

Independent Sheerwater Scrutiny Panel

Report of the Independent Sheerwater Scrutiny Panel

Sheerwater Regeneration Proposals

A review of processes and actions taken by Woking Borough Council

Panel:

**Mrs Claire Storey
Mr Tim Stokes
Mr Michael Graham**

October 2015

Panel Membership:

Claire Storey MA (Cantab) - Chairman

Claire obtained her degree in law at Sidney Sussex College, Cambridge and subsequently qualified as a solicitor in 1998. Employed by Sinclair Roche & Temperley and subsequently Simmons & Simmons her principal area of practice was in structured asset finance with specialisations in aircraft finance and leasing.

Following the birth of her son, Claire gave up her professional practice in 2006 and later that year was appointed as an independent co-opted member of Woking Borough Council. She currently chairs the Council's Standards and Audit Committee and the Elections and Electoral Registration Review Panel.

Claire also served as a member of Surrey Police Authority from 2010 until its dissolution in 2012, a role which required her to scrutinise performance outcomes and hold the Chief Constable to account. She was lead member for performance and served on the Finance and Performance, Audit, and Professional Standards panels. She was involved in a number of highly specialised "Gold Groups" covering a range of force activity.

Tim Stokes BA (Hons), Dip.M, MICM - Vice Chairman

Born in Coventry, Tim commenced his career in the construction materials industry with RMC Group p.l.c. After gaining commercial experience he established the RMC Group Corporate Communications function before being appointed Director of Corporate Communications in 2002 and joining RMC Group's Executive Committee.

Following the acquisition of RMC Group by CEMEX in 2005, Tim was appointed Vice President of Communications, Sustainability, Public Affairs and Health & Safety responsible for 25 countries in Europe, Middle East, Africa and Asia.

Tim established his own company, Tim Stokes Consulting Limited in 2012 when he was also appointed Independent Person for Woking Borough Council. Tim is a Director of Plaisterers Hall Limited.

Michael Graham LLB (Hons), MBA - Panel Member

Michael is a solicitor working in local government. He is Monitoring Officer at both Spelthorne Borough Council (since 2005) and Reigate and Banstead Borough Council (since 2013). The Monitoring Officer is a statutory post required in all councils under the Local Government and Housing Act 1989 to advise the Council on illegality or impropriety.

Prior to these appointments Michael worked as a solicitor for Bury Metropolitan Borough Council and Surrey County Council.

None of the Panel members had any involvement in the Project prior to the commencement of this scrutiny review.

The opinions expressed in this report are the opinions of the Panel acting as such. Nothing in this report constitutes a legal opinion or advice, nor should it be construed as doing so.

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REPORT OVERVIEW and MAJOR PROJECT RECOMMENDATIONS

1. Introduction

- 1.1 On 19 January 2015 the Council's Overview and Scrutiny Committee considered a request received from Borough residents for "an investigation into the processes and actions taken by the Council relating to the Sheerwater redevelopment between July 2013 and the present time [3 December 2014]". As a result of that request, Council, at its meeting on 12 February 2015 agreed to the formation of an independent panel (the "**Panel**") to investigate and review the processes and actions taken by the Council in respect of the Sheerwater Regeneration Project (the "**Project**") and to make recommendations arising as a result thereof. What follows is the report of the Panel and its recommendations.
- 1.2 The report is split into two major parts. This, the first, sets out an overview of our scrutiny findings and makes recommendations to the Council relating to matters that we think should be addressed or considered in the event that Council takes the decision to continue the Project.
- 1.3 The second part of our report sets out, in greater detail, our scrutiny findings and reasons therefor. It also contains further recommendations relating to the Project and other recommendations which should be considered as having more general application to the work of the Council, its officers and Councillors. It is considered that some of the issues that have arisen with the Project are not now capable of remedy due to the passage of time; however lessons can be learned for the future.
- 1.4 A summary of all of the Panel's recommendations, whether related to the Project or of more general application can be found at Appendix 1.

2 Overview of the Project

- 2.1 In evidence the Panel identified a clear intention on the part of the Council to bring about changes in Sheerwater to address multiple issues which had been identified through a number of sources.
- 2.2 Sheerwater, as part of a wider area of the ward of Maybury and Sheerwater, was identified and designated as a "Priority Place" by the Surrey Strategic Partnership in recognition of the needs the area has and the attention it deserves. The Surrey Strategic Partnership brings together the County's public, private, voluntary, community and faith organisations to work together to make Surrey a better place.
- 2.3 Whilst there have been previous interventions and attempts to address some of the issues faced by the community the changes sought had not been achieved. Clear evidence was available to support this, particularly in the form of worsening indices of multiple deprivation (both in absolute and relative terms). The Panel is aware that the concept of "deprivation" causes much concern within the Sheerwater community and the Panel's views on this are set out in greater detail in the main body of the report.

- 2.4 The Council has given shape to its intention to regenerate Sheerwater through specific provision in its Core Strategy and supporting documents. The Panel identified a clear, documented decision making path which led to the Council wishing to pursue the Project.
- 2.5 The Council has acknowledged that it has, inadvertently, added to the issues faced in Sheerwater as a direct result of its obligation to house vulnerable individuals and its use of the relative high concentration of single-bed housing stock in the area for such purpose.
- 2.6 The Council also acknowledged that, in many ways, it has failed Sheerwater and tarnished the relationship between the Council and the community as a result of failed interventions and former projects that have not progressed.

3 Has Correct Process Been Followed?

- 3.1 The Project has been commissioned under a framework of agreements that the Council has entered into. Questions were raised at the first meeting of the Panel on 16 March 2015 about these agreements, their scope and effect and, to a degree their legitimacy. It should be noted that although the Panel asked for detailed comments on the perceived failings of these commissioning agreements, no substantive points were received in writing, nor was oral evidence given at any of the public hearings that sought to explain the initial concerns. The Panel has reviewed the relevant agreements and supporting documentation. The views of the Panel do not constitute a legal opinion and we have not considered, in detail, relevant legislation that may apply to the agreements. We have relied, where necessary, on the legal advice of the Borough Solicitor and external advisors appointed by the Council at the relevant time. We cannot see that there is anything procedurally or legally incorrect about the choices the Council made in its approach to commissioning or in the way that those choices were subsequently implemented. Given the lack of detailed criticism on the point the Panel considers that it can't take the matter further.

Housing Management Contract

- 3.2 As a result of challenging economic conditions and with a view to improving value for money, a paper was presented to the Council's Executive Committee in November 2010 recommending that a market test of the provision of housing management through an open procurement of Housing Management Services for the Council's housing stock be carried out.
- 3.3 Following consideration and recommendation by the Executive a competitive EU tender process was run inviting the submission of tenders for a Housing Management Service Contract.
- 3.4 The short description of the contract included a clear paragraph relating to development opportunities that might be available for the successful bidder and relevant common procurement codes were used in the OJEU notice.
- 3.5 Nine expressions of interest in the contract were received with 5 of these being short-listed and their bidders invited to tender. Two of the shortlisted bidders subsequently withdrew and the remaining three were evaluated against published criteria. The bidders' submissions in relation to development opportunities did not form part of the tender evaluation. Following evaluation, a

joint venture partnership led by Pinnacle Housing Ltd. was appointed. This partnership is operating under the name New Vision Homes (“**NVH**”).

- 3.6 The Panel received a number of submissions questioning the tendering of the Housing Management Contract, the inclusion of redevelopment provisions therein and the ability for such redevelopment to affect both Housing Revenue Account (“**HRA**”) and non-HRA land.
- 3.7 Evidence was sought as to why development opportunities were included in the market test and the Panel were informed that the Council wished to consider housing management in its widest sense and that the inclusion of the development opportunity was seen as a way of attracting a high calibre of tender. It was considered by the Council that this was achieved and expressions of interest had been received from some of the largest players in the market.
- 3.8 The Panel is satisfied that development opportunities were properly included in the procurement and subsequent contract. We are also satisfied that such development opportunities are not limited to HRA land. We are satisfied that no authority has been exceeded in relation to the procurement or contract.
- 3.9 The Council is obliged to tender for goods, works and services contracts under the Public Contracts Regulations. Not all projects can be easily ascribed to one category or another given that complex larger projects involve an element of all three. The requirement of the Regulations is for the Council to advertise for the predominant purpose, which clearly in this instance was housing management notwithstanding the scrutiny of the redevelopment element. Seeking a development partner for regeneration may or may not be a service depending on how the agreement is structured. Hence, agreements for land and development of land may be outside the scope of the Regulations in some instances. Given that the Council had a requirement that no public money be spent on the Sheerwater redevelopment, it is arguable that advertising in the OJEU may not have been required at all. Notwithstanding that, the Council did choose to advertise in order to achieve the widest reach possible for the opportunity in the market.

The Underwrite Agreement

- 3.10 Whilst the Housing Management Contract included the ability for NVH to bring forward submissions for development to the Council there was no obligation to work those submissions up to full plans.
- 3.11 NVH did bring forward plans for a substantial redevelopment of the Sheerwater area in accordance with its contractual obligations and in line with the Council's ambitions set out in the Core Strategy.
- 3.12 It was noted that NVH would need to make significant investment in order to bring forward detailed proposals and that whilst NVH was prepared to make this investment it was recognised that the critical decisions leading to any implementation of a proposal would be made by the Council and thus the Council holds the balance of power. NVH, quite reasonably in the opinion of the Panel, sought support from the Council for the costs that it would incur were the Council subsequently to decide not to proceed. The result was the Underwrite Agreement.

