



**Spelthorne
Borough Council**

Council Meeting
Thursday, 8 December 2022



30 November 2022

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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 at The Council's Offices, Knowle Green, Staines-upon-Thames on **Thursday, 8 December 2022** commencing at **7.00 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.

For those Councillors wishing to participate, prayers will be said in the Mayor's office, starting at 6.45pm. Please email mayor@spelthorne.gov.uk if you wish to attend.

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.
1. Apologies for absence To receive any apologies for non-attendance.	
2. Minutes To confirm as a correct record the minutes of the Council meeting held on 20 October 2022.	7 - 24
3. Disclosures of Interest To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.	
4. Announcements from the Mayor To receive any announcements from the Mayor.	
5. Announcements from the Leader To receive any announcements from the Leader.	
6. Announcements from the Chief Executive To receive any announcements from the Chief Executive.	
7. Questions from members of the public The Leader, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 13.	25 - 26
8. Petitions To receive any petitions from members of the public.	
9. Outline Budget 2023/24 Report to follow.	
10. Determination of 2023/24 Council Tax Base for tax setting Report to follow.	
11. Members Allowances Scheme 2022-23 Report to follow.	
12. Grants Panel To follow.	

13. Appointment of Representative Trustees

To consider the appointment of representative trustees to Laleham Charities – Village Hall and Recreation Grounds following confirmation from the Charity of the below nominations:

Richard Stokes, Mavis Duncan, and Geoff Want for a four year period ending December 2026.

14. Reports from the Committee Chairs

To receive and agree the reports from the Committee Chairs outlining the business of the Committees held since the last Council meeting..

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15. General questions

The Leader, or his nominee, to answer questions from Councillors on matters affecting the Borough, in accordance with Standing Order 14.

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16. Motions

To receive any motions from Councillors in accordance with Standing Order 16.

Motion 1

Proposed by Councillor Michele Gibson
Seconded by Councillor Stuart Whitmore

“Council notes the unilateral decision by Surrey County Council taking over highway verge cutting and on-street parking enforcement. These services are currently performed by Spelthorne to a high standard. The Council believes these changes will not improve services and reduce local accountability.

The Council resolves the Leader writes to the Leader of SCC:

1. Requesting that the decision is reversed as it is not in the best interests of residents.
2. Seeks justification of the changes in terms of tangible benefits.
3. Seeks a guarantee of no reduction in standards, if implemented.”

Motion 2

Proposed by Councillor Malcolm Beecher
Seconded by Councillor Jo Sexton

"Some 22 district councils, including our neighbours in Runnymede, have either agreed to delay submission or withdraw their Local Plan from examination pending clarification from the Government of its housing policy. Should the Government formally change or modify its housing policy, Spelthorne Borough Council commits to a re-evaluation of the housing numbers set out in the Local Plan by officers for a subsequent review by the Environment & Sustainability Committee.”

Motion 3

Proposed by Councillor Malcolm Beecher
Seconded by Councillor Michele Gibson

"Until such time as the Spelthorne Local Plan 2022-2037 and Staines Development Framework as approved for Regulation 19 consultation and submission to the Planning Inspectorate are formally adopted by this council that the policies within the Staines Development Framework be adopted temporarily for all council-owned assets within the catchment area of the development framework."

17. Temporary Adoption of the Staines Development Framework

Report to follow.

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MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

Minutes of the Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 20 October 2022 at 7.00 pm

Present:

Councillors:

D. Saliagopoulos	R. Chandler	A.J. Mitchell
M.M. Attewell	J.T.F. Doran	S.C. Mooney
C.F. Barnard	S.A. Dunn	L. E. Nichols
C.L. Barratt	N.J. Gething	R.J. Noble
R.O. Barratt	M. Gibson	O. Rybinski
C. Bateson	K.M. Grant	J.R. Sexton
I.J. Beardsmore	A.C. Harman	R.W. Sider BEM
M. Beecher	K. Howkins	V. Siva
J.R. Boughtflower	N. Islam	B.B. Spoor
A. Brar	T. Lagden	J. Vinson
S. Buttar	V.J. Leighton	

Apologies: Apologies were received from Councillors J. Button, R.D. Dunn, T. Fidler, H. Harvey, I.T.E. Harvey and S.J Whitmore.

110/22 Minutes

The minutes of the Council meeting held on 14 July 2022, 01 August 2022 and 01 September 2022 were agreed as a correct record.

111/22 Disclosures of Interest

There were no disclosures of interest.

112/22 Announcements from the Mayor

I have three announcements:

Cllr John Doran and I went on a very good weekend to one of our twin partners in Melun in France. It was the weekend of the Brie festival and we had great fun and lots of lovely food and wine. Although it's not a wine area, they had a partner wine vendor who made wines to go with their brie; it was very enjoyable. We met the German delegation there as well and they stated that they would like to have more to do with us so we will see what we can do

with that. The only delegation that didn't turn up were those from Crema in Italy. Overall we had a good time and enjoyed ourselves.

Last Saturday on 15th October, in Stanwell Village Hall, for the Mayor's Charities, we had "Evening with Elvis" which some councillors attended, and we had great fun. We made £1060 for the charities, and also another £500 came from the WI who held a garden party for me. So far I've raised £1560 for my two charities. On 4 November in the Riverside Arts Centre in Sunbury, they have donated one of their nights for Jane Eyre that they are producing. It starts at 7:30pm and proceeds will go to the Mayor's charities, so please do try to come along. There's a special price for the charity and it will also include some nibbles and wine and I'll be in the reception area.

I attended to a great event at 6th Staines Scouts who had painted a beautiful mural for the Queen's Platinum Jubilee.

I've been to many events since the last Council meeting and I have more lined up, especially with Christmas coming.

