

To:
All members of the
Council

Please reply to:
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Service: Committee Services
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Date: 10 December 2020

Supplementary Agenda

Council - Thursday, 10 December 2020

Dear Councillor,

I enclose alterations to Motions 3 and 4, and the written responses to General Questions on the agenda and supplementary agenda for the Council meeting to be held on Thursday, 10 December 2020:

18. Motions

7 - 10

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 30 November 2020 and four were received.

Motion 1

Fireworks

1. To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
2. To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
3. To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
4. To encourage local suppliers of fireworks to stock ‘quieter’ fireworks for Public use.

Proposed by Councillor D. Saliagopoulos

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

Seconded by Councillor T. Lagden

Motion 2

We would like to propose a vote of thanks to our Officers, as well as our Key Workers and Volunteers, for all their hard work during 2020 with the challenges that have arisen due to the pandemic. We hope that in the New Year of 2021 we can look forward to a return to normality and working together as a strong team to best serve the needs of our residents.

Proposed by Councillor S. Dunn

Seconded by Councillor R.W. Sider BEM

Motion 3

Spelthorne Borough Council notes with grave concern the budget cuts being forced upon Surrey Fire and Rescue Service (SFRS) by Surrey County Council's (SCC) Fire Authority which will result in the risk to the public and firefighters soaring to an alarming and unacceptable level.

The budget cuts imposed on SFRS by SCC have resulted in a litany of hazardous consequences for firefighters, the constituents of Spelthorne and Surrey, which include the following:

- Implemented in April 2020, Phase 1 of SCC cuts removed four fire engines from night cover which includes one from Spelthorne's night time cover. As 75% dwelling fire deaths occur at night, Spelthorne Borough Council believes this is an extremely dangerous and reckless cut. Phase 2 will cut a further three night cover fire engines effecting Egham, Banstead and Painshill, which will also have a detrimental effect on Spelthorne as Spelthorne relies on these neighbouring areas for additional cover.
- Phase 2 of the Making Surrey Safer Plan calls for only 350 operational firefighters, which constitutes a 30% reduction in personnel since 2010.
- On top of that, many firefighters have left the service to transfer to other FRs as they are no longer willing to work in an environment where their health and safety is endangered or accept a 12 hour shift system imposed without negotiation which has had severe impacts on their work life balance. Others have suffered imposed pay cuts which range from 6% to 26%.
- Whole-time fire engines crew have been reduced from 5 to 4 despite the fact that according to the Fire Brigade Union, the safety of people and firefighters will be severely comprised by a fire engine crewed by less than 5 Firefighters.
- SFRS has failed to comply with its own Emergency Response Standard (which has been downgraded 3 times since 2005) for the last 5 years. With a further cut of 70 firefighters and the removal of 7 fire engines from night cover this year, the possibility of compliance with its Emergency Response Standard in 2020 and beyond is

becoming even more remote.

- A decrease of fire engine availability at Fordbridge Fire Station in Spelthorne from 75.8% in Jan 2020 to 38.7% in October 2020 after the Phase 1 cuts had been implemented.
- From 1-26 November, 2 engines during the day (the minimum requirement for an adequate level of safety provided by FBU) were available for just 4 days at Fordbridge. There were 0 pumps available for 2 days.
- No improvement on approximately 40% understaffing of On Call Firefighters.
- A 66% decrease in the number of Fire Protection audits carried out
- An eye-watering 388% increase from 2019 to 2020 in the number of emergency calls the London Fire Brigade have attended in Surrey revealing how under-resourced SFRS is.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) which independently assesses the effectiveness and efficiency of the fire & rescue services in the public interest, has stated that they "have concerns about the performance of Surrey Fire and Rescue Service in keeping people safe and secure and in particular, serious concerns about the service's effectiveness and efficiency" in their report Effectiveness, Efficiency and People 2018/19 – an inspection of Surrey Fire and Rescue Service.

