

## CORPORATE OVERVIEW AND SCRUTINY PANEL

Monday 6 November 2023

Present: Councillors Chris Moriarty (Chair), Mark Howard (Vice-Chair), David Buckley, Maureen Hunt, Helen Price, Gary Reeves, Julian Sharpe, Julian Tisi and Mark Wilson

Also in attendance: Councillors Lynne Jones, Joshua Reynolds, Adam Bermange, Jack Douglas and Gurch Singh

Officers: Mark Beeley, Stephen Evans, Elizabeth Griffiths, Andrew Durrant, Kevin McDaniel, Nikki Craig and Andrew Vallance

Officers in attendance virtually: Lin Ferguson, Amanda Gregory, Chris Joyce, Alysse Strachan, Ian Brazier-Dubber and Radhika Thirunarayana-Govindarajan

### Sale of Pickins Piece, Horton

**AGREED UNANIMOUSLY: That the order of agenda items was changed, so that Pickins Piece, Horton, was considered next on the agenda.**

Ian Brazier-Dubber, Managing Director of RBWM Property Company, outlined the report. Cabinet were being asked to decide what to do with a piece of land, around two acres in size, just outside the village of Horton. The council had owned the site as open grazing land for a number of years but over recent years it had become disused and had been under consideration to be disposed of. The sale of the land had gone out to market, with four offers initially being received. All four offers were subject to planning permission being granted. After considering these, it was decided that the land should be sold for £200,000 as a straight sale. The Community Land Trust had offered £100,000 which was subject to a local housing survey. These were the two main options being considered.

Lizzie Jones was representing the Windsor and Maidenhead Community Land Trust and had registered to speak on the item. She clarified that the Community Land Trust's offer was an 'open book' arrangement depending on certain factors at the site. They would appreciate any consultation that could be done with Horton Parish Council, particularly if a significant site was planned for the land.

Councillor Price commented that the report had only been received by the Panel late on Friday afternoon and this was only one working day in advance of the meeting. A second version had also been circulated but it was not clear where changes had been made, while the Equalities Impact Assessment had been circulated earlier today. The report claimed that various options had been considered but did not outline what these options were. Councillor Price believed the £50,000 fee if the land was to be developed on was very low. It was concerning that the offer from the Community Land Trust had been misrepresented.

Ian Brazier-Dubber said that the report had been a work in progress, he was happy to support further conversations with Horton Parish Council and the Community Land Trust. The site was in the green belt and there were a number of mature trees which would make development difficult.

Councillor Buckley felt that the report was not ready to be considered by Cabinet as the decision had not been scrutinised and would impact local residents. He suggested that the report should be pushed back on the Cabinet Forward Plan. Councillor Buckley argued that the report failed on value for money, legal obligations and equalities. The land was gained in around 1970 and had been allocated for development in the past, it was surrounded by social housing and there was a good argument for the land to be used to increase the supply of social housing. Councillor Buckley claimed that Horton Parish Council had attempted to carry out a tree survey on the land but the site locks had been changed by the RBWM Property Company. He believed that the council had only recently cleared the fly tipping on the site and incurred this expenditure, as they wanted to sell the land. There were other options that should be explored and this would be to the benefit of the local community.

Ian Brazier-Dubber said that the land was owned by the council and the site had been cleared earlier this year. The Property Company had not actively stopped anyone from using the land.

Councillor Buckley hoped that following the meeting the Property Company would reengage with the Parish Council and the local community.

Councillor Hunt felt that the land was in a prime position and was surrounded by housing. She gave examples of similar plots of land which had been sold for significantly more. This was a good opportunity for the council to build social housing of which there was a short supply.

Ian Brazier-Dubber made the Panel aware that the original bids had been over £1 million but these had been subject to planning permission. There were concerns about what planning permission could be granted for the site which was why these options had not been pursued. It was difficult to compare sites, as each piece of land was different and there were various factors involved which could affect the value.

Councillor Adam Bermange, Cabinet for Planning, Legal and Asset Management, addressed the Panel. The new administration were committed to a more active Overview and Scrutiny function and he was glad to see the report considered. He apologised for the way the Community Land Trust's offer had been portrayed. The figure being offered for the site could seem small but this was taking into account the location of the site being in the green belt and other planning challenges. There was some merit in selling the land and gaining the capital receipt now, as this would also reduce the ongoing maintenance costs.

Councillor Sharpe felt that it was odd that the council was selling off land in the green belt which it had earmarked for development. He asked if there was a shortage of social housing, were the council looking for land to build more houses, and if green belt land was still needed why was this land being disposed of. Councillor Sharpe asked if the land could be used as a Suitable Alternative Natural Green Space (SANG). He suggested that the report should not be considered for a decision by Cabinet until all of the options had been fully considered.

