

## MINUTES OF THE SPELTHORNE BOROUGH COUNCIL

**Minutes of the Reconvened Council Meeting of Spelthorne Borough Council held in the Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames on Thursday, 29 October 2020 at 6.00 pm**

### **Present:**

#### **Councillors:**

|                            |                            |                            |
|----------------------------|----------------------------|----------------------------|
| M.M. Attewell              | S.A. Dunn                  | J. McIlroy (Deputy Leader) |
| C.L. Barratt               | T. Fidler                  | A.J. Mitchell              |
| R.O. Barratt               | N.J. Gething               | R.J. Noble                 |
| C. Bateson                 | M. Gibson                  | D. Saliagopoulos           |
| I.J. Beardsmore            | K.M. Grant                 | J.R. Sexton                |
| J.R. Boughtflower (Leader) | A.C. Harman (Deputy Mayor) | R.W. Sider BEM             |
| A. Brar                    | H. Harvey                  | V. Siva                    |
| S. Buttar                  | I.T.E. Harvey              | R.A. Smith-Ainsley         |
| R. Chandler                | N. Islam                   | B.B. Spoor                 |
| J.H.J. Doerfel             | T. Lagden                  | J. Vinson                  |
| J.T.F. Doran               | V.J. Leighton              |                            |
| R.D. Dunn                  | M.J. Madams                |                            |

Councillor C.F. Barnard, The Mayor, in the Chair

**Apologies:** Apologies were received from Councillors N.L. Cornes, S.M. Doran, L. E. Nichols and O. Rybinski

#### **244/20 Disclosures of Interest**

There were no disclosures of interest.

#### **245/20 Motions**

The Council considered those motions received from councillors in accordance with Standing Order 19 which were adjourned from the meeting held on 22 October 2020.

#### **Motion 3**

It was proposed by Councillor B.B. Spoor and seconded by Councillor T. Fidler that:

“This Council notes: The publication by Government of the White Paper, Planning for the Future on 6 August 2020, which set out proposals on reforms to the planning process for the future.

This Council believes:

1. that existing planning procedures, as currently administered by our own team, allow for local democratic control over future development, and give local people a say in planning proposals that affect them.
2. that proposals for automatic rights to build in growth areas, and increase permitted development rights, risk unregulated growth and unsustainable communities.
3. that local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.

And this Council resolves to:

1. take part in the consultation on the planning proposals, and to make representations against the proposals as outlined in this motion.
2. write to and lobby our Member of Parliament, urging him to oppose these proposals and to circulate the reply to members.
3. highlight its concerns over these proposals with the public and local residents.

This Council is concerned that the proposals seek to:

1. reduce or remove the right of residents to object to applications near them.
2. grant automatic rights for developers to build on land identified for growth.
3. remove section 106 payments for infrastructure and their replacement with a national levy.

The vast majority of planning applications are given the go ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.

And research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Council further notes: The Royal Institute for British Architects called the proposals shameful and which will do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes. RIBA also said that proposals could lead to the next generation of slum housing. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.”

The motion was debated, put to the vote and carried.

**Resolved** that:

This Council notes: The publication by Government of the White Paper, Planning for the Future on 6 August 2020, which set out proposals on reforms to the planning process for the future.

This Council believes:

1. that existing planning procedures, as currently administered by our own team, allow for local democratic control over future development, and give local people a say in planning proposals that affect them.
2. that proposals for automatic rights to build in growth areas, and increase permitted development rights, risk unregulated growth and unsustainable communities.
3. that local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.

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The vast majority of planning applications are given the go ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.

And research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Council further notes: The Royal Institute for British Architects called the proposals shameful and which will do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes. RIBA also said that proposals could lead to the next generation of slum housing. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.

## **Motion 5**

It was proposed by Councillor J.H. Doerfel and seconded by Councillor J.R. Sexton that:

"According to the Royal College of Physicians an estimated 40,000 deaths a year in the UK are linked to air pollution, with engine idling contributing to this. Engine idling can release 150 balloons worth of exhaust emissions in just one minute.

