

# Public Document Pack

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's [web site](#) or contact **Head of Governance: Karen Shepherd: 07766 778286**

**Recording of Meetings** – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting

**TO: EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD**

YOU ARE HEREBY SUMMONED TO ATTEND the Extraordinary Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held at the **Holiday Inn, Manor Lane, Maidenhead, SL6 2RA** on **Tuesday, 29 June 2021 at 7.00 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 21 June 2021



Duncan Sharkey  
Chief Executive

*Rev Stileman will say  
prayers for the meeting*

## **A G E N D A**

### **PART I**

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest  
(Pages 5 - 6)

3. **PUBLIC QUESTIONS**

*The deadline for public questions (directly relating to an item on the agenda) is 12noon on Thursday 24 June 2021.*

*For information contact [Karen.shepherd@rbwm.gov.uk](mailto:Karen.shepherd@rbwm.gov.uk) or 07766 778286*

*(The Council will set aside a period of 30 minutes to deal with public questions, which*

*may be extended at the discretion of the Mayor in exceptional circumstances. The Member who provides the initial response will do so in writing. The written response will be published as a supplement to the agenda by 5pm one working day before the meeting. The questioner shall be allowed up to one minute to put a supplementary question at the meeting. The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. A Member responding to a supplementary question will have two minutes to respond).*

4. DEVELOPMENT MANAGEMENT PANEL REVIEW

To consider the above report  
(Pages 7 - 22)

5. WINDSOR NEIGHBOURHOOD PLAN ADOPTION - FORMAL MAKING OF THE PLAN

To consider the above report  
(Pages 23 - 30)

6. MEMBER ATTENDANCE - DISPENSATION

To consider the above report  
(Pages 31 - 34)

7. REFERRALS FROM OTHER BODIES

To consider referrals from other bodies (e.g. Cabinet)

i) HOUSING STRATEGY 2021-26: BUILDING A BOROUGH OF OPPORTUNITY AND INNOVATION

To consider the above report  
(Pages 35 - 90)

ii) STATEMENT OF LICENSING POLICY - FIVE YEAR REVIEW

To consider the above report  
(Pages 91 - 120)

iii) 2020/21 ANNUAL REPORTS FROM THE OVERVIEW AND SCRUTINY PANELS

To consider the following recommendation:

**RECOMMENDATION: That full Council notes the 2020-21 annual reports of the four Overview and Scrutiny Panels.**

(Pages 121 - 144)

## COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Seconded has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
  - Amendment must be seconded BEFORE any debate can take place on it  
  
(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
  - Amendment debated (if required). Members who have spoken on the original motion are able to speak again in relation to the amendment only
  - Vote taken on Amendment
  - If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
  - If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).
- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
  - At the conclusion of the debate on the Motion, the Mayor shall call for a vote. Unless a named vote is requested, the Mayor will take the vote by a show of hands or if there is no dissent, by the affirmation of the meeting.
  - If requested by any **5** Members the mode of voting shall be via a named vote. The clerk will record the names and votes of those Members present and voting or abstaining and include them in the Minutes of the meeting.
  - Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting

*(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)*

## **Closure Motions**

a) A Member who has not previously spoken in the debate may move, without comment, any of the following Motions at the end of a speech of another Member:

- i) to proceed to the next business;
- ii) that the question be now put to the vote;
- iii) to adjourn a debate; or
- iv) to adjourn a meeting.

b) If a Motion to proceed to next business is seconded, the Mayor will give the mover of the original Motion a right of reply and then put the procedural Motion to the vote.

c) If a Motion that the question be now put to vote is seconded, the Mayor will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

d) If a Motion to adjourn the debate or to adjourn the meeting is seconded, the Mayor will put the procedural Motion to the vote without giving the mover of the original Motion the right of reply

## **Point of order**

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of the Council Rules of Procedure or the law. The Member must indicate the procedure rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

## **Personal explanation**

A Member may make a personal explanation at any time with the permission of the Mayor. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the requirement of a personal explanation will be final.

## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

This page is intentionally left blank

Report Title:	<b>Development Management Panel Review</b>
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead
Meeting and Date:	Extraordinary Full Council 29 June 2021
Responsible Officer(s):	Adrien Waite, Head of Planning
Wards affected:	All



## REPORT SUMMARY

This report sets out recommendations as to how the Council’s Development Management Panel should be structured and related changes to the Council’s Constitution. Following discussions with the Working Group, it is recommended that North area and South area committees are formed.

Alternative options have been explored, and it is recommended that associated risks are monitored and a review report is brought forward in 2022 so that the impact of the committees can be reviewed.

### 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Full Council notes the report and:

- i) Delegates authority to the Monitoring Officer to amend the Constitution from 1<sup>st</sup> August 2021 as set out:**
  - a. in Appendix A to establish a North Area and a South Area Committee to take effect**
  - b. in Appendices B and C to amend details of speaker’s rights and require Members of the Committees to undertake annual training**
- ii) Requests the Head of Planning to bring a report reviewing these new arrangements to Full Council by June 2022**
- iii) Requires Group Leaders to inform the Monitoring Officer by 19 July 2021 of those Members and substitutes from their respective Groups to be appointed as the Members and substitutes of the North Area and South Area Committees**

### 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

#### Options

**Table 1: Options arising from this report**

Option	Comments
Establish a single Royal Borough Development Management Committee to meet on a monthly basis	Single committee makes the most efficient use of council resources whilst reducing risk of inconsistent decision making.

Option	Comments
	A single committee reduces public perception of local accountability of decision makers.
<p>Establish two Development Management Committees covering northern and southern wards of 9 Members each to meet on a monthly basis</p> <p><b>This is the Recommended Option subject to monitoring and review.</b></p>	<p>Two committees increases risk of inconsistent decision making and creates an additional burden on resources in Planning and Democratic services.</p> <p>Two committees create greater local accountability for Members and residents.</p>

### Background

- 2.1 In May 2020, Full Council agreed to establish a single Development Management Panel in light of lockdown restrictions and the need to ensure smooth running of virtual meetings. This was extended in December 2020 given the on-going restrictions.
- 2.2 The temporary legislation allowing for virtual meetings expired in May this year. Following that, it was agreed that the review of the Development Management Panel arrangements would be brought to an extraordinary Full Council on 29<sup>th</sup> June 2021.

### Working Group

- 2.3 Following the Full Council meeting in December 2020, a Working Group was established to discuss the future arrangements for Planning Committees within the Borough. The group consisted of Borough and Parish Councillors. The group agreed the following as its purpose:

*To review future arrangements for Development Management Panels and associated procedures based on the following principles:*

- *Ensure defensible and sound planning decisions which support placemaking agenda*
- *Ensure public visibility and transparency of the decision-making process on applications of local significance and strategic importance giving public confidence in the decisions*
- *Ensure public engagement in and understanding of the process*
- *Ensure robust and simple procedures which can be adaptable to changing circumstances and are accessible*

- 2.4 These reflect the main themes and concerns that were expressed by the Working Group and that it was felt any future arrangements should seek to address.
- 2.5 Whilst this report is the recommendation of the Head of Planning, the views of the Working Group have been fully considered in reaching that recommendation.



- 2.6 The majority of the Working Group do not consider that a single committee covering the whole Borough should be established on a permanent basis. The principal concern of the group is that this would not allow for local residents to hold the decision makers accountable through subsequent democratic processes. In addition, it is considered important that there is sufficient knowledge of local context and issues for the different areas of the Borough represented by the membership of the Committee. The view is that a single committee would take decisions further away from local people affected by them.
- 2.7 As part of the Group's discussions, different alternatives were discussed but these were not considered to address the principal concerns of the Group. The majority of the Group therefore is of the view that two separate committees covering northern and southern wards should be established.
- 2.8 The risks raised by two committees were also discussed. These were not considered by the Group to outweigh their principal concern with decisions being made by a single committee.

### **Comparison with Other Authorities**

- 2.9 As part of the working groups discussions we looked at the panel or committee structures in the other five Berkshire authorities. All but West Berkshire operate a single planning committee. It is worth noting that West Berkshire is significantly larger in area than all the other Berkshire authorities – more than three times the size of the Royal Borough.
- 2.10 The nature of applications referred to committee in the other Berkshire authorities reflects those in the Royal Borough's constitution. Predominantly the committees deal with major applications and those which have been called in by Councillors.
- 2.11 The number of members in committees of neighbouring authorities range from 9 to 18.

### **Alternatives Considered**

- 2.12 From the discussions with the Working Group two main alternatives emerged; a single committee or two committees reflecting the different areas of the Borough..

#### Single Committee

- 2.13 The current single Royal Borough Development Management Panel has been operating since June last year. It has met 13 times with the two most recent meetings being held in person. In that time it has considered 40 applications. The vast majority of these were applications for Major development.

- 2.14 The main benefit of a single committee is that it allows for greater consistency in decision making as the same group of members are involved in all decisions to be taken by the Committee. This reduces the risk of different interpretations of policy or any misunderstandings of policy resulting in inconsistent decisions being taken for similar applications in different parts of the Borough. Inconsistency in decision making undermines the robustness and defensibility of decision which can lead to increased losses at appeal and even costs awarded against the Council.
- 2.15 In addition a single committee ensures consistency in running the meetings as there is a single Chairman responsible for issues arising. Furthermore, administering a single committee is a more efficient use of officer resource and time. This will enable Planning officers to undertake more of the “value” add tasks, such as pre-application engagement, that ultimately result in better placemaking for the Borough and its residents. Running two committees on a monthly basis places additional burdens on resource in Planning Support services and in Democratic Services who will need to publish agendas, manage speaker registration and clerk both meetings.
- 2.16 The most significant criticism of a single committee is that it does not allow the decision makers to be held accountable by those affected by their decisions through the democratic process. The perception is that decisions are taken by members who do not necessarily have significant local knowledge or understanding of local context. It must be emphasised that members make decisions on planning applications as the Local Planning Authority and not as ward members. Their decision must be based on planning policies and other material planning considerations. Where local context is a relevant planning consideration, this will be set out in the application documents and officers report. Members can also visit sites to familiarise themselves with the local area prior to making a decision.
- 2.17 A larger single committee was discussed with the Working Group who felt that this would not address the core issue of local accountability and the public perception of it. Officers would note that in a two committee system not every ward is represented at Committee and so there is always the risk of local people not being able to hold decision makers accountable.
- 2.18 It is acknowledged that the original change agreed by Full Council was predominantly on the basis of lockdown restrictions and the need for virtual meetings. This has fallen away and in-person meetings are now being held. A benefit of the virtual meetings has been increased public engagement with greater numbers watching meetings via web broadcasts.

### Two Committees

- 2.19 The main alternative to the option discussed above was to establish two committees similar to the Maidenhead and Windsor Panels which were replaced last May.
- 2.20 This is the preferred option of the Working Group. It is also noted that an e-petition is currently gathering signatures seeking this which has 187 signatures at time of writing. It is anticipated that the e-petition will be formally submitted

to the Council prior to the Extraordinary Full Council meeting on 29 June 2021. It is considered by the Working Group that two committees create greater accountability by virtue of decisions being taken at a more local level to those that would be most affected by them. As noted above, it is nonetheless important that members take decisions only based on relevant material planning considerations. Decisions which take into account other factors could be open to challenge.

- 2.21 Two committees increase the risk of inconsistent decisions being made between the committees where policies are applied differently by different decision makers. In addition is the risk that processes, such as when to give speakers additional time or allow additional speakers, could be handled differently by different chairmen. This risk would need to be mitigated by requiring mandatory annual training for all members prior to them being able to sit at a meeting. For the purposes of membership for the new committees meeting from August 2021 onwards, the current training requirement as set out in the constitution (Part 2 C29.4) would apply with the mandatory annual training requirement from October 2021.
- 2.22 There would also need to be reflective learning shared between the committees so that lessons could be learnt from decisions taken and related planning appeal decisions as well. Mandatory training including a review of decisions taken would be recommended for a single committee as well to ensure best practice. Monitoring would take the form of providing quarterly report to each committee on the decisions made by the other and reasons for them to enable shared reflective learning and mitigate risk of inconsistencies. A quarterly report would also be presented on any appeal decisions where decision has been taken by committee to allow lessons to be learnt from Inspector's decisions.
- 2.23 Preparing agendas and supporting the running of two committees places an additional burden on resources in Planning and Democratic services. The additional burden will reduce the time that Planning officers can put towards other work, in particular pre-application engagement. It is noted that the current terms of reference agreed in May 2020 by Full Council has reduced the number of cases that are referred to committee which would result in shorter agendas.

### **Recommendation and Conclusion**

- 2.24 The initial basis for the change agreed by Full Council in May 2020 was predominantly the impact of lockdown restrictions and the need to ensure smooth operation of virtual committees. Whilst some restrictions remain, decision-making meetings have now returned to being held in-person and the necessity for the original change has been removed. However, the government have issued a call for evidence on the possibility of further legislation to allow remote meetings in future.
- 2.25 The running of the single panel for the last year has brought a number of benefits:
- Reduced risk in decision making ensuring defensible and sound decisions

- More efficient use of Council resources
- Increased transparency with greater public engagement through internet broadcast of meetings

2.26 With these in mind and having also considered the views of the Working Group, as the original basis for moving to a single committee is no longer required it is recommended that two committees are established alongside monitoring over the next year with an update and review to be brought to Full Council by June 2022. It is suggested that these changes take effect from 1<sup>st</sup> August 2021 to allow necessary lead in time for meeting set up and preparation of reports.

2.27 The following is therefore recommended:

- Amend the Constitution to remove the Royal Borough Development Management Panel and establish two area planning committees:

South Area covering Sunningdale & Cheapside; Ascot & Sunninghill; Old Windsor; Datchet, Horton & Wraysbury; Eton & Castle; Clewer East; Clewer & Dedworth West; Clewer & Dedworth East;

North Area covering Hurley & Walthams; Cox Green; Oldfield; Boyn Hill; St Mary's; Belmont; Riverside; Furze Platt; Pinkneys Green; Bisham & Cookham; Bray

- Both committees to have 9 members respectively in line with political balance
- All members required to attend annual training in order to sit on an area committee
- Head of Planning to undertake monitoring of decisions and relevant appeal decisions to provide update reports to both Committees.

### **Other recommended changes**

2.28 It is also recommended that the following changes are made irrespective of the number of committees.

2.29 Changes are recommended to require that written copies of proposed speeches to the Committee should be submitted by 5pm on the day of the meeting and not at the time of registering to speak.

2.30 It is proposed to require those wishing to speak to register by 12pm two working days before the meeting. This is to ensure there is time to liaise with multiple parties in the event there is more than one person wishing to speak.

2.31 It is proposed to increase the time allowed for Parish or Town Council representatives to address the Committee to 3 minutes, in line with the time allowed for other speakers.

### 3. KEY IMPLICATIONS

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
North and South area committees established subject to monitoring and review	North and South area committees established without monitoring and further review	Recommended changes made	N/A	N/A	1 August 2021

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 Establishing two committees would require two Chairmen each receiving a special responsibility allowance of £6230 which would be an increase on the allowances paid out since May 2020.
- 4.2 Report, agenda and minute production for two committees would mean increased officer time from Planning Services, Legal and Democratic Services and technical consultees who attend committees from time to time. Terms of reference agreed in May 2020 has mitigated this by reducing the number of cases on agendas.

### 5. LEGAL IMPLICATIONS

- 5.1 To facilitate proper decision making under powers given to the Planning Authority under s70 Town and Country Planning Act 1990.

### 6. RISK MANAGEMENT

**Table 3: Impact of risk and mitigation**

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Inconsistent and unsound decision making	High	Recommended monitoring report to be produced and shared with both committees	Medium

		Mandatory training for members to sit on committee	
--	--	--	--

## 7. POTENTIAL IMPACTS

- 7.1 Equalities. None identified. Equality Impact Assessments are published on the [council's website](#).
- 7.2 Climate change/sustainability. If meetings continue in their current format, where some officers, non-committee Members and members of the public can attend virtually, the impact of the introduction of a second committee would be mitigated by the overall reduction in journeys for these individuals.
- 7.3 Data Protection/GDPR. None identified.

## 8. CONSULTATION

- 8.1 Options have been raised and discussed with members of the Working Group.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The full implementation stages are set out in table 4.

**Table 4: Implementation timetable**

Date	Details
19 <sup>th</sup> July 2021	Group Leaders to nominate Committee Members and Substitutes
1 <sup>st</sup> August 2021	Amendments to constitution to take effect
4 <sup>th</sup> and 18 <sup>th</sup> August 2021	First meetings of North and South area committees

## 10. APPENDICES

- 10.1 This report is supported by two appendices:

- Appendix A – Proposed amendments to Part 6 of the Constitution
- Appendix B – Proposed amendments to Part 7 of the Constitution
- Appendix C – Proposed amendments to Part 2 of the Constitution

## 11. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Coppinger	Lead Member for Planning, Environmental Services and Maidenhead	17/06/21	17/06/21
Duncan Sharkey	Chief Executive	17/06/21	17/06/21

Adele Taylor	Executive Director of Resources/S151 Officer	17/06/21	
Andrew Durrant	Executive Director of Place	16/06/21	16/06/21
Kevin McDaniel	Executive Director of Children's Services	17/06/21	
Hilary Hall	Executive Director of Adults, Health and Housing	17/06/21	17/06/21
Andrew Vallance	Head of Finance	17/06/21	
Elaine Browne	Head of Law	17/06/21	
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	17/06/21	
Nikki Craig	Head of HR, Corporate Projects and IT	17/06/21	17/06/21
Louisa Dean	Communications	17/06/21	
Karen Shepherd	Head of Governance	17/06/21	18/06/21

## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Council decision	No	No

Report Author: Sian Saadeh Development Management Service Manager
---

## Appendix A – Terms of Reference for Development Management ~~Panel~~Committees

### B1 ~~Royal Borough Development Management Panel~~Area Committees

#### B1.1 Purpose

(I) Within the operating guidelines and budget approved by the Council the ~~Royal Borough Development Management Panel~~Development Management Area Committees will determine applications relating to the following:

a. New full or outline planning applications, **regardless of recommendation**, falling into the definition of major development as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or as superseded).

*Note: Section 73/73A applications or reserved matters applications are delegated matters unless called in under the call-in provisions in b) below.*

*Note: Any Crown applications which are covered by the National Security arrangements set out in the National Planning Policy Guidance are exempt from part a) and are delegated to the Head of Planning.*

b. Applications where a Borough councillor has requested that an application be called-in to be the subject of a decision by the relevant Area Development Management ~~Panel~~Committee (an application in this case being an application for Full, Outline, Hybrid or Householder Planning Permission or an application for Listed Building Consent. No other case types are the subject of the call-in provision.) This is conditional in that the call-in must:

- i) Be in writing using the Councillor call-in pro forma and received before the Neighbour Consultation Expiry Date for that application, and
- ii) Relate to an application in their own ward; and
- iii) provide a planning reason based on a material consideration for the call-in.

c. Where an application is made by a Councillor or a member of their family and there are one or more representations.

d. Where an application is made by an officer employed in a role which is directly involved in the decision making stage of the planning application process and there are one or more representations.

e. Any matter where authority is normally delegated to the Head of Planning, but where the Head of Planning chooses not to exercise their delegated authority and considers the matter



should be referred to the Royal-relevant Area Borough Development Management PanelCommittee.

(II) All other functions regarding town and country planning and development management listed in Part A and related to trees and hedgerows listed in Part I of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the CIL regulations are to be delegated to the Head of Planning. All functions listed in the Localism Act 2011 related to plan making and neighbourhood planning are delegated to the Head of Planning save for those which the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 require to be determined by Full Council. For the avoidance of doubt the Head of Planning also has delegated authority for those types of application subsequently introduced under the Town and Country Planning Acts (including secondary legislation and regulations) subject to the exceptions listed above.

(III) To advise the Council, the Cabinet, the Infrastructure Overview and Scrutiny Panel on the preparation, updating and monitoring of the Local Plan and policies relating to development management guidance.

### **B1.2 Membership of the Royal Borough Development Management PanelDevelopment Management Area Committees**

~~The Panel shall~~Each Committee shall have 9 members. One shall be the Chairman.

Membership shall be in line with political balance.

Members for the North Area Committee will be drawn from ~~M~~members representing the following wards:

Hurley & Walthams; Cox Green; Oldfield; Boyn Hill; St Mary's; Belmont; Riverside; Furze Platt; Pinkneys Green; Bisham & Cookham; Bray

Members for the South Area Committee will be drawn from ~~m~~Members representing the following wards:

Sunningdale & Cheapside; Ascot & Sunninghill; Old Windsor; Datchet, Horton & Wraysbury; Eton & Castle; Clewer East; Clewer & Dedworth West; Clewer & Dedworth East

A Cabinet Member may be a Member of ~~the~~ an Area Development Management Panel Committee but the Cabinet Member(s) holding the main portfolio for Planning shall not be permitted to be a Member.

### **B1.3 Quorum**

3 Members

### **B1.4 Frequency**

Meetings of ~~the Panel~~each committee will take place once per calendar month, usually on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month

Note: While the dates are ideally fixed they may be subject to change for reasons such as venue availability issues or may be on other days if additional extraordinary meetings of the [Panel Committee](#) are required. Extraordinary meetings may be called by agreement of the Head of Planning with the Chairman of the [Panel Committee](#).

## Appendix B –Public Speaking at Development Management Panel Area Committees

### 1. Public Speaking at Development Management Panel Meetings Area Committees

#### 1. Public Speaking at Development Management Panel Area Committee Meetings

- 1.1 Planning applications are determined by either an Area Development Management Panel Committee or officers acting under delegated authority.
- 1.2 Each application is subject to a public consultation exercise which enables the public and other bodies to comment in writing on the application before it is determined.
- 1.3 The Council provides the opportunity for the public and for applicants (or their agents) to speak at the planning meeting before the Development Management Panel Committee makes their decision.
- 1.4 If objectors speak at the meeting, the applicant must be allowed to speak provided they have notified Democratic Services of their intention (or provided the Chairman has used his discretion to allow speaking in the absence of notification to Democratic Services). An applicant may speak at a meeting even where there are no objectors wishing to speak (but if the applicant is in agreement with the Officers' recommendations to the Panel Committee the Chairman will request the applicant to restrict any comments to matters not covered, or not covered fully, in the Officer's Report).
- 1.5 Anyone who has written to the Council with representations on a planning application will be contacted by the planning department at least one week before the relevant meeting is due to take place when the application will be considered. They will be invited to tell the Council if they wish to speak at the meeting.

#### Notification to Democratic Services

- 1.6 If anyone does wish to speak they must register ~~and provide a written copy of their proposed representations to with~~ Democratic Services by ~~5pm~~ 12pm, 2 working days before the Development Management Panel Area Committee (i.e. Monday, ~~5pm~~ 12pm, if the Panel is on Wednesday). Registered speakers should provide a copy of their proposed representations prior to the start of the meeting to allow their representation to be read in the event of any technical failure or unavoidable delay in attending the meeting.
- 1.7 The Panel Committee Chairman will not normally allow applicants, the public, any other members of the public (or their respective agents) to speak if they have failed to notify the Council as stated above, of their wish to speak.

#### Speeches to the Development Management Panel Committee

- 1.8 Generally, applications where the public are to speak will be moved to the start of the agenda, at the discretion of the Chairman.
- 1.9 No new documents should be circulated to the Panel Committee at the meeting except the Panel Committee Update prepared by officers. The Panel Committee Update will contain information pertinent to the application provided to the case officer after the

Panel Committee report publication date and up to 5pm of the working day before the date of the Panel Committee meeting. It shall be at the discretion of the planning officer if any further updates are to be accepted after this point. Messages should not be passed to individual Panel Committee Members.