- 3.13 The Panel received a number of questions in relation to the Underwrite Agreement. It was suggested that the Underwrite Agreement might create an obligation on the Council to proceed with the Project or, at the very least, a pre-disposition so to do as a result of the financial liability that will attach to the Council not progressing.
- 3.14 The Panel, whilst understanding why such suggestion may be made, are satisfied that the Underwrite Agreement is simply a commercial agreement entered into by two parties with full knowledge of the obligations created thereby. It reflects the reality of partnership working. The Panel are satisfied that Council will have an unfettered discretion whether or not to proceed with the Project, unhindered by the financial liability that may attach if it chooses not to do so.
- 3.15 The Panel have been asked whether they consider that there should have been a separate tender for the Project rather than the Council entering into the Underwrite Agreement. The Panel have received advice from the Borough Solicitor that no retendering was required to allow the development proposals brought forward under the Contract and the Panel have received no evidence to the contrary.
- 3.16 The Panel are satisfied, therefore, that the process followed by the Council in terms of providing the framework under which NVH has been able to bring the Project forward is sound.

4 Who is responsible for the Project?

- 4.1 It is clear to the Panel that responsibility for the Project lies with the Council. The Council has provided the framework which has allowed NVH to work up its proposals.
- 4.2 The proposals have been worked up by NVH in dialogue with the Council (at various levels) but the Panel has seen no evidence of improper direction of NVH or any other evidence of impropriety.

5 Project Management and Governance

- 5.1 The Panel consider that the project management and governance structure is, in general, sound but the application of both would benefit from attention.
- 5.2 Project Governance, in particular, could be reconsidered by the Council. The overall governance structures of the Council appear sound and there is a clear procedure for Officers to oversee the Project. Where governance appears to fall short is in two regards. First, the assurance that Councillors are able to receive to ensure that the decisions of Council are being given effect in an appropriate manner. This concern ostensibly revolves around the role of the Project's oversight panel and how it might be given a stronger role in project governance. It should be noted, however, that other actions have mitigated the effect of this shortcoming and the Panel do not consider the overall effect to have been great.
- 5.3 The Project's oversight panel (the "**Oversight Panel**") was set up to facilitate the sharing of information about the Project with Councillors and to perform a governance role. The Oversight Panel is not a decision making body but is to

be consulted on matters relating to the scope of the Project and the communication strategy.

- 5.4 The Oversight Panel did not meet on a regular basis; it was called together as and when required. Given the identified need for the Oversight Panel to be an information conduit for the wider Council and designed to keep Councillors involved, consideration should have been given to having more regular meetings diarised even if certain of those meetings were later replaced with briefing notes.
- 5.5 Oversight Panel meetings were led by NVH and, unlike similar panels of the Council, it was not assisted by the Council's Member Services Team. Whilst NVH can clearly provide necessary information on the Project to the Oversight Panel, the Panel consider that oversight and governance of the Project should be led by the Council, rather than the contractor in order to be fully effective, open and transparent.
- 5.6 Minutes or notes were not taken of Oversight Panel meetings (save for those which individual attendees may have made). Copies of presentational materials produced for the meetings are available but they do not capture any of the discussions, comments or recommendations that resulted.
- 5.7 The lack of minutes or notes relating to the meetings of the Oversight Panel has a number of consequences. There is little, if any, way of verifying comments that may have been made at the meetings of the Oversight Panel. Whilst further external scrutiny, such as is being provided by this Panel, was probably not contemplated, there is a need for a substantial project to have the ability to refer to prior discussions and comments of a cross-party panel. This could prove beneficial, not least because the composition of such panel and, indeed, the Council changes over the long period of such a project. Furthermore, a demonstrable audit trail is sound business practice.
- 5.8 It is considered that the Oversight Panel has, to date, not been successful in achieving its aims. There appears to be no consistent mechanism for reporting its deliberations and considerations. Furthermore, Members do not seem to be clear on how they can formally escalate concerns from the Oversight Panel. There appears to be an assumption from some Members who are not on the Oversight Panel that the mere existence of the Oversight Panel is sufficient and reliance is placed on the perception of governance.
- 5.9 In the event that the Project continues and the Council elect to allow NVH to submit a planning application it is recommended that the role of the Oversight Panel be reviewed and procedures put in place to allow it to perform its role more effectively.
- 5.10 The Panel do, however, consider that the information that has been available to Councillors and used by them in the decision making process has, in general been good. Comprehensive private briefings have taken place. Councillor Bittleston, as portfolio holder, has made himself available to other Councillors who seek further information. Most councillors agreed that they were informed of the relevant issues when they came to consider the gateway decisions.
- 5.11 The second area of Project Governance which could be reconsidered is the Council's role in managing activity which cannot be delegated to NVH; its own project activity. The current arrangement sees NVH as the prime delivery

vehicle for the entirety of regeneration. However NVH is only able to deliver the changes to the physical environment. It has done good work in the consultation exercise (notwithstanding the comments later about this in more depth).

- 5.12 The Panel considers that the Council's own role has become confused with the NVH delivery role. In particular stronger Council communication about the Council's role and decision making is required, and this activity could be considered as project activity in its own right. In addition, to achieve the ambitions of the Project is undoubtedly going to require co-ordination amongst Council services and other partner agencies. NVH cannot deliver this and nor should they be expected to assume the community leadership role of the Council. In this report the Panel highlights areas where the Council needs to communicate clearly in its own right. Better engagement by the Council and additional partnership working could also be overseen by Members through the Oversight Panel. This would be an additional remit to the current remit.

6 Consultation and Communication

- 6.1 Many questions have been raised, principally by residents, concerning engagement on the Project.
- 6.2 Prior to the commencement of the Project, the Council had undertaken a number of other consultations and engagements within the Sheerwater and wider community which helped inform and shape the Project.
- 6.3 Council should be circumspect in applying, directly, the results of these consultations to the Project as the consultations were undertaken without any reference to wider regeneration or transformation proposals. That is not to say that the data cannot be used, rather that Council should be satisfied that the needs established through the various consultations are not negated or altered by other proposed changes.
- 6.4 The communications and consultation process undertaken by the Council and, on its behalf, NVH, has come up against considerable criticism from residents. Residents report that they have not been consulted, merely informed, and that any feedback they have given has been ignored.
- 6.5 Whilst there are some notable exceptions which have had a disproportionate effect on the Project, in general the Panel considers the criticism to be unwarranted. NVH as the Council's contractor has been flexible in their approach to consultation and have adapted their engagement methods in response to community needs.
- 6.6 NVH appears to have been open and transparent in their reporting of engagement outcomes to the Council in the various Milestone and gateway reports and appear to have captured both positive and negative feedback from residents and other stakeholders.
- 6.7 Although the Panel considers the criticism of the consultation in general to be unwarranted that is not to say that improvements could not be made. There will always be additional opportunities to engage with and seek the opinions of the public.

- 6.8 It is acknowledged by the Council that the launch of the Project to the community and in particular, the method of delivery of the launch brochure, was flawed. It is the opinion of the Panel that the mistakes made at the launch of the Project have contributed to the sense the residents have today that they have not been consulted on the Project.
- 6.9 The Project affects a community that has little meaningful relationship with the Council. Whilst some residents may have participated in prior consultations relating to leisure facilities, or even the Core Strategy, engagement levels in this community are generally low. The challenge for the Council is to establish greater levels of engagement.
- 6.10 The lack of a meaningful relationship and trust between the community and the Council resulted in some residents assuming that plans would come to nothing and that they would not be affected by the proposed changes. They were disengaged from the start. When it became apparent that the Project did look likely to progress and residents realised that they would be affected the Council was already on the back foot in relation to engagement.
- 6.11 The weak historic relationship meant that residents questioned where the Project had come from and questioned why no one had asked the seemingly important question: “do you want regeneration?”
- 6.12 The reality, from the Council’s perspective, was that this question was never to be asked, but the Council has failed to effectively communicate that to the community, along with the reasons why. Local Government must sometimes make bold choices and decisions on behalf of the communities it serves, but, having done so, it should not shy away from and should be prepared to stand by those decisions, communicate them to the affected communities and explain them.
- 6.13 The failure on the part of the Council to effectively communicate its determination to regenerate Sheerwater puts the Council’s partner, NVH, in an unusual position. NVH’s remit is to consult on and produce a development proposal to put forward to the Council for consideration. They are not tasked with ascertaining whether or not the community wishes such development to take place. This creates a fundamental issue. Whilst some members of the community are happy to engage and be consulted on development proposals, other members of the community seek answers to a question that NVH is not in a position to answer: NVH must, as a baseline, assume that some development will happen.
- 6.14 NVH is also unable to deal with social issues that present themselves in Sheerwater and that can never be resolved with a bricks and mortar solution. If the ambition of the Council is to be realised the Council may need to reconsider how the redevelopment co-ordinates with other multi-agency work to complement the improvements which will be made to the fabric of the environment; the social and economic well-being of the area. The Panel feels that this activity rests still with the Council and needs to be co-ordinated as such and communicated clearly by the Council. This does not prevent joined-up working with NVH, but it does suggest an extra layer of activity by the Council which will centre around clear social and economic objectives articulated and delivered by the Council and its statutory partners. Importantly the Panel thinks that this activity is people-centric as opposed to building-centric.

