 October 2018 at 7.30 pm

Present:

Councillors:

C. Barnard	Q.R. Edgington	A.J. Mitchell
R.O. Barratt	M.P.C. Francis	S.C. Mooney
I.J. Beardsmore	A.E. Friday	D. Patel
J.R. Boughtflower	N.J. Gething	O. Rybinski
S.J. Burkmar	A.C. Harman	D. Saliagopoulos
S. Capes	I.T.E. Harvey	A. Sapunovas
R. Chandler	N. Islam	R.W. Sider BEM
C.A. Davis	A.T. Jones	R.A. Smith-Ainsley
S.M. Doran	J.G. Kavanagh	H.A. Thomson
S.A. Dunn	M.J. Madams Deputy Mayor	

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

Apologies: Apologies were received from Councillors M.M. Attewell, P.C. Edgington, T.J.M. Evans, A.L. Griffiths, V.J. Leighton, J.R. Sexton and B.B. Spoor.

229/18 Presentations

The Mayor welcomed Sergeant Amy Lee, from 195 Staines Detachment of the Army Cadet Force, to the meeting and invited her to give a presentation on the 'Diana Award'. Sergeant Lee was presented with the 'Diana Award' because of her selfless commitment and dedication at her detachment and her charity work.

The Council joined the Mayor in commending Sergeant Lee for her inspiring charity work and congratulated her on achieving this wonderful award.

The Mayor welcomed the following members of the Neighbourhood Services, Parks Team to the Council in recognition of their hard work and dedication which had resulted in the Sunbury Walled Garden and Staines Cemetery being awarded Green Flag status:

Dennis Codd; Terry Davies; Dan Habicht; Cliff Hillman; Richard Hogg; Derek James; Derek Johnston; Tom Smith-Clark; Steve Webster and Shane Webster.

The Council had also received awards in the South and South East in Bloom campaign achieving:

Silver Gilt awards for Sunbury Walled Garden, Stanwell Burial Ground and Sunbury Cemetery, and a Gold award for Staines Cemetery which also won overall winner in the Cemetery category.

The Mayor acknowledged the huge amount of work which goes into the upkeep and maintenance of the Council's parks and open spaces and said these awards were a tribute to the dedication of everyone involved.

The Council joined the Mayor in congratulating the Neighbourhood Services staff who received the awards from the Mayor on behalf of all their colleagues in the Parks and Cemeteries Teams and joined her for a photo.

230/18 Minutes

The minutes of the Council meeting held on 19 July 2018 were agreed as a correct record.

231/18 Disclosures of Interest

There were no disclosures of interest.

232/18 Announcements from the Mayor

Details of the Mayor's upcoming events were circulated to all councillors at the meeting. She thanked Councillor Harman for organising her last event, a Jazz evening which had been a huge success. She also thanked all the Councillors who supported it. Upcoming events included:

Friday 26 October – An evening with the Rat Pack, Greeno Centre
Saturday 10 November – "The Armed Man" Concert, Staines Methodist
Sunday 11 November – Remembrance day
Tuesday 13 November – Christmas buffet, The Orangery, Squires Garden Centre
Sunday 18 November – Santa Fun Run, Elmsleigh Centre
Thursday 15 November – Bingo, Greeno Centre
Sunday 9 December – Sunday lunch at Bella Napoli

For information or to book tickets, contact the Mayor's Secretary.

233/18 Announcements from the Leader

The Leader made the following announcements:

"On Friday 28th September, Cllr Francis, Portfolio Holder for Housing, Cllr Williams, Portfolio Holder for Finance and I handed over the keys to three new

tenants of our newly built homes at Churchill Way, Sunbury. These residents had been living in temporary accommodation out of Borough and it is a great pleasure to help improve their quality of life.

This was also very exciting as it marked the beginning of our program of delivering homes to Spelthorne residents and a fruit of our property investment strategy. Up until now we have had to concentrate on rebuilding our financial foundations to ensure we are financially sound and stable. We are now in a position to deliver real additional benefits to our residents.

We will shortly be delivering more homes, with the completion in the New Year of 8 homes at Bugle House in Halliford and commencing the construction of 28 affordable homes, and a 20 plus single person hostel in partnership with the Salvation Army at the White House site at Fordbridge. In total we are aiming to deliver over 600 homes for residents in the next 5 years.

Madam Mayor, there has already been an announcement of the 100th anniversary ceremony that we are holding here on 9th November. Also, as part of our commemoration we have commissioned a Centenary Plantation where 100 trees will shortly be planted in Laleham Park as an ongoing focus of remembrance. 725 residents of what is now Spelthorne gave their lives fighting in World War One and we will be planting 725 trees in total to recognize their sacrifice. We will be consulting on the location of the remainder shortly.

As Members are aware this Council Means Business and whilst our shopping areas are in a strong position compared to others we are determined to do all we can to support them. I am therefore pleased to announce that for the three late night shopping Thursdays of December our Spelthorne owned Staines centre car parks will be free of charge from 4pm. Whilst this is a modest step it is indicative of our strong support for local businesses. In the New Year we will take stock and consider whether to continue this. I would like to encourage all Councillors and residents to support this initiative.

Finally, I am pleased to report that engaging with local residents has crystallized our desire to protect Staines Park in perpetuity through a Fields in Trust designation."

234/18 Announcements from the Chief Executive

The Chief Executive gave the following announcement:

"The Council supports over 1,200 people with alarms or telecare equipment fitted in their homes and for many people this equipment is a lifeline in case of emergencies.

