

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

*Please reply to:*

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Service: Committee Services  
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Date: 15 April 2021

## Supplementary Agenda

**Council - Thursday, 22 April 2021**

Dear Councillor,

I enclose those questions received from the public and councillors after the agenda was published but before the deadline, and the Leader's report on the Cabinet which was marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 22 April 2021:

### **8. Questions from members of the public**

**5 - 10**

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 15 April 2021.*

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

#### **Question from Mr A. McLuskey**

In the light of the 'scorched earth' policy being pursued by gravel company Cemex at Stanwell Quarry in clear opposition to information in the public domain and also totally against the tenor of the recent 'Green' messages in the Spelthorne Bulletin - will the Council use its good offices to represent to both Cemex and Surrey County Council that the spoliation of this beautiful location cease forthwith?

#### **Question from Mr A. Woodward**

Given that the Council has committed to sustainable development defined as, "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs." and to "using sound science responsibly", will the Council ensure that

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the Local Plan and the Staines upon Thames Development Framework take account of the latest science indicating that global warming is on track to exceed safe limits, including measures such as; restricting any new large scale construction, refurbishing existing structures and protecting the remaining greenbelt?

**11. Report from the Leader of the Council**

**11 - 12**

To receive the report from the Leader of the Council on the work of the Cabinet at its ordinary meeting on 24 March, its extraordinary meeting on 29 March 2021 (attached) and its extraordinary meeting on 14 April (to follow).

**17. General questions**

**13 - 14**

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 15 April 2021.*

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

**Question from Councillor J. Doerfel**

On 20 October 2020, this Council passed a motion on idling. What has this Council done in the last 6 months to "declare a no idling zone as a matter of urgency", to "encourage all residents and businesses to stop engine idling", to raise awareness in Council publications, communications, and Council campaigns about the harm of idling, to "encourage and assist schools, businesses, and other partners in the Borough to highlight the health hazards and environmental impact of idling and to take measures to combat idling through signage and other measures", to write to Surrey County Council urging the Council to proactively address the declaration of a Clean Air Zone and combat idling as a matter of urgency including through the implementation of a Traffic Regulation Order to this effect, increased use of custom signage, idling penalties and increased enforcement resourcing for monitoring of idling hotspots including in busy shopping areas, car parks, near schools and in residential areas and to write to the Government for legislative reform?

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 – 22 April 2021**

**Item 8 - Public Questions supplement**

**3 - Question from Mr P. Hollingworth**

I understand that KGE Ltd submits its accounts to Companies House and they can be viewed online here [KNOWLE GREEN ESTATES LIMITED - Filing history \(free information from Companies House\)](#).

Furthermore, I understand from KGE's website that, "Because KGE is a 'controlled company' of the Council, its activities and decision making are open to inspection and scrutiny by the Council's auditors, councillors and the public. In addition, the company is regularly reviewed by Cabinet, Audit Committee and the Overview & Scrutiny Committee, and its accounts are separately audited."

Therefore, please can the Council:

- a) provide an example of the financial reporting which is provided by Knowle Green Estates to the Council for performance monitoring purposes, state how often is it provided and where is it shown in Council reports?
- b) state how many full-time-equivalent employees KGE Ltd currently has and confirm if they are considered to be in the Council headcount?
- c) state, having now been established for nearly 5 years, what the latest key performance indicators are showing us for KGE Ltd and whether the full Council is happy with the value for money to date (in particular the £113k showing for the 'management charge' in the 2019 accounts)?
- d) can you outline why SBC still needs Knowle Green Estates and what purpose it serves?

**4 – Question from Mrs K. Sanders**

The balance of the Project Delivery Fund (£497k) was identified in the Q3 Revenue Monitoring Report as being available for "consideration for release for other projects". I have asked several councillors in the administration whether these funds specifically could be repurposed for Green Initiatives but have received no reply. Now that we have reached year-end, please can the Council confirm if the provision was identified as "savings" and released or whether it has been used/put aside for some other purpose?

**5 – Question from Mrs K. Sanders**

Given Cllr Boughtflower's acknowledgement at the February 2021 Council Meeting that the government's Objectively Assessed Need (OAN) figure of 606 dwellings per annum for Spelthorne can be considered a "starting point", what further work has been done to date by the Local Plan Task Group on

ways to reduce the local housing need figures to sustainable targets to take account of the large proportion of the borough designated as Green Belt or otherwise covered by LOCAL "absolute constraints" (e.g. water, functional floodplain etc)? By further work, I mean over and above the two approaches to the Ministry for Housing, Communities and Local Government (MHCLG) asking them to change the government's standard methodology.

## **6 – Question from Mrs K. Sanders**

Given this Council's stated commitment to flood risk prevention and mitigation, what is the possible justification for excluding some building footprints in the highest risk area (Flood Zone 3b) from the definition of Functional Floodplain as proposed in Local Plan Policy E2 (Flooding), and exactly which building footprints (of what size) in Flood Zone 3b does the Council have in mind?