As stated by the RAC “(t)hese fumes contain a number of harmful gasses including carbon dioxide, which is bad for the environment and contributes towards climate change, as well as a range of other harmful gasses including nitrogen dioxide, carbon monoxide and hydrocarbons which are linked to asthma and other lung diseases.”

As a Council that wishes to improve air quality across the borough, this council herewith decides to:-

- a) Declare a Borough-wide “Clean Air and no idling zone” by 1st January 2021,
- b) encourage all residents and businesses to stop engine idling in the Borough through awareness-raising in Council publications, communications and as part of a general awareness campaign pointing out the harm of idling and that engine idling is already liable for a penalty notice under existing legislation,
- c) encourage and assist schools, businesses, and other partners in the Borough to highlight the health hazards and environmental impact of idling and to take measures to combat idling through signage and other measures,
- d) write to Surrey County Council urging the Council to proactively address and combat idling as a matter of urgency including through the implementation of a Traffic Regulation Order to this effect, increased use of custom signage, idling penalties and increased enforcement resourcing for monitoring of idling hotspots including in busy shopping areas, car parks, near schools and in residential areas.
- e) Write to the Government urging for a substantial increase in fines for stationary idling and repeat idling through legislative reform and statutory operational guidance to authorities.
- f) Work with other local authorities to learn from best practices and work together for legislative reform."

Councillor I.J. Beardsmore proposed the following amendment by the addition and deletion of words, which was seconded by Councillor T. Lagden:

In relation to Paragraph a) to read: “a) **seek to** declare a no idling zone **as a matter of urgency**.”

In relation to Paragraph d) to read: “d) write to Surrey County Council urging the Council to proactively address **the declaration of a Clean Air Zone**, and combat idling as a matter of urgency including through the implementation of a Traffic Regulation Order to this effect, increased use of custom signage, idling penalties and increased enforcement resourcing for monitoring of idling hotspots including in busy shopping areas, car parks, near schools and in residential areas.”

The amendment was put to the vote and carried.

Councillor N.J. Gething had left the meeting during the debate on the amendment.

The substantive motion was then put to the vote and carried.

**Resolved** that:

As a Council that wishes to improve air quality across the borough, this council herewith decides to:-

- a) seek to declare a no idling zone as a matter of urgency,
- b) encourage all residents and businesses to stop engine idling in the Borough through awareness-raising in Council publications, communications and as part of a general awareness campaign pointing out the harm of idling and that engine idling is already liable for a penalty notice under existing legislation,
- c) encourage and assist schools, businesses, and other partners in the Borough to highlight the health hazards and environmental impact of idling and to take measures to combat idling through signage and other measures,
- d) write to Surrey County Council urging the Council to proactively address the declaration of a Clean Air Zone and combat idling as a matter of urgency including through the implementation of a Traffic Regulation Order to this effect, increased use of custom signage, idling penalties and increased enforcement resourcing for monitoring of idling hotspots including in busy shopping areas, car parks, near schools and in residential areas.
- e) Write to the Government urging for a substantial increase in fines for stationary idling and repeat idling through legislative reform and statutory operational guidance to authorities.
- f) Work with other local authorities to learn from best practices and work together for legislative reform.

**Motion 6**

It was proposed by Councillor T. Lagden and seconded by Councillor V. Siva that:

Spelthorne Borough Council herewith

- 1. declares a climate emergency immediately.
- 2. decides to commission a detailed study by the end of this year identifying practical steps, precise targets and concrete courses of action that can achieve carbon neutrality as soon as possible,
- 3. decides to network with other local authorities and the Local Government Association with a view to learning from best practices by other Councils that have adopted carbon neutrality targets and/or other measures mitigating the effects of Climate Change,
- 4. decides to establish a Climate Change Citizens Assembly for residents to help address our climate emergency before the end of the year with the first meeting to be held remotely in January 2021.