Following a power outage in Shepperton earlier this month, where up to 700 properties lost electricity, the Spelthorne Borough Council's Personal Alarm Network Team acted quickly to identify clients who may have been affected. Working with the emergency planning team, Surrey County Council and

Surrey Fire & Rescue, vulnerable clients were visited to check whether they were able to keep warm and had food and lighting.

I should like to place on record my thanks to the SPAN Team and indeed to our partners for responding so quickly to make sure that the most vulnerable people in our communities were safe and well.”

235/18 Questions from members of the public

The Mayor reported that, under Standing Order 14, three questions had been received from members of the public. The questions asked, and responses given by the Leader were as follows:

1. Question from Mr G. Gravett of Staines-upon-Thames

“Legislation in the EU and UK requires that all livestock are stunned before slaughter. However European law does have an exemption, which the UK implements, for animals that are slaughtered for food intended for the consumption of Jewish and Muslim communities. Some of these communities allow stunning before slaughter, others do not. In circumstances where stunning is not permitted, this is known as ‘non-stun slaughter.’

Does the council purchase, supply or serve through any of its departments, subsidiary organisations or sub-contractors any meat or meat derived products where the method of non-stun slaughter has been used, for consumption by any persons other than the religious groups referred to above?”

Response from the Leader, Councillor Ian Harvey:

“Thank you for your question Mr. Gravett.

We have contacted our suppliers of ready-made meals and raw meats used in both our Community Centres and delivered through our Meals on Wheels service. We have been told that no supplier used by the Council employs non-stun methods of animal slaughter. The exception is the provision of meats for consumption by certain religious communities which is predominantly supplied to them on request as part of the Meals on Wheels service.”

Question from Mr A. McLuskey of Stanwell:

“Successive authoritative reports (including from the Department of Transport) have indicated that IF airport expansion is required it should be at Gatwick rather than Heathrow.

Why, therefore, in their recent press release, does the Council seem to be conceding Heathrow’s wish for its 3rd runway project to go ahead?”

Response from the Leader of the Council, Councillor Ian Harvey

“Thank you for your question Mr. McLuskey.

Spelthorne gave its formal support to the principle of a third runway at Heathrow back in 2008 in order to ensure it maintained its hub status, securing Britain's aviation industry and supporting UK Plc. The airport brings significant economic benefits to the borough, 7% of our workforce are employed there and for every ten direct jobs, 26 are created in the supply chain. However our support then, and now, has not been unequivocal - far from it. Back in 2008 we said that any expansion needs to ensure compliance with EU air quality limits, result in no increased noise, requires surface access improvements and ensures market value compensation for loss of property.

As Heathrow's expansion plans have progressed we have scrutinised them very carefully, and I can assure you and the locally affected communities that we will continue to do so. You will know that back in March of this year we set out our list of ten requirements that Heathrow Airport Limited need to meet. We have also set out very clearly how our communities up in Stanwell Moor and Stanwell will be newly impacted by the expansion plans, and have been pressing Heathrow Airport Limited hard on extending their Wider Property Offer Zone. We want Heathrow to be successful, but we also want to protect and enhance the quality of life for our local communities."

Question from Mr M. Jones on behalf of Staines Bowling Club

"In the light of the Council's statement in August that it will no longer develop on Staines Park or the Bowls Club grounds, will the Council now categorically confirm that they will NOT be issuing a lease termination notice in April 2019 and that Staines Bowling Club can stay on the site for the remainder of their lease?"

Response from the Leader, Councillor I.T.E. Harvey

"Thank you for your question Mr. Jones.
The Council has already been clear that it will not seek to develop a new Leisure Centre on Staines Park. It follows that there are no plans to terminate your lease in April 2019.

The Council expects both parties to honour the commitments made in the Lease and does not intend to re-negotiate the terms. This was confirmed to the Club in a letter dated 1 October this year."

At the Mayor's discretion, Councillor Saliagopoulos asked the Leader for his assurance that there would be no increase in the Bowls Club rent.

She also asked the Leader to reiterate that no decision would be made regarding the Park and Bowls Club that did not honour his promise that he would not allow any development in the Park.

The Leader stated that he could not make any commitment on behalf of a future administration, however, he had made it clear that under his administration no development would take place on Staines Park. In relation to the Bowls Club rent, he referred everyone to the letter received from the

Club on 25 September asking that the Council make variations to the lease and the Council's response of 1 October that made clear it would not be changing the terms of the lease, including the rent of £1 per year.

236/18 Petitions

There were none.

237/18 The White House Hostel Design Team Fees - Key Decision

The Council considered the recommendation of the Cabinet seeking approval of the budget for the design phase of a proposed hostel for the homeless on the White House site. Redevelopment of the site would provide much needed hostel accommodation and assist the Council in meeting its statutory obligations under the Homeless Reduction Act 2017.

Resolved to approve the budget for the full design phase of a proposed new hostel for the homeless on the White House site.

238/18 Redevelopment of Harper House - Key Decision

Council considered the recommendation of Cabinet on the redevelopment of Harper House. The proposed demolition and rebuilding of Harper House would enable the Council to take advantage of a time-limited grant funding programme and improve the quality of emergency accommodation within the Borough for vulnerable homeless households. It would also minimise risk of financial losses, legal challenge or reputational damage should the condition of the current building deteriorate.

Resolved to:

1. Approve the supplementary capital programme provision of £2.6m for the full demolition and rebuild costs for Harper House; and
2. Authorise the Chief Financial Officer to make prudent financing arrangements for the transaction.

239/18 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 26 September 2018, which outlined the matters the Cabinet had decided since the last Council meeting.

240/18 Report from the Chairman of the Audit Committee

The Chairman of the Audit Committee, Councillor M.J. Madams, presented her report which outlined the matters the Committee had decided since the last Council meeting.

