



Please reply to:

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Date: 17 April 2023

Notice of meeting

Environment and Sustainability Committee

Date: Tuesday, 25 April 2023

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Environment and Sustainability Committee

Councillors:

I.J. Beardsmore (Chairman)	A. Brar	V.J. Leighton
R.J. Noble (Vice-Chairman)	T. Fidler	S.C. Mooney
R.O. Barratt	N.J. Gething	L. E. Nichols
M. Beecher	K.M. Grant	O. Rybinski
J. Button	K. Howkins	J.R. Sexton

Substitute Members: Councillors M.M. Attewell, J.T.F. Doran, C. Bateson, S. Buttar, M. Gibson, H. Harvey, I.T.E. Harvey, N. Islam, T. Lagden, D. Saliagopoulos and S.J Whitmore

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

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1. Apologies and Substitutes

To receive any apologies for absence and notification of substitutions.

2. Minutes

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To confirm as a correct record the minutes of the Environment and Sustainability Committee meeting held on 13 March 2023.

3. Disclosures of Interest

To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.

4. Questions from Members of the Public

The Chair, or their nominee, to answer any questions raised by members of the public in accordance with Standing Order 40.

At the time of publication of this agenda no questions were received.

5. Ward Issues

To consider any issues raised by ward councillors in accordance with Standing Order 34.2

At the time of publication of this agenda no ward issues were received.

6. Presentation from Heathrow Airport Limited

To receive a presentation from Heathrow Airport Limited.

7. Proposed Strategic Community Infrastructure Levy Terms of Reference

9 - 14

To consider agreement of the proposed strategic Community Infrastructure Levy Terms of Reference following the dissolution of the Spelthorne Joint Committee.

8. Updates from Task and Finish and/or Working Groups

To receive an update on the following task and finish and/or working groups:

Climate Change Working Group – verbal update from Councillor Noble

9. Forward Plan

15 - 18

A copy of the Environment & Sustainability Committee Forward Plan is attached.

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**Minutes of the Environment and Sustainability Committee
14 March 2023**

Present:

Councillor I.J. Beardsmore (Chairman)
Councillor R.J. Noble (Vice-Chairman)

Councillors:

R.O. Barratt	K.M. Grant	O. Rybinski
M. Beecher	K. Howkins	J.R. Sexton
J. Button	V.J. Leighton	
N.J. Gething	S.C. Mooney	

Substitutions: Councillors C. Bateson (In place of T. Fidler)

Apologies: Councillor L. E. Nichols

15/23 Minutes

The minutes of the meeting held on 10 January 2023 and the extraordinary meeting held on 31 January 2023 were agreed as a correct record.

16/23 Disclosures of Interest

There were none.

17/23 Questions from members of the Public

There were none.

18/23 Ward Issues

There were none.

19/23 Green Initiatives Fund Bid - Solar for Laleham Nursery

The Committee considered a request for funding from the Green Initiatives Fund to purchase solar panels for Laleham Nursery. Laleham Nursery currently utilised solar panels on part of their roof space, and the remaining roof space had been rebuilt to accommodate further installation of solar panels. The solar panels would create an estimated savings of £1,469 per annum, and that was expected to increase with the rising price of electricity.

The Committee confirmed that despite the rising cost of materials, there was still expected to be a return on investment in the solar panels.

The Committee **resolved** to approve funding of £20,000 from the Green Initiatives Fund to purchase solar panels for Laleham Nursery.

20/23 Green Initiatives Fund Bid - Sweeps Ditch Works in Staines Park

The Committee considered a request for funding from the Green Initiatives Fund to help fund the creation of a pond within the Staines Park section of Sweeps Ditch. Surrey County Council had agreed to fund a majority of the works as it was a flood alleviation project and would provide further biodiversity to the area. The installation of underwater sills would also work to prevent catastrophic water loss such as occurred over summer 2022.

The Committee noted that the Environment Agency supported the project. The Committee queried the depth of the pond and requested that safety and warning signs be clearly placed around the site.

The Committee acknowledged the loss of water and flow problems that were caused by the failure of a pump over the summer and queried if steps were being taken to avoid similar situations in future. It was confirmed that a further pump had been installed to protect against future failure, and contractors would be attending on a regular basis to monitor the performance of the pumps.

