

To:
All members of the
Council

Please reply to:

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Date: 22 February 2021

Supplementary Agenda – Public and General Questions

Council - Thursday, 25 February 2021

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 25 February 2021:

6. Questions from members of the public

5 - 8

The Leader, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 14.

Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 18 February 2021.

At the time of publication of this agenda six questions were received.

Question from Mr A. Peters

The proposal for Phase 2 at the site formerly known as Ceaser Court has united Lower Sunbury residents in opposition to it and even led to Mrs Ceaser formally requesting her family name be disassociated with the site, which must be extremely embarrassing for the Council. The 225 letters of objection received to date note that this application contravenes in a very substantive manner many of the councils own planning guidelines, guidelines agreed in full Council and clearly documented in the Planning Policies and Supplemental Planning Documents.

Can the Leader please explain why and how the council feels entitled to submit an application which rides roughshod over its own planning rules? After all if the council cannot show leadership and comply with its own rules can the Leader please explain why should any other developer, be they a single householder or large corporation? In addition, as the council will be both applicant and judge in this substantial development, to avoid conflict of interest, can the Leader

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

confirm that the Council will appoint another authority to review this application at the decision stage?

Question from Revd. A. McLuskey

Why given that it is now seven years since the disastrous 2014 floods – which resulted in the death of poor Zane Gbangbola – and after which promises of improvements were made, have we now seen a repetition of the inundation?

Question from Mr P. Thompson

Will the Leader of the Council please explain the process for reviewing the proposed phase 2 of the Benwell House / Ceaser Court development as agreed at the Council meeting on 21st January, and detail what opportunity there will be for public involvement, given the very high level of concern and opposition amongst residents immediately affected and more widely in Lower Sunbury?

Question from Mr A. Woodward

Given that Spelthorne Borough Council declared a climate emergency on 14th October 2020, how has this informed the current round of budget planning and when might we expect to see plans for how all departments of the Council will implement changes to address this emergency?

Question from Ms S. Orchard

I would like to ask the following question addressed to the Leader of the Council at the full Council meeting on 25th February 2021. Will Spelthorne Borough Council vote to declare their support for the Climate and Ecological Emergency Bill that has been submitted to the UK Parliament?

Details of the Bill can be found [here Climate and Ecology Bill \(parliament.uk\)](https://www.parliament.uk)

Question from Greta Mattar

I would like to ask the following question addressed to the Leader of the Council at the full Council meeting on 25th February 2021.

Given the complete collapse of retail, the leisure time economy stagnation, restaurants, cafes, etc., closed temporarily or permanently are SBC taking into account the resultant 'mood' of its community in the planning of Staines town that will look and be used differently?

You no doubt have aspirations, what is the proposed budget figure to implement these changes?

16. General questions

9 - 12

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 18 February 2021.

At the time of publication of this agenda, one question had been received.

Question from Councillor Robin Sider BEM

Once again Travelers have encamped in Shepperton, and once more their presence is on the highway which is the responsibility of Surrey County Council, who have subsequently informed Spelthorne Head of Neighbourhood Services that they are working on a lockdown toleration policy and are not at this stage prepared to move them on from their current location. In response, the Travelers have indicated that their next move would be back to Old Charlton Road, where they were last year and where their presence caused anguish and grief to local residents. Such encampment in their present location has again caused local residents considerable concern. In the year 2019, and again in the year 2020 it is documented in full council agendas that I asked that officers seek through the legal channels, an injunction through the courts to prevent Travelers entering Spelthorne. That said, can the Leader of the council inform me when officers last wrote to the relevant authorities regarding this issue, what response did they receive, and from whom came such response?