Councillor R.J. Noble proposed the following amendment by the addition and deletion of words, which was seconded by Councillor R.W. Sider BEM:

In relation to Paragraph 4. to read: decides to establish a Climate Change **Residents' Fora** for **constituents** to help address our climate emergency before the end of the year with the first meeting to be held remotely in **March 2021**.

The amendment was put to the vote and as there was an equality of votes, the Mayor used his casting vote. The amendment was carried.

Councillor N.J. Gething re-joined the meeting during the debate on the amendment.

The substantive motion was then put to the vote and carried.

**Resolved** that:

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2. decides to commission a detailed study by the end of this year identifying practical steps, precise targets and concrete courses of action that can achieve carbon neutrality as soon as possible,
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4. decides to establish a Climate Change Residents' Fora for constituents to help address our climate emergency before the end of the year with the first meeting to be held remotely in March 2021.

#### **246/20 Questions on Ward Issues**

The Mayor reported that one Ward Issue question had been received, in accordance with Standing Order 15.

#### **Question from Councillor S. Dunn**

"Sunbury Leisure Centre Pool has been closed indefinitely since Lockdown. We have been liaising with Officers to ensure that residents can be informed of updates and we understand more information from a structural report will be due in early November. Once the report establishes the findings and exact costings, to return Sunbury Leisure Centre Pool to full operation, a timeline can be published.

In the meantime, can this Administration agree with us that Sunbury Leisure Centre is an important Community asset and commit to investment to reopen the facility as early as possible including future proofing to improve the Centre for many years to come"

**Response from the Portfolio Holder for Leisure Services, Councillor R. Chandler**

“This Administration certainly agrees that Sunbury Leisure Centre is an important community asset. We are committed to providing high quality leisure facilities for our residents and, as Spelthorne Council has the lease to the leisure centre building until 2038, we will continue to invest in this facility to ensure that it meets the needs of our residents. Unfortunately, at present the pools at the centre remain closed, although the rest of the centre is open for other sports and fitness use.

During lockdown it became evident that there were significant structural issues to the both the main pool and the teaching pool, the cause of which is still under investigation. The Council is currently working with a specialist company to determine the extent of the damage and what caused the issue. Core samples have been taken from the pool tanks and we are pushing for an interim analysis report before the end of the month to enable us to begin the procurement process.

This is unfortunately taking longer than it usually would due to COVID restrictions and limited technicians in the testing laboratory. The Council have been told to expect a detailed specialist report in November. The position with insurance will remain unknown until the cause can be determined and the Council will then need to establish responsibility. The likely cost for repairs is currently estimated at between £250,000 and £500,000 and if the Council is responsible for any of these costs a full report will be submitted to Cabinet for consideration.”

**247/20 General questions**

The Mayor reported that 11 general questions had been received in accordance with Standing Order 15, from Councillors R.W. Sider BEM, R.A. Smith-Ainsley, H. Harvey, I.T.E. Harvey and J.H. Doerfel.

**Question 1 – Councillor R.W. Sider BEM**

“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 – Councillor R.W. Sider BEM**

“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 – Councillor R.A 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 – Councillor R.A. 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 Saliagopoulos: 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."

**In accordance with Standing Order 15.2 Councillor R.A. Smith-Ainsley asked a supplementary question:**

"In the list of Task Groups published on the day of the last Council meeting, just 1 out of the 67 councillors listed for those task groups was a member of the United Spelthorne Group (USG). The USG has no representation on the new Local Plan Task Group. As the Leader wrote to the Leader of the USG less than a month before I submitted my question stating, "as I am sure you have noticed and heard from the conservative members, we do not recognize your unelected group and therefore will not be including you on my Leader's task groups", will he now agree that he has actively discriminated against the councillors from the USG as far as the task groups are concerned?"