- 1.10 Only one public speaker will be allowed to speak against an application. They will be given, a total of **three (3) minutes** in which they can present their views. They must register their intention to speak with Democratic Services by 12pm, 2 working days before the Development Management Area Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). ~~They must register their intention to speak and provide a written copy their proposed representations to Democratic Services by 5pm, two working days before the Development Management Panel.~~ If there are multiple people wishing to express opposition to an application, they must nominate a single spokesperson. If a single spokesperson is not nominated only the first person to register will be allowed to speak.
- 1.11 If a Parish or Town Council, has made representations, and a member of that organisation wishes to address the meeting, they must register their intention to speak with Democratic Services by 12pm, 2 working days before the Development Management Area Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). ~~they must register their intention to speak and provide a written copy their proposed representations to Democratic Services by 5pm, two working days before the Development Management Panel.~~ The Panel Chairman will not normally allow a member of the organisation to speak if they have failed to notify the Council as stated above, of their wish to speak.
- 1.13 A Parish or Town Council representative will be allotted a total of ~~two~~ **three (3) minutes in which they can present their views..** If more than one Parish or Town Council wishes to address the meeting they should nominate a single spokesperson for all organisations no additional time will be allocated unless exceptional circumstances apply (see below).
- 1.14 The applicant, their agent or any member of the public wishing to support an application will be allocated, in total **three (3) minutes** in which to present their views.- They must register their intention to speak with Democratic Services by 12pm, 2 working days before the Development Management Area Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). ~~They must register their intention to speak and provide a written copy of their proposed representations to Democratic Services, by 5pm, at least two working days before the Panel meeting.~~ Only a single spokesperson will be allowed to speak in support of an application, as such should a member of the public wish to speak they are encouraged to contact the applicant or their agent. If a single spokesperson is not nominated only the application or their agent will be allowed to speak.
- 1.15 Any Member of the Council, not already a Member of the DMP Committee, wishing to speak at a Panel meeting will be permitted to speak in favour or against any agenda item after all public speakers have spoken and prior to the Panel debating the item. Non Panel Committee Members will be restricted to **three (3) minutes each** in total. Non Panel Members must register their intention to speak with Democratic Services by 12pm, 2 working days before the Development Management Area Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). ~~must notify~~

~~Democratic Services by 5pm, 2 working days prior to the Development Management Meeting of their request to speak, and provide a written copy of their proposed representations.~~

- 1.16 The Chairman of the meeting has discretion to extend the speaking time for any party, in exceptional cases. This discretion is intended to be applied only rarely. Exceptional circumstances might arise as a result of the range of issues raised by the matter. Where the Chairman has extended speaking time for any one party, then the time shall be extended by a similar amount for any other party.
- 1.17 Where any circumstances prevent a party from attending the meeting or being able to present for their full allotted time the Panel shall continue to consider and determine the application having regard to the written copy of their representation [if one has been submitted to Democratic Services in advance of the meeting as detailed in paragraph 1.6 above.](#)

## Appendix C – Extract from Part 2C

### **C29 MEMBERSHIP OF COMMITTEES, FORUMS AND PANELS**

C29.4 No Member may be permitted to serve as a member or a substitute member of any regulatory Panel/Committee without first having attended a training session, which must have been held since the Member was last elected. For the purpose of this rule, regulatory panels/committees are any Development Management ~~Panel~~Committee, Licensing Panel or Appeals Panel. For Area Development Management Committees, the mandatory training must take place on an annual basis.

Report Title:	Windsor Neighbourhood Plan Adoption – Formal Making of the Plan
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead
Meeting and Date:	Extraordinary Full Council – 29 <sup>th</sup> June 2021
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services Adrien Waite, Head of Planning
Wards affected:	Old Windsor; Clewer and Dedworth East; Clewer and Dedworth West; Clewer East; Eton and Castle

www.rbwm.gov.uk



## REPORT SUMMARY

This report recommends the Council to ‘Make’ the Windsor Neighbourhood Plan as part of the Development Plan for the Royal Borough of Windsor and Maidenhead, and for it to be used in decision making for relevant planning applications in the neighbourhood planning area.

This follows the successful referendum on 6<sup>h</sup> May 2021 where a significant majority of votes were cast in favour (details of which can be found in Appendix B of this report).

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Council notes the report and:

- i) In accepting the result of the referendum, agrees to formally ‘make’ the Windsor Neighbourhood Plan part of the Development Plan for the Royal Borough of Windsor and Maidenhead and,
- ii) Delegates authority to the Executive Director of Place and Head of Planning in consultation with the Cabinet Member for Planning, Environmental Services and Maidenhead to make minor non-material amendments to the Neighbourhood Plan as necessary prior to its publication.

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Options

**Table 1: Options arising from this report**

Option	Comments
Accept the result of the referendum and formally ‘make’ the Windsor Neighbourhood Plan part of the	This is the next step in the neighbourhood planning process set out in the Localism Act 2011

Option	Comments
<p>Development Plan for the Royal Borough of Windsor and Maidenhead</p> <p><b>This is the recommended option</b></p>	<p>where by local communities are given the direct power to develop their shared vision for their neighbourhood. If 'Made', The Neighbourhood Plan will be used by the Council for determining planning applications in the Windsor Area.</p>
<p>Do not accept the result of the referendum and do not make the plan part of the Development Plan.</p> <p>This is not the recommended Option</p>	<p>This option would deny the local community the opportunity to ensure that their neighbourhood plan can be used in determining planning applications in the Windsor area. There would be serious legal risks to this decision, the ramifications of which are not clear as there is no case law in this area.</p>

- 2.1 The National Planning Policy Framework (NPPF) and the Localism Act (2011) give local communities direct power to develop their shared vision for their neighbourhood and deliver the sustainable development they need. The formal 'making of the plan' is the final stage in the Neighbourhood Plan production process.
- 2.2 The Royal Borough encourages neighbourhood planning. There are currently five Neighbourhood Plans which have been formally made and form part of the Development Plan. These are Ascot, Sunninghill and Sunningdale (2014), Hurley and the Walthams (2017), Eton and Eton Wick (2018), Old Windsor (2019) and Horton and Wraysbury (2020).
- 2.3 The Windsor Neighbourhood Plan Forum who produced the Neighbourhood Plan on behalf of the designated area has placed high value on community engagement as part of the Neighbourhood Plan process. Consultations have been undertaken between 2012 – 2019, and evidence to support the policies has been developed. This process has generated a lot of interest in the local community. Many households attended the several consultation events. The WNP [Consultation Statement](#) sets out the full list of consultation events which took place (see table 2 on page 11 of the Consultation Statement). These included launch events, vision events, surveys, presentations and meetings. Two formal regulation 14 consultations were undertaken as part of the development of this Neighbourhood Plan. The Neighbourhood Plan Forum has expressed gratitude for the interests of all sections of their communities including local organisations, RBWM officers and Elected Members, whom expressed views that have helped to shape the plan.
- 2.4 Following publication of the draft plan, the Neighbourhood Plan was scrutinised by an independent examiner. The examiner was appointed by the Royal Borough, in consultation with the Neighbourhood Plan Forum. The



[examiner's report](#) recommended that the plan should proceed to referendum, subject to modifications. These modifications mainly consisted of changes to the policy wording to ensure that the policies were robust and sound and to ensure that the Neighbourhood Plan meets the Basic Conditions, as required by the Localism Act.

- 2.5 On 17<sup>th</sup> December 2020 Cabinet approved the Neighbourhood Plan going to referendum with a single question (as set by the 'Neighbourhood Planning (Referendums) Regulations 2012') which asked: *“Do you want the Royal Borough of Windsor and Maidenhead to use the Neighbourhood Plan for Windsor to help it decide planning applications in the neighbourhood area?”*
- 2.6 The referendum took place on the 6<sup>th</sup> May, 2021 in the areas covered by the Neighbourhood Plan area. The Returning Officer reports that 5,643 ballot papers were issued: a turnout of 26.7%. 4984 votes were cast in support of the plan and 617 voted no to the question. As a majority of those voting in the referendum answered “yes”, under the terms of the legislation, the plan is now a material consideration in decisions on planning applications, but it also needs to be formally ‘made’ part of the Development Plan for the Royal Borough. This ‘making’ of the Neighbourhood Plan is the reason for this report to the Council.
- 2.7 Shortly before the scheduled referendum, the Neighbourhood Forum was informed of an error in the title of one of the Local Green Space designations; LGS21, then named ‘Convent public park’. The Planning Forum was informed (by the landowner) that this land was privately owned and maintained, rather than owned and maintained by the Royal Borough. Whilst the owner does not challenge the designation within the Neighbourhood Plan, the owner has requested a change to the name of the designation to clarify that the land is not publicly owned and maintained.
- 2.8 The referendum proceeded as scheduled, whilst the Neighbourhood Plan Forum liaised with RBWM officers to determine if the change was considered to be a material amendment, or a minor amendment. Officers obtained legal advice and this confirmed that the change to the name of a designation could be considered to be a minor, non material amendment and can be altered within the Neighbourhood Plan accordingly, without further consultation.
- 2.9 As such, there is an amendment to the ‘Forward’ on page 2 of the Final Neighbourhood Plan (dated June 2021), and the change of name features on pages 26, 33, and 79 of the Final Neighbourhood Plan, and also Appendix 1 pages 5, 48 and 49 where the ownership and maintenance is changed from “RBWM” to “privately owned” and “maintenance is the responsibility of the owner”.

### 3. KEY IMPLICATIONS

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
A made	The	Neighbourhood	Neighbourhood	Neighbourhood	29 June

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
neighbourhood plan that delivers the wishes of the community.	Neighbourhood Plan is not seen by the community to be influencing development decisions.	Plan used in determining planning applications.	Plan is used and is successfully defended at appeal.	Plan used in determining planning applications and development is in accordance with the plan as the community expected.	2021
Developments are shaped in accordance with policies of the Neighbourhood Plan.	Panel and appeal decisions do not comply with the plan policies.	Planning applications and appeals are determined in accordance with the Neighbourhood Plan.	Majority of applications submitted comply with the policies of the Neighbourhood Plan.	All applications submitted comply with the policies of the Neighbourhood Plan.	Ongoing

#### **4. FINANCIAL DETAILS / VALUE FOR MONEY**

- 4.1 Although the Government's support for neighbourhood planning groups has now changed to being channelled through the 'Locality' organisation; who are able to give direct assistance to groups, the Council has received grant payments from the Ministry of Housing, Communities and Local Government (MHCLG) in regard to this and other current plans in preparation.
- 4.2 The cost of undertaking the plan examination has, as required, been paid for by the Council. In agreeing to proceed to referendum with this plan, Cabinet also agreed in December 2020 to fund the cost of the referendum. Now that the plan has successfully passed referendum, the Council is able to apply for a grant of £20,000 to cover the majority of the cost of both the examination and the referendum. That grant application was made by officers in March this year. It will be the final tranche of grant funding in relation to this plan.
- 4.3 There are no additional costs expected to accrue in relation to having made the Neighbourhood Plan as recommended.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The Localism Act (2011) and The Neighbourhood Planning (General) Regulations (2012) give power to Local Planning Authorities to approve a Neighbourhood Plan to proceed to referendum. Under the Neighbourhood Planning Act 2017 if the referendum results in a simple majority 'Yes' vote the Neighbourhood Development Plan will immediately have significant weight in decision making on planning applications. Following this Act the Council should 'have regard' to a post-examination Neighbourhood Development Plan when dealing with an application for planning permission, so far as that plan is material to the planning application.

- 5.2 This report seeks formal confirmation from the Council that the Windsor Neighbourhood Plan forms part of the Development Plan for the Royal Borough. The Council has authority to take that decision.

## 6. RISK MANAGEMENT

**Table 4: Impact of risk and mitigation**

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Community will not have an opportunity to guide development in their area.	Medium	Approve the Neighbourhood Plan to be made part of the Development Plan for the Royal Borough of Windsor and Maidenhead.	Low
Risk of legal challenge If in denial of the result of the referendum, the Council decide not to formally make the neighbourhood plan part of the development plan for the Royal Borough.	High	Approve the Neighbourhood Plan to be made part of the Development Plan for the Royal Borough of Windsor and Maidenhead.	Low
If not made, planning applications will not be dealt with in a way the communities intended	Medium	Approve the Neighbourhood Plan to be made part of the Development Plan for the Royal Borough of Windsor and Maidenhead.	Low
Development in the neighbourhood area may continue to receive significant levels of objection from residents and not meet some local needs.	High	Approve the Neighbourhood Plan to be made part of the Development Plan for the Royal Borough of Windsor and Maidenhead.	Medium

## 7. POTENTIAL IMPACTS

- 7.1 Equalities. The examiner has confirmed that the Neighbourhood Plan (with modifications) meets the Basic Conditions. One of these conditions is that it

must be compatible with human rights requirements. Officers agree that the plan, with modifications, meets the Basic Conditions.

- 7.2 Equalities. Equality Impact Assessments are published on the [council's website](#). The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered.
- 7.3 An [EQIA screening form](#) has been completed and signed by the relevant Head of Service. The recommendations in this report have no identified equality impacts.
- 7.4 Climate change/sustainability. Another of the Basic Conditions is to contribute to the achievement of sustainable development. The Neighbourhood Plan was supported by a Strategic Environmental Assessment screening assessment and report, that concluded that the plan would not trigger significant environmental effects. In addition to this, the Council has confirmed that it believes the plan meets the Basic Conditions, in terms of sustainability.
- 7.5 Strategic Environmental Assessment (SEA) seeks to ensure that environmental considerations are part of the process of preparing certain plans and programmes. The objective of the SEA Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with the Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.
- 7.6 Data Protection / GDPR. The way the planning policy team in the planning department handles personal data was made clear to those who provided representations during the formal consultation period (undertaken by Council). Personal details were processed in accordance with the principles of the Data Protection Act 2018 and the General Data Protection Regulations.

## **8. CONSULTATION**

- 8.1 During the preparation of the Neighbourhood Plan the Neighbourhood Plan Forum undertook several consultations and engagement events with Local Stakeholders in the Neighbourhood Plan Area. After the Draft Neighbourhood Plan was submitted to the Royal Borough, a formal process of consultation was undertaken by the Council and the responses to this were forwarded to the independent examiner for consideration during the examination process. The Examiner was satisfied that an appropriate level of community engagement had taken place. The referendum is the final form of local consultation and the result was a clear vote to implement the Neighbourhood Plan.
- 8.2 The Council has been updated of progress of this Neighbourhood Plan on several occasions including, most recently, in agreeing to proceed with the referendum on the basis of the decision statement published in February 2021.

## 9. TIMETABLE FOR IMPLEMENTATION

**Table 5: Implementation timetable**

<b>Date</b>	<b>Details</b>
6 <sup>th</sup> May 2021	Successful Referendum vote in favour of the Neighbourhood Plan
29 <sup>th</sup> June 2021	The Windsor Neighbourhood Plan will become one of the suite of Development Plan Documents (DPDs) comprising the Development Plan for the Royal Borough of Windsor and Maidenhead.

## 10. APPENDICES

10.1 This report is supported by 2 appendices:

- Appendix A – Windsor Neighbourhood Plan - which can be viewed here: [www.windsorplan.org.uk](http://www.windsorplan.org.uk)
- Appendix B – DECLARATION OF RESULT OF POLL: Windsor – which can be viewed here: <https://www.rbwm.gov.uk/home/council-and-democracy/elections-and-voting/elections-and-referendums-2021>

## 11. BACKGROUND DOCUMENTS

11.1 This report is supported by 5 background documents:

- National Planning Policy Framework (NPPF) - <https://www.gov.uk/government/publications/national-planning-policyframework--2>
- Localism Act (2011) <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- Neighbourhood Planning (General) Regulations (2012) <http://www.legislation.gov.uk/uksi/2012/637/schedule/1/made>
- Neighbourhood Planning (Referendum) Regulations (2012) <http://www.legislation.gov.uk/ukdsi/2012/9780111525050/contents>
- Neighbourhood Planning Act 2017 <http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>
- Equalities Impact Assessment – Screening Form - <https://www.rbwm.gov.uk/sites/default/files/2021-06/2021-eqia-report-to-full-council-to-adopt-the-windsor-neighbourhood-plan-published-17-june-2021.pdf>

## 12. CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Cllr Coppinger	Cabinet Member for Planning,	15.06.21	<b>15.06.21</b>

	Environmental Services and Maidenhead		
Duncan Sharkey	Chief Executive	15.06.21	<b>16.06.21</b>
Adele Taylor	Executive Director of Resources/S151 Officer	15.06.21	<b>18.06.21</b>
Andrew Durrant	Executive Director of Place	15.06.21	<b>17.06.21</b>
Kevin McDaniel	Executive Director of Children's Services	15.06.21	<b>18.06.21</b>
Hilary Hall	Executive Director of Adults, Health and Housing	15.06.21	<b>15.06.21</b>
Andrew Vallance	Head of Finance	15.06.21	
Elaine Browne	Head of Law	15.06.21	<b>21.06.21</b>
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	15.06.21	<b>21.06.21</b>
Nikki Craig	Head of HR, Corporate Projects and IT	15.06.21	<b>15.06.21</b>
Louisa Dean	Communications and Marketing Manager	15.06.21	<b>18.06.21</b>
Karen Shepherd	Head of Governance	15.06.21	<b>15.06.21</b>

## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Council decision	No	No

Report Author: Ian Motuel - Planning Policy Manager  
[ian.motuel@rbwm.gov.uk](mailto:ian.motuel@rbwm.gov.uk)

Report Title:	Member Attendance - Dispensation
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Johnson, Leader of the Council
Meeting and Date:	Extraordinary Full Council – 29 June 2021
Responsible Officer(s):	Emma Duncan, Director of Law & Strategy and Monitoring Officer / Karen Shepherd, Head of Governance
Wards affected:	All



## REPORT SUMMARY

Section 85 of the Local Government Act 1972 states that a Member of a local authority loses office if they do not attend a meeting (physically) at least once in any six-month period. This requirement was suspended by the April 2020 regulations brought in as a result of the global pandemic. However, the regulations expired on 6 May 2021 and were not capable of being extended due to the sunset clause in section 78(3) of the Coronavirus Act 2020.

Full Council has the power to agree a dispensation to continue the suspension of this requirement, which is proposed in light of the recent extension of social distancing requirements.

The Monitoring Officer will review the situation in September 2021 and, if social distancing requirements are still in place, consider bringing forward a proposal for a further dispensation.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That full Council notes the report and:

- i) **Agrees a dispensation until 31 August 2021 to remove the requirement that Members must attend a meeting (physically) at least once in any six-month period.**

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Options

**Table 1: Options arising from this report**

Option	Comments
To agree the requirement that Members attend a meeting (physically) at least once in any six-month period be suspended until 31 August 2021 <b>This is the recommended option</b>	The proposal is made in light of the extension of social distancing requirements.
To not agree the requirement that Members attend a meeting (physically)	

Option	Comments
at least once in any six-month period be suspended until 31 August 2021	

## KEY IMPLICATIONS

2.1

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Dispensation in place	Dispensation not in place	Dispensation in place	n/a	n/a	29 June 2021

## 3. FINANCIAL DETAILS / VALUE FOR MONEY

3.1 There are no financial implications by virtue of the recommendation in this report.

## 4. LEGAL IMPLICATIONS

4.1 Section 85 of the Local Government Act 1972 states that a Member of a local authority loses office if they do not attend a meeting (physically) at least once in any six-month period. Full Council has the power to agree a dispensation.

## 5. RISK MANAGEMENT

5.1 No risks identified

## 6. POTENTIAL IMPACTS

6.1 Equalities. No impacts identified.

6.2 Climate change/sustainability. No impacts identified.

6.3 Data Protection/GDPR. No impacts identified.

## 7. CONSULTATION

7.1 Group Leaders have been consulted on the proposal to issue a dispensation.

## 8. TIMETABLE FOR IMPLEMENTATION

8.1 The full implementation stages are set out in table 3.

**Table 3: Implementation timetable**

Date	Details
29 June 2021	Full Council agree dispensation
31 August 2021	Dispensation ends



September 2021	Monitoring Officer review in light of any social distancing requirements.
----------------	---

## 9. APPENDICES

9.1 None

## 10. BACKGROUND DOCUMENTS

10.1 None

## 11. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Johnson	Leader of the Council	17/6/21	17/6/21
Cllr Rayner	Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor	17/6/21	17/6/21
Duncan Sharkey	Chief Executive	17/6/21	18/6/21
Adele Taylor	Executive Director of Resources/S151 Officer	17/6/21	18/6/21
Andrew Durrant	Executive Director of Place	17/6/21	18/6/21
Kevin McDaniel	Executive Director of Children's Services	17/6/21	17/6/21
Hilary Hall	Executive Director of Adults, Health and Housing	17/6/21	17/6/21
Andrew Vallance	Head of Finance	17/6/21	17/6/21
Elaine Browne	Head of Law	17/6/21	
Nikki Craig	Head of HR, Corporate Projects, and IT	17/6/21	17/6/21
Louisa Dean	Communications	17/6/21	17/6/21

## REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

Report Author: Karen Shepherd, Head of Governance, 07766 778286
---

This page is intentionally left blank

Report Title:	Housing Strategy 2021-26: Building a Borough of Opportunity and Innovation
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor McWilliams, Cabinet Member for Housing, Sport and Leisure and Community Engagement
Meeting and Date:	Extraordinary Full Council – 29 <sup>th</sup> June 2021
Responsible Officer(s):	Hilary Hall, Executive Director of Adults, Health and Housing and Tracy Hendren, Head of Housing, Environmental Health and Trading Standards
Wards affected:	All

## **REPORT SUMMARY**

1. There is a housing affordability crisis in the UK and in RBWM our residents face particularly acute housing costs. The average house price in RBWM is approximately £476,000, which is over 15 times higher than the average UK salary (£30,420). This has made getting into sustainable rented accommodation and onto the house ladder difficult for many RBWM residents. In order to address this key issue, RBWM has submitted a Local Plan for inspection and requires a Housing Strategy to clearly set out the Council's priorities for addressing the housing challenges our residents face.
2. To this end and building on the Council's draft Local Plan and the recently adopted Homelessness & Rough Sleeping Strategy, the Housing and Environmental Health Service completed a comprehensive Housing Strategy evidence base and undertook an initial round of consultation with councillors and partner organisations.
3. The draft Housing Strategy 2021 - 2026 has been developed around three key objectives; Deliver New Homes; Promote Health & Wellbeing; Support Vulnerable Residents to Obtain and Sustain Appropriate Accommodation. The Strategy's Delivery Plan will be monitored and reviewed, including updates which will be published annually.
4. Although the requirement to develop and publish a Housing Strategy is no longer a statutory duty for the Council, it is imperative the Council develops a strategy that clearly states its housing ambitions and goals for the future benefit for the residents of the Royal Borough.
5. Cabinet considered the draft strategy at its meeting on the 29<sup>th</sup> April 2021.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Council notes the report and:

- i) Approves the recommendation from Cabinet to adopt the Housing Strategy 2021-2026 for publication

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Options

**Table 1: Options arising from this report**

Option	Comments
<p>Publishing a Housing Strategy is strongly recommended. It is vital for the Council to provide a clear and accessible statement of intent to its staff, residents and stakeholders, reflecting its firm commitment to meet the identified housing needs of the Borough.</p> <p><b>This is the recommended option</b></p>	<p>The Council is committed to delivering best practice housing services and to doing all it can to meet the identified housing needs of the Borough. It is considered best practice for a local housing authority to set out its future strategic plan in a housing strategy and for that strategy to have been developed through evidence and consultation. The draft Housing Strategy supports the aims to improve opportunity and innovation in the Borough, as reflected in the title.</p>
<p>There is no requirement to publish a Housing Strategy and therefore there is the option of not publishing a strategy.</p> <p><b>This is not recommended</b></p>	<p>Whilst section 87 of the Local Government Act 2003 conferred the power on the Secretary of State to require local housing authorities to publish a housing strategy, this was repealed by section 29 of the Deregulation Act 2015. This means that there is no statutory requirement for the Council to have a Housing Strategy.</p>

### **3. KEY IMPLICATIONS**

- 3.1 Adopting the Housing Strategy will enable the related action plan to be implemented, monitored and fed back through the appropriate channels. The action plan sets out SMART actions, including milestones, ownership and proposed outcome dates for each of the agreed priorities for housing within the Borough.

