

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 Wednesday, 19 July 2023 at 7.00 pm

Present:

Councillors:

E. Baldock	T. Burrell	N. Islam
M. Arnold	J.R. Boughtflower	M. Lee
M.M. Attewell	J. Caplin	A. Mathur
C. Bateson	R. Chandler	A. McLuskey
S.N. Beatty	S.A. Dunn	L. E. Nichols
M. Beecher	D. Geraci	K. Rutherford
S. Bhadye	A. Gale	J.R. Sexton
M. Bing Dong	M. Gibson	J. Turner
H. Boparai	K.M. Grant	H.R.D. Williams
L. Brennan	S. Gyawali	
M. Buck	K. Howkins	

In Attendance: Mr Ian Winter, Independent Chair of Standards Committee

Apologies: Apologies were received from Councillors J. Button, D. Clarke, J.T.F. Doran, S.M. Doran, R. Geach, O. Rybinski and B. Weerasinghe and

Councillor D. Saliagopoulos, The Mayor, in the Chair

63/23 Minutes

The minutes of the Council meeting held on 25 May 2023 and the Extraordinary Council meeting held 06 June 2023 were agreed as a correct record.

64/23 Disclosures of Interest

Councillors Attewell, Boparai and Sexton advised that they were also Surrey County Councillors.

The Mayor advised that she today had a non-pecuniary interest in Item 11, Local Plan – Critical Review Friend and stated that she would not take part in the debate nor vote on this item.

65/23 Announcements from the Mayor

The Mayor provided the following announcements to the Council:

“It has been a very busy time and a big thank you to our Council staff who have assisted me. Too many engagements to list here but suffice it to say that I am getting around the Borough as much as I can.

Last weekend was the Open Day at St Peter’s Hospital Trust it was great to represent you there. We have had the famous “Staines upon Thames” Day which included our own Deputy Chief Exec, Terry Collier and I judging Classic Cars! Thank you Terry for accompanying my Consort and me throughout the day. I also attended the Business Awards and the launch of the Business Awards competition. I visited Shepperton Fair this year. What a magnificent day and my thanks to all my Shepperton colleagues for making me so welcome. I have travelled as far as Farnham to attend their Civic Service as well as visiting Waverley for theirs. There will be lots going on and lots of opportunities for you to attend functions too.

Please invite me to your Ward or your schools and I will do my best to be there. Next Month will include details of my Charities and my Charity Committee who are working hard in the background. I will also let you have details of the Mayor’s Facebook page and web page. Thank you to you all for entrusting me with this wonderful role on your behalf”.

66/23 Announcements from the Leader

The Leader made the following announcements:

“The 2023 Spelthorne Business Awards competition has officially been opened to enter. There are 17 categories which businesses can enter, including two new ones for Best Hospitality and Leisure Business and the Retail Excellence Award. This is an excellent initiative designed to celebrate the broad spectrum of businesses in the Borough and the deadline to enter is 02 October 2023.

The Council’s Housing Team hosted the Spelthorne Homelessness Prevention Forum on the 05 July. Over the past few years, some of our most vulnerable residents have been given a new lease of life because of the work of the Housing Team and this was recognised when they were announced as finalists for Team of the Year at this year’s MJ Awards. The team have led in many innovative housing schemes and services including the step-down service for people being discharged from hospital, the conversion of part of the Council offices to provide affordable housing for people on the housing register, and the White House and Harper House schemes which provide accommodation for homeless people and families in need of emergency accommodation.

Spelthorne hosted an interactive eco-conference for pupils from local primary schools on the 03 July. Led by environmentalist Phil Williams, the 'Action Speaks Louder' conference covered a range of topics including the climate emergency, waste, exploitation, deforestation, pollution, plastics, fast fashion and transportation.

The final of the Spelthorne Business Plan Competition was held recently at BP in Sunbury. Six finalists pitched in a Dragon's Den style final for the chance to win £3,500 and a year's package of business support to help them get their business started. The standard of the entries was extremely high again this year and after much deliberation, first place was awarded to Natalie Morris of Doodlekids which supports children with special needs through art, creativity, positivity and wellbeing.

