

## **MINUTES OF THE SPELTHORNE BOROUGH COUNCIL**

**Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 25 February 2021 at 6.00 pm**

### **Present:**

#### **Councillors:**

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	K.M. Grant	O. Rybinski
J.R. Boughtflower	A.C. Harman	D. Saliagopoulos
A. Brar	H. Harvey	J.R. Sexton
S. Buttar	I.T.E. Harvey	R.W. Sider BEM
R. Chandler	N. Islam	R.A. Smith-Ainsley
J.H.J. Doerfel	T. Lagden	B.B. Spoor
J.T.F. Doran	V.J. Leighton	J. Vinson
S.M. Doran	M.J. Madams	

Councillor C.F. Barnard, The Mayor, in the Chair

**Apologies:** Apologies were received from Councillors M. Gibson and V. Siva and

### **38/21 Minutes**

The minutes of the Extraordinary Council meeting held on 21 January 2021 were agreed as a correct record.

The minutes of the Council meeting held on 10 December 2020 were agreed subject to the following amendment to minute number 287/20 that, as Councillor Olivia Rybinski had been a Director of Knowle Green Estates, Ann Fillis was not the first female board member. This sentence will be amended.

### **39/21 Disclosures of Interest**

Councillor T. Fidler disclosed a conflict of interest on item 9e Pay Award as a family member works for the Council, and would be impacted by the decisions, he would not take part in the decision on this matter.

### **40/21 Announcements from the Leader**

The Leader made the following announcements:

- This Borough, along with the rest of England is still enduring a period of lockdown and I know this continues to be a very difficult time for many of our residents and businesses in the Borough. COVID-19 positive numbers are decreasing in Spelthorne, however if you do need help our Support4Spelthorne helpline remains open and is on hand for residents who need support. The Prime Minister has set out the road map towards the end of lockdown and, for it to be successful, we must continue to follow the rules.
- The Council continues to support business in Spelthorne and to date have issued £16 million in business and discretionary grants and £18m of business rates 12-month reliefs. We will continue to signpost businesses to the various support grants available.
- Earlier this month, Spelthorne Borough Council became the first Borough in Surrey to launch asymptomatic community testing with a centre at the Thameside Centre in Staines and three pharmacies in Spelthorne. Anyone in the Borough who must leave home to work and does not have access to a symptom-free test through other routes can access to these tests. We are particularly encouraging critical workers leaving home for work to be tested.
- Following a four week consultation the Council are reviewing the submissions from residents on the proposed changes to the way decisions are made at the Council. Following the 30 July 2020 Council meeting, a motion was approved which proposed adopting a Committee System of governance; meaning that decisions which are currently taken by the Cabinet would instead be taken by several committees. I consider that the Committee System could provide a more open, democratic, inclusive and transparent way of conducting Council business.
- We have also been undertaking a consultation on putting in place a Public Space Protection Order to prohibit the possession and use of New Psychoactive Substances (NPS) in the Borough. Details of the consultation, which closes on Sunday 28 February, can be found on our website.
- Spelthorne Borough Council announced the purchase of the freehold of the former Marks & Spencer building in the heart of Staines-upon-Thames. Having bought the Elmsleigh Centre in February 2020 this opportunity supports the Councils regeneration and housing strategy for Staines town centre, to the benefit of its residents and local retail businesses.
- The Council is working on the extension of the Fordbridge Day Centre, which is due to be completed by the end of April. These works will provide a bigger and brighter venue for visitors to enjoy once the Centre is allowed to reopen.

- The Cabinet voted to impose a temporary moratorium, and to pause three significant Council development proposals in Staines-Upon-Thames until the Annual Council Meeting in May 2021. This is to allow the Strategic Planning team to undertake a public consultation exercise on Issues and Options for the Staines Development Framework.
- Spelthorne Borough Council hosted a series of free virtual events to keep children entertained over the half term break. These events were well received with over 80 participants and included workshops in painting, drumming and creative writing.
- On Tuesday 19 January a briefing session was held by officers for nominated representatives of the Riverside Residents (Staines) Coalition and local ward Councillors on the Waterfront scheme at Bridge Street car park in Staines. I called the meeting to address the concerns being raised by residents around the development agreement that the Council entered into to deliver a 4-star hotel and residential development.
- Spelthorne Borough Council have partnered with the Purple Angels to launch the 'Send a Smile' campaign. The current national lockdown means we are all spending more time at home and, with lots of people looking to make a positive difference, we are inviting young people in Spelthorne to write a letter, draw a picture or make a card to send to residents living with dementia. Full details are on our website.
- Finally, this Council has been told it has "focused on building financial sustainability" and shown "a strong response" to the COVID-19 pandemic with plans for "promoting economic recovery and community resilience". The local authority was praised in a recent LGA Corporate Peer Review report after Spelthorne Borough Council invited them to conduct a 'financial' peer review of the Council in late 2020 and the full report can be read on our website.

#### **41/21     Announcements from the Chief Executive**

The Chief Executive, Daniel Mouawad, stated that it had been nearly a year since the Council had declared the COVID-19 pandemic a Borough Emergency and the Council's services had been integral to the success of protecting and supporting communities in Spelthorne.

Despite the many trials and challenges faced by frontline staff, Council officers have successfully supported over 17,000 of the Borough's most vulnerable residents through the dedicated Support4Spelthorne hub.

Officers have developed essential partnership working with community champions, volunteers and the NHS to ensure residents have had the support they need whilst facing these most difficult of circumstances

The Chief Executive advised that as we start to see a roadmap to recovery, he was confident that Spelthorne Borough Council had the right plans in place to ensure communities would continue to benefit from critical local services.

On behalf of the Borough Emergency team the Chief Executive thanked everyone for their commitment and contribution to making the Borough a safer and more resilient place to live.

#### **42/21 Questions from members of the public**

The Mayor reported that, under Standing Order 14, 16 questions had been received from eight members of the public.

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

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

The planning application for what is now to be called Benwell House Phase 2 does not, as you suggest, contravene in a very substantive manner planning policies, guidelines or supplementary planning documents. In light of your contentions, I instructed officers to undertake a thorough review of the application to assess whether or not, in fact, it did, as you say, substantially contravene planning policies and guidelines. I can confirm it does not. It complies fully apart from a very small number of instances where any non-compliance is well within industry tolerances. So, for example, a very minor shortfall in one of the three areas which are used to define impact of a development on daylight to windows of adjoining existing properties.

When developing sites, we also have a duty to ensure we achieve value for money. Every scheme has to cover its own costs as a minimum. We endeavour to meet and exceed policies and guidelines for every development. For example, on this scheme we are well ahead of the curve as we are providing underground bin storage which very few developers do. We are also providing 33% s106 affordable housing and topping this up voluntarily to deliver 50% in total.

Notwithstanding this, as you may be aware, I have committed to ensuring that each Council development is reviewed by the Assets Programme Board before they can move forward. This will ensure that there is sufficient challenge and scrutiny of our development programme. I have no doubt that the views expressed by this body will be taken into consideration as we move forward with our development programme in future.

As to your last point, the Local Planning Authority is a quasi-judicial body which sits apart from the Council. It has to make decisions based on national and local planning policy, and is not influenced in any way by who the applicant is. There is no conflict of interest and therefore the matter does not need to be passed on to another authority to determine the scheme as you suggest.

## **2. 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?

### **Response from Councillor R. Noble**

Thank you for your question regarding the recent high levels on the Thames and the potential for flooding. As you will recall in 2014 the Prime Minister promised £100million to reduce flooding - sadly that did not materialise. However, we have continued proactively working on the major River Thames Scheme comprising of new channels to help balance the load of the Thames when high and thus preventing or reducing, where possible, the risk of flooding in Spelthorne, Runnymede and Elmbridge.

The River Thames Scheme is expected to cost around £640 million and partners have committed to funding their share of the scheme and are finalising the mechanisms to do this. Although only a small Council, we have annually since the financial year 2015/16, contributed £49,000 to the scheme's development as our share to the overall cost. Additionally, we have put in Spelthorne Borough Council's capital programme a sum of £1.3million towards the build when it takes place.

Surrey County Council has agreed to provide £270million for long-term flood risk management work in Surrey as a whole. This sum includes a £237million contribution to the River Thames Scheme, enabling the next steps of the plan to move forward.

Spelthorne Borough Council is working with partners, to secure the approvals needed to construct the scheme. This includes gaining approval from HM Treasury and preparing a planning application, which will be in the form of a Development Consent Order, as the whole scheme is classed as a nationally significant infrastructure project.

Along with the planning application, the project team will submit an Environmental Statement. This will consider the environmental impacts of the

scheme and how these can be managed and mitigated. These will inform what changes may be needed to the scheme design. The project team are also working on recruiting the construction partner for the scheme. The earliest work is likely to start in 2023, as there are the necessary approvals to achieve including planning consent through the Development Consent Order Process.

In the meantime, we have ensured preparedness for flooding through our emergency plans both from rivers and other sources. The river this year did not cause significant flooding as in 2014 but due to high water levels everywhere across the borough we did have groundwater issues.

### **3. 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?

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

Last night, Cabinet agreed the Terms of Reference, membership and delegations for setting up a formal Assets Programme Board, to sit under the main Cabinet, which will start the process of reviewing the Council's development programme. This Board will remain in situ until such time as the new Council Committee system (if agreed at the end of March 2021) comes into place. At that point, the membership of the Board will be refreshed and this will almost certainly sit as a sub-committee of the Corporate Policy and Resources Committee.