### **4. FINANCIAL DETAILS / VALUE FOR MONEY**

- 4.1 There are no direct financial implications in setting a housing strategy. However, adopting a strategy will ensure that the Council has set the context within which it will allocate its resources to support its ambitions with regards to Housing services within the Borough through the delivery plan.

### **5. LEGAL IMPLICATIONS**

- 5.1 The Deregulation Act 2015 abolished the statutory requirement for English local authorities to produce a housing strategy as previously required by section 87 of the Local Government Act 2003.
- 5.2 Having a Housing Strategy and associated action plan will enable the Borough to be prepared and mitigate any legal risk, preventing the risk of challenge.

### **6. RISK MANAGEMENT**

- 6.1 Two key risks have been identified in the development of the Housing Strategy 2020 - 2025. These risks are, to an extent, beyond the Council's control and relate to:
- a) The potential for economic factors leading to an increased demand on statutory services
  - b) Future changes to national policy and in particular planning policy which could impact on the Council's ability to deliver new housing that meets locally identified needs
- 6.2 The Housing Strategy includes actions to support risk management in this context and the risk will be managed as part of the delivery of the strategy.

### **7. POTENTIAL IMPACTS**

- 7.1 The strategy will impact positively on significant numbers of individuals in housing need by increasing the supply of affordable homes in the Borough,

preventing and relieving homelessness and rough sleeping and creating sustainable and diverse communities.

- 7.2 The EQIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.
- 7.3 The Housing Strategy includes objectives and associated actions to encourage sustainability and reduced carbon technologies, which supports the Council's climate change obligations.

## 8. CONSULTATION

- 8.1 Members and partner organisations were consulted on the Housing Strategy in November 2020, including the option to complete a Survey Monkey survey to state their views and to attend a consultation event to discuss in person. 48 Survey Monkey responses were received and collated in the first consultation round.
- 8.2 The public consultation on the Housing Strategy began on 24<sup>th</sup> December 2020 and ended on 3<sup>rd</sup> February 2021. A total of 134 Survey Monkey responses were received and collated on the second consultation round.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The full implementation stages are set out in table 2.

**Table 2: Implementation timetable**

Date	Details
29 <sup>th</sup> June 2021	Full Council

## 10. APPENDICES

- 10.1 This report is supported by 1 appendix:
- The Housing Strategy 2021-2026

## 11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by 2 background documents:
- Equality Impact Assessment - <https://www.rbwm.gov.uk/sites/default/files/2021-04/2021-eqia-housing-strategy-2021-2026.pdf>
  - Cabinet Report April 2021

## 12. CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Cllr McWilliams	Cabinet Member for Housing, Sports and Leisure and Community Engagement	9 June 2021	9 June 2021
Duncan Sharkey	Chief Executive	9 June 2021	14 June 2021
Adele Taylor	Executive Director of Resources/S151 Officer	9 June 2021	12 June 2021
Andrew Durrant	Executive Director of Place	9 June 2021	15 June 2021
Kevin McDaniel	Executive Director of Children's Services	9 June 2021	14 June 2021
Hilary Hall	Executive Director of Adults, Health and Housing	9 June 2021	9 June 2021
Andrew Vallance	Head of Finance	9 June 2021	15 June 2021
Elaine Browne	Head of Law	9 June 2021	14 June 2021
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	9 June 2021	
Nikki Craig	Head of HR Corporate Projects and IT	9 June 2021	14 June 2021
Louisa Dean	Communications	9 June 2021	
Karen Shepherd	Head of Governance	9 June 2021	15 June 2021

### REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Council decision	No	No

Report Author: Emma Congerton, Housing Strategy & Residential Services Manager, 01628 683628
--

**The Royal Borough of Windsor and Maidenhead  
Housing Strategy 2021 - 2026:  
Creating a Borough of Opportunity and Innovation**





## Contents

<i>Foreword</i> .....	3
<i>Executive Summary</i> .....	6
<i>Introduction</i> .....	11
<i>Key objectives</i> .....	13
<i>Objective 1: Deliver new homes</i> .....	14
<i>Objective two: Promote Health &amp; Wellbeing</i> .....	17
<i>Objective three: Support vulnerable residents to obtain and sustain appropriate accommodation</i> .....	20
<i>Resources</i> .....	23
<i>Monitoring and updating the strategy</i> .....	23
<i>The Delivery Plan</i> .....	23
<i>Local Policy Context</i> .....	24
<i>Local Context</i> .....	25
<i>Our achievements so far</i> .....	27
<i>Our challenges</i> .....	31
<i>National Policy Context</i> .....	36
<i>Action Plan</i> .....	41
<i>Our Core Values</i> .....	49

## Foreword

The debate around housing often focuses too much on housing targets and loses focus on why building homes is so important to creating a thriving local economy and a strong community. Delivering new homes is about much more than hitting housing targets and a home is much more than an investment of bricks and mortar. A home is somewhere to keep warm; somewhere to seek shelter; somewhere to go to rest; somewhere to feel secure; somewhere to raise and protect children; and somewhere to live and enjoy life with friends and family. As policy makers, we cannot see homes simply as financial assets but as the building blocks of a happy society.

The Royal Borough of Windsor and Maidenhead is one of the best places to live in the country with an abundance of beautiful green space, safe streets, low council tax, fantastic local schools, highly-quality support services, strong local businesses and employment opportunities, impressive infrastructure links, and wonderful communities. The huge success of our Borough has seen an influx of talented individuals, young families, entrepreneurs, and people seeking a slice of the good life. This has added to our Borough's economic strength, wealth of ideas, talent, and community spirit, which is welcome.

However this success has not been without some losers and no doubt some younger residents, vulnerable residents, and even some life-long residents, who have fallen on hard times, may feel that they have not benefited from the economic growth and success of our Borough. These are not people who have moved to an area they cannot afford, but local people, who feel they are shut out from taking a stake in their own community. We do not want to be a Borough where children of life-long residents feel they need to leave to get a place of their own; we do not want to be a Borough that does not have sufficient social housing to give our rough sleepers a second chance; we do not want to be a Borough where life-long residents are forced to move away because they can no longer afford to live here.

We want to be a Borough that delivers new homes not only for those coming into the Borough, but for those who are already here. We want to be a Borough that creates places that are not just bricks and mortar, but which promote health and wellbeing. We want to be a Borough that seeks to proactively support our vulnerable people by having a mixture of different homes with a mixture of affordability. A key part of this is seeking to deliver on our objectively assessed housing need, particularly relating to affordable housing, which means there will be a greater emphasis on delivering affordable homes for rent, particularly social rent.

The statistics around home ownership amongst young people are truly shocking and no doubt we all know someone who has been forced to move away to secure a home of their own or the children/grandchildren of someone we know. It is a sad situation across our country, but it does not have to be something we accept locally. By using council-owned land, we can work with joint-venture partners to deliver a mixture of different types of homes and a greater variety of price points, as well as including affordable housing products, such as shared ownership. We do not want to lose talented young people and stretch family support networks because of the unaffordability of housing in the Borough.

The global pandemic has shown that when the economy receives a significant shock the number of people requiring housing support increases with job losses, family breakdowns and homelessness all contributing. To ensure the Royal Borough responds to this and future economic shocks, it is important for the Borough to build up the amount of affordable rented units available and consider how best to deliver units through its own Property Company. This will ensure that all Royal Borough residents and families will be able to access high-quality affordable rented accommodation whilst they rebuild their lives.

Of course, government and local councils cannot deliver homes for everyone and there will always be a limit to what the state can reasonably deliver. By having good working relationships with developers and housebuilders, we can maximise investment into the Borough. Having clear strategies, including an adopted Local Plan, create clarity and clearly set out development and housing objectives. Honest and robust discussions can then take place on how to deliver on these objectives. The Royal Borough of Windsor and Maidenhead will soon adopt a new Local Plan and this new Housing Strategy, along with our Climate Change Strategy and Homelessness & Rough Sleeping Strategy, firmly set out our vision for the Borough's housing market.

Our vision is to create a Borough of opportunity and innovation with a clear focus on improving social outcomes and supporting vulnerable residents. Ensuring we have a stable, competitive, and effective housing market is crucial to achieve this. This new Housing Strategy sets out objectives for achieving our vision for the Borough and a series of practical commitments for how we will do this.



A handwritten signature in black ink, reading "R McWilliams". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Cllr Ross McWilliams, Lead Member for Housing

## Executive Summary

### *Our vision*

*To create a Borough of opportunity and innovation with a clear focus on improving social outcomes and supporting vulnerable residents*

There is a housing affordability crisis in the UK and in The Royal Borough our residents face particularly acute housing costs. The average house price in The Royal Borough is approximately £476,000, which is over 15 times the average UK salary (£30,420). This has made getting into sustainable rented accommodation and onto the house ladder difficult for many of The Royal Borough's residents. In order to address this key issue, The Royal Borough has submitted a Local Plan for inspection and requires a Housing Strategy to clearly set out the Council's priorities for addressing the housing challenges our residents face.

Although the requirement to develop and publish a Housing Strategy is no longer a statutory duty for local authorities, it is imperative The Royal Borough develops a strategy that clearly states its housing ambitions and goals for the future benefit of the residents of The Royal Borough. The Housing Strategy has been fully consulted upon, ensuring that the ambitions of The Royal Borough reflect those of our residents, partners and colleagues.

The Royal Borough of Windsor and Maidenhead's Housing Strategy 2021-2026: Creating a Borough of Opportunity and Innovation sets out our plans to increase the supply of affordable and private sector housing, improve accommodation standards in all housing sectors and ensure that support is available in maintaining suitable, quality accommodation for those who need extra support. To this end our Housing Strategy is based around three core objectives, each with a number of specified commitments, and a robust action plan that will be regularly monitored and updated through the 2021-2026 period.

***Our objectives***

**Deliver new homes** - Deliver thousands of new high-quality homes with a mixture of tenures and sustainable infrastructure to provide a range of housing solutions for our residents

1. Deliver a mixture of housing tenures; social rent, affordable rent, private rented sector, shared ownership, ownership; maximising developments which deliver appropriate homes and adaptable spaces to suit the modern workforce, with ambition to deliver on our assessed need
2. Create homes for ownership by working with partners to create a ladder of housing opportunity, particularly for social housing tenants
3. Liaise with business to ensure we are building homes to support a modern workforce and to help support continued economic growth
4. Support house building in the appropriate location (as per the Local Plan), including maximising housebuilding on brownfield sites and putting the right infrastructure in place
5. Work with Registered Providers to monitor customer satisfaction to enable improved leaseholder and tenant satisfaction and services
6. Work with private sector landlords to improve accommodation standards in the private rented sector, including the provision of appropriate guidance
7. Assess the needs of Gypsy and Traveller communities within the Borough and seek appropriate sites to increase supply and support sustainable communities
8. Expand the Property Company's house building programme to push forward social regeneration and neighbourhood renewal projects

**Promote health & wellbeing** - Use development to drive positive physical and social regeneration, maximise health and social outcomes and reduce health inequalities through the use of green technology and innovative built environments

1. Take a targeted approach to areas of high social and economic deprivation through regeneration, which improves the built environment and supports better education, employment and housing outcomes for existing and future residents
2. Improve health outcomes by supporting innovative designs that promote well-being and better health (including mental health) outcomes - particularly gardens and green open spaces
3. Incentivise developers to bring forward schemes that support our climate change obligations to achieve net zero by 2050, including supporting carbon-neutral and carbon-positive technologies in new homes
4. Work with private landlords and Registered Providers to retrofit existing stock with zero carbon technologies, particularly with the least sustainable stock
5. Tackle digital inequality and digital poverty by working with housing associations to improve opportunities for their residents to benefit from super-fast broadband
6. Ensure residents with disabilities are not further impacted by their home environment by providing efficient and effective assessment and adaptations through the Disabled Facilities Grants (DFGs) process, maintaining strong partnership working for the successful delivery and implementation of grant-funded interventions
7. Assess the need for supported accommodation, including Extra Care, and review our supported accommodation provision to ensure we are able to offer accommodation to support better health and wellbeing outcomes

**Support vulnerable residents to obtain and sustain accommodation** - Increase support and prevention for homelessness by providing excellent customer service, a range of housing options and good quality temporary accommodation for those in need

1. Create a coalition of temporary accommodation landlords to provide sustainable, reliable, cost-effective temporary accommodation to support homeless households into long-term solutions
2. Strengthen working relationships with existing partner organisations and seek to develop new relationships in order to increase support provision to our residents
3. Consider the purchase of units of quality temporary accommodation to replace those leased from the private sector and ensure value for money
4. Optimise revenue available to create new services by monitoring funding opportunities and bidding for funding where this could fill gaps in service provision
5. Use technology to improve access to services and clearly demonstrate outcomes
6. To improve access to the private rented sector for households who are homeless or threatened with homelessness
7. Explore and optimise opportunities to support vulnerable residents in maintaining accommodation and reduce instances of repeat homelessness
8. Maximise effectiveness of the new 'Tap & Donate' scheme – *Tap 4 Lasting Change*



We will only be able to deliver on our ambitious Housing Strategy with the assistance of our partners and communities, who have already assisted us to develop the Housing Strategy through the consultation process. The Housing Strategy contains a live action plan which will be regularly monitored and updated throughout the 2021-2026 period. Copies of the current version of the action plan can be obtained using the contact details below.

**Email:** [housing@rbwm.gov.uk](mailto:housing@rbwm.gov.uk)

**Telephone:** 01628 683803

**Write to:** Housing Strategy, The Royal Borough of Windsor and Maidenhead, Town Hall, St Ives Road, Maidenhead, SL6 1RF

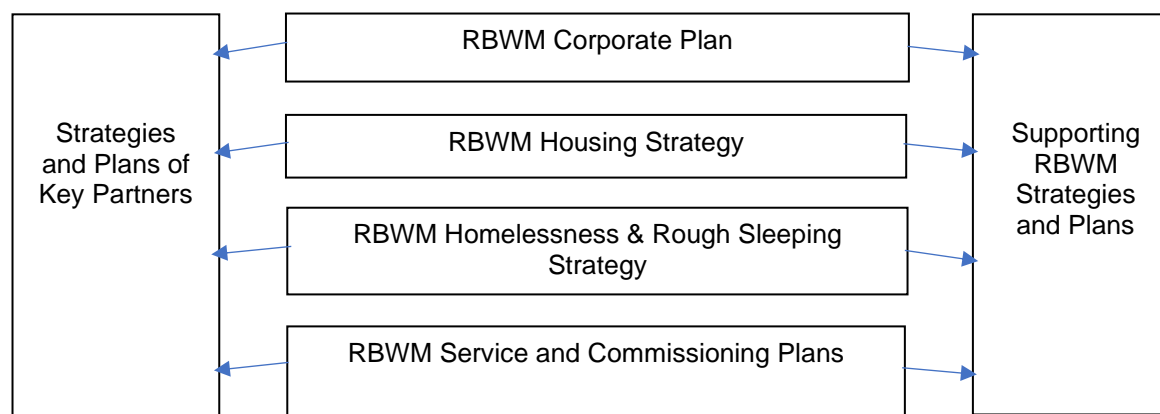
## Introduction

The population of the Borough had grown from 87,231 in 1951 to 145,100 by 2011 when the last census was carried out. The 20-year period from 1951 to 1971 saw a population increase of around 40,000. The Borough's estimated midyear 2019 population was 151,200 and this is projected to rise by midyear 2039 to 158,100.

The Royal Borough is building a Borough of opportunity and innovation with a clear focus on improving social outcomes and supporting vulnerable residents. Homes are a fundamental building block of stable lives and family units; poor or unsuitable housing impacts negatively on people's lives such that, without good quality housing, all aspects of life become more difficult and less manageable and our communities become less sustainable. The Housing Strategy seeks to ensure we have a strong housing market of all different tenures and types to meet a range of needs with high-quality products in sustainable, green built/open environments and necessary infrastructure will deliver better social outcomes and therefore a better place to live for our residents.

The Housing Strategy 2021 to 2026 is a high-level plan that sets the course for our services to develop in partnership in the coming years, whilst drilling down into those priorities to provide a detailed roadmap that will enable us to achieve our aims. It sets out our vision for housing, with inclusive actions which the Council and partners will deliver, and which are designed to ensure we meet the housing aspirations of our residents. The Housing Strategy forms part of the council's overall corporate plan, as depicted below:

50



The Council is a non-stock holding local authority, having transferred its housing stock in 1995. However, the Council has retained its strategic housing responsibilities and continues to act as the enabler of affordable housing in the Borough. It also delivers a range of vital services within a complex legal framework, including housing allocations and homelessness support, aids and adaptations, and ensuring decent housing standards.

This strategy is intended to act as a guide for investment and a framework for project management, meeting locally identified needs, including the wider support needs, that contribute to individual housing crises. It is aligned to various health and wellbeing priorities, at a national, sub-regional, and local level, because good housing is a proven determinant of healthy communities. The success of this strategy will have a direct bearing on the health and wellbeing of our Borough and will contribute to reduced costs to the National Health Service and other parts of the wider system of public services.

It is expected that developers and housebuilders seeking planning permission will give due regard to the Housing Strategy and set out their response.

## Key objectives



### **Deliver new homes**

Deliver thousands of new high-quality homes with a mixture of tenures and sustainable infrastructure to provide a range of housing solutions for our residents.



### **Promote health & wellbeing**

Use development to drive positive physical and social regeneration, maximise health and social outcomes and reduce health inequalities through the use of green technology and innovative built environments.



### **Support vulnerable residents to obtain and sustain accommodation**

Increase support and prevention for homelessness by providing excellent customer service, a range of housing options and good quality temporary accommodation for those in need.

## Objective 1: Deliver new homes

In order to ensure that our residents can access good-quality affordable accommodation it is essential that priority is given to driving development within the Borough which will provide a mixture of ownership, shared ownership, social housing and private rented sector opportunities. This development should include making best use of existing properties as well as optimising new build opportunities.

### What we will do:

<b>Commitment 1</b>	Deliver a mixture of housing tenures; social rent, affordable rent, private rented sector, shared ownership, ownership; maximising developments which deliver appropriate homes and adaptable spaces to suit the modern workforce, with ambition to deliver on our assessed need
<b>Commitment 2</b>	Create homes for ownership by working with partners to create a ladder of housing opportunity, particularly for social housing tenants
<b>Commitment 3</b>	Liaise with business to ensure we are building homes to support a modern workforce and to help support continued economic growth
<b>Commitment 4</b>	Support house building in the appropriate location (as per the Local Plan), including maximising housebuilding on brownfield sites and putting the right infrastructure in place
<b>Commitment 5</b>	Work with Registered Providers to monitor customer satisfaction to enable improved leaseholder and tenant satisfaction and services

<b>Commitment 6</b>	Work with private sector landlords to improve accommodation standards in the private rented sector, including the provision of appropriate guidance
<b>Commitment 7</b>	Assess the needs of Gypsy and Traveller communities within the Borough and seek appropriate sites to increase supply and support sustainable communities
<b>Commitment 8</b>	Expand the Property Company's house building programme to push forward social regeneration and neighbourhood renewal projects

**How we will deliver:**

In line with these commitments, we commit to carrying out the following actions:

- To strengthen our Housing Enabling function and work with our Registered Providers and Developers to look at future developments and the viability of mixed tenure housing, including lifetime homes
- To fully assess the housing need within the Royal Borough, using a variety of data streams, to ensure we have robust plans in place to generate appropriate housing pathways
- To review locally available home ownership products and work with Registered Providers to maximise home ownership opportunities for all
- To refresh the empty property strategy to ensure all properties of all tenures are brought back into use where possible, also considering the approach to second homes
- To liaise with local businesses to ensure their workforces can access good-quality and appropriate housing and that suitably skilled employees are attracted to the Borough

- To ensure there is an adequate supply of keyworker accommodation in the private rented sector and suitable home ownership opportunities including try-before-you buy and submarket rents through a tenure-blind staircasing approach
- To maximise developer contributions and ensure appropriate local infrastructure is funded, having regard to promoting wellbeing
- Work with our Registered Provider partners to monitor customer satisfaction data to improve services to leaseholders and tenants
- To develop an offer to landlords to support utilisation of the private rented sector and drive up standards
- To give due regard to levels of air pollution surrounding proposed developments close to busy roads following the recent ruling related to air pollution in Lewisham, in order to provide safe homes for our communities
- To determine when it is appropriate to pursue lifetime homes, using a range of data

## Objective two: Promote Health & Wellbeing

The health and wellbeing of our residents is of paramount importance. We believe that a considered approach to development coupled with the delivery of suitable infrastructure - along with maximisation of open spaces - is of benefit to the whole community and will promote the wellbeing of all of those who live in, work in or visit the Royal Borough.

### What we will do:

<b>Commitment 9</b>	Take a targeted approach to areas of high social and economic deprivation through regeneration, which improves the built environment and supports better education, employment and housing outcomes for existing and future residents
<b>Commitment 10</b>	Improve health outcomes by supporting innovative designs that promote well-being and better health (including mental health) outcomes - particularly gardens and green open spaces
<b>Commitment 11</b>	Incentivise developers to bring forward schemes that support our climate change obligations to achieve net zero by 2050, including supporting carbon-neutral and carbon-positive technologies in new homes
<b>Commitment 12</b>	Work with private landlords and Registered Providers to retrofit existing stock with zero carbon technologies, particularly with the least sustainable stock



<b>Commitment 13</b>	Tackle digital inequality and digital poverty by working with housing associations to improve opportunities for their residents to benefit from super-fast broadband
<b>Commitment 14</b>	Ensure residents with disabilities are not further impacted by their home environment by providing efficient and effective assessment and adaptations through the Disabled Facilities Grants (DFGs) process, maintaining strong partnership working for the successful delivery and implementation of grant-funded interventions
<b>Commitment 15</b>	Assess the need for supported accommodation, including Extra Care, and review our supported accommodation provision to ensure we are able to offer accommodation to support better health and wellbeing outcomes

57

**How we will deliver:**

In line with these commitments, we commit to carrying out the following actions:

- To assess levels of deprivation within the area to ensure a targeted approach to regeneration
- To work with our Registered Providers to ensure those in the most deprived areas have a voice and that we work together to tackle health inequality
- To target areas with high levels of anti-social behaviour or crime and consider whether regeneration could minimise these issues and make better use of space
- To use the housing enabling function to encourage the use of zero carbon technologies
- Establish a working group with RPs to work together to deliver strategic aims, such as retrofitting least efficient stock with more sustainable technology

- To work with our registered providers to increase access to high-speed internet connectivity
- To work closely with the RBWM Property Company Limited to ensure social regeneration and neighbourhood renewal projects are promoted in line with our assessed need
- Review the current provision and need for sheltered accommodation, taking into consideration the wider social housing requirement and need for Extra Care accommodation

## Objective three: Support vulnerable residents to obtain and sustain appropriate accommodation

A culture of prevention activity and sensitive support is at the heart of our community services in The Royal Borough. The introduction of the Care Act 2014, Homelessness Reduction Act 2017, the Government's Rough Sleeping Strategy and the forthcoming Violence against Women and Girls (VAWG) 2021-24 Strategy are paving the way to ensure that all households have access to appropriate and sustainable accommodation - an ethos which is echoed here in The Royal Borough.

