



**Spelthorne  
Borough Council**

Council Meeting  
Thursday, 25 February 2021





17 February 2021

*Please reply to:*

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To the Councillors of Spelthorne Borough Council

I hereby summon you to attend a meeting of the Council to be held remotely via Skype for Business video conferencing on **Thursday, 25 February 2021** commencing at **6.00 pm** for the transaction of the following business.

Daniel Mouawad  
*Chief Executive*

Councillors are encouraged to wear their badge of past office at the Council meeting.

*Councillors are reminded to notify Committee Services of any Gifts and Hospitality offered to you since the last Council meeting so that these may be entered in the Gifts and Hospitality Declaration book.*

## AGENDA

Description	Page nos.
<b>1. Apologies for absence</b> To receive any apologies for non-attendance.	
<b>2. Minutes</b> To confirm as a correct record the minutes of the Council meeting held on 10 December 2020 and the Extraordinary Council meeting held on 21 January 2021.	9 - 40
<b>3. Disclosures of Interest</b> To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.	
<b>4. Announcements from the Leader</b> To receive any announcements from the Leader.	
<b>5. Announcements from the Chief Executive</b> To receive any announcements from the Chief Executive.	
<b>6. Questions from members of the public</b> The Leader, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 14.	

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

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

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

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

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

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

**Question from Revd. A. McLuskey**

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

**Question from Mr P. Thompson**

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

**Question from Mr A. Woodward**

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

**Question from Ms S. Orchard**

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

Details of the Bill can be found [here Climate and Ecology Bill \(parliament.uk\)](https://www.parliament.uk/bills/2020-21/climate-and-ecological-emergency)

**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?

**7. Petitions**

To receive any petitions from members of the public.

## **8. Allocations of seats and appointment of members to Committees**

### **(1). Allocation of seats on Committees – Appendix A**

To Follow

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

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

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

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

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

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

## **9. Recommendations of the Cabinet**

To consider the recommendations of the Cabinet from its meeting on 24 February 2021 on the following items;

To Follow

- a) Treasury Management Strategy Statement 2021/22
- b) Pay Policy Statement 2021/22
- c) Capital Strategy 2021 to 2026
- d) Capital programme 2021/22
- e) Pay Award 2021/22
- f) Detailed Revenue Budget 2021/22

The Budget Book (green cover) will be issued in a supplementary agenda and will reflect the recommendations considered at the meeting of the Cabinet on 24 February 2021.

## **10. Report from the Leader of the Council**

To receive the reports from the Leader of the Council on the work of the Cabinet at its Extraordinary meeting on 25 January and ordinary meetings on 27 January (attached) and 24 February 2021 (to follow).

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## **11. Report from the Chairman of the Members' Code of Conduct Committee**

To receive the report from the Chairman of the Members' Code of Conduct Committee on the work of his Committee.

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- 12. Report from the Chairman of the Overview and Scrutiny Committee**  
To receive the report from the Chairman of the Overview and Scrutiny Committee on the work of her Committee. 45 - 48
- 13. Report from the Chairman of the Planning Committee**  
To receive the report from the Chairman of the Planning Committee on the work of his Committee. 49 - 50
- 14. Motions**  
To receive any motions from Councillors in accordance with Standing Order 19.
- Note: The deadline for motions to be considered at this meeting was Monday 15 February 2021 **and none were received.***
- 15. Questions on Ward Issues**  
The Leader, or his nominee, to answer questions from Councillors on issues in their Wards, in accordance with Standing Order 15.
- Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 18 February 2021.*
- At the time of publication there were no questions on Ward issues.
- 16. General questions**  
The Leader, or his nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 15.
- Note: the deadline for questions to be considered at this meeting is 12 noon on Thursday 18 February 2021.*
- At the time of publication of this agenda, one question had been received.

**Question from Councillor Robin Sider BEM**

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

authorities regarding this issue, what response did they receive, and from whom came such response?



## MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

**Minutes of the Council Meeting of Spelthorne Borough Council held by skype video conference on Thursday, 10 December 2020 at 6.00 pm**

### **Present:**

#### **Councillors:**

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

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

**Apologies:** Apologies were received from Councillors N.J. Gething and T. Lagden

### **283/20 Presentation of Chaplain's badge**

The Mayor invited his Chaplain, the Reverend Chris Henley, to formally accept his Badge of office. The Reverend Henley then led the Council in prayer.

### **284/20 Minutes**

Councillor R.A. Smith-Ainsley raised an issue in respect of the accuracy of written answers provided to questions presented at previous meetings. He was concerned that by agreeing to the accuracy of the minutes, councillors were indicating acceptance of the written responses as accurate and there was no way of addressing this.

The Monitoring Officer invited Councillor Smith-Ainsley to write to her with the details of the responses he believe to be inaccurate and request her to investigate.

The minutes of the Council meeting held on 22 October and the re-convened Council meeting held on 29 October 2020, were agreed as correct records.

During consideration of this item and in accordance with Standing Order 24.3, it was moved by the Mayor, seconded and

**Resolved** that Councillor N. Cornes be not heard further.

**285/20 Disclosures of Interest**

There were no disclosures of interest.

**286/20 Announcements from the Mayor**

The Mayor reported on some of the events he had been able to undertake since the last Council meeting.

He commented that this year had been unlike any other, with many restrictions on the activities the Mayor would usually undertake, such as attending charity events and visiting local schools and organisations. He said it was sad that these events, being an integral part of the Mayor's year to highlight the work of the organisations which drive the heart of our community, had not taken place but he was very optimistic for the future and looked forward to putting this difficult year behind us.

**287/20 Announcements from the Leader**

The Leader made the following announcements:

"When I became Leader, I and my leadership team made a number of commitments.

We said we were going to be more open and transparent than the previous administration, give residents and Councillors a real voice, and be more focused on the needs of residents. I am pleased to say that we have made real progress in this.

In my first few weeks as leader I arranged for residents' associations to speak directly to myself. We have met a couple of times and I appreciate the feedback which has led in principle to a 20mph zone in Laleham. I wish to thank all the resident's associations for their dedication and working with ward councillors to improve local areas.

We have worked in partnership with Public Health at Surrey County Council to introduce Spelthorne Covid champions, the first scheme to be launched in Surrey. The scheme presents an opportunity for the Council, Public Health England and residents to work together to support our community and ensure effective, informative and timely communications are reaching our residents

After being hospitalised due to Covid-19 in March, I know personally how important it is to keep everyone updated and safe from this virus, so I am very pleased we have over 30 Champions in Spelthorne.

I would like to take this opportunity, and ask councillors to join me in thanking the groups of volunteers across the borough who have signed up to be Covid champions. You really are amazing!

