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## CORPORATE OVERVIEW AND SCRUTINY PANEL

MONDAY, 12 SEPTEMBER 2022

PRESENT: Councillors Gerry Clark (Chairman), John Story (Vice-Chairman), Simon Bond, Karen Davies, Gurpreet Bhangra, Lynne Jones, Helen Price, Julian Sharpe, Shamsul Shelim, Leo Walters and Simon Werner

Also in attendance: Councillors Andrew Johnson, Samantha Rayner, John Baldwin, Gurch Singh, Phil Haseler, Amy Tisi, Maureen Hunt, David Cannon, Jon Davey and Mandy Brar

Officers: Mark Beeley, Adele Taylor, Emma Duncan and Ian Brazier-Dubber

### APOLOGIES FOR ABSENCE

Due to the recent passing of HM The Queen, those present observed a minutes silence.

An apology for absence was received from Councillor G Jones, Councillor Bhangra was attending the meeting as substitute. Councillor Hilton had also submitted his apologies, as one of the Cabinet Members invited to attend the meeting on the call in form.

Councillor Werner said that Councillor Bond would be late to the meeting.

### DECLARATIONS OF INTEREST

The Chairman, Councillor Clark, said that he had previously been a member of Cabinet and had also attended meetings of the RBWM Property Company in his role as Cabinet Member for Highways and Infrastructure. He had also sat on the Maidenhead Development Management Committee when the application on St Cloud Way was considered. None of these interests were prejudicial and the Chairman confirmed that he was attending the meeting with an open mind.

Councillor Bhangra and Councillor Walters also confirmed that they had been present at the Maidenhead Development Management Committee meeting where the planning application on St Cloud Way had been considered.

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### CALL IN - CEDAR TREE HOUSE, WINDSOR

Councillor L Jones was one of the Panel Members who had called in the decision for review. She said that officers recommendation on the Cabinet report had not been accepted and the reasons why this had not been accepted were not detailed or transparent. The decision taken by Cabinet was to sell at a loss, this was taken without considering any other options of sale. The council had an obligation to achieve best value, Councillor L Jones said that she would have preferred to see the report withdrawn at the time, with a future report containing detail of all of the options which could be taken. It was hoped that the Panel would be able to understand why the decision had been made and to refer the matter back to Cabinet for

reconsideration.

Councillor Price added that a resident had spoken at the Cabinet meeting and offered another alternative, which was to convert the site into three studio apartments.

Councillor Shelim said that Cedar Tree House was important during the pandemic, however times had changed and the situation had moved on. The house was in the wrong place and there had been a number of complaints about the location, he wanted to support the decision made by Cabinet.

A public speaker, Karin Falkentoft, addressed the Panel. She lived in the property adjoining Cedar Tree House and there were a number of other residents in close proximity to the property. Karin Falkentoft supported the recommendation made by Cabinet, that the house should be sold as a family home. The original proposal which had been suggested by officers would be detrimental to local residents. She was not aware of anyone who felt that making the site into seven units was financially the correct choice. It was important to listen to local residents and businesses.

Councillor Johnson, Leader of the Council and Cabinet Member for Growth and Opportunity, said that the option of three separate flats would be considered along with the potential conversion to a single family dwelling. This was not clear from the draft Cabinet minutes but this was what had been discussed at the meeting. Councillor Johnson was happy for the decision to go back to Cabinet for consideration and that the option for three separate flats would be a consideration. He felt that it was likely to remain as a single family dwelling but all potential sale options should be explored. The sale of Cedar Tree House was at a time of optimum market value.

Councillor Werner felt that the council was faced with the consequences of a financial mistake. The decision needed to be considered thoroughly by Cabinet and he supported the proposal made by Councillor L Jones that the matter was referred back to Cabinet for consideration. It was important that if the council needed to dispose of this asset that it was done so at optimum market value or kept within the council's property portfolio.

Councillor Sharpe said the Panel needed to consider why Cedar Tree House had been purchased, it had been purchased to provide short term accommodation for people in need. The property had been purchased for the right reasons.