The business case for each development will be reviewed by this new Board, as well as its viability and financial payback, plus risks and issues. The Board will explore what scope there is, or is not, to amend any schemes, bearing in mind the main driver for any residential schemes being that any Council scheme needs to cover its own costs as an absolute minimum.

As always under this administration public involvement is key as well as views from ward councillors.

The Local Planning Authority will consult residents on any amended plans in the usual way.

### **4. 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?

**Response from Councillor R. Noble**

The Council has put large contingencies aside to deal with the climate emergency. All departments are now aware of the impact this will have on them including services such as planning through to grass cutting. We are in the early stages of planning those into next year, but sufficient funds have been put aside to contend with those changes.

**5. 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/bills/2019-2020/climate-ecological-emergency)

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

Spelthorne Borough Council has declared a climate emergency and is working towards reducing our carbon footprint. We are currently defining our carbon trajectory so that we can best target areas that reduce our carbon emissions to the greatest extent. We will be undertaking a range of actions in the next year, including installing solar panels on the roof the Depot and trialling an electric dustcart.

We understand the nature of the Private Member's Climate and Ecology Bill, but consider that our actions on climate change and managing our important ecosystems will be fulfilled by the work the Borough Council is currently undertaking in order to meet all government targets. We will also be engaging with our residents to assist them in reducing their carbon footprint

**6. 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?

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

We are aiming to go out with an Issues and Options consultation on the Staines Development Framework in April 2021. The aim is to hear thoughts from residents across the borough on how the town should be developed in the future. You are right that we are living in uncertain times, both economically and socially, particularly as a result of COVID-19. The consultation gives us the opportunity to consider how we can best address these challenges in a managed and planned way. Clearly this will involve a number of uses including residential, retail, offices, leisure and community,

plus the social and transport infrastructure required to support further development.

The results of the consultation exercise will help inform how we move forward. There will then be a further round of consultation on a 'Preferred Development Framework' which will put more 'meat on the bones' in terms of the 'vision'.

The Council is this evening considering the Capital Programme for 2021 to 2025. This includes a number of Council sites which are currently on hold as a result of the temporary moratorium which was agreed by Cabinet on 24 January. Work will not progress on Thameside, Tothill or Oast House until the three conditions set down by Cabinet have been met

#### **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?

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

Spelthorne Borough Council recognises the importance of reducing both carbon emissions and pollution from vehicles. As a result, the Council is currently looking closely at how it can develop a Local Cycling and Walking Infrastructure Plan (LCWIP) in conjunction with Surrey County Council. As there are opportunities for cycling and walking routes linked to the River Thames Scheme, we will look to work with neighbouring authorities to see if we can develop "corridors" linking different areas for walking and cycling purposes.

#### **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?

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

Such a technical question demands a technical answer, and I trust that councillors and members of the public listening will bear with me in the answers that I will give to this and the following question.

Whilst there was no fixed methodology in national policy at the time, the Strategic Housing Market Assessment (the SHMA), the National Planning Policy Framework and the Planning Practice Guidance set out a clear approach to defining the Objectively Assessed Need for housing. This makes it clear that the latest national projections should be seen as a starting point, which is then increased to take account of local circumstances, as necessary. The National Planning Policy Framework sets out that plans should be prepared on the basis of meeting full needs for market and affordable housing. As an authority, we have no choice but to follow national planning policy to meet these needs, which are all focused on the drive from central government to increase housing delivery at a rate nationally of 300,000 per year. Developers are simply responding to the 'call' from the Prime Minister in June 2020 to, in quotes, "Build, Build, Build".

The quicker we can adopt a Local Plan and allocate sites, the better placed we are to reduce speculative development and retain greater control over the destiny and future development of the borough.

**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?

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

That is correct – the calculation of housing need is 'policy off' meaning it does not take account of external factors. The Planning Practice Guidance states that assessing housing need is the first step in the process of deciding how many homes need to be planned for. It should be undertaken separately from assessing land availability, establishing a housing requirement figure and preparing policies to address how needs will be met. It is through these latter factors that local constraints should be considered

**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)?

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

Paragraph 11 of the National Planning Policy Framework states that there is a presumption in favour of sustainable development. Footnote 6 sets out the designations whereby there is a strong reason for restricting the overall scale, type or distribution of development. Green Belt is included in this list.

Paragraph 136 of the NPPF goes on to state that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation of plans. All other reasonable options for meeting identified needs for development should be fully examined before determining if boundaries should be altered.

It is therefore up to the Council to explore all other options for meeting development needs before it considers Green Belt release. This is what we have done.

**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?

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

Planning Practice Guidance states that if it is felt that circumstances warrant an alternative approach, this may be used. However, any authorities choosing to go down this route can expect this to be forensically scrutinised at examination.

Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method.

**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)?

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

It is for members to decide on the Local Plan strategy to pursue. The Council must demonstrate that it has explored all options for meeting its housing needs in full before considering if an alternative approach is required. This includes working with neighbouring authorities and assessing all possible alternative site options.

We are still working through this process in order to establish how needs can best be met through the Local Plan. The Plan is unlikely to be found sound if we have not fully examined options for meeting our housing needs with robust evidence required to support the proposed approach.

**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	

*PDL = Previously Developed land*

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

a) The Council has not yet been able to consider this. This would involve creating a new mapping system and drawing all development in the Green Belt from previous decades. This would be a large draw on resources, and whilst we plan to explore this in future there is no guarantee as to how quickly this could be produced. There are currently other workstreams within the Local Plan that need to take priority.

b) Flood zone 3b is the functional floodplain. This totals 618 hectares across the whole of Spelthorne, or approximately 573 hectares within the Green Belt.

c) There are evidently areas within the Green Belt that are already developed which therefore reduces the overall 'developable' land available.

#### 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?

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

The following firms submitted proposals to the call for tender: Arcus; Arup; Peter Brett; DLP; Gillespies; OHES; and Wardell Armstrong.

#### 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'?"

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

Arup is a multi-national company and has a range of publications across several fields that it is involved in. It is not uncommon for articles to be published within the planning profession on a range of topical issues.

There is no reason whatsoever to assume the publication of an article by an individual within the company would have any impact upon the output of the Green Belt Assessment. Arup have produced a robust methodology to conduct their assessment and this has been reviewed by the Council. Officers have, as you would expect, critically reviewed the work produced by Arup at regular intervals to ensure its thoroughness, and are satisfied with its objectiveness.

Through the Royal Town Planning Institute, planners are bound to act with honesty and integrity and to utilise independent professional judgment in decision making.

**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?

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

The Council and Arup held time-limited sessions with landowners of sites that had been promoted to the call for sites in January 2018. The purpose of these meetings was for Arup to explain the findings of the report to landowners. These meetings were purely technical and went through the methodology employed as well as the reasoning behind the scoring given.

**43/21     Petitions**

There were none.

**44/21     Allocations of seats and appointment of members to Committees**  
**Allocation of seats on Committees**

It was moved by Councillor J.R. Boughtflower and seconded by Councillor J. McIlroy and

**Resolved** that pursuant to Section 15 of the Local Government and Housing Act 1989, the Council agrees the political allocation of seats as set out in Appendix A to this item.

**Appointment of members to Committees**

It was moved by Councillor J.R. Boughtflower and seconded by Councillor J. McIlroy to appoint the members to serve on the Committees as shown in Appendix B.

**Resolved** that the Council agrees the Councillors to serve on Committees as shown on Appendix B.

**45/21 Treasury Management Strategy Statement 2021/22**

Council considered the recommendation of the Cabinet on the Treasury Management Strategy Statement for 2021/22.

The proposed Strategy represented an appropriate balance between risk management and cost effectiveness.

**Resolved** to approve the Treasury Management Strategy Statement for 2020/21.

**46/21 Pay Policy Statement 2021/22**

Council considered a recommendation from Cabinet to approve the pay policy statement for 2021/22. Pay Policy statements must be agreed by full Council and published by 31 March each year to apply to pay decisions during the next financial year.

**Resolved** to approve the Pay Policy Statement 2021/22.

**47/21 Capital Strategy 2021 to 2026**

Council considered the recommendation of the Cabinet on a Capital Strategy for the period 2021 to 2026.

The 2021 Strategy was very different to those that preceded it and it puts 'front and centre' 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.

A recorded vote was conducted as requested by Councillor J. Sexton with the results as follows:

**FOR (20)**

Attewell, Barnard, Barratt C, Barratt R, Boughtflower, Brar, Buttar, Chandler, Gething, Harman, Harvey H, Harvey I, Islam, Leighton, Madams, McIlroy, Mitchell, Noble, Rybinski and Sider.

**AGAINST (7)**

Beardsmore, Fidler, Saliagopoulos, Sexton, Smith-Ainsley, Spoor and Vinson.

**ABSTAIN (9)**

Bateson, Doerfel, Doran J, Doran S, Dunn R, Dunn S, Grant, Lagden, and Nichols.

**Resolved** to approve the Capital Strategy for 2021-2026.

**48/21 Capital programme 2021/22**

Council considered the recommendation of Cabinet on the Capital Programme for the period 2021/22 to 2024/25 in the light of the available resources and the corporate priorities.

**Resolved to:**

1. Approve the Capital Programme for 2021/22 to 2024/25
2. Approve the Prudential Indicators for 2021/22 to 2024/25.

**49/21 Pay Award 2021/22**

Councillor T. Fidler did not participate or vote on this item due to a conflict of interest in the matter.

Council considered the recommendation of the Cabinet on the Pay Award 2021/22.

The proposed 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 had been subject to consultation and negotiation with Unison and was made to help attract and retain staff.

