

NOTICE

OF

MEETING

PLACE OVERVIEW AND SCRUTINY PANEL

will meet on

MONDAY, 14TH NOVEMBER, 2022

At 7.00 pm

In the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD AND ON [RBWM YOUTUBE](#)

TO: MEMBERS OF THE PLACE OVERVIEW AND SCRUTINY PANEL

COUNCILLORS JOHN BOWDEN, GREG JONES, SAYONARA LUXTON,
SHAMSUL SHELIM, LEO WALTERS, MANDY BRAR, JOHN BALDWIN, GURCH SINGH,
HELEN TAYLOR, JON DAVEY, MARGARET LENTON (WRAYSBURY PARISH
COUNCIL) AND PAT McDONALD (WHITE WALTHAM PARISH COUNCIL)

SUBSTITUTE MEMBERS

COUNCILLORS GERRY CLARK, MAUREEN HUNT, GARY MUIR, JULIAN SHARPE,
JOHN STORY, CHRIS TARGOWSKI, HELEN PRICE, JOSHUA REYNOLDS, AMY TISI,
GEOFF HILL AND SIMON WERNER

Karen Shepherd – Head of Governance - Issued: 4th November 2022

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 at www.rbwm.gov.uk or contact the Panel Administrator **Oran Norris-Browne** Oran.Norris-Browne@RBWM.gov.uk

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 Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>ELECTION OF CHAIRMAN AND VICE CHAIRMAN</u> To elect a Chairman and Vice Chairman for the remainder of the 2022/23 municipal year.	-
2.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	-
3.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	5 - 6
4.	<u>ACTIONS ARISING FROM PREVIOUS MEETING</u> To go through the actions arising from the previous meeting.	-
5.	<u>MINUTES</u> To consider the minutes of the meeting held on 21 st June 2022.	7 - 16
6.	<u>CALL IN - DRAFT ELECTRIC VEHICLE CHARGEPOINT IMPLEMENTATION PLAN</u> <ol style="list-style-type: none">1) After the Chair opens the meeting the members who asked for the decision to be called in will be asked to explain their reasons for the request and what they feel should be reviewed;2) On matters of particular relevance to a particular ward, ward division Members who are not signatories to a call-in have the opportunity to make comments on the call-in at the meeting, such speeches not to exceed five minutes each. Ward Members will take no further part in the discussion or vote. Ward Members must register their request to speak by contacting the Head of Governance by 12 noon on the day prior to the relevant hearing;3) The relevant Cabinet Member for the portfolio (or holders if more than one is relevant) will then be invited to make any comments;4) The relevant Executive Director or his representative will advise the Panel on the background and context of the decision and its importance to achieving Service priorities;5) Panel Members will ask questions of Members and officers in attendance;6) The Cabinet Member(s) will be invited to make any final comments on the matter;	17 - 46

	7) The Panel votes on a decision.	
7.	<u>RESIDENT SCRUTINY TOPIC SUGGESTION - RIVER THAMES SCHEME AND FLOOD RELIEF IN WRAYSBURY</u>	47 - 50
8.	To consider the report. <u>WORK PROGRAMME</u> To consider the Panel's work programme for the remainder of the municipal year and discuss any scoping documents that the Panel are working on.	51 - 52

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Agenda Item 3

MEMBERS' GUIDE TO DECLARING INTERESTS AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.
- Any licence to occupy land in the area of the council for a month or longer.
- Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.
- Any beneficial interest in securities of a body where:
 - a) that body has a place of business or land in the area of the council, 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.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, or a body included under Other Registerable Interests in Table 2 you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in the Members' code of Conduct)

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter (referred to in the paragraph above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Agenda Item 5

PLACE OVERVIEW AND SCRUTINY PANEL

TUESDAY, 21 JUNE 2022

PRESENT: Councillors John Bowden (Chairman), Jon Davey (Vice-Chairman), Julian Sharpe, Sayonara Luxton, Shamsul Shelim, Leo Walters, Gurpreet Bhangra, Mandy Brar, John Baldwin, Gurch Singh and Helen Taylor

Also in attendance: Councillor Donna Stimson

Officers: Oran Norris-Browne, Chris Joyce, Andrew Durrant and David Scott

APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Councillor Sharpe had experienced a flat tyre on his commute to the meeting and was therefore absent during the appointment of a Chairman and a Vice-Chairman.

Councillor Baldwin nominated Councillor Davey to be Chairman for the municipal year 2022/23. This was seconded by Councillor Singh.

A named vote was taken.

Election of Councillor Davey as Chairman of the Panel for municipal year 2022/23 (Motion)	
Councillor John Bowden	Against
Councillor Jon Davey	For
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	Against
Councillor Shamsul Shelim	Against
Councillor Leo Walters	Against
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	For
Councillor John Baldwin	For
Councillor Gurch Singh	For
Councillor Helen Taylor	For
Drawn	

The result was 5 for and 5 against resulting in no majority, so the motion fell.

Councillor Bhangra nominated Councillor Bowden to be Chairman for the municipal year 2022/23. This was seconded by Councillor Shelim.

A named vote was taken.

Election of Councillor Bowden as Chairman of the Panel for municipal year 2022/23 (Motion)	
Councillor John Bowden	For
Councillor Jon Davey	Against
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	Against
Councillor John Baldwin	Against
Councillor Gurch Singh	Against
Councillor Helen Taylor	Against
Drawn	

The result was 5 for and 5 against resulting in no majority, so the motion fell.

Oran Norris-Browne, Democratic Services Officer, then explained to the panel that as no Chairman had been elected for the municipal year 2022/23, they would now propose a chairman for just the duration of the meeting.

Councillor Baldwin nominated Councillor Davey to be Chairman for the duration of the meeting. This was seconded by Councillor Singh.

A named vote was taken.

Election of Councillor Davey as Chairman of the Panel for the duration of the meeting (Motion)	
Councillor John Bowden	Against
Councillor Jon Davey	For
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	Against
Councillor Shamsul Shelim	Against
Councillor Leo Walters	Against
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	For
Councillor John Baldwin	For
Councillor Gurch Singh	For
Councillor Helen Taylor	For
Drawn	

The result was 5 for and 5 against resulting in no majority, so the motion fell.

Councillor Bhangra nominated Councillor Bowden to be Chairman for the duration of the meeting. This was seconded by Councillor Walters.

A named vote was taken.

Election of Councillor Bowden as Chairman for the duration of the meeting (Motion)	
Councillor John Bowden	For
Councillor Jon Davey	Against
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	Against
Councillor John Baldwin	Against
Councillor Gurch Singh	Against
Councillor Helen Taylor	Against
Drawn	

The result was 5 for and 5 against resulting in no majority, so the motion fell.

As all motions to elect a chairman had now fallen, the clerk reminded the panel that failure to elect a chairman for the duration of the meeting would result in the meeting being adjourned.

Councillor Bhangra then nominated Councillor Bowden to be Chairman for the duration of the meeting. This was seconded by Councillor Davey.

A named vote was taken.

Election of Councillor Bowden as Chairman for the duration of the meeting (Motion)	
Councillor John Bowden	For
Councillor Jon Davey	For
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor John Baldwin	For
Councillor Gurch Singh	For
Councillor Helen Taylor	For
Carried	

AGREED UNANIMOUSLY: That Councillor Bowden be Chairman for the duration of the meeting.

Councillor Baldwin then nominated Councillor Davey to be Vice-Chairman for the duration of the meeting. This was seconded by Councillor Singh.

A named vote was taken.

Election of Councillor Davey as Vice-Chairman of the Panel for the duration of the meeting (Motion)	
Councillor John Bowden	Against
Councillor Jon Davey	For
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	Against
Councillor Shamsul Shelim	Against
Councillor Leo Walters	Against
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	For
Councillor John Baldwin	For
Councillor Gurch Singh	For
Councillor Helen Taylor	For
Drawn	

The result was 5 for and 5 against resulting in no majority, so the motion fell.

