



Please reply to:

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Date: 12 April 2024

Notice of meeting

Development Sub-Committee

Date: Monday, 22 April 2024

Time: 7.00 pm

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

To the members of the Development Sub-Committee

Councillors:

H.R.D. Williams (Chair)
S.N. Beatty (Vice-Chair)
M. Beecher
M. Bing Dong

T. Burrell
R. Chandler
D.C. Clarke
M. Gibson

K. Howkins
L. E. Nichols
J.R. Sexton
P.N. Woodward

Substitute Members: Councillors C. Bateson, J.T.F. Doran, S.M. Doran, S.A. Dunn, A. Gale, M. Arnold, K.E. Rutherford, J.R. Boughtflower and S. Bhadye

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

Page nos.

1. Apologies for absence & Substitutions

To receive any apologies for non-attendance and details of Member substitutions.

2. Minutes

5 - 18

To confirm as a correct record the minutes of the meeting held on 25 March 2024.

3. Disclosures of Interest

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

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. Urgent Actions

To consider any urgent action that have arisen since last meeting.

6. Forward Plan

19 - 22

To note the Forward Plan for future Development Sub-Committee business.

7. Development Delivery Strategy

23 - 36

To consider recommending to Corporate Policy and Resources Committee to:

1. Approve the introduction of a Development Delivery Strategy;
2. Approve the form and content of the draft Development Delivery Strategy attached to this report; and
3. Refer the Development Delivery Strategy to Council for adoption.

8. Asset Management Plan Review - KPIs and Risk Register

To Follow

Report to follow.

9. Exclusion of Public and Press (Exempt Business)

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

10. Annual Investment Strategy for 2024/25

37 - 70

This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006 Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in any lease, contract or other type of negotiation with the tenant or developer, who could then know the position of the Council.

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**Minutes of the Development Sub-Committee
25 March 2024**

Present:

Councillor H.R.D. Williams (Chair)

Councillors:

M. Beecher	R. Chandler	K. Howkins
M. Bing Dong	D.C. Clarke	L. E. Nichols
T. Burrell	M. Gibson	

Substitutions: Councillors S.M. Doran (In place of S.N. Beatty)
N. Islam (In place of P.N. Woodward)

Apologies: Councillors S.N. Beatty, J.R. Sexton, P.N. Woodward

In Attendance: Councillor C. Bateson

23/24 Apologies for absence & Substitutions

Apologies were received from Councillor Beatty, Councillor Sexton, and Councillor Woodward.

Councillor S. Doran was in attendance as substitute for Councillor Beatty.
Councillor Islam was in attendance as substitute for Councillor Woodward

24/24 Minutes

The minutes of the meeting held on 6 February 2024 were agreed as a correct record.

25/24 Disclosures of Interest

Councillors Beecher, Burrell, Chandler, Gibson, Howkins, Nichols and Williams advised the Committee that they were members of the Planning Committee and therefore would not be making comment on any applications due to come before the Planning Committee.

Councillor Nichols advised that he was a member of the Knowle Green Estates Ltd board.

26/24 Questions from members of the Public

The Sub-Committee received one question from a member of public in relation to item 8:

Question One from Nigel Rowe

Question: 1 What is the scope of the agreement on which the Development Sub-Committee will recommend full Council approval? 2 What conditions and constraints does the Committee think it appropriate to impose on any final agreement in respect of a Council-owned site relating to such issues as the height (in metres) and design of any new development, and will these be subject of a public consultation prior to a final decision?

As the question referred to a confidential item, no response was provided. However, the Chair did give the following statement:

The Council is discussing terms with a prospective tenant to take an agreement for lease of the Hanover House and Bridge Street Car Park site. If the committee approves the terms this will result in the Council granting the agreement for lease of the site to the prospective tenant, who will then seek planning approval and develop a hotel on the site. If planning approval is obtained, so long as the conditions within the agreement for lease have been met, the tenant will construct the building. A lease will only be entered into in the event planning permission is granted. This will allow the tenant to construct the building in accordance with the terms of the planning consent and allow the tenant to undertake the business activities within the building as permitted within the 'user clause' in the lease. The Council will retain freehold ownership of the site, but will not be involved in capacity as landowner in the design of the development, obtaining planning approval or other specific elements of the construction works.

