

**Minutes of the Planning Committee
20 September 2023**

Present:

Councillor M. Gibson (Chair)
Councillor D. Geraci (Vice-Chair)

Councillors:

C. Bateson	R. Chandler	M. Lee
M. Beecher	D. Clarke	A. Mathur
M. Buck	S.A. Dunn	L. E. Nichols
T. Burrell	K. Howkins	K. Rutherford

Apologies: Apologies were received from Councillor S.N. Beatty and Councillor H.R.D. Williams

In Attendance:

Councillors who are not members of the Committee, but attended the meeting and spoke on an application in or affecting their ward, are set out below in relation to the relevant application.

52/23 Minutes

The minutes of the meeting held on 23 August 2023 were approved as a correct record.

53/23 Disclosures of Interest

a) Disclosures of interest under the Members' Code of Conduct

There were none.

b) Declarations of interest under the Council's Planning Code

Councillor Bateson declared he was approached to supply historical data in relation to application 01/00018/FUL and would abstain from voting on this item. Councillor Nichols also declared a close relative worked for the

interested party in relation to application 01/00018/FUL and he would abstain from voting on this item.

Councillor Beecher and Burrell both declared they were involved in meetings in relation to application 01/00018/FUL but had maintained an impartial role, had not expressed any views and had kept an open mind.

Councillor Howkins declared an interest in relation to application 01/00018/FUL which concerned a previous matter with Staines town Football Club relating to the call-in of the decision made on the Appointment of Representative Trustees for Laleham Charities Village Hall and Recreation Grounds. She however came to this meeting with an open mind.

Councillor Gibson declared an interest in relation to application 01/00018/FUL of which she was a member of the Thames Club and on this basis had visited the site many times but came to this meeting with an open mind.

54/23 Planning application - 01/00018/FUL, Wheatsheaf Park, Wheatsheaf Lane, Staines-upon-Thames TW18 2PD

Description:

To enter into a Deed of Variation (DoV) to the Agreement dated 12 September 2001 made under Section 106 of the Town and Country Planning Act 1990, relating to Land at Staines Town Football Club, Wheatsheaf Lane, Staines, Middlesex, under Planning Application PA/01/0018 ('the Section 106 Agreement').

Officers advised that the variation to the 106 agreement was submitted to the Local Planning Authority as an informal request and was negotiated by agreement rather than the applicant using a formal route by submitting an application.

Additional Information:

There was none.

Public Speaking:

In accordance with the Council's procedure for speaking at meetings, Steve Parsons spoke against the proposed development raising the following key points:

- Staines Town FC had a 130 year history as a club
- The Thames Club had agreed to provide income to sustain football
- Evidence was provided which demonstrated Staines Town FC was far more than just a limited company
- The Thames Club had recognised the continued existence of Staines Town FC 11 months ago when they asked them to investigate the formation of a community hub

- The Thames Club had not consulted the trustee of Staines Town FC in advancing the Deed of Variation despite their name appearing on the section 106 agreement
- The section 106 agreement should provide perpetual protection for Staines Town FC
- The section 106 agreement still served a useful purpose
- There was no need to vary the agreement as prospective users of the pitch could still seek permission from Staines Town FC
- There should not be a sacrifice of community assets
- Outlets which represented a sense of community and pride should be retained
- Wheatsheaf Park was the only pitch in Staines likely to accommodate senior clubs to play football
- Refusing this Deed of Variation would make the return of quality football a possibility

In accordance with the Council's procedure for speaking at meetings, Martin Robertson spoke for the proposed development raising the following key points:

- Last year there was consultation with former officials from the football club concerning their possible occupation of the ground with no subsequent proposals
- Any new football club entity would face the same issues regarding the section 106 agreement.
- It was inappropriate that the facilities could not be used because of the abandonment of the site by Staines Town Football Club
- The clause that required football games played by teams other than STFC to be approved by the club should be removed from the agreement
- It would be a shame for the pitch and stadium to remain unused
- The drafting of the S106 agreement never contemplated that STFC would no longer be in existence
- Brentford Football Club was the chosen tenant to occupy the facility
- Brentford FC was keen to support football in the borough and replicate community engagement schemes deployed in other boroughs which they operate
- The property and pitch had fallen into disrepair after years of neglect and there was keen interest to restore previous high standards
- Rent from football facilities would provide additional revenue to the Thames Club amid rising energy costs.
- The Committee was asked to confer the Deed of Variation and remove the clause that can now never be complied with

Debate:

During the debate the following key issues were raised:

- Documents submitted by life members demonstrated that Staines Town Football Club existed separately from Staines Town Football Club Ltd.

- Concern was raised regarding protections in place for the land when other teams used the pitch at Wheatsheaf Park
- It was a shame to lose the name and history of Staines Town FC
- There was argument to suggest the continuity of Staines Town FC in Middlesex County Football Association records
- Staines Town FC should have an opportunity to set up a new limited company
- Other footballing organisations would have difficulty in contacting Staines Town FC for permission to use the pitch and facilities
- Concern was raised at the possibility of loud music concerts being hosted at the pitch under definitions of permitted uses
- The Thames Club was the landowner who had ultimate control of the use of the site

It was proposed by Councillor Dunn and seconded by Councillor Burrell to amend the definition in 3.12 (b) the “Permitted Uses” to read as follows:

(b) any use falling within Use Class F2(c) of the Use Classes Order, **but with the exclusion of music concerts without the prior approval of the Local Planning Authority**

The Committee voted on the amendment as follows:

For (7)	
Against (3)	
Abstain (4)	C Bateson, M Lee, A Mathur, L Nichols.

Decision: The Committee **resolved** to agree the motion to amend the definition in 3.12 (b).

The Committee then proceeded to vote on the application as follows:

For: 5
Against:6
Abstain:3

Councillor Nichols requested for his named abstention to be noted.

The motion to enter into a Deed of Variation FELL.

It was proposed not to agree to enter into the recommended Deed of Variation as the Planning Committee, by majority vote, is not convinced that Staines

Town Football Club ceased to exist and/or no longer exists and that the existing s106 agreement and the current obligations can proceed and the purpose can still be fulfilled and still be useful.

The motion to refuse the Deed of Variation was carried by the majority of the Committee.

Decision: The Deed of Variation was refused for the following reason:

Not to agree to enter into the recommended Deed of Variation as the Planning Committee, by majority vote, is not convinced that Staines Town Football Club ceased to exist and/or no longer exists and that the existing s106 agreement and the current obligations can proceed and the purpose can still be fulfilled and still be useful.

55/23 Planning Development Management Performance Report

The Committee considered a report on the performance of Planning Development Management from the Planning Development Manager. The report was presented annually to advise members of the performance of Planning Development Management against government targets and requirements.

Resolved that the report of the Planning Development Manager be received and noted.

56/23 Major Planning Applications

The Planning Development Manager submitted a report outlining major applications that may be brought before the Planning Committee for determination.

Resolved that the report of the Planning Development Manager be received and noted.

57/23 Planning Appeals Report

The Chairman informed the Committee that if any Member had any detailed queries regarding the report on Appeals lodged and decisions received since the last meeting, they should contact the Planning Development Manager.

Resolved that the report of the Planning Development Manager be received and noted.

In light of her departure, Councillor Bateson expressed his gratitude to Claire Browne on behalf of the leader and all Councillors for her contributions to the

Council's legal department and particularly her work on the Debenhams Development appeal.