

Extraordinary Council

1 August 2022



Agenda item 4 – variation to the Waterfront Development Agreement

Response to Cllr Nichols question from last weeks' Development Sub-Committee meeting:

The request for a three-month extension of time was agreed by officers on the basis that it was a normal operational matter and did not impact on the project except to move the timeline out slightly by only three months (an entirely reasonable request as a result of the covid global pandemic) nor did it have significant financial implications for the Council. This request did not fundamentally affect the potential delivery of the scheme or the form that it took. As such the decision was taken in line with contractual operations and the day to day management of the project (i.e. the general delegation which is given to officers to operate their services).

The extension of time referred to above was agreed by officers in November 2020.

Under the strong leader governance model that operated at the time, the then Leader and Deputy Leader (and portfolio holder for planning and assets at the time) were also properly and appropriately briefed about the matter by the Chief Executive in accordance with normal business at their regular weekly meetings.

In addition, a presentation was made to the Executive by way of a Cabinet Briefing on 4 November 2020 which (amongst other matters) set out the revised timescales and it expressly referred to the extension of time which had been agreed.

On the previous night (3 November 2020), a regular update report on the management of corporate projects, (including the Waterfront scheme as part of the assets update) was given to Overview and Scrutiny Committee. This slide highlighted the extension of time. The slides are still available. [Agenda for Overview and Scrutiny Committee on Tuesday, 3 November 2020, 6.00 pm - Spelthorne Borough Council PowerPoint Presentation \(spelthorne.gov.uk\)](#)

In addition, the extension to the timescale was covered in a similar presentation (to local residents) which was given to selected representatives of the Riverside Residents (Staines) Coalition and local ward councillors on 19 January 2021 (held at the request of the then Leader of the Council). This presentation is on the Council website and is readily available for any member of the public or councillor to look at. [Waterfront scheme residents briefing - February 2021 - Spelthorne Borough Council](#)

The current variations now being requested by Arora relate to more wide ranging matters within the contract - (1) a design variation to amend the scheme from a 354-bed upscale 4* luxury hotel led scheme up to a 205-bed upscale luxury 4* hotel led regeneration scheme and (2) an extension of the long stop for both planning and vacant possession. The combination of both these contract variations have much wider ramifications for the scheme

as a whole, and what it can deliver for the Council. As such, these are rightly matters which need to be put, in accordance with the current Constitution, before councillors and to full Council as a strategic decision.

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