Spelthorne Council is extremely concerned that the cuts imposed by SCC to the SFRS will result in increasing the risk of serious injury and death to residents. SCC owes a duty of care to Spelthorne residents to ensure that their fire service is discharged with optimum safety management, and hence calls on SCC, by writing to the Leader of Surrey County Council, Tim Oliver and the Cabinet Member for Communities, Denise Turner-Stewart to:

1. Reverse the Phase 1 cuts
2. Halt the Phase 2 cuts
3. Reinstate a fit for purpose budget, in agreement with the Fire Brigade Union, which will restore an optimum level of safety for the public and firefighters in Surrey.

Proposed by Councillor V. Siva
Seconded by Councillor J. Doerfel

Motion 4

The Staines Masterplan has evolved in administrative changes, but the document remains important as the framework to establish sustainable development of Staines Town Centre.

In recognition of this importance, this motion states that the council shall henceforth order that:

1. Any proposed development of Staines Town Centre by

Spelthorne Borough Council and Knowle Green Estates shall be kept on hold until the Staines Masterplan has been approved.

2. Developers of Major applications proposed in the Staines Town Centre shall be invited to defer their applications until such time that the Council has established policy direction from the Staines Masterplan.
3. The Staines Masterplan needs significant consultation with the community of Spelthorne from the outset.

Not considering this motion now would mean development with no clear strategy that we will be having to attempt to remedy too late. Residents expect clarity for what Staines will look like in the future to ensure they can buy into a positive and ambitious future for Staines Town that respects its heritage but developed for a sustainable future.

Proposed by Councillor C. Bateson

Seconded by Councillor T. Lagden

20. General questions

11 - 16

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 3 December 2020.

At the time of the publication of this agenda, two questions were received.

Question from Councillor Ian Harvey

“Can the Leader please confirm that all matters are on track for the transition to the Committee System, as per Council Resolution of 30th July, and that this will indeed come into effect from the Annual Council Meeting in May 2021? If not can he please explain why not?”

Question from Councillor Richard Barratt

“Evidence has been provided to me that a Councillor and others have potentially breached environmental rules in that they used land at Napper's Paddock Wheatsheaf Lane for which they are responsible to store trade waste and rubbish to the detriment of the local environment. When directed to remove it by council officers they chose to burn it on two occasions (10th and 13th November 2020) causing pollution, explosions, risk to the wildlife and environment leading to the unnecessary call out of the Surrey Fire brigade.

Local residents are deeply concerned at this alleged action by a local councillor and have complained. Apparently, the action was aggravated by alleged claims told to the fire brigade claiming they had an

environmental licence to burn the waste.

1. Does the leader consider that this action is in breach of the policy recently issued by Spelthorne Borough Council declaring a climate emergency?
2. Does the leader consider this has brought the council into disrepute?
3. Does the council condone such behaviour by a serving borough councillor?
4. What action does the council intend to take, bearing in mind the unnecessary additional cost to the fire brigade and the environmental catastrophe that occurred, due to the actions of this councillor?"

Yours sincerely

Gill Scott
Committee Services

To the members of the Council

Councillors:

C.F. Barnard (Mayor)	S.M. Doran	M.J. Madams
M.M. Attewell	R.D. Dunn	J. McIlroy
C.L. Barratt	S.A. Dunn	A.J. Mitchell
R.O. Barratt	T. Fidler	L. E. Nichols
C. Bateson	N.J. Gething	R.J. Noble
I.J. Beardsmore	M. Gibson	O. Rybinski
J.R. Boughtflower	K.M. Grant	D. Saliagopoulos
A. Brar	A.C. Harman	J.R. Sexton
S. Buttar	H. Harvey	R.W. Sider BEM
R. Chandler	I.T.E. Harvey	V. Siva
N.L. Cornes	N. Islam	R.A. Smith-Ainsley
J.H.J. Doerfel	T. Lagden	B.B. Spoor
J.T.F. Doran	V.J. Leighton	J. Vinson

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Council agenda – 10 December 2020**Item 18. Motion 3**

Spelthorne Borough Council notes with grave concern the budget cuts being forced upon Surrey Fire and Rescue Service (SFRS) by Surrey County Council's (SCC) Fire Authority which will result in the risk to the public and firefighters soaring to an alarming and unacceptable level.