113/22 Announcements from the Leader

The Leader made the following announcements:

"I would like to begin my announcements by paying tribute to Cllr Alison Todd. Alison was a loyal friend to Spelthorne Borough Council and served on the Spelthorne Joint Committee. She always wanted to make things better for her community and continued to work as a dedicated and committed county councillor for her residents. She will be very sadly missed, and my thoughts continue to be with her family and friends at this time.

I would like to congratulate the Neighbourhood Services team after Sunbury Walled Garden and Staines Cemetery were announced as the winners of their categories at this year's South & South East in Bloom awards. Very well done to the staff who take such pride in looking after these cherished community spaces.

The winners of the 2022 Spelthorne in Bloom competition were announced at a celebration evening on 11 October at Notcutts Garden Centre in Staines-upon-Thames. Congratulations to all the finalists and winners. Their allotments, gardens and displays brighten the Borough for everyone and show Spelthorne at its very best.

Our Community Centres will soon be opening on Saturdays to help members who are concerned about the cost of heating their homes over the winter period. Between November and February, the Community Centres in Ashford and Shepperton will take it in turns to open - offering warmth, a hearty meal and good company for their members. We have also created a new section on our website giving all residents advice about coping with the increasing cost of living.

We have just announced the finalists of the Spelthorne Business Awards. The quality of this year's entries really highlighted the energy, resilience and creativity of the businesses here in Spelthorne and we look forward to revealing the winners on the 17th November.

I would like to extend my congratulations, on behalf of all Councillors, to the Council after the support that has been offered to Borough businesses was honoured at the National Federation of Small Businesses Awards last week. Spelthorne Borough Council was named the all-England winner of the Future Ready category, regional winner in the all-round small business friendly category and shortlisted for the South-East Covid-19 support and recovery category.

The West Wing and our steps to tackle the affordable housing crisis for our residents was also recognised this month at the Government Property Awards 2022. Spelthorne was proud to be one of two local authorities to be finalists, which recognised the 25 affordable and sustainable homes that were built in the West Wing of the Council Offices, making Spelthorne the first UK Local authority to convert over 40% of its active Civic Town Hall".

The Leader made the following announcement through Councillor Beardsmore, Chair of Environment and Sustainability Committee:

In consultation with the Monitoring Officer and Head of Paid Service, the Strategic Planning Team would be instructed to concentrate on finishing off preparing the Local Plan, this having priority over all else. This would mean that the answering of questions from Councillors and members of the public would not be considered the main priority.

114/22 Announcements from the Chief Executive

The Chief Executive made the following announcements:

"On behalf of all Officers here at Spelthorne Borough Council I would like to pay tribute to Cllr Alison Todd who always wanted to make things better for people living in her ward and across the Borough. Her funeral on Monday was very emotional and a wonderful testimony. I would like to express my sympathy and deepest condolences to her family and friends.

Separately, and speaking in the capacity as the Returning Officer, may I inform Members that we are imminently entering a pre-election period (formerly known as Purdah) and that guidance on that topic will shortly be released to all member of this chamber by the Monitoring Officer.

The Armed Forces Covenant encapsulates the UK's promise to support our armed forces community. We owe them a profound debt of gratitude and never has the armed forces covenant and support to veterans been more vital.

Working in tandem with Civilian Military Partnership Board, this authority is committed to making Spelthorne the best Borough to be a veteran in and acknowledging their service to this country. As Members of this Chamber will know, we have actively pursued a number of initiatives that have also secured the Council an Armed Forces Covenant Gold Employer Recognition Scheme Award.

Tomorrow, all Councillors will be sent a schedule of the Remembrance Service events to be held across the Borough on Sunday 13th November - events which we anticipate will be very well attended by our communities and in which the Borough Council will be formally represented at both Member and Officer level.

Madam Mayor, Spelthorne Council has long supported our local economy, in starting and growing new enterprises, in stimulating learning where ideas and innovation are valued and critically, in creating a culture of enterprise.

By focusing on capital, people and ideas, the Spelthorne Business Forum, Spelthorne's Enterprise Hub and Spelthorne's Skills Hub are delivering the conditions that are helping rejuvenate our local economy, accelerating productivity and growth.

Last Friday, Spelthorne Council was named the 'All-England winner in the Future-Ready category' at the Federation of Small Business national Awards as well as being named the 'South East regional winner in the All-Round business support category'.

May I therefore formally put on record my congratulations to 'Team Spelthorne' - and in particular economic development colleagues - for their incredible hard work over the past year in support of local businesses and recovery.

As a result, this authority can continue to take great pride in supporting our local economy, now in the additional knowledge that its work is recognised alongside the best in the country".

Councillor L Nichols made a statement to the Chamber regarding communication shared during the pre-election period in February 2022.

115/22 Questions from members of the public

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

Question from Mr A McLuskey:

"Can the Leader explain why, given the multiple calls on its resources here in Spelthorne, the Borough has lent 10 million pounds to Thurrock Council?"

Response from Councillor J Boughtflower, Leader of the Council

“Councils routinely lend to each other, for relatively short periods (one month to twelve months), funds not required in the immediate short term but which will be required in the longer term, in order to manage cashflow. . Spelthorne, acting within the Treasury Management Strategy parameters set by Councillors each year and within the advice provided by our treasury management advisers, lends short term cash funds until they are required in order to earn interest on that cash and generate a contribution towards the Revenue Budget. In 2021-22, within the overall contribution, supporting the cost of services. of £1.7m from treasury management investments, £135k came from short term lending.

Spelthorne lent Thurrock Council £10m in March 2022, well before the recent news of their financial affairs and before it was made known that the Government would be intervening in that Council’s affairs. These were routine short-term ‘local authority to local authority’ loans which are maturing at the beginning of January 2023, and it should be noted that councils have almost as high a credit status as the UK Government.

As you may be aware, the Government is not going to allow any council, including Thurrock, to default on its liabilities. Indeed, the Public Works Loan Board (PWLb), as part of the Bank of England, has made a formal announcement making it -explicitly clear that they will, if necessary, lend funds to Thurrock to enable them to refinance any outstanding loans from any council.