The Committee congratulated the team on their work and for their work with external agencies on the project.

The Committee **resolved** to approve funding of £8,000 from the Green Initiatives Fund towards the creation of a pond within the Staines Park section of Sweeps Ditch.

21/23 Update on Climate Change Strategy

The Committee received a verbal update from the Climate Change Officer on the Climate Change Strategy.

Since adoption in September 2022, 41 of the 72 actions were underway and two were completed. A number of Council departments and external stakeholders were undertaking work for the strategy on behalf of the Council

as a whole, and individuals had undertaken Carbon Literacy Training to address their own carbon emissions.

The Committee **resolved** to note the update on the Climate Change Strategy.

22/23 Updates from Task and Finish and/or Working Groups

The Committee received updates on the work of the CIL Task Group and the Climate Change Working Group.

Councillor Noble provided a summary of items considered by the Climate Change Working Group, which included the GIF Bids on the agenda for the meeting as well as a further anticipated report regarding the development of a tree nursery for the Council.

The Committee queried the status of sapling trees that were planted as part of an initiative and damaged. Cllr Noble explained that part of the rationale behind the Council developing a tree nursery would be to easily replant damage trees and reduce costs.

The Committee **resolved** to note the updates from the CIL Task Group and the Climate Change Working Group.

23/23 Forward Plan

The Committee considered the forward plan for future Committee business.

The Committee noted the item related to the boardwalk along the River Ash was not committed to a particular meeting and requested that an update on the status of the item be provided.

The Committee queried if there were any further updates on the Local Plan Inquiry. The Chair explained that provisional dates had been received for the end of May and June, but calendars needed to be coordinated with key attendees before dates could be confirmed.

The Committee **resolved** to note the forward plan.

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Environment and Sustainability Committee



Date of meeting – 25 April 2023

Title	Proposed Strategic Community Infrastructure Levy (CIL) Terms (ToR) of Reference following the dissolving of the Spelthorne Joint Committee
Purpose of the report	To make a decision
Report Author	Joanna Ghazaleh – Infrastructure Delivery Coordinator
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	Community Environment Service delivery
Recommendations	Committee is asked to: 1. Agree the proposed Strategic CIL ToR (Appendix A) following the dissolution of the Spelthorne Joint Committee.
Reason for Recommendation	<p>The Spelthorne Joint Committee is currently identified as the final decision-maker with regards to Strategic CIL funding. Once the Committee is dissolved, the Strategic CIL ToR must be amended to reflect a new final decision-maker. It is proposed the Environmental and Sustainability (E&S) Committee is the new final decision-maker, and the Committee is asked to agree the proposed ToR (Appendix A) to reflect this change.</p> <p>In addition to the above, the ToR have also been amended to move from accepting applications for CIL on an ad-hoc basis, to a structured annual spending round, in agreement with the CIL Task Group.</p>

1. Summary of the report

1.1 This report seeks agreement of the proposed Strategic CIL ToR (Appendix A) following the dissolution of the Spelthorne Joint Committee.

2. Key issues

Background

- 2.1 The CIL regime was implemented in Spelthorne in 2015. Monies collected via the CIL mechanism can be used in 3 ways, as follows; Administration costs (5%), Local CIL Funding (15%), and Strategic CIL Funding (80%).
- 2.2 This report, and the attached governance relates only to Strategic CIL. Local CIL is decided by Ward Members and has its own, separate governance.
- 2.3 It was under the remit of the Spelthorne Joint Committee to be the final decision maker for Strategic CIL Funding, as reflected in the current Strategic CIL ToR.
- 2.4 In 2022 Surrey County Council (SCC) served notice of their intention to withdraw from all Joint Committees. As a result, Spelthorne Council Standards Committee asked to recommend Council at its meeting on 23 February 2023 to “transfer the existing Council, delegated and advisory functions currently within the remit of the Joint Committee, back to this Council”. This was agreed.
- 2.5 It is understood SCC held a ‘Constitution of the Council’ meeting on 21 March 2023 to ratify the changes at their end.
- 2.6 These changes mean the responsibility of CIL allocation and spending is entirely in the gift of the Borough Council. Ongoing consultation and collaboration with SCC will continue on an Officer level, as with all infrastructure stakeholders.
- 2.7 As of the end of March 2023 the Spelthorne Joint Committee will no longer be in existence. As the Joint Committee is currently the final decision-maker with regards to Strategic CIL bids, the CIL ToR need to be amended to reflect the new final decision-maker will be the E&S Committee.
- 2.8 In exceptional circumstances, CIL decisions can be made by the CPRC Committee, as reflected in the amended ToR. However the default Committee to make final decisions on CIL will be the E&S Committee.
- 2.9 In addition to the above, the ToR have also been amended to move from accepting applications for CIL on an ad-hoc basis, to a structured annual spending round, in agreement with the CIL Task Group.
- 2.10 The Strategic CIL Bidding Round will run between the months of April and June. Where possible, final decisions should be published between September and October.
- 2.11 As Local CIL funding decisions are made by the Local Spending Boards, they are not affected by the dissolving of the Spelthorne Joint Committee. There are no changes to the Local CIL ToR.