The budget cuts imposed on SFRS by SCC have resulted in a litany of hazardous consequences for firefighters, and the residents of Spelthorne and Surrey, which include the following:

- Implemented in April 2020, Phase 1 of Making Surrey Safer Plan removed four fire engines from night cover which includes one from Spelthorne's night time cover. Phase 2 which will be executed imminently, will cut a further three night cover fire engines effecting Egham, Banstead and Painshill - this will also have a detrimental effect on Spelthorne as Spelthorne relies on these neighbouring areas for additional cover.
- Phase 2 calls for only 350 operational firefighters, which constitutes a 30% reduction in personnel since 2010.
- On top of that, many firefighters have left the service to transfer to other FRSs as they are no longer willing to work in an environment where their health and safety is endangered or accept a 12 hour shift system imposed without negotiation which has had severe impacts on their work life balance. Others have suffered imposed pay cuts which range from 6% to 26%.
- Whole-time fire engines crew have been reduced from 5 to 4 despite the fact that the safety of people and firefighters will be severely comprised by a fire engine crewed by less than 5 Firefighters.
- SFRS has failed to comply with its own Emergency Response Standard for the last 5 years. With a further cut of 70 firefighters and the removal of 7 fire engines from night cover this year, the possibility of compliance with its Emergency Response Standard in 2020 and beyond is becoming even more remote.

Spelthorne Council is extremely concerned that the cuts imposed by SCC to the SFRS will result in increasing the risk of serious injury and death to residents. SCC owes a duty of care to Spelthorne residents to ensure that their fire service is discharged with optimum safety management, and hence calls on SCC, by writing to the Leader of Surrey County Council, Tim Oliver and the Cabinet Member for Communities, Denise Turner-Stewart to:

1. Reverse the Phase 1 cuts and reinstate the appliance removed from Spelthorne's night cover.
2. Halt the Phase 2 cuts
3. Reinstate a fit for purpose budget, in agreement with the Fire Brigade Union, which will restore an optimum level of safety for the public and firefighters in Surrey.
4. Launch an independent inquiry into the causes that have led to many Firefighters and other staff leaving the service in recent years and advising on how better retention of personnel can be achieved.

Proposed by Cllr Siva

Seconded by Cllr Doerfel

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Item 18. Motion 4

The Staines-upon-Thames Development Framework is currently being defined and is important as the framework for the preservation and further development of a sustainable town centre.

In recognition of this importance, the Council shall require that:

The Cabinet should consider whether Any proposed development of Staines Town Centre by Spelthorne Borough Council should be kept on hold until the Staines Development Framework has been adopted.

The Cabinet should consider whether Developers of Major applications proposed in the Staines Town Centre should be requested to defer their applications until the Staines Development Framework is adopted.

The Staines Development Framework needs significant consultation with the community of Spelthorne and a public consultation will be held to review the proposed Staines Development Framework prior to formal adoption.”

Proposed by Councillor Bateson

Seconded by Councillor Lagden

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Council – 10 December 2020

Item 20 - General Questions and Responses

1. Question from Councillor Ian Harvey

“Can the Leader please confirm that all matters are on track for the transition to the Committee System, as per Council Resolution of 30th July, and that this will indeed come into effect from the Annual Council Meeting in May 2021? If not can he please explain why not?”

Response from Councillor John Boughtflower:

“Thank you for your question, Councillor Harvey. As you will note from the update report to Council on this matter, the change to a Committee system of governance is on track and progressing well. I would like to put on record my thanks to officers for their efforts in facilitating this in such challenging times.”