We continue to work hard to support businesses and our high streets during the pandemic, by encouraging residents to shop safely in our town centres. We have recruited town centre managers for Ashford, Shepperton and Sunbury to take a proactive role in the revival of our town centres.

We also created two new Task Forces to review and make recommendations on the Local Plan for Spelthorne and the Staines Development Group. A number of obstacles have been thrown in our path as we have sought to deliver on these pledges, but we are determined to deliver on them.

We know there is a great deal of opposition, across the community and in this Council, to Staines becoming a high-rise heaven for developers at the expense of making the town a great place to live, work and visit. We don't want to become another dormitory town of shoe-box size flats in tower blocks for commuters – an approach that has already permanently disfigured other towns in Surrey and elsewhere.

We want to ensure the town's infrastructure and amenity is enhanced for all its residents, protecting its personality, skyline and public realm.

We need to work to do the best that can be achieved while also accommodating other factors such as protection of Green Belt.

If we need to bring in new outside experts to help us with this, we will. And we will ensure there is a proper full consultation in due course with residents before any new Local or Town Plan is brought to this Council for discussion and final approval.

Journalists and social media pundits have made news of the accounts position which have not been signed off since 2017. We are making progress with this matter. I have setup a leader's task group which is working hard to meet the goal of these accounts being signed off as soon as possible.

Since inheriting this position, this administration has fully focused itself, with great energy, to resolve this situation. I would like to thank Cllr Nichols and Cllr Mitchell for their support since I inherited this matter.

I would like to welcome to Spelthorne our 2 new non-executive directors to Knowle Green Estates; Darren Levy, and Ann Fillis who will be the first female board member.

Knowle Green Estates will give an update at intervals to Full Council to ensure all members and public are aware of what is happening, again being more open and transparent for our residents.

I would like to announce to our residents and members tonight, that I will be bringing an Extraordinary Council Meeting (ECM) in January 2021. If these housing developments are approved by members at the ECM, this will then bring in over 520 properties, 83% of which will be affordable for Spelthorne residents which is so needed.

The ECM will also consider the matter of parking, to ensure that modern car parking in Staines upon Thames and Ashford are fit for the future, offering a high level of electric charging points. Residents have feedback that parking in Staines and Ashford can be a problem at times and we need to improve this.

A program board made up of members of this council and also expertise from other professionals, will be set up to monitor the development projects. This will be transparent and report to members of this council and our residents. This will also cease the need for other smaller groups such as the Property Investment Committee.

This Borough, along with the rest of England has endured a second period of lockdown and I know this continues to be a very difficult time for many of our residents and businesses in the Borough. Spelthorne and the rest of Surrey sits within Tier 2 Covid restrictions. Our Support4Spelthorne helpline is open and help is on hand for residents. Additionally, details of grants are available on our website, particularly for local businesses who face restrictions during this pandemic.

As at October half-term, the Council, through our Support4Spelthorne team will be supporting vulnerable families by providing hot meals to children through our community centres during school Christmas holidays. No child should go hungry and throughout this pandemic we have done everything in our power to care for our most vulnerable residents and we will continue to do so.

The winter edition of the Bulletin has been distributed to residents, containing 28 pages of Council news, local information, community messages, leisure updates and environmental stories from around the Borough. This edition includes a centre spread to highlight the services this Council offers and contact details for services and Councillors.

On Thursday 14 December the Council will be launching a 4-week public consultation to gain the views of residents on proposed changes to the way decisions are made at the Council.

Following the July 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 should provide a more open, democratic, inclusive and transparent way of conducting Council business which is one of my commitments since my leadership began.

The questionnaire along with FAQ documents will be available on our website and will close to respondents on Thursday 14 January.

The Chair of Spelthorne's Overview & Scrutiny Meeting has agreed to hold an Extraordinary meeting to discuss the mounting number of complaints from residents worried about unacceptable noise levels and air pollution from the Eco Park.

Harper House, an emergency accommodation facility for families and The White House, temporary housing for single homeless people are both due to open for residents in May 2021. Following a thorough procurement process, Metropolitan Thames Valley Housing (MTVH) have won a five-year contract to provide an intensive housing management and resident support service at both these residential developments.

The Council also announced that we intend to revise the housing needs figure for the new Local Plan that would see Spelthorne's need figure reduced from 606 homes per year to 489. Whilst there are no guarantees the decision to use a lower figure has come from a recent Government consultation that proposes a revised method for calculating housing need.

The Council's litter campaign continues to gather pace and we have now named over 50 young litter heroes in the Borough who have been awarded certificates by the Mayor. The neighbourhood services team are continuing to work with volunteers across the Borough to make Spelthorne a cleaner and greener place to live.

Our community centres have produced new Christmas initiatives to ensure elderly residents are supported during the holiday season.

The Greeno, Fordbridge and Staines Community Centres have produced Christmas hampers and activity packs to support those residents who will be facing a quieter Christmas than usual. These Community Centres are proof that localism works best in times of crisis and I am proud of how our staff have responded to the Coronavirus pandemic.

I know that many residents have missed being able to visit our centres and, like them, we are looking forward to the day we are able to open our doors once again and welcome them back

I would like to put on record, a very big thank you for the efforts of Spelthorne Borough Council officers and key workers across the Borough for all their hard work during this difficult year. Since the Coronavirus pandemic began over 9 months ago, the Council has maintained all its services, including refuse and recycling, and redeployed staff where they were needed most.

This Council is in the best position to support its residents and believes local is best, where services, support and development are influenced by local need - all under the scrutiny of accountable, local elected representatives."

The Leader announced that he plans to create a new partnership with Surrey County Council around the care and needs of children in the Borough, in the belief that by working closer with Surrey, we can achieve more. He would ask the Deputy Leader, Councillor Maureen Attewell to work with Surrey on this with input from the Spelthorne community.

The Leader thanked Gill Scott, Principal Committee Manager, for the support she had given councillors and wished her a very happy retirement.

The Leader wished everyone a wonderful Christmas and a peaceful break and that 2021 is a better year for all.

**288/20 Announcements from the Chief Executive**

The Chief Executive, Daniel Mouawad, expressed his deepfelt appreciation for the truly inspirational commitment, staff across the Council had shown over the past nine months, working in support of local communities and businesses.

He wished everyone the prospect of a healthier new year

**289/20 Questions from members of the public**

No questions were received from the public.

**290/20 Petitions**

There were none.

**291/20 Update on financial impact of COVID-19**

The Chief Finance Officer provided a verbal update (full report attached) on the financial implications of COVID-19 for the Council.

**292/20 Changing to a Committee system of governance - update**

The Council considered the report of the Committee System Working Group on progress with the change to a Committee system of governance.

