

## CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL

TUESDAY, 24 OCTOBER 2017

PRESENT: Councillors Colin Rayner (Chairman), John Bowden, Dr Lilly Evans, Mohammed Ilyas, Eileen Quick and Lynne Jones

Also in attendance: Councillor Geoffrey Hill, Councillor Asghar Majeed, Councillor Jack Rankin, Councillor Claire Stretton, Councillor Derek Wilson and Councillor Edward Wilson

Officers: Russell O'Keefe, David Scott, Jacqui Hurd, Rob Stubbs and David Cook.

### APOLOGIES

Apologies for absence were received by Cllr Burbage (Vice-Chairman) and Cllr D Evans (for agenda item 10).

Cllr Bowden was elected as Vice-Chairman for the duration of the meeting.

### DECLARATIONS OF INTEREST

There were no declarations of interest received.

### MINUTES

The Part I minutes of the meeting held on 27 September 2017 were approved as a true and correct record.

### COUNCIL TRUST REPORT

David Scott introduced the Council Trust report and informed that Panel that there were three sections:

- Category 1 – Charitable trusts where Cabinet were acting as Trustees on behalf of the Council.
- Category 2 - Charitable trusts which RBWM were involved with and provides the lead and all admin support for, including completion and submission where required for Annual Charity Commission Returns.
- Category 3 - Those charitable trusts where RBWM were involved with, but did not provide lead or administrative support for the trust.

There were no significant issues to report but in response to issues raised by trustees the Panel were informed that the Porny's Charity had been contacted by officers and had informed that a meeting of the trust would be scheduled before the new year. With regards to New Windsor Municipal Charities Cllr Airey as one of the trustees had now been contacted by the organisation.

During discussion on the item it was suggested that there be an article in Around the Royal Borough about the services provided by the charities. The Panel also requested a breakdown of The Spoore, Merry and Rixman Foundation payments.

## MAIDENHEAD GOLF CLUB

The Panel considered the Cabinet Regeneration Sub Committee report that provided an update on the emerging masterplan options for the golf club site and approval of the procurement route.

The Lead Member, Cllr Rankin, explained that the council had agreed to purchase the leasehold of the golf course with the proposal to build 2000 homes on the 132 acre site, along with associated infrastructure including educational provision. In June 2015 the council had taken the decision to procure a joint venture partner. The report was the result of the initial work undertaken by the consultant Savills. To ensure transparency the Council was putting as much information as possible into the public domain and had invited the public to submit questions for the Extraordinary Full Council meeting on 30 October 2017.

The Lead Member explained that the first appendix was the vision document prepared by Savills for the Council as the landowner. It demonstrated the sustainability and deliverability of the proposal in terms of planning. The second (Part II) document detailed the Masterplan Options. Significant open space had been left on the site and the deciduous woodland would remain. The third (Part II) document detailed the procurement options. The recommended option was for a contractual joint venture structure where the council would maintain complete control over the development.

The report to Council would ask for £20m to purchase residential and commercial properties to provide highways access. The funding was being requested at this stage to give as much flexibility as possible and allow the Council to conduct purchases in an opportunistic way.

The Chairman informed that he had received a number of requests from the public to speak / ask questions on this item (questions and answers not verbatim):

Patrick Griffin mentioned that the report requested £20m for the Council to buy access to the golf club and asked why the Council was taking on this risk rather than the joint venture partner.

The Lead Member replied that if the Council waited the risk was that they would have to take CPO action rather than being able to be more flexible and purchase properties on the open market. The risk of purchasing properties on the open market was minimal as the Council's property company would manage the asset and have the option to rent at an affordable rate.

Patrick Griffin asked that if the Borough Local Plan (BLP) was not adopted what would the plans be for the golf club and the properties purchased by RBWM.

The Lead Member replied that from a property point of view the Council as land owner could still proceed in plans to develop the site pending appropriate approvals.

Margaret Morgan mentioned that the Council had entered into a legal agreement with the golf club regarding the surrender of the lease, if the BLP was not adopted would be negate the agreement. The Lead Member replied that he would not discuss contractual arrangements.

Margaret Morgan mentioned that club members were already aware of the term of the legal agreement and the need to secure planning consent. The Lead Member re-iterated that he would not discuss the legal agreement.

Claire Milne mentioned that the golf club site was a major development site with RBWM proposing 30% affordable housing yet the boroughs own evidence showed an affordable need of over 60%. This leaves a shortfall of 30%.

The Lead Member replied that the BLP gives a 30% affordable housing target. The viability study for the BLP showed that development in the town centre would be a major part in the delivery of affordable housing. There was a balance between providing affordable housing on

our land and maximising our assets. We could not solve national and regional issues but the Council could do its share.