Council 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 hard work, dedication and additional efforts staff had made to ensure services were delivered as usual during the pandemic

Councillor J.R. Sexton proposed an amendment to the motion, seconded by Councillor R.A. Smith-Ainsley, to cap the pay award up to and including managerial grade 2 and to remove the one off payment for all staff.

A recorded vote was conducted on the amendment, as requested by Councillor A.J. Mitchell, which FELL with the results as follows:

**FOR (4)**

Sexton, Smith-Ainsley, Spoor and Vinson.

**AGAINST (30)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Beardsmore, Boughtflower, Brar, Buttar, Chandler, Doerfel, Doran J, Doran S, Dunn R, Dunn S, Gething, Grant, Harman, Harvey H, Harvey I, Islam, Lagden, Leighton, Madams, McIlroy, Mitchell, Nichols, Noble, Rybinski and Sider.

**ABSTAIN (1)**

Saliagopoulos.

A recorded vote was conducted on the original recommendations as requested by Councillor J. Sexton with the results as follows:

**FOR (31)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Beardsmore, Boughtflower, Brar, Buttar, Chandler, Doerfel, Doran J, Doran S, Dunn R, Dunn S, Gething, Grant, Harman, Harvey H, Harvey I, Islam, Lagden, Leighton, Madams, McIlroy, Mitchell, Nichols, Noble, Rybinski, Sider, Spoor.

**AGAINST (4)**

Saliagopoulos, Sexton, Smith-Ainsley and Vinson.

**ABSTAIN (0)**

**Resolved** to approve the 2021/22 pay award and deletion of scale points as follows:

1. 0.75% to all scale points including personal salaries and apprentices;
2. An additional 0.25% for scales 1 to 3;
3. A one-off, non-consolidated payment of £100 (gross) to all staff (excluding casual workers), and
4. The deletion of scale points 8 and 9 from Scale 1

**50/21 Detailed Revenue Budget 2021/22**

The Council considered the recommendation of Cabinet on the detailed Revenue Budget for 2021-22 and the proposed Council Tax for 2021-22. The Mayor referred councillors to the Budget Book (green cover) reflecting the decisions and recommendations made by Cabinet on 24 February 2021, including the precepts being levied by Surrey County Council and the Surrey Police.

It was moved, seconded and

**Resolved** to agree that in accordance with Standing Order 20.4, the respective Budget speeches of the Group Leaders may each exceed 10 minutes in length if necessary.

The Leader of the Council, Councillor J.R Boughtflower made a statement on the Budget and the Council Tax and moved the recommendations on the detailed Budget for 2021-22 as set out in the report circulated in the Budget Book. The Leader of the Liberal Democrats Group, Councillor S. Dunn, Leader of the United Spelthorne Group, Councillor I.T. Harvey and Leader of the Green Group, Councillor J. Doerfel then made statements.

A copy of Councillors Boughtflower, Dunn, Harvey and Doerfel's speeches are attached to these minutes as **Appendices A - D** respectively.

During the debate on this item, it was moved, seconded and **Resolved** to suspend Standing Order 5, Duration of Meeting, to allow the meeting to continue until the completion of this item of business.

At the conclusion of the debate on the Revenue Budget, the Mayor explained it was a legal requirement to record in the minutes of the proceedings the

names of the persons who cast a vote for the decision or who abstained from voting.

Councillor Gething left the meeting before the vote was called.

The voting was as follows:

**FOR (19)**

Attewell, Barnard, Barratt C, Barratt R, Boughtflower, Brar, Buttar, Chandler, Harman, Harvey H, Harvey I, Islam, Leighton, Madams, McIlroy, Mitchell, Noble, Rybinski and Sider.

**AGAINST (3)**

Doerfel, Lagden and Sexton.

**ABSTAIN (13)**

Bateson, Beardsmore, Doran J, Doran S, Dunn R, Dunn S, Fidler, Grant, Nichols, Saliagopoulos, Smith-Ainsley, Spoor and Vinson.

**Resolved to:**

1. Approve a 0.00% increase on Band D for the Spelthorne Borough Council element of the Council Tax for 2021/22. Moreover:
  - a) The revenue estimates as set out in Appendix 1 be approved.
  - b) No Money, as set out in this report is appropriated from General Reserves in support of Spelthorne's local Council tax for 2021/22.
  - c) To agree that the Council Tax base for the year 2021/22 is 39,016 band D equivalent dwellings calculated in accordance with regulation 3 of the Local Authorities (Calculation of Council tax base) Regulations 1992, as amended, made under Section 35(5) of the Local Government Finance Act 1992.
2. Continue the Council's Local Council Tax Support Scheme with the current rules and regulations.
3. Continue the complete disregard of war pension / armed forces pension income from benefit calculations.
4. Approve the growth and savings items as set out in the report's appendices.
5. Note the Chief Finance Officer's commentary in section 4 of the report on the robustness of budget estimates and levels of reserves under sections 25 and 26 of the Local Government Act 2003
6. Agree the Council Tax Base for the whole council area for 2021/22 [Item T in the formula in Section 31b (3) of the local government Finance Act 1992, as amended (the "act")] should be 39,016 band D equivalent dwellings and calculate that the Council Tax requirement for the Council's own purpose for 2021/22 is £205.05 Per Band D equivalent dwelling.
7. That the following sums be now calculated by the Council for the year 2020/21 in accordance with Section 31 to 36 of the Local Government Act 1992.

A	104,340,381	Being the aggregate of the amount which the council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.
B	96,340,081	Being the aggregate of the amount which the Council estimates for the items set out in Section 31A (3) of the Act
C	8,000,300	Being the amount by which the aggregate at (A) above exceeds the aggregate at (B) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year
D	205.05	Being the amount at (C) above divided by the amount at 5c (above), calculated by the Council in accordance with Section 31B (1) of the act, as the basic amount of its Council Tax for the year (including Parish precepts)
E	0	Being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
F	205.05	Being the amount at (D) above less the result given by dividing the amount at (E) above by the amount at 5c (above), calculated by the Council, in accordance with Section

		34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings on those parts of its area to which no Parish precept relates.
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8. That the following amounts be calculated for the year 2021/22 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011.

A £	B £	C £	D £	E £	F £	G £	H £
136.70	159.48	182.27	205.05	250.62	296.18	341.75	410.10

Being the amounts given by multiplying the amount at (F) above by the number which in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the sum which in that proportion is applicable to dwellings listed in valuation band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different band.

9. That it be noted that for the year 2021/22 Surrey County Council and Surrey Police and Crime Commissioner have stated the following amounts (subject to ratification on 2 & 7 February) in precepts issued to Spelthorne Borough Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown below:

#### Precepts issued to the Council

	A £	B £	C £	D £	E £	F £	G £	H £
<b>Surrey County Council</b>	<b>1,032.72</b>	<b>1,204.84</b>	<b>1,376.98</b>	<b>1549.08</b>	<b>1,893.32</b>	<b>2,237.56</b>	<b>2,581.80</b>	<b>3,098.16</b>
<b>Surrey Police &amp; Crime Commissioner</b>	<b>190.38</b>	<b>222.11</b>	<b>253.84</b>	<b>285.57</b>	<b>349.03</b>	<b>412.49</b>	<b>475.95</b>	<b>571.14</b>

10. That, having calculated the aggregate in each case above the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011, hereby sets the amounts as the amounts of Council tax for the year 2021/22.

The Council has determined that its relevant basic amount of Council Tax for 2021/22 is not excessive in accordance with the principles approved under Section 52ZB Local Government Finance Act 1992.

As the billing authority, the council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2021/22 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

**51/21 Report from the Leader of the Council**

The Leader of the Council, Councillor J. Boughtflower, presented the reports of the Cabinet meetings held on 25 and 27 January and 24 February 2021 which outlined the matters the Cabinet had decided since the last Council meeting.

**52/21 Report from the Chairman of the Members' Code of Conduct Committee**

The Chairman of the Members' Code of Conduct Committee, Mr. Ian Winter, presented his report which outlined the matters the Committee had decided since the last Council meeting.

**53/21 Report from the Chairman of the Overview and Scrutiny Committee**

The Chairman of the Overview and Scrutiny Committee, Councillor V.J. Leighton, presented her report which outlined the matters the Committee had decided since the last Council meeting.

**54/21 Report from the Chairman of the Planning Committee**

The Chairman of the Planning Committee, Councillor T. Lagden, presented his report which outlined the matters the Committee had decided since the last Council meeting.

**55/21 Motions**

There were none.

**56/21 Questions on Ward Issues**

There were no questions on Ward issues.

**57/21 General questions**

The Mayor reported that eight general questions had been received, in accordance with Standing Order 15, from Councillors R.W. Sider BEM, C. Bateson, L.E. Nichols, T. Fidler, H. Harvey, I.T.E. Harvey, O. Rybinski and A. Brar.

**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.

In accordance with Standing Order 15.2, Councillor Sider asked the following supplementary question:

Will the Leader share my concerns together with those of local residents that the police did not exercise their powers to move on travellers from Littleton Recreation Ground, thereby denying families of this outdoor facility during this unauthorised encampment and further closure of the park until a full and thorough clear-up and clean-up has been carried out by council staff?

Response to supplementary question from Councillor J. Boughtflower:

Councillor Sider you know I think what has happened is awful and I think that Surrey police need to take more action and I am very happy to write to the

chief constable to ask why there wasn't a police presence earlier and what more they could have done.

## **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 J. McIlroy:**

Thank you for your question Councillor Bateson. Before outlining the financial costs incurred by Spelthorne in relation to this Inquiry, I believe that it is essential to give some important background to this case.