During consideration of this item and in accordance with Standing Order 24.4, it was moved by the Mayor, seconded and

**Resolved** to remove Councillor N. Cornes from the meeting.

Following debate on the item, it was

**Resolved** to approve the proposed committee system structure as shown at Appendix 1 to the report and the content of the proposed public consultation questionnaire.

**293/20 Appointment of Co-opted members**

The Council considered the report of the Monitoring Officer on the appointment of Co-opted members of the Council.

**Resolved** to appoint Ian Winter as the Chair of the Members' Code of Conduct Committee and Dylan Price as the Vice Chair of the Members' Code of Conduct Committee, until the next Annual Council meeting in May 2021.

**294/20 Anti-Fraud, Bribery and Corruption Strategy**

The Council considered the recommendation of the Cabinet on revisions to the Anti-Fraud, Bribery and Corruption Strategy which is included as Part 5(f) in the Council's Constitution.

**Resolved** to approve the amendments to the Anti-Fraud, Bribery and Corruption Strategy, as attached at Appendix 1 to the report.

**295/20 Dog Control Order**

The Council considered the recommendation of the Cabinet on adoption of a Public Space Protection Order (PSPO) relating to dog control in accordance with the Anti-social Behaviour, Crime and Policing Act 2014 and the imposition of fixed penalty notices for breaches of the PSPO

**Resolved** that Council:

1. makes a Public Space Protection Order (PSPO) relating to dog control with the listed offences set out in Appendix A to the report, in accordance with the Anti-social Behaviour, Crime and Policing Act 2014;
2. adopts the Fixed Penalty Notices for breaches of the Dog Control PSPO which currently stand at £100; and
3. delegates authority to the Group Head of Neighbourhood Services to issue Fixed Penalty Notices for breaches of the above PSPO.

**296/20 Recommendation of the Audit Committee - Confidential Reporting Code**

The Council considered the recommendation of the Audit Committee on revisions to the Confidential Reporting Code, set out at Part 5(e) in the Council's Constitution, following its annual review.

**Resolved** to approve the amendments to the Confidential Reporting Code, as attached to the report.

**297/20 Report from the Leader of the Council**

The Leader of the Council, Councillor J.R. Boughtflower, presented the reports of the Cabinet meetings held on 4 November 2020 and 3 December 2020 which outlined the matters the Cabinet had decided since the last Council meeting.

**298/20 Report from the Chairman of the Audit Committee**

The Chairman of the Audit Committee, Councillor L.E. Nichols, presented his report which outlined the matters the Committee had decided since the last Council meeting.

**299/20 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.

**300/20 Report from the Chairman of the Planning Committee**

Councillor M. Gibson, Vice-Chairman of the Planning Committee, presented the report on behalf of the Chairman, Councillor T. Lagden, which outlined the matters the Committee had decided since the last Council meeting.

**301/20 Motions**

The Mayor announced that in accordance with Standing Order 17 the Council received four written Notices of Motions.

**Motion 1**

Councillor D. Saliagopoulos moved and Councillor J.R. Sexton seconded the following motion:

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

Councillor S.M. Doran left the meeting at this point.

Councillor M. Gibson proposed the following amendment by the addition and deletion of words, which was seconded by Councillor J.R. Boughtflower:

1. *To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people **and actively encouraging neighbouring authorities to do the same***
2. *To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people– including the precautions that can be taken to mitigate risks **in conjunction with the RSPCA and the wealth of experience it can impart***



3. *To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays*

4. ***To ask the UK Government to legislate at national level to encourage for local suppliers of fireworks to stock 'quieter' fireworks for Public use.***

The amendment was put to the vote and agreed.

The substantive motion was then put to the vote and carried.

**Resolved:**

1. To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people and actively encouraging neighbouring authorities to do the same
2. To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people– including the precautions that can be taken to mitigate risks in conjunction with the RSPCA and the wealth of experience it can impart
3. To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
4. To ask the UK Government to legislate at national level for local suppliers of fireworks to stock 'quieter' fireworks for Public use.

**Motion 2**

The following motion was proposed by Councillor S.A. Dunn and seconded by Councillor R.W. Sider, BEM:

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

The motion was debated, put to the vote and carried.

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

### **Motion 3**

In accordance with Standing Order 20.13, Councillor V. Siva proposed an alteration to the third motion:

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

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

The Council gave its consent to the alteration.

The motion was seconded by Councillor J.H. Doerfel.

Following a debate the motion was put to the vote and carried.

#### **Resolved that:**

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

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

### **Motion 4**

In accordance with Standing Order 20.13, Councillor C. Bateson proposed the an alteration to Motion 4:

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

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

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

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

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

The Council gave its consent to the alteration.

The motion was seconded by Councillor J.H. Doerfel.

Having sat for almost 3 hours it was moved and seconded and **Resolved** to suspend Standing Order 5 and continue until the close of business or 10.00pm when the offices closed, whichever was sooner.

Councillor N. Islam left the meeting during consideration of this item.

Following a debate the motion was put to the vote and carried.

**Resolved** that

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

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

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

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

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

Councillors H. and I.T.E. Harvey left the meeting due to another commitment.

**302/20 Questions on Ward Issues**

There were no questions on Ward issues.

**303/20 General questions**

The Mayor reported that seven general questions had been received, in accordance with Standing Order 15, from Councillors R.O. Barratt, I.T.E. Harvey and B.B. Spoor.

**1. Question from Councillor Ian Harvey**

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

**Response from Councillor John Boughtflower:**

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

**2. Question from Councillor Richard Barratt**

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

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

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

**Response from Councillor John Boughtflower:**

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

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

**3. Question from Councillor Ian Harvey**

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

**Response from Councillor John Boughtflower:**

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

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

**4. Question from Councillor Ian Harvey**

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

**Response from Councillor John Boughtflower:**

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

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

**5. Question from Councillor Ian Harvey**

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

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

**Response from Councillor John Boughtflower:**

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

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

## **6. Question from Councillor Ian Harvey**

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

### **Response from Councillor John Boughtflower:**

“Thank you for your question Councillor Harvey.

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

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

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

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

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

So much more than surviving!”

## **7. Question from Councillor Bernie Spoor**

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

action by instructing the owners, Angle Properties, to return the site to as near as possible its Green Belt appearance?”