Yours sincerely

Michelle Beaumont
Committee Services

To the members of the Council

Councillors:

C.F. Barnard (Mayor)
M.M. Attewell
C.L. Barratt
R.O. Barratt
C. Bateson
I.J. Beardsmore
J.R. Boughtflower
A. Brar
S. Buttar
R. Chandler
J.H.J. Doerfel
J.T.F. Doran
S.M. Doran

R.D. Dunn
S.A. Dunn
T. Fidler
N.J. Gething
M. Gibson
K.M. Grant
A.C. Harman
H. Harvey
I.T.E. Harvey
N. Islam
T. Lagden
V.J. Leighton
M.J. Madams

J. McIlroy
A.J. Mitchell
L. E. Nichols
R.J. Noble
O. Rybinski
D. Saliagopoulos
J.R. Sexton
R.W. Sider BEM
V. Siva
R.A. Smith-Ainsley
B.B. Spoor
J. Vinson

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Council – 25 February 2021

Item 6 - Public Questions supplement

7. Question from Mr C. Hyde

Given that 46% of Surrey's carbon emissions are produced by transport, and a major proportion by cars, encouraging a shift towards travel by walking and cycling is an important means of achieving a reduction in carbon emissions and air pollution as well as bringing health and other benefits.

The government and Surrey County Council support walking and cycling improvements and funding is available for Local Cycling and Walking Infrastructure Plans (LCWIPs). Other local authorities in Surrey have made significant progress in developing LCWIPs and securing funding, including neighbouring Runnymede Borough Council.

Has Spelthorne Borough Council developed a LCWIP and sought funding from Surrey County Council, or are plans in place to progress this and to work with Runnymede Borough Council to ensure that plans are coordinated?

8. Question from Ms K. Sanders

GL Hearn's Strategic Housing Market Assessment (SHMA 2015) calculated an Objectively Assesses Need (OAN) of 552-757 dwellings per annum (dpa) for Spelthorne (versus the existing plan target of 166 dpa until 2026) - see SMHA Nov 2015, p177 (section 10.42). Cllr Nichols made some very relevant points in his response to the SHMA Consultation at the time although I understand he wasn't a councillor then - he comments on the large increase in the housing need numbers versus the current official Local Plan and its likely impact (please see the response document on the Council website (p. 64-69) for his full response). Would the Council agree that the Strategic Housing Market Assessment suggesting a 4-fold increase in the rate of demand vs. the previously adopted plan has helped to create the pressure from developers that we are now witnessing in favour of development?"

9. Question from Ms K. Sanders

Does the Council agree that, when arriving at the OAN, the SHMA leaves aside issues relating to land supply, infrastructure, Green Belt and other constraints but that the Planning Practice Guidance (PPG) says these are relevant for the plan-making process at a later stage (as indicated by the SHMA 2015, Section 10.9)? Does the Council also agree that, in arriving at a specific OAN of 603 dwellings per annum (dpa), the SHMA Update Report (Oct 2019) also does not factor in the relevance of Green Belt or the other constraints mentioned above and hence leaves those issues for the Local Plan process we are in now?

10. Question from Ms K. Sanders

Would the Council concede that Green Belt policy as set out in national planning policy is one area which can restrict development and hence the Objectively Assessed Need (OAN) as acknowledged by ARUP's Green Belt Assessment (Stage) 1 Report, Section 3.1.3 (Ministerial Statements)?

11. Question from Ms K. Sanders

The Council has restated its "deep concerns" about the Objectively Assessed Need (OAN) figure of (now) 606 dwellings per annum while saying in its Preferred Options Consultation Response document that it ultimately has to accept government targets. However, would the Council concede that GL Hearn's Strategic Housing Market Assessment Update (October 2019), also states (in section 1.8) that it is possible to adopt an alternative approach to calculating the Objectively Assessed Need (OAN) if exceptional circumstances can justify it?

12. Question from Ms K. Sanders

Given that the OAN hasn't previously factored in major policy constraints but that the Planning Practice Guidance (PPG) allows for this at the Local Plan stage and national guidance specifically mentions that Green Belt policy can restrict the OAN, why can't the Council now factor in these major policy constraints i.e. a 65% local adjustment factor to the OAN on the basis of Spelthorne's Green Belt (or failing that, at a minimum, its PHYSICAL environmental constraints such as its high proportion of reservoirs and functional flood plain)?

