

**To:**  
**All members of the**  
**Council**

*Please reply to:*  
Contact: Michelle Beaumont  
Service: Committee Services  
Direct line: 01784 446240  
E-mail: [m.beaumont@spelthorne.gov.uk](mailto:m.beaumont@spelthorne.gov.uk)  
Date: 17 February 2021

## Supplementary Agenda

### **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:

**8. Allocations of seats and appointment of members to Committees 5 - 8**  
**(1). Allocation of seats on Committees – Appendix A**

Following the formation of two new groups since the last Council meeting, the Independent Spelthorne Group and Independent Labour Group, it is necessary under section 15 of the Local Government and Housing Act 1989, to review the representation of the different political groups on Committees.

(Appendix A will be circulated in advance of the meeting.)

**(2). Appointment of members to Committees - Appendix B**

In accordance with the Council's Constitution, to appoint the members to serve on Committees.

Mr. Ian Winter and Mr. Dylan Price were appointed as the non-elected Chairman and Vice-Chairman of the Members' Code of Conduct Committee respectively, at the Council meeting on 10 December, until the Annual Council meeting in May 2021.

(Appendix B will be circulated in advance of the meeting.)

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

[www.spelthorne.gov.uk](http://www.spelthorne.gov.uk) [customer.services@spelthorne.gov.uk](mailto:customer.services@spelthorne.gov.uk) telephone 01784 451499

- 9. Recommendations of the Cabinet** **9 - 10**  
To consider the recommendations of the Cabinet from its meeting on 24 February 2021 on items 9a to 9f.
- 10. Report from the Leader of the Council** **11 - 12**  
To receive the reports from the Leader of the Council on the work of the Cabinet at its Extraordinary meeting on 25 January and ordinary meetings on 27 January and 24 February 2021.
- 16. General questions** **13 - 18**  
The Leader, or his nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 15.

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

**Appendix A**  
**Allocation of Committee seats 2021**

<b>Committee</b>	<b>Total number of seats</b>	<b>Seats allocated</b>	<b>Conservative</b>	<b>Liberal Democrats</b>	<b>United Spelthorne</b>	<b>Labour</b>	<b>Green</b>	<b>Independent Group</b>	<b>Independent Labour</b>	<b>Independent Spelthorne</b>
<b>Audit</b>	<b>7</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>2</b>					<b>1</b>
<b>Licensing</b>	<b>15</b>	<b>15</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Planning</b>	<b>15</b>	<b>15</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Scrutiny</b>	<b>15</b>	<b>15</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>1</b>
<b>MCC</b>	<b>8</b>	<b>8</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>			<b>1</b>	
<b>Spelthorne Joint Cttee</b>	<b>7</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>1</b>		<b>1</b>	<b>1</b>		
<b>Total seats</b>	<b>67</b>	<b>67</b>	<b>27</b>	<b>13</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>4</b>
<b>Seat entitlement</b>	<b>61</b>	<b>67</b>	<b>27</b>	<b>12</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>