Councillor Q.R. Edgington asked for assurance that the level of risk on the Corporate Risk Register for Brexit be examined carefully to reflect the major effect it was likely to have. The Chief Finance Officer confirmed that the potential risks of Brexit were being taken seriously, that a report on this topic would be before the Committee at its next meeting and the Corporate Risk Register was being updated in terms of the impact of Brexit. The Chairman,

Councillor Madams, invited Councillor Edgington to submit requests for items for any future Audit Committee in advance of the meeting.

241/18 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.

242/18 Report from the Chairman of the Planning Committee

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

243/18 Motions

No Motions had been received.

244/18 Questions on Ward Issues

There were no questions on Ward issues.

245/18 General questions

The Mayor reported that three general questions had been received in accordance with Standing Order 15, from Councillors Q.R. Edgington and D. Saliagopoulos.

1. Question from Councillor Quentin Edgington:

"Of the quoted fifty possible sites which have been identified for a new Leisure Centre can you please tell me how many are in each respective area of the Borough? i.e. ten in Stanwell, four in Staines etc."

Response from the Leader:

"Thank you for your question Councillor Edgington.

As stated in our press release of 20 September 2018 and my email to your Group member Cllr Sexton on 8 October, we have yet to identify any specific alternative site for a new Leisure Centre but we are continuing to assess over 50 potential locations across the borough for their suitability.

At this stage it would be inappropriate to release details on where all these sites are as this could lead to unnecessary speculation and concern amongst local residents. The assessment process will take a number of months to complete and, once we have narrowed down our options, further proposals will be issued for consultation."

In accordance with Standing Order 15.2 Councillor Edgington asked the following supplementary question:

"In the light of the appalling consultation process can you give assurance that Keeble Brown will not be used in any future consultation on the Leisure Centre?"

The Leader responded: "No".

2. Question from Councillor Denise Saliagopoulos:

"Would the Leader kindly confirm to Council how much his administration have borrowed up to date from the Public Loans Board, to add to the portfolio of assets? What assurances can the Leader give our residents that the strict criteria that has been applied is 100 percent bullet proof. Would he clarify that this debt is a local taxpayers' debt? He may also be aware that the Prime Minister recently announced that councils would be given permission to carry on borrowing to add to their assets. What other acquisitions are in the immediate pipeline please? "

Response from the Leader, Councillor Ian Harvey:

"Thank you for your question Councillor Saliagopoulos.

Total borrowing undertaken by the Council from the Public Works Loan Board (PWLb) since September 2016 is £1.017 billion, of which £1.008 billion is outstanding. The Council has adopted a prudent approach to borrowing, fixing the rates of interest at extremely low levels and ensuring that it is repaying all its loans on an annual basis. This debt is covered by high quality fixed assets with strongly performing rental covenants.

Rather like the maxim "there is no such thing as a free lunch" nothing is "100% bullet proof" but we apply very strict assessment and underwriting criteria to all proposed acquisitions.

The Council in its commercial acquisitions only selects best in class assets, and has a very robust due diligence process which evaluates quality of the asset, and the financial strength of the tenants. We have strengthened our internal team bringing in people with significant commercial experience and we work with top quality external advisers. The Council models future liabilities of potential assets over 50 years to ensure that it set asides from the net rental income sufficient funds to cover future refurbishments or rent free periods. This approach ensures that our revenue budget and council taxpayers are protected.

The Chief Finance Officer and the Portfolio Holder have previously briefed the Overview and Scrutiny Committee on our robust approach to risk management on asset acquisitions. I attended the 11th September Overview & Scrutiny meeting and spoke and answered questions on our property

investment policy and it is notable that you were not present. Officers are currently drafting the Capital Strategy document which is a new requirement for all Councils which will clearly articulate our rationale for making acquisitions and how we manage risk. This strategy will be discussed at Overview and Scrutiny Committee and will come to Council in December for approval.

Through our acquisition programme we are now generating net additional income of approximately £10m (after paying interest, loan repayments covering supervision costs, and setting aside provision to cover future refurbishment costs etc). This is enabling the Council to maintain and improve the services for its residents and to deliver a range of much needed housing accommodation for our residents across the Borough.

The additional income has enabled the Council to offset the impact of the removal of our Revenue Support Grant, the significant reduction of New Homes Bonus Grant, to withstand the impacts to date of knock on cuts from Surrey County Council's funding position, to increase the amount we spend on maintaining all our operational assets providing services for our residents. If under my leadership we had not gone down the path of generating robust long term income streams the consequences for our residents' services would have been dire. For example our ability to maintain our day centres and independent living services, which are discretionary would have been very much in doubt

Our focus has shifted from acquiring assets to offset the revenue budget gaps to delivering housing which meets the needs of our residents. Having said that I do need to emphasise that as a borough council we continue to face a challenging financial future with more funding reductions likely in the future and uncertainties as to further impacts from County's financial difficulties."

3. Question from Councillor Denise Saliagopoulos:

"In the interests of openness to our residents, can the Leader please inform Council within the last 5 years who has been to the Queen's Garden Party, representing the Council? Can he also confirm which members of this Council have attended the Garden Parties on more than one occasion in their capacity as a Councillor or Mayor within the last 5 years and who is intended to represent the Council this year please?"

Response from the Leader, Councillor Ian Harvey:

"Thank you for your question Councillor Saliagopoulos.

Spelthorne Borough Council is allocated 4 tickets for the Royal Garden Parties and nominates two main guests who should each be accompanied.