- 6.15 There is another factor that has great bearing on the perception in the community that residents are not being meaningfully engaged, and that is one over which there is little control. The Project is evolving and developing. It is very much in its infancy. Many of the questions which residents, businesses, stakeholders and, in some cases, Councillors are asking, are incapable of being answered comprehensively at this stage: the Project has simply not progressed far enough. Consultation on the Project is happening to a far greater degree, far earlier in the process than might ordinarily be the case.
- 6.16 It is considered that neither the Council nor NVH has assisted greatly in this regard. Where questions have been incapable of being answered early on in the process there does not appear to be a clear mechanism in place for ensuring that when answers *are* available they are communicated to those who wish to know (other than as part of the planned engagement events). The complexity of the Project means that there is limited understanding of the Project timeline amongst the community and the decision-making path through which the Project has to pass before certain information will be available. Many in the community perceive the Project to be more advanced than it is and the lack of trust of the Council and NVH within the community only serves to exacerbate this.
- 6.17 Unfortunately, these issues have combined to produce a deteriorating climate of frustration. There are too many unknowns for the community. Certain residents want to be asked whether or not they want regeneration; a wider group seek answers to questions which are not yet capable of answer; and, from a residents' perspective, the Council remains relatively hidden in the process. The result appears to be residents disengaging even more from the consultation, others becoming more vocal in their opposition to the Project as a whole and what relationship there is between the Council and the community deteriorating further. Trust in the Council and NVH suffers as a result.

7 Visibility of the Council

- 7.1 One of the benefits of partnership working is the ability to select the most appropriate professionals for a particular task or project. However, care must be taken to ensure that delegation or outsourcing of tasks does not become a derogation of responsibility on the part of the Council.
- 7.2 Whilst the Council is clear that the Project is theirs, this clarity of thought is not mirrored in the community that it affects. Residents have expressed, in differing ways, a sense that the Council has distanced itself from the Project. The phrase "hiding behind NVH" has been used and residents have commented on a lack of Councillor presence at engagement events.
- 7.3 Some Councillors have been very involved in the Project and the Panel have seen some good examples of pro-active engagement and attempts to understand the community perspective but much of this involvement is unseen by the wider community.
- 7.4 Sheerwater Ward Councillors seem to have, in general, not assisted in this regard. Councillor involvement in the ward has been very limited and, until recently there has been very little pro-active involvement with the community and those working within the community.

- 7.5 The presence of NVH on site in Regen Central has helped the community to better understand the Project and how it affects them and, as information has become available due to the progression of the Project understanding has grown. However, it is considered that this presence in the community could have commenced earlier in the Project, not with NVH but with the Council.
- 7.6 Councillors and Officers highlighted to the Panel the isolation of Sheerwater as a community, both geographically and socially. There was awareness that this was a community who were under-represented and less engaged than neighbouring areas. Whilst specific attention was drawn to the traditionally hard-to-reach groups such as the elderly, disabled or ethnic minorities, the reality in Sheerwater was, and the Chief Executive recognised this when giving evidence, that the hard-to-reach group actually comprised a large portion of the community for whom little specific provision appears to have been made.
- 7.7 This failure to recognise the particular needs of the community and the lack of engagement meant that no additional steps were taken in the early stages of the Project to ensure good communication with the community. Whilst there is a limited Council presence on the estate at the Parkview Centre for the Community and through the provision of a community development worker it does not appear that these resources have been effectively used to engage people in relation to the Project.

8 Putting People First

- 8.1 The vision that the Council has in relation to Sheerwater is one which seeks to address the issues that that community face. The Project is one of transformation, seeking not only to increase and improve housing provision but to improve outcomes for residents whether that be health, employment or leisure opportunity. One of the difficulties for the Council is that, based upon its measures of social outcomes, it sees issues in the community that perhaps some of the residents do not recognise. For instance, whilst there is acceptance that the dominance of single person dwellings has an affect on anti-social behaviour in the community, other factors such as lower life expectancy and the need for improved access to leisure facilities are not recognised by the community.
- 8.2 The Project is viewed by many in the community as a building project, designed to increase housing density and bring a profit to the contractor. In many ways the Council has added to this view by concentrating on the bricks and mortar and not engaging directly and clearly with the community to share the Council's vision for the area and the improvements that it seeks to bring. The focus has been on the practical tasks rather than the people. Many in the community seem to feel that this project is being "done to them" rather than "done with them".

9 Is it a done deal?

- 9.1 Whilst there is a clear intention to address issues that have been identified in Sheerwater the Panel is satisfied that the Project is not a done deal. Decisions that have been taken thus far appear to have been taken on their merits and Officers and Councillors are clear that the Project may or may not progress depending upon the will of the Council and that of the Council as a Planning Authority.

10 Upholding the Vision and Values of the Council

- 10.1 The initial request which gave rise to this Panel and report expressed concern that the vision and values of the Council were not being upheld in relation to the Project.
- 10.2 The Council's vision statement is "Towards Tomorrow Today". This is supported by a statement of intent comprising a number of value aims under the three key thematic areas of People, Place and Us. These are set out in detail on the Council's website and referenced at Appendix 2 to this report.
- 10.3 It is not for this Panel to determine whether the Project is in the best interests of the local or wider community; that goes to the merits of the Project and falls to be determined by Council at the appropriate time. However, in its broadest sense the aims of the Project, as expressed by the Council do seem to accord with the Council's vision.
- 10.4 Where improvement could be made is in relation to the value aim relating to "Us" which states: "communicating well, listening to the community and working with others to deliver services efficiently and effectively". Care should be taken to ensure that the Council delivers on this aim in relation to the Project.

Recommendations to the Council

If Council take the decision to continue the Project at the next gateway the Panel makes the following recommendations in relation to the Project:

1. The transformational aims of the Project should be paramount. It should be clear, at all times, that the Project is not merely a construction project. A people-centric approach should be taken, ensuring that the needs of residents, businesses and other community stakeholders are identified and issues recognised.
2. Council should set out and communicate to residents its clear vision for the transformation of Sheerwater and its determination to achieve the outcomes it seeks subject to the necessary caveats relating to its obligations as a Planning Authority and the ultimate suitability of any proposed scheme to achieving that vision.
3. Council should communicate clearly the steps necessary to achieve that vision and ensure that resident expectations are clearly managed especially as regards timescales for delivery and the difficulty which these can be estimated with accuracy.
4. Council should work to build a relationship with the community, being open in communications and encouraging trust. The characteristics of Sheerwater as a community should be recognised. In particular the Council should be visible within the community and not perceived as hiding behind its contractors.
5. Council should learn from the communication and consultation process so far and work with NVH to ensure that residents are clear what they can expect from the consultation process. In particular Council should ensure the following:

- a. That the Council's marketing communications team play a strategic role in the Project.
 - b. That residents are clear as to responsibilities for the Project.
 - c. That there are mechanisms in place to allow residents to see how their feedback and input is incorporated into the Project and, where it is not, are helped to understand why. This could be achieved with regular reporting.
 - d. Where residents' questions are not capable of answer when they are asked, a mechanism for capturing such questions should be put in place so that answers can be provided at an appropriate time. Realistic expectations as to when answers might be available should be given.
6. The governance structure for the Project should be revisited and, in particular the role of the Oversight Panel should be reconsidered.
- a. It should be formalised, run by the Council and receive the support of Member Services.
 - b. It should have a formally appointed Chairman. This person should be someone who does not have a specific role within the Project at present.
 - c. It should meet regularly with a standing report to Council to ensure maximum engagement.
 - d. Formal minutes should be kept of meetings of the Panel with minutes made available to the wider Council.
 - e. There should be an agreed method of escalating concerns which arise but remain unaddressed.
 - f. Sheerwater ward Councillors should be supported in playing a full and productive role in the Panel.
 - g. Expertise from among the Council's staff and its partners should be utilised on the Oversight Panel to help the Council overcome some of the issues identified in this report. Amongst those who should be considered are the marketing communications team, the community development worker for Sheerwater, members of the planning team and partner agencies such as Surrey County Council's SureStart team and similar bodies.
 - h. Consideration should be given to the formation of a steering group for the Council's own Project activity. Representatives from this group could attend the Oversight Panel.
 - i. Consideration should be given to ways in which the work of the Oversight Panel can be communicated to residents.
7. The Panel's comments on the draft Community Charters should be considered and, in particular, the Community Charters should be fully consulted on and adopted well in advance of Gateway 4.

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Independent Sheerwater Scrutiny Panel

Sheerwater Regeneration Proposals

An investigation and review of processed and actions taken by Woking Borough Council

October 2015

REPORT and ADDITIONAL RECOMMENDATIONS

SECTION 1 – Introduction

1. Request for Scrutiny

1.1. On 19 January 2015 the Council's Overview and Scrutiny Committee considered a request received from Borough residents for "an investigation into the processes and actions taken by the Council relating to the Sheerwater redevelopment between July 2013 and the present time" [3 December 2014].

1.2. The following information was provided in support of the request for the Committee to review the way in which the Sheerwater Regeneration proposals had been taken forward:

"In July 2013 the full Council meeting received a paper 'Sheerwater – a garden suburb for Woking' as a confidential item. The Council agreed to support the proposal and agreed to underwrite New Vision Homes to produce a plan to 'regenerate' Sheerwater 'at no cost to the Council'. Should the plan go ahead there would be no cost, but should the Council terminate the process then the Council would be liable for the costs up to that point.

As a local resident close to the development zone I have taken an increasing interest in the process, and I am becoming more and more concerned that the process is not upholding the vision and values of the Council.

I could go into great detail here but I believe that the following few examples demonstrate that some questions need to be asked about how the process so far has been managed and, more importantly, the consequential appalling effects on a large section of the Woking community. Some of these residents are the most vulnerable within the Borough.

1. The agreement between Woking Council and New Vision Homes guaranteed NVH would be the sole recipients of the contract post-planning without further tendering, yet NVH themselves were undertaking all of the consultation with residents. The results of NVH's consultation showed strong support for the scheme – very

much in contrast to evidence available elsewhere. Why did the Borough not appoint independent consultants to give a fair and transparent view?

