

## **Council – 22 October 2020**

### **Item 19: General Questions and Responses**

#### **Question 1 – Robin Sider**

“Will the Leader and members of the council join me in congratulating the Council on being awarded the ‘Silver Award ‘ as part of the Ministry of Defence Employers Recognition Scheme, an award for organisations that pledge, demonstrate and advocate support to the Armed Forces community, and align their values with the Armed Forces Covenant. And will the council also note the hard work undertaken by Kamal Mehmood, the council’s Armed Forces Partnership Manager and the Council’s Communication team in order to achieve such a high and prestigious award.”

#### **Response from the Leader, Councillor J.R. Boughtflower**

“Thank you, Cllr Sider. We are delighted that the Council has been recognised for the measures that have been put in place to support the Armed Forces Community. I understand that Spelthorne Borough Council is only the second authority in Surrey to have received this accolade and I would like to join you in congratulating everyone involved for their hard work and commitment in achieving this prestigious award.

I would like to take this opportunity to affirm our commitment to the Armed Forces Community, the Armed Forces Covenant and looking forward, to achieving the Gold standard.”

#### **Question 2 – Robin Sider**

“The annual South and South east in Bloom competition is designed to encourage councils, residents and businesses to work together to improve the local environment and make towns and cities greener and cleaner for everyone. That said, will the Leader and all members of this council join me in congratulating Head of Neighborhood Services and her staff on achieving a magnificent result by way of Staines, Ashford and Sunbury cemeteries all being awarded gold, and the Sunbury Walled Garden also striking gold in the Small Park category.”

#### **Response from the Leader, Councillor J. R. Boughtflower**

“Thank you Cllr Sider and I join you in congratulating Jackie Taylor and the rest of the Neighbourhood Services Team for their hard work and commitment in achieving these prestigious awards.

I am aware that these awards are not easily won and when you consider that the borough achieves these year on year, it shows that the high standards are there for our residents and visitors to appreciate all year round, and as you have said, improves our environment for all to enjoy.

Well done to all who have made a difference and made Spelthorne a Gold winner again in the South & South East in Bloom Awards.”

### **Question 3 – Dick Smith-Ainsley**

“In the announcements made by the Leader at his first council meeting on 30th July he stated the following regarding Task Groups:-

“Full details of this group (a Multi-Party Task Group on Governance) and all the other Task Group will be published in the next few days.”

Since then all efforts to find out the details of these Task Groups has been met with a wall of silence.

Why, two and a half months after he promised the details is the Leader deliberately withholding this information?”

### **Response from the Leader, Councillor J. R. Boughtflower**

“Thank you Cllr Smith-Ainsley. The details of the task groups are not being deliberately withheld. The composition of the task groups and the number of the groups are still being finalised and will be published as soon as possible.”

### **Question 4 – Dick Smith-Ainsley**

“Leader of Spelthorne Borough Council Cllr John Boughtflower has made various statements which have been published on the council web site.

He stated on 17th August "When elected as leader, I promised that there would be an increase in cross-party working and, just over a month on, this administration is demonstrating that actions speak louder than words.”

At the same time the Deputy Leader, Cllr McIlroy stated with regard to the New Local Plan working party "Not only will this be the first of the new administration's promised cross-party engagement groups but, as it regards the New Local Plan which is so important to residents, it is arguably one of the most significant working groups for our Borough. This group will lead the way to prove co-operative *working over politics for the benefit of our residents*.

The emphasis on “co-operative *working over politics for the benefit of our residents*” is significant.

Can the Leader explain why he has decided to deliberately exclude every single member of the United Spelthorne Group, which is the second largest opposition group on the council from every one of his cross party working groups including the New Local Plan working party described by the Deputy Leader as “one of the most significant working groups for our Borough” and how can he justify that the group “will lead the way to prove co-operative *working over politics for the benefit of our residents*.” when everyone can clearly see that actions do indeed speak louder than words and

that petty politics is front and centre of his working party selection criteria, over and above any thought about the benefits to our residents?”

### **Response from the Leader, Councillor J.R. Boughtflower**

“Thank you Cllr Smith-Ainsley, I have selected the Councillors to be on the task groups and have included Councillors from all the different political Parties and the Independent Councillors of groups or individual members, as follows:

Cllr Sexton: KPMG working group  
Cllr Brar: Climate Change Task Group  
Cllr Beardsmore: Local Plan Task Group  
Cllr Salliagopoulos: Staines development group  
Cllr Cornes: Staines development group

As you well know, as you were part of the previous administration, the then leaders’ task group had previously only been for the few and not open to many more members as it is now.”