3. Options analysis and proposal

Option 1 – Approve amendments to the ToR

- 3.1 In order to progress with Strategic CIL funding, and to avoid any delays on current projects, it is key that the current ToR are amended to remain valid.
- 3.2 CIL is intrinsically linked to the planning system, therefore the E&S Committee is the best placed, and most informed group to take over as the final decision maker with regards to Strategic CIL funding.

- 3.3 The proposed ToR (Appendix A) removes reference to the Spelthorne Joint Committee and replaces it with the E&S Committee.
- 3.4 The ToR have also been amended to reflect a move from accepting bids on an ad-hoc basis, to a more structured, annual spending round. This was agreed by the CIL Task Group as it allows more certainty for both the Council and applicants, allows funding awards to align with long-term strategic goals, and allows the opportunity for CIL receipts to accrue.
- 3.5 It is proposed the Strategic CIL Bidding Round will run between the months of April and June. Where possible, final decisions should be published between September and October.
- 3.6 It is proposed Members agree to these changes in order for the CIL funding process to continue.

Option 2 – Reject amendments to the ToR

- 3.7 This option is not recommended. As the Joint Committee will no longer exist, not reflecting this change to the ToR would make them invalid and would halt the decision-making process.
- 3.8 CIL provides funding towards infrastructure required as a result of development in its area. Should the CIL spending process be halted, this would have an impact on the delivery on infrastructure in the Borough, as well as a knock on impact on residents.

Option 3 – Amended wording to proposed changes

- 3.9 This option would also not be recommended. The proposed changes have been made in consultation with the CIL Task Group.
- 3.10 The move to an annual bidding cycle is proposed in order to better the process and reflects best practice across other Boroughs within the surrounding area.
- 3.11 Any further changes to the ToR would potentially cause a delay in the process, which would have a detrimental effect to the Borough's infrastructure and residents.

4. Financial implications

- 4.1 Due to the move to a more structured spending round, there are unlikely to be any imminent financial implications, however, without a valid ToR, future recommendations and decision may be delayed. For this reason, it is key to update the ToR to avoid any future financial implications.

5. Risk considerations

- 5.1 Should the proposed changes not be made, this will halt the Strategic CIL spending process. CIL provides funding towards infrastructure required as a result of development in its area. A halt to the process would have an impact on the delivery on infrastructure in the Borough, as well as a knock-on impact on residents.

6. Procurement considerations

- 6.1 No identified risks.

7. Legal considerations

- 7.1 No identified risks.

8. Other considerations

- 8.1 Should the amendments to the ToR be accepted, there are a number of changes to be made to the CIL webpages and information available online.
- 8.2 Key stakeholders would be made aware of the changes to the bidding cycle. This will be done both by direct and online communications.

9. Equality and Diversity

- 9.1 None identified.

10. Sustainability/Climate Change Implications

- 10.1 None identified.

11. Timetable for implementation

- 11.1 The Strategic CIL ToR need to be amended in order to delay and future decision making with regards to funding. Therefore should the proposed ToR be agreed, these will take effect immediately.
- 11.2 As the proposed bidding cycle will run from April – June, communications would be made immediately to notify key stakeholders about the change.