2. The residents petitioned the Council in July 2014 with a request for further consultation. Whilst it was agreed at the Council meeting that they would be consulted further on the options of some smaller scale redevelopment, this has been ignored and not taken forward. A consultation meeting was subsequently held with over 340 local people present but there was no structure or agenda for the meeting, neither was there any output or subsequent process. It can be seen from the video of this meeting that there was very strong opposition to the scheme as proposed, and no support.
3. On the 20th November, the residents of Woodlands Park petitioned the Council Executive that their small 20 year old estate should not be included in the scheme. No member of the Council was prepared to admit 'It is because we can build private detached homes along the canal side at great financial advantage' but offered the view that because there were a number of cars parked on the verge this was a good reason to demolish their homes. At the Executive meeting I was very disturbed by the lack of interest shown in the petitioners' statement, and particularly by the Chief Executive's disregard - he was talking over the item.

On 21st November I attended a meeting held for Woodham residents adjacent to the proposed development, and I asked then about the inclusion of the Woodlands Park estate in the scheme. The reason for inclusion then given was that the houses were a 'funny shape'. I later asked a member of the NVH team present about the absence of competitive tendering and received a smug reply that 'they had checked it out and it was legal'.

I urge your Committee to look into this matter to investigate whether the process has fully followed the principles outlined in the Council's 'Vision and Values'."

- 1.3. Whilst the original report produced for the Overview and Scrutiny Committee recommended that the request be referred to the Sheerwater Oversight Panel for consideration, during discussion the Chief Executive suggested that, given the extent of public interest in the matter, there was some merit in establishing a separate scrutiny panel which should be cross-party and independently chaired. It was suggested that any such panel report directly to Council rather than the Overview and Scrutiny Committee as the decisions to progress with the first stages of the Sheerwater Regeneration Project had been made by Council.
- 1.4. The motion was moved and seconded and a named vote was taken and the recommendation agreed with 8 votes in favour, one against and one present but not voting.

“RESOLVED

That the Chief Executive be instructed to submit a report to the Council at its meeting on 12 February 2015, including draft terms of reference, Chairmanship and Membership proposals to enable the establishment of an Independent Sheerwater Scrutiny Panel.”

- 1.5. A paper was presented to Council at its meeting on 12 February 2015 recommending the establishment of an Independent Sheerwater Scrutiny Panel in accordance with the Terms of Reference submitted to that meeting.
- 1.6. During the debate concern was raised about the ability of the Panel to be independent if Councillors were appointed to the Panel and, following a recess to allow Councillors to consider the matter in their political groups, an amendment was moved proposing that the membership of the Panel be limited to three independent individuals. The amendment was seconded and it was:

“RESOLVED

That (i) the Independent Sheerwater Scrutiny Panel be established as set out in Appendix 1 to the report, subject to membership of the Panel being limited to three independent individuals, consisting of Claire Storey, Independent Co-opted Member, Tim Stokes, Independent Person, and a Monitoring Officer from another Authority; and

(ii) authority be delegated to the Council's Head of Democratic and Legal Services and Monitoring Officer, Peter Bryant, to appoint a Monitoring Officer from another authority.”

- 1.7. In accordance with the terms of the resolve Michael Graham, Monitoring Officer at Reigate & Banstead and Spelthorne Borough Councils was appointed to the Panel on 20 February 2015 prior to the start of the scrutiny review which commenced on 2 March 2015.

2. Terms of Reference

- 2.1. The Terms of Reference of the Panel as agreed by Council are:

1 – To investigate and review the processes and actions taken by the Council in respect of the Project.

2 – To make appropriate recommendations to the Council arising from its investigation and review of the processes and actions taken by the Council in respect of the Project.

- 2.2. The merits of the Project were specifically excluded from the Terms of Reference as the merits fall to be determined by the Council at the appropriate time. What this means in practice is that the Panel has not scrutinised whether the Project is in the best interests of the local or wider

community (or any individual therein) nor have we addressed the particulars of any proposed scheme.

- 2.3. It is acknowledged that for many the Project is extremely emotive. Aware of this the Panel has been constantly mindful of the need to divorce the process from the merits.
- 2.4. The Terms of Reference of the Panel are set out in full at Appendix 3 to this report.

3. Scope of Review

- 3.1. The Panel held its first public meeting on 16 March 2015 at HG Wells Conference and Events Centre, Woking. One purpose of that meeting was to set out, in greater detail, what the Panel intended to cover in its scrutiny and to give the public the opportunity to comment and make representations on the Terms of Reference and the scope of review as set out by the Panel.
- 3.2. The Panel published a more detailed Scope of Review document on 29 April 2015.
- 3.3. The Panel's review was broken down into three main areas:
 - 1 - Process;
 - 2 - Consultation; and
 - 3 - Actions.
- 3.4. The Scope of Review as published is set out at Appendix 4 to this report.
- 3.5. It was specifically noted that the Scope of Review did not constitute an exhaustive list of areas for consideration and that the Panel's lines of enquiry would develop and evolve as evidence was received.
- 3.6. The original request for scrutiny considered the confidential item brought before Council on 9 May 2013 (incorrectly referenced in the request as July 2013) to be the relevant start date for the Project. The Panel, however, considered that the review should take into account events and decisions pre-dating the confidential item brought before Council as it was apparent that this Project takes into account extensive reviews, consultations and decisions which pre-date, and influenced, the initial Council briefing.

4. Method of Review

- 4.1. The Panel, having had no prior involvement in, or substantive knowledge of, the Project came to this scrutiny with a clean slate.
- 4.2. Our first task was to build a 'picture' of the project and listen to the opinions of those who had approached the Council. To this end meetings were set up with key individuals who could be easily identified as having played a significant role in the project from the perspective of the Council and with certain Borough residents who had made themselves known through the presentation of scrutiny requests and petitions. The Panel met with three officers and two employees of the Council and one Borough resident during this period. A further Sheerwater resident was invited to meet with us prior to the first public meeting of the Panel but due to prior commitments was unable

to do so. The information presented during the meetings was reviewed against the parameters of our Terms of Reference and the Scope of Review was developed and refined.

- 4.3. At the same time the Panel began to review documentation relating to the Project and viewed available web-casts and video recordings of meetings. The Panel identified additional lines of enquiry and sought further information and documentation as appropriate. This was provided on each occasion and the Panel was assisted and supported throughout.
- 4.4. The Panel launched its Call for Evidence at the first public meeting held on 16 March 2015.
- 4.5. In order to facilitate the giving of evidence to the Panel by members of the public the Panel produced a feedback form which was made available in both hard copy and online as an e-form. Hard copies of the feedback form were made available at the first public meeting and subsequently at the Civic Offices and Parkview Centre for the Community in Sheerwater. Following representation from the public a copy of the feedback form together with a reply paid envelope was sent by a mailing house to 1,364 properties including all residential and business premises within the current red line area and also to certain residential premises surrounding the current red line area. A map of the mail-out area is attached as Appendix 5.
- 4.6. At the same time the Panel launched a dedicated email address and provided telephone and postal contact details.
- 4.7. Residents were encouraged to return feedback forms and present any other evidence to the Panel prior to 1 May 2015.
- 4.8. The Panel contacted all Councillors by email asking them to indicate their level of involvement in the Project and asking whether they had any specific comments to make in relation to the Project that fell within the Terms of Reference of the Panel. Of the 36 Councillors contacted less than 50% responded with responses initially received from 16. This number subsequently rose to 21 (including two, wholly appropriate, "no comment" responses from the incumbent Mayors over the period of this scrutiny).
- 4.9. Based upon the poor response to the initial contact with Councillors, the Panel decided to speak with all of the then members of the Sheerwater Oversight Panel, Sheerwater & Maybury ward Councillors, the Group Leaders of the two main parties and the Portfolio Holder for Strategic Projects in preliminary briefings. We also invited four additional Councillors to attend preliminary briefings based upon their responses to our initial contact.
- 4.10. The Panel also arranged to meet with a further four Council officers/employees, three New Vision Homes employees and two Sheerwater residents prior to the Public Hearing Sessions. The Panel also had contact with two further Sheerwater residents by telephone.
- 4.11. All these preliminary briefings were designed to familiarise the Panel with the sequence of events in the Project, and to double check that the Panel was in possession of the relevant documents and were seeking evidence from the correct people at the Public Hearing Sessions. The meetings were exploratory in nature.

4.12. Public Hearing Sessions were held over a four day period commencing 1 June 2015 (the “**Hearings**”). The timetable was designed to enable the Panel to structure the sessions to present a picture of the Project based around the following format:

- 1 - Objectives of the Council
- 2 - Delivery of those objectives
- 3 - The decision process
- 4 - Outcomes

4.13. The Panel identified and invited relevant Council officers and project stakeholders to give further evidence at the Hearings and, following review of the public feedback forms invited contributors of the key evidence provided and those who expressed an interest to give further oral evidence at the Hearings to take part.

4.14. Provision was made for interested parties who had not been invited to give oral evidence at the Hearings to indicate their interest in doing so.

4.15. Members of the public were invited to submit questions in advance of the Hearings to be put to participants. Questions were also able to be submitted during the Hearing sessions. All questions were assessed to establish that they related to matters falling within the Panel’s remit and, to the extent that answers had not already been provided, the panel, in its discretion, put the questions to the participants (or to an alternative participant where appropriate). This was the method by which cross-examination of the contributors was encouraged. All questions, whether put or not were acknowledged and retained for use by the Panel.