This means that there is zero risk of non-repayment to this Council. Spelthorne, therefore expects to be fully repaid its £10m, plus interest, on the due dates in January 2023.

Furthermore, on 4 October 2022, Spelthorne received a letter from Thurrock Council confirming that, through the PWLB, that Thurrock Council has refinanced its short-term borrowing and that the outstanding capital and interest due to this Council will be repaid in line with the agreed terms of the loans.

Moving forward we will not be making any further loans to Thurrock for the time being.

Question and Statement of Context from Nigel Rowe:

In the vicinity of Staines, there are significant ground water flows through gravel and sand substrates for more than a mile either side of the river. The foundations of buildings create a barrier to the flow of water through these substrates, inhibiting flow rate, exacerbating water table levels, and increasing flood risk. The taller a building is, the deeper its foundations are required to be, and the greater their effect as barriers to water flow. Every new development further increases the flood risk. It is widely accepted that most of

Staines and much of its hinterland is already deemed to be at high risk of river/fluviat flooding. According to an Environment Agency scientist at the recent Eco Fayre in Egham, if people knew then what is known today, it is highly unlikely a town would have been established where Staines is sited.

Question:

“Is there anything in the above statement that members of the Committee believe to be untrue or unreliable, and to what extent are members of the Committee concerned about increasing the already problematic risk of flooding in Staines by adding a significant number of tall buildings with deep foundations?”

Response from Councillor I Beardsmore, Chair of the Environment and Sustainability Committee:

“The Strategic Flood Risk Assessment (SFRA) forms a key part of the Local Plan evidence base. The SFRA Level one, considers groundwater flooding and discusses the Borough’s geology. The SFRA Level 2 looks at individual allocation site and site specific flood issues.

Local Plan representations have also been received on this issue and it has been raised with Aecom, who are expert flooding consultants and have produced the SFRA, for specific advice. The SFRA level one is currently being updated to reflected changes to national guidance in August 2022. In addition to these updates, the latest version will incorporate specific reference to when hydro geological risk assessments (sometimes called Basement Impact Assessments) are required to accompany planning applications.

All of the Local Plan representations will be passed to the Planning Inspectorate when the Local Plan is submitted. The Planning Inspector may request that Aecom appear at the Examination to provide detailed evidence in person”.

Question and Statement of Context from John de Pear which, in his absence was read out by the Mayor:

The Introduction to the Local Plan says that it meets the requirement for “a strategy to make sure that there is infrastructure in place to support existing and future residents, with a delivery plan that sets out how this will be achieved and funded.

Question:

“Do Members of the Council agree that, for this to be true, the key infrastructure providers and consultees would need to have modelled the impact of 5,440 new homes in Staines and the consequential 50% increase to the town’s population. Are Members aware that this has not happened at all in the case of some providers (and found wanting in others), and do Members accept that the Local Plan cannot be sound because of this?”

Response from Councillor I Beardsmore, Chair of Environment and Sustainability Committee:

The delivery of different types of infrastructure in the Borough is the responsibility of a number of service providers, as detailed within the Infrastructure Delivery Plan. The Infrastructure Delivery Plan has been developed since 2020 and the most up to date housing requirements and locations of development, including draft site allocations, have been shared with service providers. The Infrastructure Delivery Plan has also been the subject of two separate periods of consultation with these providers in addition to the Regulation 19 consultation. This has presented opportunities for the service providers to provide comments and to set out what infrastructure requirements are needed to support the Local Plan.

It is down to the individual service providers to determine their own methodology for the modelling used to set their requirements, based on the housing needs figures and locations of development as provided by the Council and this includes the development expected in Staines. If a service provider is not able to set out their requirements, then unfortunately the Local Planning Authority are not able to make assumptions on their behalf as legally we are not the competent body.

“The Infrastructure Delivery Plan Part 2 sets out known funding requirements that would need to be requested through the use of s106 planning obligations and Community Infrastructure Levy. The Infrastructure Delivery Plan is a ‘live’ document and can be updated when new information is provided that affects delivery or funding requirements. It is also key evidence to underpin the Local Plan and as such it will no doubt be scrutinised by the Inspector as part of the examination process and those who have made representations related to infrastructure will have the opportunity to appear at the public hearings. The Council will submit what it believes is a sound plan based on the planning judgement of its officers. The Plan as a whole, including the evidence base, will be examined by the Inspector who will ultimately decide whether the Plan is sound. The current view of officers, and with the benefit of external advice, is that the Plan is indeed sound and fit for submission”.

Question and Statement of Context from Lynda Fuller:

According to a recent independently conducted survey (with 620 participants), support for limiting the height of new developments in sensitive areas of Staines is overwhelming: “very important” within 50 metres of the river (95%), “very important” in the Staines Conservation Area (95%), and “very important” immediately next to existing residential areas (87%). 90% believe there should be NO exceptions to the zoning restrictions. Less than 2% believe the Local Plan meets the “local housing need” or “successfully balances the economic, social and environmental needs of Staines and the wider area”. Only 5 of the 271 respondents to the survey who had also participated in earlier Council ‘public consultations’ on options being considered for the Local Plan believe their views were listened to.

Question:

“Do Council Members accept these findings and believe more account must be taken of residents’ views on the development of Staines, and do Members accept that the zoning arrangements do not offer anything like enough protection for sensitive areas?”

