

INFRASTRUCTURE OVERVIEW & SCRUTINY PANEL

TUESDAY, 16 JUNE 2020

PRESENT: Councillors John Baldwin, Christine Bateson, Jon Davey (Vice-Chairman), Julian Sharpe and Gurch Singh (Chairman)

Also in attendance: Councillor Gurpreet Bhangra, Councillor John Bowden, Councillor Mandy Brar, Councillor David Cannon, Councillor David Coppinger, Councillor Ewan Larcombe, Councillor Ross McWilliams, Councillor Helen Price, Councillor Samantha Rayner and Councillor Simon Werner

Officers: Tracy Hendren, Chris Joyce, Shilpa Manek, Russell O'Keefe and Fatima Rehman

APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Cllr Davey nominated Cllr Singh to be Chairman, which was seconded by Cllr Baldwin. Cllr Bateson nominated Cllr Sharpe to be Chairman, which was seconded by Cllr Singh. As two nominations for Chairman had been received, a named vote was taken.

Appointment of Cllr Singh as Chairman (Motion)	
Councillor John Baldwin	For
Councillor Christine Bateson	Against
Councillor Jon Davey	For
Councillor Julian Sharpe	Against
Councillor Gurch Singh	For
Carried	

RESOLVED; That Cllr Singh be Chairman of the Infrastructure Overview and Scrutiny Panel for the municipal year 2020/21.

Cllr Davey nominated himself to be Vice Chairman, which was seconded by Cllr Baldwin. Cllr Sharpe nominated himself for Vice Chairman, which was seconded by Cllr Bateson.

Appointment of Cllr Davey as Vice-Chairman (Motion)	
Councillor John Baldwin	For
Councillor Christine Bateson	Against
Councillor Jon Davey	For
Councillor Julian Sharpe	Against
Councillor Gurch Singh	For
Carried	

RESOLVED; That Cllr Davey be Vice Chairman of the Infrastructure Overview and Scrutiny Panel for the municipal year 2020/21.

APOLOGIES FOR ABSENCE

None.

DECLARATIONS OF INTEREST

None.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 12th March 2020 be approved as a true and correct record.

Q3 AND Q4 OF 2019/20 PERFORMANCE UPDATE REPORT

The Panel received a verbal update on the Q3 and Q4 Performance Update Report by Russell O'Keefe, Executive Director.

The report set out the key performance measures relevant to the Panel's remit up until the end of the financial year, with eight performance measures, five of which met or exceeded targets.

Cllr Baldwin queried how many expected affordable houses were to be completed in the previous financial year, how many were completed, and when the uncompleted houses would be completed in this financial year. The Panel were informed there were no affordable houses due to be completed on the regeneration site during this period and York Road was not due to be completed in the financial year.

Cllr Davey asked if new indices were used considering the change in economic environment caused by Covid-19. Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth, informed the Panel that a new economic development strategy as part of the economic recovery strategy was to be implemented.

Cllr Sharpe queried the outcome of the overall report and the performance indicated for the Council. The Panel were informed that the services overall were working well. The planning performance was at the top quartile performance, in comparison to four years ago, where the Council was at bottom quartile performance. Housing services had improved over the last few years and the Council had secured good schemes within regeneration and development. Whilst Covid-19 had an impact on-site, nothing could be done about this, however developments on York Road had restarted with social distance measures in place.

The Panel were advised that more work was needed to be done in town centres to reimagine how the economy needed to prosper in the new environment. The strategy to reopen the town centre was working well, with shoppers queuing early to visit stores whilst adhering to social distancing rules. A place recovery plan would be required to revive town centres as social arenas with activities and events rather than just shops, by working with business communities and partners.

Cllr Rayner - Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor; Armed Forces Champion, informed the Panel that the Council had and should continue to work closely with partners and local shops to ensure they survive. Highstreets were changing and Covid-19 had exacerbated this change.

Cllr Bateson asked where vehicles from the station forecourt would go and the Panel were informed, they were due to be relocated to Stafferton Way.

Cllr Brar asked if there were any other sites where there would be affordable housing, apart from York Road. The Panel were informed that all the regeneration sites were based on planning policy compliance and thus would have affordable housing were applicable. The next regeneration site that was due to come forward in the Autumn was St Claire's Way. Some small sites were 100% affordable housing, which were being reappraised to assess their viability due to the impact of Covid-19.