Claire Milne replied that such a large shortfall would impact on homelessness and overcrowding in the borough. The Lead Member replied that there would be a supplementary planning document on affordable housing; however he would provide a written letter to the supplementary question.

Kobie Cadle questioned why community housing fund development opportunities had not been included in the proposals. The Lead Member replied that in March 2017 there had been a report presented to the Cabinet Regeneration Sub Committee regarding community land trusts and that there had been funding from DCLG for a feasibility study. There was a report due back in December 2017 and there remained the possibility of having a community land trust on the development site if feasible.

Kobie Cadle replied that a community land trust would require community involvement and partner to be successful. The Lead Member informed that local community groups / organisations would be consulted as part of the feasibility study and that he was happy to contact Kodie Cadle about involvement.

Cllr D Wilson, Cllr Hill and Cllr Majeed as ward Members addressed the Panel.

Cllr D Wilson informed that he had been contacted by a number of local residents about the development on the golf club when they had read about the plans in the local press. He mentioned that with regards green belt boundaries that these needed to be reviewed as part of the BLP and therefore the due process would be the examination in public. Regulation 18 was carried out over a six week period and Regulation 19 over a longer period as an additional month was given.

Cllr D. Wilson thought that the report was a little premature and had caused concern for local residents especially those that backed onto the golf course. The recommendation was to spend £20m to purchase properties but no-one knew which properties had been identified. This effectively blighted properties in the area. As a major planning application, it would be subject to an Environmental Impact Assessment, requiring a 16 week consultation. The application would then go to the Borough-wide Development Management Panel and would need very special circumstances to proceed to the next stage, potential referral to the Secretary of State and a likely public enquiry.

Cllr Hill informed that all three ward councillors wished the report to be withdrawn. He raised concern that the first he had heard about the report was when he had been contacted by local residents. Cllr Hill felt that the report was premature and was concerned that ward members had not been consulted and that not all Cabinet Members were aware of the report. Local properties would be blighted by the release of the report and values may be effected. Members had seen the communication from the secretary of state that local authorities could set their own affordable housing numbers and this was not a target. There could be consultation on the density of the development and that 2000 properties could result in about 4000 additional cars on an already congested highway infrastructure.

Cllr Majeed raised concern about the proposal to allocate £20m for the purchase of properties for a site that may not receive planning permission. He felt that there had been a lack of democratic process with Members not being consulted and was concerned that there were Part II elements of the report. Cllr Majeed felt that the Lead Member needed to answer if the golf club development was dependent on the BLP being adopted and what agreement was in place if it was not adopted. Cllr Majeed also raised concern about the impact on local infrastructure and the amount of council tax being committed with the site purchase and additional £20m.

The Lead Member informed the Panel that concern had been raised that the report was premature but this was not the start of the process. This was a significant development and he felt that it was important that the public should be made aware of the plans. The process could have been undertaken under delegated authority but it was felt to have it in the public domain hence the report coming to scrutiny as well as Council where it had been agreed to allow public questions during the extraordinary meeting. This report presented options with the detail coming further down the line and would follow a similar process to the Maidenhead regeneration process.

The Chairman mentioned that the proposal to purchase properties when they came available was similar to Heathrow airports plans.

With regards to the issue of appendices being in Part II the Lead Member mentioned that he had to be mindful of the effect on local properties.

Cllr Stretton mentioned that she felt that there should have been some discussion with Members before the report was made public. With regards to the request for £20m she questioned why this was required as the Council already had their property company to purchase properties. She raised concern that there had been no transparency.

Cllr Jones raised concern that there was the proposal to allow a £20m provision to purchase properties before the BLP had been adopted and there needed to be better scrutiny of this process.

With regards to questions regarding the transparency of the report the Lead Member informed that the report had been listed on the Council's Forward Plan and it had only been three months since a related report had been to scrutiny. Cabinet Members were aware of the report and had been part of workshops. The report was also going to Council for discussion.

The Lead Member for Finance, Cllr Saunders, informed that Cabinet had been aware of the proposals and this had included Cllr D Wilson when he had been a Member of Cabinet.

The Panel requested that further discussion be undertaken in Part II with the recommendations being published in Part I.