### What we will do:

<b>Commitment 16</b>	Create a coalition of temporary accommodation landlords to provide sustainable, reliable, cost-effective temporary accommodation to support homeless households into long-term solutions
<b>Commitment 17</b>	Strengthen working relationships with existing partner organisations and seek to develop new relationships in order to increase support provision to our residents
<b>Commitment 18</b>	Consider the purchase of units of quality temporary accommodation to replace those leased from the private sector and ensure value for money
<b>Commitment 19</b>	Optimise revenue available to create new services by monitoring funding opportunities and bidding for funding where this could fill gaps in service provision
<b>Commitment 20</b>	Use technology to improve access to services and clearly demonstrate outcomes

<b>Commitment 21</b>	To improve access to the private rented sector for households who are homeless or threatened with homelessness
<b>Commitment 22</b>	Explore and optimise opportunities to support vulnerable residents in maintaining accommodation and reduce instances of repeat homelessness
<b>Commitment 23</b>	Maximise effectiveness of the new 'Tap & Donate' scheme – <i>Tap 4 Lasting Change</i>

**How we will deliver:**

In line with these commitments, we commit to carrying out the following actions:

- To deliver the Homelessness & Rough Sleeping Strategy
- To introduce regular landlord forums to ensure relationships with local landlords are strengthened and maximise the potential for the placement of homeless households
- To work with our registered provider partners to enable them to support us with temporary accommodation needs for homeless households
- To set up a regular charity and volunteer liaison meeting to ensure the voluntary sector are fully supported and are effectively engaging with the Royal Borough
- To work with the RBWM Property Company Limited to ensure opportunities for the purchase of temporary accommodation options are maximised

- To enhance the service plan for Housing & Environmental Health Services, to include new services and provisions that require funding, and to monitor opportunities for funding and develop bids in line with the plan; also ensuring the Royal Borough is equipped to respond quickly and appropriately to such opportunities
- To work with our IT team to ensure we are making the best use of available technology and that residents are supported to use such technology, including self-help tools
- To review our private rented sector offer and ensure the offer is comparable with our neighbouring authorities
- To refresh the Allocations Policy to ensure that it meets all legislative requirements, taking into consideration the transfer lists help by our Registered Provider partners
- To continue to use technology to find innovative ways of working with partner organisations and maximising support to vulnerable residents, such as the new Tap 4 Lasting Change initiative
- To work with the Ministry of Housing, Communities and Local Government (MHCLG) to secure additional funding for John West House and consider investment plans to improve the support offer further

## Resources

The strategy can only be delivered successfully in partnership, working alongside the private, public, community and voluntary sectors. The Council continues to work closely with the Ministry for Housing, Communities and Local Government and Homes England to ensure it is well placed to secure additional short-term funding from any housing related bid rounds, particularly when it will directly contribute to the objectives set out in the Housing Strategy 2021-2026.

## Monitoring and updating the strategy

This strategy has been developed in partnership and sets out a 5-year plan. During this period, new priorities may emerge, and new national policy landscapes may be introduced. Whilst we can anticipate that key themes will remain relevant during this period, the way we deliver them may need to change. For this reason, it is important that the Housing Strategy remains under review and that it is kept up to date.

The Housing Strategy delivery plan is intended to be a live document, to be updated as necessary and as actions are completed and the plan evolves. An updated version of the action plan will be published on the Council's website and shared with our partners each year, setting out the achievements and the challenges of the preceding year, along with any significant recommended changes to the action plan that may arise from emerging demand, guidance, legislation or policy.

## The Delivery Plan

The Housing Strategy delivery plan 2021-2026 sets out specific, measurable, achievable and time-phased (SMART) actions that contribute to meeting the overarching aims. The approach to monitoring and review ensures that in addition to SMART actions and targets, there will be regular evaluation and review (SMARTER). The delivery plan is a live document and will be subject to change during the life of the strategy.

## Local Policy Context

### Local Plan

One of the central functions of the Local Plan is to ensure an adequate and continuous supply of land for housing development in accordance with the requirements of the Structure Plan. It is equally important, however, that the scale and location of new housing development is consistent with the Green Belt and other environmental objectives of the Plan.

Good quality housing is a fundamental need that plays a significant role in shaping our lives and our communities. A home is a vital part of people's lives and contributes to creating a safe, healthy and prosperous society. The planning system can play a positive and supporting role in the delivery of homes to meet the full range of housing needs of society, within the wider framework of sustainable development. The Borough Local Plan is a vital tool in addressing the scale, distribution and type of new homes that need to be provided up to 2033.

The Borough Local Plan aims to accommodate a significant increase in housing provision over the plan period. This includes working with other agencies such as central government, to ensure the optimum use of surplus land and facilities to accommodate need as well as working with Neighbourhood Plan groups to identify further sites for housing. This is placed against a background of positively seeking opportunities to meet housing need and the Borough Local Plan takes a proactive approach to providing for the identified level of need across the Borough.

### Homelessness and Rough Sleeping Strategy

Following a review of homelessness in the Royal Borough, the new Homelessness and Rough Sleeping strategy 2020-2025 was published. The strategy sets out a collaborative approach to tackling homelessness and rough sleeping in the Royal Borough over the next five years working closely with partners from the statutory and voluntary sectors.

The Strategy highlights the Council's firm belief that the most effective way to deal with homelessness and rough sleeping is to prevent it from happening.

The Homelessness and Rough Sleeping strategy 2020-2025 sets out five key priorities:

1. Reducing the number of people becoming homeless
2. Reducing the number of households in temporary accommodation and improving the quality of that accommodation
3. Supporting people into good quality, affordable and sustainable accommodation options
4. Reducing rough sleeping and supporting those who find themselves on the street
5. Improving the customer service provided to people approaching the housing service

An initial Homelessness and Rough Sleeping Strategy forum to consider the strategy action plan took place in September 2020 and was attended by stakeholders and partner organisations from across the Royal Borough. The Strategy action plan is a live document updated quarterly through the forum.

## Local Context

### Homelessness presentations

64

Homelessness is caused by a complex interplay between a person's individual circumstances and adverse 'structural' factors outside their direct control. Structural causes of homelessness are social and economic in nature and are often outside the control of the individual or family concerned. The structural causes of homelessness include poverty, lack of affordable housing and policy changes. There are often multiple and complex reasons for the loss of a home, but common causes of homelessness acceptances amongst applications to the council are: end of Assured Shorthold Tenancy (AST), relationship breakdown or friends or family no longer able to accommodate.

In Windsor and Maidenhead in 2018/19, the main reasons for approach were rooted in the ending of an AST with interpersonal issues, such as relationship breakdown or friends and family no longer willing to accommodate being the next largest reason for approach.

In 2019/20 a total of 648 households who were homeless or threatened with homelessness approached the Council for assistance. In 2020/21 a total of 908 households have already approached the Council for assistance; this is an increase of 40% on the previous year.



## **Rough sleeping in the Royal Borough**

The annual rough sleeping snapshot provides information about the estimated number of people sleeping rough on a single night between 1 October and 30 November each year and some basic demographics details (age, gender, nationality). These statistics provide a way of estimating the number of people sleeping rough across England on a single night and assessing change over time.

Local authorities across England take an annual autumn snapshot of rough sleeping using either a count-based estimate of visible rough sleeping, an evidence-based estimate meeting with local partners, or an evidence-based estimate meeting including a spotlight count in specific areas. This methodology has been in place since 2010.

In 2019, The Royal Borough of Windsor and Maidenhead reported a total number of 40 individuals sleeping rough in the Borough on the evening of the spotlight count. This was an increase of 264% on the previous year. 2020's spotlight count is due to take place on 24 November with reported rough sleeping numbers expected to be significantly lower than the previous year as a result of the Government's *Everyone In scheme*.

The Royal Borough of Windsor and Maidenhead has implemented a successful three stage rough sleeper pathway designed to ensure that rough sleepers are able to access the right support at the right time; from initial identification through to independent accommodation. The Government's *Everyone in* scheme, designed to ensure nobody slept rough on the streets of England during the Covid-19 pandemic, placed significant strain on the capacity of the Council's rough sleeper pathway, to which the Council has quickly responded securing an additional £145,000 funding under the Government's *Next Steps Accommodation Programme*.

## **Partnership working; RBWM Property Company Limited**

Council's always need to utilise resources more efficiently whilst still delivering on key objectives – not least enhancing their communities, creating attractive, safe and economically prosperous places and meeting the urgent need for new housing.

The vision of RBWM Property Company Limited is to deliver a regeneration programme of residential and commercial assets for the Borough with a focus on affordable housing. The diverse development pipeline being coordinated by RBWM Property Company Limited now comprises over 4,000 homes which comprises a combination of joint venture sites, enabling provision and the company's own affordable development programme, guided by a design-led placemaking approach including:

- 4,257 homes over 14 sites
- 2,664 market sale
- 1,269 affordable homes
- 324 market rent

## **Our achievements so far**

### **Rough sleeper pathway**

In December 2019 The Royal Borough implemented a three-stage rough sleeper pathway for those who are rough sleeping or at risk of rough sleeping. A full assessment is undertaken for those admitted to stage one of the pathway to ensure that support needs are fully understood and tailored support in place. Individuals move through the pathway via a range of intensive support including but not limited to support with life skills, budgeting, cooking, assistance with tackling substance misuse, help to address mental health issues and support with training and employment needs.

99

### **Rough Sleeper Initiative (RSI) funding**

The Rough Sleeping Initiative was first announced in March 2018 to make an immediate impact on the rising levels of rough sleeping. In January 2020, the Ministry for Housing, Communities and Local Government announced allocations of a £112 million Rough Sleeping Initiative fund to provide local support for those living on the streets. Councils across England received a share of the funding.

In 2020, The Royal Borough of Windsor and Maidenhead was allocated £490,000 Rough Sleeper Initiative funding. The funding was the second round of Rough Sleeper Initiative funding allocated by the government, with £86,000 Rough Sleeper Initiative funding being allocated in 2019. The 2020 funding allowed The Royal Borough to embed the pathway within the approach including supporting the pathway with accommodation options and intense support staff.

### **Alternative giving scheme**

The Royal Borough has now launched an alternative giving scheme which residents and visitors are encouraged to use instead of making direct cash payments to individuals begging on the street. The funds raised from the alternative giving scheme will be used to support local services who contribute towards ending rough sleeping and multiple disadvantage.

### **Maidenhead Regeneration**

Maidenhead has arrived at an exciting period of change as ambitious plans for regeneration become a reality and the council, together with its partners, looks to build a town for everyone. The Royal Borough's joint venture partner for the Maidenhead Golf Course site is CALA Homes, whose business is based upon the principle of 'people and community first'. CALA Homes have developed a proven model of genuine partnership to help deliver regeneration objectives and investment in other areas of the community.

Subject to allocation in the Borough Local Plan and planning permission being granted, the site will deliver more than 2,000 homes, including 30% affordable, as well as a new primary and secondary school, public open space, community hub and supporting infrastructure. The golf course offers a highly sustainable location to provide housing in the Borough with excellent transport links, including short walking distance to forthcoming Crossrail services at Maidenhead railway station and the wider town centre amenities.

### **Implementation of an online housing register**

A clear, transparent and customer centric housing register application and allocations process is a fundamental requirement of any local authority housing department.

Prior to 2020, residents in housing need wishing to apply to join Royal Borough of Windsor's housing register were required to complete a paper application and produce physical copies of supporting documentation. In 2020 the Housing Service successfully implemented an online housing register which also provided residents with the ability to upload information from the comfort of their own home using a handheld device such as a mobile phone. At any time, applicants can log into their customer portal account to view the status of their application and complete tasks such as updating their contact information or providing information about a change in their circumstances.

The newly implemented system not only helps to ensure a smooth application process for residents but also enables the Council to demonstrate the application of its current housing allocation policy, in line with statutory requirements.

### **Affordable housing delivery with breakdown**

The Borough is considered to be one of the most prosperous areas in the country with very high house prices and lack of supply, particularly with regard to affordable housing. The Borough enjoys a close proximity to London with excellent transport links, a great number of employment and leisure opportunities and a vibrant local economy, and this serves to increase demand for housing which in turn leads to increased house prices.

The high cost of home ownership in the Borough has always presented an issue of affordability for many of the Borough's residents and leaves many people unable to afford market housing. In addition, the high cost of renting on the open market leaves many local people unable to afford this tenure and can lead to increasing dependency on benefits. This increases the demand for the provision of affordable housing. The Strategic Housing Market Assessment shows that there is a need for an additional 434 new affordable homes in the Borough every year.

The Council successfully completed the following affordable housing delivery in previous years:

- 2019 / 20 – 70 units comprising 62 shared ownership units and 8 units for affordable rent
- 2020 / 21 – Projected to be 58 by year end comprising 51 shared ownership units and 7 units for social rent
- 2021 / 22 – Projected to be 77 by year end comprising 15 units for social rent, 25 for affordable rent and 37 for shared ownership

### **Disabled Facilities Grants**

A Disabled Facilities Grant (DFG) is a means-tested grant for people with a permanent disability of any sort – including physical and learning disabilities, sensory impairment and mental illness.

Disabled Facilities Grants can be used to fund work such as:

- installing a walk-in shower
- installing a stair lift

- converting a downstairs room to an accessible toilet or bathroom
- adding ceiling track hoists
- widening doorways
- fitting handrails
- making outside steps easier to use or installing ramps
- improving central heating or adapting heating or lighting controls to make them easier to use.

In 2018/19 a total of 79 Disabled Facilities Grants were completed

In 2019/20 a total of 69 Disabled Facilities Grants were completed

By December 2020, a total of 11 Disabled Facilities Grants had been completed for the 2020/21 year

### **Local testing and contact tracing**

We want to keep our residents as safe as we can from COVID-19 until better treatments for Covid-19 and/or a vaccine is available and, as such, have developed a comprehensive outbreak plan.

The outbreak plan has eight key themes:

1. Prevent and manage outbreaks in specific individual settings e.g. schools and care homes
2. Prevent and manage outbreaks in other high-risk locations, workplaces and communities
3. Deploy local testing capacity optimally
4. Deliver contact tracing for complex settings and cohorts
5. Access the right local data to enable the other themes and prevent outbreaks
6. Support vulnerable people and ensure services meet the needs of diverse communities
7. Take local actions to contain outbreaks and communicate with the general public
8. Keep our workforce safe

Effective local testing and contact tracing is imperative to all three Housing Strategy objectives. It will enable those working in the construction industry to work safely, regenerating and developing the homes identified within strategy objective one. It will support and promote the health and wellbeing of all residents in the Borough as identified within strategy objective two and it will help to ensure continuity of support for vulnerable residents in the Borough.

## Our challenges

### Home ownership

The average income for all Windsor and Maidenhead residents working full time is £743.20 per week (gross). This breaks down to £890.70 per week for males and £595.90 per week for females. The lower quartile property in Windsor and Maidenhead is £465,000. Households in the Borough therefore require an income of £109,500 to afford one of these properties (based on 30% of gross income spent on a mortgage). Achieving home ownership in Windsor and Maidenhead is a challenge; even for people earning above the average income.

	2021	2018	2013	2008	3-year change	13-year change
<b>Windsor &amp; Maidenhead</b>	£475,721	£465,000	£338,000	£307,000	2%	35%
<b>South East</b>	£342,420	£321,113	£234,000	£215,000	6%	37%
<b>England</b>	£249,309	£240,000	£188,000	£179,950	4%	28%

<https://landregistry.data.gov.uk/app/ukhpi> (Accessed 31 March 2021)

As indicated in the chart above, average house prices in the Borough have increased by 2% over the last 3 years and 35% over the last 13 years. The increases over this time have been higher than those experienced regionally and nationally. Whilst the Bank of England suggested that the impact of Britain's exit from the European Union could impact property prices by as much as 30%, currently there are no clear indications that house prices will reduce in the Borough.

According to the UK house price index the average house price across England was £249,309 in January 2021. The average house price in the South East was £342,420. The table above shows the average house prices in Windsor and Maidenhead are significantly higher than the rest of the country (excluding London). Access to home ownership is a major challenge for people looking to secure owner occupation in Windsor and Maidenheads. This is not only true for those on low incomes, but also those whose earnings exceed the average national income and average income for the area.

## Market Rents

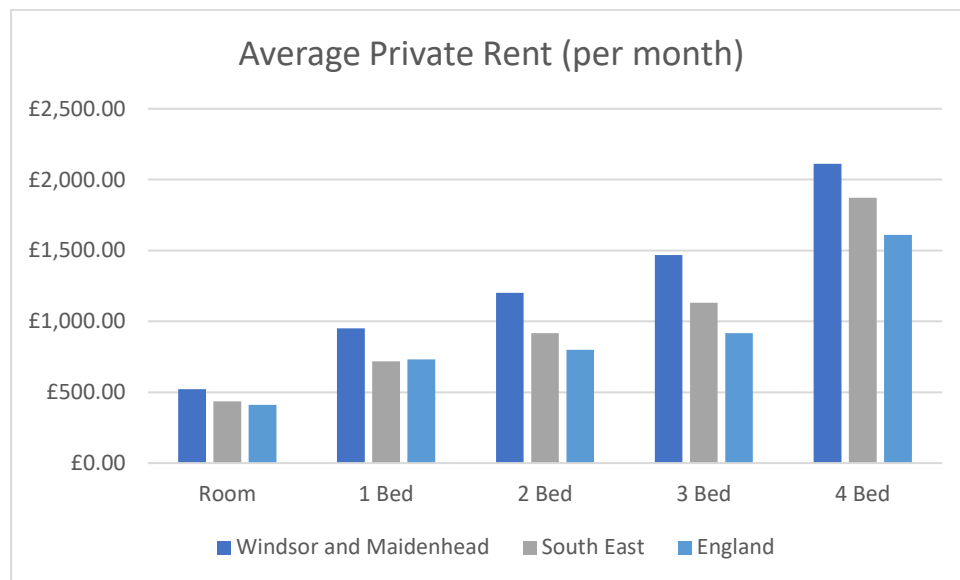
There is an insufficient supply of social rented housing for all of those who need it and there is therefore a heavy reliance on private rented sector housing within the Borough. House prices within the Borough are above the national average, meaning that households who are priced out of the market are also turning to private rented sector accommodation rather than seeking to purchase a home.

The tables below identify that residents in The Royal Borough require an annual income of £26,863 to access a lower quartile private rented sector property in the Borough with rental costs equating to 54% of their income:

	RBWM Average Rent	80% of Average Rent (affordable rent)	50% of Average Rent (social rent)
Monthly rent	£1,252	£1,002	£626
Annual Rent	£15,024	£12,019	£7,512
Affordability threshold: 30% gross income on rent (annual)	£50,080	£40,063	£25,040

ONS, Private rental market summary statistics in England

Average private rented figures in Windsor and Maidenhead are substantially higher than both the South East and England, which impacts on the amount of affordable private rented accommodation locally. As there is a lack of affordable market rented properties in Windsor and Maidenhead, any decline in properties available could result in a rental price increase reducing the affordability of private rented properties in the future.



VOA, Private rental market summary statistics: April 2018 to March 2019

72

## Affordable housing

Registered Providers (RPs) charge Affordable Rents set at up to 80% of the open market rent in keeping with the MHCLG and HCA Affordable Homes Programme Framework.

Due to changes in the welfare system, which includes extending the Local Housing Allowance (LHA) limit to social landlords, capping benefits at £20,000 (£13,400 for single people), reducing the amount of Housing Benefit the under 35s with no children will be entitled to (from a 1 bedroom flat to a room in a shared house), and the high cost of 4-bedroom properties in Windsor and Maidenhead, this impacts on the affordability of wider Registered Provider properties.

In Windsor and Maidenhead, the cost for a single person aged under 35 years renting a 1-bedroom property with a registered provider is on average £121 per week. In comparison, the Local Housing Allowance rate for a shared room is between £89.75 and £109.71 per week, depending on the location within the Borough.



The Council is continually working with Registered Provider partners to try to address the ongoing affordability issues within the Borough. In addition, it is apparent that for households affected by the benefit cap, becoming economically active must be a priority with employment for 16 hours or more per week triggering exemption from the benefit cap.

There is a very real risk for out of work households, and particularly larger out of work households, that all available housing options in Windsor and Maidenhead will become too expensive. This could result in households having to move to other areas in order to secure housing they can afford.

### Demand for housing

The Windsor and Maidenhead Housing Register provides an indication of the current housing need within the Borough. The register is composed of households seeking housing association rented accommodation and housing association tenants who are not tenants of either Abri or Housing Solutions.

In December 2019 there were, on average, 900 applicants on the housing register. Of these, just under 30% were registered as requiring 1-bedroom accommodation. 70% of applicants on the housing register have dependent children, with over 50% of households being registered for 2 bed accommodation.

73

	1 bed need	2 bed need	3 bed need	4 bed need	5 bed need	6 bed need
Households registered at December 2019	292	456	103	30	0	0

Breakdown of Windsor and Maidenhead's Housing Register as of December 2019

The statistics above do not correlate with the available accommodation in the Borough. On average, 62% of nominations are for 1-bedroom accommodation, 16% for 2-bedroom, 13% for 3-bedroom and only 12% registered for sheltered accommodation.

The Council is currently reviewing the housing register data available with a view to reviewing the housing allocation policy in 2021.

The Borough's largest Registered Providers, Abri and Housing Solutions, manage their own internal transfer lists. Work will be undertaken to ensure the housing register and transfer lists are more closely aligned. As of December 2020, their identified needs are:

	1 bed need	2 bed need	3 bed need	4 bed need	5 bed need
Households on transfer list December 2020	127	163	179	43	10

### Housing supply

The UK is in the midst of a housing crisis. 2019 marked 100 years since the Addison Act was passed, which introduced the notion of councils building social housing on a large scale. 5.5 million social homes were built over the next century, but the trend has slowed massively since the 1980s. In 2018-19, only 6,287 social rented homes were built.

The need for a large-scale social housebuilding programme is increasingly recognised by organisations across the political spectrum but a number of issues must be overcome to build the next generation of affordable homes. These include but are not limited to:

- The price of land which has increased fivefold since 1995 and effectively makes building social housing considerably more expensive and limits the 'social value' that can be captured through the planning system
- The availability and viability of land
- A reduction in the capacity of local government as funding has decreased, reducing the ability to develop new homes in the way they may have done previously
- Developing at the scale and speed we need to, while embracing new environmentally sustainable methods necessary to curb the carbon emission contributions of housing and construction in the UK

## **National Policy Context**

Since 2011 there have been significant national policy developments that have impacted on our residents and the services that The Royal Borough provides.

### **Laying the Foundations: A Housing Strategy for England 2011**

The National Housing Strategy for England, Laying the Foundations: A Housing Strategy for England was published in 2011. The Strategy set out ideas on the then Government's preferred shape of housing provision, which centred on 'the primacy of home ownership; social housing as welfare; and an increasing role for the private rented sector'.

The Strategy presented both existing initiatives and policies, and introduced a series of other interventions and approaches, along the following themes:

- Increasing supply, more homes, stable growth
- Social and affordable housing reform
- A thriving private rented sector
- A strategy for empty homes
- Quality of housing experience and support
- Quality, sustainability and design

### **Localism Act 2011**

The Localism Act 2011 provided new freedoms for Councils in terms of how they manage and develop housing. It provided greater local discretion in the management of waiting lists, the discharge of homeless duty and provided the freedom to offer fixed term tenancies. As part of the Localism Act, local authorities were required to produce a Tenancy Strategy and were provided more flexibility to use the private rented sector to house homeless households.

## **Welfare Reform Act 2012**

In 2012 the Welfare Reform Act received Royal Assent. The Act legislated for the biggest change to the welfare system for over 60 years. It introduced a wide range of reforms that were designed to make the benefits and tax credits system fairer and simpler around three principles:

- creating the right incentives to get more people into work
- protecting the most vulnerable in our society
- delivering fairness to those claiming benefit and to the taxpayer

The Government introduced a cap on the total amount of benefit that working age people can receive so that no workless family can get more in benefit than the average weekly wage earned by working households. The cap applied to the combined income from out-of-work benefits plus child benefit and tax credits. Changes brought about by the Welfare Reform Act also affected tenants who were under occupying in the social rented sector with housing allowances restricted to the number of bedrooms designated as appropriate for the household.