In the last 5 years the following people have attended the Queen's Garden Party to represent the Council:

Councillor Maureen Attewell and Mr Stephen Attewell
Councillor Colin Barnard and Mrs Barbara Barnard
Mr Mike Brennan and Miss Lisa Rollin
Councillor Alfred Friday and Mrs Kaye Friday
Councillor Ian Harvey and Mrs Helen Harvey
Councillor Mark Francis and Mrs Catherine Francis
Councillor Philippa Broom and Miss Louise Barron
Councillor Tony Harman and Mrs Daphne Harman
Councillor Suzy Webb and Miss Claudia Webb

No one has attended a Garden Party on more than one occasion in their capacity as a Councillor or Mayor. We have not yet chosen our nominations to attend the Garden Party in 2019.”

In accordance with Standing Order 15.2, Councillor Saliagopoulos asked the following supplementary question:

“Can you tell the Council why the leader of the Conservative Political Association, who has no connection with the Council, has attended the Garden Party when long serving members of the Council have never been to one?”

The Leader of the Council responded at the meeting, and subsequently in writing, as follows:

“I cannot recall the rationale behind that decision. However, I know that Councillor Leighton was nominated as it was during her Mayoral Year, but because she had attended previously was not permitted to go. By the time we were advised of this it was not possible to nominate any other Councillor to attend in her place. The nomination of attendees is within my remit so if you or any other opposition Group would like to put forward somebody, I and my Group would be happy to consider them.”

246/18 Appointment of a representative to the Surrey Police and Crime Panel

It was moved by Councillor I.T.E. Harvey, seconded by Councillor A.C. Harman and

Resolved to appoint Councillor Daxa Patel as the Council’s representative on the Surrey Police and Crime Panel, until May 2019.

Council

13 December 2018



Title	Staines Park – Fields in Trust		
Purpose of the report	To make a decision		
Report Author	Nick Cummings		
Cabinet Member	Councillor Ian Harvey	Confidential	No
Corporate Priority	This item is not in the current list of Corporate priorities.		
Recommendations	<p>1. To give approval to the Group Head for Regeneration and Growth to apply to dedicate open space at Staines Park with Fields in Trust;</p> <p>2. To authorise the Group Head for Regeneration and Growth to negotiate and agree the terms of any deeds required; and</p> <p>3. To authorise the Head of Corporate Governance to enter into any legal documentation necessary to secure the dedication.</p>		
Reason for Recommendation	To seek to protect Staines Park as an Open Space		

1. Key issues

- 1.1 The Council recognises that the parks and green spaces within the borough are highly valued by local residents and this is why the Council has always sought to provide high quality open space. The Council has previously dedicated areas of open space to seek to maximise the use, secure funding and protect the land. For example, Orchard Meadow in Lower Sunbury is a dedicated Queen Elizabeth II Field in Trust and Groveley Recreation ground is designated as a King George V playing field.
- 1.2 Fields in Trust (FIT), in partnership with the London Marathon Charitable Trust, is delivering a programme launched in spring 2017 to protect and activate outdoor recreation spaces across the UK. The 'Active Spaces' programme is delivering activity programmes on designated spaces in communities where there is a need to tackle physical inactivity and encourage more people to become more physically active. The designated sites are being protected in perpetuity through a legal Deed of Dedication between the landowner and FIT.
- 1.3 Following the Leader's announcement at the last Full Council meeting, Officers have made enquiries as to the process and effect of dedicating Staines Park as a FIT so that members can now make a fully informed decision as to whether this Council should apply to dedicate Staines Park in this way.

2. Options analysis and proposal

2.1 Pros of dedication

FIT have advised that the Active Spaces programme combine protection of spaces with funding to engage physically inactive people on those green spaces. Each space will be offered delivery of a physical activity project(s) to the value of £5,000 to serve local needs and benefit target groups as appropriate. The funding can also be used towards capital projects such as installation of outdoor fitness equipment, outdoor table tennis tables etc. A programme activation resource pack would be provided to promote and support an event to help promote the physical activity project and engage community participation. Leisure Services will liaise and engage with local interested parties in developing and managing the proposed physical activity project.

2.2 Cons of dedication

Members need to be aware of the longer term implications of the scheme before making any decision to dedicate Staines Park as a FIT. The template deed of dedication issued by the National Playing Fields Association is attached as an appendix to this report, however in summary the main restrictions that such a dedication would place on the land are as follows: -

- a) Not to use the land or permit the land to be used for any purpose other than as a public playing field and recreation ground.
- b) Not to dispose of the property without the consent of FIT (this includes applying to place a formal restriction on the Council's title at the Land Registry to prevent disposal without their consent). This consent will not be unreasonably withheld by FIT provided that the Council replaces or agrees to replace the Property with a piece of freehold land approved by FIT which is of equivalent or better quality than the Property, with equivalent or better facilities than the Property, of the same or greater dimensions than the Property, in the same catchment area as the Property, and as accessible to the public as the Property (the Replacement Site) and applies such of the proceeds of any sale of the Property as are necessary to do so. A new deed of dedication would be required for the Replacement Site.
- c) Not to erect, allow, permit or suffer any buildings, structures or alterations on the Property, the use of which is outside the permitted uses without the consent of FIT.
- d) Not to grant, allow, suffer or permit the erection of any buildings, structures or alterations on the Property that would result in the total structural and building footprint of such buildings or structures to exceed twenty per cent of the total square footage of the Property.
- e) To maintain the Property and to have regard to any advice given by FIT on the management and running of the Property.
- f) To place notices on the Property provided by FIT relating to its FIT protection, giving recognition of financial support.