Young people aged between 7 and 16 from across Spelthorne attended the Surrey Youth Games in June. Free sessions in a range of sports including swimming, dance, tennis, street basketball, judo and non-contact boxing were organised by the Council in the run up to the event with the aim of giving children the opportunity to get more involved in sport. The emphasis was on joining in, having a go, learning new skills and boosting confidence. A fun day was had by all the children and there was lots of positive feedback from parents. The Council would like to say a massive well done to everyone who took part and made it such a fantastic day.

I am delighted that we will soon be reaching the mid-point 'topping out' milestone for our new Leisure Centre. The project will include an eight lane 25m main pool, learner pool, splash pad and spa. Further sports facilities include a 6-court sports hall, three squash courts, 950 square metres of fitness space, two studios, one spin studio and a multi-use room which combines to create two further badminton courts. As well as providing fantastic facilities and a vital hub for the community, the Centre is being built to the highest environmental standards.

I am now going to pass over to the Deputy Leader, Councillor Bateson who will be providing an update to this Chamber on some positive news regarding Debenhams in Staines-upon-Thames"

The Deputy Leader made the following announcement:

"Planning permission has been refused for the re-development of the Debenhams building in Staines-upon-Thames following an appeal by the developer. On the 6 June 2022, Spelthorne Borough Council refused the planning application for the demolition of the former Debenhams Store and redevelopment of the site to provide two residential towers, fifteen storeys tall for 226 apartments and commercial units. The original refusal decision by the Planning Committee was based on three reasons: design and appearance; impact on Heritage assets, non-heritage assets and Staines Conservation Area, and lack of affordable housing. The applicant lodged an appeal, and a Planning Inquiry was held in May 2023 which consisted of eight days of discussion and a site visit. Following the inquiry, the inspector dismissed the

appeal on Thursday, 13 July 2023. This Council will continue to robustly defend its planning and conservation designation decisions for sites both in Staines-upon-Thames and across the Borough in the interest of our residents and their environment. I would like to express thanks to planning colleagues for their valued work which has brought such an excellent result to this Council”.

67/23 Announcements from the Chief Executive

The Chief Executive made the following announcements:

“Following the external Peer Review carried out at the end of last year by the Local Government Association - in which Spelthorne was identified as a good performing authority that delivers tangible results for residents and businesses alike – that was followed with the commissioning of a Corporate Establishment Review at the beginning of this year. Its comprehensive terms of reference included the review of the complete organisational structure and alignment of services under the senior management team; rate of recruitment and retention; digital transformation; scope for creating shared services with local authorities; and recommendations from staff audits and Peer Reviews.

A procurement exercise followed, with the South East Employers Group undertaking the establishment review and reported its findings to the Corporate Policy and Resource Committee 48 hours ago. Their review concluded that the Council, in line with high performing authorities: was constantly reviewing, refining and innovating to meet the objectives of its Corporate Plan and its defined priorities; and that it was achieving cost efficiencies and generating income to invest back into communities to improve lives of residents and businesses.

As Head of Paid Services, I was pleased to have reaffirmed that the Council was at the forefront of transformational innovation in how customers were provided with access to services; that there was clear evidence of workforce adaptability and a high level of resilience in how the Council deploys staff, transitions to new ways of working and continues to deliver services; and that there was a high level of trust in the senior managers in creating a safe environment to thrive and a sense of being ‘one council’.

I should like to place on record our thanks to HR colleagues for supporting this externally conducted and independent review and in particular to Jennifer McNeil, South East Employers Group Regional Director for leading this Corporate Establishment Review.

Madam Mayor, as a result of the Home Office’s approach to closing bridging hotels for Afghan families in August including the Mercure Hotel in Staines-upon-Thames, the Council needs to make urgent decisions about procurement of temporary accommodation of families. The Home Office imposed deadline is the 16th August and we anticipate that approximately 20 of

the 27 families in the hotel may present themselves to the Council, at least initially, as homeless.

The policy framework and support on offer from the Home Office is very fluid, so whilst the Veterans Minister made an announcement yesterday (18th July) about providing some support for families with matched funding, the Home Office is still finalising its policy guidance and it is not yet clear whether there would be sufficient financial support.