Cllr Baldwin asked to what extent developers would be able to avoid affordable housing development by using valuations, the benefit of paragraph 57 of the MPPF on applications, and when the revised version would be in effect.

The Panel were informed that the policies were the most up-to-date national policies and MPPF as part of the development plan, alongside the adopted local plan and neighbourhood plans. The Council's land value was high, but there were examples of developers who applied different approaches to how appraisals and viability were calculated. Therefore, the changes would help in that regard.

Cllr Bowden reminded the Panel that Windsor town centre's shopping area was divided into three areas; Windsor Royal Station, King Edward court/Windsor yard and Peascod Street. The former two areas were private thoroughfares and the Council could not dictate the ownership as it was let by asset managers. Prior to Covid-19, shops such as Lakeland closed due to an increase in online shopping and there was limited ability in what could be done.

Cllr Bowden said Peascod Street was a pedestrian-only zone with no cyclists allowed either way and therefore could not be made two-way as part of the recovery plan. Windsor was reliant on tourists, which would be nil until Windsor castle reopened, and there was a lack of space for traffic in Eton town high street due to gasworks resuming since Covid-19.

Cllr Sharpe agreed with Cllr Bowden and said his visit to Peascod Street highlighted the difficulty to sustain a two-metre social distance due to the layout of the town.

Cllr Bowden said outside spaces that were licensed to have chairs and tables would have reduced capacity until the Covid-19 restrictions subsided. This would affect the café culture and three public houses that had outside spaces available on the pavement that would need to be reduced.

Cllr Knowles agreed with Cllr Sharpe and Bowden and addressed a suggestion made online about temporary restrictions of traffic in the central town to maintain social distancing near the river.

The Chairman asked what was done with money received in Windsor, any further details on the activation fund and if there was any relaxation on outdoor licensing. The Panel were informed that a range of measures were in place for the reopening of town centres as safely as possible, funded by the government's high street fund. Positive feedback was received from the police and staff, with people correctly socially distancing.

The Panel were informed that the first phase of reopening non-essential retail stores in town centres was to promote the local area for local people, which was expected to have a small increase in footfall. The second phase of recovery plans would need further development as part of the lockdown restrictions being lifted, which would promote destination visitors and open the domestic tourism market.

Cllr Sharpe said the lack of tourists because with Royal Ascot taking place behind closed doors had a detrimental impact on the local economy. He wanted to ensure Royal Ascot could take place as usual next year and wanted to keep people fit and healthy in the next twelve months.

Action points:

- Clerk to add the Place Recovery Strategy and a report on all the affordable housing in the Borough in the Work Programme
- Chris Joyce to send Panel Members the economic development and recovery strategy.
- Russell O'Keefe to inform the Panel of the number of affordable houses within the Borough.

The Panel noted the item.

CIL REVIEW - PROGRESS UPDATE REPORT

The Panel received a verbal update on the Community Infrastructure Levy (CIL).

Chris Joyce informed the Panel that CIL was introduced to simplify the system of developer contributions and was applied to any development over 100m², with various exemptions and relief that could be applied. The Borough introduced CIL in September 2016 on residential development and some charges on large retail warehousing. All the money so far had been related to residential development.

The Borough has three charging zones. At the time of the CIL examination, the viability of development in Maidenhead town centre was not able to justify a CIL charge for development, due to higher costs of development. The levy could be used flexibly across infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities.

The estimated income of CIL was £2-3million annually, which has been allocated to support the Council's Capital Programme, based on the principles of how CIL funding would be allocated agreed through a paper that went to cabinet.

Cllr Baldwin asked for the evidence that supported the costs of the brownfield sites in Maidenhead town centre to be unviable for CIL. The Panel were informed that the Council had decided there was insignificant evidence to justify a CIL charge, as it was charged on an area-wide basis rather than individual site basis. It needed to be proven that developments across the whole town centre could afford the CIL charge. The cost and time required to reintroduce a new CIL charging schedule was challenging, so the pragmatic approach was to adopt S106 site-by-site in order to collect the appropriate levels of contribution, whilst the evidence was being reviewed.

