

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.....