This page is intentionally left blank

## Appendix B, Cabinet and Committee membership – 25 February – 27 May 2021

CABINET	AUDIT (7 seats)	LICENSING (15 seats)	OVERVIEW AND SCRUTINY (15 seats)	PLANNING (15 seats)	MEMBERS' CODE of CONDUCT **[10 members](8 seats)	SPELTHORNE JOINT COMMITTEE (7 seats)
J.R. Boughtflower Leader of the Council's Portfolio	L.E. Nichols (Chairman)	R.W. Sider BEM (Chairman)	V.J. Leighton (Chairman)	T Lagden (Chairman)	M.M. Attewell	M. Attewell
J. McIlroy Deputy Leader	J. Sexton (Vice- Chairman)	I.J. Beardsmore (Vice-Chairman)	O Rybinski (Vice- Chairman)	M Gibson (Vice-Chairman)	C.L. Barratt	J.R. Boughtflower
M.M. Attewell Deputy Leader Community Wellbeing and Housing	A Brar	C.L. Barratt	C.L. Barratt	C Bateson	S.M. Doran	I.J. Beardsmore
R.O. Barratt Compliance, Waste and Risk	S Buttar	R.O. Barratt	J. Doerfel	S.A. Dunn	R.D. Dunn	T. Fidler
S. Buttar Finance	M. Gibson	A Brar	J.T. Doran	J.T Doran	K.M. Grant	T Lagden
R. Chandler Leisure Services	H. Harvey	S.M. Doran	R.D. Dunn	A.C. Harman	I. Harvey	J McIlroy
A.J. Mitchell Planning and Economic Development	M.J. Madams	S.A. Dunn	T Fidler	H Harvey	R.W. Sider BEM	O. Rybinski
R.J. Noble Communications, Corporate Management and Environment		Vacancy*	R. A. Smith-Ainsley	N. Islam	V Siva	
		K.M. Grant	M Gibson	J. McIlroy		
		A.C. Harman	A.C. Harman	R.J. Noble	**2 members are non- councillors	
		J. Sexton	I.T. Harvey	R.W. Sider BEM	Ian Winter (Chair)	
		N Islam	N Islam	J Vinson	Dylan Price (Vice-Chair)	
		A.J. Mitchell	TBC Con	R. A. Smith-Ainsley		
		B.B. Spoor	L.E. Nichols	B.B. Spoor		
		Vacancy*	D Saliagopoulos	TBC Ind		
	Cons 3    USG 2 Libs 1    ISG 1	Cons 6    Lib Dem 3 USG 1    Lab 1 Green 0*    Ind 1 Ind Lab 0*    ISG 1 *relinquished their seat	Cons 6    Lib Dem 3 USG 2    Lab 1 Green 1    Ind 1 ISG 1	Cons 6    Lib Dem 3 USG 1    Lab 1 Green 1    Ind 1 Ind Lab 1    ISG 1	Cons 3    Lib Dem 2 Lab 1    Ind Lab 1 USG 1	Cons 3    Green 1 Lib Dem 1    Ind 1 USG 1

This page is intentionally left blank

## **Recommendations of the Cabinet**

### **Cabinet meeting held on 24 February 2021**

#### **1. Treasury Management Strategy Statement 2021/22**

- 1.1 Cabinet considered the Treasury Management Strategy Statement 2021/22.
- 1.2 The Council has taken advice from its Treasury advisers, Arlingclose, to ensure a prudent and robust approach in this strategy.
- 1.3 **Cabinet recommends that Council approve the Treasury Management Strategy for 2021/22.**

#### **2. Pay Policy Statement 2021/22**

- 2.1 Cabinet considered the Pay Policy Statement, which must be agreed by full Council and be published by 31 March each year.
- 2.2 The Discretions Policy (an appendix of the Pay Policy) has been reviewed to include the Exit Cap Regulations, which came into force on 4 November 2020, and to reflect the potential changes to the Discretions Policy should the Reforming Local Government Exit Pay and Local Government Pension Scheme (Restriction of Exit Payments) Regulations, currently in consultation, come into force in 2021.
- 2.3 **Cabinet recommends that Council approve the Pay Policy Statement 2021/22.**

#### **3. Capital Strategy 2021 to 2026**

- 3.1 Cabinet considered a report on a Capital Strategy for the period 2021 to 2026
- 3.2 Cabinet noted that the Strategy for 2021 was very different to those that preceded it and that it concentrates on how the Council's new priorities of delivering affordable housing, achieving the regeneration of its town centres, and ensuring a sustainable future in recognition of declaring a climate change emergency are to be delivered.
- 3.3 **Cabinet recommends that Council approves the Capital Strategy for 2021-2022.**

#### **4. Capital programme 2021/22**

- 4.1 Cabinet considered a report on the proposed Capital Programme for the period 2021/22 to 2024/25 in the light of the available resources and the corporate priorities and the Prudential Indicators for 2021/22 to 2024/25.
- 4.2 Overall, the total Capital Programme for 2021/22 is £36.1m.

**4.3 Cabinet recommends that Council approves the Capital Programme and Prudential Indicators for 2021/22 to 2024/25**

**5. Pay Award 2021/22**

- 5.1 Cabinet considered a report proposing a pay award of 0.75% to all staff, including those on personal salaries and apprentices, and an additional 0.25% for scales 1 to 3.
- 5.2 Cabinet also considered the deletion of scale points 8 and 9 from scale 1, as there was only a £4 difference between these points, and a one-off non-consolidated payment of £100 (gross) to all staff (excluding casual workers) in recognition of the additional efforts staff had made to ensure services were delivered as usual during the pandemic.
- 5.3 **Cabinet recommends that Council approves the 2021/22 pay award, deletion of scale points 8 and 9 from Scale 1 and 3 and a one-off, non-consolidated payment of £100 (gross) to all staff (excluding casual workers).**

**Councillor John Boughtflower**  
*Leader of the Council*

**25 February 2021**



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

This is my report as the Leader of the Council on the work of the Cabinet. It is an overview of the business considered by the Cabinet at its meeting on 24 February 2021. However, it should be noted that six items of business; the Treasury Management Strategy Statement 2021/22, Capital Strategy 2021 to 2026, Capital Programme 2021/22, Pay Award 2021/22, Pay Policy Statement 2021/22 and detailed Revenue Budget for 2021/22, were recommendations to Council and therefore these have already been considered earlier on this agenda.