The ECM report for consideration, detailing the varying options for how this authority needs to procure roughly 20 properties or circa 62 rooms in hotels with an associated gross cost of procuring for up to six months potentially exceeding £1m, members will appreciate why the decision needs to be taken by full Council. The imperative of this decision regrettably has triggered the need for members to be called to an Extraordinary Council Meeting to take place next week on Thursday 27th July commencing at 6:30pm.

Please note that the speed of action within a Home Office funding policy vacuum translates as the biggest single challenge that our housing colleagues have faced in many-a-year, and every effort is being given to shoring up costed options as soon as is practicable into a report for members to consider. I am sure that members will commend the work that colleagues are endeavouring to undertake in support of our Afghan community.

And finally, Madam Mayor, over the past two weeks, colleagues have been supporting 17 students from local schools undertaking work experience placements at the Council.

In the words of Miss Katie from Thomas Knyvett College – who is with us tonight “I believe that work experience is an important opportunity to have offered to students to gain an understanding about different work environments to prepare for when they get a job of their own. Since being at Spelthorne Council for my work experience, I have gained an awareness of all the important roles that make a community whole. I have thoroughly enjoyed spending time here and thank the Chief Executive and Head of Communications for letting me shadow them”.

As you can clearly gather, the purpose of the placements is to provide the student with insight to what it's like to work for the Council, to be in a work environment and to gain experience specifically in their field of interest. Our thanks go to Nick Charalambous at our Jobs & Skills Hub and Emily Clayton in HR for facilitating and supporting both colleagues and students throughout their work experience placement”.

68/23 Questions from members of the public

The Mayor reported that, under Standing Order 14, no questions had been received from the public.

69/23 Appointment to Outside Body - Deputy Armed Forces Champion

Council considered the creation of a Deputy Armed Forces Champion.

It was proposed by Councillor Sexton and seconded by Councillor Bateson to create the role of Deputy Armed Forces Champion.

Council **resolved** to create the role of Deputy Armed Forces Champion.

It was proposed by Councillor Sexton and seconded by Councillor Boughtflower that Councillor Clarke should be made Deputy Armed Forces Champion.

Council **resolved** that Councillor Clarke be made Deputy Armed Forces Champion.

70/23 Appointment of Chair and Vice-Chair of the Development Sub-Committee for the Remainder of the Municipal Year

Council considered a recommendation by the Development Sub-Committee to appoint Councillor Williams as Chair of the Development Sub-Committee and Councillor Beatty as the Vice-Chair of the Development Sub-Committee for the remainder of the municipal year.

Council **resolved** to appoint Councillor Williams as Chair of the Development Sub-Committee and Councillor Beatty the Vice-Chair of the Development Sub-Committee for the remainder of the municipal year.

71/23 Motion of Censure

Council considered a report from the Deputy Monitoring Officer, presented by the Independent Chair of the Standards Committee, advising that the Standards Sub-Committee at its hearing held 25 April 2023, had considered a report by the investigating officer which had concluded that Councillor Lawrence Nichols had breached the Authority's Code of Conduct in relation to the matters identified. The Standards Sub-Committee had decided that the following sanctions would be put in place: a public apology would be made at the next convenient meeting of Full Council; and at the next convenient meeting of the Council a formal motion would be put before the Chamber to consider censure.

It was proposed by Councillor Williams and seconded by Councillor McLuskey and **resolved** that the public and press be excluded during the discussion of this item, in accordance with paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

A recorded vote was requested by Councillor A McLuskey.

For (0):	
Against (21):	M Arnold, E Baldock, S Beatty, M Beecher, S Bhadye, M Bing Dong, H Boparai, M Buck, T Burrell, J Caplin, S Dunn, A Gale, D Geraci, M Gibson, K Grant, S Gyawali, A McLuskey, K Rutherford, J Sexton, J Turner, H Williams
Abstain (11):	M Attewell, C Bateson, J Boughtflower, L Brennan, R Chandler, K Howkins, N Islam, M Lee, A Mathur, L Nichols, D Saliagopoulos

Council **resolved** to not censure Councillor L Nichols.

Councillor Nichols made the following statement to Council:

“In April last year I misaddressed an email containing confidential information to two external email addresses. The Standards Committee have determined that this action was accidental but considered it to be reckless, in that I should have taken greater care – a finding that I accept. Accordingly, I apologise to the Council for this error on my part and undertake to ensure that this does not happen again”.