Councillor L Jones said that the call in had not occurred because the property was purchased for the wrong reasons. It was purchased for the right reasons but it was in the wrong place, due diligence needed to be put in place on properties that the council bought. The reason why officers recommendation was not agreed by Cabinet needed to be transparent and the options on the sale of the property needed to be explored.

Councillor Davies said that there had been a number of residents concerned about the location of the property. She felt that it would be sustainable as key worker accommodation, all of the options had not been explored and she supported the idea of Cabinet reconsidering the decision.

Councillor Price welcomed the comments made by Councillor Johnson, that the option of splitting the property in to three flats would be considered. However, this was not reflected in the draft minutes of the Cabinet meeting. She reinforced the points made about transparency, which was a key part of the RBWM Corporate Plan. Councillor Price had come across a community strategy and wondered whether this strategy had been given enough thought when purchasing Cedar Tree House.

Councillor Johnson noted the point made by Councillor Davies about key worker

accommodation. He had requested that discounted market rent for key workers be included as part of the options appraisal, however, this would not have been an economically viable option. On the comments made by Councillor Werner about the property being a financial mistake, Councillor Johnson responded by saying that the decision had been agreed at Full Council. There had been a significant increase in the inflation of build costs since the property was purchased and an additional £500,000 would need to be added to the budget for any works. There was concern that this would not be the final figure and this was a reflection of the current economic climate. Temporary accommodation was needed in the borough and therefore collective action was needed.

Councillor Shelim said that the council had bought the property to provide temporary accommodation. The property was in the wrong location and Cedar Tree House therefore needed to be used for something else. He could not see how any further investment would be beneficial for the council.

Councillor Price said that Full Council had not approved the decision. The decision had been made by officers and went to Full Council as an urgent decision. RBWM Property Company were experts in property and therefore would be able to make the best decision on what to do with Cedar Tree House.

Councillor L Jones said that Councillor Johnson had agreed with her proposal to take the decision back to Cabinet to look at the options for sale. She would like more information on why the property was not suitable for temporary accommodation, to provide transparency to residents.

Adele Taylor clarified that if the matter was referred back to Cabinet, the report would be the same one which was originally considered. However, further discussion from Cabinet Members could take place at the meeting.

Councillor Story said that it was clear from the report what the risks were of going ahead with £500,000 of expenditure, there was a planning risk, inflation risk and the income reduction risk. He understood why Cabinet had made the decision and gone against the recommendation made by officers.

Councillor Johnson said that he agreed with the way forward suggested by Councillor L Jones. At the Cabinet meeting, the option of Cedar Tree House being converted into three flats had been discussed although this was not reflected in the minutes. It would be useful for Cabinet to discuss the two sale options again, Councillor Johnson thanked scrutiny for their input.

Councillor Walters said that he was happy with the suggestion for the matter to be referred back to Cabinet.

Councillor Werner said a role of scrutiny was to look at process, he suggested that Ward Members should have been consulted before the emergency purchase of Cedar Tree House had taken place.

Councillor Bhangra asked which ward Cedar Tree House was located in.

He was informed that it was in the Eton and Castle ward, represented by Councillor Rayner, Councillor Shelim and Councillor Bowden.

Councillor L Jones suggested that scrutiny should be included in processes where there were significant financial considerations.

The Chairman said that Panel Members were also able to contact Cabinet Members to raise any questions or comments.

Adele Taylor said that the decision taken at Cabinet was not about the purchase of the property. Cabinet had considered the decision on the need for additional capital. She said she was happy to consider the process around decisions with significant financial considerations, circumstances were different when Cedar Tree House was bought because it was an urgent decision. However, in future scrutiny and Ward Members could be consulted.

Councillor Werner said it would be good to bring the decision back to the Panel in future.

Councillor Baldwin commented on the Cabinet minutes which Councillor Johnson had made reference to. The decision on notice from Cabinet had already been made, published and was in the public domain and therefore it was a matter of changing the decision of Cabinet.

Councillor Bond arrived at the meeting.

**RESOLVED UNANIMOUSLY: That the Corporate Overview and Scrutiny Panel agreed to refer the matter back to Cabinet, to discuss and reconsider the sale options for Cedar Tree House.**