2. Question from Councillor Richard Barratt

“Evidence has been provided to me that a Councillor and others have potentially breached environmental rules in that they used land at Napper's Paddock Wheatsheaf Lane for which they are responsible to store trade waste and rubbish to the detriment of the local environment. When directed to remove it by council officers they chose to burn it on two occasions (10th and 13th November 2020) causing pollution, explosions, risk to the wildlife and environment leading to the unnecessary call out of the Surrey Fire brigade.

Local residents are deeply concerned at this alleged action by a local councillor and have complained. Apparently, the action was aggravated by alleged claims told to the fire brigade claiming they had an environmental licence to burn the waste.

1. Does the leader consider that this action is in breach of the policy recently issued by Spelthorne Borough Council declaring a climate emergency?
2. Does the leader consider this has brought the council into disrepute?
3. Does the council condone such behaviour by a serving borough councillor?
4. What action does the council intend to take, bearing in mind the unnecessary additional cost to the fire brigade and the environmental catastrophe that occurred, due to the actions of this councillor?”

Response from Councillor John Boughtflower:

“Thank you for your question Cllr Barratt. The Environmental Health Team are currently investigating a matter regarding waste at Wheatsheaf Lane, Staines-upon-Thames and as this is still ongoing no further information can be provided at this time to ensure that this investigation is not compromised.

There has been speculation that this investigation involves a Councillor. If this is the case, then this person would have been acting in a private capacity and not whilst acting as a Councillor. In such circumstances the Council's Code of Conduct is not applicable.”

3. Question from Councillor Ian Harvey

“Can the Leader please confirm that his administration remains implacably opposed to a single Surrey Unitary Authority which would result in the dissolution of Spelthorne and the potential loss of income, services and assets to this Borough. I ask this due to the very close links between his “administration” and that of Surrey County Council, at the highest levels, who are known to still be pursuing the Single Unitary Surrey plan. A simple “Yes we remain opposed” or “No we are not opposed” will suffice.

Response from Councillor John Boughtflower:

“Thank you for your question Cllr Harvey. As I’m sure you are fully aware, at the Council meeting on 24th September I put forward a number of motions, the first of which explicitly stated *‘In response to SCCs recently publicised proposal, this Council strongly opposes a single Surrey-wide Unitary Authority’*.

At that meeting this administration, together with Councillors from across this virtual chamber, voted unanimously against Surrey County Council's proposals for a single Unitary Authority covering the county's 1.2 million residents. Our position on this has not changed. We will always do what's best for our residents and remain strongly opposed to a single Unitary Authority for Surrey.”

4. Question from Councillor Ian Harvey

“In an article in the 25 October 2020 edition of the Observer newspaper LibDem Member Cllr Lawrence Nichols described Spelthorne as a “rotten Borough”. Regardless of whether you accept the Wikipedia or the Blackadder definitions of “rotten Borough” most people will interpret this as an extremely derogatory insult on both those democratically elected in Spelthorne, including our MP, and also Officers and all residents of the Borough. Does the “leader” agree with Cllr Nichols, and if he agrees with him, how does he feel about leading a “Rotten Borough”?”

Response from Councillor John Boughtflower:

“Thank you for your question Councillor Harvey. No, I do not agree that this is a ‘Rotten Borough’. Spelthorne is a Borough we can all be proud of and I am honoured to be its Leader.

Councillor Harvey may also wish to note that Private Eye listed Spelthorne as a rotten Borough, in relation to its decision to give WeWork an 18 month rent free period, in its edition number 1527 during his time as leader.”

5. Question from Councillor Ian Harvey

“Can the “leader” please advise with regard to Community Infrastructure Levy, since 26th June 2020:

- The sums paid out
- The sums formally committed to projects
- Projects and sums currently under consideration but not yet formalised

Response from Councillor John Boughtflower:

“This Administration is committed to ensuring infrastructure is delivered to meet the needs of our communities, including schemes to improve healthcare, education, recreation and active travel in the Borough. In order to consider how the CIL funding should be spent, I wanted to set up a new Task Group to review and make recommendations on bids. There has been a delay as I have had many new task groups to organise but I’m pleased to say the governance arrangements are nearing completion and we hope to have the first meeting of the Task Group soon. I should point out that the previous administration took over a year to get make its own changes to the way the task group was constituted and still hadn’t agreed on it by the time I took over as Leader. As a result only one meeting took place, with the bid agreed by the Spelthorne Joint Committee in March 2017 for the Wider Staines sustainable transport package and none since then, although no further bids were submitted until August 2019.

