

**Minutes of the Corporate Policy and Resources Committee  
9 September 2024**

**Present:**

Councillor J.R. Sexton (Chair)  
Councillor C. Bateson (Vice-Chair)

Councillors:

M. Beecher	R.V. Geach	S.C. Mooney
M. Bing Dong	M. Gibson	L. E. Nichols
J.R. Boughtflower	K.M. Grant	O. Rybinski
S.M. Doran	M.J. Lee	H.R.D. Williams

**Substitutions:** Councillors S.N. Beatty  
A. Gale

**97/24 Apologies and Substitutes**

Apologies were received from Councillors Beecher, Button and Howkins.

Councillor Gale attended the meeting as substitute for Councillor Beecher and Councillor Beatty attended the meeting as substitute for Councillor Button.

**98/24 Minutes**

The minutes of the meeting held on 08 July 2024 were agreed as a correct record of proceedings.

**99/24 Disclosures of Interest**

Councillors Mooney and Sexton advised that they were also Surrey County Councillors.

**100/24 Questions from members of the Public**

In accordance with Standing Order 40, four questions were received from members of the public.

**Question 1 from Margaret Geraci, Director of Thames Edge Management Ltd**

“ The five-storey height of Thames Edge Court was agreed with the Council to be broadly in keeping with the appearance of the riverfront and the scale of the cinema building it replaced. Does the Committee agree that the apparently proposed maximum height of 30 metres for the new hotel under consideration for the Bridge Street Carpark site in the Conservation Area, almost twice the height of Thames Edge Court and just 20 short metres across the road from it, is wholly inappropriate and unacceptable?”

**Response from the Leader, Councillor Sexton**

“The building envelope is a mechanism within the lease agreement which sets out the maximum height the building can be allowing for the provision of any Mechanical and Electrical Plant that may need to be sited on the roof i.e. any plant sited on the roof must also not exceed 30m from ground floor level. The permitted envelope does not necessarily mean a building the height and width of the building envelope will be constructed.

The committee report being considered tonight is to approve a conditional lease transaction only in the form of an agreement for lease, not the building design, height or mass. If the committee deem it appropriate to consent to the lease transaction, the developer must then commence detailed building design, which will be subject to planning determination.

Specific concerns about the suitability of the scheme will be determined by the Council as Local Planning Authority. As is usual practice for all planning applications, any future planning application on the Bridge Street/Hanover House site, will be assessed against all the relevant legislation, policies and guidance in place at the time (both national and local), including the Staines Conservation Area designation. A full application will be required, and it should be noted that within conservation areas there is a legislative requirement for an application to demonstrate that it preserves and/or enhances the character and/or appearance of a conservation area. The applicant will be expected to demonstrate this with documentary evidence, and this will be assessed critically the Local Planning Authority.

Any application will be subject to assessment against the Design Code (and the appropriate weight will be applied to that Design Code depending on how far it is through the adoption process)”.

**Question 2 from Nigel Rowe, nominated contact for the Riverside Residents (Staines) coalition**

“Findings of the Royal Holloway research present a serious challenge to the further development of Staines, not only on groundwater flooding generally but as a potential source of increased flooding risk for existing residents from new large developments. Even the Council’s consultants said in July that the proposed Bridge Street development is “*unlikely to be able to be managed to ensure the development would be safe for its lifetime without increasing flood risk elsewhere.*” Will the Council therefore insist there is a contractual guarantee from the developer that the proposed development will not increase flood risk for nearby properties?”

**Response from the Leader, Councillor Sexton**

“This Committee is being asked to consider granting approval for an agreement for lease only. If approved, the agreement for lease will condition the grant of the actual lease and ability for the developer to commence any work, on the developer being in receipt of a planning approval for their proposed scheme.

Flooding matters form part of the planning considerations, which can only be determined by the Local Planning Authority in terms of 1) impact and 2) suitability of any flood risk attenuation proposed as part of the new development.

It would therefore not be appropriate for the Council to include flooding conditions in isolation as part of the criteria that has to be met prior to the actual lease being granted and works being able to commence.

Due to the wider considerations about suitability of the site for development, the grant of a planning approval is the correct mechanism to ensure 1) all criteria are considered and 2) determine whether development proposals are appropriate.

It is key to split the two transactions (lease and planning) in terms of approvals. The decision taken in respect of the Agreement for lease in essence says the Council as Landowner is content for the developer to see if they can design a scheme that is acceptable to the Local Planning authority. Only at this stage with the certainty that the scheme is suitable will the Council as Landowner agree for the developer to redevelop then operate the site as a 4\* hotel”.