76

## **Anti-Social Behaviour, Crime and Policing Act 2014**

In 2014 the Anti-Social Behaviour, Crime and Policing Act came into effect and brought with it a number of measures to give local authorities, police and landlords the ability to tackle anti-social behaviour at a local level. These measures include the ability to close residential premises that are involved in the distribution of illegal drugs or extreme anti-social behaviour; the ability for landlords to seek mandatory possession of residential premises where it can be evidenced that the occupants are involved in local criminality; and, the ability for the courts to issue injunctions to prevent individuals from attending places where they are causing anti-social behaviour or conducting criminal activity, which may include positive requirements - that the individual must engage with the local substance misuse service, for example.

## **Care Act 2014**

A fundamental component of the Care Act is the 'suitability of accommodation' in meeting the at home care and support needs of older and vulnerable people. The Act and the accompanying regulations and guidance outline how housing can support a more integrated approach and set out local implementation requirements by April 2015.

Of particular note:

- A general duty to promote wellbeing makes reference to suitable accommodation
- Housing not just the 'bricks and mortar', also includes housing related support or services
- Housing must be considered as part of an assessment process that may prevent, reduce or delay an adult social care need
- Information and advice should reflect housing options, as part of a universal service offer
- Care and support delivered in an integrated way with cooperation with partner bodies, including housing

### **Housing and Planning Act 2016**

The Housing and Planning Act 2016 provides the necessary legislation for government to implement the sale of higher value local authority homes, starter homes and a number of other measures, mainly intended to promote homeownership and boost levels of housebuilding in England.

Key measures include:

- Extension of the right to buy whereby housing associations can extend the right to buy to their tenants on a voluntary basis. The Act enables the government to make payments to associations to compensate them for the cost of the discounts on offer
- Starter homes - a new type of affordable home ownership product available exclusively for first time buyers aged over 23 and under 40 and will be sold at 20 per cent below normal market prices. The Act created a general duty on all local authority planning departments to promote the supply of starter homes in their area
- Mandatory use of fixed term tenancies; The Act requires that most new local authority tenancies are granted for fixed terms of between two and 10 years
- The Act included a package of measures to help tackle rogue landlords in the private rented sector

### **Homelessness Reduction Act 2017**

The Homelessness Reduction Act 2017 brought in a package of measures aimed at reducing and relieving homelessness and placed new duties on local authority housing services to actively work with households to prevent or relieve homelessness. When

a household is identified as being at risk of homelessness, local authorities must provide them with a personalised housing plan and confirm in writing that they are subject to a Prevention Duty under the Act. The Prevention Duty last for at least 56 days or until the household actually become homeless. For households who are already homeless or whose homelessness has not been prevented, a Relief Duty under the Act is owed, and a personalised housing plan is required in addition to support in finding alternative accommodation.

### **The Rough Sleeping Strategy 2018**

In 2018 the Government published its *Rough Sleeping Strategy* in which it set out its commitment to halve rough sleeping by 2022 and end it by 2027. The strategy called on central and local government as well as businesses, communities, faith and voluntary groups and the general public to work together in new ways. The strategy was backed by £100 million of funding and marked the beginning of the government's ambition to ensure no one has to sleep rough again.

### **Homes England Strategic Plan 2018-2023**

In 2018, Homes England published its five-year strategic plan which sought to:

- Support the affordable housing market
- Provide investment products, including for major infrastructure
- Unlock and enable land
- Deliver home ownership products, such as Help to Buy
- Supporting Modern Methods of Construction (MMC)
- Address the barriers facing smaller builders
- Provide expert support to priority locations

### **Domestic Abuse Bill**

The Domestic Abuse Bill is currently progressing through the required stages to make its contents a legislative requirement. The new Domestic Abuse Act will place duties on local authorities to assess the need for abuse support locally, produce and publish a strategy and monitor and evaluate the effectiveness of the strategy. A Domestic Abuse Partnership Board will need to be formed from local partnerships to advise on the formation of the strategy.

## **Coronavirus**

On 26 March 2020, the Minister for Local Government and Homelessness wrote to local authorities asking them to urgently accommodate all rough sleepers and focus on the provision of adequate facilities to enable people to adhere to the guidance on hygiene or isolation, including for those who are at risk of sleeping rough.

Furthermore, in May 2020, the Minister for Rough Sleeping and Housing requested that when arranging move-on accommodation for people sleeping rough, local authorities provide short-term accommodation whilst looking for long term options. The impact of this being an increased number of individuals with complex needs requiring accommodating, in the short and longer term, by the local authority.

In the Royal Borough we have successfully moved all of our rough sleepers from the streets and have provided them with accommodation, support and move on plans to ensure no-one needs to return to the streets. This has put significant pressure on existing resources and work is ongoing to ensure additional funding is sought from Government as required so that services can be maintained at an excellent standard.

## Action Plan

The action plan will be regularly updated and monitored by the Housing Strategy Group.

Commitment	Related Actions	Review date	Housing Lead	Key Partners
1.1 To strengthen our Housing Enabling function and work with our Registered Providers and Developers to look at future developments and the viability of mixed tenure housing, including lifetime homes	<ul style="list-style-type: none"> <li>To consider taking a Preferred Partners approach to development within The Royal Borough</li> </ul>	31 <sup>st</sup> December 2021	Strategy & Enabling Officer	Registered Providers
	<ul style="list-style-type: none"> <li>Review and consider examples of good practice across the wider Berkshire authorities, sub-regionally and nationally</li> </ul>	31 <sup>st</sup> March 2022	Strategy & Enabling Officer	
1.2 To fully assess the housing need within the District, using a variety of data streams, to ensure we have robust plans in place to generate appropriate housing pathways	<ul style="list-style-type: none"> <li>To undertake a detailed local housing needs assessment</li> </ul>	30 <sup>th</sup> September 2022	Strategy & Enabling Officer	Census, Registered Providers
	<ul style="list-style-type: none"> <li>To develop pathway plans for different household types/needs</li> </ul>	31 <sup>st</sup> December 2022	Housing Operations Manager	AfC, Optalis, Probation, CCG
1.3 To review locally available home ownership products and work with Registered Providers to maximise home ownership opportunities for all	<ul style="list-style-type: none"> <li>To meet all Registered Providers active in The Royal Borough to discuss home ownership options</li> </ul>	31 <sup>st</sup> March 2023	Strategy & Enabling Officer	Registered Providers
	<ul style="list-style-type: none"> <li>To conduct a review of available home ownership products and availability at the local level</li> </ul>	30 <sup>th</sup> September 2022	Strategy & Enabling Officer	



<p>1.4 To refresh the empty property strategy to ensure all properties of all tenures are brought back into use where possible, also considering the approach to second homes</p>	<ul style="list-style-type: none"> <li>To review, refresh and publish the empty property action plan</li> </ul>	<p>31<sup>st</sup> December 2021</p>	<p>Housing Strategy &amp; Residential Services Manager</p>	
<p>1.5 To liaise with local businesses to ensure their workforces can access good-quality and appropriate housing and that suitably skilled employees are attracted to the Borough</p>	<ul style="list-style-type: none"> <li>To utilise the data from the Census 2021 to inform local housing delivery.</li> <li>To collate the information and generate a report for consideration by Members</li> </ul>	<p>31<sup>st</sup> September 2022</p> <p>31<sup>st</sup> January 2023</p>	<p>Housing Managers</p> <p>Strategy &amp; Enabling Officer</p>	
<p>1.6 To ensure there is an adequate supply of keyworker accommodation in the private rented sector and suitable home ownership opportunities including try before you buy and submarket rents through a tenure blind stair casing approach</p>	<ul style="list-style-type: none"> <li>To review the definition of keyworker within The Royal Borough</li> <li>To review keyworker information on housing waiting lists and from the Census to identify the need for keyworker housing</li> </ul>	<p>31<sup>st</sup> October 2021</p> <p>31<sup>st</sup> January 2022</p>	<p>Housing Strategy &amp; Residential Services Manager</p> <p>Housing Operations Manager</p>	<p>RBWM Property Company, Registered Providers</p> <p>Registered Providers</p>
<p>1.7 To maximise developer contributions and ensure appropriate local infrastructure is funded, having regard to promoting wellbeing</p>	<ul style="list-style-type: none"> <li>To prepare an annual report on our infrastructure spend that exceeds the statutory minimum requirements and monitors impacts on health and wellbeing</li> </ul>	<p>31<sup>st</sup> March 2022</p>		<p>Infrastructure, Sustainability &amp; Transport</p>

<p>1.8 Work with our Registered Provider partners to monitor customer satisfaction data to improve services to leaseholders and tenants</p>	<ul style="list-style-type: none"> <li>• To encourage our Registered Provider partners to develop, and report on, customer satisfaction</li> <li>• To establish a joint working group between RBWM and Registered Providers to move forward joint strategic goals and improve customer satisfaction</li> </ul>	<p>31<sup>st</sup> December 2021</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Registered Providers</p>
<p>1.9 To develop an offer to landlords to support utilisation of the private rented sector and drive up standards</p>	<ul style="list-style-type: none"> <li>• To monitor the action plan in the Homelessness &amp; Rough Sleeping Strategy to ensure progression of a private rented sector offer</li> </ul>	<p>31<sup>st</sup> March 2022</p>	<p>Housing Operations Manager</p>	
<p>1.10 To give due regard to levels of air pollution surrounding proposed developments close to busy roads following the recent ruling related to air pollution in Lewisham, in order to provide safe homes for our communities</p>	<ul style="list-style-type: none"> <li>• To conduct a review of available information on local air pollution levels and identify where this may affect local communities, particularly in relation to proposed new developments</li> </ul>	<p>30<sup>th</sup> August 2021</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Planning</p>
<p>1.11 To determine when it is appropriate to pursue lifetime homes, using a range of data</p>	<ul style="list-style-type: none"> <li>• To use the Housing Enabling function to work with developers to provide lifetime homes if there is a demonstrated need following the needs assessment specified in 1.2</li> </ul>	<p>30<sup>th</sup> November 2021</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Registered Providers &amp; Developers</p>

<p>2.1 To assess levels of deprivation within the area to ensure a targeted approach to regeneration</p>	<ul style="list-style-type: none"> <li>To assess levels of deprivation as part of the needs assessment specified in 1.2 and use this to inform future development decisions</li> </ul>	<p>30<sup>th</sup> November 2021</p>	<p>Strategy &amp; Enabling Officer</p>	
<p>2.2 To work with our registered providers to ensure those in the most deprived areas have a voice and that we work together to tackle health inequality</p>	<ul style="list-style-type: none"> <li>To encourage our Registered Provider partners to work with those in the most deprived areas and to tackle health inequalities</li> </ul>	<p>30<sup>th</sup> June 2023</p>	<p>Housing Operations Manager</p>	<p>Registered Providers &amp; Public Health</p>
<p>2.3 To target areas with high levels of anti-social behaviour or crime and consider whether regeneration could minimise these issues and make better use of space</p>	<ul style="list-style-type: none"> <li>To use the needs assessment and work with RPs and developers to ensure targeted regeneration is considered in any future development plans</li> </ul>	<p>31<sup>st</sup> May 2022</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Registered Providers &amp; Developers</p>
<p>2.4 To use the housing enabling function to encourage the use of zero carbon technologies</p>	<ul style="list-style-type: none"> <li>Review and consider examples of good practice across the wider Berkshire authorities, sub-regionally and nationally in relation to zero carbon developments</li> </ul>	<p>31<sup>st</sup> December 2022</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Planning &amp; Climate Change Groups</p>
<p>2.5 Work with private landlords and Registered Providers to retrofit existing stock with zero carbon technologies, particularly with the least sustainable stock</p>	<ul style="list-style-type: none"> <li>Establish a working group with RPs to work together to deliver strategic aims, such as retrofitting least efficient stock with more sustainable technology</li> </ul>	<p>31<sup>st</sup> December 2022</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Planning &amp; Climate Change Groups</p>

<p>2.6 To work with our registered providers to increase access to high-speed internet connectivity</p>	<ul style="list-style-type: none"> <li>To encourage and support our Registered Provider partners in increasing access to high-speed internet connectivity in existing and new-build developments</li> </ul>	<p>30<sup>th</sup> June 2022</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Registered Providers &amp; Developers</p>
<p>2.7 To work closely with the RWBM Property Company Limited to ensure social regeneration and neighbourhood renewal projects are promoted in line with our assessed need</p>	<ul style="list-style-type: none"> <li>To use the needs assessment and the Enabling function to promote social regeneration and neighbourhood renewal projects to the Property Company</li> </ul>	<p>31<sup>st</sup> December 2022</p>	<p>Strategy &amp; Enabling Officer</p>	<p>RBWM Property Company</p>
<p>2.8 Review the current provision and need for sheltered accommodation, taking into consideration the wider social housing requirement and need for Extra Care accommodation</p>	<ul style="list-style-type: none"> <li>To collate information on the need for sheltered and Extra Care accommodation as part of the needs assessment specified in 1.2</li> </ul>	<p>30<sup>th</sup> September 2021</p>	<p>Strategy &amp; Enabling Officer</p>	<p>Optalis &amp; Registered Providers</p>
<p>3.1 To deliver the Homelessness &amp; Rough Sleeping Strategy</p>	<ul style="list-style-type: none"> <li>To review the Homelessness and Rough Sleeping Strategy action plan quarterly with partners.</li> <li>To update the Homelessness and Rough Sleeping Strategy annually</li> </ul>	<p>30<sup>th</sup> June 2021 (next date)  30<sup>th</sup> November 2021</p>	<p>Housing Operations Manager  Housing Operations Manager</p>	<p>Homelessness &amp; Rough Sleeping Strategy Forum Partners</p>
<p>3.2 To introduce regular landlord forums to ensure relationships with local</p>				

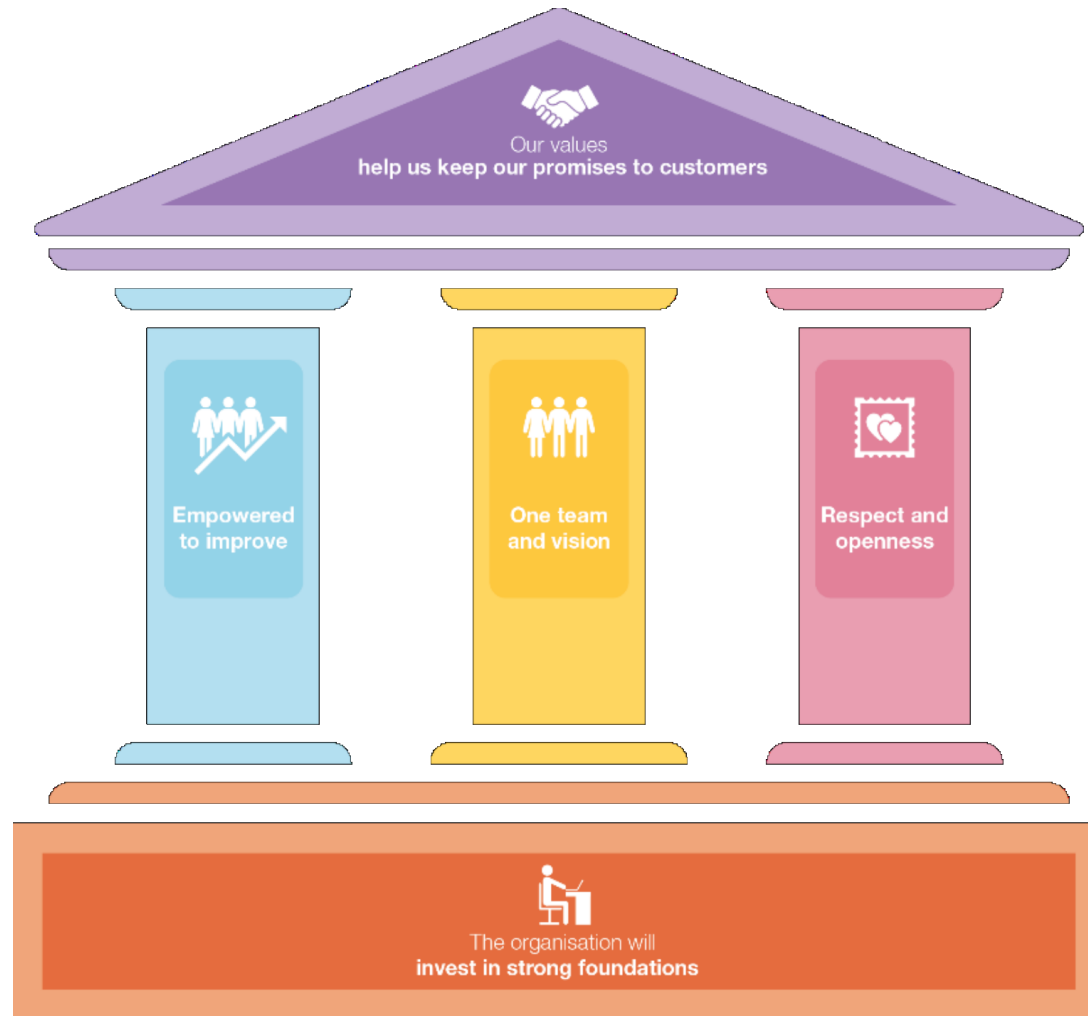
landlords are strengthened and maximise the potential for the placement of homeless households	<ul style="list-style-type: none"> <li>To introduce landlords' forums for local landlords and lettings agents, to be held on a bi-annual basis</li> </ul>	31st October 2021 (first forum)	Strategy & Enabling Officer	Local Landlords & Letting Agents
3.3 To work with our registered provider partners to enable them to support us with temporary accommodation needs for homeless households	<ul style="list-style-type: none"> <li>To conduct a review of temporary accommodation requirements for the Borough and to develop a procurement plan to include our Registered Provider partners</li> </ul>	31 <sup>st</sup> March 2022	Strategy & Enabling Officer	Registered Providers
3.4 To set up a regular charity and volunteer liaison meeting to ensure the voluntary sector are fully supported and are effectively engaging with the Royal Borough	<ul style="list-style-type: none"> <li>To Chair and support the voluntary sector quarterly meetings to promote engagement for the benefit of residents</li> </ul>	30 <sup>th</sup> June 2021	Housing Operations Manager	Voluntary Sector
3.5 To work with the RBWM Property Company Limited to ensure opportunities for the purchase of temporary accommodation options are maximised	<ul style="list-style-type: none"> <li>To use the needs assessment to inform requirements and work with the Property Company to maximise opportunities for procurement</li> </ul>	31st December 2022	Strategy & Enabling Officer	RBWM Property Company
3.6 To enhance the service plan for Housing & Environmental Health Services, to include new services and provisions that require funding, and to monitor opportunities for funding and develop bids in line with the plan; also	<ul style="list-style-type: none"> <li>To ensure the Strategy &amp; Enabling Officer maintains a list of current requirements across the service and is the dedicated point of contact for future funding opportunities</li> </ul>	31 <sup>st</sup> September 2021	Strategy & Enabling Officer	

ensuring the Royal Borough is equipped to respond quickly and appropriately to such opportunities				
3.7 To work with our IT team to ensure we are making the best use of available technology and that residents are supported to use such technology, including self-help tools	<ul style="list-style-type: none"> <li>To work with our Transformation Team to review the available technology and ensure residents can access functional systems, including to self-help tools</li> </ul>	31 <sup>st</sup> December 2021	Housing Managers	Transformation Team
3.8 To review our private rented sector offer and ensure the offer is comparable with our neighbouring authorities	<ul style="list-style-type: none"> <li>To review current standards to provide a better-quality accommodation in the private rented sector</li> <li>To produce a Private Rented Sector Access Strategy</li> </ul>	31 <sup>st</sup> July 2022  28 <sup>th</sup> February 2023	Strategy & Enabling Officer  Strategy & Enabling Officer	Residential Services
3.9 To refresh the Allocations Policy to ensure that it meets all legislative requirements, taking into consideration the transfer lists help by our Registered Provider partners	<ul style="list-style-type: none"> <li>To refresh and review the current Allocations Policy</li> <li>To review the Registered Providers transfer lists and consider our approach to social housing transfers</li> </ul>	31 <sup>st</sup> May 2022  31 <sup>st</sup> May 2022	Housing Operations Manager	Registered Providers
3.10 To continue to use technology to find innovative ways of working with partner	<ul style="list-style-type: none"> <li>To use the quarterly Homelessness &amp; Rough Sleeping Forums to discuss</li> </ul>	31 <sup>st</sup> March 2026	Housing Operations Manager	All key operational partners

<p>organisations and maximising support to vulnerable residents, such as the new Tap 4 Lasting Change initiative</p>	<p>emerging initiatives that can support vulnerable residents</p>			
<p>3.11 To work with the Ministry of Housing, Communities and Local Government (MHCLG) and Homes England to explore opportunities for funding for John West House or alternative provision and to consider investment plans to improve the support offer further</p>	<ul style="list-style-type: none"> <li>To regularly monitor opportunities for funding relating to the provision of accommodation for homeless residents</li> </ul>	<p>31<sup>st</sup> March 2026</p>	<p>Housing Strategy &amp; Residential Services Manager</p>	<p>MHCLG &amp; Homes England</p>

## Our Core Values

In 2020 The Royal Borough adopted a new set of corporate values to reflect our culture and help draw us together as an organisation.







This page is intentionally left blank

Report Title:	Statement of Licensing Policy – Five Year Review
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor D Cannon, Cabinet Member for Public Protection and Parking
Meeting and Date:	Extraordinary Full Council 29 June 2021
Responsible Officer(s):	Hilary Hall, Director of Adults, Health and Housing Tracy Hendren, Head of Housing, Environmental Health and Trading Standards
Wards affected:	All

## REPORT SUMMARY

*RBWM is a licensing authority under the Licensing Act 2003. This Act requires that, every five years, licensing authorities prepare and publish a statement of its licensing policy.*

*This report seeks the agreement of Full Council to adopt the RBWM Licensing Policy Statement 2021 – 2026 so that the policy can be implemented immediately. The new policy may be considered as interim in nature because it has not yet been possible to carry out the required full consultation with relevant stakeholders due to the constraints of Covid-19.*

### 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Full Council notes the report and:

- i. **Agrees to adopt the RBWM Licensing Policy Statement 2021 - 2026 so that it can be implemented with immediate effect (noting the interim nature of the policy as set out in paragraphs 2.8 - 2.11)**

### 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

**Table 1: Options arising from this report**

Option	Comments
Full Council agrees to adopt the RBWM Licensing Policy Statement 2021 - 2026 for immediate implementation	RBWM would comply with its statutory requirements
<b>This is the recommended option</b>	
Full Council does not agree to adopt the RBWM Licensing Policy Statement 2021 - 2026 for immediate implementation	RBWM would not comply with its statutory requirements

- 2.1 Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of its licensing policy at least every five years. Such a policy

must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act.

- 2.2 The RBWM Licensing Policy Statement 2016 – 2021 can be found at [https://www.rbwm.gov.uk/sites/default/files/2020-04/licensing\\_policy\\_statement.pdf](https://www.rbwm.gov.uk/sites/default/files/2020-04/licensing_policy_statement.pdf)
- 2.3 The review of this policy and the publishing of a new policy for 2021 – 2026 should have been completed following a consultation with
- Thames Valley Police
  - Royal Berkshire Fire & Rescue (RBFR)
  - Public Health
  - persons/bodies representative of local premises licence holders;
  - persons/bodies representative of local club premises certificate holders;
  - persons/bodies representative of local personal licence holders; and
  - persons/bodies representative of businesses and residents in its area.
- 2.4 However it has not been possible to fully carry out this review and consultation process due to the effects of the coronavirus outbreak. Thames Valley Police and Public Health have been stretched to the limits in dealing with the outbreak. Many licenced premises were closed completely for long periods from March 2020 and those that were able to operate were only allowed to do so for limited periods and in limited capacities. Only now is the licenced trade beginning to reopen fully for the first time in 15 months.
- 2.5 This means that the future for the hospitality sector is extremely uncertain at present with licenced businesses struggling to continue operating. It is impossible to know at this time what the licenced trade will look like in RBWM once the restrictions are fully relaxed, or indeed for some considerable time afterward. Therefore, to try and consult with this sector during the last 12 months has simply not been feasible or reasonable.
- 2.6 As well as this, the review process requires that consideration is given to the current licensing climate in RBWM and nationally, changes that may have taken place over the last five years, changes to national guidance and a range of other factors to ensure that our policy will be fit for the next five years. Again, this has simply not been possible during or immediately after a period of sustained lockdown.
- 2.7 Taking all of this into account, a number of licensing authorities approached the Home Office in August 2020 to ask for an extension of 18 months to 2 years before having to publish a new licensing policy (the Secretary of State has the power to make regulations under the 2003 Act about the determination and revision of policies). Unfortunately this was not supported so the requirement to renew our policy is still in place.
- 2.8 That being the case, and under the circumstances set out above, the RBWM Licensing Policy Statement 2021 – 2026 that has been prepared and is hereby presented to Council has not been fully consulted on, as required. Therefore, with the agreement of Council, this may be considered as an interim policy until such times as a full consultation can take place. The aim will be to do this in twelve months but this will be subject to there having been a return to full activity across the whole of the licenced trade for a reasonable period of time,

so as to allow an accurate picture of the post-coronavirus trade to be established.