Ian Brazier-Dubber confirmed that there was a need for more affordable and social housing. The Borough Local Plan set out land to be earmarked for housing development and this had been adopted in February 2022. Pickins Piece was not allocated for housing and had been removed after review by the planning inspectorate. SANG sites were normally in urban developments, this site was remote and not near any large scale development. This decision was seen as the disposal of land and the value which this could get on the market.

Councillor Sharpe considered that if the land was taken out of the green belt, the land would be worth much more.

Ian Brazier-Dubber said that would be for the council to decide when the next Borough Local Plan came forward. However, this would mean maintenance costs would continue until this came through.

Councillor Bermange added that the council would need to demonstrate to the planning inspectorate that there were exceptional circumstances to release the land from the green belt. There were challenges on this land which would make it difficult to put it forward for adoption.

Councillor Sharpe asked how likely it was that the Community Land Trust would be able to build on the site, should it be sold to them.

Councillor Bermange suggested that the Community Land Trust would be looking at more limited development, the sale would still leave the site in the green belt.

Councillor Wilson was pleased to see the report considered by scrutiny before going to Cabinet. He was concerned that the report was not robust. The report claimed that the site was prone to extensive flooding but it was located in flood zone 1 so this was not high risk. Other sites had been in the green belt before being built on and these were more significant than the site being considered. He wondered why the company which had bid for the site wanted it. Councillor Wilson argued that the council was throwing money away with the current proposal. He would be interested in seeing the Community Land Trust offer in greater detail or other options which the site could be used for.

Councillor Howard felt the process had not been transparent and he had concerns over the sale. There was a huge need for social housing, he noted that the company who were looking to buy the land had been involved in care homes previously. In his ward of Cookham, there had been two sites which had been taken out of the green belt by the Borough Local Plan and this was a relatively quick process. The Community Land Trust offer should be welcomed and could help fill local needs. Councillor Howard was concerned by the report.

Councillor Buckley agreed that there had been other sites taken out of the green belt for inclusion in the Borough Local Plan. Local need should be prioritised in addition to gaining best value for money.

Councillor J Tisi was pleased to see a number of Cabinet Members in attendance at the meeting and that the report had been considered by scrutiny before Cabinet. A number of concerns had been raised and it seemed like the proposed decision was hasty, particularly as there had been offers of up to £1.5 million.

Councillor Reeves made the point that the council had been the victim of rushed sale of land in the past. There was no need to sell the land at the earliest opportunity. He was confused by the Community Land Trust offer, it sounded like a lot depended on the planning permission being granted for the council to be paid for the sale but it was not clear what the plans could be.

Ian Brazier-Dubber clarified that this was correct, the sale would only go through should planning permission be granted. This condition would be placed on the contract.

Councillor Reeves suggested that the council should look at how fly tipping could be reduced so that the £10,000 spent on maintenance each year would not be needed.

Councillor Howard requested that the Property Company engaged with residents and worked in partnership with the council to gain something from the site. Land was scarce and it would be more worthwhile to lease the land rather than to sell it.

The Chair considered the recommendation which the Panel could make to Cabinet, it was clear from the discussion that Panel Members felt the report should be delayed.

Councillor Sharpe said that the report should either be delayed to allow for further options to be explored or that Cabinet made their own decision but noted the concerns of the Panel.

Mark Beeley, Principal Democratic Services Officer – Overview and Scrutiny, explained that the Panel could make a recommendation to Cabinet, for example they could recommend that the report was pushed back on the Cabinet Forward Plan to allow for more time.

Councillor Howard proposed that the report was flawed, there were serious concerns and that as a result the report was delayed until the proposal had been reviewed and refined.

Councillor Buckley felt the recommendation should be for Cabinet to defer the item.

Councillor Hunt said that Cabinet could decide themselves to delay the report if they wished.

Mark Beeley clarified that the Panel was unable to force Cabinet to delay the report, the Panel could only make a recommendation which would be considered by Cabinet.

Councillor Wilson added that it was important that Cabinet noted the Panel's comments and concerns.

Councillor Buckley proposed a recommendation that the report was delayed on the Cabinet Forward Plan and was considered at a later date, noting the comments and concerns by the Panel. This was seconded by Councillor Howard.

A named vote was taken.

<b>Recommendation that the report was delayed on the Cabinet Forward Plan and was considered at a later date, noting the comments and concerns by the Panel. (Motion)</b>	
Councillor Chris Moriarty	For
Councillor Mark Howard	For
Councillor David Buckley	For
Councillor Maureen Hunt	For
Councillor Helen Price	For
Councillor Gary Reeves	For
Councillor Julian Sharpe	For
Councillor Julian Tisi	For
Councillor Mark Wilson	For
<b>Carried</b>	

**AGREED UNANIMOUSLY: That the Corporate Overview and Scrutiny recommended to Cabinet:**

- i) That the Pickins Piece, Horton decision was delayed on the Cabinet Forward Plan and was not considered at the meeting in November.**
- ii) That the comments and concerns by the Panel were noted by Cabinet.**