**Response from Councillor Tony Mitchell:**

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

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

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

“My question is not concerning the buildings but the general clutter and rubbish on the site, scrapped vehicles waiting to be crushed etc, that are not part of the industrial buildings. Can the Council’s enforcement team or another department take action with Angle Properties to clear up the remainder of the site. I appreciate that we can’t ask for demolition of the existing buildings”

**Response to supplementary question from Councillor Mitchell:**

“I have no influence on the Planning Committee, but as portfolio holder am fully aware that residents and councillors dislike the state of the site. I take on board everything you have said about the site and am glad that you have included officers in this. I will ask the Chief Executive to speak to officers and ask them to contact the owners of the site with a view to doing their best to tidy it up. I hope the Chief Executive will acknowledge and arrange for action to be taken. I am not sure that will be successful but any action the Council can take must be positive action.”

The Chief Executive confirmed he had noted this.

**304/20 Appointment of representative Trustees  
Staines Parochial Charity**

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



**Resolved** that Mrs. J. Stillwell be appointed as a Council representative trustee to serve on the Staines Parochial Charity for a four year term of office until December 2024.

**Laleham Charities – Mary Hodgson and Mary Reeve**

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

**Resolved** that Mr. B. Morgan be reappointed and Ms. J. Smith be appointed as Council Representative Trustees to serve on the Laleham Charities – Mary Hodgson and Mary Reeve for a four year term of office until December 2024.

**305/20 Exempt Business**

**Resolved** to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

**306/20 Capital Monitoring Quarter 2**

Councillor V. Siva left the meeting before consideration of this item and Councillor S.M. Doran re-joined the meeting for this item.

The Council considered the recommendation of the Council in relation to the Capital monitoring report for quarter 2.

Councillor L.E. Nichols had previously indicated that he wished to raise a question in relation to the virement to individual Development Projects that may require the disclosure of exempt information and accordingly the recommendation was considered under Part 2.

The Leader advised that a detailed response to Councillor Nichol's questions would be sent to all councillors after the meeting.

A recorded vote was requested by Councillor J.R. Sexton

FOR (16)	J.R. Boughtflower, J. McIlroy, M.M. Attewell, C. Barnard, C.L. Barratt, R.O. Barratt, S. Buttar, R. Chandler, M. Gibson, A.C. Harman, V.J. Leighton, M.J. Madams, A.J. Mitchell, L.E. Nichols, R.J. Noble, R.W. Sider BEM
AGAINST (0)	
ABSTAIN (16)	C. Bateson, I.J. Beardsmore, A. Brar, J.H. Doerfel, J.T. Doran, S.M. Doran, R.D. Dunn, S.A. Dunn, T. Fidler, K.M. Grant, O. Rybinski, D. Saliagopoulos, J.R. Sexton, R.A. Smith-Ainsley, B.B. Spoor, J. Vinson

**Resolved** that Council:

1. approves a Supplementary Capital Estimate of £40,000 for a replacement minibus to be funded from Revenue Reserves; and

2. agrees that the amount of £15,730,000 be allocated by virement from Future Development Projects to the individual Development Projects in 2020/21.

**307/20 Christmas Message**

The Mayor thanked Rev Chris Henley for acting as Chaplain this year and for attending this meeting.

The Mayor said that whilst Christmas was a time for families to reunite and enjoy the festive season, care should be taken not to put loved ones at risk. On behalf of Barbara the Mayoress, and himself, the Mayor wished everyone a joyful Christmas and good health and happiness in 2021.

## **Update on Financial Impacts of COVID-19 for Council - 10<sup>th</sup> December 2020**

Whilst we have been through two national COVID-19 lockdowns and are now under Tier 2 restrictions, the full economic and financial impacts of COVID-19 on the Borough and the Council are not yet known. We do not know whether restrictions on businesses will again need to be tightened in the New Year before the country starts to see the positive impacts of the vaccination programme. In particular, we await to see what impact the ending of the national furlough scheme in March 2020 will have on unemployment numbers, and the number of families needing to claim benefits, receive localised council tax support or housing support. In turn the future impacts on the economy and how it recovers will have an impact on the Council's service fees and charges income for a number of years to come. It should be noted that in relative terms the unemployment rate for Spelthorne has risen by a higher percentage than the averages for Surrey, South East

The Council is continuing to monitor financial impacts of COVID-19 on its expenditure and income and to provide regular returns to the Ministry of Housing Communities and Local Government (MHCLG). Tomorrow we provide the next Delta Financial Impacts return to MHCLG, which will reflect slightly higher additional ICT costs relating to home working than previously reported, and a week tomorrow we will provide our claim for the period August to November for the 71.25% reimbursement of service, fees and charges income lost as a result of the Pandemic. As we reported last month to Cabinet and Overview and Scrutiny, we currently anticipate to need to make use of approximately £0.7m of the £2.2m use of reserves approved by Extra Ordinary Council on 21<sup>st</sup> May 2020 to assist the Council get through the financial impacts of COVID-19 in 2020-21.

The Council's commercial assets' rental income streams have continued to perform well in the face of what the Chancellor confirmed in his Spending Review speech has been the biggest economic downturn for more than three hundred years. For the nine months since the first national lock down commenced, the Council has received 96.7% of the rent demanded with all but 0.2% of the remainder covered by short term rent deferral agreements with tenants. The December quarter day rent demands have been issued and 5.2% of the rent has already been collected in advance of the due date. This performance is considerably better than most other commercial portfolios and is a reflection of the quality of the assets, the strength of the tenants and the skills and hard work of our Assets Team in pro-actively engaging with tenants. There will not be any adverse impact on this year's Revenue Budget outturn arising from any shortfalls in rental income and indeed our 10 year worst case scenario projections for our sinking funds continue to indicate that we have more than sufficient sinking funds to insulate the Revenue Budget and council taxpayers from any short term reductions in income.

As might be expected, the Elmsleigh retail rental income has been more challenging with 60% rent collection achieved for the third quarter. For the

current year we anticipate a rental income approximately £900k lower than our base case projection at the time of acquisition. This shortfall can be absorbed through sinking funds adjustments without any impact on the Council's Revenue Budget or council tax payers.

Not needing to make full use of the reserves approved by the 21<sup>st</sup> May ECM, potentially provides the Council with some room for manoeuvre to help us address the challenges of balancing the 2021-22 Budget when we will be facing ongoing impacts of COVID-19. We will bring the Outline Budget Report to Cabinet in January, setting out medium term budget gap projections and medium term financial strategy. The detailed budget will be brought to Cabinet in February with Overview and Scrutiny having an opportunity to scrutinise on 9<sup>th</sup> February. We had a useful Budget Briefing session with all the Group Leaders and finance leads last week.

On 25<sup>th</sup> November the Chancellor delivered his Comprehensive Spending Review and following on from that there were several helpful COVID-19 related funding announcements. In his statement, the Chancellor highlighted that the Office for Budget Responsibility forecasts that the economy will contract by 11.3% this year, the biggest one-year drop in 300 years (since 1709). The Chancellor recognised the long-term scarring of the economy with GDP likely to be 3% lower than otherwise would have been the case in 2025. The economic emergency has "only just begun".