The clerk once again reminded the panel that failure to elect a Vice-Chairman for the meeting would result in the meeting having to be adjourned.

Councillor Singh then nominated Councillor Davey to be Vice-Chairman for the duration of the meeting. This was seconded by Councillor Walters.

A named vote was taken.

Election of Councillor Davey as Vice-Chairman of the Panel for the duration of the meeting (Motion)	
Councillor John Bowden	For
Councillor Jon Davey	For
Councillor Julian Sharpe	No vote recorded
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor Leo Walters	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor John Baldwin	For
Councillor Gurch Singh	For
Councillor Helen Taylor	For
Carried	

AGREED UNANIMOUSLY: That Councillor Davey be Vice-Chairman for the duration of the meeting.

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Greg Jones. Councillor Sharpe attended as substitute.

DECLARATIONS OF INTEREST

There were no declarations of interest made.

MINUTES

In relation to the infrastructure Overview & Scrutiny minutes, Councillor Davey wanted to clarify to residents that works on the Alexandra Gardens coach park bridge had not been cancelled, and that work was underway to find quotes for the works, as the current solutions were coming in over budget.

(Councillor Sharpe joined the meeting in-person)

Councillor Walters asked what the £165,000 in grant spending was for and if it had all been spent. Andrew Durrant, Executive Director of Place Services, replied by saying that this was for decarbonization assessments that had occurred across council buildings and school sites. It gave recommendations to improve carbon levels within the buildings. Not all of the money had been spent yet.

Councillor Walters then asked for information on the Lunar celebrations. Chris Joyce, Head of Infrastructure Sustainability and Economic Growth, said that there were a series of events that ran in Maidenhead. He offered to provide the Panel with this information offline, but implored members to view the minutes for Maidenhead Town Forum.

ACTION: Chris Joyce to share with panel, information on the Chinese New Year celebrations in Maidenhead.

Lastly, Councillor Walters asked in reference to the Holiday Inn site on Shopenhangers road, if the borough were in some way in competition with the Home Office when it came to housing refugees. Andrew Durrant said that it was not a competition and said that this arrangement was directly between the government and the hotel. The borough assisted with safeguarding and welfare solutions, but nothing else.

ACTION: Andrew Durrant to provide Councillor Walters with information on the Holiday Inn arrangements.

Councillor Brar said that residents were still having issues with the Ringo parking scheme. Andrew Durrant said that he was not aware of any issues currently, however offered to be notified if there were any.

Councillor Singh asked if pre-planning was now being monitored by the planning department. Andrew Durrant said that he would discuss this offline with Adrien Waite, Head of Planning.

ACTION: Andrew Durrant to report back to Councillor Singh on the progress of pre-planning.

The Chairman then welcomed Councillor Sharpe to the meeting. Councillor Sharpe apologised for being late and stated that he had gotten a flat tyre on his commute to the meeting.

Councillor Davey said that now Councillor Sharpe was present, the vote for a Chairman and Vice-Chairman for the municipal year 2022/23 should be held as agreed. The clerk confirmed that this was not what had been agreed but stated that this was up to the panel to decide whether they wished to do this or not. The panel wished to continue the meeting with the existing setup.

AGREED UNANIMOUSLY: That Councillor Bowden remained Chairman and that Councillor Davey remained Vice-Chairman for the duration of the meeting.

Councillor Walters then asked in relation to the Communities Overview & Scrutiny panel minutes, how the borough was getting on in terms of the air pollution issues that Thomas

Wigley had raised at the meeting. The Chairman said that this would be discussed in the work programme section. Councillor Baldwin echoed the words of the Chairman.

The Panel noted both the Infrastructure and Communities Overview & Scrutiny minutes respectively.

RESIDENT SCRUTINY SUGGESTION - POLLUTION OF THE RIVER THAMES

The panel considered a report on a resident scrutiny suggestion titled Pollution of the River Thames.

Chris Joyce introduced the report and said that water quality was a matter for the Environment Agency. The council worked closely with the Environment Agency and said that the report was directly linked to bathing sites within the Thames. He said that to his knowledge there were no designated bathing sites within the Thames, anywhere throughout the borough.

Councillor Baldwin asked if it were possible to bring members of the Environment Agency then he would support this as the river ran throughout the whole borough and touched many people's lives. He endorsed co-operating with them.

Councillor Davey implored for the Environment Agency to be invited to discuss this with the panel. He said that the borough should be able to reassure the residents that the river was safe and that he had received lots of representations discussing the murkiness of the water for example.

Councillor Brar also agreed and stated that she had brought a motion forward to Full Council previously regarding this, however it was voted down. She said that there were issues in the Marlow and Bourne End area with regards to the sewage plant.

Councillor Walters also agreed that it would be great to bring them to address the panel.

Councillor Taylor acknowledged Bray Lake as being an area which could affect residents here, so agreed with other Councillors that the Environment Agency should address the panel.

Councillor Luxton asked for clarity over the point that Councillor Brar had made with regards to sewage. Councillors Brar and Singh confirmed this. Councillor Luxton said that officers should surely be aware of these issues. Councillor Brar confirmed that they had been aware for years.

Councillor Singh said that within his ward of St Marys, the water that ran through it was very murky and that it would be good to bring the Environment Agency to the panel to reassure residents and to give them some insight. He also acknowledged that it was a national issue.

Councillor Davey read out an email that had been received from Councillor Larcombe with regards to the Wraysbury Drain. His statement was as follows, "Had I been present I would have suggested that the Committee looked again at the condition of and expenditure on the Wraysbury Drain which has not been fit for purpose for many years. Recent further expenditure of over £13,000 had resulted in insignificant improvement. This was not good use of public money. As a lead local flood authority, RBWM had continually failed to use its available enforcement powers. Furthermore, there were no pre-works or post-works reports. His view was that riparian owners should bear a variable proportion of RBWM costs associated with ordinary watercourse maintenance." These were the words of Councillor Larcombe read out on his behalf by Councillor Davey.

Councillor Sharpe said that he believed this to be a national issue and that companies were being permitted to emit waste into rivers during emergency situations. He implored the Lead Member to write a letter to The Rt Hon George Eustice MP.

Councillor Brar said that writing a letter to the Environment Agency was the motion that she had already put forward to Full Council and that it had been voted down by the administration.

Councillor Taylor said that she agreed with Councillor Sharpe but believed that the panel should do both options to reassure residents.

The Chairman then gave his oversight of the issue having listened to the discussions. The Slough sewage treatment pushed treated sewage into a waterway which then pushed water into the Thames. He reiterated that this was treated sewage. He added that the only time that untreated sewage would be allowed out would be when a storm or a heavy water flow would occur, which would be classed as an emergency. This was all monitored and was kept regularly up to date with findings and results. This knowledge had been obtained from the Chairman from his attendance at the Eton Wick and the Waterways Association meetings.

Chris Joyce wanted to make it clear that the Environment Agency could be invited by the panel to attend a future meeting, however this was completely up to them and that they were not obliged to do so. Scope and detail would also need to be formulated by the panel before inviting them.

Chris Joyce also wanted to reassure residents that the speculative comments made by some members about untreated sewage being pumped into the Thames, were not factual and urged caution until facts and figures had been obtained.

The clerk noted that Councillor Stimson had her hand raised virtually. The Chairman invited her to speak. Councillor Baldwin then raised a point of order and admitted that it had been a while since he had last been a panel member on an overview and scrutiny panel but was concerned at this request to speak. He stated that non-panel members must have notified the Head of Governance in writing to be able to address the panel. Councillor Stimson declined to speak and said that Chris Joyce had covered all of her points.

Councillor Davey asked if a vote needed to take place on whether the Environment Agency should be brought before the panel or not. This was not the case as the panel were happy for officers to help draw up a specification with members to propose to the Environment Agency. This would be discussed as an item for future meetings within the work programme section.