- 2.9 This approach, which will ensure that a policy is in place to allow licensing functions to continue, and this policy were presented to the Licensing Panel on 20 April 2021. The Licensing Panel resolved unanimously to recommend to Full Council that the RBWM Licensing Policy Statement 2021 - 2026 be adopted.
- 2.10 The Licensing Panel also resolved unanimously that RBWM safeguarding partnerships be added to the consultee list for the future review of this policy. There are two partnerships. Statutory children's safeguarding arrangements are overseen by the Child Safeguarding Executive Steering Group and there is a non-statutory adult arrangement which is overseen by the Adult Safeguarding Executive Steering Group. Both will be consultees in the future review of this policy.
- 2.11 The adoption of this updated policy as an interim policy has been agreed with Thames Valley Police, RBFR and Public Health.
- 2.12 This means that there are no radical changes from the previous policy and the changes that have been made are largely presentational.
- 2.13 As and when the full effects of COVID on the licenced trade in RBWM can be determined and the local licensing environment can be properly assessed, a full consultation with the trade will be possible. Once that is carried out, if needs be, an amended policy can be brought back to a future Full Council for adoption (the 2003 Act does allow for licensing authorities to review and revise their policies outside of the five yearly cycle).

### 3. KEY IMPLICATIONS

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
RBWM will comply with statutory requirements, and provide guidance to service users	Prior to date of adoption of this Policy	From date of adoption of this Policy	n/a	n/a	29/06/2021

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no direct financial implications arising from this report.

### 5. LEGAL IMPLICATIONS

- 5.1 Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of its licensing policy at least every five years. Failure to do so would mean RBWM is failing in its statutory duty.

## 6. RISK MANAGEMENT

6.1 There are three risks identified

**Table 3: Impact of risk and mitigation**

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Censure of RBWM and reputational damage for failure to comply with statutory obligation	High	Clear policy in place	Low
Lack of information and guidance for those subject to the Licensing Act 2003	Medium	Clear policy in place	Low
Judicial Review challenge for lack of consultation	Medium	<p>No substantial changes have been made from the previous policy</p> <p>Premises licences are not required to be renewed because they last indefinitely, so current licence holders will not be required to renew their licences against a policy that they were not consulted on</p> <p>A full consultation will be carried out at the earliest time possible</p> <p>The risk of a JR challenge for lack of consultation is outweighed by the risk of not having a new policy which is a statutory requirement, and without which, licensing functions cannot be carried on</p>	Low

## 7. POTENTIAL IMPACTS

7.1 An EQIA screening assessment has been completed and a full assessment is not required. See <https://www.rbwm.gov.uk/sites/default/files/2021-03/2021-eqia-rbwm-statement-of-licensing-2021-2026.pdf>

7.2 Climate change/sustainability. There are no potential impacts of the recommendations in relation to climate change/sustainability

7.3 Data Protection/GDPR. Under the policy presented in this report, any personal data that is not already being processed under RBWM/Licensing data protection/GDPR procedures and protections will be subject to those same procedures and protections.

## 8. CONSULTATION

8.1 As set out in paragraphs 2.4 and 2.5, a full statutory consultation has not been possible. However, Thames Valley Police, RBFR and Public Health have given their agreement to the approach taken to the production of the new policy.

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 If Council agrees to adopt the RBWM Licensing Policy Statement 2021 – 2026 it will come into force on 30 June 2021.

## 10. APPENDICES

10.1 This report is supported by 1 appendix:

- Appendix A - The RBWM Licensing Policy Statement 2021 – 2026

## 11. BACKGROUND DOCUMENTS

11.1 None

## 12. CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Cllr Cannon	Cabinet Member for Public Protection and Parking	28/05/2021	17/06/2021
Duncan Sharkey	Chief Executive	28/05/2021	15/06/2021
Adele Taylor	Executive Director of Resources/S151 Officer	28/05/2021	01/06/2021
Andrew Durrant	Executive Director of Place	28/05/2021	04/06/2021
Kevin McDaniel	Executive Director of Children's Services	28/05/2021	15/06/2021
Hilary Hall	Executive Director of Adults, Health and Housing	28/05/2021	28/05/2021
Andrew Vallance	Head of Finance	28/05/2021	01/06/2021
Elaine Browne	Head of Law	28/05/2021	03/06/2021
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	28/05/2021	03/06/2021

Nikki Craig	Head of HR Corporate Projects and IT	28/05/2021	02/06/2021
Louisa Dean	Communications	28/05/2021	15/06/2021
Karen Shepherd	Head of Governance	28/05/2021	28/05/2021
Tracy Hendren	Head of Housing, Environmental Health & Trading Standards	28/05/2021	28/05/2021

## REPORT HISTORY

<b>Decision type:</b> Full Council Decision	<b>Urgency item?</b> No	<b>To Follow item?</b> No
Report Author: Greg Nelson, Trading Standards & Licensing Manager 07970 776526		



# **Royal Borough of Windsor and Maidenhead**

## **Statement of Licensing Policy**

### **2021 - 2026**

## CONTENTS

<b>Page</b>	<b>Section</b>	<b>Heading</b>
3	1	Introduction
3	2	Licensing Objectives and other key aims and purposes
4	3	The Royal Borough
5	4	Principles
6	5	Conditions
6	6	Key Strategies for 2021 - 2026
8	7	Promoting the Prevention of Crime and Disorder
9	8	Promoting Public Safety
10	9	Promoting the Prevention of Public Nuisance
10	10	Promoting the Prevention of Children from Harm
11	11	Consumption of Alcohol in Public Places
11	12	Enforcement
12	13	Film Exhibition
12	14	Retail Radio Scheme
12	15	Pub Watch
13	Annex 1	Pool of Conditions
21	Annex 2	Licensing and Planning Protocol
24	Annex 3	Delegation of Functions

## **1. Introduction**

- 1.1 The Royal Borough of Windsor & Maidenhead is a licensing authority as defined in the Licensing Act 2003.
- 1.2 The Licensing Act 2003 requires licensing authorities to publish a licensing policy statement every 5 years. This is the Statement of Licensing Policy for the Royal Borough of Windsor and Maidenhead 2021-2026
- 1.3 Licensing authorities are required to consult with the following when drawing up a licensing policy;
  - The chief of police
  - The fire authority
  - Public health
  - Persons representing holders of existing licenses
  - Persons representing registered clubs
  - Persons representing businesses and residents in the council's area
- 1.4 Due to the ongoing effects of COVID, which started in March 2020, a full consultation was not possible at the time that this policy was drawn up.
- 1.5 This policy is will therefore be considered to be an interim policy until such times as a full consultation can take place. This approach has been agreed with Thames Valley Police, Royal Berkshire Fire & Rescue and Public Health.
- 1.6 This Statement of Licensing Policy will not be used to attach conditions that duplicate other regulatory regimes unless they relate to specific issues that cannot be addressed elsewhere.
- 1.7 The licensing authority will not use this policy to impose standard conditions on licenses without regards to the merits of each individual case. However, it does include model conditions for guidance for when conditions are required to be imposed.

## **2. Licensing Objectives and other Key Aims and Purposes**

### **2.1 Licensable Activities**

This policy relates to the following activities:

- a) The sale by retail of alcohol
- b) The supply of alcohol to qualifying clubs
- c) The provision of regulated entertainment
- d) The provision of late night refreshment

- 2.2 The four licensing objectives covered by this policy, as set out in the Licensing Act 2003, are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

2.3 These four objectives are of equal importance. There are no other statutory licensing objectives so the promotion of these four objectives is a paramount consideration at all times.

2.4 This Statement of Policy reflects the guidance issued by the Home Office under section 182 of the Licensing Act 2003 (version published April 2018).

2.5 Paragraph 1.5 of the section 182 guidance states that licensing legislation supports a number of key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. These include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licenced premises.
- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing the problems.
- Recognising the important role which pubs and other licenced premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises.
- Providing regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area.
- Encourage greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

### **3. The Royal Borough**

3.1 The Royal Borough of Windsor and Maidenhead currently has over 700 licenced premises including Windsor and Ascot racecourses, Legoland and Eton College. Other licensed premises include public houses, night clubs, members clubs, restaurants and takeaways, as well as a theatre and a cinema.

3.2 Windsor is one of the top 4 night-time economy centres within the Thames Valley Police area.

#### **4. Principles**

4.1 Each and every application for a licence will be considered on its own merits and on a case by case basis. Determinations will be made in accordance with this Statement of Licensing Policy and with the section 182 Guidance issued by the Secretary of State.

4.2 Cumulative impact. "Cumulative impact" for the purpose of this policy means the potential impact on the promotion of the four licensing objectives of a significant number of licenced premises concentrated in an area or areas.

4.3 The Council recognises that where there are several premises providing licensable activities in the same area the cumulative impact may have an adverse effect on the community, in particular from nuisance and disorder.

4.4 The Police and Crime Act 2017 amended the Licensing Act 2003 to place Cumulative Impact Assessments on a statutory footing by introducing section 5A of the Licensing Act.

4.5 RBWM Licensing intended to undertake a Cumulative Impact Assessment of the Windsor town centre night-time economy in 2020. The COVID pandemic and its impact on the licenced trade meant this was not possible. It is the intention of RBWM Licensing to undertake such a Cumulative Impact Assessment once it is possible to take place.

4.6 Licensing is not the primary mechanism for controlling antisocial behaviour away from premises and beyond the control of operators. However, it is a key aspect of such control and licensing law is part of the holistic approach to management of the evening and night-time economy in town centres.

4.7 The licensing authority will exercise its function under the Licensing Act 2003 with due regard to requirements and responsibilities placed upon them by other legislation. Legislation which may be relevant includes.

- The Health and Safety at Work etc. Act 1974
- The Noise Act 1996
- The Environmental Protection Act 1990
- The Crime and Disorder Act 1998
- The Clean Neighbourhoods and Environmental Act 2005
- The Gambling Act 2005
- The Regulatory Reform (Fire Safety) Order 2005

- 4.8 The licensing authority recognises its duty to promote equality under the terms of the Race Relations Act 1976 (Amendment) Regulations 2003 and the Equality Act 2010.
- 4.9 The licensing authority will also continue to work with legislation concerning immediate issues such as the coronavirus pandemic.
- 4.10 The licensing authority will secure the integration of licensing with local crime prevention, planning, transport, tourism, race equality and cultural strategies, together with other plans for management of town centres and the night-time economy, by consultation, dialogue and joint working with the departments and agencies concerned.
- 4.11 So far as possible, duplication with other regulating agencies will be avoided and conditions will only be attached to licences which are necessary for the promotion of the licensing objectives set out in paragraph 2.2.

## 5. Conditions

- 5.1 Standardised conditions will be avoided but a selection may be made from the pool of conditions annexed to this report (see Annex 1). Conditions will be tailored to the individual style and characteristics of the premises. So far as possible, conditions will reflect local crime reduction strategies.
- 5.2 The Council maintains that licensing is about the control of licenced premises, qualifying clubs and temporary events within the terms of the 2003 Act. Any terms and conditions attached to licences will be focused on matters which are within the control of individual licensees and others granted relevant permissions, centring on the premises and their vicinity.

## 6. Key Strategies for 2021-2026

### 6.1 Framework Hours

As in the 2016-2021 Licensing Policy, having considered the evidence of alcohol related crime, disorder and anti-social behaviour, the number of late night premises and, in particular, the social, practical and regulatory impacts on the morning after the night before, the licensing authority has adopted a Framework Hours Policy. This Framework Hours Policy will apply to new and variation applications. The framework hours are:

Premises Type	Commencement hour for Licensable Activities No earlier than	Terminal hour for Licensable Activities No later than
Off licence	09:00	23:00
Restaurant/Café	09:00	01:00
Pubs/Bars/Nightclubs	09:00	02:00
Takeaways	N/A	02:00

- 6.2 The Framework Hours Policy is not an entitlement. An applicant will still need to demonstrate that, for the terminal hour of 02:00 to apply, it can operate so as to promote the licensing objectives and that the application and proposed operation is reasonably acceptable in the particular location.
- 6.3 Hot takeaway food and drink  
Late night refreshment venues are those whose activities include supplying hot food and drink for consumption off the premises between the hours of 23:00 and 05:00.
- 6.4 These types of premises are often found in clusters or in close proximity to late night bars, clubs and other potential crime and disorder hotspots which can give rise to a negative cumulative impact on one or more of the licensing objectives. The licensing authority will have regard to the layout of the local area of the premises, the local environment and, in appropriate cases, the cumulative impact of such operations.
- 6.5 Late night refreshment venues are expected to provide a robust Operating Schedule outlining in particular how they will address the prevention of crime and disorder and public nuisance objectives if their application is outside of the Framework Hours. This will include the public nuisance being caused by deposits of litter in the area.
- 6.6 For the purpose of this policy, premises shall be considered as a restaurant or café if the sale of alcohol is made only to seated customers who are dining in the premises and where this is a condition of the licence, or a condition volunteered in the Operating Schedule for the premises. Where such conditions have not been offered the premises will be treated as a public house.
- 6.7 For the purpose of this policy, a premises shall be considered an off licence where the sale of alcohol is for consumption off the premises only, and includes petrol stations, corner shops and convenience stores.
- 6.8 Licensing and Planning Protocol - Please refer to Annex B – Licensing and Planning Protocol
- 6.9 Wider Community Interest - The licensing authority considers that its licensing functions are exercised in the public interest. Furthermore, the licensing authority is under a duty to take any steps with a view to the promotion of the licensing objectives in the interests of the wider community and not just those of the individual licence holder.
- 6.10 The following will be taken into account by the licensing authority and responsible authorities where an application is made for a premises licence within close proximity to residential properties, and which may have an effect on the promotion of the licensing objectives:
- The nature of the activities on the premises

- The character of the surrounding area
- Measures for limiting noise emissions from the premises. These may include as appropriate noise limitation devices, sound insulation, whether windows are to be opened, the insulation of acoustic lobbies and double glazing
- Measures to deal with queuing, where necessary
- Use of outdoor areas
- The location of outdoor smoking areas
- Measures to deal with dispersal of customers from the premises as necessary, including the employment of door supervisors, the use of dedicated hackney carriage / private hire firms, notices in the premises requesting customers to respect neighbours
- Winding down periods, particularly in public houses and nightclubs etc.

## **7. Promoting the Prevention of Crime and Disorder**

7.1 Where appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Prevention of Crime and Disorder objective:

- Measures to prevent bottles being carried from premises
- Use of drinks promotions
- Measures to prevent binge drinking
- Participation in the Pub Watch Scheme
- Use of door supervisors
- Training staff in crime prevention measures
- Search procedures
- Use of close circuit television
- Lighting
- Where premises are new, designing out crime
- Quality of surveillance of the premises

7.2 Drugs. The licensing authority recognises that drug use by young people in a club environment is not something that is relevant to all licenced premises. However, it is also recognised that special conditions will need to be imposed for certain types of venues to reduce the sale and consumption of drugs.

7.3 Where relevant representations are made by Thames Valley Police, the conditions to be imposed in such cases are set out in Annexe 1 – Pool of Conditions, although further conditions may be imposed from time to time. In all cases where these conditions are to be imposed, advice will be taken from the local Drugs and Alcohol Action Team and the police.

7.3 In addition to meeting the requirements of the licensing objectives, licensees have a social responsibility not to sell drug paraphernalia and other products that promote drug use.

7.4 Officers of the Licensing Team will engage in the following activities: -

- Provide clear information on how to apply for a Premises Licence or Club Premises Certificate.



- Advise venue owners on how to establish and maintain a safe environment.
- Advise venue owners, in partnership with Thames Valley Police, on developing a venue drugs policy.
- Liaise with the police and other officers to ensure good communication about potentially dangerous venues.
- Encourage venues to use outreach services.
- Encourage venues to provide safe transport home.
- Monitor the operation of clubs at times of peak occupancy.
- Ensure that door supervisors are properly registered with the Security Industry Authority.
- Offer to assist with detecting drugs with the use of sniffer dogs and the “Itemiser” drugs detection equipment.

7.5 Door Supervisors. Whenever any persons are employed at licenced premises to carry out any security activity, all such persons must be licenced with the Security Industry Authority.

7.6 Where relevant representations are made, the licensing authority may consider that certain premises require strict supervision for the purpose of promoting the reduction of crime and disorder. In such cases, the licensing authority may impose a condition that licenced door supervisors must be employed at the premises either at all times or at such times as certain licensable activities are being carried out.

## **8. Promoting Public Safety**

8.1 Where appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Public Safety objective:

- The use of shatterproof glasses
- The promotion of sensible drinking
- Measures taken to prevent drug spiking
- Drugs policies
- Safe capacities

8.2 In appropriate cases, the following conditions may be imposed on premises' licences to ensure the safety of those attending the premises:

- that a personal licence-holder shall be present at all times when the premises are open for the sale of alcohol
- suitably qualified first aiders will be required

8.3 Capacity. Fire Safety Certificates should impose number restrictions for individual premises. The Licensing Authority and Responsible Authorities may impose conditions in relation to the maximum number of persons to attend premises where: -

- It considers it to be necessary for the purpose of the prevention of crime and disorder or the promotion of public safety.
- If the fire safety certificate was issued prior to any licensable activity taking place at the premises or if activities have changed since the certificate was

issued. In those circumstances, the Council may impose a maximum number of persons to be in the premises at any one time to ensure the safety of those persons at the premises and to ensure a safe means of escape from fire. The implementation of any of these conditions will be following advice from the Fire Authority.

## **9. Promoting the Prevention of Public Nuisance**

9.1 Where appropriate, the licensing authority and responsible authorities may propose conditions relating to the following issues in relation to the Prevention of Public Nuisance objective:

- The disposal of waste, particularly glass
- The use and maintenance of plant, including air extraction and ventilation systems
- Litter in the vicinity of the premises
- Smoking outdoors
- Noise from deliveries / collections to and from the premises
- Measures to control behaviour and queues
- Whether door supervisors are able to stay at the entrance to encourage quiet departure
- The provision of hackney carriage / private hire services at the premises
- Signs on doors and on tables encouraging consideration to the neighbours

9.2 Noise. The licensing authority and responsible authorities may impose conditions to licenced premises to prevent unnecessary noise and disturbance to local residents. This may include restrictions on times when music or other licensable activities may take place and may impose technical restrictions on levels of sound at the premises.

## **10. Promoting the Prevention of Children from Harm**

10.1 The Royal Borough recognises that the protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms directly associated with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of certain films and adult entertainment).

10.2 The licensing authority will consider the need to protect children from sexual exploitation when undertaking licensing functions. Applicants are therefore expected to provide a robust Operating Schedule outlining how they will address the Prevention of Children from Harm objective.

10.3 The licensing authority encourages licence holders and operators of licenced premises:

- To ensure that they are fully aware of the signs of child sexual exploitation and to understand that the sexual exploitation of a child is sexual abuse and a criminal offence
- To raise awareness of their staff about child sexual exploitation and provide intelligence to the appropriate authorities about concerns and about perpetrators who may be operating in their areas.

- 10.4 All applicants need to demonstrate how children and young people will be safeguarded if attending the licenced premises, or how it will be ensured that they do not gain access to the premises if not appropriate.
- 10.5 The licensing authority and other responsible authorities may propose conditions or restrictions in relation to the Protection of Children from Harm objective. These may include;
- Limitations on the hours when children may be present
  - Age limitations below 18
  - Limitations or exclusions when certain activities are taking place
  - Requirements for accompanying adults
  - Full exclusion of people under 18 from the premises when any licensable activities are taking place
  - The provision of a full range of non-alcoholic drinks
- 10.6 Where cinemas are concerned, the Council may impose conditions that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the local authority itself.
- 10.7 Conditions may be imposed on licences where unaccompanied children will be present at places of public entertainment where adult staff must be present to control the access and egress of children and to ensure their safety.

## **11. Consumption of Alcohol in Public Places**

- 11.1 In October 2014, the Antisocial Behaviour, Crime and Policing Act 2014 was introduced across England and Wales. This legislation allows the Council to adopt the relevant powers to designate parts of its area as places where alcohol may not be consumed publicly. PSPOs (Public Space Protection Orders) are intended to deal with a particular nuisance or problem in an area that negatively affects the local community.
- 11.2 The Council's current PSPOs which details restrictions in place across the Borough can be found at <https://www.rbwm.gov.uk/home/community-and-living/community-safety-and-crime/public-space-protection-orders>.

## **12. Enforcement**

- 12.1 The licensing authority has already established joint inspections of premises together with Thames Valley Police which is considered to be highly effective. It is proposed to continue such inspections to ensure the prevention of crime and disorder and the safety of the public.
- 12.2 Inspections will take place at the discretion of the Trading Standards & Licensing Manager and partner agencies, and resources will be concentrated on areas of need.
- 12.3 The Licensing Team will engage with other partner agencies as necessary. The Council has an Enforcement & Prosecution Policy which is available on the Council's website. Enforcement action will be taken in accordance with that policy.

**13. Film Exhibition**

- 13.1 In connection with the exhibition of films, conditions will specify that immediately before each exhibition at the premises of a film (other than a current newsreel) passed by the British Board of Film Classification, there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium, a reproduction of a certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film.
- 13.2 For a film passed by the Council, conditions will require notices to be displayed both inside and outside the premises so that persons entering can readily read them and be aware of a category attached to any film or trailer.

**14. Retail Radio Scheme**

- 14.1 All premises licensees will be encouraged to subscribe to the Council's radio system. For some premises it will be considered that subscription to the scheme should be a condition of the licence to assist with the reduction of crime and disorder at the premises.

**15. Pub Watch**

- 15.1 Premises licensees or an appropriate representative are encouraged to join and attend their local Pub Watch.
- 15.2 Further information about the Pub Watch Scheme can be found at [www.nationalpubwatch.org.uk](http://www.nationalpubwatch.org.uk) or supplied by the Licensing Team, upon request

## **ANNEX1 – Pool of Conditions**

### **General**

When applicants for premises licences or club premises certificates are preparing their operating schedules or club operating schedules, the following options should be considered as measures which, if necessary, would promote the licensing objectives.

### **Retail Radio**

The Council's retail radio connects premises licence holders, designated premises supervisors, managers of premises and clubs to the local police and can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

The radios provide two-way communication enabling licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and enabling the police to warn those operating a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour that are about in a particular area. Radios can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

The Secretary of State recommends that such systems should be considered appropriate necessary conditions for public houses, bars and nightclubs operating in city and town centres with a high density of licenced premises. Following individual consideration of the particular circumstances of the venue, such conditions may also be appropriate and necessary in other areas for the prevention of crime and disorder.