- 2.3 Part of the FIT criteria requires that the principal use of the property should be outdoor sport, play or recreation and that those spaces must have public access. On this basis and in order to comply with the minimum criteria set out by FIT the proposal is to dedicate the open space area only where it is not

currently let to an individual or group and thus the bowls club, tennis courts, basketball areas, miniature railway and Homestart building are excluded. A plan is attached to this report outlining the approximate area proposed hatched red.

3. Financial implications

- 3.1 This dedication would attract grant funding of £5,000 from FIT as set out in clause 2.2 of this report.
- 3.2 The estate management regime of any repairs and maintenance will need to take account of the requirement of the need to seek any required approvals from FIT.

4. Other considerations

- 4.1 Staines Park is a public open space and the proposed dedication does not conflict with its use as an open space and will not invoke the advertising provisions of the Open Spaces Act 1906.
- 4.2 The various rights granted and restrictive covenants on the Council's title do not affect the proposed dedication.

5. Timetable for implementation

- 5.1 An application will need to be made to FIT for the dedication. There are no guarantees this application will be approved by FIT but if they do approve it officers believe that FIT will require a deed to be entered into within 6 months of submitting an application.

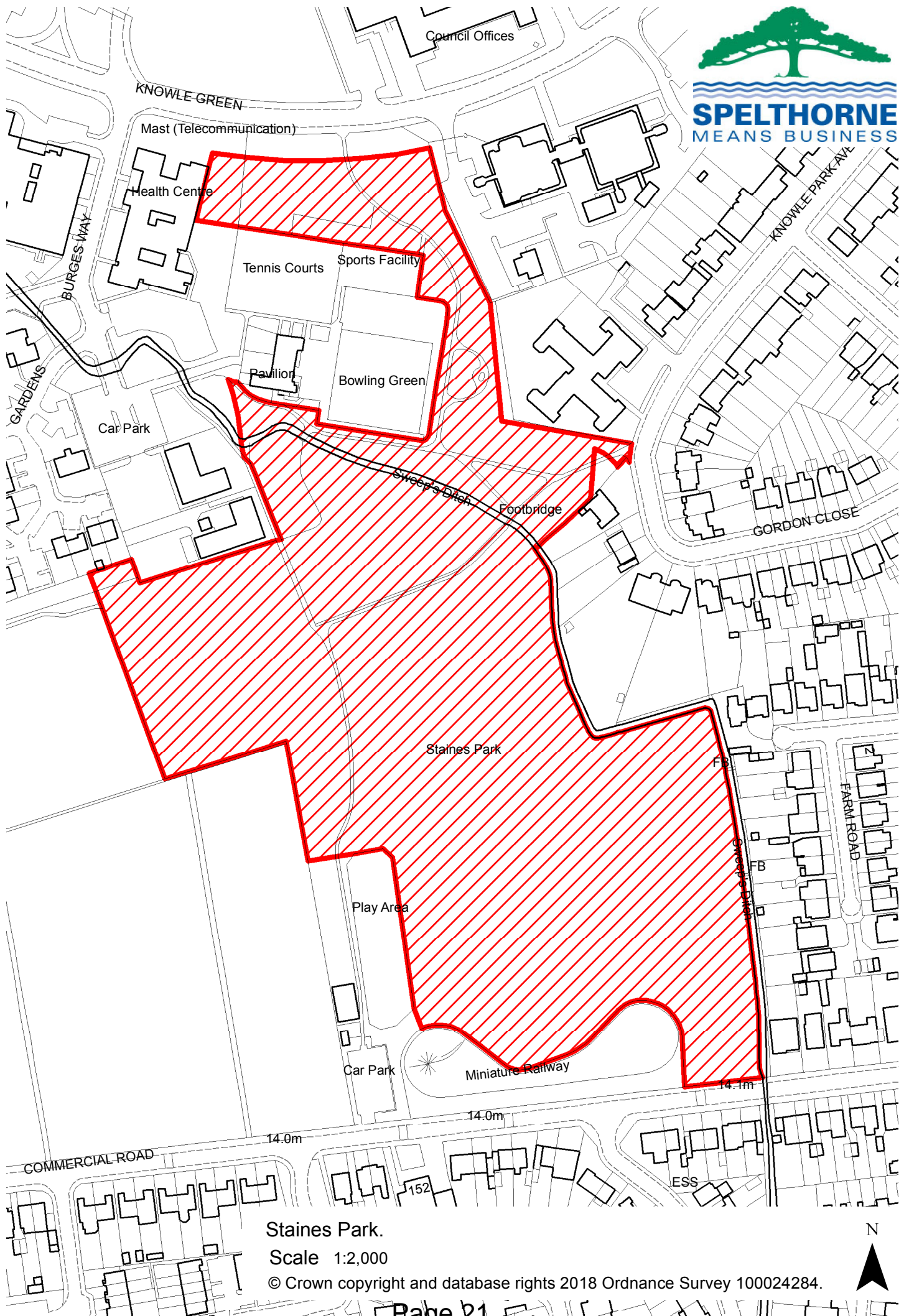
Background papers: There are none.

Appendices:

Appendix 1 - Plan

Appendix 2 - Sample/Draft Deed of Dedication

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Staines Park.