### **Question 5 – Councillor Helen Harvey**

“Following the recent ‘Lichfields’ report re housing needs across the country, if their new methodology is adopted then there will be a reduction in Spelthorne’s housing need requirement from 606 to 489 homes per year (due, perhaps in part, to the effective lobbying of the MHCLG by Cllr Harvey, Cllr Beardsmore and Strategic Planning Officers directly to the ministry commencing Nov 2019), this means c.1700 less residential units would be required to be built over the 15 year period of the new Local Plan. In the recent consultation it was identified that c.1650 units would need to be accommodated on Green Belt, there is now seemingly no need to build on any Green Belt in Spelthorne.

Given this, and widespread opposition from residents, will the ‘leader’ confirm that his new administration will remove any proposals to build on our Green Belt from the new Local Plan and furthermore any other developer application to build on our Green Belt will not be supported by Conservative members?”

### **Response from the Deputy Leader, Councillor J. McIlroy**

“Thank you, Cllr Mrs Harvey. Whilst I note you refer to previous lobbying, I can advise that a recommendation to Cabinet to look at housing numbers afresh has been reached by the newly constituted Local Plan Task Group which was set up by the new administration. Under my chairmanship, the officers have undertaken a lot of work on whether or not there was a prospect of revising our numbers. The cross-party Task Group have been briefed on this in the past two months and have had detailed discussions on the options around housing numbers.

I can confirm there will be a report considered at the Cabinet meeting on 4 November that concerns this issue, following a recommendation of the Local Plan Task Group. The reports will be available to view by the public on Tuesday 27 October. I would urge the public and councillors to look at this report as soon as its available.”

#### **Question 6 – Councillor Helen Harvey**

“I am concerned by the apparent delays in progressing our key residential developments in particular at Ceaser Court II and Thameside House. I estimate that every month of delay costs the tax paying residents of Spelthorne c.£25k. How do you plan to recoup these losses and what action will you take to ensure that the Borough is not unnecessarily exposed to the anticipated increase in build costs post Brexit transition?”

#### **Response from the Deputy Leader, Councillor J. McIlroy**

“Thank you Cllr Mrs Harvey. I have covered your concern about Brexit implications in my previous answer. In terms of recouping losses, there is always scope to undertake value engineering at various stages in the project lifecycle. Officers do this as a matter of course, and would be asked to rigorously undertake such an exercise in order to limit any losses that arise as a result of an extended project timeline.”

#### **Question 7 – Councillor Ian Harvey**

“Can the “leader” please unequivocally condemn the recent leak of the KPMG “Counsels Opinion” extract outside the four Councillors it was sent to, including to an investigative journalist, and also condemn previous leaks of confidential documents, discussions or information, including for example from Cabinet and Cabinet Briefing meetings? Will the “leader” please ask the Chief Executive to immediately commission an in depth investigation to find those responsible, and support the strongest possible disciplinary action against those identified as responsible? Does he agree that any Councillor found responsible should be required to resign immediately?”

#### **Response from the Leader, Councillor J.R. Boughtflower**

“Thank you Cllr Mr Harvey, I would condemn any leaks of confidential information. Whether an investigation takes place and any subsequent action is a matter for the Members’ Code of Conduct Committee and is not at the direction of the administration.”

#### **Question 8 – Councillor Ian Harvey**

“Following the oil slick that devastated the coast of our twinned District of Grant Port Mauritius at the end of July can the “leader” outline the messages of support that he has sent to his peer, Grand Port Council Chairperson Vinay Harcharan, and responses received?”

## **Response from the Leader, Councillor J.R. Boughtflower**

"I can confirm this authority issued a press release on 11 August in support of our Twin Town Grand Port and in conjunction with the Chief Executive, we are in regular contact with our counterparts – the latest communication was received on Monday this week, 19 October. This states:

*'Thank you for your concern. Here are some recent news about the present situation in Grand Port.*

*According to UN expert they have noted a significant improvement in the state of the coastline affected by the fuel spill from the MV Wakashio" that ran aground off the south eastern coast of Mauritius on 25 July 2020 and they reviewed progress made in the clean-up operations and rehabilitation of the environment.*

*Operations have been contracted out to the specialised firm, Polyeco and Floch Depollution, with support of around 60 fishermen from the area who were recruited for the task.*

*Cabinet took note that cleaning operations at Ile aux Fouquets, an islet off the south eastern coast of Mauritius, as well as at Pointe d'Esny public beach has been completed. Cleaning is in progress at Bambous Virieux, Bois des Amourettes, Vieux Grand Port and la Falaise Rouge. More than 310 kilometres representing 96% of Mauritian coastline remain unspoiled from the oil spilled.*

*Moreover, Mauritius is reopening its borders in three phases and the protection of the population remains the priority in the face of the COVID-19 pandemic.*

*The first phase comprises the repatriation of Mauritians stranded abroad was made until 30 September 2020. Arriving passengers will continue to be quarantined in the centers made available by the State.*