Response from Councillor I Beardsmore, Chair of Environment and Sustainability Committee:

“This Council is well aware of the opposition by some to high rise development in Staines. That is why the Staines Development Task Group has worked hard to respond to this concern with the proposals for zoning to protect the most sensitive areas of the town from taller buildings. It is simply not possible to cast any policy provision in stone as there will always be factors to take account of in the planning balance. What we have aimed to do is to set out examples of what exceptions could be considered because developers will seek to circumvent the policy anyway. This allows us the flexibility to consider where there may be a strong case for allowing an exception but only in very limited instances. Without that flexibility, we risk the policy being found unsound. I would remind you that even Green Belt policy has exceptions to it, and we are trying to demonstrate that we are taking a reasonable and pragmatic approach to development in Staines, where there will be a strong presumption in favour of optimising densities in the town. Let’s not forget that there will be plenty of developers arguing that the zoning should not be imposed at all. The policy provisions for zoning and the exception will be tested through the examination of our Local Plan and those who have responded to the Regulation 19 consultation have been given the opportunity to request an invitation to participate in the public hearing sessions, which I would encourage them to take up. But please don’t forget at an enquiry all that matters are facts and evidence not opinions”.

Question and Statement of Context from G Lock, which, in his absence was read out by the Mayor:

In the Local Plan policy on managing flood risk, there is reference to flood planning and would-be developers are directed to the Government's personal flood plan. However, the cumulative impact of nearly 5,500 new homes in Staines (mostly in tower blocks of flats) on the risk to people and property, and the implications of flooding, will need to have been fully evaluated in relation to mass evacuation routes and flood plans for Staines in particular.

Question:

“Where is the evidence that emergency response staff have been consulted and concur that such massive growth in new homes and population in such a high-risk area as Staines can be safely accommodated? Are Members aware that an Environment Agency scientist said (in relation to flood risk) at a recent Eco Fayre that “if people knew then what is known today it highly unlikely that

a town would have been built where Staines is located”, and do Members challenge this assertion?”

Response from Councillor I Beardsmore, Chair of Environment and Sustainability Committee:

“I’m sure informal conversations are entered into at local publicity events with members of the public, but the Environment Agency (EA) have provided a formal response at each stage of consultation on the new Local Plan. As one of the specific consultation bodies, we are required to consult them when preparing the new Local Plan and we will jointly produce a Duty to Cooperate statement with them showing our joint working. When demonstrating we have adhered to the Town and Country Planning Regulations, we find formal consultation more effective than a casual conversation. The EA have responded to us at each stage and have not made a request for Staines-upon-Thames to be moved from its current location. Indeed if you have an issue with the location of Staines I suggest you take it up with the Romans as they are the responsible authority.

The Local Plan is supported by significant evidence base which includes a Strategic Flood Risk Assessment level one (looking at the borough as a whole), and level two (which considers specific site allocations and the individual flood risk). Copies of these documents are sent to the EA for approval. These discussions will continue at the examination of the Local Plan, where the Inspector will consider representations from the public and statutory bodies.

Multi-agency flood planning is undertaken each year. The Borough Council is constantly working with partners to plan for major flood events. Emergency planning is something we take very seriously and is included as part of our corporate risk register”.

Question and Statement of Context from K Sanders:

The strategic documents published for the Regulation 19 Local Plan give at best a mixed picture for Spelthorne. All roads appear to lead back to the Sustainability Appraisal (SA) which is where the strategic balancing of economic, social and environmental objectives should be evident in a logical and consistent way.

Spelthorne has chosen 12 sustainability objectives.

Notwithstanding the difficulties of a largely qualitative assessment, the Local Plan appears to be heavily weighted in favour of economic and, to a lesser degree, social sustainability objectives. This is apparent from Tables 12 and 13 on policies and site allocations respectively - basically, housing development wins out above all else.

Yet in Table 14 of the SA (under Section 7.3) it admits, in the overall scores, that the Reg 19 submission version is expected to have minor adverse cumulative effects on flood risk, pollution and water.

The pendulum has demonstrably swung too far and critical environment objectives are the clear losers even if all Local Plan policies can be fully implemented (see Question 2).

Question:

“Paragraphs 7-9 of the National Planning Policy Framework are at the heart of achieving sustainable development and the Sustainability Appraisal (SA) is the accepted tool for balancing economic, social and environmental objectives in “mutually-supportive ways”.

Ignoring any subjective bias in the weighting, the SA appears to claim in Section 7.3 that “overall, the Regulation 19 Draft Local Plan is expected to have a positive effect against all [12] sustainability objectives”. Yet it contradicts itself in Table 14.

Will the Council now admit that there isn’t an equitable balance overall between the economic, social and environmental objectives of its Local Plan?”

Response from Councillor I Beardsmore, Chair of Environment and Sustainability Committee:

“National Planning Policy requires local authorities to deliver ‘an appropriate strategy’ (as opposed to ‘the most appropriate’ strategy) meaning it is up to the Council to decide how best to deliver the Local Plan. The Council has assessed the potential alternative Local Plan strategies through the Sustainability Appraisal (SA), whilst also considering wider evidence, and this process has helped to determine that when weighed up against alternatives, the chosen strategy should be taken forward, as this has the most balanced impacts across the SA. The Plan was agreed by this Council on 19 May 2022 by a majority of 3:1 to progress to Regulation 19 and submission.

It is the purpose of the SA to consider the overall impacts of the plan, however the SA process is an iterative one, meaning that the SA should be used to improve the plan. The SA scoring does not take account of any mitigation that could reduce potential adverse effects that the plan might otherwise have, and instead proposes how negative impacts may be overcome through the Local Plan. As such, when considered on balance, the chosen spatial strategy is considered to adequately consider the social, environmental and economic impacts of the Local Plan. If you disagree with the strategy or any aspect of the Local Plan, you had your opportunity during the Regulation 19 consultation to make your views known and will have been given the option to request to speak at the examination, where an inspector will scrutinise your arguments in full”.

Question and Statement of Context from K Sanders:

Continuing on from my first question, it is, in any event, highly unlikely that the Local Plan policies will be enacted to their fullest extent, given the emerging issues around viability of at least some sites and questions around the suitability and availability of land,

Failure to deliver yields on particular sites or certain allocations altogether, will raise the spectre of the release of more Green Belt sites to make up the difference as we have already seen in the Stage 3 Assessment, only published on 22nd July and 11th August 2022. The approach to Green Belt in the Local Plan after all is now even less of a strategy and more akin to it being viewed as just making up the difference.