Scale 1:2,000

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[PROGRAMME NAME]



Non-charitable Deed of Dedication

[Landowners name] (1)

and

National Playing Fields Association (2)

[name of park or green space]

THIS DEED OF DEDICATION is made on the day of 20

BETWEEN

- (1) **[LANDOWNER'S NAME]** of **[LANDOWNER'S REGISTERED ADDRESS]** and its successors in title (**the Landowner**); and
- (2) **NATIONAL PLAYING FIELDS ASSOCIATION**, operating as Fields in Trust, of Unit 2D Woodstock Studios, 36 Woodstock Grove, London W12 8LE, a Royal Charter Organisation established for charitable purposes (registered charity number 306070) and its successors in title (**FIT**)

(The Landowner and FIT being together called the **Parties**)

WHEREAS:

1. The property more particularly specified in the Schedule (the **Property**) [forms part of the property of the Landowner] **OR** [is held by the Landowner in trust for [name of the charity]].
2. The Parties hereby agree that the Property will be dedicated in perpetuity in the manner and for the purposes set out below (but without any intention to create any charitable trust), and in accordance with the mutual undertakings given by the Parties.

Clause 2 establishes the contract.

3. The Landowner gives the following undertakings:
 - 3.1 Not to use the Property or permit the Property to be used for any purpose other than as [a public playing field and recreation ground];
 - 3.2 Not to grant, allow, suffer or permit the Property to be used for any purpose outside clause 3.1 including for any occasional or specific period of time without the consent of FIT;

Clause 3.1 is the user clause and refers to the property being for "a public playing field and recreation ground". Depending on the property's current or future use, the user clause can be amended by mutual agreement. For example it could also reference buildings or facilities if the use is ancillary to the outdoor space.

- 3.3 Subject to clause 4 or clause 5, not (in so far as it has the power to do so) to dispose of the Property without the consent of FIT;

This clause establishes additional protection through Fields in Trust by requiring Fields in Trust's prior consent to any proposed disposal.

- 3.4 Not to erect, allow, permit or suffer any buildings, structures or alterations on the Property, the use of which is outside the permitted uses as stated in Clause 3.1 without the consent of FIT;
- 3.5 Not to grant, allow, suffer or permit the erection of any buildings, structures or alterations on the Property that would result in the total structural and building footprint of such buildings or structures to exceed twenty per cent of the total square footage of the Property;

Decisions relating to new buildings and structures, or alterations of the same, which fall within the agreed use in the user clause 3.1 are solely in the control of the landowner or its tenant(s).

- 3.6 To inform FIT without delay of any proposals, intentions or decisions to grant, allow, suffer or permit:
 - 3.6.1 Disposals of the whole or part of the Property;
 - 3.6.2 The erection of any buildings, structures or alterations on the whole or part of the Property whether inside or outside the user clause at clause 3.1;
 - 3.6.3 The temporary closures or uses of the whole or part of the Property;
- 3.7 To provide FIT with information in response to any reasonable request by FIT relating to the use at clause 3.1.

Clauses 3.6 and 3.7 support the objective of protecting the recreational use of the green space. Please refer to Fields in Trust's Field Change Request Guidance which is published on our website <http://www.fieldsintrust.org/field-change-request>

- 3.8 To maintain the Property and so far as is consistent with its duties as [a local authority **OR** trustee of the Property] to have regard to any advice given from time to time by FIT on the management and running of the Property;

This clause establishes an advisory role for Fields in Trust without interfering with the management rights and responsibilities of the landowner.

- 3.9 To erect notices on the Property in the form of signage provided by FIT relating to the background of FIT and its protection of the property, giving recognition of financial support where required;
- 3.10 To apply within three months of the date of this Deed on form RX1 annexed hereto for the registration in the proprietorship register of the registered title of the Property at the Land Registry of a restriction to the following effect:

"No disposition of the registered estate by the proprietor of the registered estate is to be registered without a certificate signed by National Playing Fields Association of Unit 2D, Woodstock Studios, 36 Woodstock Grove, London, W12 8LE or by its conveyancer that the provisions of clause 4 of The Deed of Dedication dated []

between [landowners name] (1) and National Playing Fields Association (2) have been complied with"

Clause 3.10 is an essential part of the land registration and protection process.

- 3.11 To apply within three months of the date of this Deed on form AN1 annexed hereto for the registration in the charges register of the registered title of the Property at the Land Registry of a notice to the following effect:

"By a Deed of Dedication dated [] between [landowners name] (1) and National Playing Fields Association (2) the land in this title identified on the plan outlined in red annexed to a Deed of Dedication dated [] was dedicated for use as [agreed use from clause 3.1 e.g. a public playing field and recreation ground]."

Clause 3.11 is an essential part of the land registration and protection process.

- 3.12 To supply FIT with evidence that the registrations referred to in clauses 3.10 and 3.11 have been completed within a reasonable period of time after completion.
4. Pursuant to clause 3.3, FIT shall not unreasonably withhold consent to any disposal of the Property provided that the Landowner at the request of FIT:
- 4.1 Replaces or agrees to replace the Property with a piece of freehold land approved by FIT which is of equivalent or better quality than the Property, with equivalent or better facilities than the Property, of the same or greater dimensions than the Property, in the same catchment area as the Property, and as accessible to the public as the Property (the **Replacement Site**) and applies such of the proceeds of any sale of the Property as are necessary to do so; and
- 4.2 Enters into another deed of dedication on the same terms as this Deed in respect of the Replacement Site.

Clauses 4.1 and 4.2 take account of potential future changes and guarantee flexibility in terms of specific location of a replacement site provided the specified criteria are met.

5. FIT undertakes that it will not unreasonably withhold consent to any disposal of the Property at nil cost to any local authority or non-profit making organisation which will hold the Property and ensure that its use is compatible with clause 3.1, provided that the new landowner enters into another Deed of Dedication with FIT on the same terms as this Deed in respect of the Property.

Clause 5 allows for asset transfer.