WORK PROGRAMME

The clerk suggested that the panel viewed and discussed the scoping document that the Infrastructure Overview & Scrutiny panel had produced on CIL (Community Infrastructure Levy). This was attached to the agenda pack. The clerk outlined to the panel how this document had been produced and agreed to by the former panel. The clerk asked for a nominated member to be appointed for this document as

Councillor Haseler, who was the former designated member, was no longer apart of the panel. It was agreed that Councillor Baldwin's name would be attached to this as the idea had originated from him. The panel agreed to this after the clerk explained that this was merely an administrative task.

ACTION: Clerk to add Councillor Baldwin's name to the CIL scoping document in place of Councillor Haseler.

The clerk then explained the next steps to panel members with regards to this scoping document and asked if anybody had any questions for Chris Joyce upon viewing the feedback that he had provided on the document. The Chairman read out the feedback from both Chris Joyce and Adrien Waite, Head of Planning. The panel agreed with the comments of the

officers and said that it should be looked at across the whole borough and not just Maidenhead town centre.

Councillor Singh wanted to ensure that Maidenhead town centre was not forgotten with regards to this, but he was assured by the panel that the whole borough would be focussed upon.

Councillor Baldwin acknowledged the feedback that had been received and stated that new legislation could be introduced soon, which would scrap Section 106 agreements and CIL and introduce a new levy. He said that it was still a valid piece of work to carry out and that a new scoping document needed to be formed that reflected on the comments that had been made. Parish Councillor Pat McDonald (Co-Optee) said that CIL money was very important to parishes.

Councillor Sharpe said that a review was very important and that the system that was currently in place was slightly skewed. He said that a review of infrastructure requirements was needed so that a clear focus could be obtained as to what the CIL money would be spent on if it was acquired, and what funding levels would be needed.

Councillor Luxton wanted to echo Councillor Singh's point that the original scoping document was designed for Maidenhead town centre specifically but endorsed the idea of the whole borough being focused upon.

Councillor Baldwin wanted to clarify that this piece of work was not to plan new infrastructure projects and instead it was to ensure that the opportunities to maximise CIL and Section 106 agreements were taken. He said that it was important to note how CIL was collected and how Section 106 agreements were formed.

Councillor Walters asked for a definition of the extent to what Section 106 agreements could cover. Andrew Durrant replied by saying that there were specifications agreed with the planning department once a development was approved.

Chris Joyce said that Section 106 agreements needed to be related to the development, however it could be spent on anything that was agreed with the developer. It could be collected through a wide range of things and could include improvements to junctions and public transport to the location for example. He agreed with Councillor Baldwin's point on maximising contributions and that it should be directed at the most important things for the borough.

Councillor Walters presented Chris Joyce with a hypothetical situation and asked what responsibility the developer would have in terms of expenditure.

Chris Joyce replied by saying that the expenditure would have to relate to the scale and nature of the development. If for example the development was generating a lot of traffic and caused the junction to go over capacity, then it would be reasonable to ask the developer to fund improvement works to that junction to increase the performance level back to its pre-development level. He noted that this would have to be a negotiation but added that it would have to mitigate the impact of the development. CIL was a different process that would be set ahead of time, as opposed to Section 106 agreements as discussed above.

Councillor Walters asked if there was a formula for this. Chris Joyce replied by saying that there was not, but Section 106 was to be negotiated on a case-by-case basis.

Councillor Sharpe said it was important to understand how much the council could charge for CIL, or was it set by central government.

Chris Joyce said that the charging schedule could be changed by going through a public examination and producing an evidence base, which would be conducted by an independent

inspector. The evidence base would include the infrastructure needs and the viability of developments. A CIL rate couldn't be made that would make the development unviable. It was agreed that CIL would not be charged in Maidenhead town centre based upon the evidence at the time of the public CIL examination and the more recent evidence in the adopted Borough Local Plan, which continued to show similar challenges around viability. He added that this review's main focus would be to see if this evidence had now changed.

Councillor Baldwin used the example of Bray Film Studios in terms of the Section 106 agreement. It included improvement works to cycle ways and footpaths, a new roundabout on the A308 and a provision to fund a council officer for 2 years as a media liaison officer. He said that they were quite flexible and that opportunities could be exploited by the borough to make steps forward.

The Chairman then noted the upcoming meeting dates and asked David Scott, Head of Communities, if the meeting on 12 April 2023 would need to be moved due to the local elections commencing in May 2023. It was confirmed that this would be discussed offline.

The Chairman asked a member of the former Infrastructure Overview & Scrutiny panel to shed some light on the 'Review of Street Lighting' item that was not yet programmed. Councillor Luxton gave a brief overview of this item and explained it was to do with poor lighting in areas of the borough especially in her ward, where young girls would walk home at night with poor visibility.

Councillor Davey added some further insight into the item to do with the new digital lighting that had been implemented. This was dimmer but easier to maintain, so it showed a compromise. He added that the Youth Council had written a paper on something very similar to this and that they should be invited to the panel to discuss their paper. The Chairman said that if this occurred, the report should be circulated before the panel met so that questions could be put to the Youth Council.

Councillor Luxton said that she did not feel it was the best option to have the Youth Council address the panel on this matter. She said alternatively the scope could be carried out through getting feedback from schools on where they believe there was poor lighting and potential concerns regarding this.

Andrew Durrant responded by saying that it could help with framing the context of the issue as the Youth Council could provide a good picture to the panel as to what the issues were from a young person's point of view. He said that it tied in nicely with a goal in the corporate plan which was the safety of women and girls.

The clerk suggested that the rest of the items on the work programme could be discussed offline amongst the panel. Councillor Davey agreed and implored for the panel to be productive in the upcoming municipal year. The Chairman also agreed with the clerk's suggestion.

The Chairman suggested that the waste management strategy, the SERCO update, and the Tivoli update could be combined into one item. The clerk then reminded the panel that panel members were able to produce a scoping document on any item that they desired to be scrutinised. This could then be presented to the panel for approval and inclusion on a future agenda.

Councillor Baldwin agreed that it should be taken offline and asked if any body of work had been conducted for any of the Communities Overview & Scrutiny items that were on the work programme list. The clerk confirmed that there were no outstanding works on items from that panel.

Councillor Shelim said that it was important to understand why each of these items were on the list and then if valid reasons were to be given, then they could be included on future agendas.

Councillor Taylor asked if a short brief for each item could be sent around to panel members via email to establish why these were included in the first place and what their aims were.

The clerk outlined the scoping document to the panel and explained that each item would go through this process to ensure that the item was suitable for scrutiny. Update items were also to be provided offline through member briefings going forward too as this did not previously amount to any scrutiny occurring. Panel members were informed that they would have to write the scoping documents, but officers were there to assist in the process to guide and advise them, especially new panel members.

Councillor Davey complimented Oran Norris-Browne for his hard work, efficiency, and his involvement in various projects over the last year or so, since joining the council.

Councillor Bhangra agreed with all that had been said and noted that it was important for the panel to have a clear focus moving forward as the Communities Overview & Scrutiny panel ended up with many items and multiple meetings occurring.

The clerk said that he would look offline at potential dates during the summer period, and he would inform panel members of these dates to assess their availability. The panel agreed that it would be a majority, as getting 11 members to agree to one time and day, could prove difficult.

Councillor Baldwin asked for the option of various start times of the day to be considered due to full-time workers. The clerk said he would consider this.

The Chairman thanked all officers and members for their attendance.

The meeting, which began at 7.03 pm, finished at 8.45 pm

CHAIRMAN.....

DATE.....

Agenda Item 6

Report Title:	Member Call In – Draft Electric Vehicle Chargepoint Implementation Plan
Contains Confidential or Exempt Information:	No - Part I
Meeting and Date:	Place Overview & Scrutiny Panel – 14 November 2022

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REPORT SUMMARY

In accordance with Part 4 A16 of the Constitution, the Cabinet decision made on 27th October 2022 relating to the item Draft Electric Vehicle Chargepoint Implementation Plan has been called in for review by the Place Overview & Scrutiny Panel.