In terms of the sums paid out, there have been no CIL payments or sums formally committed to projects since 26th June 2020. In terms of projects and sums currently under consideration but not yet formalised, a CIL Bid was submitted in August 2019 as I previously mentioned from Surrey Highways for the A308 Corridor Phase 1 Congestion and Active Travel Improvement Package. Surrey are requesting CIL funding for 50% of the scheme costs so approximately £5million over the 5 year programme. This is the only formal bid so far although we are aware that there are others being developed currently. As part of our work on the Infrastructure Delivery Plan to support the new Local Plan, we are actively engaging

with infrastructure providers to support them in submitting further bids for consideration.”

6. Question from Councillor Ian Harvey

“The Leader is to be congratulated on surviving for almost six months. Could he please enumerate what he believes his administration’s significant tangible achievements have been in this period?”

Response from Councillor John Boughtflower:

“Thank you for your question Councillor Harvey.

Since March this borough has been facing the biggest threat the country has ever faced in peacetime, dealing with the effects of COVID-19. Like all areas of the UK, the consequences of this pandemic have hit our local communities and businesses very hard. In these unprecedented times, our focus has been, and continues to be, to respond and recover from this horrible pandemic, ensuring that our residents, business and workforce have the support they need to get through this incredibly difficult time.

During this period, it has also been important to reflect on the Council’s priorities going forward and as part of this process we have been actively engaging with our residents through monthly meetings with representatives from Residents’ Associations across the Borough. This has given us a much greater insight into the key issues affecting them and what support they want from the Council.

I have introduced Task Groups which involve more working together and openness - proving the members have a voice to represent their residents by working together. Something very lacking in the previous administration.

Over the next couple of months I will be sharing with all Councillors the results of the work we have been doing behind the scenes to put this Council in a better position to tackle the issues that really matter to our communities, which will include a greater focus on the delivery of much needed affordable housing and a greater emphasis on tackling climate change.

Also, I am proud to say the committee system will come into place at next year’s Annual Council meeting, which will be a new beginning for Spelthorne and finally close a door on the style of the previous administration.

So much more than surviving!”

7. Question from Councillor Bernie Spoor

“Would the Portfolio Holder for Planning agree that as the Bugle Nurseries site has had two applications rejected by the Planning Committee on the grounds of green belt, but the local community want the development to go ahead as it clears the industrial use and mess currently there. And given that any submission to the Secretary of State is rejected would the Portfolio holder ensure that the enforcement team, or whoever is best suited, at SBC take action by instructing the owners, Angle Properties, to return the site to as near as possible its Green Belt appearance?”

Response from Councillor Tony Mitchell:

“Thank you for your question, Cllr Spoor.

As you will be aware, Green Belt is a spatial designation (not a visual amenity classification). So, I’m afraid it’s not relevant to talk about a ‘Green Belt appearance’. Not all land within the Green Belt is ‘green’ and free of development. However, it can still perform one of the five functions of green belt (check unrestricted sprawl, prevent towns from merging, safeguard the countryside for encroachment, preserve the setting of historic towns and assist in urban regeneration). The Bugle Nurseries site is a case in point. Whilst the industrial area is built upon it is still within the Green Belt.

I am assuming you are in fact asking if the uses can cease and the buildings demolished and for the site to return to an open space. I am afraid that the existing buildings and commercial uses have been in existence for many years and are immune from any planning enforcement action (buildings become immune from enforcement action after 4 years and uses after 10 years). Consequently, it is not possible to take action to remove the buildings and uses and return the site to a ‘green appearance’ as you suggest.”

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