The meeting adjourned at 20:23.

The meeting reconvened at 20:45.

In accordance with Standing Order 23.4, it was moved by the Mayor, seconded and **resolved** that Councillor A McLuskey not be heard further.

Councillor A McLuskey left the meeting at 20:52.

72/23 Local Plan - Critical Friend Review

Council considered a report on the specification of work to be undertaken by the Critical Friend and a suggested timetable for that work.

It was proposed by Councillor J Sexton and seconded by Councillor C Bateson that Council agree the specification of work to be undertaken by the critical friend and the timetable as set out in the report.

A recorded vote was requested by Councillor J Boughtflower.

For (20):	M Arnold, E Baldock, C Bateson, S Beatty, M Beecher, M Bing Dong, H Boparai, M Buck, T Burrell, J Caplin, A Gale, D Geraci, M Gibson, K Grant, S Gyawali, L Nichols, K Rutherford, J Sexton, J Turner, H Williams
Against (8):	M Attewell, S Bhadye, J Boughtflower, R Chandler, K Howkins, N Islam, M Lee, A Mathur
Abstain (3):	L Brennan, S Dunn, D Saliagopoulos

Resolved to agree the specification of work to be undertaken by the Critical Friend as set out in Appendix A of the report and the timetable at paragraph 11.2 of the report.

73/23 Reports from the Committee Chairs

Council considered the Chair's reports that outlined matters Committees had considered since the last Council meeting.

Council **resolved** to note the Chair's reports that outlined the matters the Committees had considered since the last Council meeting.

74/23 Motions

In accordance with Standing Order 16, the Council had received no written Notices of Motions.

75/23 General questions

The Mayor reported that four general questions had been received, in accordance with Standing Order 15, from councillors.

Question One from Councillor Rybinski:

"In my view and based on my interactions with the local community, overwhelmingly residents consider the current Draft plan as the best compromise between our wishes and planning law. Why should we delay it any further and open all our communities up to the very real threat of predatory development?"

Response from the Leader, Councillor Sexton:

"May I remind you that Cllr Boughtflower together with ex Cllr Beardsmore and Cllr Harvey stated, then retracted the following statement. As you will recall from the Foreword to the Reg 19 Plan: 'The Journey ... has been divisive, bruising and at times unpleasant. It has fractured communities and turned councillors against each other.'

This short pause will give the Council some time to ensure that our plan which will shape Spelthorne for the next 15 years is the right one for the local communities of Spelthorne, taking account every possible option available. Recent and proposed changes to national policy provide more flexibility to local authorities in the way we balance the needs for housing with other priorities, including the role of the Green Belt and floodrisk, but also provide much more support around design and ensuring that whatever development is provided, it is of the highest quality and contributes positively to our existing places. As the elected representatives of our local communities, we owe it to them to make sure we have looked at every possible option to get the right

plan – not just any plan – in place. Those who voted for this plan admitted that it was not a perfect outcome but nevertheless went along with it. We have asked officers to present a full risk assessment for the September meeting which will obviously look at the risks around ‘predatory development’.”

Question Two from Councillor Howkins:

“Spelthorne is constricted by two dates – the end of the three month ‘Pause’ on the 13 September 23 and the deadline of December 23 by which time all Local Planning Authorities in England must have a valid Local Plan (This is written policy from the Department of Levelling Up, Housing and Communities).

Please could you provide a written timetable detailing how and when the Review Councillor Training and Consultation will be dealt with, within what time frame.”

Response from the Leader, Councillor Sexton:

“Thank you Councillor Howkins for your question. Whilst the end of December 2023 may be the Government’s official position, given the current state of play with planning reform and specifically the forthcoming update to the NPPF, we believe there is unlikely to be any consequences for local authorities who do not meet this deadline, especially as a significant number of local planning authorities are at a much earlier stage in their local plan process than Spelthorne. In response to a similar question at the Council Meeting on the 6 June, officers stated that there was a risk of government intervention if we did not meet this deadline, giving recent interventions in Guildford and Waverley as evidence. I’m hoping officers will confirm that the intervention in these cases was focused on the development management functions of the councils and their slow response rate to planning applications and was not related in any way to their plan-making. Nevertheless, any risks associated with this will be factored into the risk assessment being prepared by officers and considered by Council in due course”.

