

Royal Borough of Windsor and Maidenhead

Overview and Scrutiny Panels

Scrutiny Review – Scoping and Planning Document

Title of the Review	Maidenhead Town Centre CIL
Panel Name	Former Infrastructure Overview & Scrutiny
Panel Members	Former Councillors Luxton, Bateson, Clark, Singh, Davey
Support Officer(s)	Clerk to the Panel (Oran) and Scrutiny Officer (David Cook)
Lead Member(s)/Officer(s) Identify a nominated: - Elected Member - Lead Officer	Adrien Waite, Councillor Haseler, Chris Joyce, Andrew Durrant
Relevant Cabinet Member	Cllr Haseler (Planning)
Purpose of the Review <ul style="list-style-type: none"> • Specify exactly which Outcome(s) the review is examining? • Also being clear what the review is not looking at • What is the Scrutiny Review seeking to achieve? • Where possible refer to VFM issues of service cost, service performance and/or customer satisfaction. 	<p><i>Supporting Rationale – Include a brief narrative to set the background and content to justify the purpose of the review.</i></p> <p>Would RBWM gain benefit financially from introducing CIL in town centre? Would developers be put off from developing in town centre if CIL introduced? Understanding the impact of BLP on CIL charging. The benefit that the CIL would have financially for the borough. Understand the relationship between section 106 and CIL. 106 monitoring? (106 - Habitat mitigation regulations) Understand why RBWM is currently on zero CIL? Habitat mitigation regulation (charging regime).</p> <p><i>What are we looking to achieve from the review and how does this relate to the Corporate Plan (when finalised)?</i></p> <p>Ladder of housing opportunities and quality infrastructure.</p>

	<p>Clearly identify the relevant Corporate Plan Outcome: (specify the relevant Outcome statement from the Corporate Plan).</p> <p>INSPIRING PLACES - Supporting the borough's future prosperity and sustainability.</p> <p>Outcome Goal and Measure(s) – List the supporting Goal and Measure for this topic.</p> <p>No measure currently for CIL</p>
<p>Criteria for Selection</p> <ul style="list-style-type: none"> • Why has this particular topic been considered to be a priority issue for scrutiny? • Which of the criteria promoted by the Centre for Governance and Scrutiny does it satisfy? 	<p>Four core principles have been established (by the Centre for Governance and Scrutiny) to help people understand the most important qualities of scrutiny and accountability:</p> <p>1. Constructive ‘critical friend’ challenge-</p> <p>Raised as issue by Members</p> <p>2. Amplifies the voices and concerns of the public.</p> <p>Examples from social media and raised in resident scrutiny topics. Has been referred to at a previous meeting.</p> <p>3. Led by independent people who take responsibility for their role.</p> <p>The Panel</p> <p>4. Drives improvement in public services</p> <p>A better understanding of the issues and to make sure the best value is achieved for residents and RBWM.</p>

	<p>Scrutiny review prioritisation assessment criteria:</p> <p>1. Is the topic/issue likely to have a significant impact on the delivery of council services?</p> <p>Potentially – could be negative or positive, this needs to be established and understood.</p> <p>2. Is the issue included in the Corporate Plan (e.g. of strategic importance to the council or its partners/stakeholders), or have the potential to be if not addressed?</p> <p>Yes- building and Infrastructure is key to this.</p> <p>3. Is a focused scrutiny review likely to add value to the performance of its services?</p> <p>Issues to be aired and inputs from all sides can occur at scrutiny meetings.</p> <p>4. Is a proactive scrutiny process likely to lead to efficiencies / savings?</p> <p>Might lead to an increase in income to the Council. Aim is to maximise as much as possible the income to the Council.</p> <p>5. Has other review work been undertaken which is likely to result in duplication?</p> <p>No</p> <p>6. Do sufficient scrutiny resources already exist, or are readily available, to ensure that the necessary work can be carried out in a timely manner?</p> <p>Yes</p>
<p>Terms of Reference</p>	<p>Be clear about what is being included and excluded to avoid scope creep. What methods/format will be used e.g. task and finish group, challenge session</p>