A condition requiring radio links to the police will include the following elements:

- A requirement that radio equipment is kept in working order at all times;
- A requirement that the radio link be activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- A requirement that any police instructions/directions are complied with whenever given; and
- A requirement that all instances of crime or disorder are reported via the radio by the designated premises supervisor or a responsible member of staff.

### **Door Supervisors**

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- Preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- Keeping out excluded individuals (subject to court bans or imposed by the licence holder);
- Searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- Maintaining orderly queuing outside of venues prone to such queuing.

Where door supervisors conducting security activities are to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with the number of such supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

### **Bottle Bans**

Glass bottles may be used as weapons inflicting serious harm during incidents of disorder. A condition can prevent sales of drinks in glass bottles for consumption on the premises.

A condition requiring that no sales may be made of beverages in glass bottles for consumption on the premises may include the following elements:

- No bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar;
- No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also takes place).

In appropriate circumstances the condition could include exceptions, for example, as follows:

- But bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

### **Plastic Containers and Toughened Glass**

Glasses containing drinks may be used as weapons during incidents of disorder and can cause very serious injuries. Consideration could therefore be given to conditions requiring either the use of plastic containers or toughened glass, which inflicts less severe injuries, where considered necessary.

Location and style of the venue and the activities carried on there would be particularly important in assessing whether such a condition is necessary. For example, the use of glass containers on terraces of some outdoor sports grounds may obviously be of concern and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of plastic containers or toughened glass during the televising of live sporting events, such as international football matches, when high states of excitement and emotion fuelled by alcohol might arise, may be a necessary condition.

It should be noted that the use of plastic or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety.

## **CCTV**

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licenced premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

CCTV should be installed and working to the satisfaction of Thames Valley Police.

CCTV images must be kept for 31 days and made available upon the request of Thames Valley Police employees and authorised persons, as defined by sections 13 & 69 of the Licensing Act 2003.

The DPS or nominated person should be trained on how to work the CCTV system to the standard where the nominated person can download any potential evidence required by Thames Valley Police employees or authorised persons, as defined by Sections 13 & 69 of the Licensing Act 2003.

The nominated person is responsible for supplying the necessary media (discs, data stick).

## **Open Containers Not to be Taken from the Premises**

Drinks purchased in licenced premises or clubs may be taken from those premises for consumption elsewhere when this is permitted by the premises licence. However, consideration should be given to a condition preventing the taking of alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles). This may again be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

## **Restrictions on Drinking Areas**

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing of sports grounds during particular sports events. Such conditions should not only specify the areas but indicate the circumstances in which the ban would apply and times at which it should be enforced.

## **Capacity Limits**

Although most commonly made a condition of a licence on public safety grounds, consideration will be given to conditions which set capacity limits for licenced premises or clubs where it may be necessary to prevent overcrowding which can lead to disorder and violence. Where such a condition is considered necessary, consideration will also be given to whether door supervisors would be needed to ensure that the numbers are appropriately controlled.

## **Proof of Age Cards**

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent such crimes, it may be necessary to require a policy to be applied at certain licenced premises requiring the production of "proof of age" before such sales are made.

### **Crime prevention notices**

It may be necessary at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. A condition attached to a premises licence or club premises certificate might require the displaying of notices at the premises which warn customers about the need to be aware of pickpockets or bags being unattended because of concerns about terrorism. The notice should display the name of a contact for customers if they wished to report concerns.

### **Signage**

It may be necessary for the normal hours under the terms of the premises licence or club premises certificate at which licensable activities are permitted to take place to be displayed on or immediately outside the premises so that it is clear if breaches of the terms of the licence or certificate are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises so that the consequences of breaches of these conditions would also be clear and to deter those who might seek admission in breach of those conditions.

### **Large Capacity Venues used Exclusively or Primarily for the “Vertical” Consumption of Alcohol (HVVDs)**

“High volume vertical drinking” premises (HVVDs) are premises with exceptionally high capacities, used primarily or exclusively for the sale of alcohol, and have little or no seating for patrons.

Where necessary and appropriate, conditions will be attached to premises licences for the promotion of the prevention of crime and disorder at such premises (if not volunteered by the venue operator and following representations on such grounds) which require adherence to:

- A prescribed capacity;
- An appropriate ratio of tables and chairs to customers based on the capacity; and
- The presence of SIA registered security teams to control entry for the purpose of compliance with the capacity limit.

### **Disabled people**

In certain premises where existing legislation does not provide adequately for the safety of the public, consideration might also be given to conditions that ensure that:

- When disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and disabled people on the premises are made aware of those arrangements

### **Escape routes**

It may be necessary to include conditions relating to the maintenance of all escape routes and exits including external exits. These might be expressed in terms of the need to ensure that such exits are kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. In restaurants and other premises where chairs and tables are provided this might also include ensuring that internal gangways are kept unobstructed.



In certain premises where existing legislation does not provide adequately for the safety of the public, consideration might also be given to conditions that ensure that:

- All exit doors are easily openable without the use of a key, card, code or similar means;
- Doors at such exists are regularly checked to ensure that they function satisfactorily and a record of the check kept;
- Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff;
- All fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut; and
- The edges of the treads of steps and stairways are maintained so as to be conspicuous

### **Safety checks**

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Safety checks are carried out before the admission of the public; and
- Details of such checks are kept in a Log-book

### **Special effects**

The use of special effects in venues of all kinds being used for regulated entertainment is increasingly common and can present significant risks. Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

Special effects which should be considered include:

- Dry ice machines and cryogenic fog;
- Smoke machines and fog generators
- Pyrotechnics, including fireworks;
- Real flame;
- Firearms
- Motor vehicles
- Strobe lighting
- Lasers (see HSE Guide The Radiation Safety of Lasers used for Display Purposes [HS (G)95] and BS EN 60825: Safety of Laser Products);
- Explosives and highly flammable substances

In certain circumstances, it may be necessary to require that certain special effects are only used with the prior notification of the licensing authority or [inspection by] the fire authority.

### **Conditions Relating to the Protection of Children from Harm**

For any premises with known associations (having been presented with evidence) with or likely to give rise to heavy or binge or underage drinking, drugs, significant gambling, or any activity of entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access at all for children under 18 years.

Applicants wishing to allow access for children to premises where these associations may be relevant, when obtaining or varying a premises licence or club premises certificate, should:

- Explain their reasons; and
- Outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children subject to the terms of the 2003 Act. An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely, which would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the Operating Schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

Under the 2003 Act a wide variety of licensable activities could take place at various types of premises and at different times of the day and night. Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, the Council, following relevant representations made by responsible authorities and interested parties, will need to consider a range of conditions that are to be tailored to the particular premises and their activities where these are necessary.

The Council will consider:

- The hours of day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00 pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- Types of event or activity in respect of which no age restrictions may be needed, for example;
  - Family entertainment; or
  - Non-alcohol events for young age groups, such as under 18s dances
- Similarly, types of event or activity which give rise to a more acute need for age restrictions than normal, for example;
  - During "Happy Hours" or on drinks promotion nights;
  - During activities outlined in the first bullet point in the first paragraph above.

### **Age Restrictions - Cinemas**

The Secretary of State considers that, in addition to the mandatory condition imposed by virtue of Section 20, requiring the admission of children to films to be restricted in accordance with recommendation given either by a body designated under Section 4, the Video Recordings Act 1984 or by the licensing authority itself, conditions restricting the admission of children to film exhibitions should include:

- A condition that where the Council itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;

- A condition that when films are classified, by either the film classification body as specified in the licence or the licensing authority, they should be classified in the following way:

**U – Universal** - Suitable for audiences aged four years and over

**PG - Parental Guidance** - Some scenes may be unsuitable for young children.

**12A** - Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.

**15**- Passed only for viewing by persons aged 15 years and over

**18**- Passed only for viewing by persons aged 18 years and over

- That conditions specify that immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited onscreen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film;
- A condition that when the licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms.

“Where a programme includes a film recommended by the licensing authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms –

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT  
BE ADMITTED TO ANY PART OF THE PROGRAMME**

“Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person’s parent or legal guardian has first been obtained.”

### **Theatres**

The admission of children to theatres, as with other licensed premises, is not expected to normally be restricted unless it is necessary to promote the licensing objective of the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play is expected to normally be left to the discretion of the licence holder and no condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

### **Performances Especially for Children**

Where performances are presented especially for unaccompanied children in theatres and cinemas conditions are anticipated to be needed which require:

- An attendant to be stationed in the area(a) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.
- The Council, having regard to any representations made by responsible authorities on the issue, will also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

### **Children in Performances**

The Council may consider the following matters:

- Venue – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.
- Fire safety – all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.
- Special effects - it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- Care of children – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

### **The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks**

Where appropriate and necessary, consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletin.

### **Proof of Age Cards**

Where necessary and appropriate, a requirement for the production of proof of age cards before any sale of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm.

## **ANNEX 2 – Licensing and Planning Protocol**

Licensing and Planning are two separate regimes. As a matter of law the licensing authority could not refuse an application because of the absence of appropriate planning consent. However, the licensing authority would generally expect applicants to have planning and other permissions required for lawful operation of the premises in place at the time of the licensing application.

For the avoidance of doubt, the granting of any variation to an existing licence which involves a material alteration to a building does not relieve the applicant of the need to apply for planning permission, listed building consent or building regulations approval where appropriate.

Whilst there is a clear distinction and separation between the licensing authority and planning authority in terms of their remit, there are times when there are overlapping considerations. In order to secure proper integration across the Council's range of policies, the licensing authority will expect applicants to demonstrate that their proposed use of a premises is lawful in planning terms, including complying with any conditions and timings that may be imposed upon a planning consent prior to any application being submitted under the Licensing Act 2003.

The licensing authority has recognised that the overlap between the objectives of licensing and planning are a source of confusion for operators and the wider community. It is clear that planning, building control and licensing should properly be separated to avoid duplication and inefficiency. This is relatively easy to state but much harder to formulate any general principle that would assist in demarcating the respective competences of the planning and licensing authorities.

It may however be generally stated that the framework and substance of the Licensing Act 2003, and its underlying rationale, would strongly suggest that operational matters are intended primarily for regulation by the licensing authorities.

The inevitable confusion that arises in the practical application of overlapping yet separate regimes undermines the key aim and purpose of greater community involvement in licensing decisions. The Royal Borough has developed a Licensing and Planning Protocol to assist in the proper demarcation of the respective competencies of the licensing and planning regimes.

### **Context**

The Licensing Act 2003 is the legislation that regulates the operation of licenced premises. The licensee is held as responsible for the proper operation of the premises. The Licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The Planning Act 2008 is clear that planning permission runs with the land; all planning decisions should be made in line with the national and local planning

policies and should balance the environmental, social and economic impacts of a development.

There is a tension between the two legislative frameworks when it comes to the management of the night-time economy. The Royal Borough has in the past used planning conditions to limit the hours of operation of licenced premises and has also imposed similar restrictions on licences via licence conditions.

However, because the legal considerations and policy framework are different for the two processes there is, in theory and in practice, the possibility of a licenced premises having a planning condition stating one 'closing time' and a licence condition stating another. This is unhelpful not only to the proprietor/operator of the premises, but also to local residents, and hinders the effective management of the night-time economy locally.

The Council has a responsibility to take into account the expectations of local residents to be able to live in peace and enjoy their homes without unreasonable noise, disturbance or fear of crime. Therefore, it is an important duty of the Council to effectively manage the night-time economy wherever licenced premises exist.

The most flexible and proactive tool to manage these premises is the licensing regime as any issues arising through mismanagement of opening hours conditions can be dealt with through the current well-established licence review process.

Having a generic regime responsible for the hours of operation of these premises will mean that there is a greater clarity for residents and licensees, a single point of responsibility for enforcement and simpler town centre management.

### **Planning Applications**

If they believe that a premises subject to a planning application may require a premises licence, the Planning team will liaise with Licensing to see if such a licence is required.

If the premises is likely to require such a licence, then, when granting planning permission, the Royal Borough's Planning team will not include any planning conditions that control the premise's hours of operation.

### **Licensing Applications**

Applicants are already required by statute to send a copy of their application to the Royal Borough's Planning team

The Planning team will ensure that all copies received are considered jointly by both Development Control Planning Officers and by the Planning Enforcement team to see if a relevant objection needs to be mounted or a concern raised with the Licensing team.

If it is felt that an objection or concern should be raised, Development Control Planning Officers will liaise with the Licensing team.

If a licence condition specifies an earlier closing time, then the Royal Borough's Licensing team will enforce the condition in the same way that they have done since the Licensing Act 2003 was implemented.

This entails the use of an annual programmed set of proactive night-time and weekend operations, as well as responding to changes in the Royal Borough's night-time economy and responding to complaints made by residents, the police and other concerned parties and to any intelligence received.

During the course of their normal enforcement duties, licensing officers will, when encountering premises that are allegedly breaching an earlier planning condition closing time:

- remind licensees of their planning conditions and encourage licensees to abide by them
- capture evidence and report the matter to the Planning Enforcement team
- provide relevant witness statements if subsequently requested by the Planning Enforcement team, and
- if required, act as witnesses in any subsequent legal proceedings should formal action be pursued

Both Licensing and Planning teams will also ensure that Lead Members are informed of any and all enforcement actions at their normal Lead Member briefings.

### ANNEX 3 - Delegation of Functions

<b>Matter to be Dealt With</b>	<b>LPSPO Sub Committee</b>	<b>Officers</b>
Application for Personal Licence	If an objection is made	If no objection is made
Application for a Personal Licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If representation is made	If no representation is made
Application for provisional statement	If representation is made	If no representation is made
Application to vary premises licence/club premises certificate	If a representation is made	If no representation is made
Application to vary Designated Premises Supervisor	If a police objection is made	All other cases
Request to be removed as Designated Premises Supervisor		All cases
Application for transfer of premises licence	If a police objection is made	All other cases
Applications for Interim Authorities	If a police objection is made	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether complaint is irrelevant, frivolous, vexatious etc.		All cases
Decision to object when Local Authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection to a Temporary Event Notice	All cases	
Applications for minor variations		All cases
Delegation of authority in relation to powers of entry		Head of Housing, EH & TS
Authority to make a representation to review a licence on behalf of the Licensing Authority as a Responsible Authority		Trading Standards & Licensing Manager



Report Title:	<b>Adults, Children and Health Overview and Scrutiny Panel - Annual Report</b>
Contains Confidential or Exempt Information	No - Part I
Lead Member:	Councillor Hunt, Chairman of the Panel
Meeting and Date:	Extraordinary Full Council, 29 June 2021
Responsible Officer(s):	Hilary Hall, Director of Adults, Health and Commissioning, and Kevin McDaniel, Director of Children's Services
Wards affected:	All

## **REPORT SUMMARY**

### **1. DETAILS OF RECOMMENDATION(S)**

**RECOMMENDATION:** That full Council notes the annual report of the Adults, Children and Health Overview and Scrutiny Panel

### **2. CHAIRMAN'S INTRODUCTION**

- 2.1 The Panel met 3 times during the municipal year.
- 2.2 A Task and Finish Group was set up to look at information on funding for Children in Care and Care Leavers and to see options available that may be beneficial for our young adults. The last meeting was held in March 2021 and a review for council tax support to extend to age 25 is being taken forward by the Corporate Parenting Forum.
- 2.3 The very wide brief of this Panel was mentioned in last year's Annual Report. Members have interacted with this brief by attending all meetings for Children's Services and Adult Services.
- 2.4 The CIPFA Review of Delivery Options for both Children's Services and Adult Service was published in June 2020 and key factors noted for both Achieving for Children and Optalis. The Work Programme for 2021/2022 will consider the progress with actions, particularly in relation to children's services.
- 2.5 A report by the Local Government and Social Care Ombudsman was published in August 2020. This concerned a complaint regarding Adult Social Care. The Council officer reported to this Panel that failings had been confirmed and positive actions had been put in place to prevent this type of complaint again.

### **3. TOPICS SCRUTINISED DURING THE MUNICIPAL YEAR 2020/21**

- 3.1 Delivery of Services during Covid-19 Lockdown
- 3.2 Respite Care Provision for Carers

- 3.3 Heatherwood Hospital update followed in January 2021 with update from Frimley Health Acute Trust during Covid-19
- 3.4 Complaints and Compliments Report including Response to Ombudsman Report
- 3.5 Performance Management Reports, including the performance of safeguarding services for vulnerable children.
- 3.6 Budget for 2021 – 2022
- 3.7 Task and Finish Group – Streams of funding to support Children in Care and Care Leavers.

#### **4. CALL-INS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

- 4.1 May 2020 a Call-In was received and discussed regarding Children's Centres Consultation Results – Family Hub.
- 4.2 Although the Panel did not disagree with the decision that Cabinet took, it was agreed that an amended version of the report giving a clearer outline of the future consultation should go back to Cabinet. It was felt that a good discussion on the Call-In had taken place.

#### **5. RESIDENT SUGGESTIONS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

- 5.1 Respite Care Provision for Carers – The recommendation, which was accepted by the Panel, was to add this item to the Panel's work programme. The item was included on the agenda for the meeting held on June 11<sup>th</sup> 2020, which was the first available opportunity for it to be discussed.

#### **6. TASK AND FINISH GROUPS ESTABLISHED DURING THE MUNICIPAL YEAR 2020/21**

- 6.1 A Task and Finish Group was established to look at information on funding for Children In Care and Care Leavers and to see options available that may be beneficial for our youngsters. The last and final meeting was held on 31<sup>st</sup> March 2021. Members were in agreement that funding was in place for next municipal year.

#### **7. PROPOSALS FOR IMPROVED WORKING METHODS**

- 7.1 During Covid-19 it was proposed and agreed, Members communicate via email with any concerns and suggestions for Work Programme etc.

#### **8. THANKS**

- 8.1 The Panel would like to thank the following individuals and organisations for their involvement in the scrutiny process this year:

Hilary Hall and the Optalis Team, and Kevin McDaniel and the Achieving for Children Team for their expertise at guiding the Panel

**9. PROPOSED WORK PROGRAMME FOR THE MUNICIPAL YEAR 2021/22**

9.1 The Panel proposes to consider the following topic areas for scrutiny in the coming municipal year:

Carried over from 2020

- Report on Lynwood Clinic
- Financial feasibility of extending council tax exemptions to support Care Leavers Council Tax up to age 25

Work Programme for 2021/22

- Review of day service provision following proposed closures of Day Centres
- Impact on Education of online teaching and any emerging inequalities.
- Impact of the Virtual school to improve education and training opportunities for care leavers
- Report on impact of programme and how funding has been used for the Programme for Holiday Activities for Children on Free School Meals.
- CIPFA Report on Optalis – review of the action plan.
- CIPFA Report on Children’s Services – review of the action plan
- Report on High needs funding, including new provision, for children with Special Educational Needs
- A Report on all children’s and Youth Groups and what they do, and the funding allocated in light of the welcome announcement of a Youth Council.

**10. CONSULTATION (MANDATORY)**

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent/returned</b>
Cllr Hunt	Panel Chairman	Report approved at Panel 22/4/21
Kevin McDaniel	Director of Children’s Services	Report approved at Panel 22/4/21
Hilary Hall	Director of Adults, Health and Commissioning	Report approved at Panel 22/4/21

**REPORT HISTORY**

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
For information	No	No

Report Author: Andy Carswell, Democratic Services Officer 01628 796319
--

## WORK PROGRAMME - ADULTS, CHILDREN & HEALTH OVERVIEW AND SCRUTINY PANEL

<b>EXECUTIVE DIRECTORS</b>	<ul style="list-style-type: none"> <li>• Duncan Sharkey – Chief Executive</li> <li>• Kevin McDaniel – Executive Director of Children’s Services</li> <li>• Hilary Hall – Executive Director of Adults, Health and Housing</li> </ul>
<b>LINK OFFICERS &amp; HEADS OF SERVICE</b>	<ul style="list-style-type: none"> <li>• Lin Ferguson – Director of Children’s Social Care</li> <li>• Clive Haines – Schools Leadership Development Manager</li> <li>• Lynne Lidster – Head of Commissioning – Adults and Children</li> <li>• Nikki Craig – Head of HR, Corporate Projects and IT</li> </ul>

### MEETING: 22<sup>nd</sup> SEPTEMBER 2021

ITEM	RESPONSIBLE OFFICER
Children’s Services Improvement Plan Progress	Kevin McDaniel/Lin Ferguson
Update on FUEL (activities for disadvantaged pupils) programme	Kevin McDaniel/Lin Ferguson
Day Centre Consultation	Hilary Hall/Lynne Lidster
Annual Compliments and Complaints Report	Claire Burns
Transforming Adult Social Care (Front Door Services and Reablement)	Hilary Hall/Michael Murphy
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	

### MEETING: 20<sup>th</sup> JANUARY 2022

ITEM	RESPONSIBLE OFFICER
Budget Report	Adele Taylor
Virtual School Report – Including work with Care Leavers	Kevin McDaniel / Lin Ferguson (invite Michael Guard)
High Needs Funding for Children with Special Educational Needs	Kevin McDaniel / Clive Haines
Annual Education Standards Report – including impact of Covid on Post-16 Education	Kevin McDaniel / Clive Haines
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	

**MEETING: 27<sup>th</sup> APRIL 2022**

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Family Hubs implementation one year on	Kevin McDaniel / Lin Ferguson
Implementation of Health and Care White Paper	Hilary Hall
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	

**ITEMS SUGGESTED BUT NOT YET PROGRAMMED**

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Update on Lynwood Clinic	
Youth Groups Report (where do young people engage with the council?)	

Report Title:	<b>Communities Overview and Scrutiny Panel - Annual Report 2020/21</b>
Contains Confidential or Exempt Information	No - Part I
Member reporting:	Councillor Bowden, Chairman of the Panel
Lead Officers:	David Scott Head of Communities
Meeting and Date:	Full Council June 2021

## REPORT SUMMARY

Part 9A B4 of the [council constitution](#) requires an Overview and Scrutiny Panel to report annually to full Council on '*its workings and make recommendations for future work programmes and amended working methods if appropriate*'.

### 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That full Council notes the annual report of the Communities Overview and Scrutiny Panel

### 2. CHAIRMAN'S INTRODUCTION

- 2.1 I accept the comments made by my colleagues on the panel. However, no reference has been made to the extraordinary circumstances of the past year.
- a) Covid has impacted on all staff on who we rely on to produce reports, and answers to our questions.
  - b) Virtual meetings, never used in open council meetings before, required a completely different approach.
- 2.2 Regrettably on a few occasions, behaviour fell below the standards required in public life. The local press was able to capture this as a headline, without reporting the whole dialogue of the meeting.
- 2.3 On many occasions' long statements of a political nature prefaced a single question. This is contrary to the ethos and governance of Overview and Scrutiny.
- 2.4 When the public were invited to speak, which was welcome, again they used the platform to promote a cause, different to the agenda item.
- 2.5 I will strive to conduct the meeting in a manner akin to those in the parliamentary select committees.

### 3. TOPICS SCRUTINISED DURING THE MUNICIPAL YEAR 2020/21

- 3.1 SERCO Performance Review
- 3.2 Reviewing the Budget Report
- 3.3 Thames Valley Police
- 3.4 SportsAble Annual Performance
- 3.5 Norden Farm Annual Performance
- 3.6 Performance Management Report
- 3.7 Braywick Leisure Centre
- 3.8 RBWM Allotments situation
- 3.9 District Enforcement
- 3.10 Complaints and Compliments Annual Report
- 3.11 Libraries, Museum and Tourist Office Report
- 3.12 The Old Court Annual Report
- 3.13 CAB
- 3.14 Plastic Free Windsor
- 3.15 Maidenhead Heritage Centre

#### **4. CALL-INS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

- 4.1 No Call-Ins had been received in the municipal year 2020/21.

#### **5. RESIDENT SUGGESTIONS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

- 5.1 Museum – The recommendation was that this topic is considered by the Communities Overview and Scrutiny Panel in light of the discussion on the issue scheduled for the November 2020 meeting. The Panel can then consider if any further scrutiny is required. This is still to be considered by the Panel.
- 5.2 Lights to be placed in Osgood Park – The recommendation was that this topic was considered by the Communities Overview and Scrutiny Panel and the Panel noted the report but takes no further action. This was considered at Panel on 3 November 2020.