6. FIT undertakes that it will:
- 6.1 Not unreasonably withhold consent to disposal of the Property or the erection of any structures upon it, subject to its duty to perform its charitable objects and provided that the provisions of clause 4 or clause 5 of this Deed have been complied with;

- 6.2 Respond without unreasonable delay to any notifications of intended disposal or erection of structures, or to any requests for advice; and
- 6.3 Notify the Landowner without unreasonable delay of any concerns or matters of advice to which it requires the Landowner to have regard.
7. The Landowner DEDICATES the Property as [a public playing field and recreation ground] for the benefit of the inhabitants of [] and thereabouts and the site will be titled [name of the protection programme e.g. Green Space for Good, Centenary Fields etc], [name of park or green space].

Clause 7 is the essential clause referring to the dedication of the site. The defined use is taken from clause 3.1 (the example given here is 'playing field and recreation ground').

IN WITNESS whereof this Deed of Dedication is executed the day and year first before written.

SCHEDULE

[All of **OR** Part of] that freehold property known as land at [] which is identified on the plan outlined in red and annexed to this Deed being [all **OR** part] of HM Land Registry Title Number [].

EXECUTED as a **DEED** by affixing

The **COMMON SEAL** of **[LANDOWNER'S NAME]**

in the presence of:

[AUTHORISED SIGNATORY]

Name:

Signature:

EXECUTED as a **DEED** by affixing

The **COMMON SEAL** of **NATIONAL PLAYING FIELDS ASSOCIATION**

under an authority conferred by s.260(2) Charities Act 2011 in the presence of:

Trustee:

Trustee:

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Recommendations of the Cabinet

Cabinet meeting held on 21 November 2018

1. Calendar of Meetings 2019-2020

- 1.1 Cabinet considered a report on the proposed Calendar of Meetings for 2019 to 2020, providing a framework for the Council's democratic and decision making processes.
- 1.2 The meetings for 2019 to 2020 have been programmed to ensure that the Council makes decisions in a timely way to help with the implementation of its priorities and strategies, as well as fulfilling its constitutional and legal obligations.
- 1.3 **Cabinet recommends to Council** approval of the Calendar of Meetings for 2019-2020 as attached at Appendix A

2. West Wing, Council Offices, Knowle Green, Staines-upon-Thames – Key Decision

- 2.1 Cabinet considered an exempt report seeking approval of a budget for design fees for the conversion of the West Wing offices to 25 new apartments.
- 2.2 The conversion to residential units would help meet the wider objectives of the Council in increasing the provision of housing within the Borough.
- 2.3 **Cabinet recommends Council to:**
 - 1. Approve a budget for design fees for the conversion of the West Wing offices to 25 new apartments;
 - 2. Authorise the Head of Corporate Governance to enter into any legal documentation necessary to implement the redevelopment project; and
 - 3. To delegate the appointment of the advisors and design team to the Group Head of Regeneration and Growth in consultation with the Portfolio Holder.

Councillor Ian Harvey
Leader of the Council

13 December 2018

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Calendar of Meetings May 2019 to May 2020

Appendix 2

Meeting	2019 May	June	July	Aug	Sept	Oct	Nov	Dec	2020 Jan	Feb	Mar	Apr	May
Cabinet Briefing		3	1		9	21	18		13	10	9		5
Group	13	10	8	12	16	28	25		6, 20	17	16	20	11
Cabinet		19	17		25		6	4	29	26	25		20
Council	23 (ACM)		18			24		12		27		30	21 (ACM)
Cabinet Budget Briefings			10			15			23				
O&S Committee			9		11		26		21		17		
Audit			25				7				19		
Planning	1, 29	26	24	21	18	16	13	11	8	5	4	1, 29	27
Licensing		12	3		4	9	20		15	12	11	22	13
Members' CoC		5			24		27			6		8	
Spelthorne Joint Committee			15		30			16			23		
Borough Election	2												
Inductions	17, 21												
Bank Holidays Council Offices closed	6, 27			26				25,26	1			10, 13	

Report from the Leader of the Council on the work of the Cabinet

Meeting held on 21 November 2018

This is my report as the Leader of the Council on the work of the Cabinet. It is an overview of the main items of business considered by the Cabinet at its meeting on 21 November 2018.

Two further reports were considered at this meeting in relation to the calendar of meetings for 2019-2020 and a design fees budget for conversion of the West Wing, Council Offices, which were recommendations to Council and therefore have been dealt with earlier on this agenda.

- 1. Recommendation from Audit Committee on Corporate Risk Register**
 - 1.1 We approved the Corporate Risk Register as recommended by the Audit Committee.
- 2. Authority Monitoring Report and five-year housing land supply statement**
 - 2.1 We agreed to publish the Authority Monitoring Report together with the draft Statement of five year housing supply.
 - 2.2 The Authority Monitoring Report was considered by the Local Plan Working Party at its meeting on 18 September 2018 and recommended to Cabinet for publication together with the statement of five-year housing land supply, at its September meeting.
 - 2.3 However, due to the need to include and update some of the base data informing housing trajectory and the five-year statement, Cabinet deferred consideration of these documents until this meeting. This data had now been incorporated in the documents
- 3. Meals on Wheels contract procurement for the supply of meals – Key Decision**
 - 3.1 We considered a report seeking approval for the procurement of the next 5 year contract for Meals on Wheels food with Apetito, our incumbent supplier.
 - 3.2 A market options review concluded that taking into account resources, quality of service and cost implications, best value for money would be achieved through continuing with the current arrangement.
 - 3.3 We approved the award of a new contract to Apetito for the supply of meals and final costs of the five year lease hire of 4 bespoke vans fitted with 'cook on board' oven facilities, of £126,134.