### **1. Recommendations from the Overview and Scrutiny Committee on the Draft Capital Strategy and the Detailed Revenue Budget.**

- 1.1 Cabinet considered the recommendations of the Overview and Scrutiny Committee on the Draft Capital Strategy and the Detailed Revenue Budget.
- 1.2 Cabinet thanked the Chairman of the Overview and Scrutiny Committee for her detailed report and agreed with all the Committee's recommendations.

### **2. Fees and Charges 2021/22**

- 2.1 We considered the fees and charges for 2021/22 and agreed that the Council must perform a balancing act between maximising additional income that can be generated through fees and charges and setting fee levels which are sustainable whilst at the same time remaining mindful of the impact on residents and the local business community from any increases in fees and charges.
- 2.2 Cabinet agreed the fees and charges for 2021/22.

### **3. Annual Grants 2021/22 - Key Decision**

- 3.1 Cabinet noted that the Council had maintained its funding for voluntary organisations again this year, making £209,600 available for allocation, along with a carry forward of £34,650 from last year, meaning a total of £244,250 was available to be allocated.
- 3.2 Cabinet considered and agreed the Annual Grant Awards 2021/22, noted the other sources of support available to the charity / voluntary sector, agreed to donate £3,000 to the Mayor's Charities from the grant fund and agreed that any unallocated monies from the Councillors' Better Neighbourhood Grant be transferred to the Grants Panel for allocation.

### **4. Capital Monitoring Q3 (Oct-Dec)**

- 4.1 Cabinet noted that there had been some delays in the overall progress of capital schemes in 2020/21 due to the impact of COVID-19 and the agreed moratorium on three Staines-upon-Thames development schemes.

4.2 Cabinet noted the level of capital spend as at 31 December 2020.

## **5. Revenue Monitoring Q3 (Oct - Dec)**

5.1 We reviewed the key variances in the report and noted the level of revenue spend as at 31 December 2020.

## **6. Managed Service for the Incubator**

6.1 Cabinet considered the report to enter a contract to manage the Business Incubator where the operator would be responsible for marketing, advertising and, ensuring the premises are fully utilised and self-sufficient, maximising the space available and providing training and access to mentorships.

6.2 Cabinet noted that the incubator is likely to be self-sufficient but could also potentially provide a small revenue stream which could further sustain additional economic support for businesses in the Borough.

6.3 Cabinet agreed to enter a contract to manage the Business Incubator.

## **7. Establishing a Programme Board**

7.1 Cabinet considered the draft terms of reference for the Assets Programme Board and agreed to establish the board as a Sub-Committee of Cabinet.

**Councillor John Boughtflower**  
*Leader of the Council*

**25 February 2021**

**Council – 25 February 2021**

**Item 16 - General Questions - Answers**

**1. 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?

**Response from the Leader, Councillor J. Boughtflower**

Thank you for your question Councillor Sider. Since you last posed this question, Spelthorne officers have continued to gather information to enable us to apply to the courts for an injunction to protect all of our parks and open spaces within the Borough. Officers have been working with the Police, DVLA and the barrister appointed by our legal department to ensure that the legal bundle for the injunction was complete for the barrister to submit to the court.

Whilst working on this approach, the Court of Appeal considered the appeal against the London Borough of Bromley and widened the scope to look at all 38 injunctions granted to other District and Borough Councils. The appeal judge stated, amongst other points, that the injunctions were too wide and amounted to borough wide prohibition of encampments. During this appeal the judge also considered the gypsy way of life which includes their rights to stop on a temporary basis whilst travelling and the absence of sufficient transit sites to enable the Gypsy Romany Travelling Community (GRTC) to travel.

The appeal judge also decided that a directions hearing should be listed for January 2021 to review all issues raised at the appeal hearing. Information from this hearing has not yet been published and we would expect this to be available in the latter part of 2021. Until such time as the outcome of the directions hearing is known, officers are not able to pursue this injunction further.