After a discussion on the Part II elements the following resolution was approved:

**Resolved unanimously: That the Corporate Services O&S Panel considered the Cabinet Regeneration Sub Committee / Council report and fully endorsed the recommendations subject to the following amendments (*in italics*) being accepted:**

- a. Approves the emerging masterplan (Option 1) for the redevelopment of Maidenhead Golf Course *subject to Full Council approval.***
- b. Approves the proposed procurement route (Option 7, Contractual Joint Venture Partnership) *subject to Full Council approval.***
- c. Recommends to Council a capital budget of £20,000,000 be included in the Capital Programme for the acquisition of residential or commercial properties that will benefit future access to the Golf Course development site *subject to Full Council approval.***
- d. Delegate authority to the Executive Director *with* the Cabinet Member for Economic Development and Property to acquire residential or commercial properties that will benefit future access to the Golf Course development site.**
- e. Agrees that in the interim period, any properties acquired can be utilised by RBWM Property Company for rental purposes *for local residents or key workers.***
- f. *The concerns of local ward councillors and residents be noted and that they are fully consulted on future proposals.***
- g. *That the Lead Member for Economic Development and Property liaise with the opposition leader over the report's recommendations with regards to the***

***acquisition of properties that would benefit the Golf Course development site with consideration of the Borough Local Plan timeframe. That the approved recommendation be presented to Council on 30 October 2017.***

**The Chairman thanked the Lead Member, Ward Members and speakers for attending the meeting**

#### LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

Following deliberations of the Part II (Private Meeting) item the Panel returned to Part I (Public Meeting).

#### COMPLIMENTS AND COMPLAINTS ANNUAL REPORT

Jacqui Hurd, Head of Library and Resident Services, introduced the annual report and explained that it covered all complaints received in 2016/17 under the statutory complaints procedures for adults and children's care, as well as the formal procedure for corporate complaints.

The Panel were informed that the authority took complaints seriously and the policy enabled staff the opportunity to receive feedback from customers and lessons learned.

The Panel were informed that the complaints procedure had changed during the course of the time period referred to in the report, the complaints process now consisted of two stages rather than three. Members were informed that the Council aimed to resolve complaints within ten days for stage one and 20 for stage two. The Complaints Team would liaise with a complainant if there were delays to their complaint. It was also explained that a complainant could refer their complaint to the Local Government Ombudsman.

The Panel were informed that 802 complaints had been received, which was a 35% increase from the previous year. One of the reasons highlighted for the increased number of complaints was the improved complaints process and awareness that had been introduced.

Section 4.11 of the report highlighted the themes of the complaints and this included themes of complaints received by directorate. Table five of the report showed the results of the complaints with 55% of complaints being fully or partially upheld.

Appendix A of the report showed complaints received by post code across the UK to the Council, whilst maps 2 and 3 highlighted the location of complaints within the Royal Borough.

The Chairman received reassurance that none of the complaints had been as a result of serious harm to a child or vulnerable adult.

Cllr Ilyas mentioned that it was a good report moving in the right direction especially considering the variety of services provided. Cllr Ilyas asked if residents could provide comments on services and was informed that there were feedback forms.

Cllr Jones mentioned that about 50% of complaints were being dealt with within the timeframe and asked if there had been constraints on improving performance. The Panel were informed that the complaints system used to be manual and that it was now automated with residents being able to track the progress of complaints. Replying to complaints early allowed the team to negotiate with the complainant.

Cllr Quick highlighted the list of activities undertaken by the Council in pages 33-34 of the agenda pack and said residents should be aware of the services supported. The Chairman recommended that he Lead Member put something appropriate in Around the Royal Borough (ATRB).

The Panel noted the report.

## FINANCIAL UPDATE

The Panel considered the latest Cabinet Financial Update report.

The Lead Member informed that there had been little variance between this report and the one considered by the Panel the previous month. The Panel were informed that there had been a review undertaken at the half way stage in the year to determine the accuracy of forecasts for the year-end balance had confirmed that £2m of funds would remain unspent as a buffer. Issues may arise throughout the remainder of the year such as additional child placements which could be expensive.

Cllr Jones questioned section 4.14 of the report where it showed a £60,000 shortfall of the Guildhall. The Panel were informed that the Chairman had requested a report on this at the Panels next meeting.

The Lead Member informed that in November all overview and scrutiny panels would be receiving a report on the budget preparation. Corporate Overview and Scrutiny Panel would receive the full report whilst the other Panels would receive sections related to their remit. The report would include draft fees and charges, capital expenditure and savings. It was noted that there may be movement in the final budget build.

The Chairman mentioned that all Members were welcome to attend the Panel's meeting as they would be considering the report in its entirety.

Resolved unanimously: that the Corporate Services O&S Panel considered the Cabinet report and fully endorsed the recommendations. The Chairman thanked the Lead Member for attending the meeting.

## LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

The meeting, which began at 6.30 pm, finished at 9.30 pm

CHAIRMAN.....

DATE.....