**Question 3 from Kath Sanders**

“The Q1 Capital Monitoring Report indicates a "current cumulative budget" of £140,337,000 and a "Manager's Projected Outturn at 31 March 2025" of £141,194,008. This includes £64,290,000 for Thameside House in each case. However, I can't see a line for Thameside House in the Budget approved on 22nd February 2024. Where can the "Revised Budget" of £140,337,000 be found?”

### **Response from the Deputy Leader, Councillor Bateson**

“Due to a misunderstanding a major item – Thameside House – was included in the Programme which should not have been included. We apologise for the confusion this has caused. A revised report was issued as an addendum on Friday 6th September removing this item from the Capital Programme provision. The new current cumulative budget total is £76,047k, and the revised Forecast Outturn against this total is £76,904k, leaving the projected outturn uncharged at £857k”.

### **Question 3 from Kath Sanders**

“It is acknowledged that some projects totalling £2,989,500 were approved for removal from the 2024/25 Capital Programme at the Council meeting on 18th July 2024. However, please can you explain and provide a reconciliation showing how the cumulative capital programme budget has moved from £96,989,026 (as of 31st March 2024) to £140,337,000 (as at 30th June 2024), showing all the projects which have been added and which projects have dropped out, along with a rationale for each”.

### **Response from the Deputy Leader, Councillor Bateson**

“Due to a misunderstanding a major item – Thameside House – was included in the Programme which should not have been included. A revised report was issued as an addendum on Friday 6th September removing this item. The new current cumulative budget total is £76,047,000. The cumulative Capital Programme budget of £96,989,026 (as of 31st March 2024) was increased by £20,197,574 by budgets approved by Council on 22nd February 2024 in 2024/25 as new growth (excluding programme lines suspended or removed), then reduced by £41,139,600 for 2023/24 budgets no longer applicable in 2024/25 (use of 2023/24 and earlier budgets, plus capital schemes suspended or removed). This gives the 2024/25 cumulative budget of £76,047,000. For more detail we will provide to a members of this committee a full written analysis of the changes”.

### **101/24 Annual Complaints Performance 2023-2024**

The Committee considered a report that sought to provide information on complaints received in 2023-2024, what complaint stage they were taken to, outcome of upheld complaints and learning points.

The Committee queried how the Local Government and Social Care Ombudsman operated in relation to complaints received. The Group Head of Commissioning and Transformation advised that she would circulate the requested information to all members of the committee.

Committee **resolved** to approve the report.

### **102/24 Housing Complaints Performance and Self-Assessment against Housing Ombudsman Complaint Handling Code**

The Committee considered a report on housing complaints performance and self-assessment against the Housing Ombudsman Complaint Handling Code.

The Committee voted on whether to appoint an individual councillor to undertake the role of Member Responsible for Complaints or a committee.

For an Individual Member – 7

For a committee – 7

As there was an equality of votes, the Leader, as Chair of the Committee, used her statutory power to give a casting vote to agree that a committee be appointed Members Responsible for Complaints.

It was further agreed that the most appropriate committee to take on this responsibility was the Community Wellbeing and Housing Committee.

Committee **resolved** to:

1. Receive and respond to the annual report on Metropolitan Thames Valley Housing's complaint handling performance and learning from complaints, in relation to complaints from residents of Harper House and White House,
2. Approve the self-assessment of Metropolitan Thames Valley Housing's Complaints Policy against the Complaint Handling Code, for submission to the Housing Ombudsman Service; and
3. Appoint the Community Wellbeing & Housing Committee to fulfil the role of Members Responsible for Complaints.

The Committee agreed that the following response to the Annual Report on Metropolitan Thames Valley Housing's complaint handling performance would be issued:

"This is a positive report which shows that Metropolitan Thames Valley Housing (MVTH) has a sound complaint handling policy in place and is complying with the requirements set out by the Housing Ombudsman.

The performance report shows two complaints were received about Harper House during the period 2023/24. Both complaints were upheld by MTVH and improvements implemented by the Council as a result of the feedback. No complaints were received in relation to the White House. There were no findings of non-compliance with the code and no reports received from the Ombudsman regarding their handling of complaints on behalf of the Council.

The annual self-assessment against the Housing Ombudsman Complaint Handling Code confirms MTVH's compliance with the recently updated Code".