Cllr Baldwin asked what percentage of developer's contribution from the Council had funded the improvements of Maidenhead's town centre. The Panel were informed that no CIL had been allocated to the Capital Programme and had only started this year, with CIL and other funding used to fund infrastructural needs across all the Borough.

Cllr Baldwin asked if the Council was in receipt of 100% of CIL contributions from unparished areas where there were no adopted local plans or neighbourhood plans. This was confirmed to the Panel, but CIL was allocated separately in the finance system. 75-85% of the CIL was allocated to the Borough's central pot, with neighbourhood portions available in the finance system for Maidenhead and Windsor. There was a responsibility to ensure the CIL was spent in the local areas, irrelevant of whether they were parish areas or not.

Cllr Sharpe asked how the Council ensured CIL money was utilised in best possible way, as it was spread across developments across the Borough. The Panel were informed that capital investment and CIL should be integrated so that the most beneficial and value for money schemes could be identified.

Cllr Davey said S106 should be deployed if CIL could not be applied on the £400 million Areli Real Estate plan development in the town centre. The Panel were informed that the application was verified on the week of the meeting and therefore S106 was not yet agreed. The Council had secured significant value for its land, in line with an independent evaluation and S123 report. The Panel were informed that further discussion could be taken offline.

The Chairman asked if S106 was placed across the entire Borough, the Panel were informed it was, and was negotiated with the developer to secure contributions in accordance to the scale of the development.

Cllr Bateson asked what the priorities for CIL were in Maidenhead and the Panel were informed of the following principles:

- Enable delivery of the Infrastructure Delivery Plan
- Delivery of Council's Strategic Objectives or Policies
- Ability to leverage other funding
- Offer local benefits and have local support

- Have a clear delivery and ongoing maintenance plan

Cllr Bateson asked if 25% CIL was only given to areas when the neighbourhood plans were in place, and why the percentage of CIL received without a neighbourhood plan was 15% instead of the supposed 17.5%. It was confirmed that 25% CIL could only be applied once the neighbourhood plan was in place and CIL had always been 15% for areas without neighbourhood plans.

Cllr Price asked about updates on the CIL Task & Finish Group (T&FG) and the Panel were informed that this had been approved but not yet set up.

Cllr Bowden asked if a flat to rent incurred CIL or S106, as no monies were collected for the Imperial House planning application on Alma Road for an office block and flats. The Panel were informed that flats that qualified as affordable housing did not qualify for CIL, irrespective of being to buy or to rent. This planning application was to be picked up offline by Chris Joyce.

Action points:

- The presentation to be sent to the Panel.
- The Panel to be sent the original research in 2016 regarding CIL rates, any intermediate research, and the current research undertaken.
- Chris Joyce to investigate CIL on the Imperial House planning application on Alma Road for Cllr Bowden.

The Panel noted the update.

HOMELESSNESS STRATEGY

The Panel received a presentation by Tracy Hendren, Head of Housing and Environmental Health, on the refresh of the Homelessness strategy.

The Panel were informed that the proposed recommendations to Cabinet included the title change from Homelessness Strategy 2018-2023 to Homelessness and Rough Sleeping Strategy 2018-2023, and to build on the five key priorities. This included:

- To continue to deliver against the actions that are still relevant.
- Removing the actions that have been delivered from the updated action plan, and
- Implementing new actions emerging from the focus group, feedback responses and emerging trends. This was Covid-19, temporary accommodation, partnerships, forums, alternative giving, protocols, scorecards, funding and service mapping.

Reviewing the strategy and implementing a rough sleeping strategy was in adherence to the Homelessness Act 2002 and MHCLG Rough Sleeper Strategy 2018.

The Panel were informed of the key messages that came from a survey sent to all councillors and partners of RBWM, which included:

- 93% of respondents thought the five priorities were correct.
- 87% of respondents would have liked to be actively engaged in the strategy moving forward.
- 50% of respondents thought there needs to be additional priorities.

The Panel were informed that the new IT system allowed customer feedback.

Cllr McWilliams - Lead Member for Housing, Communications and Youth Engagement, informed the Panel that over 50 people were counted as rough sleeping in 2020 had all been housed, as well as hundreds of others that required temporary accommodations due to Covid-19.