4.16. Private sessions were held in Sheerwater on the morning of Wednesday 3 June 2015. The Panel was made available for those residents to give oral evidence to the Panel, but who felt unable to present in public. The Panel considered this to be reasonable approach to gathering evidence given that some residents may not have given evidence if such a concession had not been offered.

4.17. Following the Hearings additional enquiries were made of a number of people both orally and in writing.

4.18. All of the information, whether collected in preliminary, public or private session, prior to, during, or after the Hearings has been taken into consideration in this report.

5. Accessibility

5.1. It was clear from an early stage that the scrutiny process needed to be made as accessible as possible to enable as many residents and other interested parties to participate in the process as possible.

5.2. A communications plan was agreed by the Panel to allow the Panel to make best use of publicity available to it to engage with residents and interested parties and encourage their participation. The Panel made use of the internet, with web pages hosted on the Borough Council’s website, compiled an email database (opt-in for residents) and made use of a pre-existing email

database to communicate with key stakeholders and the press. The Panel took out press advertisements to publicise meetings and Hearings and issued press releases at key stages. A press briefing was also held immediately prior to the first public meeting in March. The Panel also used printed posters and the Council's Twitter account to publicise meetings and key dates. Direct mail was used to communicate with those in and immediately surrounding the red line area.

- 5.3. In addition to the efforts of the Panel, the Panel is aware that members of the community both within Sheerwater and outside assisted in the promotion of the Panel's engagement events, particularly through the use of Twitter, Facebook and church newsletters. The Panel would like to thank those who aided communication in this way.
- 5.4. The Panel provided a variety of methods to enable and facilitate engagement between itself and residents and interested parties including email, telephone, post and e-forms. Although a preference was stated for feedback submissions to be provided in writing, the Panel did not rule out receiving submissions in any other format and, whilst no official requests were made, the Panel did receive feedback from some residents by telephone.
- 5.5. Mindful of the attendance figures from the public meeting held at Bishop David Brown School in September 2014 relating to the Project, the Panel decided to hold its first public meeting at the H.G. Wells Conference and Events Centre in Woking as that offered the greatest capacity.
- 5.6. Feedback at that first public meeting suggested that town centre venues were not easily accessible for some residents and concern was raised that feedback forms might not be received by some harder to reach residents in the absence of a mail-out.
- 5.7. In responding to the feedback the Panel decided to send feedback forms directly to every address within the red line area and to addresses immediately surrounding this area.
- 5.8. The Panel gave great consideration to the venue for, and timing of, the Hearings. The Panel concluded that the Council Chamber at Woking Borough Council's Civic Offices would be the most suitable venue for the majority of the Hearings based on the venue's facilities and needs of the Panel. In the event that the Chamber and overspill rooms reached capacity the Panel had the option to adjourn and relocate to H.G. Wells Events and Conference Centre.
- 5.9. The use of the Council Chamber allowed for the proceedings of the Panel to be webcast live and be subsequently available on the Council's website for viewing at a later time increasing accessibility for those unable to attend.
- 5.10. Mindful of transportation difficulties that some residents might face the Panel offered transportation to and from Sheerwater for the Hearings. This offer was not taken up.
- 5.11. The Panel's private sessions at the Parkview Centre for the Community in Sheerwater for local residents also allowed those who might otherwise not be able to attend the Hearings to speak with the Panel as well as allowing residents to give evidence in private.

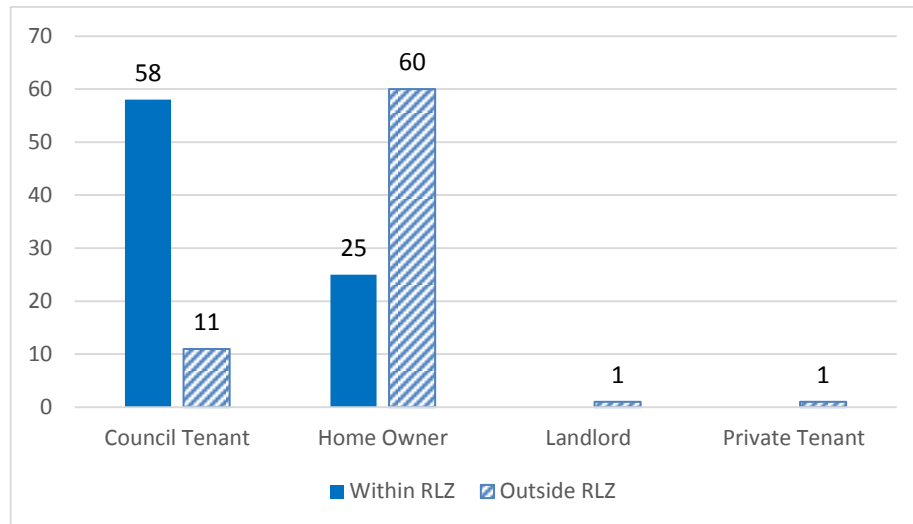
- 5.12. Timing of the Hearings was, in part, governed by the number of contributors and it was clear that daytime sessions would be required to complete the Hearings within a sensible timeframe. The Panel was aware that many residents would be unable to attend during the day due to work commitments but considered that this was, in part, off-set by the ability to webcast and for that webcast to be immediately available on the Council's website. In addition, the Panel scheduled an evening Hearing session with residents being given priority for this session.
- 5.13. Residents who were not able to attend the Hearings were not precluded from giving oral evidence to the Panel. The Panel spoke with two residents who were due to give evidence at the Hearings, but at the last minute were unable to do so, in private sessions following the main Hearing sessions.
- 5.14. Whilst the Panel publicised key dates for the return of feedback forms and for the registration of intention to give oral evidence, submit questions, book appointments for private sessions at Parkview or request transport, the Panel was flexible throughout. Wherever possible dates were extended to allow maximum participation in the review and late submissions were accepted.

6. Engagement with the Panel

- 6.1. Levels of engagement with the Panel varied throughout the course of our scrutiny review.
- 6.2. There were 39 attendees at the first public meeting of the Panel held at H.G. Wells Conference & Events Centre, 38% of whom were resident in the Red Line Zone. A recording of the proceedings was uploaded onto YouTube and this has received around 240 page views (as at September 2015).
- 6.3. Despite the best efforts of the Panel to facilitate attendance at the Hearings, these were poorly attended. The Hearings were webcast live and then subsequently made available to view on the Council's website. Whilst few people made use of the live feed (with the exception of the Hearing on 17th June 2015) viewing figures subsequently are more encouraging. As with the YouTube video it is impossible to state by whom the webcasts were viewed or how many are unique views. The table below sets out the figures to 7 September 2015:

Session	Live Views	Archive Views	Total
1 June – Morning	10	323	333
1 June – Afternoon	5	136	141
2 June – Morning	9	119	128
2 June – Afternoon	8	150	158
3 June – Afternoon	2	137	139
3 June – Evening	5	149	154
4 June – Morning	8	136	144
4 June – Afternoon	7	137	144
17 June – Evening	72	313	385
Total			1726

- 6.4. Feedback forms were mailed to 1,364 properties (both residential and business) in and around the Red Line Zone and additional hard copies were available at the first public meeting, at the Civic Offices and at Parkview Centre for the Community. The form was also available online. The Panel received 164 completed forms as a result of this engagement. The chart below shows the number of respondents from each tenure type split according to whether the respondent's property was inside or outside the Red Line Zone:



- 6.5. A summary of responses provided via the feedback forms is set out at Appendix 6.
- 6.6. The Panel was able to track the responses to emails sent by the Panel and these showed that each communication was opened by around 36% of the recipients. For the sake of clarity, please note that the Panel did not track individual recipients.
- 6.7. Feedback to the Panel from businesses has been limited despite the businesses having been contacted in the same way as residents. Most of the input from businesses was achieved pro-actively by the Panel.
- 6.8. The levels of engagement the Panel experienced seemed to mirror, somewhat, the experience of the Council and NVH during the Project so far. Members of the public and businesses who have engaged with the Panel appear to have been open and frank in their engagement but overall stakeholder engagement was relatively low.
- 6.9. The Panel was disappointed by the initial level of engagement of some Councillors and in particular to the lack of response to the initial email to Councillors. However, each of the Councillors who have spoken to the Panel has done so candidly.
- 6.10. The Panel has received a very good level of cooperation from Council officers and NVH employees.
- 6.11. The Panel would like to thank all those who provided evidence to, and made enquiries of, the Panel. A summary of those who participated is included at Appendix 7.

Sheerwater – a brief history

Whilst not a substantive part of our report, it is considered that the history of Sheerwater puts into context some of the characteristics of the area and issues that the Council and residents now face.

It seems the name 'Shearewater' was first recorded in 1605 referring to a large natural lake covering around 110 acres – over 44 hectares. The site was the largest lake in Surrey.

In old English 'scir' means 'clear' or 'bright' and over time became corrupted to Sheer Water Lakes and eventually Sheerwater.

The lake was fed by a small stream called the Rive Ditch which starts in Horsell and flows east through Sheerwater, joining the River Wey at New Haw. The stream still flows today through a pipe system originally laid down in the late 1940s as part of the construction works required to build the Sheerwater Estate.

In medieval times Sheerwater was part of the Manor of Pyrford which was owned by Westminster Abbey. The lake was said to supply the London markets with fresh water fish which may well have been delivered to the monks at the Abbey.

In the late 17th Century the Basingstoke Canal was built using the valley of the Rive Ditch and cutting across the area dividing the small Broadmere Pond to the North East from the main Sheerwater Lake to the South.

The early 19th Century saw landowner Lord King of Ockham attempt to drain the lake and pond by planting trees – mainly Scots Pines, some of which remain today. The attempts were a failure with the land becoming a 'scrub covered bog' for much of the year.