### **103/24 Solar Canopies Over 'Eclipse' Leisure Centre Car Park**

The Committee considered a report that sought approval for a tender process to be undertaken in order for officers to obtain market solutions and actual costings for the proposed project.

Committee **resolved** to:

1. Authorise a tender process to procure market solutions for the solar canopy carpark project; and
2. Note that the Sustainability Team and Assets Team will report the outcome of the tender process to this Committee with detailed proposals

### **104/24 New Artificial Intelligence Policy**

The Committee considered a report that sought approval of the new Artificial Intelligence (AI) Policy.

Members wanted it highlighted to users that it would be their personal responsibility to ensure that they used AI in a responsible and ethical way. It was agreed that having a policy would protect the user, the Council and the Borough residents from the potential risks associated with the use of AI.

The Committee asked if training could be provided for members, that wanted it, on what AI is and how it can be used for work undertaken by the Council.

Committee **resolved** to approve the draft of the new Artificial Intelligence Policy.

### **105/24 Bus Shelter Maintenance**

The Committee considered a report that sought approval for the Council to enter into a new contract with Clear Channel who are currently responsible for the maintenance of the bus shelters within the Borough.

The Group Head of Neighbourhood Services advised the committee that the current contract with Clear Channel had no financial cost to the Council as they kept the advertising revenue from the bus shelters. She advised that she had now negotiated a revised contract that would give the Council a percentage return of the advertising revenue. This could result in an estimated revenue circa £22,500 to £37,550 per annum for the Council.

The Committee queried whether the direct award to Clear Channel was appropriate and legal. The Council's Interim Monitoring Officer advised that it was both.

The Leader of the Council and Chair of the Committee, Councillor Sexton put forward a motion to agree Option 2 as outlined in the report.

The motion received no seconder therefore it FELL.

Committee **resolved** to:

1. Agree a direct award contract with Clear Channel to maintain the bus shelters in the Borough. This equates to Clear channel spending £90k p.a. in Spelthorne; and
2. Authorise the Group Head corporate Governance to enter a contract for a period of 3 years with a 2 year extension option (3+2) and any ancillary documentation with Clear Channel.

The meeting was adjourned at 20.43

The meeting resumed at 20.55

## **106/24 Q1 Capital Monitoring Report**

The Committee were advised that a revised report and appendices were issued as addendums because the original reports had been amended.

The Committee requested that they be kept informed as to the how current projects were progressing and the Deputy Chief Executive advised that a new dashboard was being worked on that would provide more detailed information to all members.

The overspend figure was queried and the Joint Financial Services Manager was asked to provide a summary of how the overspent had occurred.

Proposed by Councillor Bateson

Seconded by Councillor Gibson

And **resolved** that the meeting go into a closed session for councillors to be able to discuss exempt information contained in Appendix B.

The Committee meeting returned to an open session once the exempt information had been discussed.

Committee **resolved** to note the Capital Programme forecast overspend of £857k for schemes under way or scheduled to commence in 2024-25 or 2025-26 as at 30 June 2024.

### **107/24 Q1 Revenue Monitoring Report**

The Committee considered the Q1 Revenue Monitoring Report that sought to advise the Committee of the forecast overspend of £857k for schemes under way or scheduled to commence in 2024-25 or 2025-26 as at 30 June 2024.

The Committee were advised that on the net Budget of £8.6m for 2024-25 agreed by Council it was expected that there would be a £23k outturn overspend (0.3% variance). Within the £23k there was a £3.1 million under achievement on the investment property top up budget due to rent top up being credited early in 2023/24, despite originally being budgeted in 2024/25 (this had previously been flagged to the Committee in the Revenue Outturn Report for 2023-24) and a £3.2 million over achievement of income forecast on National Non-Domestic Rates net retention in part based on independent advice from LF Futures.

The Committee queried how the £3.2 million over achievement figure had occurred and asked how far this credit went back, what we expected it to be going forward and how was this money to be applied to the budget in the future.

The Chair requested that a response be provided by email to all committee members.

The Committee queried the increased service charges costs for Stockley Park and why this was not anticipated and included in the budget for 2024-25. The Property Asset Manager advised that the refurbishment of the reception area within Stockley Park had now been completed and therefore was fully operational. The Committee were advised that the Service Charge year ran from January to December so the forecast figure would not have been available at the time the budgets were set. The Group Head of Assets advised that a review of the budget was currently being undertaken to see how these costs could be reduced.

Proposed by Councillor Bateson  
Seconded by Councillor Gibson

Committee **resolved** to note the forecast overspend of £23,000 for 2024-25 as at 30 June 2024.