Cllr Sharpe asked what the underlying ethos, methodology and techniques were being used to ensure best practice. Tracy Hendren said her previous roles included being the Team Leader

for the national HMCO specialist advisor team that gathered good practice and evidence of success across the country for five years. She also led the only national homeless conference in the country for local authorities and partners to share good practice.

Cllr Bowden asked what could be done to ensure homeless people would seek employment and housing. Cllr McWilliams informed the Panel that force could not be used, but individuals should instead be ensured access to the support services available. Some rough sleepers in Windsor had an affinity to the town and therefore did not want to relocate in the wider Borough. It was important to expand the temporary housing stock across the Borough, and the Council was in conversation with Windsor Christian Action about expanding sheltered accommodation, day centres and other services. He said that one solution did not fit all.

Cllr McWilliams informed the Panel that a giving scheme that was being pursued which was a long-term funding system where residents, tourists and visitors could donate via cash or contactless to local charities and other partners that support the rough sleeper pathways.

Cllr Davey asked how the findings of the homeless T&FG inputted into the strategy. Cllr McWilliams informed the Panel that the purpose of the T&FG was to examine best practice through evidence from partners and other boroughs. Cllr Price said there was no output of the T&FG.

Cllr Davey asked how local groups were supported to find funding. Cllr McWilliams informed the Panel that central government would give additional grant funding for homeless charities that had been financially hit due to Covid-19. The Council met with partner organisations, voluntary sector organisations and Town Centre Manager regularly through meetings.

Cllr Davey asked why the name of the strategy was changed but not the date. Cllr McWilliams informed the Panel that this was a refresh rather than a change of strategy.

Cllr Bateson asked for clarity in the findings of the forums. The Panel were informed that 50% of respondents agreed that the five priorities were correct with a need for other priorities to be considered. After investigation, these priorities were in fact actions that sat within the five priorities.

Cllr Bateson asked what happened when homeless patients were discharged earlier than expected from hospitals. The Panel were informed there was a service level agreement and referral route for information to be shared with the Council in advance of a resident being homeless, so they could go to their previous or new accommodation. Specified public bodies and wider partnerships agencies could also make referrals to the local authority as soon as they knew someone was at risk of being homeless.

Cllr Price said she presumed a large surge in homelessness would occur due to Covid-19 and asked if this was considered when the action plan was formulated, including the financial implications. Cllr McWilliams informed the Panel that extra funding would be raised to central government for this year and on a longer-term basis. The Council was building capacity of temporary accommodation by renting properties from landlords at a Local Housing Allowance rate for a specified period.

The Panel were informed of three specific actions within the strategy which included the potential to implement a mediation service, review the private rented sector scheme and improve the quality of information available on housing options.

Cllr Price asked why there were no Key Performance Indicator (KPIs) figures in the report. The Panel were informed that KPIs would be related to actual service, and corporate KPIs could be used. The start of the scorecard was highlighted in the agenda pack which would show the number of households that came into the service, were successfully prevented from homelessness, went into relief and were housed in temporary accommodation.

Cllr Price said she wanted to see the statistics to have incorporated overcrowding in social housing providers, which was a large proportion of residences. The Panel were informed there was a transfer list where tenants could apply for accommodation due to overcrowding and health issues, and a housing register for non-tenants.

Cllr Price said she was concerned that a property was not secured in Windsor for rough sleepers. Cllr McWilliams informed the Panel that the services were for all residents in the Borough and most residents in John West house were from Windsor. A meeting had taken place with Windsor Christian Action about an integrated support service, with the potential to increase capacity for shelter accommodation in Windsor. It was important to encourage people to the service, increase the temporary accommodation capacity to provide units closer to Windsor, and support residents closer to their support networks.

Cllr Price said there could be an opportunity to find suitable accommodation at a reasonable price due to Covid-19. The Panel were informed the Council was looking to find accommodation in the Borough and had been successful in finding an increase in supply of temporary and additional accommodation.

Cllr Price asked if there was a need for More than a Shelter, that ran last winter, and if this was needed, to let them know soon so they can plan for this.