Since the temporary order to close this crossing was first implemented, Spelthorne Borough Council has objected to this and has made a strong commitment to challenge the closure based on the evidence we had before us. Prior to the Inquiry, Network Rail did not provide a clearly evidenced case for closure; in particular, because of a lack of detailed evidence supporting their historical decision-making process, and the underlying reasoning that sought to argue that it was not reasonably practicable to implement additional and/or alternative safety mitigation options.

The Council did not fail to adequately prepare its case as you have intimated. In the run up to the Inquiry, Council officers undertook a great deal of work to prepare evidence to support our arguments and develop our case, based on the information they had available to them prior to the Inquiry. This included liaising with Surrey County Council (SCC), as the authority with responsibility for maintaining such public footpaths.

As the Inquiry moved closer, a number of additional documents were produced by Network Rail, both alongside its proofs of evidence, as well as separately. We also discovered that Network Rail had instructed Counsel to present its case. As a result, our officers made the decision to instruct our own barrister (Jonathan Darby), specialising in this type of work, in order to assist us with preparing and presenting the Council's case. Our officers did enquire whether SCC would like to work with us and come on board with

employing Counsel support in the run up to the Inquiry, but they did not receive a positive response.

It was clear from our Counsel's advice that we were always going to face an uphill challenge to get an Inspector to go against a Network Rail recommendation for extinguishment of the crossing; not least because of the general trend of Inspectors erring on the side of caution in circumstances where fundamental safety issues have been raised as part of the case in favour of extinguishment, with expert evidence having been submitted by Network Rail in support of that position. However, having reviewed the information that became available late in the day, our Counsel's expert view was that there were reasonable grounds to explore and challenge Network Rail's decision-making processes and, in particular, its analysis of alternative safety mitigation options.

Just prior to the Inquiry, and at a number of points as this progressed, Network Rail presented new information which provided a persuasive case that the crossing was dangerous and could not be made safe by any reasonably practicable means. The information their witnesses provided for the first time at the Inquiry, provided significant additional evidence as to why the crossing was inherently unsafe, why it could not reasonably be made safe, and how Network Rail had undertaken their assessment to come to that conclusion. Options such as a bridge and tunnel were explored, but it was obvious that these would be neither physically, nor financially viable in the circumstances. Any remaining chance of succeeding in our arguments was then significantly weakened by the evidence given by SCC.

In giving evidence at the Inquiry, SCC's officer responsible for rights of way agreed that public safety was at the heart of the extinguishment and she stated that it was her professional opinion that the crossing should be closed. The County Council's priority statement for such footpaths listed public safety as second top priority, and she agreed that if the inspector concluded that for the purposes of Network Rail's section 118a case the crossing is unsafe, the wider expediency test would not overturn any of this and warrant reopening of the crossing. Under questioning from Network Rail's barrister, SCC's officer stated that she disagreed that there was a lack of suitable and safe alternative routes and having sought the view of SCC Highways experts, there was nothing to suggest that either the northern or southern alternative connection routes to the Moor were hazardous to pedestrian movements. She further indicated that a number of arguments that had been put forward in the case against closure of the crossing were irrelevant (e.g., the historic usage of the footpath, the fact that it existed before the before railway and the existence of a Site of Special Scientific Interest).

This evidence from the officer presenting SCC's case (in combination with the additional information and evidence provided by Network Rail during the course of the inquiry), significantly reduced any residual chance of the Spelthorne succeeding in maintaining our objections against the extinguishment of the footpath.

Taking all of the above factors into consideration as the Inquiry progressed, our Counsel strongly advised that we should consider withdrawing our objection to the extinguishment of the crossing as the Inspector, in the face of all the evidence presented at the Inquiry, would be highly unlikely to agree that the footpath could be made safe and should re-open. To continue pursuing our case would lead to additional costs to Spelthorne and risk the Borough Council potentially having to pay some of Network Rail's costs.

In presenting our case and challenging Network Rail's evidence, Spelthorne had, however, achieved notable concessions from them in relation to the funding of improvement works to the proposed alternative routes. Although Network Rail indicated that these had always 'been on the table', Spelthorne managed to get a clear undertaking from them that they would designate funding for these improvements, an undertaking which was then provided in writing to Surrey County Council during the Inquiry. In doing so, we could be satisfied that the 'northern' alternative route along Moor Lane could be made sufficiently safe for use by pedestrians as an alternative means of accessing Staines Moor.

Our Counsel also believed that since Network Rail had been so slow in providing important elements of their evidence, which proved that the crossing could not be made safe (much of which was provided just before or during the inquiry), Spelthorne would have reasonable grounds for applying for an award of partial costs in its favour.

Following a meeting to discuss these issues between myself, Spelthorne's officers and our Counsel, reluctantly the difficult decision was taken (in accordance with the scheme of delegations) to withdraw the Borough Council's objection to the extinguishment of the Moor Lane crossing. Based on our Counsel's expert advice this was the only reasonable way forward for the Council in these circumstances. As I have outlined, failure to withdraw our objections on the face of the evidence given to the Inquiry, which appeared to present an overwhelming safety case for closure of the crossing, would have resulted in further costs to Spelthorne, including the significant possibility of the Council having to pay some of Network Rail's costs.

Other than our own officer time, the costs which were incurred for the Council in relation to this case were the Counsel's fees, amounting to around £15,000.

### **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.

In accordance with Standing Order 15.2, Councillor Nichols asked the following supplementary question:

Firstly, I'd like to make it clear to the Leader, he says that the fees to-date for the project are at £822,000, not 1.2 million. However, if he were to add up all the items attributed to the Oast House on the Council's website, he would come to more than 1.2 million, so that statement in his answer is incorrect. My question is: is he satisfied with the level of public consultation that has taken place over the Oast House?

Response to supplementary question from Councillor J. Boughtflower:

I am not happy with the amount of consultation that has taken place in relation to the Oast House.

#### **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.

In accordance with Standing Order 15.2, Councillor T. Fidler asked the following supplementary question:

Whilst I respect that certain decisions and discussions need to be kept confidential, does Councillor McIlroy also agree with me that it is important for residents to come on the journey with us and that we should be releasing information and publicly available information should be clearly presented on our website in a timely fashion to make sure that residents feel happy and satisfied with the progress being made towards the local plan?

Response to supplementary question from Councillor J. McIlroy

I think my answer has been clearly set out to Councillor Fidler and I am quite happy to provide a written answer, but also to take it up with him at any time. Councillor Fidler knows exactly where we are with the local plan in what we're trying to do.

After the meeting, Councillor J. McIlroy provided the following written response to supplement the answer provided at the meeting: "I would add I quite agree it is essential that we keep our residents informed when we have information we can share.

The Strategic Planning and New Local Plan website is kept fully up to date and we frequently produce press releases to inform our community on the progress we are making and next steps on the Local Plan and the Staines Development Framework. As Cllr Fidler knows, we are at a crucial stage of our Plan preparation and it's important that the information we release is not premature or misleading when the overall strategy is yet to be finalised but as soon as we have details that are ready to be put into the public domain we will

do so.”

#### **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.

In accordance with Standing Order 15.2, Councillor H. Harvey asked the following supplementary question:

Whilst I accept that during COVID some officers time has been diverted, the Staines Development Framework SPD document is being produced by external consultants, and as such I do not consider the explanation given is tenable. Can the Leader ensure that progress with the plans for Staines and the Local Plan are not delayed intentionally or any longer?

Response to supplementary question from Councillor Boughtflower:

Thank you for your question. Due to the availability of evening slots we have taken the decision to start switching meetings to daytime so that we can progress as quickly as possible.

## **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.

In accordance with Standing Order 15.2, Councillor I. Harvey asked the following supplementary question:

Whilst I accept that a proposed assets programme board has been set up, the fact remains that at the commencement of the ECM on 25 of January 2021 the situation at that point was that the programme board was going to be a sub-committee of the Policy and Resources Committee which itself was not going to come into play until at least after the Annual Council Meeting on 25 May 2021. Therefore, at the beginning of that meeting, that board was going to be receiving referrals with a delay approaching 18 - 19 weeks. I therefore ask if the Leader would like to reconsider his answer, because I consider that his answer was based on what happened in hindsight not what was planned.

Response to supplementary question from Councillor J. Boughtflower:

Thank you Councillor I. Harvey. I think there is some hindsight here, but I really want to get things moving now, even as a template to move into the committee system. Delays cost as we all know. Waiting for the Committee system to be implemented in May is a long time as you've highlighted, so I want to progress as much as possible now to avoid further delays in people being given a place to live and to reduce costs.

#### **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.

In accordance with Standing Order 15.2, Councillor O. Rybinski asked the following supplementary question:

I am disappointed with this answer. Leaks to the press can be very damaging and I hope everyone takes this very seriously. Leaks have occurred several times in the past and reminding Councillors of their obligation does not seem to always work. Will the Leader please ensure that the leak is further investigated, and could he please update us with his findings?

Response to supplementary question from Councillor J. Boughtflower:

I will provide a written answer because I need to be in touch with the Monitoring Officer on this subject.

After the meeting, Councillor J. Boughtflower provided the following written response to supplement the answer provided at the meeting: "I completely agree that leaks to the press can be very damaging to the Council business and its reputation. I do take them very seriously. When the leak occurred in October, as I have previously answered, a preliminary investigation was undertaken but that preliminary investigation did not give any indication of the source of that leak. As there was no indication as to who had leaked the information no further action can be taken."

#### **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, 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.

**Councillor John Boughtflower**  
**COUNCIL TAX SPEECH 2021**

**Councillor J.R. Boughtflower**

Mister Mayor – I am very pleased to present, on behalf of this Conservative administration, the Budget Report for the Municipal Year 2021- 22. We are in the midst of exceptionally challenging and uncertain times as a result of COVID-19, which has made the process of setting the Budget even more difficult than normal. I am proud that despite these challenges we are able to put “Residents First” whilst ensuring that our finances remain sustainable.