No Green Belt site will be safe. It may be comforting to think that only a small amount will be released this time and the rest will be spared. However, Green Belt has become the defacto balancing figure and pursuit of Green Belt in Spelthorne will be relentless. Evidence of this can already be seen in recent property deals - e.g. the sale of the Angle Property site in Sunbury to Bellway Homes announced on 28th April (just after April's E&S meeting) and Danescroft's acquisition of the freehold interest of 51 acres of Green Belt land at Sunbury Golf Course in October 2021, citing the rationale "the property offers significant asset management potential, as well as the medium to long term prospects of promotion through the local plan.

Question:

"The National Planning Policy Framework clearly states that local circumstances SHOULD be taken into account (para 9) and NPPF policies on Green Belt and flood risk CAN provide a strong reason for restricting the "overall scale" of development in the borough (para 11b).

Yet the Council has repeatedly said it has to meet the government "housing target" which patently does not consider at least two significant constraints at a strategic level.

Does the Council now accept that, strategically, the Local Plan makes Spelthorne's Green Belt more susceptible to development, regardless of it being "weakly-performing" or "strongly-performing" under their own definition?"

Response from Councillor I Beardsmore, Chair of Environment and Sustainability Committee:

In producing a strategy for the new Local Plan, we have reviewed all the constraints, including Green Belt and flooding. We are required to aim to meet our housing need in full and that does mean balancing the release of Green Belt sites against a chronic under delivery of homes over the past few years that has left us vulnerable at appeal. 11a says 'plans should positively seek opportunities to meet the development needs of their area' Whilst 11b

stresses it is the 'overall area' that has to be taken into account not just a relatively small proportion subject to say flood risk.

It was the decision of this Council that the best plan for the borough is one that defends us against development of our most precious sites, delivers much needed homes, including houses with gardens for families, enables greater provision of affordable housing, protection for the sensitive areas of Staines and offers community benefits, with a new 6th form college in Sunbury and replacement community centre in Ashford. We are also proposing policies that do more than ever to mitigate against the impacts of climate change and give additional protection to treasured public land in the urban area with the Local Green Space designation. Without the new Local Plan, we get none of these measures.

Rather than making the borough more susceptible to Green Belt development, we are seeking to preserve what is important to us and ensure we have a robust defence when unwanted planning applications come in, because we will have an up to date Local Plan that meets our housing need. As I've said before, those that disagree with this approach will have their opportunity to participate in the examination process. And don't forget, this opportunity is also open to those who want their own sites included or think we should release more Green Belt and dispense with zoning in Staines. We are confident we can withstand these threats with our agreed strategy. I am sure Spelthorne will spend a great deal of time at the enquiry defending Green Belt and zoning. One update on this issue, in the last year or so a total of 22 Plans have tried to get to enquiry. Eighteen have failed to even make it as far as we are now. Almost all are down to not meeting housing targets. Where is the evidence that we could do any better?

116/22 Petitions

There were none.

117/22 Procurement of waste and street cleansing vehicles

Council considered a report on Procurement of Waste and Street Cleansing Vehicles following a recommendation from the Policy and Resources Committee.

It was proposed by Councillor J Boughtflower and seconded by Councillor A Mitchell and **resolved** that:

1. Option 1, (to continue with an all diesel fleet) as outlined in Appendix 2 of the officer's report, be agreed; and
2. The funding for the Committee's preferred option be allocated to enable the purchase of the vehicles.

118/22 Procurement Tender Report for Waste & Street Cleansing Vehicles

Committee considered a report Procurement Tender for Waste & Street Cleansing Vehicles.

It was proposed by Councillor J Boughtflower and seconded by Councillor A Mitchell and **resolved** that:

1. Authorisation be given to the Group Head Corporate Governance to complete all legal formalities to enter into a:
 - 1.1 contract for the supply of four diesel powered food waste collection vehicles with Supplier A,
 - 1.2 seven year contract for the lease purchase and maintenance of seventeen waste and street cleansing vehicles with Supplier B; and
 - 1.3 seven year lease with Supplier B for the use of the depot workshop facilities for the purpose of maintenance of the Council's fleet of vehicles.

119/22 Spelthorne place arrangements to facilitate health outcomes

Committee considered a report on Spelthorne Place Arrangements to Facilitate Health Outcomes.

It was proposed by Councillor J Boughtflower and seconded by Councillor M Attewell and **resolved** that the following recommendations from the Corporate Policy and Resources Committee be agreed:

1. The Council's approach to expanding the Health and Wellbeing Board to take account of the new requirements under the Health and Care Act and the associated White Paper, Health and Social Care Integration: joining up care for people, places and populations (Option 2 of the report),
2. That the Health and Wellbeing Board be renamed The Spelthorne Healthy Communities Board, with an expanded terms of reference, a wider membership of community participants and increased ability to award financial and other assistance using 'pooled budgets' from Health, Adult Social Care and the Council,
3. That devolved authority be provided to the Spelthorne Healthy Communities Board, within strict spending limits, to utilise 'pooled budgets' to expediate community based health initiatives. Initially using £50,000 of £132,000 awarded for prevention made by North West Surrey Alliance; and
4. That there be periodic reporting back to the Corporate Policy and Resources Committee on the Healthy Communities Board's funding decisions.

120/22 Parking order revision (cashless parking)

Council considered a report on a Parking Order Revision (Cashless Parking).