13. Question from Ms K. Sanders

At last February's Council meeting you provided the table below showing that the Local Plan Preferred site allocations on Green Belt equated to 53 hectares of Spelthorne's total Green Belt area (so 1.6% of 3,324 hectares) and the areas subject to major policy constraints (e.g. reservoirs, Flood Zone 3b etc) totalled 1,665 hectares so pretty much exactly half of Spelthorne's Green Belt leaving 1,659 hectares of Green Belt which are not reservoirs or subject to other major policy constraints.

As also mentioned in your answer at the time, you didn't have a measure for the proportion of previously developed Green Belt land (PDL) bar the land that had planning permission (extant, under construction or recently completed) which was approximately 70 hectares. It was suggested that work would be done on this.

a) Does the Local Plan Working Group now have an answer for the total area of Spelthorne Green Belt which is already considered "Previously Developed Land"?

b) Please could you split out the area of Flood Zone 3b?

c) Given that Shepperton Studios, the "Eco Park", a number of schools such as Bishop Wand (together with Spelthorne Gym) and other infrastructure are already on Green Belt land, would the Council concede that the preferred Green Belt site allocations in Local Plan proposals represent a considerably greater proportion of the borough's "developable" Green Belt than the 1.6% of Green Belt mentioned in the Preferred Options Consultation document?"

Evidence provided for written response, Feb 2020

Area	Size (ha)	Comments
Total Spelthorne Green Belt	3324	
Reservoirs, Flood zone 3b, SSSI, SPA, Common Land	1665	Included within GB
Land with Planning permission (extant; under construction; or recently completed)	70	Commercial – 61.88 (all PDL except part of Shepperton Studios) Residential – 7.60
Preferred allocation sites	53	

14. Question from Ms K. Sanders

In a written response in October 2020, Cllr McIlroy said that tenders from seven consultants had been considered before awarding the Green Belt Assessment to ARUP. Please can the Council provide the names of the other consultants considered?

15. Question from Ms K. Sanders

ARUP's Green Belt Assessment Stage 1 Report (Feb 2018) states that it is an independent and objective assessment of Spelthorne's Green Belt. Is the Council aware of the "Perspectives" article on ARUP's website "Is Green Belt Policy Fit for Purpose?" in which the author states that they 'believe that green belt needs a fundamental re-think because it holds some of the answers to the UK's housing crisis'?"

16. Question from Ms K. Sanders

In the responses to the Issues and Options Consultation, Montagu Evans stated that their client Angle Property (the owner of the Bugle Nurseries and Croysdale Green Belt sites) met with ARUP at the Council offices in January 2018. What was the purpose and outcomes of that meeting and which other stakeholders were invited to that particular engagement session?

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Council – 25 February 2021

Item 16 - General Questions supplement

2. Question from Councillor Chris Bateson

The long-standing position of Spelthorne Council was to oppose Network Rail's proposal to permanently close the railway crossing at Moor Lane on safety grounds, as clarified in a Council press release prior to the commencement of the Enquiry.

Two-thirds of the way through the proceedings, the Council performed a complete about-turn and dramatically withdrew its opposition to permanent closure and before all objector's presentations had been heard. This decision was reached by a select group of Officers and a Deputy Leader at very short notice.

How we ended up in this situation is of concern to both Councillors and residents of the Borough. In turn, this decision has damaged the Council's reputation within the local community. In the light of the Council's apparent failure to adequately prepare its case, by contrast to National Rail's defence, what financial cost has been incurred by our Authority?