In this speech I will reflect on some of the challenges we have faced over the past twelve months and the way the Council, its staff and partners across the Borough have risen to those challenges. I will set out how this Administration is delivering against its priorities of Recovery, Affordable Housing delivery, Climate change and supporting our communities. I will of course also outline the financial details of the Budget.

When I was elected Leader in June 2020, I pledged that my Administration would work in far more transparent way, to work collaboratively across the Chamber to find solutions to the challenges we face. I am pleased to say we have applied that approach to the Budget process with an additional Budget Briefings for all Group Leaders , and two additional budget sessions for Overview and Scrutiny including the extraordinary meeting earlier this month. This has been a meaningful consultative process we have listened to the feedback from the Groups across the Council and have made changes to the Budget in response. We have provided details of proposed budget growth and savings earlier than has been the case in the past.

The last twelve months have been dominated by the impact of COVID-19. Our staff and partners, such as the foodbanks and volunteers (VNVS), have been fantastic in responding to the challenges this has thrown up. Some of the ways the Council has responded include:

- Setting up Support4Spelthorne to supply food and essential items to shielded residents in the first lockdown
- Our Independent Living staff making daily calls to support their service users
- Environmental Health enforcing the COVID-19 regulations for businesses
- Our Business Rates and Economic Development teams working together to process business support grants for local businesses as quickly as possible

- Accessing Local Enterprise Partnership funding for Supporting Town Centres get back on their feet
- Our Communications team keeping residents and businesses regularly informed about developments and how to keep safe
- Our Borough leading the way in setting up COVID-19 champions (the first authority in Surrey to do so )
- Providing grants, and other financial support to local foodbanks and partners such as Voluntary Support North Surrey and Citizens Advice
- Our ICT and Committee teams enabling all of our staff whose roles permit, to work remotely and to continue to deliver essential services for our residents
- Working with our leisure centre operator to reopen the centres after the lockdowns, including providing financial support
- Our Benefits team processing track and trace isolation payments
- Our Joint Enforcement Team officers assisting with the initial reopening of the town centre and helping to ensure compliance with COVID restrictions.
- The Council installing additional digital screens in the Elmsleigh Centre to provide information about COVID19
- Working with partners to coordinate COVID-19 Emergency plans and testing at sites across the boroughs
- Ensuring vulnerable residents have means of travelling to vaccination centres
- Working with health partners to provide stepdown housing for hospital discharge patients
- Putting in place a COVID-19 Recovery Plan

All of the above is in addition to maintaining business usual delivering essential services such as waste collection, planning, building control. whilst progressing to completion the Whitehouse single person homeless hostel and the Harper House emergency accommodation for families.

I could go on.....the actions I've outlined is a far from an exhaustive list of all the essential work this Council has undertaken to support all sections of our community.

A key concern around the financial impacts of COVID-19 on the Council has been the commercial income, which we rely on to support the delivery of our vital services to residents. Myself, Cllr McIlroy and Cllr Buttar participate in a weekly review of rent collection performance of our commercial assets and also with respect to tenants at the Elmsleigh Centre (which we acquired for regeneration purposes). I am delighted to say that despite the headwinds of COVID-19, the collection levels for our commercial assets' rents have held up extremely well. Indeed, for the 12 months since the first COVID-19 lockdown last March the Council has already collected ninety seven point three percent of the rent due, with nearly all of the remaining two point seven percent covered by rent deferral agreements. Our ninety seven point three percent collection rate compares with a market average for offices of eighty four point five percent – our rate is therefore twelve point eight percent better than the market average. We are currently only anticipating writing off nought point two percent of the commercial rent which had been due in 2020-21.

This performance is a reflection of the strength of quality of the assets the Council owns, the strength of its tenants and also a credit to our highly skilled and pro-active Assets team. I will focus later on how we manage and mitigate risk.

Clearly the retail sector is more challenging and in response we are accelerating our regeneration and residential delivery projects at the Elmsleigh Centre. Budgetary provision for two of these (with respect to Tothill Car Park and William Hill/Vodafone site) were supported by councillors at last month's Extraordinary Council meeting.

My Administration intends to put "Residents First" and is very mindful of the financial pressures many of our residents are facing and the ongoing uncertainties around the impact on Heathrow airport, which is so important to many of residents' livelihoods. With this at the centre of our focus, we have been carefully considering what we should do this year about our share of council tax. Given the strength of our finances despite COVID-19, we believe that if ever there were a year to limit any increase in our (small) share of the council tax bill, this is the year to do it. This isn't because we are looking to curry favour in the run up to Borough Council elections – we're still two years away from those. We're doing this because we genuinely care about our residents. We know that they've been through a tough time in the last year and we want to do our bit to help ease the financial burdens many of them are facing.

With all this in mind, I am pleased to confirm that the Budget put forward by my Administration is based on a zero percent increase in the Borough Council's tax bill for 2021-22. We are the only local authority in Surrey choosing to do this and indeed one of only a handful in the country.

My Administration is focused on delivering affordable housing much needed by our residents across the Borough. We have set a minimum requirement for all the Council's residential schemes of a minimum of fifty percent affordable rented units (both statutory section 106 and voluntary affordable). Affordable housing is set at eighty percent of market rent, and is more readily accessible for our residents than the shared ownership offered by private housebuilders.

I am really pleased the Groups around the Chamber recognise the importance of local affordable housing. Our current residential pipeline will deliver eighty three percent affordable housing units. This higher level of affordable delivery does make it more challenging to balance the Council's own Budget, but I believe it is worth it and with our strong financial base I am sure we can rise to that challenge.

My Administration has taken a number of steps to enhance the way we manage the delivery of our residential schemes and ensure that delivery is transparent and democratically accountable. As the sole shareholder of Knowle Green Estates Limited, we have recently appointed two very experienced Non-Executive Directors to broaden the experience on the Knowle Green Estates Board. As approved at the Extraordinary Council last month, we are setting up a sub-committee of the Policy and Resources Committee (to be considered at an Extraordinary Council meeting on twenty fifth March) to scrutinise project delivery for all of our developments and sign off each gateway stage as these progress.

We are now focused on delivering homes and regeneration within the Borough. Over the next five years we are looking to deliver more than one thousand new homes across the Borough to help address the housing needs of our residents. We will be delivering affordable, keyworker, and emergency accommodation as well as private rental homes. Within the next few months we will see the opening of:

- our hostel for single person homeless people at the Whitehouse,
- the rebuilt Harper House for emergency accommodation for families,
- the twenty five affordable housing units on our own doorstep at the Knowle Green Council offices,
- the mixed residential scheme at Benwell House Phase 1, delivering around fifty percent affordable rental with the remainder private rented

I would hope you will all agree with me that we should feel proud that the Council is providing this range of much needed housing in our borough for our residents. In responding to the financial headwinds generated by the COVID-19 pandemic, and the worst economic downturn for more than three hundred years, we have continued to be very focused on managing risk. We have revised sinking funds modelling to focus very carefully on the next ten years based on expected case and worst case assumptions. This is to give us assurance that despite the impacts of COVID-19 our sinking funds are sufficiently robust. Our sinking funds are pots of money which we are building up each year from setting aside part of the rental income. This means that if in the future encounter dips in rental income we have sufficient funds to cover those

gaps. Currently, the modelling is giving us confidence that even on the worst case set of scenarios, we have more than sufficient sinking funds to insulate the Revenue Budget and council tax payers from any future dips in rental income streams.

Good governance and financial planning are key to managing risk. Last year my Administration invited experienced colleagues from other councils to undertake an independent Local Government Association Finance Peer Review of this Council. We received their final report last month and we are implementing an action plan to ensure we put into effect the suggestions and recommendations they have made. The Review was a valuable process, and it was good to receive positive feedback about our approach to financial management. Indeed, the LGA has invited the Council to share our experience of the Peer Review as a case study. Parallel to the Peer Review, we are maintaining as a living document our CIPFA Financial Management Code Self-Assessment. We were the first Council in the country to invite CIPFA in to do a daylong workshop on the new code which takes effect from 1<sup>st</sup> April 2021.

Our commercial assets income means that we are able to put forward a balanced budget, strengthening our resources and service delivery capacity even though 2021-22 will be the fifth year in which this Council will:

- receive no general Revenue Support Grant from the Government;
- have a significant cut in our New Homes Bonus Grant - this time forty three percent (One hundred and eight thousand pounds)

We are adding a net four point four million pounds to sinking fund reserves. The fact that we are adding to reserves, rather than drawing them down like most Councils under the pressure of COVID-19, is reflected in the latest set of scores from the CIPFA resilience index. By the end of 2020-21 we will have £25m in our sinking funds. Benchmarking by LG Improve has highlighted that this Council has the highest ratio of revenue reserves to Net Revenue Budget of any district or borough council in the country.

As we have done for the last three years we are maintaining the funding of our Capital Programme on a more sustainable footing, after decades of relying on selling assets and spending capital receipts. For the fourth year running, we are ensuring that capital spending, which is not funded by specific grant and which does not generate future income streams will be funded from revenue contributions to capital. In this budget there is an eight hundred and fifty thousand pounds revenue contribution towards Capital.