Forecast borrowing this year is £394 billion = 19% of GDP highest ever level in peacetime history. In 2021, the Government still anticipates borrowing to be more than £100bn per annum.

Unemployment is projected nationally to peak at 7.5% or 2.6m people, before falling to 4.4% by the end of 2023. The Chancellor announced a £3 billion unemployment support package.

Following the Spending Review the MHCLG has made several positive announcements:

- £1.55bn further expenditure COVID-19 financial impacts grant to be paid in first quarter of 2021-22. We are expected to learn details of allocations as part of the Provisional Funding Settlement for Local Government expected to be announced next week,.
- 75% cover of irrecoverable local tax losses for 2020-21 – we are waiting for the detailed guidance on how 'irrecoverable' is defined. The shortfalls in collection would have hit 2021-22 budgets. On top of this councils will then spread the deficits over three financial years.
- 71.25% reimbursement of sales, fees and charges income lost as result of COVID-19 to be rolled forward for the first three months of 2021-22. We understand that MHCLG is considering using the 2020-21 Revenue Budget as the baseline comparison.

- £670m Grant to assist with impact of more residents moving onto Localised Council Tax Support.
- Negative grant in future years will be dropped; we had been assuming a need to make a £750k payment in 2022-23.

Additionally at same time, the Government published its response to the consultation on Public Works Loan Board Terms, dropping with immediate effect the margin on its loan rates by 100 basis points but requiring authorities to confirm that when applying for PWLB finance that they do not plan to purchase any commercial assets within next three years primarily for income. This Council has no plans to purchase any such assets in the coming years. The loans rates reduction will help make any new Council housing and regeneration delivery and the leisure centre more affordable to finance from borrowing.

The measures above help reduce the gaps we are facing, particularly for 2021-22. However, we still have the challenging gaps which Management Team, Group Heads, Accountancy and the Cabinet are working on.

We are recommending that we apply £1.5m of unused reserves, from the £2.2m use of reserves approved by the Extraordinary Council on 21<sup>st</sup> May, to help reduce the budget gap for 2021-22. Despite the challenging gaps we are in a stronger position than most councils.

Councillors will have picked up that the Chancellor talked about his desire to see a 'pay pause' in 2025 for public sector workers other than NHS staff. The Chancellor cannot direct councils who have local pay settlement to freeze pay. In the context of the budget gaps we are still facing next year and the following year, the Council is looking at what is affordable, and we are undertaking benchmarking with other Surrey local authorities. We do need to be mindful of the need to be able to compete with other councils in recruiting and retaining the staff we need to deliver services for residents. Equally we should be mindful of how staff across the organisation stepped up in response to COVID-19. Clearly the level of a pay increase will be a decision for councillors to make as part of the Budget process.

Business rates, and economic development teams have been busy with the new local restrictions grant (closed) for businesses closed by regulations and the council has issued is discretionary policy to apply for Additional Restriction Grant (ARG) of just under £2m in total– 40% upfront, 60% for wider economic support to assist with recovery in 2021-22. The deadline for phase 1 ARG was 6 December. To date we have paid 155 businesses Local Restrictions Grant support totalling £252,068. In addition, we have received a further 113 Local Restrictions Closed applications. The Local Restrictions Closed scheme will close 18<sup>th</sup> December (after the govt announcement), So far we have received 96 Discretionary applications. To date we have 27 cases requiring further checking (9 closed and 18 discretionary) which includes a number of duplicates and potentially some fraudulent claims.

New tier 2 applications will open tomorrow.  
We have used a variety of communication channels to try to ensure that local businesses are aware of these funding opportunities.

To date the Housing Benefits and Finance team have made 108 payments of the £500 Track and Trace Self Isolation grant to individuals isolating.

Spelthorne and other Surrey Districts and Boroughs have been having some frustrations with the way Surrey County Council (SCC) are passing on COVID-19 funds allocated to themselves as an upper tier authority which are meant to be shared with lower tier authorities. We recently received confirmation that SCC will not fund £40k towards Support 4 Spelthorne for the costs we incurred providing food and support to shielded residents. Shielded residents are meant to be the responsibility of upper tier authorities. Surrey has received £8 per head from a Contain Outbreak Management fund and has decided to retain £5 per head and pass on only £3 per head. £5 per head equates to £6m for SCC and we believe they are planning to use this for track and trace. £3 per head for Spelthorne is roughly £300k and we will use some of it to fund additional temporary resources to address the heavy pressures Environmental Health are under seeking to meet the additional statutory duties currently placed on them.

The Council's leisure centre operator, Everyone Active, have highlighted that they are currently estimating a significant deficit for next year and would like a conversation with the Council about financial support for 2021-22. Nationally approximately 200 leisure centres have not reopened. The £100m Government Fund for supporting leisure centres is to be launched this week. The scheme has been developed by Sport England for the DCMS. Local authorities are to lead on bids. The first step will be for the authority to lodge an expression of interest. Funding is intended to cover forecast losses from Dec 2020 to March 2021 (not retrospective to cover losses to date). A notional sum will be assigned for each authority based on a formula to indicate how much they might be allocated, but actual sums require submission of a bid.

Bidding opens on 11 December ( i.e. tomorrow) and closes on 21 December; so a very quick turn around. Council officers are liaising with Everyone Active to ensure that we make a funding submission.

It is important to recognise that behind our income and expenditure figures movements there are non-financial costs and impacts.

- The reduction in car parking income reflects reduced footfall in our town centres and a challenging environment for local retailers, restaurants and businesses.
- Reduced income at our Community Centres reflects the fact many vulnerable, elderly and frail residents are not able to access services,

although our staff have been creative in coming up with alternative ways to provide support.

- Additional expenditure is being incurred in areas such as Environmental Health who are under immense pressure meeting their additional statutory responsibilities in the face of COVID-19. We will be using some of the approx. £300k Contain Outbreak Management Fund to help finance this.

Across all levels of the organisation staff and managers have responded flexibly to the very significant impact of COVID-19. Many were for a while being redeployed to support priority areas, and many have faced increased workloads and stress levels. So I am sure all of our workforce, will be looking forward to a short break at Christmas.

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## MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

**Minutes of the Extraordinary Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 21 January 2021 at 6.00 pm**

### **Present:**

#### Councillors:

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

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

**Apologies:** Apologies were received from Councillors I.J. Beardsmore

#### **19/21 Disclosures of Interest**

There were no disclosures of interest.