In the 1830s the London and South Western railway was built, nearly cutting the area off from the rest of the Manor of Pyrford Estate. The next 100 years saw Sheerwater relatively untouched as the London Necropolis Company, taking advantage of the railway line, acquired Woking Common and commenced development of its burial grounds.

Pyrford and Sheerwater became part of Chertsey Rural District Council which, with Woking Urban District Council proposed in 1928 that most of what is now the Sheerwater Estate should be developed for industry as part of the North West Surrey Structure Plan. The land was seen as being ideal for such development as it was sandwiched between the canal and the railway and away from other developed areas.

Bomb damage in the London Blitz led to an urgent requirement for new housing and in 1948 the Greater London Plan proposed building 'out-country' estates. Following the Plan, the London County Council (LCC) selected Sheerwater along with a number of other sites for possible development.

The proposal was strongly opposed by Surrey County Council and Woking Council but the development of a 230 acre site at Sheerwater was sanctioned by national Government and plans developed.

At a total cost to London County Council of £3m, the plan for Sheerwater included:

<u>Land use</u>	<u>Acreage</u>
Industrial development	25
Housing – 1,379 dwellings (including over 300 flats)	126
Schools	28
Open spaces	30
Shops, churches, community sites	12
Small industry	12

Construction commenced in 1948 but due to the pumping work required to drain the area the estate took longer to build than expected with 2.5 miles of flood drains being laid. The first house was finished in 1951 and when finished the site was judged 'visually successful'. By the early 1960s and the baby-boom period the Sheerwater population had reached about 5,500 people with many travelling daily into London – population reduced as local industry developed.

An influx of this number of people, new to the area, new to the 'countryside' and moved away from close family support networks made it difficult for the first residents of the Estate. One simple challenge was shopping as the Dartmouth Avenue shops were not built until around 1957; families (many with limited or no access to cars) had to travel to West Byfleet and Maybury to buy their provisions. It was difficult for people to adjust but gradually a 'community' developed.

The Sheerwater Community Association was formed to encourage the development of community facilities and it used a newsletter called 'The Pylon' as a key communication channel. First published in October 1952, it was produced monthly and continued through until the mid-60s.

The first edition addressed the problems faced by a new community, 'all in the same boat' and adjusting to a new life. Editorial in the first edition explains why the Community Association had been formed:

'We firmly believe that despite our differences, and there must be these as regards religion and politics, we all have very much in common. In other words we can help each other overcome our difficulties, to see that our children are given all the assistance we are able to give and to ensure all-round we are a model community.

To achieve this aim it must be clearly understood that nobody can take from anything unless they put into it. To this end we hope all members of the Estate will join the Association and will give all they can, not in hard cash but in deeds and ideas to make our community something really worthwhile.'

In November 1952, reference was made to the role of the Estate:

'We must not for one minute delude ourselves that because we are self-contained we should then proceed to cut ourselves off from the surrounding district.' The editorial continued to say that the Estate had a big part to play in the area but that 'already there is talk about 'that Council estate'.

In April 1980 the ownership of the Estate was transferred to Woking Council against the wishes of the majority of residents on the Estate because the Greater London Council, successor to the LCC, dropped its housing role – it was a symbolic breaking of the link to London.

From its population peak in the early 1960s numbers declined to around 3,500 today. Many industries that established themselves on the new development either expanded and relocated or declined and closed, progressively leaving unemployment levels higher than those in the rest of Woking.

Economic difficulties and the isolation some people feel on the Estate led to a progressive worsening of social problems until in the 2001 census it was revealed that Sheerwater was well inside the top 20% most deprived areas in England measured by the 'index of deprivation' contained in the survey. In recent years Woking Borough Council have relocated a disproportionate number of vulnerable people and families to the Estate which has contributed to a worsening of 'index' scores.

Inevitably the character of Sheerwater has changed over time reflecting and in some ways exaggerating the changing dynamics of our society.

Geographically Sheerwater remains an 'island' with the barriers of the railway and the canal to the north and south respectively. Efforts to connect the Estate to the rest of the Borough have been made with the Council supporting the building of a new link road. New businesses have been attracted to the industrial areas and the retail giant ASDA has recently opened its doors.

In June 2013, almost 60 years after the completion of the first house in Sheerwater, Woking Borough Council announced early proposals for the 'regeneration' of the area.

References:

Sheerwater Pylon (the first 10 years) 1952-62

Community Association newsletters compiled into a book by Iain Wakeford for Sheerwater Neighbourhood Watch. Published in 2002 to celebrate the 50th anniversary of the 'Sheerwater Pylon', 'organ' of the Sheerwater Community Association.

A History of Woking

Written by Alan Crosby

Surrey History Centre

130 Goldsworth Road, Woking, GU21 6NG

SECTION 2 - Process

Background and History

7. Sheerwater's Designation as a Priority Place

- 7.1. The Surrey Strategic Partnership ("SSP") is the overarching forum for the County's public, private, voluntary, community and faith organisations to work together with the objective of making Surrey a better place. The SSP is the Local Strategic Partnership for Surrey as required under section 4 of the Local Government Act 2000. Its role is, however, non-statutory and it has of the partner organisations. It does, however, carry a significant influence in the development of local strategic planning.
- 7.2. The SSP agreed that in order to deliver real partnership benefits one of its key strategies would be to focus on the joint local delivery of services and interventions in specific neighbourhoods known as 'Priority Places'.
- 7.3. The aims of the Priority Place work are to:
 - make a long term and sustainable improvement in the outcomes for the people living in each of the Priority Places;
 - build stronger and more self-reliant communities;
 - pilot better ways of working together locally which could then be rolled out to other places.
- 7.4. The ward of Maybury and Sheerwater was identified as one of four Priority Places within Surrey based upon national, regional and local validated data sources by the SSP with the detailed identification of the boundary of that area set by the local Woking Strategic Partnership.
- 7.5. The Delivery Management Group of the SSP visited Sheerwater and Maybury on 31 March 2010 to better understand the area's priorities and how resources might be refocused to meet needs in the area, how delivery could be coordinated and outcomes assessed. Presentations were given to the Delivery Management Group by a number of parties including Woking Borough Council, Bishop David Brown School, Sheerwater Health Centre and Surrey Police. A resident representing a group identified as Sheerwater Community Forum was present at this meeting. This group was not in existence when the Project launched and the Panel have been unable to gather any information about this group.
- 7.6. The ward of Sheerwater and Maybury is divided into six smaller areas known as Super Output Areas ("SOA") each of different character. The ward as a whole fell, at the time of its designation, within the 25% most deprived areas in England. The Devonshire Avenue and Dartmouth Avenue areas of Sheerwater fell within the 14% most deprived areas nationally, based on the 2007 Indices of Multiple Deprivation ("IMD"). This is in contrast to the majority of the Borough which showed low levels of deprivation. Later figures showed the SOA which includes the Dartmouth and Devonshire Avenue areas to have fallen in the rankings to be amongst the 12.9% most deprived areas

nationally. Sheerwater was not the only area within the Borough shown to be deprived but, whilst interventions in other areas, notably the Lakeview part of Goldsworth Park, brought about an improvement in statistics, the same could not be said of Sheerwater where the IMD continued to fall.

- 7.7. Deprivation in this case, as measured by the IMD, covers a broad range of issues and refers to unmet needs caused by a lack of resources of all kinds, not just financial. Of particular note in relation to the Sheerwater SOA which included the Dartmouth and Devonshire Avenue areas was health deprivation which ranked in the top 9.5% nationally (with average life expectancy some 7.5 years lower than neighbouring West Byfleet) and education, skills and training deprivation which ranked in the top 6.1% nationally (with education deprivation relating specifically to children and young people ranking in the top 3.3% nationally). The measures, referred to as “domains”, used for the IMD 2010 were as follows:

Domain	Domain Weight
Income Deprivation	22.5%
Employment Deprivation	22.5%
Health Deprivation and Disability	13.5%
Education, Skills and Training Deprivation	13.5%
Barriers to Housing and Services	9.3%
Crime	9.3%
Living Environment Deprivation	9.3%

A link where further details on the IMD can be found is provided in the list of references to this report.

- 7.8. The Panel has heard no fact-based evidence that calls into question the designation of Maybury and Sheerwater as a Priority Place. However the use of the word "deprivation" and the connotations attached thereto has been the cause of much concern and will be dealt with elsewhere in this report. There seems to be a common understanding that the area around Dartmouth and Devonshire Avenues is viewed as being an area of particular need.
- 7.9. The Panel heard from residents that the deprivation data for the area around the Dartmouth and Devonshire Avenue areas was not representative of the community as a whole. Whilst it is certainly the case that the levels of deprivation seen in that area are greater than the surrounding areas, Sheerwater as a whole performs poorly relative to much of the rest of Woking and in particular its near neighbours within the Borough.
- 7.10. In evidence to the Panel both Council Officers and Councillors acknowledged that the Council had, in some ways, inadvertently contributed to the levels of deprivation seen in Sheerwater, and, in particular, the Dartmouth and Devonshire Avenue areas. These areas have a particularly high concentration of one-bed social housing units into which the Council has placed a relatively high number of vulnerable individuals whose housing needs the Council is obligated to meet. The Panel heard evidence, in particular from Mr Morgan, that, over time, Right to Buy has depleted social housing stock across the Borough but has had less impact, particularly in relation to smaller units, in Sheerwater. The choice as to where to house vulnerable individuals has therefor reduced over time leading to a greater concentration of people with problems in the central part of Sheerwater.