We have rightly taken the opportunity to review the scale and scope of our residential and regeneration programme to ensure that it is both prudent and affordable, and that it is fully consistent with the requirements of both the Chartered Institute of Public Finance's Prudential Code, and the new Borrowing Terms of the Public Loans Board. We have in fact reduced the scale of the Capital Programme, and therefore the amount of borrowing we will require over the next four years will reduce by seventy four million pounds. This is despite including a £40m provision in the Capital Programme for our

really exciting and environmentally friendly new Leisure Centre which will be the first fully Passivhaus compliant leisure centre in the country.

### **Councillor M.M. Attewell**

#### **Staffing**

I appreciate that many of our residents may not have received a pay rise in the last year (and may indeed have been furloughed or lost their jobs), but as an organisation that delivers such essential services to our residents and businesses it is important that this Council retains its skilled and dedicated staff. The last 12-months have demonstrated more than ever how important our staff are to this authority and how essential it is that we retain the best people we can. In the face of COVID-19 the last 12 months has been extremely challenging for our staff, who have had to move to remote working and many of whom have had to be redeployed to assist in supporting vulnerable residents. I think we'd all agree that they've responded fantastically well to these challenges; adapting the way they've delivered services, reaching out to those individuals and businesses most in need and taking on new responsibilities to assist in the fight against COVID-19. Therefore, despite the pressures the Council is under we feel that it's right and proper to ensure that they do at least not suffer a real-terms pay cut. We are therefore proposing that all staff receive at least a three quarters of one percent pay increase. Additionally, for staff on the three lowest pay scales we will add a further quarter of one percent meaning our lowest paid staff will receive a one percent increase. This reflects our awareness of the local union's desire to see an element of bottom loading towards the lower end of the scale, a view which I know is supported by some councillors.

Furthermore, we will make a one-off fixed payment of one hundred pounds per staff member as a gesture of thanks for their immense efforts in responding to the COVID-19 challenge. Clearly in percentage terms one hundred pounds (which is taxable) will be worth more to the lowest paid than staff on higher grades. This package, which we believe is affordable, is reflected in the budget for 2021-22.

With all this in mind I hope all Groups around the Chamber support this element of the Budget and equally agree with me that Councillors should decline an increase in their allowances this year.

Looking back to when we were hit by the first COVID-19 lockdown last March, the Council moved quickly to redeploy staff and set up the Support4Spelthorne food distribution hub to support our shielded residents. In the early months of the pandemic, it was unclear how much funding Government would provide local government, particularly districts and boroughs. You will recall that due to these uncertainties, we had an Extraordinary Council Meeting in May 2020, at which the Council approved the use of up to two point two million pounds from reserves if necessary, to help get the Council through the challenges of COVID-19. Subsequently the Government has responded to lobbying from districts and boroughs and provided a slightly fairer distribution of COVID-19 funding. This has helped improve our outturn projections for the current financial year and currently we are only projecting to make use of nought point seven million pounds of those two point two million pounds of contingency funds. We are not proposing to use any of the residual one point five million pounds of

reserves allocated in 2021-22, but we will earmark it on our balance sheet as a COVID-19 resilience reserve in line with our refreshed Reserves Policy, so it is available if we need it.

Unfortunately, like most of the UK public sector and particularly local government, this Council will continue to face a challenging and uncertain financial future, as we await to see how the economy globally, nationally and locally recovers from the impacts of COVID-19 and what it means for our funding streams. For example, it's unclear how long it will take for levels of car parking income to return to pre COVID-19 levels - our medium-term projections are assuming this will take four years to fully recover.

As part of our Recovery Plan, we will be actively working with partners such as Enterprise M3 and Heathrow to support the recovery of our local economy. We are excited that our incubator for small and fledging businesses will be opening in April at the Summit Centre, Sunbury. We are also awaiting the outcome of a funding application to the Department for Work and Pensions for a new Youth Hub to operate which will provide young people, aged eighteen to twenty four, with skills training. This demonstrates how we are deploying both our physical assets and our staffing resources to support economic recovery.

With only a one-year Spending Review period in place, we have no certainty as to how much business rates we will be allowed to retain beyond 2021-22. We will learn in the coming year the outcome of the so-called Fair Funding Review, which will determine how that pot is divided up. We then have the implementation of the so called "seventy five per cent" business rates retention scheme nationally, which could transfer business rates away from us. In our outline budget projection we are assuming a reduction in 2022-23 in the funding we are allowed to retain by central government of eight hundred thousand pounds.

As I have commented, we are facing extremely uncertain times as a result of the economic impact of the COVID-19 pandemic, which has resulted in the biggest economic downturn for more than three hundred years. We do not yet know what the impact will be when the Government ends the national furlough scheme. We have put into place a broad ranging COVID-19 Recovery Plan led by Councillor Attewell covering both economic recovery as well as community recovery in addition to recovery of the Council's own budget position. With this in mind we are setting aside as a COVID-19 contingency provision all of the COVID-19 expenditure grant of five hundred and six thousand pounds allocated to us for 2021-22, and we will top this contingency up on a one-off basis to one million pounds. This, we believe, will enable the Council to withstand any unexpected pressures in 2021-22 arising from COVID-19.

## **Councillor J. McIlroy**

Ensuring the Council does everything it can do to help contribute towards the fight to mitigate climate change is a key priority of my Administration and in October 2020 we declared a Climate Change Emergency. The Environment Portfolio holder, Cllr Bob Noble, is heading a Leader's Task Group to focus on this important issue. We are ensuring that we build best environmental design into our residential projects and other key developments, such as the new leisure centre. With our treasury management investments, we will look at how in a managed way, we can shift our investments into a more environmentally friendly sustainable portfolio. In the last year the Council has acquired a number of electric vehicles, installed solar PV at the West Wing, Knowle Green and installed additional EV charging points at the Council Offices. When we will renew our electricity supply contract for the Council in the autumn we will be purchasing electricity purchased from wholly renewable sources.

To support the continued implementation of environmental initiatives my Administration is proposing that we set aside within the Budget a quarter of million pounds for Green Initiatives to pump-prime initiatives. We originally proposed a lower sum but we listened to the feedback from members of Overview and Scrutiny Committee and decided to increase the size of the provision.

## Councillor S. Buttar

The Government has recently announced changes to the controls over council tax increases, with upper tier councils allowed to levy up to a three percent Adult Care Precept. The limit of (the greater of) two percent or five pounds per year on a Band D property will apply to districts and boroughs. In our case, five pounds equates to a 2.4% increase. We have decided to freeze council tax for 2021-22. **We will not increase our council tax at all. This will help avoid adding to the pressures on our residents' finances - putting our residents first.** In comparison, the increases in council tax being made by Surrey Police is ( five point five percent or fifteen pounds on Band D) and Surrey County Council (2.49% or £37.64 on band D). Indeed, we will be the only Council in Surrey freezing its council tax.

Coupled with the fact that Spelthorne retains just over ten pence in every pound of council tax we collect on behalf of ourselves, the police and the County, we believe this demonstrates our commitment to keep our portion of the bill as low as we can, whilst protecting local services.

It is good to note that in November 2020, the Public Works Loan Board margin was reduced by one hundred basis points, reversing the increase made in October 2019. This has reduced PWLB rates to historically low levels and will help make our housing, regeneration and service projects such as the leisure centre affordable. To be clear, this Administration will; not be borrowing to acquire any new commercial assets

We earned an average of four point seven five percent on our core cash investments for the first six months of 2019-20, whilst maintaining a sensible and prudent approach to risk. An average rate of return of three point six percent on our pooled medium-term investments was achieved in the first six months of the current financial year. Whilst this is a dip compared to the four to five per cent we were previously earning, this is still an excellent return in the context of COVID-19.

The Capital Programme of forty five point seven million pounds for 2021-22 and two hundred and forty nine million pounds for the four-year period of 2021-22 to 2024-25 before this Council includes:

- a forty million pounds investment in a new Leisure Centre for the Borough
- nine point four million pounds for the Benwell House housing phase 2 mixed residential scheme providing thirty nine units (fifty percent affordable)
- forty nine point five million pounds for the Thameside mixed residential scheme (fifty percent affordable)
- seventy seven point seven million pounds for two hundred and seventeen units of one hundred percent affordable housing at the Oast House, along with a community facility
- ten million pounds for the Ashford Multistorey Car Park providing 100% affordable residential housing (fifty five units)
- two hundred and fifty residential units at Tothill (fifty percent affordable)

- And fourteen units at the William Hill/Vodafone site in Staines High Street (one hundred percent affordable)

All of the above schemes have been supported in principle by this Council in terms of budgetary provision only. Gateway decisions regarding any of these schemes will be down to a sub committee of Policy and Resources Committee.

At an Extraordinary Cabinet meeting on twenty fifth of January, I and other cabinet members considered a request made at Council on the tenth of December that a moratorium be put in place on all Council schemes until the adoption of the Staines Development Framework. As a community focused administration we heard the concerns of local residents and agreed a temporary moratorium until end of May 2021. In coming to this decision we had to consider very carefully the significance of these Council schemes for the borough, particularly in terms of delivering Local Plan housing numbers. This pause will allow the Strategic Planning team to undertake a public consultation exercise on Issues and Options for the Staines Development Framework. The Council's Asset team will also look at the financial viability of the schemes (including whether there is any scope for reducing height) and a cross-party Councillor sub-committee will be created to oversee programme management of any future proposed schemes.

In 2023/24, we have made provision for a one point three million pounds contribution towards the River Thames scheme for flood relief.

The importance of this has been put into perspective by recent weather patterns.

Sadly we have again recently experienced Unauthorised Encampments across the Borough. We fully understand the upset to residents of the disruption caused and really appreciate the work of our Neighbourhood Services and legal teams in responding to such instances. In the Capital Programme we are making provision for a one hundred and twenty seven thousand pounds to a Surrey transit site, and the revenue budget is making provision for an annual running cost contribution. By having a transit site to move unauthorised encampments onto should make it easier for the Police to feel able to exercise their powers to move people on.