## **6. TASK AND FINISH GROUPS ESTABLISHED DURING THE MUNICIPAL YEAR 2020/21**

6.1 No Task and Finish Groups established in the municipal year 2020/21.

## **7. PROPOSALS FOR IMPROVED WORKING METHODS**

7.1 People should feel positive about attending a scrutiny panel and embrace the work that goes with it. Meetings should be shorter and more focussed asking quality questions to scrutinise item.

7.2 Prior to meetings, topics studied more and prepare quality questions to ask.

### **7.3 No more 'scrutiny in arrears'**

Be more abreast of the wider picture and get ahead of decision making and help to shape the agreement not hear about it once everything is in place. The Panel should look at the Cabinet forward plan and have an overview before cabinet makes its decision. This would make for better decision-making and be less confrontational. Involve Scrutiny Panels at beginning of process.

### **7.4 Summarise main points and actions**

It's not always clear that what we've discussed has been taken on board or will ultimately make a difference.

### **7.5 Invite relevant community groups, experts and residents**

Spend more time understanding what the Panel would like to scrutinise and invite groups accordingly.

### **7.6 Treat external speakers and Panel members with respect and kindness**

It can be an intimidating experience for residents to speak at the panel and we should be encouraging them. Both residents and Panel members should be allowed to speak without interruption. All residents be given their full time to speak with Officers and Panel Members waiting till the end.

### **7.7 More timely documents**

At least a week in advance so we can properly scrutinise. Try and avoid 'to follow' reports.

### **7.8 Better quality documents**

We keep having to ask for more information from officers. Until things have improved, perhaps we can agree in the meeting before what we'd like to see in the paper coming to the next meeting within the work programme agenda item. Officers to include all supporting documents to reports. Only Part II items to remain private.

### **7.9 More frequent meetings**

Plan the municipal years meetings at the beginning of the year for better planning.

### **7.10 Set achievable, measurable goals**

Make use of task and finish



7.11 **Better reflect the ethos of overview and scrutiny**, which is to be a ‘friendly critic’ of the administration. What added value do we currently provide through our meetings? The role of Cabinet members should be to clarify areas, that they are present at a meeting to answer questions and provide clarification, not to participate in discussion.

7.12 **Review of the budget process**

We should give feedback on what worked well and what could be improved whilst this is still fresh in our mind. By doing so the process will be better for next year. Keep the budget process meeting to only one item for better scrutiny.

7.13 In order to foster a more cohesive approach I would recommend that we circulate all members of the Panel with ideas/comments/suggestions.

## 8. THANKS

8.1 The Panel would like to thank the following individuals and organisations for their involvement in the scrutiny process this year:

- Thames Valley Police
- Braywick Leisure Centre Team – Kevin Mist
- SportsAble
- Officers that have attended to present reports
- David Scott, Lead Officer
- Margaret Lenton (Wraysbury Parish Council)
- Members of the Public
- Organisations such as The Old Court, Norden Farm, CAB, Plastic Free Windsor, Maidenhead Heritage Centre, SportsAble, SERCO and District Enforcement
- Members of the Council

## 9. PROPOSED WORK PROGRAMME FOR THE MUNICIPAL YEAR 2021/22

9.1 The Panel proposes to consider the following topic areas for scrutiny in the coming municipal year:

Topics already in progress/carried over from 2020/21:

- Compliments and Complaints Report – (June 2021)
- Norden Farm – update – (October 2021)
- The Old Court – update – (October 2021)
- Chief Constable Annual Presentation (October 2021)
- Performance Management Report - Quarterly
- Library Transformation – (June 2021)
- District Enforcement (June 2021)
- Maidenhead Golf Course update (June 2021)
- Alexandra Gardens Car Park update (June 2021)
- Budget

New topics:

- Transformation Strategy
- Recovery Strategy for Jobs and Employment
- Lesson learnt from SportsAble and Provision for disabled sports

## 10. APPENDICES

10.1 This report is supported by one appendix:

- Work Programme

### REPORT HISTORY

<b>Decision type:</b> For information	<b>Urgency item?</b> No	<b>To Follow item?</b> No
--	----------------------------	------------------------------

## WORK PROGRAMME - COMMUNITIES OVERVIEW AND SCRUTINY PANEL

<b>EXECUTIVE DIRECTORS</b>	<ul style="list-style-type: none"> <li>• Duncan Sharkey – Chief Executive</li> <li>• Andrew Durrant – Executive Director of Place</li> <li>• Hilary Hall – Executive Director of Adults, Health and Housing</li> </ul>
<b>LINK OFFICERS &amp; HEADS OF SERVICE</b>	<ul style="list-style-type: none"> <li>• David Scott – Head of Communities</li> <li>• Louise Freeth – Head of Revenues, Benefits, Library and Resident Services</li> <li>• Chris Joyce – Head of Infrastructure, Sustainability and Economic Growth</li> <li>• Simon Dale – Interim Head of Highways</li> </ul>

### TBC – SEPTEMBER MEETING DATE

#### MEETING: 7<sup>th</sup> OCTOBER 2021

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Chief Constable Annual Presentation	<b>David Scott</b> , <i>Head of Communities</i>
Norden Farm Update	<b>Steph James</b> , <i>Service Lead for Economic Growth</i>
The Old Court Update	<b>Steph James</b> , <i>Service Lead for Economic Growth</i>
Q1 Performance Management	<b>David Scott</b> , <i>Head of Communities</i>
Recovery Strategy for Jobs and Employment	<b>Steph James</b> , <i>Service Lead for Economic Growth</i>
Compliments and Complaints Report	<b>Nikki Craig</b> , <i>Head of HR, Corporate Projects and IT</i>
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	
TBC	

#### MEETING: 17<sup>th</sup> JANUARY 2022

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Budget	<b>Adele Taylor</b> , <i>Executive Director of Resources</i>
Q2 Performance Report	<b>David Scott</b> , <i>Head of Communities</i>
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	
TBC	

#### MEETING: 12<sup>th</sup> APRIL 2022

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Q3 Performance Report	<b>David Scott</b> , <i>Head of Communities</i>
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	
TBC	

## ITEMS SUGGESTED BUT NOT YET PROGRAMMED

ITEM	RESPONSIBLE OFFICER
Alexandra Coach & Car Park Update	<b>Andrew Durrant</b> , <i>Executive Director of Place</i>
Maidenhead Golf Course Update	<b>Andrew Durrant</b> , <i>Executive Director of Place</i>
Community Safety Partnership	<b>David Scott</b> , <i>Head of Communities</i>
Waste Management Strategy	<b>Simon Dale</b> , <i>Interim Head of Highways</i>
Maidenhead Heritage Centre – re-invite to present annual report	<b>Chris Joyce</b> , <i>Head of Infrastructure, Sustainability and Economic Growth</i>
Tivoli Contract – General Update	<b>Simon Dale</b> , <i>Interim Head of Highways</i>

## BRIEFING NOTES SUGGESTED FOR ITEMS

ITEM	RESPONSIBLE OFFICER
SERCO Update	<b>Simon Dale</b> , <i>Interim Head of Highways</i>
Climate Strategy - Update	<b>Chris Joyce</b> , <i>Head of Infrastructure, Sustainability and Economic Growth</i>
Boulter's Lock, Maidenhead	<b>Andrew Durrant</b> – <i>Executive Director of Place</i>

Report Title:	<b>Corporate Overview and Scrutiny Panel - Annual Report 2020/21</b>
Contains Confidential or Exempt Information	No - Part I
Member reporting:	Councillor Chris Targowski, Chairman of the Panel
Lead Officers:	Duncan Sharkey, Chief Executive
Meeting and Date:	Full Council – 29 June 2021

## **REPORT SUMMARY**

Part 9A B4 of the [council constitution](#) requires an Overview and Scrutiny Panel to report annually to full Council on 'its workings and make recommendations for future work programmes and amended working methods if appropriate'.

### **1. DETAILS OF RECOMMENDATION(S)**

**RECOMMENDATION:** That Full Council notes the annual report of the Corporate Overview and Scrutiny Panel.

### **2. CHAIRMAN'S INTRODUCTION**

- 2.1 The Corporate Overview and Scrutiny panel met five times and scrutinised 15 separate reports
- 2.2 The Chairman would like to thank all members of the panel and Officers of the Council for the time and effort that they have put into the successful running of the panel.
- 2.3 The terms of reference for the Corporate Overview and Scrutiny panel can be found in Part 4 B of the Council Constitution.

### **3. TOPICS SCRUTINISED DURING THE MUNICIPAL YEAR 2020/21**

- 3.1 The 15 reports scrutinised included:
  - CIPFA Report
  - Annual Complaints Report
  - Budget Monitoring Report
  - Corporate Transformation Paper
  - Maidenhead United – Request for Relocation
- 3.2 Details of topics scrutinised can be found here:  
<https://rbwm.moderngov.co.uk/ieListMeetings.aspx?Committeeld=594>

### **4. CALL-INS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

- 4.1 N/A

## **5. RESIDENT SUGGESTIONS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

- 5.1 None, but one resident suggestion has been received on an RBWM App. Report is being drafted and will be added to the Work Programme during the next municipal year for the Panel to consider.

## **6. TASK AND FINISH GROUPS ESTABLISHED DURING THE MUNICIPAL YEAR 2020/21**

- 6.1 Highways Contract T&F agreed July 2019. The Task and Finish group was concluded on the 29<sup>th</sup> March 2021.
- 6.2 The group considered the three options presented at the original cabinet decision. It was concluded that the group had:
- Compared Option 1 successfully.
  - Option 2 was unable to be taken forward.
  - Option 3 – the information, specifically the presentation given at the call in, was not available and so the group was unable to compare.
- 6.3 The outcome of the group was that value could be added by submitting comments and recommendations to Cabinet and that when the Project Centre was up for renewal, a paper could be brought to the Panel.
- 6.4 No T&F established during municipal year. Minuted suggestion of T&F with a focus on the Customer journey within services provided was not addressed. (Minuted July 2019)
- 6.5 “Members discussed a need to focus on the customer journey for residents and to look at the way in which each service performs. Members also discussed the need for a separate task and finish group to focus on contracts and procurement process. This group would look at ways to review and monitor existing and new contract performance. It was agreed that this working group would have a particular focus on highways and to provide a visible audit of these contracts.”

## **7. PROPOSALS FOR IMPROVED WORKING METHODS**

- 7.1 Be more proactive in requesting early sight of relevant reports that are on the Cabinet forward plan.
- 7.2 Distribute ‘to note’ reports to panel members electronically. Bring to meeting only if necessary or requested by panel members for debate or in depth questions.
- 7.3 Work more closely with Cabinet to ensure panel is more involved with policy development, rather than only once the report has been finalised.
- 7.4 Monitor ‘value for money’ aspect of the panel. What changes, improvements have we instigated.

7.5 Look at alternative ways of conducting Task and Finish groups, for example a “single day Task and Finish”.

## 8. THANKS

8.1 The Panel would like to thank the following individuals and organisations for their involvement in the scrutiny process this year:

- Mark Beeley
- CIPFA

## 9. PROPOSED WORK PROGRAMME FOR THE MUNICIPAL YEAR 2021/22

9.1 The Panel proposes to consider the following topic areas for scrutiny in the coming municipal year:

Topics already in progress/carried over from 2020/21:

- Corporate Transformation Strategy and Action Plan

New topics:

- Workforce Profile Report
- Council Trusts Report
- Q1/2/3/4 Performance Reports
- Budget 2022/23

## 10. APPENDICES

10.1 This report is supported by one appendix:

- Appendix A – Corporate Overview and Scrutiny Panel Work Programme 2020/2021

## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
For information	No	No

## WORK PROGRAMME - CORPORATE OVERVIEW AND SCRUTINY PANEL

<b>EXECUTIVE DIRECTORS</b>	<ul style="list-style-type: none"> <li>• Duncan Sharkey (Chief Executive)</li> <li>• Andrew Durrant (Executive Director of Place)</li> <li>• Adele Taylor (Executive Director of Resources and S151 Officer)</li> <li>• Emma Duncan (Monitoring Officer and Deputy Director of Law and Strategy)</li> <li>• Hilary Hall (Executive Director of Adults, Health and Housing)</li> </ul>
<b>LINK OFFICERS &amp; HEADS OF SERVICES</b>	<ul style="list-style-type: none"> <li>• Elaine Browne (Head of Law)</li> <li>• Nikki Craig (Head of HR, Corporate Projects &amp; ICT)</li> <li>• Ruth Watkins (Chief Accountant)</li> <li>• Karen Shepherd (Head of Governance)</li> <li>• Andrew Vallance (Head of Finance and Deputy S151 Officer)</li> </ul>

**MEETING: 26<sup>th</sup> JULY 2021 – This is an additional meeting which was originally scheduled to cover the Audit/Governance function of the Panel - this is now under the remit of the Audit and Governance Committee.**

ITEM	RESPONSIBLE OFFICER
Work Programme	Panel clerk

**MEETING: 4<sup>th</sup> OCTOBER 2021**

ITEM	RESPONSIBLE OFFICER
Q1 Performance Report	<b>Adele Taylor</b> , <i>Executive Director of Resources</i>
Annual Complaints and Compliments Report	<b>Nikki Craig</b> , <i>Head of HR, Corporate Projects and ICT</i>
Work Programme	Panel Clerk

**MEETING: 29<sup>th</sup> NOVEMBER 2021**

ITEM	RESPONSIBLE OFFICER
Council Trusts Report	<b>Karen Shepherd</b> , <i>Head of Governance</i>
Work Programme	Panel clerk

**MEETING: 26<sup>th</sup> JANUARY 2022**

ITEM	RESPONSIBLE OFFICER
Budget 2022/23	<b>Lead Officers and Finance</b>
Q2 Performance Report	<b>Nikki Craig</b> , <i>Head of HR, Corporate Projects and ICT</i>
Annual Scrutiny Report (Draft)	<b>Chairman and Panel</b>



Work Programme	Panel clerk
----------------	-------------

**MEETING: 4<sup>th</sup> APRIL 2022**

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Q3 Performance Report	<b>Nikki Craig</b> , <i>Head of HR, Corporate Projects and ICT</i>
Annual Scrutiny Report (Final Version)	<b>Chairman and Panel</b>
Work Programme	Panel Clerk

**ITEMS SUGGESTED BUT NOT YET PROGRAMMED**

<b>ITEM</b>	<b>RESPONSIBLE OFFICER</b>
Corporate Transformation Strategy and Action Plan	<b>Hilary Hall</b> , <i>Executive Director of Adults, Health and Housing</i>

[Terms of Reference for the Corporate Overview and Scrutiny Panel](#)

Report Title:	<b>Infrastructure Overview and Scrutiny Panel - Annual Report 2020/21</b>
Contains Confidential or Exempt Information	No - Part I
Member reporting:	Councillor Luxton, Chairman of the Panel
Lead Officers:	Duncan Sharkey, Chief Executive Andrew Durrant, Executive Director of Place Simon Dale, Interim Head of Highways Tracy Hendren, Head of Housing and Environmental Health Service Chris Joyce, Head of Infrastructure, Sustainability & Economic Growth Adrien Waite, Head of Planning
Meeting and Date:	Full Council June 2021

## REPORT SUMMARY

Part 9A B4 of the council constitution requires an Overview and Scrutiny Panel to report annually to full Council on '*its workings and make recommendations for future work programmes and amended working methods if appropriate*'.

### 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That full Council notes the annual report of the Infrastructure Overview and Scrutiny Panel

### 2. CHAIRMAN'S INTRODUCTION

- 2.1 During the Municipal year 2020/2021, the Infrastructure Overview and Scrutiny Panel considered several issues which impact the residents of the Royal Borough of Windsor and Maidenhead. Some of which are still on a continued work programme and will be monitored by the panel to oversee progress.
- 2.2 Executive Members, officers of the Council, Cabinet Members and Councillors were invited to attend the meetings to provide evidence, answer questions, address issues raised and prioritise decisions taken by the Panel.
- 2.3 The Infrastructure Overview and Scrutiny Panel also considered a number of reports, decisions, as well as call-ins relating to Executive Cabinet decisions, listed below.

### 3. TOPICS SCRUTINISED DURING THE MUNICIPAL YEAR 2020/21

- 3.1 **CIL Review - Progress Update Report**
- 3.2 **Homelessness Strategy**

Following Panel Members suggestions, the Equality Impact Assessment was reviewed, the Strategy was to mention Ascot, and a future update report was expected in a future meeting.

### **3.3 Work Programme**

43 topics were proposed and discussed, with items programmed for future meetings or directed to the appropriate Panels and Forums.

### **3.4 Annual Complaints Report**

The Panel were informed of the complaints and compliments and noted the item.

### **3.5 Place Recovery Strategy**

The report was brought to the Infrastructure Overview and Scrutiny Panel, before going to Cabinet. The Panel noted the item.

### **3.6 5G T&FG Scoping Document**

The Panel noted the item and Chris Joyce agreed to provide the Panel with a timeline and strategy for digital infrastructure in a future meeting.

### **3.7 Singular Use Plastics Update**

The item came on the agenda from the Communities Overview & Scrutiny Panel. The Panel noted the item.

### **3.8 Fly Tipping Review**

### **3.9 VolkerHighways Ltd. Annual Review**

### **3.10 Highways Investment Report**

### **3.11 Capital Programme Update**

### **3.12 River Thames Scheme Partnership Funding**

### **3.13 Safety of Highway Trees**

### **3.14 Active Travel Measures**

An urgent item that was brought to the Panel.

### **3.15 Budget 2021/22 Report**

### **3.16 Infrastructure Delivery Plan**

### **3.17 Capital Programme Processes**

### **3.18 Housing Strategy**

**3.19 Q1, Q2 and Q3 Performance Reports**

**3.20 Call In - Interim Sustainability Position Statement**

It was agreed to take no further action on the call in on the Interim Sustainability Position Statement.

**4. CALL-INS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

**4.1 Interim Sustainability Position Statement**

It was agreed to take no further action on the call in on the Interim Sustainability Position Statement.

**5. RESIDENT SUGGESTIONS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21**

5.1 No resident suggestions were received.

**6. TASK AND FINISH GROUPS ESTABLISHED DURING THE MUNICIPAL YEAR 2020/21**

6.1 No Task and Finish Groups were undertaken.

**7. PROPOSALS FOR IMPROVED WORKING METHODS**

7.1 Clear objectives and Work Programme.

7.2 Increased officer resource to ensure the Panel has the right level of support.

7.3 Improvements on how the Panel plans and organises its Work Programme items and give Members more time for questions, discussions, and debate.

7.4 Receive officer reports with greater notice so Panel Members can review in advance of the meeting.

7.5 Review the Annual Scrutiny Report item during the municipal year.

7.6 Reduced changes to the Chairmanship of the Panel.

7.7 Greater scrutiny of reports and policies and provision of recommendations to Cabinet by the Panel.

**8. THANKS**

8.1 The Panel would like to thank the following individuals and organisations for their involvement in the scrutiny process this year:

- All officers for providing their support and reports.
- Cabinet Members for their attendance and contribution.

- All current and previous Panel Members of the municipal year.
- Democratic Services officers for organising meetings.
- Members of public for their contribution.
- VolkerHighways Ltd for their contribution to the VolkerHighways Ltd. Annual Review item.

**9. PROPOSED WORK PROGRAMME FOR THE MUNICIPAL YEAR 2021/22**

9.1 The Panel proposes to consider the following topic areas for scrutiny in the coming municipal year:

Topics already in progress/carried over from 2020/21:

- Homelessness Strategy and Homelessness Forum Update
- Street Lighting Review
- Bus Routes
- Junction Improvements
- Maidenhead Town Centre CIL
- New Schools Infrastructure Plans
- Ascot Redevelopment
- Public Transport Requirements
- Carbon-free Power Infrastructure
- Air Quality and Traffic Monitoring
- Annual Monitoring Report

New topics:

- Pedestrian road safety (all pedestrians, children, school safety etc.)
- Affordable Housing
- 20 mph speed limit across the Borough
- 5G Discussion

**10. APPENDICES**

10.1 This report is supported by 1 appendix:

- Appendix A - Work Programme

**REPORT HISTORY**

<b>Decision type:</b> For information	<b>Urgency item?</b> No	<b>To Follow item?</b> No
--	----------------------------	------------------------------

## WORK PROGRAMME - INFRASTRUCTURE OVERVIEW AND SCRUTINY PANEL

To include consideration of items scheduled on the [Cabinet Forward Plan](#).

<b>EXECUTIVE DIRECTORS</b>	<ul style="list-style-type: none"> <li>• Duncan Sharkey (Chief Executive)</li> <li>• Andrew Durrant (Executive Director of Place)</li> </ul>
<b>LINK OFFICERS &amp; HEADS OF SERVICE</b>	<ul style="list-style-type: none"> <li>• Simon Dale (Interim Head of Highways)</li> <li>• Tracy Hendren (Head of Housing and Environmental Health Service)</li> <li>• Chris Joyce (Head of Infrastructure, Sustainability &amp; Economic Growth)</li> <li>• Adrien Waite (Head of Planning)</li> </ul>

### MEETING: 21<sup>ST</sup> SEPTEMBER 2021

ITEM	RESPONSIBLE OFFICER
Q1 Performance Update Report	<b>Andrew Durrant</b> , <i>Executive Director of Place</i>
Annual Complaints Report	<b>Nikki Craig</b> , <i>Head of HR, Corporate Projects and IT</i>
Annual Scrutiny Report - Draft	<b>Chairman &amp; Lead Officers</b>
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	
TBC	

### MEETING: 18<sup>TH</sup> JANUARY 2022

ITEM	RESPONSIBLE OFFICER
Budget 2022/23 Report	<b>Lead Officers &amp; Finance</b>
Q2 Performance Update Report	<b>Andrew Durrant</b> , <i>Executive Director of Place</i>
Annual Scrutiny Report - Draft	<b>Chairman &amp; Lead Officers</b>
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	
TBC	

### MEETING: 13<sup>TH</sup> APRIL 2022

ITEM	RESPONSIBLE OFFICER
Q3 Performance Update Report	<b>Andrew Durrant</b> , <i>Executive Director of Place</i>
Annual Scrutiny Report (Final version for approval and submission to Full Council)	<b>Chairman &amp; Lead Officers</b>
Work Programme	Panel clerk
<b>TASK AND FINISH</b>	
TBC	

## ITEMS SUGGESTED BUT NOT YET PROGRAMMED

ITEM	RESPONSIBLE OFFICER
Homelessness Strategy and Homelessness Forum Update	<b>Tracy Hendren,</b> <i>Head of Housing and Environmental Health Service</i>
Junction Improvements	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Maidenhead Town Centre CIL	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
New Schools Infrastructure Plans	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i> <b>Kevin McDaniel,</b> <i>Executive Director of Children's Services</i> <b>Ben Wright,</b>
Ascot Redevelopment	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Public Transport Requirements	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Carbon-free Power Infrastructure	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Air Quality and Traffic Monitoring	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Annual Monitoring Report	<b>Adrien Waite,</b> <i>Head of Planning</i>
Pedestrian road safety	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Affordable Housing	<b>Tracy Hendren,</b> <i>Head of Housing and Environmental Health Service</i>
20 mph speed limit across the Borough	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
5G Update	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Street Lighting Review	<b>Simon Dale,</b> <i>Interim Head of Highways</i>

TASK AND FINISH GROUP SUGGESTIONS	RESPONSIBLE OFFICER
CIL	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>
Homelessness and housing solutions	<b>Tracy Hendren,</b> <i>Head of Housing and Environmental Health Service</i>
Digital Infrastructure	<b>Chris Joyce,</b> <i>Head of Infrastructure, Sustainability &amp; Economic Growth</i>