## **7 – Question from Mr A. Woodward**

Please see below the text of a question that I would like addressed to the Councillor Noble at the forthcoming meeting on Thursday 22<sup>nd</sup> April.

I am grateful to Cllr Noble's answer to my question at the last Council meeting in which he stated that all departments across the Council are now aware of the need to take account of the climate emergency in their planning. Does the Council have a programme of staff training to ensure that all Council staff understand the nature of the climate emergency and are equipped to understand how they need to adapt their planning in response to this emergency?

## **8 – Question from Ms S. Woodward**

I would like to ask the following question of Councillor Noble at the Council meeting on 22nd April 202.

In the Spring Bulletin, I was delighted to read that Spelthorne Council believes, 'there needs to be a greater step change to reduce carbon emissions and damage to the environment for our residents and future generations'. It was therefore with great shock and dismay that I found that an area in Lammas Park, adjacent to the refreshment kiosk, and consisting of raised beds supporting beautiful, mature, carbon capturing shrubs, plants and soil had been destroyed.

These habitats for birds, pollinators, small mammals, annelids and invertebrates have been replaced by barren, impermeable tarmac!

Can the council explain how this can happen without consultation with local residents and how such desecration fits in with the council's published intent to, 'review everything we control and manage as your council and ensure we can carry out our work with the least impact on the environment' ?

## **9 – Question from Mr A. Peters**

I would be grateful if you could arrange for the following questions to be asked of The Council Leader at the April full council meeting regarding the serious concerns raised in the report by the developments and investments review group.

The report by the working group reviewing the Councils developments and investments stated that the group believed there is a lack of public involvement in the Councils ambitious development programme highlighting in particular the Benwell House development. In this case the report states "Public consultation only took place on the final design for a 5-storey block in Phase 2 with no alternatives offered". This lack of local involvement has resulted in a Phase 2 proposal which is widely resisted locally and has led to over 225 planning objection letters. Can the leader please outline what processes will be put in place to ensure such shameful lack of public consultation does not occur ever again, and will he commit to a proper and meaningful consultation on Phase 2 of Benwell House.

## **10 – Question from Mr A. Peters**

The report by the working group reviewing the Councils developments and investments stated that:

- council officials were reluctant to engage in the review process,
- that intervention of the Council Leader was required for officers to engage even partially in the review,
- that even now officers have been reluctant to identify who made the decisions regarding the ballooning scope and costs of the developments and have still not provided full DIG reports

Despite the leadership changing and an apparent political will to review the current opaque practices around the development programme it appears there is huge organisational inertia to any change of direction, not least from senior council officials and the many contractors employed to push these schemes through. Can the leader please describe what steps have been taken to ensure that senior council officials are on-board with the recommendations of the working group report and give the public confidence that we will see evidence of a marked improvement in their performance and transparency.

## **11 – Question from Mr A. Peters**

The working group raised serious concerns about the long-term resource requirements and skills necessary for the development and management of the portfolio. Given that the entire budget for Benwell House has already been spent on Phase 1 these concerns appear well founded. Can the leader please describe what steps have been taken to fill the resourcing and skills gaps identified in the report.

## **12 – Question from Mr C. Hyde**

As a Spelthorne resident, I would like to ask the following question at the Council meeting on 22 April 2021.

Question addressed to Cllr Boughtflower or Cllr Noble:

"In response to a question, Cllr Noble stated during the Council meeting of 25th February 2021 that there were "large contingencies for the Climate emergency". How much in actual figures are the contingencies that were referred to and that have been put aside by this Council for the Climate Emergency?".

## **13 – Question from Ms S. Molloy**

In the recent Council spring bulletin, Cllr Noble called on everyone to take "personal responsibility and adopt.. a more selfless attitude" to protect the planet, plant life and species. How does he consider that his own planning application (20/01544/FUL) to develop his **own** Green Belt site is compatible with his call on others to change **their** ways and does he consider that the duty to protect the environment and green belt only applies to others?

## **14 – Question from Mrs K. Sanders**

Where can interested parties find the Water Cycle Study which the Environment Agency has twice recommended be carried out as part of the Local Plan Evidence Base and, if not yet complete, when will this be available please [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne?](#)

## **15 – Question from Mrs K. Sanders**

Does the Local Plan Task Group plan to incorporate the Sustainable Design principles advocated by Rachel Rae from the Environment Agency's Sustainable Places team in their Preferred Options consultation submission from 21st January 2020 [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne?](#)

## **16 – Question from Mrs K. Sanders**

Does the Local Plan Task Group plan to incorporate the Green & Blue Infrastructure recommendations advocated by Rachel Rae from the Environment Agency in her Preferred Options consultation submission [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne?](#)



### 17 – Question from Mrs K. Sanders

Does the Local Plan Task Group plan to incorporate the Sustainable Drainage Schemes (SuDS) advocated by Rachel Rae from the Environment Agency in her Preferred Options consultation submission [View Comment - Spelthorne Local Plan - Preferred Options Consultation: Policies and Site Allocations - Spelthorne](#)