*The second phase which started on 01 October 2020 during which travel to and from certain destinations had been allowed. Access to the Mauritian territory had been authorised to passengers abiding by sanitary protocols. Online booking for airline tickets and hotel room reservations were available. However, priority had been given to Mauritian nationals, licensed residents, those employed in Mauritius and other visitors wishing to travel to Mauritius.*

*The third phase of reopening the borders will be determined in the light of the evolution of the COVID-19 pandemic.*

*Citizens who are directly affected by the restrictions, currently put in place, including hotel taxis and tourist operators, will continue to receive financial assistance from the Government.*

*Moreover, I wish to inform you that the election of village Council has been scheduled on Sunday 22 November 2020'.*

**Question 9 – Councillor Ian Harvey**

“Can the “leader” please confirm that he now understands that the “Leader of the Council” does not, as he has stated, have a sole and unfettered mandate to spend multi hundred millions of pounds of Spelthorne Council money? Will he please state this publicly, and withdraw his previous misleading comments accordingly?”

**Response from the Leader, Councillor J.R. Boughtflower**

“Thank you Cllr Mr Harvey. Constitutionally the Leader does not have the ability to spend multi hundreds of millions of pounds alone. I continue to work with the administration to ensure that there is more inclusivity around any spending decisions.”

**Question 10 – Councillor Helen Harvey**

“During the Cabinet meeting of 23<sup>rd</sup> September; which I attended, you considered the exempt report Ceaser Court 2 construction costs Key Decision. No discussion at all took place between Cabinet members and the motion carried was to pass the decision to the next Full Council for all members to vote on. Yet the unapproved minutes state the following:

‘Subject to officers providing some additional information and clarification within the report, with such information and technical clarification being provided to the Leader and Deputy Leader prior to publication on 22<sup>nd</sup> October.’

This was not actually said in the meeting and did not form part of the Cabinet paper.

**Mysteriously this urgent matter is missing from the Full Council Agenda published 14<sup>th</sup> October!**

The Cabinet papers advised that the planning application was expected to be determined in Oct/Nov. Indeed the current status of the planning application is that the application is under review, awaiting further information from the applicant to address the unresolved planning issues which are - the required pedestrian crossing, proposed use of the ground floor space and quantum of Affordable Housing which I understand are very close to soon being resolved.

1. Why is this Key Decision missing from this Full Council Agenda?
2. What is this ‘additional information’ ?
3. This Key Decision was abdicated by Cabinet and the responsibility passed to all members therefore we should be consulted and our agreement reached if this Key decision is not to be heard in the 22<sup>nd</sup> October Full Council. Can the leader justify his actions in omitting this agenda item?

4. Please can officers clarify what are the financial and other risks to the project of not making this decision on 22<sup>nd</sup> October Full Council?"

**Response from the Leader, Councillor J.R. Boughtflower**

"Thank you Cllr Mrs Harvey. A conversation has taken place with staff regarding the additional information and technical clarifications required. During that meeting officers were instructed to undertake further work, which has only just been completed. It is likely that as a result of this work the matter will have to be considered further by Cabinet. As Leader, I therefore made the decision that it was not appropriate for the report to be brought forward to Council on 22 October for a financial decision, as the financial element might change in the future. There is no requirement for me to consult other councillors on this matter.

The financial and other risks were set out in the report to Cabinet. The preferred bidders have agreed to hold their price until the end of 2020. If a decision is made at the next Cabinet and Council meeting in December and the contract is signed before 31 December, then the price for the work 'as bid for' holds. If, as is likely, the financial dynamics change, then we would need to renegotiate the build contract which would take us into 2021. Officers would make best endeavours to limit any price increases and any Brexit clauses being added which might seek to transfer associated risks to us as the client.

Not making a decision on the finances at Council this evening has no impact on the planning timeframe, which is dealt with via a completely separate process, unless the further work impacts on scheme design. It does potentially impact on the overall project delivery timescale if contracts are delayed. We would look to limit any such delay as far as possible through very active management of the contractors and the construction timetable."

**Question 11 – Councillor Jan Doerfel**

"How does the council leadership consider that releasing green belt in the local plan is consistent with having declared a climate emergency?"

**Response from the Leader, Councillor J.R. Boughtflower**

"As Councillor Doerfel will know from being a member of the Local Plan Task Group, climate change is a very important issue that needs to be addressed in the new Local Plan, through policies and when considering sites for allocation.

He will also know, however, that there are other priorities that also need addressing, such as affordable housing, vital infrastructure and employment opportunities as well as consideration of greenbelt issues. It is imperative that the Local Plan aims to balance all these priorities against each other to find the best strategy to take our borough forward. The Local Plan Task Group will be at the forefront in producing a Plan that meets the needs of our communities and I look forward to Councillor Doerfel's continued participation. The Council's climate change emergency declaration demonstrates our commitment to addressing this major issue for society."