#### **20/21 Capital Budgets for Council Development Programme**

Councillors considered the report and appendices on the Capital Budgets for Council Development Programme and a presentation delivered by the Group Head of Regeneration and Growth.

Council was asked to decide whether the capital provision for the developments listed in the report (being those development projects where budget provision had been approved in the general budget cycle rather than specific reports to the Council) were to be included in such Capital Programme.

The six developments were decided individually as follows:

### **Motion 1 - Ceaser Court phase II, Sunbury**

It was moved by Councillor J.R. Boughtflower, and seconded by Councillor L.E. Nichols, that:

“Ceaser Court phase II, Sunbury is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the sums of £14.6m phases 1 & 2 and £6.3m in 21/22 for phase 2. Before these developments are progressed these will be reviewed and revalidated by the new Programme Board.”

Councillor J.R. Boughtflower spoke to the motion and informed members that this development, and the others, would provide much needed affordable housing for the borough and would protect the green belt. Councillor J.R. Boughtflower advised that private developers had not delivered affordable housing in the last year and generally when they did it would be shared ownership which was too expensive for most Spelthorne residents. Councillor J.R. Boughtflower explained that the Council's housing list was growing, and 11 families were currently bidding for each home that became available.

Councillor L.E. Nichols stated that the new programme board would oversee the Council's regeneration projects and ensure they are refined and delivered in a collaborative and transparent way with the input of ward Councillors sought in the early stages. These new arrangements would make members more accountable for their decisions and would result in better schemes being delivered.

Councillor R.A. Smith Ainsley proposed an amendment to the motion, seconded by Councillor J. Vinson, to remove the second sentence:

“Before these developments are progressed these will be reviewed and revalidated by the new Programme Board.”

A vote was held on the amendment which FELL.

Councillor T. Fidler proposed an amendment to the motion, seconded by Councillor C. Bateson to:

add the word “provisional” before sums and to amend the second sentence to read: Before these developments are progressed these will be reviewed by “a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.”

A vote was held, and the amendment was CARRIED.

The substantive motion was debated, and a recorded vote conducted as requested by Councillor J.R. Boughtflower with the result as follows:

**FOR (35)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Boughtflower, Brar, Buttar, Chandler, Doran J, Doran S, Dunn R, Dunn S, Fidler, Gething, Gibson, Grant, Harman, Harvey H, Harvey I, Islam, Lagden, Leighton, Madams, McIlroy, Nichols, Noble, Rybinski, Saliagopoulos, Sexton, Sider, Siva, Smith-Ainsley, Spoor, Vinson.

**AGAINST (0)**

**ABSTAIN (2)**

Doerfel, Mitchell.

**RESOLVED:** Ceaser Court phase II, Sunbury is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sums of £14.6m phases 1 & 2 and £6.3m in 21/22 for phase 2. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed policy and resources committee or equivalent agreed cross-party entity in the interim by the full council."

**Motion 2 - Thameside House, Staines-upon-Thames**

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

"Thameside House, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £46.45m Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council."

Some members expressed concern over the height of the development and noted that they were being asked to make a decision on whether to include the developments in the Capital Programme not the specific design of the schemes.

The motion was debated, and a recorded vote conducted as requested by Councillor J.R. Boughtflower with the result as follows:

**FOR (29)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Boughtflower, Brar, Buttar, Chandler, Doran J, Doran S, Dunn R, Dunn S, Fidler, Grant, Harman, Harvey H, Harvey I, Islam, Leighton, Madams, McIlroy, Nichols, Noble, Rybinski, Sider, Siva, Smith-Ainsley, Spoor, Vinson.

**AGAINST (1)**

Gibson

**ABSTAIN (6)**

Doerfel, Gething, Lagden, Mitchell, Saliagopoulos, Sexton.

**RESOLVED:** Thameside House, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £46.45m. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.

### **Motion 3 - Ashford Multi-Storey Car Park**

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

“Ashford Multi-Storey Car Park is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £10m funded initially from capital provision for regeneration and housing opportunities. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.

The motion was debated, and a recorded vote conducted as requested by Councillor J.R. Boughtflower with the result as follows:

#### **FOR (36)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Boughtflower, Brar, Buttar, Chandler, Doerfel, Doran J, Doran S, Dunn R, Dunn S, Fidler, Gething, Gibson, Grant, Harman, Harvey H, Harvey I, Islam, Lagden, Leighton, Madams, McIlroy, Mitchell, Nichols, Noble, Rybinski, Saliagopoulos, Sexton, Sider, Smith-Ainsley, Spoor, Vinson.

#### **AGAINST (0)**

#### **ABSTAIN (0)**

**RESOLVED:** Ashford Multi-Storey Car Park is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £10m funded initially from capital provision for regeneration and housing opportunities. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.

### **Motion 4 – Oast House, Staines-upon-Thames**

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

“Oast House, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum £77.678m excluding purchase cost. Before these potential developments are progressed these will be reviewed by a properly constituted

sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.”

The motion was debated, and a recorded vote conducted as requested by Councillor J.R. Boughtflower with the result as follows:

**FOR (21)**

Attewell, Barnard, Barratt C, Boughtflower, Brar, Buttar, Chandler, Dunn S, Fidler, Grant, Harvey H, Harvey I, Leighton, Madams, McIlroy, Nichols, Noble, Rybinski, Smith-Ainsley, Spoor, Vinson.

**AGAINST (2)**

Mitchell, Sexton.

**ABSTAIN (11)**

Barratt R, Bateson, Doran J, Doran S, Dunn R, Gething, Gibson, Harman, Islam, Saliagopoulos, Sider.

**RESOLVED:** Oast House, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum £77.678m excluding purchase cost. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council

Councillor R.A. Smith-Ainsley proposed a motion to extend the meeting in accordance with Council procedural rule 5.1. Councillor V.J. Leighton seconded the motion.

The Mayor adjourned the meeting for a comfort break from 20:50 to 20:57.

**Motion 5 - Tothill Car Park, Staines-upon-Thames**

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

“Tothill Car Park, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £8m from within the provision for the Elmsleigh Centre. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.”

The motion was debated, and a recorded vote conducted as requested by Councillor J.R. Boughtflower with the result as follows:

**FOR (29)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Boughtflower, Brar, Buttar, Chandler, Doran J, Doran S, Dunn R, Dunn S, Fidler, Gething, Grant,

Harman, Harvey H, Harvey I, Islam, Leighton, Madams, McIlroy, Nichols, Noble, Rybinski, Sider, Smith-Ainsley, Spoor.

**AGAINST (4)**

Gibson, Mitchell, Saliagopoulos, Sexton.