1. REASON(S) FOR CALL IN

- 1.1 The call-in notice, received on 3rd November 2022, stated the following reasons for calling in the decision:
 - 1.2 We would like to call in the decision made at the Cabinet meeting on 27th October to approve consultation on the Draft Electric Vehicle Chargepoint Implementation Plan.
 - 1.3 We feel the Executive did not take the decision in accordance with the principles set out in Article 12.2, namely:
 - 1.4 The giving of reasons for the decision and the proper recording of those reasons:
 - It is an incomplete document, so we are unsure as to how this can be released for consultation without a full list of proposals including: suggested locations, costs to residents to charge, costs to RBWM, revenue model shares, technologies and their reliabilities, companies and their experience in the EV charging marketplace.
 - 1.5 A presumption to favour of openness and inclusive decision making:
 - For residents to submit their thoughts they need far more detail. Most will have very little exposure to this world but many current owners will have researched heavily and can help to inform our thinking. But they are unlikely to join a consultation if the detail is lacking and they feel their input is simply to demonstrate a consultation has taken place with little interest for their submissions and not actually forming part of a thorough RBWM knowledge base.
 - Residents with EV are likely to have well paid managerial roles, have a technology bias and be very clear on how they would like to be serviced, such is the lack at the moment.
 - 1.6 Consideration of the legal and financial implications:

- Consultations costs thousands of pounds, requiring many man hours to pull together and RBWM doesn't have money to waste on a consultation that isn't going to give us the data we need to make good choices moving forward.
- 1.7 We feel Cabinet needs to furnish itself with much more detail before it can consult.

2. MEMBERS CALLING IN THE REPORT

2.1 The call-in notice was signed by the following Members:

- Councillor Jon Davey
- Councillor John Baldwin
- Councillor Gurch Singh

3. PANEL OPTIONS

- 3.1 Having considered the Call-In, the Overview and Scrutiny Panel may decide:
- i. to take no further action, in which case the decision will take effect immediately;
 - ii. to refer the decision back to the decision-maker for reconsideration, setting out the nature of the Panel's concerns. The decision-maker must then re-consider the matter, taking into account the concerns of the Overview and Scrutiny Panel, before making a final decision. In the case of Cabinet as the decision maker, the Leader can call a Cabinet meeting within 5 working days to expedite the process or refer the item to the next appropriate scheduled meeting. In the case of any decision maker, consideration must take place within a maximum of 28 days;
 - iii. if the decision is considered to be outside of the budget or policy framework, to refer the matter to next scheduled ordinary full Council or an extraordinary full Council meeting within 28 days if appropriate, in which case paragraph (3.3) below will apply;
- 3.2 If, following a call-in, the Overview and Scrutiny Panel does not meet within 10 clear working days of receipt of the decision to call-in, or does meet but does not refer the matter back to the decision making person or body, or Full Council under iii above, the decision shall take effect immediately.
- 3.3 If the matter was referred to Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of an executive decision unless it is contrary to the Policy Framework, or contrary to or not wholly consistent with the Budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person

or body, together with the Council's view on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole or a committee of it, a meeting will be convened to reconsider within 5 clear working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 5 clear working days of the Council request.

- 3.4 If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

4. APPENDICES

- 4.1 This report is supported by two appendices:

- Appendix A – Cabinet Report
- Appendix B – Extract from Cabinet Minutes

5. BACKGROUND DOCUMENTS

- 5.1 This report is supported by two background documents:

- [Council Constitution - Part 4A - Purpose and Procedure Rules for Overview & Scrutiny](#)
- [Cabinet Agenda - October 2022](#)

Report Title:	Draft Electric Vehicle Chargepoint Implementation Plan – Approval to Consult
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport
Meeting and Date:	Cabinet – 27 October 2022
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services, and Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth
Wards affected:	All

REPORT SUMMARY

It is projected that half of all cars and vans in the borough will be electric by 2035, rising to virtually all such vehicles by 2040, as a result of both growing consumer demand and the incoming national bans on the sale of petrol and diesel vehicles, just seven years away. Increasingly, the borough's residents, businesses and visitors will need and expect the infrastructure to be in place to support electric vehicles.

Whilst the majority of charging will take place on residential driveways and in fleet depots, there is a need for the council to support the delivery of chargepoints on land that we manage – i.e. on streets and in council car parks – as part of a range of places where vehicles will need to be charged.

A ten-year Electric Vehicle Chargepoint Infrastructure Plan is being drafted to set out the actions the council will need to take to enable the transition to electric vehicles. To make sure that the plan accurately reflects the experience, needs and circumstances of those that will use it, it is recommended that this draft plan proceed to a public consultation.

The draft plan will fully support our Corporate Plan to create a sustainable borough of opportunity and innovation and our priorities for quality infrastructure and take action on climate change.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Delegates authority to the Head of Infrastructure, Sustainability & Economic Growth Service in consultation with the Cabinet Member for Planning, Parking, Highways & Transport to approve the draft plan progress to public consultation

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

Options

Table 1: Options arising from this report

Option	Comments
Progress to public consultation This is the recommended option	For the plan to effectively enable many more people to switch to electric vehicles, it is vitally important that it accurately reflects the experience, needs and circumstances of those that will use it. The draft plan will benefit from public input, ahead of finalising a plan ready for delivery from the start of the 2023/24 financial year.
Discontinue development of an Electric Vehicle Chargepoint Implementation Plan (i.e. do nothing) This is not recommended	Without a plan, chargepoints will not be installed at the pace or in the locations that many of our residents, businesses and visitors will need, if they are to make their next vehicle electric.
Immediately adopt the plan and move to implementation. This is not recommended	The draft plan will benefit from the further input of residents and other stakeholders. The consultation will enable the plan to be improved, whilst still ensuring delivery can begin in the next financial year

Context

- 2.1 The sale of new petrol and diesel cars and vans in the UK will end in 2030, as set out in last year's national Decarbonising Transport strategy. Earlier this year, in *Taking Charge: The Electric Vehicle Infrastructure Strategy*, the government tasked local authorities with developing local strategies for ensuring the necessary infrastructure will be in place to support this transition, with a particular responsibility for developing the needed network of chargepoints on local authority streets.
- 2.2 It is projected that half of all cars and vans in the borough will be electric by 2035 (based upon University of Oxford's SCATE tool), rising to virtually all such vehicles by 2040, as a result of both growing consumer demand and the incoming national bans on the sale of petrol and diesel vehicles, just seven years away. Increasingly, the borough's residents, businesses and visitors will need and expect the infrastructure to be in place to support electric vehicles.
- 2.3 Faced with the climate emergency, transitioning to electric vehicles is essential to efforts to decarbonise transport, which is the largest source of the borough's carbon emissions accounting for one third of the borough's total. Our Environment and

Climate Strategy identifies that the pathway to net zero will need to involve a substantial drop of 75% emissions reduction by 2030 and an 88% reduction by 2035. Infrastructure, particularly chargepoints, has a vital role to play in enabling people to make their next vehicle electric by providing the charging opportunities that people need.

2.4 The introduction of chargepoints as a prominent new feature of our roads and car parks also serves to accelerate the transition by demonstrating that driving electric is set to become a normal part of everyday life, and offering reassurance to non-users that they will be able to find chargepoints when they need them if they switch to electric.

2.5 It is projected that the majority of electric vehicle charging will take place overnight on private residential driveways and in depots, which will often be the cheapest and most convenient place to charge. Residents and businesses will have chargepoints installed on their properties for their own use, linked to the purchase of their electric vehicle.

2.6 This will be supported by a growing nationwide privately-run network of premium 'rapid' and 'ultra-rapid' chargepoints that recharge a vehicle in 15 to 30 minutes, particularly suited to service station locations along main roads. On longer journeys, drivers will be able to recharge their vehicles on route, usually as part of the rest stops they would make along the journey anyway.