3. Question from Councillor Lawrence Nichols

The number of housing units proposed for the Oast House site at the Extraordinary Council meeting on 21st January was significantly different from the number indicated in the Cabinet paper approved in March 2019. What was the process followed to authorise this change and why has the Council chosen to spend over £1.2m on planning the development of this site without a revised Cabinet approval of the change or any public consultation?

4. Question from Councillor Tom Fidler

The timeline and public information on the Local Plan is not reflecting the current status. When can residents expect the website to provide an accurate timeline and updated account of the Local Plan process?

5. Question from Councillor Helen Harvey

The Leader made the following statement in a press release 10th February 2021:

'I specifically asked for a consultation exercise to be undertaken so that residents could give us their views on the future of Staines...'

I was surprised to learn that Cllr Boughtflower thinks that he was the one to have the bright idea to consult with the public over the emerging Staines Development Framework formally known as Staines Master Plan. This is not the case.

As part of the preparation of a Supplementary Planning Document (SPD) it is a standard formal requirement that public consultation exercises be carried out. Indeed, in June 2020 all Staines Councillors and other cross-party Councillors were sent a document entitled 'Consultation Strategy' where the proposals from our consultants for this consultation exercise were summarised. Furthermore, I personally attended a meeting in June, which was minuted, where the methods and approaches for the consultations were discussed in detail and in particular with regard to COVID-19 restrictions.

In view of this it is incumbent on Cllr Boughtflower to immediately issue a press release putting the record straight and apologising for misleading the public.

A Spelthorne council press release on 17th June 2020 stated that despite COVID-19 restrictions the Staines Master Plan was expected to be ready 'early in 2021' and other documents I have seen say by March 2021. Clearly according to the press release of 10th February 2021 this date has slipped by many months. Can the Leader inform Council and residents as to why this project; which is to provide an important support document for our emerging Local Plan, has been so delayed and can we be updated of the current Local Plan and Staines Development Framework timetable with key milestone dates? Our residents' groups need to be kept informed so that they can plan and coordinate their responses should they wish to make formal representations to the Ministry.

6. Question from Councillor Ian Harvey

At the 21st January Extraordinary Council Meeting to discuss Spelthorne property projects Cllr Boughtflower you proposed SIX separate motions that would transfer responsibility to a "Project Board" that would be a subcommittee of a new Policy and Resources Committee that itself will not come into existence until after the transition to a Committee System in May 2021.

A separate report submitted that night stated that the interest cost alone of any delays is £9100 a week. Thus the minimum delay as a result of this is 19 weeks, at a direct cost of £172,900.

Having proposed motions to facilitate multi-million funding to these projects, you then proceeded on some of the motions to state that you had not yet made up your mind whether or not to support those motions that you yourself had just proposed. This does not suggest a very strong leadership or decision making ability, or indeed commercial acumen. Please can you justify your actions (or indeed inactions)?

7. Question from Councillor Olivia Rybinski

In October 2020 there was a very serious and unlawful leak of a very confidential document to journalists and this led to significant press interest.

As Councillors we should abide by the Code of Conduct and not work to bring the Council into disrepute. This type of one sided journalism causes residents to feel unsettled as they have not been given the full picture.

Questions about this leak were asked in full council and we understand only four councillors (Cllr Boughtflower, Buttar, Mitchell and Nichols) had access to this document. At that time Cllr Boughtflower condemned the leak and assured Council members that this was indeed a serious matter and would be investigated, yet we are yet to be updated on the matter.

Can you now provide councillors with an update as to the progress of that investigation?

8. Question from Councillor Amar Brar

Since the Leader is now supporting the Arora Hotel Complex development, can the Leader provide Council with an update as to any interactions, such as phone calls or meetings he has conducted or attended with Arora group during the past 6 months, and does he agree that we as a borough are indeed highly privileged that in such difficult economic times that Arora were still able to take a long term view and agreed to invest approximately £185m in our borough bringing a much needed boost to the planned regeneration of Staines, local jobs, an increase in visitors and to grow our economic prospects?

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