**Councillor J.R. Boughtflower provided the following written response:**

Councillors Brar and Sexton are both on Working Groups. If I was discriminating, then no members of the group you belong to would be on any Working Group.

As you well know, numbers can be twisted in many ways.

The Local Plan Task Group membership is based on one member from each ward. As members have been allocated a place on the Task Group from Laleham and Shepperton Green, Stanwell North and Ashford North, Ashford Town and Sunbury East wards, there are no vacancies for other members.

Yourself, Cllr I Harvey and Cllr H Harvey, were on the previous Local Plan Working Party to which other members were not invited. The Local Plan Task Group is progressing well with the skills of the current participants to it.

**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."

**In accordance with Standing Order 15.2 Councillor H. Harvey asked a supplementary question:**

"The cabinet member for strategic planning Cllr Mitchell will be aware that the 'Very special circumstances' needed to take a piece of land out the Green belt as part of a stand-alone planning application like the Bugle nursery site is the highest bar of all for defending Green belt. As such it trumps the lower bar of 'Special circumstances' needed to take land out of Green Belt as part of the local plan process. Does he agree with me that because of this if we have to grant planning permission on the Bugle site It puts every other piece of Green belt in the borough at very serious risk?"

**Councillor J. McIlroy provided the following written response:**

Since this supplementary question was asked, the Planning Permission for the Bugle site has been refused. I would like to clarify that if any planning permission was granted as 'Very Special Circumstances' were demonstrated that clearly outweighed the harm, that would not mean the site is removed from the Green Belt. You'll note that the same applies to sites like Shepperton Studios. Green Belt boundaries can only be amended through the Local Plan and not through planning applications. The test for whether sites can be removed from the Green Belt is the presence of 'Exceptional Circumstances' which can include meeting housing need, whilst 'Very Special Circumstances' usually can't. This is because the circumstances need to be unique to the site and therefore 'very special' and general housing need across the borough would not be regarded as such. So granting planning permission on an individual Green Belt site has little bearing on sites under consideration for allocation as an overall strategy in the new Local Plan because the 'tests' are different.

**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.”

**In accordance with Standing Order 15.2 Councillor H. Harvey asked a supplementary question:**

“According to Cllr Nichols’ assertions in last Sunday’s Observer - that your administration is bereft of financial acumen.

Can the leader reassure members therefore, that we do indeed have the necessary skills both in house and with our external team of advisors to mitigate these shortcomings?

A simple yes or no answer will suffice.”

**Councillor J. McIlroy provided the following written response:**

Yes. We have ensured that the assets team has at its core, expertise and experience from the private sector in delivering large scale development projects. We also bring in additional resource as required on a project to project basis, and this will vary depending on the stage a project is at. So, for example we have one member of the team who deals with projects through to gaining planning permission, and another whose expertise focuses on managing development through construction to completion.

**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."

**In accordance with Standing Order 15.2 Councillor I.T.E. Harvey asked a supplementary question:**

"Given that it has been made clear that the report has only been released to 4 Cllrs, himself, Cllr Buttar, Cllr Mitchell and Cllr Nichols does he not think that the culprit should immediately do the decent thing and resign forthwith? Furthermore he appears to be absolving himself from any disciplinary responsibility. As both group leader and head of the cabinet will he not commit to taking appropriate decisive action himself."

**Councillor J. R. Boughtflower provided the following written response:**

I refer to my previous answer.

**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'.*

**In accordance with Standing Order 15.2 Councillor I.T.E. Harvey asked a supplementary question:**

"Thank you, and furthermore, Cllr Boughtflower, you will recall that there were discussions in both November 2019 and January 2020 when our peers visited, about arranging a larger civic exchange. Acknowledging COVID-19 has rather got in the way will the leader commit to seeking to facilitate such a visit of members at their own cost of course, when conditions allow?"