Standard terms of lease include a specific area that the tenant is permitted to use for the business activities. This is known as the lease demise. The lease demise included within the proposed lease will be set out as a building envelope, which will limit any new building to 6 storeys in height and a building footprint that must be contained within an agreed area. This area will be clearly set out on a plan with a red line boundary. In the event the planning approval for the new building exceeds this 'building envelope', then the terms of the agreement for lease will not have been met and the actual lease will not be granted by the Council.

27/24 Forward Plan

The Sub-Committee **resolved** to note the Forward Plan.

28/24 Exclusion of Public and Press (Exempt Business)

It was proposed by Councillor Beecher, seconded by Councillor Clarke and **resolved** to exclude the public and press be excluded for the following agenda items, in accordance with paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in being able to undertake even-handed negotiations and finalizing acceptable contract terms.

29/24 Local Authority Housing Fund (LAHF) Proposed Acquisition

The Sub-Committee considered a report from the Group Head – Assets on the possible acquisition of two properties under Round 2 of the Local Authority Housing Fund (LAHF).

The Sub-Committee **resolved** to approve the recommendations as set out in the report.

30/24 Waterfront Site

The Sub-Committee considered a report from the Development Management Consultant on the Heads of Terms for an Agreement for Lease for Bridge Street car park and Hanover House.

The Sub-Committee **resolved** to recommend to CPRC and Council, subject to the report being amended as discussed, to approve the recommendations as set out in the report.

31/24 New Letting - Ground Floor, Elmbrook House

The Sub-Committee considered a report on a proposed letting for the Ground Floor, Elmbrook House, Sunbury.

The Sub-Committee **resolved** to approve the recommendations as set out in the report.

32/24 Annual Investment Strategy for 2024/25

This item was deferred to the April Sub-Committee meeting.

33/24 Annual Business Plans

The Sub-Committee received the Annual Business Plans for Thames Tower, 12 Hammersmith Grove, Summit Centre, Communications House, and Elmsleigh Shopping Centre.

The Sub-Committee acknowledged the hard work put in by the Assets Team.

The Sub-Committee **resolved** to note the Annual Business Plans for Thames Tower, 12 Hammersmith Grove, Summit Centre, Communications House, and Elmsleigh Shopping Centre.

34/24 Urgent Actions

The Sub-Committee were informed of three Urgent Actions that had arisen since the previous meeting.

The Committee advised that there were some typographical errors in the information relating to the first urgent action.

Meeting ended at 22:09

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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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 29 February 2024 to 31 July 2024

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
Development Sub-Committee 22 04 2024	Annual Investment Strategy for 2024/25 Assets Investment & Regeneration Portfolio Strategy 2024/25 to 2028/29	Key Decision It is significant in terms of its effect on communities living or working in an area comprising two or more wards	Private	Coralie Holman, Group Head Assets
Development Sub-Committee 22 04 2024	Asset Management Plan Review - KPIs and Risk Register	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Development Sub-Committee 22 04 2024	Development Delivery Strategy	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Development Sub-Committee 20 05 2024	Update on Resident Consultations - Benwell 2 & White House sites	Non-Key Decision	Public	Richard Mortimer, Development Management Consultant
Development Sub-Committee 17 06 2024	Ashford Victory Place - Housing Delivery	Non-Key Decision	Private	Coralie Holman, Group Head Assets
Development Sub-Committee 17 06 2024	Investment Portfolio Review 2023/24	Non-Key Decision	Private	Sian Bowen, Principal Asset Manager
Development Sub-Committee 17 06 2024	Oast House Listed Building Options Update	Non-Key Decision	Public	Coralie Holman, Group Head Assets, Kamal Mehmood, Strategic Lead for Leisure and Community Development, Heather Morgan, Group Head - Place, Protection and Prosperity

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Development Sub-Committee Date Oct/Nov 2024 TBC	Half Year Portfolio Review 2024/25	Non-Key Decision	Private	Sian Bowen, Principal Asset Manager

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Development Sub Committee



22 April 2024

Title	<i>Development Delivery Strategy</i>
Purpose of the report	To seek approval for the introduction of a Development Delivery Strategy to support decision making in relation to partnership working and disposal opportunities for the Development Portfolio sites.
Report Author	<i>Coralie Holman – Group Head Assets</i>
Ward(s) Affected	All
Exempt	No
Exemption Reason	<i>Not Applicable</i>
Corporate Priority	All Corporate Plan themes
Recommendations	<p>Committee is asked to:</p> <p>1) Recommend to Corporate Policy and Resources Committee to:</p> <p>1.1 Approve the introduction of a Development Delivery Strategy.</p> <p>1.2 Approve the form and content of the draft Development Delivery Strategy attached to this report; and</p> <p>1.3 Refer the Development Delivery Strategy to Full Council for adoption.</p>
Reason for Recommendation	The Council owns a number of sites that have been identified for development purposes to assist with achieving objectives of the Corporate Plan. Having an agreed strategy will support decision making for these sites and assist the decision-making Committees, to benchmark future options for each site.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> Whilst the Council will no longer be directly developing any of its sites, there is a desire to 	<ul style="list-style-type: none"> The adoption of a Development Delivery Strategy will provide the decision-making Committee(s)