2.7 The role for local authorities to fill is the provision of chargepoints on streets and in council car parks. Residents without off-street parking will need to be able to charge near their home. The times that cars spend parked in car parks will often be a convenient time to top a battery up too, and having our car parks offer charging facilities will ensure our towns continue to meet public expectations and attract shoppers and day-trippers.

2.8 Local authority involvement is needed in on-street and car park provision firstly because these are public spaces that we manage, and secondly because typically these types of sites are not commercially viable for chargepoint operators in the near-term. These sites are expected to become commercially viable as the number of electric vehicles on the road increases with time, but local authorities are being encouraged by government to accelerate the transition to electric vehicles by beginning to provide these facilities now. The government are supporting this through their On Street Residential Chargepoint Scheme (ORCS) and Low Emission Vehicle Infrastructure (LEVI) funding pots. Some chargepoint suppliers are willing to take these sites on commercially too, in return for a long concession period for the site.

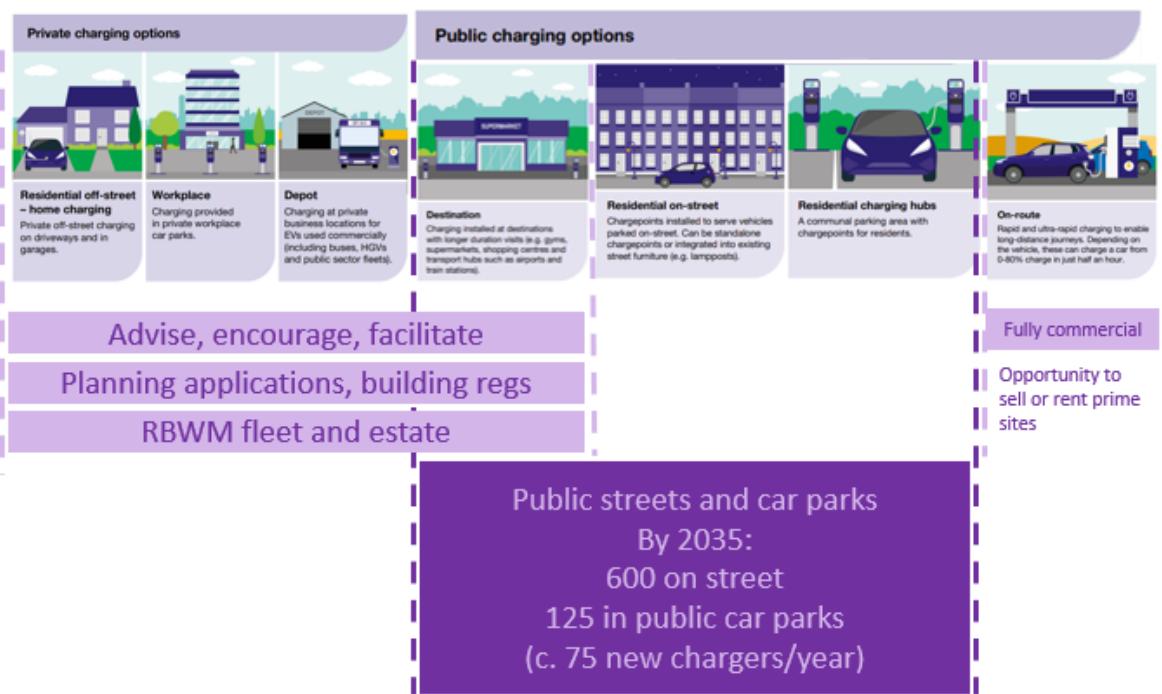
Development of the plan

2.9 A draft Electric Vehicle Chargepoint Implementation Plan has been developed following a review of existing chargepoint trials within the authority, as well as learning and best practice from other local authorities. An early supplier engagement exercise with 12 chargepoint suppliers representing the breadth of business models and technology solutions available has enabled us to develop a plan against which the market can deliver. The council has additionally benefited from expert support offered by the Energy Saving Trust through their government-funded Local Authority Support Programme.

2.10 We now seek to publicly consult on the draft plan. To ensure that the infrastructure that is rolled out will give people the ability and confidence to switch, we want to be sure that our plan accurately reflects the experience, needs and circumstances of those who will use it.

Proposed approach

2.11 In a typical week, an electric vehicle will need charging once based on average mileage. Combined with projections of the rate of EV take-up in the borough, the plan identifies that by 2033 the borough will need approximately 600 on-street chargepoints, and a further 125 chargepoints in council car parks. The plan proposes that the borough look to deliver approximately 75 chargepoints per year for the next 10 years to meet this demand, which will offer a manageable delivery programme that spreads the investment over time, whilst ensuring that provision remains ahead of demand and stimulates confidence that there is good availability of charging opportunities.



2.12 The majority of demand for on-street charging will be in Windsor and Maidenhead, as a result of both the concentration of the borough's population in these towns and also in that away from the towns homes are considerably more likely to have their own driveways where people will choose to charge. The plan recognises that it will be critical to avoid 'not spots' in provision, however, and will provide a greater concentration of chargepoints where there is more demand whilst also ensuring there is suitable geographic coverage.

2.13 The plan has looked to understand and incorporate known consumer needs and preferences with regards the positioning and design of chargepoints and the facilities that they offer. This includes ensuring chargepoints are short walks from the homes they serve, availability of contactless payment, live data on chargepoint availability, and simple transparent per unit pricing that is prominently displayed.

- 2.14 It additionally has sought to understand and mitigate the impact of introducing new infrastructure into public spaces, including ensuring accessibility and safety of other users of the space by keeping footways clear of cables and obstructions, utilising existing assets where possible. Additionally, care will be taken to avoid adding to parking pressure on streets by recommending placement at ends of streets where parking demand tends to be lower, which will often make it possible to dedicate the bays or the use of charging EVs only (subject to local circumstances). The public consultation will provide an additional opportunity to better understand public needs and refine the plan accordingly before it is adopted.
- 2.15 The plan offers general principles for an approach to chargepoint provision, but all sites will need to be individually designed and consulted on with the local communities they are designed to serve.
- 2.16 The plan also acknowledges other activities for the council to take in supporting the transition to electric vehicles, including making information available and promoting electric vehicles by embedding these into the council's communications and activities, ensuring new developments incorporate adequate chargepoint provision through compliance with new national building regulations (Building Regulations Approved Document S) and developing plans to transition our own fleet and estate to electric.
- 2.17 As a landowner, the plan also proposes that the council investigate opportunities to identify land that may be suitable for rent or sale to companies seeking land near main roads for new rapid and ultra-rapid charging stations, to both generate income or receipts and facilitate the introduction of these facilities around the borough.

3. KEY IMPLICATIONS

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Scaled-up chargepoint rollout commences in 2022/23 financial year	No plan in place	Approved plan in place	N/a	N/a	31 January 2023
Proportion of cars and vans in the borough are electric (and the figure is still growing)	<50%	50% - 59%	60% - 69%	70%+	31 December 2035

- 3.1 Helping residents and businesses to switch to electric vehicles will reduce the borough's carbon emissions, contributing towards our net zero target.

3.2 Electric vehicles contribute to improved air quality in relation to reducing the release of nitrous oxides, which can exacerbate symptoms of lung and heart conditions, increase susceptibility to respiratory infections and allergens, and has a harmful effect on biodiversity. (Electric vehicles do however still emit particulate matter pollution from tyre and brake wear.)

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The recommendation of this paper to progress the draft plan to public consultation does not commit the council to any new spending. However, it is made in the context of the draft plan recommending the introduction of new infrastructure in the future.

4.2 With regards on street and public car park chargepoints, it is estimated that the plan will require an investment of c. £5 million in chargepoint infrastructure, over the 10-year plan period, funded in the first instance by chargepoint operators and government ORCS and LEVI grants. Early supplier engagement has confirmed that the plan can be delivered without new capital investment from the borough, and with existing staff resources.

