

Gove flexing his muscle on a Local Plan?

16 September 2023



A last-minute intervention from **Michael Gove** continued the uncertainty around the Surrey Borough Council of **Spelthorne's** plan for 9,000 new homes. The **Surrey Heath MP** ordered the council not to pause its local plan, in a letter sent by the housing and planning minister, limiting Spelthorne's options at a crucial meeting.

After what the council's chief executive described as an urgent ministerial meeting at 3pm on Thursday (September 15), a letter was sent to the council's leader setting out Mr Gove's intentions.

An extraordinary meeting of the council on the same day was set to vote on the options to continue with the plan, keep it on pause, or withdraw it altogether. The plan has been on pause since councillors asked the government inspector for a hiatus in June, after hearings had started at the end of May.

The letter from MP **Rachael Maclean** stated Mr Gove had legal powers to intervene if necessary if he thought an authority was "failing or omitting to do anything it is necessary to do" regarding preparing, revising or adopting its local plan.

While the chamber was told voting to withdraw its plan, outlining where new homes will be built in the borough up to 2037, was no longer a lawful action, councillors ultimately voted to extend the pause on the plan.

They also voted to seek further legal advice to "confirm the validity of the minister's directive".

The council voted by 20 votes to 16 to extend the pause, pending the publication of changes to national policy, due this autumn.

The council's leader, Councillor **Joanne Sexton** (Independent Spelthorne Group, Ashford East) said the council would seek further clarification from Mr Gove on the reasons behind the direction. She added: "We will endeavour, in the name of democracy, that we will produce a plan benefiting the residents of Spelthorne by the government's deadline of June 2025."

Cllr Sexton said unresolved flood issues in Staines, a plan that delivered "beautiful places" and with the "communities at the heart of it" were some of the concerns and reasons behind the plan that would be made clear to the government.

The question of the cost to the council of seeking further legal advice was also raised. Councillor **Karen Howkins** (Conservative, Laleham and Shepperton Green) asked how much money further legal advice relating to the local plan would cost. She asked: "Haven't we spent enough on legal advice regarding the local plan, haven't we wasted enough money? Isn't it time that we stopped wasting money that we haven't got?"

Officers confirmed the cost of further legal advice should be "not more" than £2,000.

While other councillors raised the "cost to the local community" both of putting through the "wrong plan" or of further delays.

The current draft plan allocates more than 5,400 of the borough's 9,270 new homes to be built in Staines.

Councillor **Howard Williams** (Independent Spelthorne Group, Staines) said of the council's plans to pause its own house building projects indefinitely that it impacted around a third of the flats planned for Staines. The current plan did not protect the green belt, he said, did "nothing" to deliver affordable or social housing and included more than 5,000 flats be built where they were "likely to flood".

He asked the meeting: "If we stick to the current targets of building 9,000 flats, where are all the flats that can't now be built in Staines going to go instead? Sunbury, Stanwell, Ashford, Shepperton? They will all have to be built in other towns in the borough. So setting unrealistic targets for Staines does not protect other people's towns or the green belt. That is a fallacy."