<p>progress development on these sites via partnership arrangements or unconditional disposals.</p>	<p>with agreed criteria against which to appraise offers for future development on Council owned sites within the Development and Regeneration Portfolio.</p> <ul style="list-style-type: none"> Without agreed criteria against which offers for future development on Council owned sites can be appraised it is likely there will not be any consistent decision making resulting in further delays to the progression of sites and continued financial pressure from the holding costs the Council incurs whilst the sites remain in their current configuration.
<p>This is what we want to do about it</p>	<p>These are the next steps</p>
<ul style="list-style-type: none"> Implement a strategy to set key principles but allow sufficient flexibility in order that the Council can take bespoke decisions in relation to each site. A strategy will retain the ability to input into and direct schemes developed on Council owned sites whilst not retaining the construction cost and risk associated with direct development. 	<ul style="list-style-type: none"> Agree the proposal to implement the draft Development Delivery Strategy attached to this report Make a recommendation to Corporate Policy & Resources Committee and Full Council to approve and adopt the Strategy

2. Key issues

- 2.2 The Council owns several pieces of land and property that sit within the Development & Regeneration Portfolio, being one of 3 strategic Asset Portfolios as set out in the Council's emerging Asset Management Plan. The strategic purpose of the Development & Regeneration Portfolio is to *'ensure the Borough remains an attractive place to live, work and undertake leisure activities through the delivery of high-quality affordable housing, social infrastructure and commercial property that meets the needs and requirements of residents and local businesses'*.
- 2.2 The sites within this portfolio focus on achieving the objectives of the Council's Corporate Plan. Many of the sites are proposed for residential development schemes with some ancillary uses to provide affordable housing for the residents of Spelthorne, whereas others are being progressed as part

of a wider regeneration of Staines-upon-Thames Town Centre, to build on the current strength of the town as a retail and economic centre.

- 2.3 In Autumn 2023 the Council took a decision not to undertake any direct development delivery in the short term, instead progressing partnership arrangements to ensure new housing and other uses would be delivered on the sites.

3. Current position

- 3.1 A Member working group was held in March 2024 consisting of Members of the Council's Development Sub Committee, (who are also Ward Councillor representatives from the locations of the development sites), to consider the need and scope of a Development Delivery Strategy that will support decision making for these sites and assist the decision-making Committees to benchmark future options for each site.

- 3.2 The draft Strategy is set out in Appendix 1 attached to this report. The Strategy in summary sets the following principles and objectives:

- Spelthorne Borough Council (SBC) will not undertake any direct development but will deliver its objectives for each site via partnerships with external organisations and partners.
- Each project will have its own project plan and objectives, which will be determined on the specifics of the site i.e. size, location, surrounding buildings, demographics.
- All development proposals will be 'joined up' with the Local Plan objectives, policies, and delivered in accordance with design codes.
- Consultation will be undertaken with local Councillors, and other key stakeholders where new development proposals are being progressed.
- All decisions will be taken by Councillors, who will be involved at key stages of the project, which will be set out as milestones in the project plans.
- Officers will prepare information on all feasible options to include financial analysis of each option against budget and recorded site values and all other key information to assist Member decision making.
- All sites will be openly marketed and/or partners procured to ensure full transparency within decision making around delivery options and to see to obtain best value for money for the Council.
- The Council has a statutory obligation to achieve 'best value' from its sites, which will be considered in terms of financial returns as this in turn relates to the financial resilience of the Council.
- When considering the options for each site, consideration will also be given to on-going holding costs of not proactively progressing delivery options.

- 3.3 The Strategy has intentionally been drafted as a guide to set key principles but allow sufficient flexibility in order that the Council can take bespoke decisions in relation to each site when deciding whether it wishes to partner with external organisations. This flexibility will retain the ability to input into and direct schemes developed on Council owned sites whilst not retaining the construction cost and risk associated with direct development.