It was proposed by Councillor R Barratt and seconded by Councillor A Mitchell and **resolved** that Council:

1. Authorise the Group Head of Neighbourhood Services to proceed with the proposals made in the report and to implement the Spelthorne Borough Council Off-Street Parking Places (Amendment) Order 2022,
2. Authorise the Group Head of Corporate Governance to publish all notices required to implement the Spelthorne Borough Council Off-Street Parking Places (Amendment) Order 2022; and
3. Authorise the Group Head of Neighbourhood Services in consultation with the Group Head of Corporate Governance to consider and address any objections and to amend the proposals if necessary, following the public consultation.

121/22 Annual report on complaints 2021-2022

Council considered an Annual Report on Complaints 2021-22.

It was proposed by Councillor J Boughtflower and seconded by Councillor A Mitchell and **resolved** that the report be noted.

122/22 Appointment of Vice-Chair to the Licensing Committee

Council considered nominations for the appointment of Vice-Chair to the Licensing Committee.

It was proposed by Councillor C Bateson and seconded by Councillor R Sider that Councillor S Dunn be nominated for the appointment of Vice-Chair.

Council **resolved** that Councillor S Dunn be appointed as Vice-Chair of the Licensing Committee for the remainder of the municipal year.

123/22 Report from the Leader of the Council

The Leader of the Council, Councillor J Boughtflower, presented the report of the Corporate Policy and meetings held on 27 September 2022 and 10 October 2022, which outlined the matters the Committee had decided since the last Council meeting.

124/22 Report from the Chair of the Administrative Committee

The Administrative Committee had not met since the last meeting of the Council.

125/22 Report from the Chair of the Audit Committee

The report of the Audit meeting held on 28 July 2022, which outlined the matters the Committee had decided since the last Council meeting, was presented by Councillor S Buttar in the absence of the Chair and Vice-chair of the Committee.

126/22 Report from the Chair of the Community Wellbeing and Housing Committee

The Chairman of the Community Housing and Wellbeing Committee, Councillor M Attewell, presented the report of the Community Housing and Wellbeing Committee meeting held on 20 September 2022 which outlined the matters the Committee had decided since the last Council meeting.

127/22 Report from the Chair of the Economic Development Committee

The Chairman of the Economic Development Committee, Councillor S Mooney, presented the report of the Economic Development Committee meeting held on 29 September 2022 which outlined the matters the Committee had decided since the last Council meeting.

128/22 Report from the Chair of the Environment and Sustainability Committee

The Chairman of the Environment and Sustainability Committee, Councillor I. Beardsmore, presented the report of the Environment and Sustainability Committee meetings held on 06 September 2022 and 11 October 2022, which outlined the matters the Committee had decided since the last Council meeting.

129/22 Report from the Chair of the Licensing Committee

The Chairman of the Licensing Committee, Councillor R.W. Sider BEM, presented his report which outlined the matters the Committee had decided since the last Council meeting held on 18 October 2022 .

130/22 Report from the Chair of the Neighbourhood Services Committee

The Chairman of the Neighbourhood Services Committee, Councillor R Barratt, presented the report of the Neighbourhood Services Committee meeting held on 6 October 2022 which outlined the matters the Committee had decided since the last Council meeting.

131/22 Report from the Chair of the Planning Committee

The Chairman of the Planning Committee, Councillor R Gething, presented the report of the Planning Committee meetings held on 21 September 2022 and 19 October 2022 which outlined the matters the Committee had decided since the last Council meeting.

132/22 Report from the Chair of the Standards Committee

The Standards Committee has not met since the last meeting of the Council.

133/22 Motions

In accordance with Standing Order 16 the Council received four written Notices of Motions.

Motion 1:

Councillor M Beecher moved and Councillor M Gibson seconded the following motion:

“Until such times as the Spelthorne Local Plan 2022-2037 and Staines Development Framework as approved for Regulation 19 consultation and submission to the Planning Inspectorate are formally adopted by this Council that the policies within the Staines Development Framework be adopted temporarily for all council owned assets within the catchment area of the development framework”

After a debate Councillor Beecher advised Council that in accordance with Standing Orders 18.8 he would withdraw his motion so that it could be considered at the appropriate Committee.

Council **resolved** that it should be considered by the Corporate Policy and Resources Committee before a final decision was made at the next meeting of the Council on 08 December 2022.

The meeting was adjourned at 21.15
The meeting reconvened at 21.25

Councillor T Lagden did not return to the Chamber

Motion 2:

Councillor R Sider BEM moved and Councillor C Barnard seconded the following motion:

“That following the introduction and distribution of the Local Government Association (LGA) Inclusive Language Guide to 359 councils in England and Wales, aimed at embedding equality, diversity and inclusion, this Council welcomes a further review of this guide following feedback from the LGA’s members”

The motion was carried

Motion 3:

Councillor J Boughtflower moved and Councillor M Attewell seconded the following motion:

“Spelthorne’s flagship leisure centre development, due to open in July 2024, espouses good design and the world’s highest environmental ‘Passivhaus’ certification for low carbon buildings. Over a decade ago the then Prince Charles stated “As over 60 per cent of our carbon emissions can be attributed to the built environment, all of us who are involved with the making of place have a great responsibility”.

In honour of the King's longstanding advocacy for good architecture and building greener, this Council resolves to dedicate its flagship leisure centre development to King Charles III.

The motion was carried

It was proposed by Councillor C Bateson and seconded by Councillor C Barnard that Standing Orders be suspended to allow the meeting to continue beyond 10pm and this was agreed by Council.

Motion 4:

Councillor J Boughtflower moved and Councillor S Mooney seconded the following motion:

"The rising cost of living and the energy crisis are some of the biggest challenges of the moment. This will hit communities over the winter months and cause a huge amount of uncertainty, stress and misery.

In July, meetings with foodbanks and voluntary organisations took place to gain an understanding of how the crisis is impacting Spelthorne's communities.

This Council agrees to direct £200k of funding to establish a Hardship Fund that can be used to support those in crisis, and support local community groups in direct contact with our communities".

The motion was carried

134/22 General questions

It was proposed by Councillor I Beardsmore and seconded by Councillor C Bateson that Standing Orders be suspended to allow the meeting to continue to close of business and this was agreed by Council.