- 7.11. In addition to the SSP plan (2010 – 2020) the local designation and support of Sheerwater as a Priority Place was informed by the Priority Communities Group Action Plan 2009-2014, the Sheerwater Local Community Action Plan 2008 (“LCAP”) and a Sheerwater Community Needs Assessment.
- 7.12. The LCAP, produced in consultation with the local community identified a number of key issues for the community which informed the Priority Communities Group Action Plan.
- 7.13. The Panel feels it is important to note that the designation of Sheerwater and Maybury as a Priority Place in 2010 is not the first significant intervention in the community. For example, in 1994 the Council applied for funding from the Single Regeneration Budget for the Maybury and Sheerwater area. As a result the Sheerwater and Maybury Partnership was formed and in 1996 was awarded a grant to spend over six years commencing April 2007. The Partnership had as its aims job creation, enhancement of attainment, increased employment, business advice and new childcare places. The Sheerwater and Maybury Partnership incorporated as a company limited by guarantee in 2003 when grant funding came to an end and was dissolved in 2013. One legacy of that funding, the “Let’s Read” project, remains.
- 7.14. Consequently the Panel sees no reason to question the designation of Maybury and Sheerwater as a Priority Place and this report assumes that such designation is fully supported by the data available to the parties at the relevant time. This conclusion is backed up by the Inspector appointed by the Secretary of State for Communities and Local Government in his report dated 26 July 2012 on the Woking Local Development Documents Core Strategy July 2011.

8. Leisure Needs Analysis

- 8.1. There is much history surrounding the leisure and recreation facilities in Sheerwater.
- 8.2. Plans to increase and improve the leisure facilities at Bishop David Brown School were approved in 2005 but never implemented. The Panel understands that this was due to funding issues.
- 8.3. In 2010 the Council’s Economic Regeneration Task Group reported to the Council’s Overview and Scrutiny Committee regarding the possible upgrade of the changing room building adjacent to the Sheerwater football pitches and athletics track. Both Woking Athletics Club and Sheerwater Football Club were consulted as part of the scoping exercise. Due to the investment required and in response to a worsening of indices of deprivation in Sheerwater an examination of the wider community and sporting needs in Sheerwater was undertaken to ensure a cohesive approach. The Bishop David Brown School facility needs were also reviewed.
- 8.4. A feasibility study on leisure proposals at the school was commissioned by the Council and this gave rise to a scheme put out to public consultation prior to funding options being identified. The Executive agreed to such public consultation at its meeting on 2 February 2012.

- 8.5. The consultation took place over a period from Monday 9 July to Friday 24 August 2012. It is noted by the Panel that this period covered the school summer holidays. It was recognised in the published report that many individuals and groups in Sheerwater and Maybury have proved difficult to reach in previous consultation exercises and it was therefore decided to undertake a “door-knocking” exercise aimed at consulting those most immediately affected by the proposal.
- 8.6. In addition to the “door-knocking” exercise, residents were engaged through means of a postal survey and an exhibition stand housed at Parkview Community Centre. In addition, questionnaires were distributed to students at Bishop David Brown School, to Woking Borough Council’s Citizen Panel and were made available online as an e-form. The questionnaire was translated into other languages including Polish and Bengali to reach those who did not have English as their first language.
- 8.7. Of 4,978 households contacted by mail across the Borough responses were received from 698. There were 373 responses from students at Bishop David Brown School. Responses were validated against details held by the Council (and, in the case of students, Bishop David Brown School).
- 8.8. When broken down this equated to a response rate of 7.35% for household questionnaires/e-forms distributed to residents most affected (with a sub-rate of 6.69% for residents in Maybury and Sheerwater and 26.31% for Woodham residents) and 20.48% from the Citizen Panel. It was ascertained that 24.78% of respondents were neither Maybury and Sheerwater nor Woodham residents, nor were they members of the Citizen Panel. This was higher than anticipated.
- 8.9. The findings of that consultation are not a matter for this Panel however the Panel notes the report and, in particular, the level of support for the outline proposal within Maybury and Sheerwater and the level of objection to the proposal within Woodham. The Panel comments further on this engagement at paragraph 52 below.

9. Local Development Framework and Core Strategy

- 9.1. Local Authorities have a statutory responsibility to prepare Local Development Documents (“LDDs”). The Core Strategy is a key LDD as it sets out the overall local strategic context for the preparation of the other LDDs.
- 9.2. The production of the Core Strategy involved consultation with, and input from, key stakeholders and members of the general public, details of which are set out in the Statement of Community Involvement (approved July 2011).
- 9.3. Councillor input was key with a cross-party working group overseeing the preparation of the Core Strategy.
- 9.4. The current Core Strategy was approved and adopted by the Council in October 2012.
- 9.5. It is not for this report to restate all of the policies within the Core Strategy, nor for the Panel to assess the merits of those policies. However, in order to put the Regeneration Project into context some regard should be had to certain elements of the Core Strategy.

9.6. The Core Strategy identifies, as key issues and challenges facing the Borough, amongst other things:

- pockets of deprivation that need to be addressed;
- a significant unmet need for affordable housing which needs to be delivered in a period of severe public sector budget constraint and an economic downturn;
- an increase in the need for accommodation to meet the needs of the elderly; and
- a significant need for family homes and in particular affordable family homes.

9.7. The Core Strategy sets out a clear spatial vision for the Borough and, to deliver that vision, sets out objectives. Of particular relevance are the following objectives:

- To enable attractive and sustainable development of district and local centres to provide convenient access to everyday shops and local services, local community facilities, parks and open spaces.
- To enable the provision of well designed homes of different types, tenures and affordability to meet the needs of all sections of the community. This will be in sustainable locations and at densities that maximise the efficient use of urban land without compromising the distinctive character of the local area.
- To encourage the high quality of design of buildings, neighbourhoods and the public realm that creates a sense of place where people feel safe to spend time and interact without fear of crime.
- To significantly reduce both absolute and relative deprivation in Sheerwater, Maybury and the Lakeview Estate in Goldsworth Park.

9.8. The Core Strategy contains 25 key strategies referred to as CS1 through to CS25.

9.9. CS1 sets out the Spatial Strategy for the Borough. Of particular note is that whilst the preference is for the location of most new development to be in the main centres, infill development and/or redevelopment of previously developed land in the Borough was to be acceptable in principle. Further the ward of Maybury and Sheerwater and Lakeview Estate of Goldsworth Park are identified as Priority Places for specific actions to address pockets of deprivation in the areas.

9.10. CS5 is perhaps the most significant part of the Core Strategy that relates to the Project as it sets out the strategy for the Priority Places identified by the Surrey Strategic Partnership.

9.11. Key provisions from CS5 include:

- The provision of around an additional 250 new homes in Maybury and Sheerwater between 2010 and 2027. In Sheerwater these new homes will primarily be provided by bringing forward land in the Council's ownership for redevelopment.

- New affordable dwellings in Maybury and Sheerwater should be family homes (2+ bedrooms) with priority given to intermediate rent and shared ownership tenures.
 - The Council will safeguard land within existing employment areas to create opportunities for local employment.
 - The Council will seek to increase the choice of retail offer within Sheerwater and will support, in principle, the development of a convenience retail outlet. The vitality of Sheerwater local centre will be protected and enhanced to ensure that the community has a genuine choice of shopping and services.
 - The Council will seek to improve the image of Maybury and Sheerwater by promoting high quality design, the enhancement of open spaces and other public amenity areas. Development proposals will be expected to have built-in natural surveillance that designs out crime and fear of crime, creates direct, safe routes to neighbouring communities and nearby retail and commercial facilities, and provides a safe environment.
- 9.12. CS17 is also of relevance to the Project and deals with open space, green infrastructure, sport and recreation.
- 9.13. In section 6 of the Core Strategy the Council sets out how the Core Strategy is to be implemented and monitored. At 6.4 of the Core Strategy the Council recognises that implementation will involve a variety of delivery agencies and that the Council will have to take a pro-active role in coordinating those agencies to ensure the objectives are not lost. It further recognises that public consultation is integral to the delivery process.
- 9.14. The Strategic Housing Land Availability Assessment (“SHLAA”) forms part of the evidence base to inform the LDD and identifies specific deliverable and developable sites to show how the Core Strategy can achieve the level of housing supply set out therein. The SHLAA is a living document and updated regularly. Importantly, however, the SHLAA does not determine whether a particular site will be allocated for housing development.
- 9.15. Specific sites for housing are allocated in the Site Allocations Development Plan Document (“SADPD”) the current version of which was the subject of public consultation from 18 June to 31 July 2015.
- 9.16. In addition to the LDDs the Localism Act 2011 made provision for the preparation of Neighbourhood Plans which are designed to empower local communities to shape the places they live and work in. There is no obligation on a community to prepare a Neighbourhood Plan and to do so a Neighbourhood Forum must be created. Neighbourhood Plans, if developed, sit alongside and form part of the LDD and the policies contained therein are used in the determination of planning applications.
- 9.17. At the time of writing no Neighbourhood Forum has been created which covers Sheerwater and consequently no Neighbourhood Plan has been produced. The Panel comment further on this later in this report.