4. Next Steps

- 4.1 If this committee agree to the form and content of the draft Strategy in Appendix 1, this will be referred to the Corporate Policy and Resources Committee for approval and to Full Council for adoption prior to being used as the basis for benchmarking and appraising future opportunities to see sites developed whether this is via partnership working or unconditional disposal.

5. Options

- 5.1 Approval of a Development Delivery Strategy in the form attached to this report. **This is the recommended option.** The adoption of this draft Development Delivery Strategy is approved to provide the decision-making committee(s) with agreed criteria against which to appraise offers for future development on Council owned sites within the Development and Regeneration Portfolio.
- 5.2 Approval of a Development Delivery Strategy in principle, but in a different form to the draft attached to this report. **This is not the recommended option** as this draft Development Delivery Strategy has been produced in line with the discussions at the Councillor working group referred to in section 3.1 of this report, which included Members of this Committee and relevant Ward Member representation.
- 5.3 Do not approve the implementation of a Development Delivery Strategy in any form. **This is not the recommended option.** Without agreed criteria against which offers for future development on Council owned sites can be appraised it is likely there will not be any consistent decision making resulting in further delays to the progression of sites and continued financial pressure from the holding costs the Council incurs whilst the sites remain in their current configuration.

6. Financial Implications

- 6.1 Whilst the introduction of this Strategy has no direct financial implications in isolation, the implementation of this Strategy sets out the Council's statutory obligations to achieve best value in terms of financial returns which in turn relates to the financial resilience of the Council.

7. Risk Management

- 2.1 The recommended option put forward by the Officer in terms of approval and adoption of a draft development delivery strategy sets out the rationale which considers risk, in particular to provide a structured approach and set of criteria to support consistent and robust decision making for future development on Council owned sites. Section 5 above sets out some of the associated risks and implications of not having an approved or adopted development delivery strategy.

8. Procurement comments

- 8.1 None

9. Legal comments

- 9.1 The Council has the power to acquire and dispose of land for the purpose of any of its functions (sections 120 to 123 of the Local Government Act 1972).
- 9.2 Any disposal will need to satisfy the valuation requirements of section 123 of the Local Government Act 1972.

9.3 Any agreements required in connection with the development on Council owned sites within the Development and Regeneration Portfolio shall have to comply with the Contract Standing Orders and the Council's duty to deliver best value under the Local Government Act 1999.

9.4 Legal Services (g.legal@spelthorne.gov.uk) will provide advice and assistance with any associated agreements and documentation.

10. Other considerations

10.1 None

11 Equality and Diversity

11.1 None

12 Sustainability/Climate Change Implications

12.1 All development on Council owned sites will need to meet sustainability criteria as set out in the draft strategy document

13 Timetable for implementation

13.1 Immediately if approved.

14 Contact

14.1 Coralie Holman Group Head Assets c.holman@spelthorne.gov.uk

Background papers: Appendix 1 Draft Development Delivery Strategy

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Development Delivery Strategy