Councillor Ian Harvey
Leader of the Council

13 December 2018

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Report of the Chairman on the work of the Audit Committee

The Audit Committee held a meeting on 1 November 2018 and considered the following items of business.

1. Election of Vice-Chairman of Audit Committee

- 1.1 Councillor Thomson was appointed Vice-Chairman of the Audit Committee for the remainder of the municipal year.

2. Corporate Risk Management

- 2.1 The Committee noted the contents of the Corporate Risk Register and recommended it to Cabinet for approval.

3. Brexit

- 3.1 The Committee noted the information provided on Brexit and will receive an update at the next meeting in order to continue assessing any associated risks.

4. External Audit matters

- 4.1 The Committee received an update on areas that the outgoing external auditors were finalising. Leigh Lloyd-Thomas of BDO LLP, the current auditors, outlined the areas where they could commence work prior to finalisation of the previous auditors' work.

5. SBC Property/Relationship with External Auditor

- 5.1 Terry Collier, Deputy Chief Executive, outlined the commercial relationship between the external auditors, BDO LLP, and the Council following the acquisition of Thames Tower, Reading. The Committee considered the relationship and agreed that it did not compromise the independence of the auditor.

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

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

7. Interim Internal Audit Report

- 7.1 The Committee noted the report which summarised the work undertaken by internal audit in the period April to September 2018.

8. Committee Work Programme

- 8.1 The Committee Work Programme for 2018-19 was approved subject to the addition of updates for Recruitment and Retention, Procurement and Brexit being provided at their next meeting in March 2019.

Councillor M.J. Madams

Chairman of the Audit Committee

13 December 2018

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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 20 November 2018 meeting.

1. Air Quality

- 1.1 The Committee received and noted a report from the Pollution Control Officer on air quality in the borough and actions being taken to raise awareness of the impact of air quality.
- 1.2 The Committee agreed to make the relevant portfolio holder aware that they supported the continued funding of the Sunbury Cross monitoring station.
- 1.3 A presentation was given to the Committee by organisations involved in the management and operation of the Eco Park, giving an overview of the project, the plant and processes used to manage waste and how emissions are monitored and reported.

2. Houses in Multiple Occupation – Article 4 Direction

- 2.1 The Committee received a report on Houses in Multiple Occupation and the options for making an Article 4 direction to remove Permitted Development Rights for HMOs in certain areas. The Committee asked for the list of criteria that was used when considering an HMO licence to be circulated to them following the meeting.
- 2.2 As the data used to undertake a spatial analysis by ward of the numbers and types of HMOs which existed in the Borough, and the extent of the complaints received did not currently support the introduction of an Article 4 Direction, the Committee noted the report and asked for a further update in one year.

3. Financial Reports

- 3.1 The Committee received and noted the financial monitoring reports for the first six months of the financial year to the end of September 2018.

4. Capital Strategy

- 4.1 A presentation was given by Deputy Chief Executive Terry Collier, the Head of Corporate Governance, the Property and Development Manager and the Housing Strategy Officer outlining the reasons for the capital strategy and the main elements of it.
- 4.2 The Committee noted the presentation and requested the strategy is presented to their next meeting in January 2019.

5. Budget Issues 2019/20 to 2020/21

- 5.1 The Committee received a presentation from the Chief Finance Officer outlining the issues that would affect the budget setting.

- 5.2 Members noted the presentation and requested that I conveyed their concern at the delay in Spelthorne being notified of SCC budget cuts, to the Leader of Surrey County Council.

6. Task Groups

- 6.1 The Committee deferred consideration of this item until their next meeting in January 2019.

7. Committee Work Programme 2018/19

- 7.1 The Committee noted the work programme for the remainder of the municipal year.

Councillor Sinead Mooney

Chairman of Overview and Scrutiny Committee

13 December 2018

Report of the Chairman on the work of the Planning Committee

The Planning Committee has met twice 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 meeting which commenced on 14 November 2018 and when it was reconvened on 19 November 2018.

1. Planning Committee – 14 November 2018

- 1.1 This meeting considered 2 planning applications. There were 5 public speakers at the meeting.
- 1.2 Application 18/01101/FUL: This application sought approval for the erection of six buildings to provide 474 residential homes and flexible commercial space at ground and first floors car parking, pedestrian and vehicular access, landscaping and associated works.
The officer recommendation was overturned and the Committee refused the application.
- 1.3 Application 18/01084/FUL: This application sought approval for the erection of a new school building, relocation of 2 floodlit sports pitches, demolition of the existing school building and associated landscaping. The Committee approved the application, subject to some additions and amendments and also an 'informative'.

2. Planning Committee (Reconvened) – 19 November 2018

- 2.1 This meeting considered 3 planning applications. There were 3 public speakers at the meeting, and 1 Ward Councillor who spoke on Application 18/01269/HOU which he had 'Called-in'.
- 2.2 Application 18/01228/FUL: This planning application sought an amendment to a previously approved scheme for the demolition and the redevelopment of the site for 37 dwellings, including 6 houses and 31 flats in 2 blocks with parking, landscaping and amenity space provision, along with the creation of a new road access. The application was granted planning permission by the Committee, subject to additional conditions and an informative.
- 2.3 Application 18/01270/HOU: The application sought permission for a two storey side extension, a part single storey, part two storey rear extension, and the erection of a new front porch and shed/storage area.
The Committee approved the application.
- 2.4 Application 18/01269/HOU: This application sought approval for the erection of a single storey rear extension, a hip to gable end front and rear roof

extension with the installation of 3 eastern and 3 western facing dormers and a rear facing Juliet balcony. The Committee approved the application.

Councillor Richard Smith-Ainsley

Chairman of Planning Committee

13 December 2018