**Councillor Boughtflower responded** with an affirmative at the meeting.

**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.”

**In accordance with Standing Order 15.2 Councillor I.T.E. Harvey asked a supplementary question:**

“As he well knows the maximum capital sign off for the leader alone is and was during my time as leader, £20k. Can the leader then please explain why he said; “no single person will ever again have authority to spend tens of millions of pounds without the scrutiny that residents expect and deserve”

He either made this statement without any clue of the facts, or deliberately lied, to denigrate my administration and in so doing has brought the Council into disrepute, which is unlawful. Either way, this is a resigning matter. Will he please apologise and resign now?”

**Councillor Boughtflower responded at the meeting** that “as many former Cabinet members will know, a lot of the decisions were not taken by the Cabinet but they were put to a sub group of which most were Councillors Harvey and Williams (the then Finance Portfolio Holder). But today on the BBC News, on which Councillor Harvey was interviewed, it was said that former Leader, Ian Harvey approved the deals to buy up office blocks. So, I am a bit more confused, but I will provide a written answer.”

**Subsequent to the meeting Councillor J.R. Boughtflower provided a written response:**

The Property Investment Task Group will look into these matters, as your recollection of Cabinet Meetings does differ from that of other previous Cabinet members.

**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."



**In accordance with Standing Order 15.2 Councillor H. Harvey asked a supplementary question:**

“How long do you anticipate your delay to Ceaser Court 2 will be, do you think it is justified to deprive our residents of this much needed rental accommodation which will be in, even more demand henceforth as a result of Covid?”

**Councillor Boughtflower responded at the meeting** that “the final layout and plan for Ceaser Court Phase 2 would come before all members to vote on soon. It was not just a matter for a few members.”

**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.”

**In accordance with Standing Order 15.2 Councillor J. Doerfel asked a supplementary question:**

“Considering that Spelthorne Borough Council can decide to build 1755 housing units less and had previously insisted that 1649 housing units would have to be built on green belt why is the council still pursuing green belt release?”

**Councillor J.R. Boughtflower provided the following written response:**

As Councillor Doerfel is aware, the Local Plan Task Group, on which he sits, is considering the options open to the Council on how to meet housing need and are now reviewing those in light of the lower housing figure we are now working to. It was over a year ago now that the Preferred Options consultation commenced and much has changed since then. Further evidence has been produced, particularly on local housing need, viability and infrastructure, plus work is now progressing on the Staines Development Framework. This means

we have a better idea of the impact our new Local Plan will have on affordable housing, the type and mix of homes, the capacity of Staines to take extra development and what infrastructure is needed and where. All this evidence is being considered by the Task Group, which will need to agree on the most appropriate strategy to take forward in the Local Plan and whether that includes any development of Green Belt sites.

**248/20 Exempt Business**

**Resolved** to move the exclusion of the Press and 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.

**249/20 Replacement of Spelthorne Leisure Centre**

*Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

This item was considered in private to consider questions from councillors in relation to the confidential Appendix 5.

Council considered the recommendation of the Cabinet on a supplementary capital estimate for the replacement of Spelthorne Leisure Centre.

The current Spelthorne Leisure Centre in Staines-upon-Thames had served the borough well, but was likely to be nearing the end of its useful life by the end of 2021. In view of the importance of this Centre to the community, a feasibility exercise was undertaken to assess options for replacing the current facility. Cabinet had made a decision in January 2020 to pursue the development of a new leisure centre which met modern standards and today's customer expectations.

**Resolved** to agree a supplementary capital estimate outlined in the confidential Appendix 5 to cover the projected costs of developing the new centre.

**250/20 Exempt Report - Victory Place Construction Costs - Key Decision**

*Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

Council considered the recommendation from Cabinet on the construction costs for Victory Place, Ashford.

The increase in capital spend for construction works would deliver an additional 19 units over and above the initial feasibility for much needed key worker (a version of affordable) and S106 affordable, housing primarily for our Borough's key workers including adjacent NHS staff.

**Resolved** to approve the increase in Capital spend for construction works, from £16.25m to £25.93m.