4.3 Optionally, the borough could invest capital from CIL or other sources in on street and car park chargepoints. Chargepoint operators typically offer a share of profits if local authorities invest some of their own capital. In such an agreement, the operation and maintenance costs of the chargepoint are met by the chargepoint operator. Returns for the council would initially be very modest, but by 2033 a combination of increased chargepoint profitability from there being more electric vehicles on the roads and the significant number of chargepoints that will be in the borough by that time create an opportunity for the council to benefit from a significant new income stream, estimated to be worth between £250,000 and £500,000 per year to the council, dependent upon the scale to which the council has invested.

4.4 The plan proposes awarding concessions in annual batches over the plan period, with a target of introducing around 75 chargepoints per year. This will give flexibility each year for the council to decide whether, and to what extent, it will invest capital in that financial year. The concessions awarded will be subject to an evaluation of options and best value at the time they are made. It is not necessary for the council to commit to a single chargepoint supplier for the full plan period. Any decision to invest would be subject to a business case at the time, as well as the usual capital project and budget approval process for the year.

4.5 Separately to the introduction of on street and public car park chargepoints, there is an opportunity to generate income or capital receipts from the rent or sale of council land to businesses looking for locations for new rapid and ultra-rapid charging stations. The plan proposes that the council investigates sites with surplus land that may be suitable to make available for this purpose.

5. LEGAL IMPLICATIONS

5.1 The recommendation of this paper to progress the draft plan to public consultation does not have direct legal implications.

5.2 Providing chargepoints on street and in car parks would involve contracts with chargepoint operators. There is considerable flexibility about the type of contract the council enters into, and this plan leaves the council open to making individual contractual decisions each year of the plan, which would be made with input from the council's procurement team. The details of any contract would be presented for approval at the time they are proposed to be taken forward.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Infrastructure installed in the near term may be made obsolete by changes in technology, as electric vehicles are an emerging technology	Medium	Deliver with commercial chargepoint operators, who would take appropriate level of risk and reward	Low
Chargepoint operators do not deliver a level of service that meets resident expectations, or go out of business	Medium	Award concessions in batches, and work with multiple chargepoint operators	Low
Demand for electric vehicles or charging either increases or decreases relative to the assumptions in the plan	Medium	The speed of delivery can be reviewed on an annual basis based upon actual take up and amended accordingly	Low

7. POTENTIAL IMPACTS

7.1 Equalities. An Equality Impact Assessment is available as Appendix A.

7.2 Climate change/sustainability. This plan will contribute to the lowering of carbon emissions from travel in the borough and is consistent with the Borough's Environment and Climate Strategy.

7.3 Data Protection/GDPR. No impact.

8. CONSULTATION

8.1 The development of this plan has been informed by:

- Technical support from the Energy Saving Trust's Local Government Support Scheme
- Early supplier engagement with 12 chargepoint suppliers representing the breadth of business models and technology solutions available
- Resident expressions of interest for future chargepoint locations
- Participation in the Energy Saving Trust's national LA-EV Forum and Transport for the South East's Regional Decarbonisation Forum, where local authorities share knowledge and experience

8.2 This paper seeks approval for the draft report to progress to public consultation. It is proposed that a four-week consultation take place during November and December 2022, utilising the council's RBWM Together engagement platform together with appropriate offline options for viewing the document and responding.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Proposed implementation date (subject to call in): 14 November 2022. The full implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
14 November 2022	Public consultation commences
12 December 2022	Public consultation closes
24 January 2023	Final plan presented to Cabinet
1 April 2023	Rollout begins in new financial year

10. APPENDICES

10.1 This report is supported by one appendix:

Appendix A – Equality Impact Assessment

11. BACKGROUND DOCUMENTS

11.1 This report is supported by five background documents:

- [Royal Borough of Windsor & Maidenhead Corporate Plan 2021-26](#)
- [Environment & Climate Strategy \(Royal Borough of Windsor & Maidenhead\)](#)
- [Decarbonising Transport \(Department for Transport\)](#)
- [Taking Charge: The Electric Vehicle Infrastructure Strategy \(HM Government\)](#)
- [The Building Regulations 2010 – Approved Document S– Infrastructure for the charging of electric vehicles](#)

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>	<i>Statutory Officers (or deputies)</i>		
Adele Taylor	Executive Director of Resources/S151 Officer	24/8/22	31/8/22
Emma Duncan	Director of Law, Strategy & Public Health/ Monitoring Officer	24/8/22	25/08/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	24/8/22	n/a
Elaine Browne	Head of Law (Deputy Monitoring Officer)	24/8/22	n/a
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	24/8/22	25/8/22
<i>Mandatory:</i>	<i>Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract</i>		
Lyn Hutchinson	Procurement Manager		
<i>Mandatory:</i>	<i>Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA</i>		
Emma Young	Data Protection Officer		
<i>Mandatory:</i>	<i>Equalities Officer – to advise on EQiA, or agree an EQiA is not required</i>		
Ellen McManus	Equalities & Engagement Officer		
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive/DASS		
Andrew Durrant	Executive Director of Place	24/8/22	24/8/22
Kevin McDaniel	Executive Director of People Services		
<i>Heads of Service (where relevant)</i>			
Chris Joyce	Head of Infrastructure, Sustainability & Economic Growth	19/8/22	30/09/22
Alysse Strachan	Head of Neighbourhood Services	24/8/22	08/09/22
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Planning, Parking, Highways & Transport	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision First entered into the Cabinet Forward Plan: 17 August 2022	No	No

Report Author: Dug Tremellen, Transport Policy Manager, 01628 796220

APPENDIX A - EQUALITY IMPACT ASSESSMENT

Essential information

Items to be assessed: (please mark 'x')

Strategy		Policy		Plan	x	Project		Service/Procedure	x
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Responsible officer	Dug Tremellen	Service area	Infrastructure, Sustainability & Economic Growth	Directorate	Place Services
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Stage 1: EqIA Screening (mandatory)	Date created: 17/08/2022	Stage 2 : Full assessment (if applicable)	N/A
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): Chris Joyce

Dated: 30/09/2022

Guidance notes

What is an EqIA and why do we need to do it?

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to:

Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.

Advancing equality of opportunity between those with ‘protected characteristics’ and those without them.

Fostering good relations between those with ‘protected characteristics’ and those without them.

EqIAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqIA Screenings are required to be publicly available on the council’s website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the “protected characteristics” under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

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What's the process for conducting an EqIA?

The process for conducting an EqIA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a ‘Specific Duty’ to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

Stage 1: Screening (Mandatory)

What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The aim of the Electric Vehicle Chargepoint Implementation Plan is to set out how the council will play its role in ensuring chargepoints are provided around the borough to enable a transition away from petrol and diesel cars and vans, and to meet resident needs and expectations relating to their provision.

The aim of the public consultation is to gather public feedback on a draft of the plan, to inform the development of a final version of the document, ensuring it will deliver the needed infrastructure.

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1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as "Not Relevant".