The Mayor reported that two general questions had been received, in accordance with Standing Order 15, from Councillors Sider and Howkins.

Question 1 from Councillor Sider:

The Green Flag Award scheme managed by the environmental charity Keep Britain Tidy recognizes and rewards well managed parks and green spaces across the United Kingdom. For the 12th year in succession the Sunbury Walled Garden and Staines Cemetery have been awarded Green Flag status. Will the Leader of the council join me in acknowledging this accolade, and in doing so agree with me that this demonstrates both the hard work, pride and commitment, that our staff have to the wellbeing of this borough?

Response from The Leader, Councillor Boughtflower:

We are very proud that our efforts to create beautiful parks and cemeteries have been recognised again with such a prestigious Green Flag award. It is a testament to our team's dedication and hard work to deliver places people love to visit and we hope current and future residents will continue to do so for many years to come. I am sure we all join Cllr Sider in recognising the award and the parks teams who manage our parks, cemeteries and open spaces.

Question 2 from Councillor Howkins:

In respect of the Local Plan how much more money and time will be wasted on this, will it be months or years, let alone Spelthorne Officials time and Councillors time?

Response from The Chair of Environment & Sustainability Committee, Councillor Beardsmore:

As officers stated at the Environment & Sustainability Committee meeting on 11 October, they are on track to submit the Local Plan to the Planning Inspectorate by the end of November. This is likely to mean the examination will take place around March and April next year. I completely agree that it is vital we get this Plan adopted as soon as possible after so many months if not years of delay so that we can benefit from the protections it will offer us when planning applications are submitted on sites we don't want developed. Not just on Green Belt but also the smaller pockets of land in the urban area that are important to our residents by designating them as Local Green Space. Now that this Council has agreed the Local Plan can proceed, we must let our officers get on with the job and leave the debate for the examination where those who still don't support it can take up their concerns with the inspector.

Questions from members of the public

Question 1 – Peter Bower

Preamble:

At the Environment and Sustainability Committee meeting on 8 November, Cllr Beecher produced data that one might have expected to give the Council pause for thought. Seventeen Councils have delayed submission of their Local Plan and a further four have withdrawn their Local Plan from Investigation pending clarity on the government's new policy relating to baseline data used to determine a borough's housing target. Indeed, one Council has been told by the Planning Inspector to use 2018 data which will reduce its housing target by close to 20%. If Spelthorne used 2018 data the borough's housing target would drop from 618 p.a. to 489 p.a. – a reduction of 1,935 over the Plan period. Eliminating use of all the Local Plan's allocated green belt sites would consume 740 of this number, leaving 1,195 to reduce the allocations elsewhere in the borough, including in Staines which is currently required to absorb 55% of the borough's entire housing target.

Question: Given 21 Councils have delayed or withdrawn their Local Plans pending clarity on Government policy; that one Council was told by the Inspector to use 2018 data to lower their housing target; and that those responsible for Spelthorne's Plan have made a powerful case in the Foreword to it *against* the current housing target of 618 p.a. (asserting that it "will damage our environment and ruin the character of our small and highly constrained borough"), why has the Council refused to follow other boroughs either in producing a Plan using 2018 data, or awaiting clarity on the government's housing policy?

Question 2 – Alan Doyle

Preamble:

The recent LGA Peer Review made a number of positive remarks about the Council. However - rather pointedly – it also made a number of recommendations for improvement. Amongst other issues, the Peer Review Panel noted:

- There is poor behaviour by some Councillors which is widely recognised as damaging your reputation and is affecting morale and the ability to retain and recruit staff.
- Councillors appear focused upon the internal political rather than the bigger external picture.
- There needs to be recognition that the intense political dance is affecting your reputation, is costing you money and could ultimately affect the delivery of council services for your residents and businesses.
- Members need to fully appreciate the financial implications of their decision making - or not making decisions.
- Accept the need for higher density in urban areas if you wish to continue to protect the green belt, as set out in the Local Plan that you have agreed to and are about to submit.
- You need to understand the necessary and vital relationship between density and viability.

Question:

By the time the Review Panel returns next year, will the Council be able to show that it has ended:

- the repeated submission of questions to Council, which has taken up so much officer time, and which the Information Commissioner would describe as vexatious, and;
- the continued filibustering attempts to prevent the submission of the Local Plan to the Planning Inspectorate, which officers have more than once pointed out would be at huge cost to us all?



Administrative Committee

Decisions taken at the meeting held on Thursday, 10 November 2022.

Meeting Time:

7.00 pm

Meeting Venue:

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

PRESENT: Councillor Naz Islam (Chairman), Councillor John Doran (Vice-Chairman), Councillor Jon Button, Councillor Sandra Dunn, Councillor Nick Gething, Councillor Bernie Spoor and Councillor Stuart Whitmore

4. APPOINTMENTS TO OUTSIDE BODIES

The Committee **resolved** to agree the nominations to outside bodies for the remainder of the 2022-23 municipal year as proposed by group leaders.

5. QUARTER 1 CAPITAL MONITORING REPORT

The Committee **resolved** to note the £0.17m projected underspend on capital expenditure against its Capital Programme provision as at 30 June 2022.

6. QUARTER 1 REVENUE MONITORING REPORT

The Committee **resolved** to note the £235,300 projected underspend on revenue expenditure for the Administrative Committee against its budget as at 30 June 2022.

7. FORWARD PLAN

The Committee **resolved** to note the forward plan for future committee business.

NOTES:-

- (1) *Members are reminded that the "call-in" procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
 - (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
 - (c) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*

- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Council for review and decision (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.*
- (4) *The members exercising the right of call-in must not be members of the Committee which considered the matter.*
- (5) *When calling in a decision for review the members doing so must demonstrate the following exceptional circumstances:*
 - a. *Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or*
 - b. *Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or*
 - c. *Evidence that explicit Council Policy or legal requirements were disregarded.*
- (6) *Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until Council makes its determination.*
- (7) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 21 November 2022.*

Decisions taken at the meeting held on Wednesday, 23 November 2022.