12. Contact

- 12.1 Joanna Ghazaleh – j.ghazaleh@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix A – Amended Strategic CIL Governance

Terms of Reference: Community Infrastructure Levy (CIL) Working Group

1. Remit

The CIL Working Group is a Councillor/Officer group set up to work jointly and collaboratively to advise the appropriate Committee on CIL generally and make recommendations on bids for CIL monies allocated to it by the Borough Council.

The CIL Working Group will assess bids for Strategic CIL funding and will recommend to the Environment & Sustainability (E&S) Committee for approval. Bid assessment will consider a number of factors including project cost, match funding, deliverability, and relevance to the identified infrastructure needs set out in the Infrastructure Delivery Plan (IDP).

In exceptional circumstances the Working Group may recommend bids to the Committee and Corporate Policy and Resource Committee (CPRC) should it be appropriate to do so.

2. Membership of the Working Group

The CIL Working Group comprises:

- The Leader of Spelthorne Borough Council
- The Chair of E&S Committee
- The Chairs of each of the five Local Spending Boards

The Chair of the Working Group will be nominated by the Working Group.

The following Officer representation will apply:

- Strategic Planning Manager
- Infrastructure Delivery Co-ordinator

The Working Group will reserve the right to draw in representatives from other Borough, County, and external service areas as required to assist it in its work.

3. Meetings

The Strategic CIL Bidding Round will run between the months of April and June. The Working Group will meet as soon as practical after the close of the Bidding Round to consider applications. Once recommendations have been decided, these will be taken to the appropriate Committee as soon as practical for final decision-making. Where possible, final decisions should be published between September and October.

The Working Group may also meet as required throughout the year to discuss Strategic CIL allocations and to ensure effective and timely allocation of CIL monies.

4. Objectives

The Working Group objectives are:

- To ensure overall programming of infrastructure projects agreed by the appropriate Committee.
- To advise and recommend to the appropriate Committee schemes that will have maximum benefits to the community.
- To monitor receipts and expenditure of CIL monies, including the maintenance of reserves in the fund of approximately £1 million.

The Working Group will be responsible for:

- Recommending projects to the appropriate Committee which require CIL funding from resources allocated to it, following assessment in accordance with the agreed criteria.

- Regular monitoring and reporting to the E&S Committee on the delivery of projects including revisions to timescales and expenditure.
- Reporting to the E&S after completion of each project.

5. Output

Regular project progress updates to the E&S Committee on CIL priorities and funding of projects.

DRAFT



Spelthorne Borough Council Services Committees Forward Plan and Key Decisions

This Forward Plan sets out the decisions which the Service Committees expect to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Service Committee, which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

Please direct any enquiries about this Plan to CommitteeServices@spelthorne.gov.uk.

Spelthorne Borough Council

Service Committees Forward Plan and Key Decisions for 1 April 2023 to 31 August 2023

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Environment and Sustainability Committee 25 04 2023	Establishment of the Community Infrastructure Levy Task Group	Non-Key Decision	Public	Joanna Ghazaleh, Community Infrastructure Levy (CIL) Officer
Environment and Sustainability Committee 25 04 2023	Presentation from Heathrow Airport Limited	Non-Key Decision	Public	Heather Morgan, Group Head - Place, Protection and Prosperity
Members' briefing pack 16 05 2023	Q3 Capital Monitoring Report (Oct-Dec) BRIEFING PACK	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Members' briefing pack 16 05 2023	Q3 Revenue Monitoring Report (Oct-Dec) BRIEFING PACK	Non-Key Decision	Public	Paul Taylor, Chief Accountant
Members' briefing pack 13 06 2023	Review of Wildflower Planting - BRIEFING PACK	Non-Key Decision	Public	Andi Roy, Bio-Diversity Officer
Environment and Sustainability Committee 27 06 2023	Update on Green Initiatives Fund	Non-Key Decision	Public	Sandy Muirhead, Group Head - Commissioning and Transformation
Environment and Sustainability Committee 05 09 2023	Update on Climate Change Strategy	Non-Key Decision	Public	Jilly Mowbray, Climate Change Officer

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Environment and Sustainability Committee	Strategic Planning - Car Parks in Staines	Non-Key Decision	Public	Ann Biggs, Strategic Planning Manager

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