Protected characteristics		Relevance	Level	Positive/negative	Evidence
Age	Relevant	Medium		Participation in online consultation – would have the potential to be negative, but mitigation in place	Whilst making consultation materials available online can expand the number of people that the exercise can reach, feedback from previous consultations has shown that a significant number of older persons lack access to or otherwise are unable to participate in online consultations. The consultation will make hard copies available to view in person, and feedback can be submitted by post / hand delivered to Town Hall.
Disability	Relevant	Medium		Participation in online consultation – would have the potential to be negative, but mitigation in place Introduction of charging infrastructure not designed with the needs of disabled persons in mind – negative	Whilst making consultation materials available online can expand the number of people that the exercise can reach, attention will be paid to ensure consultation materials and ways to feedback are available in a variety of suitably accessible formats. Across the UK, many early examples of chargepoint installations have proved to be inaccessible to some disabled people through their design and positioning. Additionally, some have reduced the accessibility of street environments through poor positioning, eg. blocking footways
Gender re-assignment	Not relevant	N/a		N/a	N/a
Marriage/civil partnership	Not relevant	N/a		N/a	N/a
Pregnancy and maternity	Not relevant	N/a		N/a	N/a

Race	Not relevant	N/a	N/a	N/a
Religion and belief	Not relevant	N/a	N/a	N/a
Sex	Relevant	Medium	Introduction of charging infrastructure in isolated locations where women may not feel safe, particularly at night	Across the UK, many early examples of chargepoint installations did not consider personal safety and security, at the chargepoint and on walking routes between the chargepoints and people's homes
Sexual orientation	Not relevant	N/a	N/a	N/a

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Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	Not at this stage	<p>We are ensuring that the consultation offers alternative ways to access materials and respond, to ensure that everyone can participate</p> <p>The plan has recognised the known impacts of chargepoint design, positioning and personal security considerations on people with protected characteristics, based upon national experience of chargepoint installation so far, and proposed that the council adopts policies to remove or effectively mitigate these impacts, including adoption of government and British Standards Institute (forthcoming) standards and guidance. The public consultation will offer an additional opportunity to check that the needs of people with protected characteristics have been identified and understood, and are reflected in the final plan that the council adopts</p>	Dug Tremellen, Transport Policy Manager	<p>Within the public consultation</p> <p>Within final published plan</p>
Does the strategy, policy, plan etc require amendment to have a positive impact?	Not at this stage	<p>The strategy has considered the known needs of persons with protected characteristics, based on learning from experience nationally. The public consultation will offer an additional opportunity to check that the needs of people with protected characteristics have been identified and understood, and are reflected in the final plan that the council adopts</p>	Dug Tremellen, Transport Policy Manager	Within final published plan

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

Stage 2 : Full assessment

2.1 : Scope and define

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

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2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.

2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.

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2.2 : Information gathering/evidence

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Advance equality of opportunity

Q4

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

CABINET

THURSDAY, 27 OCTOBER 2022

PRESENT: Councillors Andrew Johnson (Chairman), Stuart Carroll (Vice-Chairman), David Cannon, David Copperger, Samantha Rayner, Phil Haseler, David Hilton, Donna Stimson, Ross McWilliams and Gurpreet Bhangra

Also in attendance: Councillor Julian Sharpe

In attendance virtually: Councillors John Baldwin, Mandy Brar and Helen Price.

Officers: Adele Taylor, Emma Duncan, Kevin McDaniel, James Thorpe, Alysse Strachan, Tim Golabek, Karen Shepherd and Tony Reeves

DRAFT ELECTRIC VEHICLE CHARGEPOINT IMPLEMENTATION PLAN - APPROVAL TO CONSULT

Cabinet considered approval to consult on a draft Electric Vehicle Chargepoint Implementation Plan.

Councillor Haseler, Cabinet Member for Planning, Parking, Highways and Transport, explained that officers had been working hard to complete the draft plan, which was very close to completion. The Cabinet paper covered the key aspects, and the draft plan would be shared with all Members prior to the public consultation. Bringing the paper before Cabinet at the meeting would allow the public consultation to take place in November, completing in December, with the final plan coming back to Cabinet in January. This avoided a public consultation over the Christmas period.

Councillor Haseler highlighted that the sale of new petrol and diesel vehicles in the UK would end in 2030, as set out in the 2021 national Decarbonising Transport strategy. Earlier in 2022, in 'Electric Vehicle Infrastructure Strategy - Taking Charge', the government tasked local authorities with developing local strategies to ensure the necessary infrastructure would be in place to support the transition, with a particular responsibility for developing a network of chargepoints on local authority streets. It was projected that half of all cars and vans in the borough would be electric by 2035, rising to virtually all such vehicles by 2040. Increasingly, the borough's residents, businesses and visitors would need and expect the infrastructure to be in place to support electric vehicles.

Whilst the majority of charging would take place on residential driveways and in fleet depots, there was a need for the council to support the delivery of chargepoints on land that it managed, on streets and in council car parks. The plan would fully support the Corporate Plan to create a sustainable borough of opportunity and innovation and the priorities for quality infrastructure and to take action on climate change.

With regards to on-street and public car park chargepoints, it was estimated that the plan would require an investment of around £5 million in chargepoint infrastructure over the 10-year plan period. This would be funded initially by chargepoint operators and government ORCS and LEVI grants. Early supplier engagement had confirmed that the plan could be delivered without any capital investment from the borough, and with existing staff resources.

Optionally, the borough could invest capital from CIL or other sources in the provision of chargepoints. The benefit being that chargepoint operators typically offered a share of profits if local authorities invested their own capital. In such an agreement, the operation and maintenance costs

of the chargepoints were met by the chargepoint operator. Returns for the council would initially be very modest, but by 2033 a combination of increased chargepoint profitability from there being more electric vehicles on the roads and the significant number of chargepoints that would be in the borough by that time, created an opportunity for the council to benefit from a significant new income stream. This was estimated to be worth between £250,000 and £500,000 per year to the council, dependent upon the scale to which the council had invested.

Providing chargepoints on street and in car parks would involve contracts with chargepoint operators. There was considerable flexibility about the type of contract the council could enter into, and the plan left the council open to making individual contractual decisions each year of the plan, which would be made with input from the council's procurement team. The details of any contract would be presented for approval at the time they were proposed to be taken forward.

The plan proposed awarding concessions in annual batches over the plan period, with a target of introducing around 75 chargepoints per year. This would give flexibility each year for the council to decide whether, and to what extent, it would invest capital in that financial year. The concessions awarded would be subject to an evaluation of options and best value at the time they were made. It was not necessary for the council to commit to a single chargepoint supplier for the full plan period. Any decision to invest would be subject to a business case at the time, as well as the usual capital project and budget approval process for the year.

Councillor Haseler encouraged residents to actively participate in the consultation so that the plan could be refined and improved as a result of the comments received and ultimately adopted in early 2023.

Councillor Hilton seconded the proposal. He believed that residents would welcome the opportunity to comment on the plans as more chargepoints were wanted across the borough, particularly where there was no off-street parking.

Councillor Haseler confirmed that he would expect chargepoint coverage across the borough. Naturally there would be more chargepoints in the larger towns but the villages would not be overlooked. Locations would be designed in batches of, for example, six sites, with the chargepoint operator choosing five locations and the council reserving the right to determine the sixth location.

Councillor Stimson felt the element of flexibility was important to ensure the right chargepoint operators were chosen each time as circumstances could change. Councillor Haseler commented that he would like to see multiple operators in the borough; 12 had already been engaged with to obtain information to take the paper forward.

Councillor Rayner commented that the proposal demonstrated excellent progress in making the borough more sustainable. Residents in Eton and Windsor were keen to buy electric cars but needed the infrastructure in place for charging. She liked the plan to work with the private sector to ensure workplaces, depots and points on route were included.

Councillor Sharpe highlighted the need to work with contractors to ensure maintenance was undertaken regularly and issues fixed quickly. In the south of the borough there were large areas of Victorian housing with no off-street parking. There was a need to ensure the rollout was evenly spread so all areas benefitted. He also suggested builders and developers should be encouraged to include chargepoints in all new developments.

Councillor Johnson commented that one of the key requirements was close cooperation with the utility providers in terms of connection and supply rates to ensure there was no lag between installation and connection.

Councillor Baldwin commented that he was concerned about the consultation. Throughout the trial there had been no Traffic Regulation Orders (TROs) to reserve spaces for electric vehicles. He had been in discussions with officers over the difficulty of wording TROs to allow for a phased Ringo-style option for electric vehicles. He wanted to ensure that residents were presented with realistic options. There were six chargepoints in Lower Boyne Hill Road which were often occupied for days by station parkers, making them inaccessible for electric vehicles. He requested that the consultation include sufficient questions that were not just push questions and sufficient flexibility of options to allow coherent responses.