Councillor Howkins asked the following supplementary question:

“Have you read and been made aware of the Tandridge District Council examination of the Local Plan dated 23 June 2023?”

Response from the Leader, Councillor Sexton:

“No I have not, but I will look into it.”

Question Three from Councillor Lee:

“The Spelthorne Strategic Planning Team has been working on our Local Plan for more than five years. What experience does Catriona Riddell have in

working up a Local Plan from inception to Examination in Public (not as a consultant)?”

Response from the Deputy Leader, Councillor Bateson:

“Catriona Riddell’s C.V. has been circulated to all councillors which summarises her extensive experience but in response to your question, but I would be happy to provide more detailed information as follows:

Catriona was responsible for two major plans in the past – the Surrey Structure Plan and the South East Plan which, although not local plans, were very large and complex development plans developed under the statutory planning system, working with a wide range of stakeholders and local authorities.

Since 2010, 100% of Catriona’s work as a consultant has been supporting councils right across England in different capacities and different stages on their local plans. She runs a national learning group on local plans, provides training on local plan preparation, including examination training, and undertakes local plan reviews for both the Planning Officers Society (POS) and the government’s Planning Advisory Service where she worked for two years to help develop national practice around the Duty to Cooperate.

She is the Strategic Planning Specialist for the Planning Officers Society which represents local planning authorities across England and plays a key role in the POS Spatial Planning Committee which is where good practice in local planning is shared. Catriona also sits on the RTPI’s England Policy Committee which is responsible for advising the Royal Town Planning Institute (RTPI), the professional body for chartered planners, on how planning policy should be developed. Also at a national level, Catriona has been involved in advising our Government on planning policy over the years in different roles and recently was one of only 20 people invited to attend a two day meeting with the government’s Chief Planning advisor and her team to help develop planning reforms in relation to local plans. She also sits on the government’s working group looking at recruitment and retention challenges in local planning authorities.

In terms of her professional credibility, Catriona is a Fellow of the RTPI and only 1% of Chartered Planners have this status, and last year was awarded an Honorary Doctorate for her services to planning.

Can I gently remind colleagues that Catriona is not being commissioned to do the job of our officers and bringing her into help is not a criticism of our officers and the ‘great’ job they have done in getting us to where we are. The critical friend role is to bring wider knowledge and experience around how others are managing their local plans to help and support us all. We owe it to our residents to make sure we have covered absolutely every option possible to deliver the right Plan as the Leader has said – not any plan – for Spelthorne”.

Question Four from Councillor Lee:

“As the working-up of our Local Plan has cost more than £2 million so far. The Council is beholden under the LGA Code of Conduct to ensure that public resources are used prudently. What are the estimated costs of further delay to our Local Plan, and the desire by some Council group leaders to have the Local Plan re-written?”

Response from the Deputy Leader, Councillor Bateson:

“In response to your question, let me make it very clear this evening and kill a myth that has been circulated mischievously. There is no desire – no desire - amongst the overwhelming majority of councillors including group leaders, to roll the plan back and rewrite it. As a direct consequence of the motion to pause, this authority has not spent more than £5,000 to date. In regard to the estimated costs of any potential further delay, that will depend entirely on what this Chamber decides on the 14th of September and until we know exactly what that decision is, we are unable to accurately at this stage estimate that figure. However, be assured, that any potential costs will be made public at the time that we consider the matter in full Council on the 14th of September”.

Councillor Lee asked the following supplementary question:

“As part of the report presented at the Corporate Policy and Resources meeting on 26 June which I attended, along with other members, we were advised that the estimated cost of refreshing its evidence base would be about £100k, and if the Inspector deems the changes sufficient to have to withdraw our plan, it could cost in the region of £1m. Could I kindly ask an officer present to confirm whether they still feel that these figures are credible estimates or not?”

Response from the Deputy Leader, Councillor Bateson:

“I think the figures that are being bandied around at this stage are speculative, nothing more nothing less. Until we know the outcome of the Critical Friend Review, this Council will consider the final report on the 14th of September. Costs associated to that will be made available to the Council and indeed the wider public and the cost will determine what decision this Council makes. I cannot pre-empt that no more than any other councillor can in this chamber.”