**ABSTAIN (0)**

**RESOLVED:** Tothill Car Park, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £8m from within the provision for the Elmsleigh Centre. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.

**Motion 6 – Vodafone / William Hill Staines-upon-Thames**

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

“Vodafone/William Hill, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £8m from within the provision for the Elmsleigh Centre. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.”

The motion was debated, and a recorded vote conducted as requested by Councillor J.R. Boughtflower with the result as follows:

**FOR (30)**

Attewell, Barnard, Barratt C, Barratt R, Bateson, Boughtflower, Brar, Buttar, Chandler, Doran J, Doran S, Dunn R, Dunn S, Fidler, Gething, Gibson, Grant, Harman, Harvey H, Harvey I, Islam, Leighton, Madams, McIlroy, Nichols, Noble, Rybinski, Sexton, Sider, Smith-Ainsley.

**AGAINST (1)**

Spoor.

**ABSTAIN (2)**

Mitchell, Saliagopoulos.

**RESOLVED:** Vodafone/William Hill, Staines-upon-Thames is included in the Capital Programme to be presented to full Council for approval on the 25 February 2021 in the provisional sum of £8m from within the provision for the Elmsleigh Centre. Before these potential developments are progressed these will be reviewed by a properly constituted sub-committee of the proposed

Policy and Resources Committee or equivalent agreed cross-party entity in the interim by the Full Council.

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

This is my report as the Leader of the Council on the work of the Cabinet. It is an overview of the business considered by the Cabinet at its Extraordinary meeting held on 25 January 2021 and its ordinary meeting on 27 January 2021.

### **25 January 2021**

#### **1. Moratorium on development in Staines-upon-Thames**

- 1.1 Cabinet was asked to make a decision on whether any proposed development of Staines Town Centre by Spelthorne Borough Council should be kept on hold until the Staines Development Framework had been adopted and whether Developers of Major applications proposed in the Staines Town Centre should be requested to defer their applications until the Staines Development Framework is adopted.
- 1.2 Cabinet noted that the Council had no power to direct Developers to defer their applications and that the Council had already written to some and had received negative responses.
- 1.3 Cabinet agreed that it was important that the Council listen to the views of all residents to ensure the right balance was struck between delivering affordable housing and meeting the needs of the wider community.
- 1.4 Cabinet decided that a Moratorium on Council schemes in Staines-Up-on-Thames should take place until such time as three things take place, with the intention that these will be completed prior to the Annual Council meeting in May 2021;
  - i. That the Strategic Planning team undertake an Issues and Options consultation exercise for the Staines Development Framework.
  - ii. That a sub-committee, which was agreed at Extraordinary Council on 21 January 2021, is included in the recommendations of the Committee System Working Group to be reported to Extraordinary Council, currently scheduled for 25 March 2021.
  - iii. That the viability of all the developments are reviewed by the assets team.

### **27 January 2021**

#### **1. Recommendation from the Overview and Scrutiny Committee on the Lendy Memorial Lion Petition**

- 1.1 Cabinet considered the recommendations of the Overview and Scrutiny Committee and agreed that the Lendy Memorial Lion should be uncovered and that the Council should work with local informed sources to provide a plaque containing historical information at the site, with more detailed information available, for example through a QR code.

**2. Determination of the 2021/22 Council Tax base for tax setting**

2.1 We considered and agreed the Council Tax Base for 2021/22.

**3. Reserves Policy**

3.1 Cabinet agreed to approve the reserves policy and noted the restatement of useable reserves as at 1 January 2021.

**4. Outline Budget 2021-22 to 2024-25**

4.1 We considered and agreed the recommendations in the report on the Outline Budget for the period 2021-22 to 2024-25.

**5. Treasury Management Half Yearly Report 2020/21**

5.1 Cabinet noted the treasury position achieved during the first six months of 2020/21 and the financial environment in global markets.

**6. Exempt Report - Proposal for an in-house Planned and Reactive Repairs and Maintenance Service**

6.1 We considered and agreed the recommendations contained in an exempt report on the proposal for an in-house Planned and Reactive Repairs and Maintenance Service.

## **Report from the Chairman on the work of the Members Code of Conduct Committee (MCCC)**

This report gives an overview of the main issues considered at the meeting held on 4 February 2021.

### **1. New model Code of Conduct**

- 1.1 The Committee considered a report that proposed a recommendation to Council the adoption of the new Local Government Association (LGA) Model Code of Conduct from the date of Annual Council.
- 1.2 The Committee noted that the Code paid particular attention to ensuring people were treated with respect, that bullying and harassment were clearly defined, and that members must not behave in a manner that would bring the Council into disrepute.
- 1.3 The Committee agreed that they supported the adoption of the Code and that committee members should lead the way by adhering to the Code and showing respect to each other.
- 1.4 The Committee resolved to recommend that Council approve the adoption of the new LGA Model Code of Conduct from the date of the Annual Council meeting.

### **2. Committee of Standards in Public Life Recommendations - Update**

- 2.1 The Committee received an update from the Group Head of Corporate Governance and noted that the Council had complied with a number of the best practice recommendations and that any outstanding areas would be addressed as part of the Constitution review and the Councils change to a committee system governance model.

### **3. Update on complaints relating to the Code of Conduct**

- 3.1 Members of the Committee received an update on complaints and noted the decisions taking by the Monitoring Officer in relation to the complaints detailed in the report.

**Mr Ian Winter**

*Chairman of the Members Code of Conduct Committee*

**25 February 2021.**

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## **Report of the Chairman on the work of the Overview and Scrutiny Committee**

This report gives an overview of the main issues considered at the meeting held on 19 January 2021 and the Extraordinary meeting held on 9 February 2021.

### **19 January 2021**

#### **1. The Lower Sunbury Lendy Memorial Lion**

- 1.1 The Overview and Scrutiny Committee considered two issues:
  - i. The report written about the Lendy memorial by Alan Doyle and to recommend to Cabinet a course of action based on the information currently available.
  - ii. Whether to accept the offer of supporting an application to the Arts and Humanities Research Council for a grant to undertake further research on the Lendy statue. a grant to undertake further research on the Lendy statue
- 1.2 The Committee resolved to recommend to Cabinet:

#### **Recommendation 1:**

- i. The Council supports the views of residents, as expressed in the petition. The statue should immediately be uncovered and left in place.
- ii. The Council provides at the site a plaque containing historical information, with more detailed information available, for example through a QR code.
- iii. The Committee agrees that the Council works with local informed sources and their wealth of information so other suggestions for ensuring access to detailed background information can be pursued, such as a booklet in the Embroidery Gallery and the involvement of the well-respected local history society.