Cllr Price asked if both female and male rough sleepers would be given the same opportunity of choice, as one female rough sleeper was not assured a place in John West House because of her personal safety and was then housed in Slough. The Panel were informed that the Council was looking for accommodation for both male and female rough sleepers in and out of the Borough.

Cllr Price said the Brett Foundation did not receive an email invite to the forum, who worked with a hundred residents and should have been brought into the scheme. Cllr McWilliams informed the Panel that all means of communication were used to have all partners on board.

Cllr Sharpe asked if any initiatives would take place in Ascot, how Ascot residents could tap into the facilities in Windsor and Maidenhead and requested Ascot to be mentioned in the report. Cllr McWilliams informed the Panel that all services across the Council were available to any resident who needed the support.

Cllr Baldwin wanted clarification on the Equality Impact Assessment, with six of the nine protected characteristics seeming to be a sweeping statement, such as gender reassignment and sexual orientation. The Panel were informed this would be reviewed to reflect that the service is set up to support and engage all households.

Cllr Baldwin asked why there was a long delay in launching the prison released protocol in March 2021, given the good national examples available. The Panel were informed that the launch of the protocol was December 2020 rather than March 2021.

Cllr Brar asked if there was anything in place for residents who would become unemployed, lose their homes due to the inability to pay for their mortgage, required food and financial support. The Panel were informed that residents could approach the Council and food banks and were provided with general and bespoke assistance.

The Chairman thanked Tracy Hendren and Cllr McWilliams for attending and the Panel noted the item.

Action points –

- Cllr McWilliams to get in touch with the Brett Foundation.
- Tracy Hendren to mention Ascot in the report.
- Tracy Hendren to review the Equality Impact Assessment.

WORK PROGRAMME 2020/21

The Panel considered the Work Programme for the next municipal year.

The Chairman wanted CIL and homelessness T&FGs to be added to the Work Programme, as well as housing solutions, and inviting Radian to the Panel.

Cllr Baldwin said there were legacy issues with items that were not carried over on the Work Programme, which included:

- A review after a call-in for the changes in traffic flow on Queen Street Junction
- A review on street lighting with regards to resident security
- Bus routes frequency and availability
- Waste and recycling and the work done by plastic free Windsor, which was topical due to the climate emergency
- Junction improvements
- The Cycling Action Plan, which was topical and goes to the sustainability of our communities

Cllr Baldwin said he would like a T&FG to look at ways developer's contribution could be maximised, such as financial contributions or housing units.

Cllr Price suggested for the new homelessness strategy progress to be monitored in this panel, as well as the minutes and progress from the Homelessness Forum to be reported back.

Cllr Sharpe suggested to take up issues as they progress throughout the year rather than adding additional work that would create backlog in the system.

Cllr Davey said there were several topical areas to cover and would like more than three meetings a year.

Cllr Davey and the Chairman asked if co-optees could be added to the panel and what the process was. The Panel were informed that an email would be circulated after checking the Constitution.

Cllr Larcombe asked to look at the local flood risk management strategy produced in 2014 and has not been implemented. The Chairman said this could be considered in the Work Programme.

Action points:

- Clerk to add items mentioned to the Work Programme as suggested but not yet programmed
- Clerk to share the process of adding co-optees to the Panel and invite Radian
- Clerk to add an additional meeting to discuss the Work Programme and T&FG.

The Panel noted the work programme.

ANNUAL SCRUTINY REPORT

The Panel were informed that the report would be shared at the next Council meeting and were asked for agreement to the report.

Cllr Davey said he was reassured the panel was on the right path and addressed areas of the report and appendix.

Cllr Baldwin asked for reports for Panels to be made available well in advance of meetings.

Cllr Price said item 6.1 did not reflect what happened in the T&FG, as nothing was done and there was no direction. The Chairman asked for this to be noted and to overcome these issues in the future.

Action points –

- Clerk to reflect in the annual scrutiny report that no outcomes came from the homelessness T&FG.
- Officers to ensure reports are delivered to the Panel in advance of the meeting.

The Panel agreed to the report, subject to the amendment to 6.1.

The Chair thanked the panel and officers.

The meeting, which began at 6.15 pm, finished at 9.14 pm

CHAIRMAN.....

DATE.....