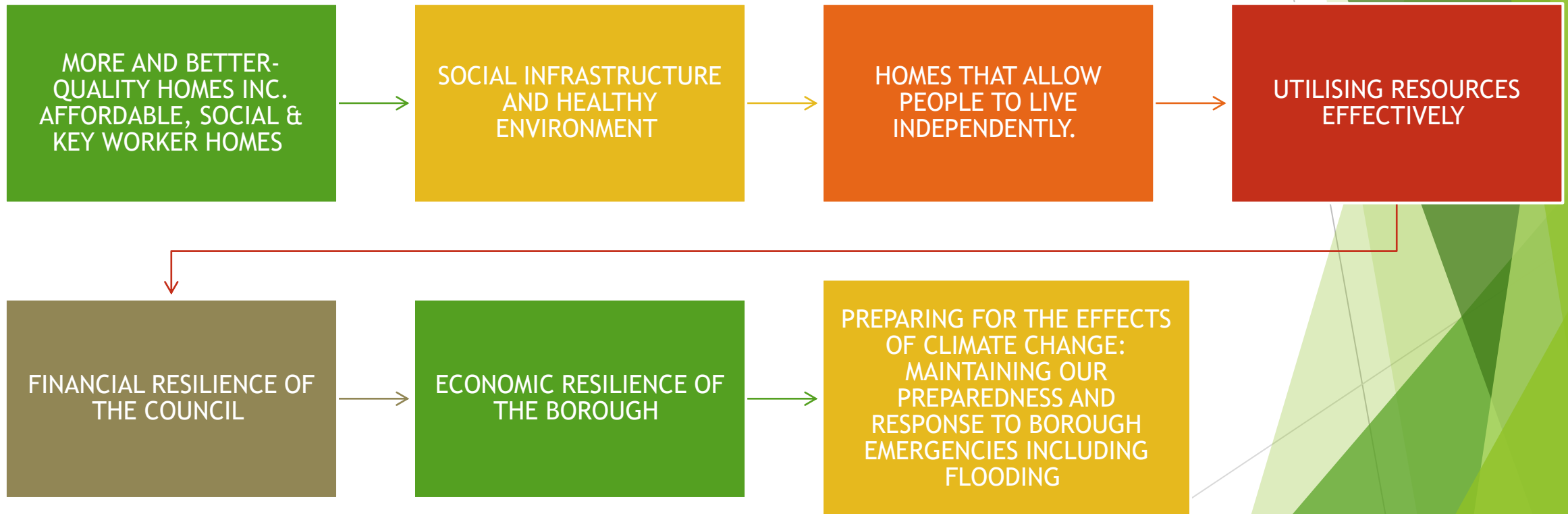


The Council's Development and Regeneration Portfolio is one of three portfolios of Land & Property the Council owns. In December 2023 at the Full Council meeting, the strategic purpose of this portfolio was agreed. The strategic priorities of the portfolio are set out in Appendix 1.

The Council owns several pieces of land and property that sit within this portfolio. The development sites are located across the Borough and are proposed mainly for residential development with ancillary uses to provide affordable, social and key worker homes, being Corporate Priorities.

The Regeneration sites are located within Staines upon Thames town centre and will be progressed as part of a wider regeneration plans to build on the current strength of the town as a retail and economic centre and to improve connectivity between the River front and Town Centre. The sites are listed in Appendix 2.

Directly Linked Corporate Plan Themes



Site Delivery Strategy

Spelthorne Borough Council (SBC) will not undertake any direct development but will deliver its objectives for each site via partnerships with external organisations and partners.

Each project will have its own project plan and objectives, which will be determined on the specifics of the site i.e. size, location, surrounding buildings, demographics.

All development proposals will be 'joined up' with the Local plan objectives, policies, and delivered in accordance with design codes.

Consultation will be undertaken with local Councillors, and other key stakeholders where new development proposals are being progressed.

All decisions will be taken by Councillors, who will be involved at key stages of the project, set out as milestones in project plans.

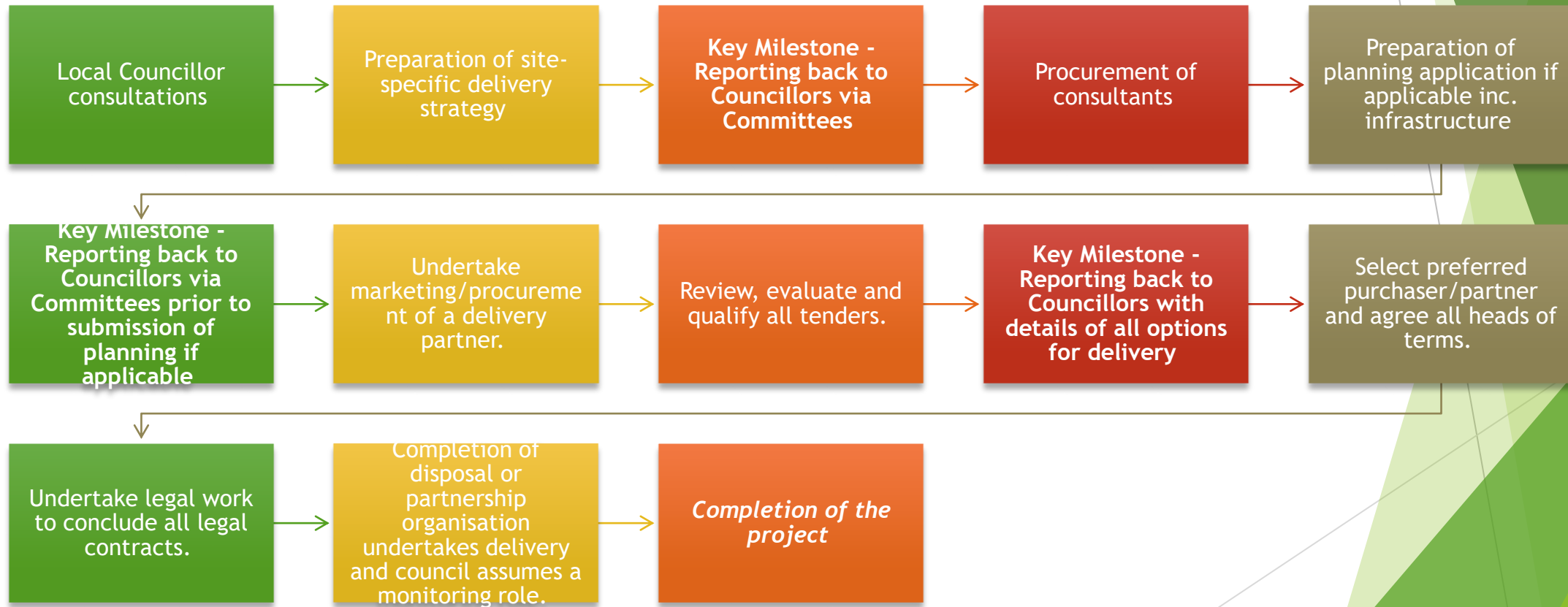
Officers will prepare information on all feasible options to include financial analysis of each option against budget and recorded site values and all other key information to assist Member decision making.