Councillor McWilliams joined the meeting.

Councillor Haseler confirmed that parking restrictions on chargepoints would be a strong consideration.

RESOLVED UNANIMOUSLY: That Cabinet notes the report and:

- i) **Delegates authority to the Head of Infrastructure, Sustainability & Economic Growth Service in consultation with the Cabinet Member for Planning, Parking, Highways & Transport to approve the draft plan progress to public consultation.**

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Agenda Item 7

Report Title:	Resident Scrutiny Suggestion – River Thames Scheme and flood relief in Wraysbury
Contains Confidential or Exempt Information	No - Part I
Meeting and Date:	Place Overview and Scrutiny Panel – 14 November 2022
Responsible Officer(s):	Chris Joyce, Head of Infrastructure, Sustainability & Economic Growth Ben Crampin, Flood Risk Manager
Wards affected:	Datchet, Horton & Wraysbury



REPORT SUMMARY

- The report outlines a suggested topic submitted by a resident for consideration by the relevant Overview and Scrutiny Panel. Topics can be suggested by residents and then considered by the relevant Overview and Scrutiny Panel for further consideration (criteria outlined in paragraph 1.1.) Residents are able to access the criteria on the [council's website](#).
- Details of the resident who has submitted this topic have been anonymised.
- The suggested topic received as follows: “A review should be carried out as to why, despite promises, nothing has been done to alleviate potential flooding in Wraysbury. Why has the River Thames Scheme not been funded by RBWM?”
- It is recommended that this topic is considered by the Place Overview and Scrutiny Panel.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That the Place Overview and Scrutiny Panel notes the report and:

- i) Develops the scope for an alternative future item to scrutinise the Datchet to Hythe End Flood Improvement Programme being developed by the Environment Agency and the Council.

2. CRITERIA OF ASSESSMENT FOR SUGGESTED TOPICS RECEIVED BY RESIDENTS

- 2.1 Residents should only submit topics that relate to a service, event or issue which affects the social, environmental or economic wellbeing of a group or community of people in the Borough.
- 2.2 What makes a good scrutiny topic?

- **Scope** – is it an issue of concern to our local communities and other associated organisations?
- **Significance** – could a review of this issue improve the Council's (or other organisations) processes or performance and make a positive difference to the lives of our residents?
- **Appropriate** – is this review timely and does it avoid duplicating other work?

2.3 Items that will not be considered include:

- Individual service complaints for which there is a corporate complaints procedure (please click [here](#) for more details)
- Topics outside of the remit of the council or where the council has no powers or influence to change an outcome
- Issues which scrutiny has considered in the last 12 months
- Areas relating to quasi-judicial functions e.g. planning, licensing and standards

3. INITIAL ASSESSMENT OF SUGGESTED TOPIC

Scope:

- 3.1 The issue is a significant one for the local communities in Wraysbury, Horton, Datchet and Old Windsor which are at risk of fluvial flooding from the River Thames. The scheme mentioned, the River Thames Scheme (RTS), is a large-scale flood alleviation scheme with the aim of mitigating flood risk to thousands of homes from fluvial flooding from the River Thames. The decision was taken by the RTS Strategic Management Group that RBWM would be removed from the scheme as the commitment to borrow the full funding required, £50 million, could not be provided by the Council in July 2020.
- 3.2 RBWM has committed to £10 million being secured to fund flood alleviation in this reach of the River Thames. This decision was taken by the RTS Strategic Management Group because the downstream parts of the scheme (Channel 2 and 3) were fully funded and were ready to progress so it was felt that the scheme could not wait for RBWM to secure funding.
- 3.3 As of July 2020, the Channel section 1 scheme no longer exists with the Environment Agency so there is currently no scheme that could be re-joined should the money required be found. This is not to say that a scheme could not be re-initiated but this would require the money to be made available and the Environment Agency to agree to initiate a new Channel Section 1 scheme. This is one of the options being considered by the EA under the Datchet to Bells Weir Project.

Significance:

- 3.4 A review of this is unlikely/will not change council processes as the decision to withdraw from the original River Thames Scheme was based on the level of funding required not being achievable. As above, there is also no current scheme that could be re-joined meaning that even if the money was made

available a new scheme would need to be initiated with the Environment Agency to progress Channel Section 1.

Appropriate:

- 3.5 A review of this would duplicate responses previously put out by the Council on this subject by both officers and Members as well as the Environment Agency. Full information for the public can be found on this through a dedicated gov.uk webpage: [Datchet to Hythe End flood improvement measures - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/datchet-to-hythe-end-flood-improvement-measures)

4. CORPORATE PRIORITY AREAS

- 4.1 When assessing a topic it is important to understand whether this item would fall under one of the key objectives set out in the Corporate Plan 2021-2026, which has the overarching vision of 'Creating a sustainable borough of opportunity and innovation'. It has been assessed that this topic would fall under the following objectives and priorities:

- **Inspiring Places:** Supporting the borough's future prosperity and sustainability.
- Taking action to tackle climate change and its consequences and improving our natural environment.
- Invest in prevention and intervene early to address problems before they escalate.

5. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Ben Crampin	Flood Risk Manager	16/08/22	06/09/22
James Thorpe	Service Lead – Sustainability & Climate	16/08/22	
Chris Joyce	Head of Infrastructure, Sustainability & Economic Growth	16/08/22	06/09/22
Andrew Durrant	Executive Director of Place Services	16/08/22	
Councillor David Cannon	Cabinet Member for Anti-Social Behaviour, Crime and Public Protection	07/09/22	07/09/22

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For the Panel to consider if further scrutiny is required.	No	No

Report Author: Mark Beeley, Democratic Services Officer, 01628 796345,
mark.beeley@rbwm.gov.uk

Agenda Item 8

WORK PROGRAMME - PLACE OVERVIEW AND SCRUTINY PANEL To include consideration of items scheduled on the Cabinet Forward Plan.

EXECUTIVE DIRECTORS	<ul style="list-style-type: none">• Tony Reeves – <i>Interim Chief Executive</i>• Andrew Durrant - <i>Executive Director of Place Services</i>
LINK OFFICERS & HEADS OF SERVICE	<ul style="list-style-type: none">• Chris Joyce - <i>Head of Infrastructure, Sustainability & Economic Growth</i>• Adrien Waite - <i>Head of Planning</i>• Alysse Strachan - <i>Head of Neighbourhood Services</i>• David Scott – <i>Head of Communities</i>

MEETING: 31st January 2023

ITEM	RESPONSIBLE OFFICER
RBWM Youth Council – Presentation on Street Lighting Review	RBWM Youth Council
TVP Chief Constable and PCC's Annual Presentation	Thames Valley Police
Hold for In-Depth Performance Reports if any referred by Corporate O&S Panel	Andrew Durrant, Executive Director of Place Services
Work Programme	Oran, Panel Clerk

MEETING: 12th April 2023

ITEM	RESPONSIBLE OFFICER
Hold for In-Depth Performance Reports if any referred by Corporate O&S Panel	Andrew Durrant, Executive Director of Place Services
Work Programme	Oran, Panel Clerk

ITEMS SCOPED BUT NOT YET PROGRAMMED

Item	Responsible Officer	Scoping Document Author
Community Infrastructure Levy (CIL) Review	Chris Joyce, Head of Infrastructure, Sustainability & Economic Growth	Councillor Baldwin

ITEMS SUGGESTED BUT NOT YET SCOPED

Item	Responsible Officer	Scoping Document Author
Review of Street Lighting	Alysse Strachan, Head of Neighbourhood Services	<i>TBC after presentation from Youth Council</i>
Food Banks	Lead Officer TBD	Councillor Baldwin

TASK AND FINISH GROUP SUGGESTIONS	RESPONSIBLE OFFICER
-	-