In the meantime, in order to meet our future financial challenges we will focus ever more closely on:

- maximising revenue income from assets,
- generating new income streams – for example our new commercial waste company, Spelthorne Direct Services has, despite COVID-19, made a promising start
- delivering procurement savings
- making flexible use of technology, and looking to use applications in smarter ways
- looking at how we deliver and prioritise services to residents
- reducing the running costs of our operational assets.
- Exploring opportunities for joint working with other councils, including joint delivery of services.

The last of the above list of options is likely to become an important strand in the Surrey districts and boroughs response to the County Council's proposals for a single unitary council for Surrey.

**John**

I would like to thank the Finance Portfolio lead Cllr Buttar, the Chief Executive and his Management Team, and the Chief Finance Officer Terry Collier, Paul Taylor and their financial colleagues and all the staff for their support and assistance in preparing this budget.

I would also like to thank councillors for making their contribution towards the Council operating more efficiently, by embracing paperless agendas for Committees and getting used to online meetings. I know this has resulted in the occasional technical issue, but given the future challenges we face it is important that we all, councillors and officers, continue to be focused on working more efficiently and making smarter use of technology.

I now formally move the recommendations of the Cabinet of twenty fourth of February 2021, as set out within the Budget Book, detailing the precepts by the County Council and Surrey Police and the Band D Council Tax levy for the year 2021-22, and commend this Budget to the Council.

Thank you Mister Mayor

## **Councillor Sandra Dunn – Opposition Speech on Council Budget**

Mister Mayor – I would like to take this opportunity to thank the Leader for prior sight of his Budget speech as this allows me to make more relevant comments.

Firstly, I would like to thank the Council Officers for all their hard work over the last year and for their amazing response to the Covid19 pandemic. We must also remember the vital contribution of the many volunteers who have given so generously of their time and energy supporting our residents.

We recognize that the Council is fortunately in a relatively strong financial position, and that this is because of commercial property investments. But we would all be wise to recognise that change is inevitable, and that once we get back to some sort of normality, we can expect to face very challenging financial conditions.

The Leader & his cabinet have made the decision this year that a 0% Council Tax increase is in the best interests of our residents, and whilst we agree that this is a principled position to take, we believe that we will have to re-address this in budgets to come and a modest 1% rise for a Band D householder would have yielded £80,000 and have cost each household less than £3 for the year. It is also very disappointing that the Leader did not consult with the other Opposition Group Leaders before making this decision.

It is heartening to hear that the Leader is now committed to an affordable housing programme and we will be watching this carefully to ensure that real progress is made on not only our Council owned sites but also developments put forward from outside companies wishing to take advantage of the government's programme for house building.

We welcome the LGA report and believe that this provides a good starting point for actions to take forward to increase transparency and accountability, but we need to see the action plan. The report did offer several reassurances, but it also highlighted deficiencies that must be addressed. For so long we Councillors have not been privy to so many actions that have been taken and with a Council of 'no overall control' this is even more important.

As a member of the Grants Panel this year, I was happy to contribute towards the process of making grants to local charities and we also recognize the importance of supporting local businesses with grants to prevent them from closing due to a loss of income. However, going forward we must recognize that life will not be the same after this pandemic and if Staines High Street is to survive, a realistic and sustainable plan must be envisaged.

We agree that the staff have worked extremely hard this year to cope with the pressures that have been forthcoming, and they deserve a pay rise and the bonus of £100 for each member of staff is welcomed. However, we must also remember that many of our residents are facing uncertain futures and we cannot be seen to reward

without being accountable for how we spend the Council taxes we raise. We are still facing savage cuts to our Council finances from national government and are only too aware of plans to do away with Spelthorne and go to a single Unitary authority.

We welcome the provision for Climate Change and the change of mind brought on by Overview and Scrutiny to increase the original £100,000 proposed to £250,000. It is a shame that last year Climate Change, as a priority, was voted against by this Council and it has taken pressure from outside to make the administration take this seriously and begin to put in place a sustainable plan for this to happen.

We also support the Council's own building plans but must make sure that these are high quality developments we can be proud of, and a review of the existing plans in the pipeline must take place. In particular, we welcome an inquiry to investigate how the Arora hotel development evolved without Councillors being involved or even aware.

Finally, we look forward to the introduction of the Committee System in May. We see this as a progressive step and all Councillors will be involved in decision making. We look forward to the extra work that this will entail which we feel will bring improved governance and bring transparent benefits to the residents of Spelthorne.

Thank you Mister Mayor.

## **IH Budget Speech response 25<sup>th</sup> Feb 2021 on behalf of the United Spelthorne Group**

Thank you, Mr. Mayor, and first of all, can I just clarify that unlike Cllr Sandra Dunn, I was not given a copy of the budget speech, so my first few comments are going to be slightly off-the-cuff based on notes that I've made over the last twenty minutes or so before I come on to my scripted speech, so if my first few words are a little bit stilted, please accept my apologies.

I want to come back to the very fact that I wasn't given a copy of the budget speech because Cllr Boughtflower, and indeed Cllr McIlroy, made a great deal about openness, accountability, transparency, but when they won't even allow us a copy of the budget speech, nor indeed for a number of months would they even recognise that we were a group, and kept us out of all council matters. Furthermore, there's the issue of the Property Investment Committee which sanctioned the purchase of - or the purchase back of - the lease on Marks and Spencer's back in November, when it turned out that one of the members of that committee didn't even know he was a member of the committee, so first of all, I know this is about the budget, but it has been raised Mr. Mayor, and I do want to take an issue with the lack of transparency.

Moving on, there has been much talk about what the current administration has achieved within COVID. Well, I think probably steady-as-it-goes because the real hard work, Mr. Mayor, was actually in the first three months, which of course I was Leader. At that time, we were spending many hours a day in conference calls, debating, discussing all the things that we needed to do. They have also claimed credit for a lot of the things that are going on such as the White House, Harper Hostel, and many other things which of course were policies of my administration, as was the commercial property investment strategy which I'm delighted to hear is getting almost 98% rent collection – that's absolutely fantastic. But again, that is something that was instigated back in 2016, and we all know that we stopped buying new properties some time before the current administration came on. So, whilst I'm delighted to hear the good reports of how it's doing, please don't claim credit for something you haven't; really done anything for.

And, quite honestly, I would like Cllr Boughtflower and Cllr McIlroy to apologise and retract their criticisms which they were very vociferous in the early days about these policies that took place under my administration, because clearly time has shown that they were good policies, and they were very happy to criticise. I could say more, but I'm now going to move on to my script.

Thank you, Mr. Mayor

Firstly, let me congratulate the Conservatives on persuading so many of their Group to attend tonight. I am sure many will recall that this time last year so many Tories (11 actually) found they suddenly had to be somewhere else. I know there was a couple that had legitimate reasons, including Cllr Attewell, but nevertheless a majority of them were somewhat contrived.

## IH Budget Speech response 25<sup>th</sup> Feb 2021 on behalf of the United Spelthorne Group

Before I go into any detail on my comments on this proposed budget may I start by quoting an unsolicited text message that I received a few days ago from the Community Engagement Director of a prominent Spelthorne organisation regarding last Mondays Budget Business briefing:

*“Hi Ian, I hope you are keeping safe and well. Just sending you a message to say a huge thank you for the wonderful legacy you left the Borough from your time as leader. I tuned yesterday to the Spelthorne Budget briefing... really astounding. £10.3m income from the commercial property with 98% of rents paid when due and final 2% on an agreed deferment. Sinking fund now up to £25m. Housing program due to deliver 650 units. No increase in council tax this year, balanced budget, etc. Fantastic legacy to the people of the Borough, so on their behalf I write this text to say very well done and a huge thank you... Regards xxxx and all the team at xxxxx*

*PS - your successor was a no show yesterday ..he had something more important to do ???”*

That’s not a bad precis of where we are. I could also say “easy come easy go” – more on that later. I cannot find any evidence that this administration, and I use the word loosely, has done anything to improve our finances. All the successes, and the ability to present a broadly sound budget are as a direct result of the excellent team of officers and councillors that formed my administration for 4 ½ years. The only credit that I can give to the current incumbents is that they have not made a greater mess, but that’s largely due to doing nothing tangible in their 9 months at the helm. I am sure officers have strived diligently to keep the Council on course.

- There are of course glaring omissions and failures in this Budget, for example the recently published report that Spelthorne projects stalled by this administration, delays which will last at least until after the 25th May Annual Council Meeting, cost residents of Spelthorne £9100 a week in interest alone. That’s a likely cost of in excess of £180,000. This is in addition to the other costs and losses arising from these delays, including delayed economic recovery and perhaps most fundamentally delaying homes to up to 650 needy families.
- Then we can turn to the proposed new leisure centre, which it is on the public record as having serious funding shortfalls as a consequence of this administration’s policies. Despite numerous requests by myself and others they have provided no plausible tangible proposals for bridging this gap. One can only assume they have no tangible plans to fund this gap.

As I say easy come, easy go.

- I am very concerned that the £900,000 that we set aside last year to protect the Borough against Green Belt attacks by private developers, and which remains a great

## **IH Budget Speech response 25<sup>th</sup> Feb 2021 on behalf of the United Spelthorne Group**

risk due to the currently much delayed Local, Plan appears to have disappeared into a general reserve fund. Given recent comments by at least one cabinet member we may well be needing to draw on that soon. It is crucial that this remains protected and ringfenced for this purpose alone.