**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?

**Response from the Deputy Leader Councillor McIlroy:**

*To follow.*

**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?

**Response from the Leader, Councillor J. Boughtflower**

Thank you for your question Councillor Nichols.

As active members of the Property Investment Task Group looking at property matters, we together identified concerns around how development schemes have progressed from inception to completion.

Unit numbers for such projects are always approximate in Cabinet papers, and subject to planning and other risks. Early feasibility work is undertaken prior to acquisition to inform development parameters. There then follows an agile development management process which involves design work, technical analysis and wider stakeholder involvement. This looks to optimise the development in terms of design quality, unit numbers and financial performance within the planning policy context. The unit numbers may go up or down as a result.

The fees to date for this project are £822,000, not £1.2m as you state. Given the scale and complexity of the scheme and the number of changes which have been made, this is not unreasonable. No additional fees will be paid until we have a financially viable scheme that is acceptable in principle to the planners.

Having said all that, a gap in reporting changes to Cabinet has been identified by the members of the Property Investment Task group which you are a member of.

Currently, a report only goes to Cabinet if there is a budgetary implication (e.g. more budget is required to deliver the scheme than originally anticipated).

This is one of the areas that has caused concern from councillors, and this will be looked at in detail under the newly constituted Assets Programme Board.

As you know we have discussed these concerns over the Oast House and other developments. It is important this does not happen again and for these reasons for this Council to have an Assets Programme Board to ensure that schemes are financially viable and value for money and also to provide scrutiny for our residents.

#### **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?

#### **Response from the Deputy Leader Councillor J. McIlroy:**

As an active member of the cross-party Local Plan Task Group (chaired by myself) you will be well aware, Cllr Fidler, of the very real challenges that we face of attempting to accommodate government housing requirements, whilst protecting our green belt. This has been severely hindered by central government changing the goalposts with our housing numbers, as recently as last December.

I hope you would agree that we collectively have worked incredibly hard to try and find a way forward that works for our residents, but which also delivers the housing the Government expects. There is more work to be done by this Group. Once that has been completed a report will go to Cabinet setting out a proposed way forward, including a revised timeline. That report will be in the public domain and our website will be updated accordingly at that stage.

#### **5. Question from Councillor Helen Harvey**

The Leader made the following statement in a press release 10<sup>th</sup> 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 17<sup>th</sup> 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 10<sup>th</sup> 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.

### **Response from the Leader, Councillor J. Boughtflower**

For the Council, it is critical that the end result of the Staines Development Framework is the right one. Whilst there has been some slippage in moving forward on the Development Framework, I see no issue with this.

Whilst all best endeavours have been made to meet specific deadlines expressed, nobody could foresee how this pandemic was to develop and the impact it would have on the work of the Council, as you be aware from the comprehensive regular Council COVID-19 Briefings for all members.

Councillor McIlroy will be providing an update on the timetable on these items at in due course to Cabinet.

### **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)?

### **Response from the Leader, Councillor J. Boughtflower**

I thank Councillor Harvey for his question. A decision was made by members at the ECM on the 21 January 2021 to direct the Capital Budgets for the Council's Development Programme. At this ECM the proposed Assets Programme Board was introduced, as you well know.

The Assets Programme Board has been set-up at Cabinet last night as a sub-committee of Cabinet to take these matters forward and bridge the gap until May 2021.

This Assets Programme Board will give residents and all members reassurance and transparency.

As a leader I always listen to all and as a result may change my initial views, I see this is a positive and one of the skills of a leader.

I lead by listening to what our residents and colleagues want and need and take steps to achieve that. I see that as one of the skills of a leader.

## **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?

## **Response from the Leader, Councillor J. Boughtflower**

The administration takes a very dim view on the leaking of any confidential information. A preliminary Investigation was undertaken but the source of the leak of the information could not be established. Following this incident all councillors were reminded of their obligations with regards to confidential information.

## **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?

**Response from the Leader, Councillor J. Boughtflower**

I am surprised you are not aware of my view of the high rise developments as I have expressed repeatedly.

I have received two telephone calls from Mr Arora suggesting a meeting.

Therefore one virtual meeting with Mr Arora along, Councillor McIlroy and the Chief Executive has taken place.

All developments in the borough that meet the expectations of our residents are a privilege to have here, but others that do not are a different matter.