	<p>Understand relationship between CIL and S106. Benefits of having CIL in town centre. Drawbacks of having CIL in town centre. The value this has to residents and the Council. Compare value of S106 contributions? Understanding the potential level of CIL within town centre. Understanding the specific “boundary areas” of the town centre (to avoid scope creep - AAP). Understanding joint ventures within the town centre, impact of viability.</p>
<p>What are the anticipated outcomes of the review?</p> <p>Key Lines of Enquiry</p> <p>Sources of Information/Evidence</p> <p>What factors / outcomes will demonstrate that this Scrutiny Review has been a success?</p>	<p><i>Supporting Key Lines of Enquiry (KLOE)</i> –</p> <p><i>What areas are to be examined and what evidence is required to examine these?</i></p> <p>Ian Moutel, businesses, residents, developers (Shanly Foundation, Michael Shanly Homes), Local Members, Chamber of Commerce, Civic Society, Maidenhead Neighbourhood Forum.</p> <p><i>If we do nothing where is the trend heading, is this OK? - What’s helping and hindering the trend? - Are services making a difference? - Are they providing Value for Money? - What additional information / research do we need? - Who are the key partners we need to be working with (including local residents)? - What could work to turn the trend in the right direction? - What is the Council’s and Members’ role and specific contribution?</i></p> <p>Unknown until S106 & CIL data obtained. Critical Assessment of a CIL introduction.</p> <p>Success Factor – A recommendation can be made to Cabinet once Scrutiny has occurred and Officer’s knowledge is obtained.</p>
<p>Resource & budget requirements;</p> <ul style="list-style-type: none"> • specialist staff • any external support • site visits • consultation • research 	<p><i>Include an estimate of any specific support needs and/or budget requirements to help determine the cost vs benefit of the review process. - Consider how formal approval will be</i></p>

	<p><i>obtained for any specific resource requirement</i></p> <p>Ian, Adrien, Chris' time in gathering data and attending scrutiny panel.</p> <p>Finance team to help understand S106 and how this would translate into CIL.</p>
<p>Corporate Risks associated with this Review?</p> <p>Identify any weaknesses and barriers to success</p>	<p><i>Are there any associated risks already identified on the corporate risk register which will require direct consideration?</i></p> <p>No identified risks.</p>
<p>Who will receive the review conclusions and any resultant recommendations?</p>	<p><i>Cabinet or Full Council · Partners · Other?</i></p> <p>This will return to the O&S Panel</p>
<p>What is the Review Timescale? • Identify key meeting dates and any deadlines for reports, recommendations or decisions.</p>	<p><i>Also consider the appropriate timing of a follow-up review to assess the any levels of improvement achieved as a direct result of the scrutiny review process. (A detailed plan for the review should also be developed to clearly set out the various stages, necessary actions, and timescales)</i></p> <p>Speak to Officers on a timescale.</p>
<p>Lead Member(s)/Officer(s)</p> <p>Identify a nominated: - Elected Member - Lead Officer</p>	<p><i>These individuals will perform the lead roles in the scrutiny review process. • They will provide active oversight and guidance to ensure coordination and delivery of the required outputs.</i></p> <p><i>Formerly</i> Cllr Haseler – <i>New elected Panel Member is required to provide the above.</i></p>
<p>How could a review be publicised?</p> <p>Do we need to publicise the review to encourage community involvement? • What sort of media coverage do we want? (e.g.,</p>	<p><i>Establish a proportionate communications plan (external and internal) to support the review process. • Will this review be subject to a press embargo? Yes / No • Who is the lead communications contact? • Who is the designated spokesperson for the</i></p>

<p>Flyers, leaflets, radio broadcast, press release, etc.)</p>	<p>Scrutiny Review (Elected Member & Officer)?</p> <p>Members Bulletins, Press Releases, social media</p>
<p>Completed by/ Date:</p>	<p>Who has led in the compilation of this scoping document?</p> <p>Panel, Clerk & Relevant Officers. Aim for completion in summer 2022. Report aimed to be brought to September O&S Panel.</p>
<p>Approved by Scrutiny Panel / Date:</p>	<p>Which Panel has considered this review and when was it formally approved?</p> <p>Agreed to and written by Panel collectively on 28 February 2022.</p>

Comments received from Officers as of June 2022

Chris Joyce

- There doesn't appear to be a clear purpose so I would suggest focussing on scrutinising how the Council can maximise developer contributions across the whole Borough to support investment in infrastructure.
- There is a Corporate Plan Goal to "*Review the collection of Community Infrastructure Levy and Section 106 funding, in order to increase developer investment in sustainable, community infrastructure.*" Therefore, the O&S Panel could focus on first making some recommendations for the scope of the review and then scrutinising the outcome of that review?

Adrien Waite

- The concept of the Panel trying to review CIL in just the Maidenhead Area is difficult. Understandably this was due to concern that it was zero rated, but this was done because the rating schedule had to be subject to viability review and development in the Town Centre, which could not support contributions. For this situation to have changed there would have had to be changes in the development economics such that the Town Centre sites would be viable with CIL Payments.
- If this were the case, then presumably similar changes would potentially have occurred elsewhere in the borough which might make greater contributions possible. Any review of CIL should also be looking at the infrastructure funding requirements in the borough and working back to derive a value (which does not hinder development). As such, I'd suggest if there is to be a review of CIL it needs to be on the whole Borough not just Maidenhead – as is already set out in the Corporate Plan.
- The Levelling up and Regeneration Bill also sets out proposals to replace CIL/S106 with a new Infrastructure Levy. This may be some time away as the details would need to be set out and adopted through regulations even if the Bill receives royal assent in its current form. Depending on timescales people may not wish to wait, but it would still be more prudent to do a proper review of CIL across the whole borough with the intention that the evidence base could also support this work to put us in the best place using the less public funds.