- It is noted that there is a provision for £250,000 towards Green and Environmental issues. I simply ask, in the current climate (no pun intended) and given that the new administration has declared a "climate emergency", "is this really sufficient"; it represents just £2.50 per resident.
- In a similar vein, and given how much over the last 11 months we have been left to our own resources in areas where the County should have primacy in meeting the needs of in particular elderly and vulnerable residents, do we have sufficient resilience in the ongoing COVID-19 battle? I simply pose the question?
- Next, I would like to turn to the Council Tax precept. We are of course all delighted that our finances are such that this can be frozen this year, for the reasons I have already alluded to. However, had we continued the policy of the last 5 Budgets and adopted a Spelthorne Precept increase in line with inflation, that would have resulted in an increase of £1.44 per Band D property per year and raised a total of £56,000. Imagine what this could have been spent on, for example, helping those most affected by COVID, the elderly, children trapped at home, or some environmental initiatives.

In consideration of those suffering the most from COVID, and there are many here in Spelthorne furloughed or made redundant from, amongst others, Heathrow and allied supporting industries, I am not going to propose an increase over and above the presented Budget, which is what the LibDems did last year. and what Cllr Dunn appears to be suggesting this year.

The incumbent administration and their supporting cohort can take no credit for this budget.

Thank you Mr Mayor for allowing me to present my observations on behalf of the United Spelthorne Group and despite our reservations mentioned above and the general lack of political direction and management of the Council, our Group will be supporting this Budget but I wish to propose an amendment "that the £900,000 previously earmarked as a fighting fund but proposed to be moved into a general fund remains as the Green Belt Fighting Fund, to be specifically used towards defending our Green Belt against unwanted development applications".

*Cllr Ian Harvey 21Feb 2021*

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### **Budget speech**

Two days ago, the Chief executive of the Environment Agency, Sir James Bevan, stressed that the climate emergency is already hitting “worst case scenario” levels that if left unchecked will lead to the collapse of ecosystems, with dire consequences for humanity.

He referred particularly to extreme weather and flooding worst case scenarios which have already been occurring over recent years.

He urged politicians to take action to reduce emissions and adapt to the “**inevitable**” impacts of the climate emergency.

He warned in no uncertain terms that we must put the same effort into tackling the “unseen pandemic” of the climate emergency as into the fight against COVID to mitigate the catastrophic effects of the Climate crisis.

He warned: “**We will get the environment we pay for, we will get the climate we work for.**”

Looking at the current budget with a mere £250k allocated for green projects/the Climate emergency, my heart sinks thinking about the environment we will have left in Spelthorne if we don’t act NOW and treat this threat with the seriousness it requires.

And other Councils are taking the Climate Emergency seriously:

- (1) Folkestone and Hythe (a Tory/LibDem/Green/Independent coalition) declared a Climate emergency in 2019 and set a budget aside of **£10 million** for initiatives that will help the Council reach net zero carbon emissions by 2030.
- (2) Oxford City Council (pop 150k) are investing **£50** million over 40 years including £7.2 on energy efficiency in homes and Council buildings and £4 million on other climate change reduction measures over the next 4 years
- (3) Cornwall Council (pop 500k) is investing £17 million
- (4) Other Council like Tower Hamlets, Nottingham, Herefordshire and Manchester are investing to reach their respective zero carbon targets of 2025, 2028, 2030 and 2038

Whereas Spelthorne has set aside a mere £250k in the budget!

Embarassingly, Spelthorne is also lagging behind councils like Waverley, Guildford, Mole Valley and Woking that have already declared climate emergencies and have climate action plans developed.

As far as I understand, Spelthorne still has no Climate Emergency Action Plan, nor has a formal system of evaluating and scoring projects which takes account of the impact on the council's carbon footprint.

We're lagging behind in urgency, operational capacity and spending on Climate action.

I continue to have the impression that the current administration is convinced that such funding is "**discretionary**" and not really required.

This could not be more wrong.

Responsible politics requires that we take the Climate Emergency seriously and put our money where our mouth is NOW before we need to spend even more money on the worst effects of Climate change.

We believe a minimum investment of £1 million to mitigate the effects of the Climate emergency and specie loss is absolutely necessary and ought to including spending on the following:

### **Budget Proposals**

- (1) **£1 million Climate Emergency Project Fund** to include
  - (2) A grant pot (for project/capital costs) that environmental organisations, groups and individuals can bid for to address biodiversity loss, help Spelthorne reach carbon net zero, improve environmental education, create green jobs, support for community allotments, etc: £250,000
  - (3) £100,000 grant to the Talking Tree (first Climate Emergency Centre in Spelthorne) to help Spelthorne reach carbon zero
- (4) Invest into Green **capacity building at SBC** to reach net zero, improve our environment and stop the loss of local species:
- (5) A senior sustainability officer/manager
- (6) A Green Project Grant officer (full time) to access Govt green grants on a wide variety of issues incl flood adaptation, afforestation, installation of electric vehicle charging facilities, energy efficiency schemes, active travel (traffic measures such as support for walking and cycling initiatives) etc.<sup>1</sup> At the moment, we do not have the capacity to put in bids and are missing out on Govt grants.

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<sup>1</sup> As stated in the LGA publication "Financing Green Ambitions" of 27<sup>th</sup> November 2020: "Green grants cover areas as diverse as flood adaptation work, afforestation and the installation of electric vehicle charging facilities. Green grants are being used by the Government as part of the response to the recession resulting from the COVID-19 pandemic, with significant sums currently on offer for building energy efficiency schemes." (p.3)  
<https://www.local.gov.uk/financing-green-ambitions-full-report>

- (7) A Green/ethical investment officer – it is both ethically and financially concerning that we keep investing in fossil fuels and increasing Climate Change when it makes no financial or logical sense whatsoever
- (8) A Clean Air & active travel officer (incl to work on institution of Clean Air Zone, idling, active travel (promotion of cycling/walking), traffic calming schemes, local plan cycling strategy etc)
- (9) Green Schools Officer (to work with schools on carbon neutrality, carbon footprint reduction, educational materials & projects re Climate emergency, donut economics etc)
- (10) Two (full time) biodiversity officers including local wildlife/hedgehog officer to increase hedgehog population in Spelthorne): ~ £27,000 x 2
- (11) Funds to create **Green/sustainable jobs** in Spelthorne (especially when furlough ends and there are increased job losses and hardship across Spelthorne) e.g. working with Colleges to create retrofitting courses (to retrofit homes with insulation, etc.) This is what Spelthorne should be pushing for.
- (12) Money for **capital green projects** across the borough (to get Spelthorne to net zero asap) incl bike shelters/secure bike storage at stations, feasibility study to work with SCC re cycle routes, investigation of solar farms/increased solar panels on public buildings, car parks etc & local energy generation, carbon footprint training for SBC staff, residents, companies etc
- (13) A fund for **air & noise pollution measures** (incl screening for traffic & other noise through tree planting etc that are not funded by SCC)
- (14) Funds required to holds a **Climate Emergency Citizens Assembly**/Youth Climate Emergency Citizens Assembly so we can harness all the talent across Spelthorne to address the Climate emergency together

We have been told that the current administration plans to put into effect a COVID19 recovery plan of £1 million and believe that this should include:

**Additional COVID-related/influenced projects (£500,000):**

- (15) COVID Hardship/Emergency fund for grants & zero interest loans for Spelthorne residents and organisations
- (16) Grant Fund for charities/schools/groups/individuals etc benefiting vulnerable, destitute or isolated residents (including children, those with physical and mental health problems and the elderly) during the pandemic.
- (17) Financial support to schools to ensure all their pupils can access digital learning – this should not just be left to individual Councillors to attempt to cover with their Better Neighbourhood grants.
- (18) Two additional posts for **Citizens Advice Bureau** (to advise on debt management, housing, employment, benefits, social security and immigration – more problems are to be expected when furlough ends)

- (19) Increased financial support to **Domestic Violence** & other trauma services (to deal with spike in DV magnified during lock downs etc). Consideration of establishing a refuge in Spelthorne.
- (20) Study on effect of COVID on residents and SMEs in Spelthorne (incl voluntary sector and arts in Spelthorne) to be in a position to meet needs and develop strategies to minimise impact of pandemic

This administration stated that they would invest into affordable housing. I cannot see enough provision for charities that are left with a huge burden in that regard.

### **Affordable housing**

- (21) More money for **affordable housing – Rentstart (£500,000)**

400 new clients in the last year (1 April – 31<sup>st</sup> March) – highest ever.

- Expects to house 100-110 until 31 March – a shortfall of **300** clients who will otherwise end up on the SBC housing list!
- Currently support 125 housed clients & a total deposit bond of £80,000.
- Only have 2 full time staff members, one of which is also expected to write funding applications, one funded by National Lottery, the other by SBC
- SBC grant this year – despite a higher request – was £5k less than the year before (£40,000 instead of 45k – and 50k requested)
- Both full time staff have been working at full capacity to house 100 clients.
- To meet the shortfall of 300, Rentstart would require two more full-time staff at £40,000, to house 100 people costs £120,000 in rent in advance and deposits (x 3) = £360,000 = **£440,000**

I have 2 questions:

Can the current leadership confirm that the proposals to mitigate the social effects of COVID can be included under the COVID emergency fund and that the funding for Rentstart can be included in any social housing rubric – as it is not for 1 ½ employees at Rentstart to cover the heavy responsibility of trying to accommodate 300 struggling residents without the resources to do so.

**I am also proposing an amendment to the budget to increase the current sum of £250k for Climate Change & Green initiatives to £1million.**

Jan Doerfel  
Leader of the Green Group at SBC  
25/2/21



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