Councillor Nichols requested that it be noted on the minutes that he would abstain from noting this report.

### **108/24 Corporate Risk Management**

Committee **resolved** to consider the significant strategic risks and issues highlighted in the report, ensuring continued wider reporting of the Corporate Risk Register and actions across other committees.



### **109/24 Forward Plan**

The Committee **resolved** to note the contents of the Forward Plan.

### **110/24 Urgent Actions**

The Committee were advised that one urgent action had been taken since the last meeting of the committee on 08 July 2024 as follows:

On 05 September 2024 a settlement agreement with the current Leisure Centre operator SLM in relation to Spelthorne Leisure Centre and Sunbury Leisure Centre was agreed. This settlement agreement had to be in place no later than by the end of the previous week to meet a business imperative related to the Leisure Centre project.

### **111/24 5 Swimmers Statue**

The Committee considered a report that sought agreement for the Council to enter into a long term art loan agreement for the 5 Swimmers Statue.

The Committee were advised that a number of relocation sites had been considered and it was felt that the proposed site at the Eden Grove Development would provide the best protection from vandalism for the statue and would still be accessible to all members of the public.

The art loan would be with Berkeley Homes for a minimum of 10 years, after which the Council would be able to take back the statue if they so wished but would be required to give Berkeley Homes eighteen months notice.

The Chief Executive advised the Committee that a Quick Response (QR) Code is to be put on the statue so that members of the public would be able to read the history of the statue and why it is so important to the Borough. The public would be advised as to where the statue had been relocated to once in situ to ensure that as many residents as possible had the opportunity to see it.

The Committee were advised that a valuation figure had been provided in the report and that it would be insured before being placed in the Eden Grove Development.

Committee **resolved** to authorise the Group Head of Corporate Governance to enter into a long term art loan agreement for the 5 Swimmers Statue with Berkeley Homes (or such other appropriate form of agreement as shall be agreed with Berkeley Homes).

Councillors Boughtflower and Mooney requested that it be noted in the minutes that they did not agree with this decision.

## **112/24 Waterfront Development Agreement**

The Committee considered a report that sought approval to make a recommendation to Council in respect of the proposed Heads of Terms to enable the Council to enter into an Agreement of Lease with the proposed tenant for the Waterfront Site, Bridge Street, Staines-upon-Thames.

The Committee were advised that there were no proposals to sell the land and that the Council would retain the freehold and therefore would have control over any development on the site. Officers and councillors had been working with the proposed tenant and a revised demise envelope had been considered that would reduce the height of any development from 30 metres down to 25 metres. Any changes to the aforementioned 25 metres would have to be brought back to the Committee to gain approval. If they were to build above 25 metres without agreement, they would be in breach of agreement and the Council would not grant them a lease.

The Committee was keen that the local residents' concerns were taken into account and were advised that a public consultation would take place.

Proposed by Councillor Bateson  
Seconded by Councillor Williams

And **resolved** to enter into a closed session to discuss exempt information provided in the report.

The meeting went back into an open session once the exempt information had been discussed.

Committee **resolved** to recommend to Council that it:

1. Approve the Heads of Terms for the Council to enter into an Agreement of Lease with the proposed tenant for the Waterfront Site, Bridge Street, Staines-upon-Thames to facilitate the delivery of a new hotel led regeneration on this prime riverside site,
2. Delegate authority to the Chief Finance Officer in consultation with the Leader to agree any minor variations to the Heads of Terms and the final terms of the Agreement for Lease subject to valuation advice received,
3. Delegate authority to the Group Head of Corporate Governance, in consultation with the Leader, to finalise and enter into the Agreement of Lease and any other associated documentation in connection with the grant of the Lease to the proposed tenant; and
4. Note the Local Government Act S.123 'Best Value' valuation undertaken by Cushman and Wakefield in respect of the proposed terms of this transaction.

**113/24 Exclusion of Public & Press (Exempt Business)**

It was proposed by Councillor Bateson and seconded by Councillor Williams and **resolved** to exclude the public and press be excluded for the following agenda item, in accordance with paragraph 4 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

**114/24 Commercial Property Insurance Renewal**

The Committee considered a report that sought approval for the award of the Commercial Real Estate Insurance Contract, the Engineering Insurance Policy and Engineering Inspection Policy.

The Committee **resolved** to agree the recommendations as outlined in the exempt report.

**115/24 Corporate Policy and Resources Chair's Updates**

There were no updates from the Chair.