Meeting Time:

7.00 pm

Meeting Venue:

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

PRESENT: Councillor John Boughtflower (Chairman), Councillor Maureen Attewell, Councillor Malcolm Beecher, Councillor Richard Barratt, Councillor C Bateson, Councillor S Buttar, Councillor Sandra Dunn, Councillor Tom Fidler, Councillor H Harvey, Councillor I Harvey, Councillor Sinead Mooney, Councillor Lawrence Nichols and Councillor Joanne Sexton

1. APOLOGIES AND SUBSTITUTES

Apologies were received from Councillor Doran, Noble and Rybinski. Councillor H Harvey attended the meeting as Councillor Rybinski's substitute.

2. DISCLOSURES OF INTEREST

There were none.

3. 12 HAMMERSMITH GROVE

The Committee met to consider a report from the Property Manager on the re-letting options for the Ground to 3rd Floor, 12 Hammersmith Grove, London, W6 7AP following the surrender of the lease by the current occupant.

Following discussions, the Committee asked that the report be amended to make it clearer and additional information provided within.

The Committee **resolved** to defer the decision on the re-letting options until an Extraordinary Corporate Policy & Resources Committee meeting in January 2023.

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Decisions taken at the meeting held on Tuesday, 8 November 2022.

Meeting Time:

7.00 pm

Meeting Venue:

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

PRESENT: Councillor Ian Beardsmore (Chairman), Councillor Bob Noble (Vice-Chairman), Councillor Malcolm Beecher, Councillor Jon Button, Councillor Amar Brar, Councillor Nick Gething, Councillor Kathy Grant, Councillor Karen Howkins, Councillor Vivienne Leighton, Councillor Sinead Mooney, Councillor Lawrence Nichols, Councillor Olivia Rybinski and Councillor Joanne Sexton

1. MINUTES

The minutes of the meeting held on 11 October 2022 were agreed as an accurate record.

6. STAINES DEVELOPMENT FRAMEWORK

The Committee **resolved** to agree the final version of the Staines Development Framework Supplementary Planning Document (SDF).

7. UPDATE TO LOCAL DEVELOPMENT SCHEME

The Committee **resolved** to agree the publication of the updated Local Development Scheme.

8. GREEN INITIATIVES FUND - CLIMATE CHANGE SPD

The Committee **resolved** to approve funding of £30,000 from the Green Initiatives Fund for an external contractor to produce a Climate Change Supplementary Planning Document.

NOTES:-

- (1) *Members are reminded that the “call-in” procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*
- (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
 - (c) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*

- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*
- (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Administrative Committee for review (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.*
- (4) *The members exercising the right of call-in must not be members of the Committee which considered the matter.*
- (5) *When calling in a decision for review the members doing so must demonstrate the following exceptional circumstances:*
 - a. *Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or*
 - b. *Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or*
 - c. *Evidence that explicit Council Policy or legal requirements were disregarded.*
- (6) *Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until the call-in procedure has been exhausted.*
- (7) *The Chief Executive, in consultation with the relevant officer, will determine if the interests of the Council or Borough would be prejudiced by a delay in implementing a decision such that the call-in cannot wait until the next ordinary meeting of the Administrative Committee.*
- (8) *Where the call-in cannot wait until the next ordinary meeting, the Monitoring Officer will arrange an extraordinary meeting of the Administrative Committee to review the decision subject to call-in at the earliest possible opportunity.*
- (9) *In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Administrative Committee.*
- (10) *In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Administrative Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
- (11) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on 14 November 2022.*

Report of the Chairman on the Work of the Licensing Committee

There has been one Licensing Sub-Committee since the last report, and I set out the main item of business considered at that meeting.

Licensing Sub-Committee – 18 November 2022

The Sub-Committee considered an application for a Premises License at Londis Supermarket, 42 High Street, Shepperton TW17 9AU following representations. The Sub-Committee agreed to grant the licence subject to conditions for the reasons set out in the decision notice.

Councillor Robin Sider BEM
Chairman of the Licensing Committee

8 December 2022

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Questions from Councillors

Question 1 – Councillor Jo Sexton (received 24/11/22 at 14:10)
<p>“Why was the Spelthorne Council Position Paper provided to the LGA Peer Review team not discussed with members before it was issued?”</p>
Question 2– Councillor Lawrence Nichols (received 24/11/22 at 16:12)
<p>“When will this Council be given the opportunity to appraise and discuss the Surrey County Council plans for a County Deal? Can we be assured that the full Council will get the chance to vote on any proposal before it is submitted?”</p>
Question 3 - Councillor Sandra Dunn (received 25/11/22 at 11:54)
<p>“After receiving feedback from the LGA Peer Review – can the Leader assure Councillors that member Induction Training after the May 2023 elections will include the operation of the Committee system, management of the commercial property portfolio, council developments and the function and facilities of the Local Government Association? Also, as a previous member of the panel of councillors that were made responsible for organising this can he assure me that this will include cross party members and when is it proposed that this committee will meet?”</p>
Question 4 - Councillor Bernie Spoor (received 28/11/22 at 10:29)
<p>“Following the findings of the Coroner in Rochdale that Awaab Ishak died as a consequence of mould and poor living conditions, what assurance can be given about the condition of properties where council holds nomination rights? What action does the Council take to ensure that tenants are placed in accommodation private and nominated that is fit for human habitation and how are ongoing situations controlled.”</p>
Question 5 – Councillor Malcolm Beecher (received 29/11/22 at 11:54)
<p>"Would the Leader not agree that removal of the Foreword from the Local Plan submitted for examination, a Foreword that has been referenced by others, is a material change to the document?"</p>

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