### 18 – Question from Mrs K. Sanders

Please can you tell interested parties when the Authority Monitoring Report for 2019/20 will be published as it doesn't appear to be on the website yet? [Authority Monitoring Report - Spelthorne Borough Council](#)

### 19 – Question from Mrs K. Sanders

I understand that certain numbers in the budget are required for statutory reporting and I can see that the budgeted **Council Tax for the Year of £8,000,300 (Figure C) in accordance with Section 31 to 36 of the Local Government Act 1992** equals the bottom line of the Council Tax calculation in Appendix 4 (i.e. **"Net sum to be recovered through Council Tax"**). However, please could officers clarify how two of the other headline numbers from the Local Council Tax 2021/22 Budget (**namely A = £104,340,381 and B = £96,340,081**) reconcile back to the Council Tax calculation in Appendix 4 of the Revenue Budget presented in February 2021 as this is not clear and I cannot see these two numbers in any other report (and my email enquiry has not been answered)?

NB Appendix 1 has similar numbers for the "Charge to Collection Fund" of £103,992,781 and £95,992,480 (with a net figure of £8,000,300) but these are obviously both out by a difference of £347,600.

### 20 – Question from Mrs K. Sanders

I understand the pandemic has caused major changes in the finances of every organisation. However, please could interested parties get more explanation of the major variances in the financial reporting going forward? Specifically for now, for example, why is the budgeted Pensions allowance of **£205,000 for 2021/22 only 20% of the allowance made in 2020/21 when it was £1,058,000**? That is, in itself, a difference of £853,000 which was not fully explained in the report or the meeting.

NB The Revenue Budget report does talk in section 3.3.2 about a reduction in the secondary pension rate from £2.122m in 2020/21 to £1m in 2021/22 but these numbers cannot be seen in the detailed Revenue Budget in Appendix 1 (and they don't marry up with the numbers quoted for Pensions in that report).

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## **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 at its extraordinary meeting held on 14 April 2021.

### **1. Recommendations from the Extraordinary Overview and Scrutiny Committee**

- 1.1 Cabinet considered the recommendations from the Overview and Scrutiny Committee in relation to its review of the decision taken by Cabinet on 24 March 2021 on the transfer of properties from Spelthorne Borough Council to Knowle Green Estates Ltd:
- 1.2 We agreed to instruct officers to draw up the following documents:
  - i. A “Term Sheet” to set out the basis of developments and supporting policy. A Term sheet should be required for each Spelthorne Borough Council residential development and will be created prior to planning application submission monitored and adjusted as required thereafter.
  - ii. A policy for valuation and transfers of developments.
  - iii. An interest rate policy.
  - iv. Documentation of Knowle Green Estates (KGE) depreciation policy.
- 1.3 We further agreed that a Term sheet template and draft policy documents will be presented for approval by the Policy and Resources Committee and KGE Board as soon as possible and no later than the end of July 2021.
- 1.4 We confirmed that no residential housing units will be sold unless a policy to do so is formally approved by the Council.

### **2. Key Worker Housing Policy**

- 2.1 Cabinet considered and approved the Key Worker Housing Policy for use with immediate effect.
- 2.2 We noted that a comprehensive review of the policy would take place within 12 months of being in operation, to inform a more established policy going forward

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**Council – 22 April 2021**

**Item 17 - General Questions supplement**

**2. Question from Councillor Lawrence Nichols**

The LGA Peer Review took place in November 2020, with the draft report made available in December. The Council issued a press release on 29th January this year in which the Leader is quoted saying *"We fully commit to action the recommendations made in the report and are already putting in place plans to address them which will be regularly reviewed by the Leader and the Cabinet."*

Could the Leader please advise when Members will be informed what these plans and associated actions are and are the Cabinet satisfied with progress to date?

**3. Question from Councillor Tom Lagden**

Question to Cllr Noble:

At the 'Extraordinary Council Meeting' of 21st January 2021, you made the following comment:

"...about the Green Belt...I've received some independent calls...about planning issues within Spelthorne,...it's been made clear to me, and I'm talking about not only **developers** but also **councillors** from other authorities. If I were a major developer looking in the south west of London, and I'm looking at planning committees, and I look at chairs of planning committees and their political persuasions...those outside people have commented to me on the nature of the political background of our current chair of planning and I'm not sure that's going to help us attract other developers to come into this borough..".

Who are the developers and councillors you refer to - who seek to influence planning decisions at Spelthorne Borough Council that have made you biased enough to call for me removal as chair for being a Green Party supporter advocating with officer recommendations in order to protect it?

*As chair of the Planning Committee, I note that you have at no stage declared any such lobbying during any of the Planning Committee meetings but have lodged continued with an application to build on Green Belt that officers refused to accept.*

In light of this. When will you retract and publicly apologise for this assault against me politically and rightfully step down from the Planning Committee?

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