All sites will be openly marketed and/or partners procured to ensure full transparency within decision making around delivery options and to see to obtain best value for money for the Council.

The Council has a statutory obligation to achieve 'best value' from its sites, which will be considered in terms of financial returns as this in turn relates to the financial resilience of the Council.

It is essential to be mindful that circumstances change, so this strategy must retain flexibility to allow all options in respect of any site to be considered even if this departs from the original direction of travel.

Indicative Project Methodology



Timescales

Each site will have its own project timetable as set out in Appendices 4 – 12, these will be updated as each project progresses and reported to Members at each key milestone. The initial delivery timetable commences in January 2024 and runs to March 2026. In March 2026, some project timetables will need to be extended.

Conclusions

Whilst the Council is no longer progressing the direct development of its sites, there remains a good opportunity to partner with external organisations to achieve Corporate Plan objectives and allow for the Council to input and direct the schemes developed on each site, whilst not retaining the construction cost and risk associated with direct development.

Appendix 1

- ▶ Ensure all development meet the Council’s corporate objectives (“CARES”)
- ▶ Aim to deliver high quality housing and other economic and community places in a timely and financially efficient manner.
- ▶ Prioritise delivery of Affordable, Social and Key Worker housing and mixed-use projects to meet the needs of Spelthorne residents.
- ▶ All significant proposed developments will be subject to meaningful public consultation.
- ▶ All proposed developments will be subject to ensuring there is no negative impact on biodiversity via the purchase of biodiversity credits on other Council owned sites
- ▶ All developments will need to consider the impact of all ground water flooding sources i.e. not just the River Thames
- ▶ Delivery mechanisms and longer-term buy/hold/sell decisions will be decided by Councillors on a basis that meets the needs of our residents, businesses, and wider communities.
- ▶ All developments will contribute to the Council’s commitment to reach Net Zero by 2030.

Appendix 2

<u>Town</u>	<u>Site name</u>	<u>Proposed Use</u>	<u>Anticipated Delivery Mechanism</u>
Ashford	Victory Place	Residential	Partnership agreement or disposal
Ashford	Multi Storey Car Park	Residential	Partnership agreement or disposal
Sunbury	Benwell Phase 2	Residential	Partnership agreement or disposal
Ashford	Whitehouse Residential	Residential	Partnership agreement with a third Party
Staines-upon-Thames	Thameside House	Mixed Use	Disposal to a third party
Staines	Oast House listed building	Community/Civic	Third sector letting and grant funding
Staines	Oast House development site	Residential/mixed use	Partnership agreement or disposal
Staines	Town Centre Development	Mixed Use	Partnership arrangement with a procured delivery partner
Staines	Cavelle Centre	Medical Centre	Partnership agreement with third party
Sunbury	Summit Centre	Industrial	Partnership agreement or disposal
Staines	Waterfront	Hotel led	Partnership agreement with third party

Delivery Timescales



Each site will have its own project timetable



These will be updated as each project progresses and reported to Members at each key milestone.



The initial delivery timetable commenced in January 2024 and runs to April 2026.



In April 2026, some project timetables will need to be extended, where further decisions are needed.

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