#### **Recommendation 2:**

- i. Spelthorne provides a letter of support for the proposed application to the Arts and Humanities Research Council for a grant for academics to undertake further research on the Lendy statue.
- ii. Should any new information come to light the Council will review it and come to its own decision.
- iii. That this resolution should not delay the actions proposed in recommendation 1.

#### **2. Outline Budget 2021-2025**

- 2.1 The Committee noted the draft budget proposals for the outline budget 2021-2025.
- 2.2 The Committee raised a number of queries on specific items which officers responded to at the meeting or agreed to look into and provide a written answer.

- 2.3 Members expressed concern that a press release regarding the Council Tax freeze was released prior to the report going through the full reporting process.

### **3. Reserves Policy**

- 3.1 The Committee considered the Reserves Policy and agreed to note the report.

### **4. Treasury Management Strategy - half yearly report**

- 4.1 The Committee scrutinised the Treasury Management Strategy – half yearly report and noted that the report reflected the position as at the end of September 2020.
- 4.2 The Committee acknowledged that the report could have been timelier but had been delayed due to a number of challenges including those relating to COVID and staffing changes.
- 4.3 Members of the Committee expressed the view that they would like the Council to review their investments with a view that they seek to identify ethical investment opportunities. Officers advised that this had been noted and Arlingclose were aware and had made the point that they needed to balance the financial interests of the Council. Cllrs Buttar and Noble also confirmed that Cabinet were mindful of the Committees wishes on this matter.

### **5. Treasury Management Strategy Statement**

- 5.1 The Committee noted the draft report on the Treasury Management Strategy Statement for 2021.

### **6. Work Programme**

- 6.1 The Committee noted the work programme.

### **7. Updates from Task Groups**

- 7.1 The Committee noted a written update from the Climate Change task group and a verbal update on the End of Life Celebration Centre both presented by Cllr Noble.
- 7.2 The Committee noted that the Climate Change task group had established a Financial Investments Review subgroup to look at the nature of the Council's investments and a longer-term strategy for moving towards greener investments.
- 7.3 Cllr Noble informed the Committee that the End of Life Celebration task group had not been able to meet due to the pandemic and officer availability.
- 7.4 The Committee noted that the Clean Streets task group were going to meet to discuss what they wanted to do going forward and thus did not feel it was appropriate to decide whether to appoint other members or to co-opt Cllr Gething at the meeting. Cllr Gibson praised the work of Spelthorne Litter Pickers which was echoed by the Committee.

## **8. Corporate Project Management**

- 8.1 The Committee noted that improvements to how the RAG ratings were presented had been made and thanked Cllr Noble and officers for their work on this.
- 8.2 Members raised a number of queries on the Sunbury leisure centre which officers responded to at the meeting or agreed to look into and provide a written answer.
- 8.3 The Committee agreed to note the update.

## **9. Exempt item- Corporate Project Management**

- 9.1 Members queried why the confidential project (SLR) was included and asked what was happening with it. Officers agreed to provide a written response.

## **Extraordinary Meeting, 9 February 2021**

## **10. The Draft Capital Strategy**

- 10.1 The Overview and Scrutiny Committee were asked to note the working draft of the Capital Strategy 2021 and to provide recommendations on how the Strategy could be improved and amended to Cabinet for them to consider prior to the report going to Cabinet on 24 February and Council on 25 February 2021.
- 10.2 The Committee scrutinised the strategy in detail as reflected in the minutes of the meeting and.
- 10.3 The Committee resolved to recommend to Cabinet:

**Recommendation 1:** The Committee recognises the live nature of this Strategy and accepts that due to time constraints it is not possible to re-write the Strategy this year but the Committee requests that in future the Strategy is more forward focused, and a tracked changes version is available for members to review to see how the Strategy has evolved.

**Recommendation 2:** That officers update the Strategy to make it more concise, replacing appendices with links where possible, prior to being presented to Cabinet on 24 February 2021.

**Recommendation 3:** That the information provided in paragraph 6.9 is updated to make it clear that the figures quoted are from the Strategic Land Availability Assessment and not any future planning application or any previous development scenarios members may have seen.

## **11. Detailed Revenue Budget**

- 11.1 The Committee were asked to scrutinise the Detailed Revenue Budget for 2021/22 prior to it being considered by Cabinet on 24 February 2021.
- 11.2 The Committee scrutinised the Budget in detail as reflected in the minutes of the meeting.

The Committee resolved to recommend to Cabinet:

**Recommendation 1:** The Committee was concerned over the adequacy of the monies set aside for green issues and climate change, which undermines the pledge in the draft Capital Strategy that climate change is a priority and asks Cabinet to review this.

**Recommendation 2:** That next year the Overview and Scrutiny Committee (or Service Committees if the Council agrees to adopt the Committee System governance model at the Annual Council meeting in May) will have sight of the budget earlier in the process to enable them to be fully involved in the shaping of the final budget before it is presented to Council for approval.

**Councillor Vivienne Leighton**

*Chairman of the Overview and Scrutiny Committee*

**25 February 2021**



## **Report of the Chairman on the Work of the Planning Committee**

The Planning Committee has met on two occasions since the previous report to Council. This report gives an overview of the key items considered by the Committee at its meetings on 06 January 2021 and 03 February 2021.

### **1. Planning Committee meeting – 06 January 2021**

- 1.1 The Committee considered two applications.
- 1.2 Application No. 20/00802/FUL – This was for the redevelopment of surplus hospital car park for 127 residential units comprising 122 flats and 5 terraced houses, in buildings ranging from 2 to 5 storeys in height, with associated access, parking, services, facilities and amenity land. The application was deferred.
- 1.3 Application No. 20/00876/HOU – This application sought erection of a new boundary wall and gate at the western boundary. One public speaker and two Ward Councillors took the opportunity to address the Committee. The application was approved.

### **2. Planning Committee meeting – 03 February 2021**

- 2.1 The Committee considered three applications.
- 2.2 Application No. 20/01312/FUL – This was for the demolition of the existing vacant buildings on site and the erection of a building over 3 floors to provide 14 flats (4 x 1 bed, 9 x 2 beds, and 1 x 3 beds) with parking and amenity space. The application was approved.
- 2.3 Application No. 20/01380/HOU – This application sought erection of a single storey side/rear extension, garage conversion and the new first floor flank window. The application was approved.
- 2.4 TPO 267/2020 – This sought confirmation of a Tree Preservation Order that was service with immediate effect to protect one Plane tree and one Lime tree situated on the highway to the front of the land adjacent to 119 Penton Road, Staines-upon-Thames, TW18 2LL. The Tree Preservation Order was confirmed without modification.

**Councillor Tom Lagden**  
*Chairman of Planning Committee*

**25 February 2021**

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