10. Environment within which the Council works

- 10.1. As with businesses in the private sector, local authorities are operating within a multitude of constraints when delivering the services that they are required to provide.
- 10.2. Central Government funding cuts have forced local authorities to do things differently by changing the way they work and streamlining management and processes. Outsourcing and private funding of public services is now part of the landscape. The Council has wide powers to undertake any form of activity which will promote the environmental, economic or social well-being of the borough. These powers derive from the Local Government Act 2000 and then wider powers of general competence were added by the Localism Act 2011. The culmination of these new wider powers in addition to the Council's traditional powers and duties, allows the Council to step outside traditional modes of service delivery. As community leaders the Council is now free to commission and provide any kind of innovative solution to address the Borough's well-being needs.
- 10.3. Woking Borough Council has undertaken a number of "back-office" administrative changes, including a reduction in headcount and has outsourced some of its services. Private finance has been used, notably with the Moor Lane development, to address funding shortfalls.
- 10.4. Borrowing is restricted by Central Government in relation to the housing revenue account ("HRA") and thus the Council is not able to borrow money to fund the building of new homes. Alternative investment is therefore required.

11. The decision making path to establish the need for intervention

- 11.1. As set out above, it is considered that the Council has established a clear decision making path which has led to Councillors wishing to pursue the regeneration of Sheerwater.
- 11.2. The Panel has heard no evidence which directly challenges the designation of Sheerwater as a Priority Place, the leisure needs analysis nor the adoption of the Local Development Framework and in particular the Core Strategy.
- 11.3. The adoption of the policies contained in the Core Strategy has been questioned by a number of residents but the Panel is satisfied that, in terms of process and actions, in arriving at the conclusion that Sheerwater needs regeneration, there are no substantive issues. That the Project, as currently proposed, goes beyond the aspirations of the Core Strategy does not make the Project at odds with the Core Strategy. The test is whether a particular scheme meets the requirements of the Core Strategy. That is for the Council to determine.

Housing Management Contract

12. Housing Management – Market Test

- 12.1. As a result of challenging economic conditions, falling levels of central government funding and with a view to improving value for money a paper, prepared by Council Officers, was presented to the Council's Executive Committee in November 2010 recommending a market test of the provision of housing management through an open procurement of Housing Management Services for the Council's housing stock be carried out.
- 12.2. "Housing Management" was to be taken in its widest sense to include all tenant and leaseholder management, rent collection and administration, repairs, maintenance and compliance with the Decent Homes Standard.
- 12.3. Other Surrey stock-holding Authorities were invited to participate in a joint approach, but, subsequently, none took up the offer.
- 12.4. At the time of the market test, a contractor, Mansell Construction Services Limited, under the Pride Project banner, was undertaking housing repairs on behalf of the Council. That contract was due for retender in 2011 and thus it was an appropriate time to consider a combined repairs and management contract.
- 12.5. It was specifically stated that the proposal presented to the Executive was not a proposal to dispose of the Council's housing stock.
- 12.6. The proposal was to run a competitive procurement informed in part by the output specification for housing management already completed as part of the Moor Lane PFI relating to the social housing to be delivered through that scheme. English law, through the Public Contracts Regulations 2006 regulates the purchasing by local authorities of certain contracts for goods, works or services. The law aims to open up the market to competition and to promote the free movement of goods and services. If the Regulations apply then the authority must comply with the terms set out therein.
- 12.7. The Council's Housing Management Task Group provided oversight of the process (but did not have any decision making powers). It should be noted that tenant representatives formed part of the task group.
- 12.8. Delegation of housing management functions by local housing authorities is possible pursuant to section 27 of the Housing Act 1985 (as amended) subject to the obtaining of approval from the Secretary of State. A general approval was issued in February 2009 subject to certain conditions being complied with. Those conditions include the process being subject to competitive EU compliant tendering, tenant consultation prior to any agreement being entered into, and that the external provision only applies for an initial period of 5 years extendable upon receipt of formal consent from the Secretary of State.
- 12.9. Unison, on behalf of employees, and tenants/leaseholders were consulted regarding the market test proposals. The report that was laid before the Executive suggested that the Council's Housing Task Group had also been

consulted but this was corrected in the minutes as no such consultation had occurred.

- 12.10. Executive members agreed to the carrying out of the market test and the procurement exercise was to be reported back to the Executive to enable it to make recommendations to full Council.
- 12.11. The paper that went before the Executive to inform its decision did not make specific reference to the inclusion of the ability to review land for development opportunities in the market test and procurement exercise. It was, however, specifically stated that the proposal was not to dispose of the Council's housing stock, a so called Large Scale Voluntary Transfer. Oversight of the process was granted to the Housing Task Group (which included tenant representation). When asked, Councillors were unable to recall whether they were aware of the intention to include the ability to review land for development at that time.
- 12.12. It is not clear, as a result, whether the decision to include the ability to review land for development opportunity was made at this stage or later (but in any event prior to the issue of documents under the tender process). It is considered that it would be best practice to include all substantive proposals and, in particular, any proposals which differ from those which one would ordinarily expect, in briefing papers to the appropriate body. This avoids any appearance or suspicion that there is a lack of openness or transparency.

Recommendation:

Briefing papers to Council and its committees should include all substantive information and should highlight any departures from standard practice. In the event that what is proposed changes after consideration by Council or its relevant committee, care should be taken to ensure that delegations and authorities are not exceeded and that Council or its relevant committee is informed as required and in any event when the matter comes back before it.

- 12.13. The Council engaged external public sector consultants to assist with the procurement project management and delivery. External solicitors were used to provide legal advice on the contractual elements and necessary leaseholder consultation.
- 12.14. Consultation on the specification of the service was carried out with existing Council staff. The expectations of end users, tenants and leaseholders were captured through various methods of engagement including Estate Workshops, questionnaires and tenant representative input. Leaseholder consultation was also carried out during the tender process with "Notices of Intention" being sent out to leaseholders on 17 June 2011 inviting comments on the proposal to delegate the housing management function.
- 12.15. Having completed its consultation, on 13 May 2011 the Council published a Contract Notice in the Official Journal of the European Union ("OJEU") under the Restricted Process inviting the submission of tenders for a Housing Management Service Contract.

12.16. The short description of the contract included, inter alia, repair and maintenance services, customer services, development of real estate and property management. The following statement was also included in the notice:

“The Council is also interested in realising opportunities for developing new affordable housing on its existing Housing Revenue Account (HRA) land and the opportunities for improving existing estates and stock in poorer condition. The successful bidder will therefore have the opportunity to be the sole development partner with the Council to progress initiatives in both these areas.”

12.17. The Restricted Process under European law which was used for the procurement is a two-stage process involving the short-listing of interested bidders prior to the submission of final tenders. Tenders are evaluated against published criteria and the most economically advantageous tender which meets all of the fundamental objectives is then determined. European procurement rules prohibit the selection of a bidder with a lower evaluation score.

12.18. Nine expressions of interest in the contract were received through the submission of Pre-Qualification Questionnaires (“PQQ”). The evaluation team then short-listed 5 bidders (the minimum number to be compliant with EU procedure) who were issued with an Invitation to Tender (“ITT”). One bidder failed to make a submission and one withdrew on the grounds that the commercial terms associated with the contract were too tough.

12.19. The remaining three final submission tenders were evaluated by Council officers and Tenant Representatives against published criteria with a 60:40 split for quality and price respectively. This meant that there was a higher focus on the quality of the service delivery than the commercial attractiveness.

12.20. It is not for this Panel to assess the commercial or other merits of the bids but it should be noted that the reported saving offered to the Housing Revenue Account was around £1m per annum over the life of the contract

12.21. A report (some of which contained “exempt information” and was thus was not made publicly available at the time) was brought back to full Council in December 2011 recommending the outsourcing of the housing management service and the selection of a joint venture partnership led by Pinnacle Housing Ltd. In partnership with Mansell Construction Services Ltd and Morrison Facilities Services Ltd as the Council's provider of that service.

12.22. The report included a statement that the preferred bidder would review the Council's HRA land for new development opportunities.

12.23. Full Council agreed the recommendations with cross-party support for the appointment of the joint venture partnership led by Pinnacle Housing Ltd. Delegated authority was granted to the Strategic Director responsible for Housing in consultation with the Head of Legal Services and the Portfolio Holder for Housing to consider any responses received under the tenant consultation that would be required prior to the entering into of any contract and to agree the precise contractual terms with the intention of the service provider commencing delivery from 1 April 2012.

- 12.24. The Housing Management Contract was entered into on 30 March 2012 between the Council and Woking Housing Partnership Limited, the joint venture company that was formed by the successful bidders. Woking Housing Partnership Limited is trading as New Vision Homes (“NVH”).

13. Procedural Requirements under European Law

- 13.1. Once a preferred bidder has been selected following a European procurement exercise letters, known as “Alcatel” letters must be sent to the unsuccessful bidders informing them of prescribed details relating to the tender evaluation scores. A standstill period then commences during which no contract can be entered into pending a challenge from an unsuccessful bidder.
- 13.2. “Alcatel” letters were sent to the unsuccessful parties.
- 13.3. There is also a requirement that following the award of a contract a Contract Award Notice must be published in the OJEU. Such notice should be issued within 48 days of the contract award.
- 13.4. Following a complaint received by from a resident, which complaint did not relate to the issuing of such notice, it was discovered that no Contract Award Notice had been issued with respect to the procurement.
- 13.5. A Contract Award Notice was subsequently issued out of time on 21 November 2014.
- 13.6. A review of all OJEU procurement contracts was undertaken and further contracts were discovered where Contract Award Notices had not been published in the OJEU within the relevant time frame. Contract Award Notices were subsequently published out of time in respect of each contract made by the Council.

Recommendation:

To the extent not already in place, a checklist should be drawn up to be used in procurement exercises to ensure that procedural obligations are met in a timely fashion. Where procurement is outsourced, in whole or in part, the Council’s officer responsible for the project should ensure that due regard is paid to such checklist and obligations notwithstanding the fact that day to day management of the project has been outsourced as it remains the Council’s ultimate responsibility.

14. The Housing Management Contract

- 14.1. Following the selection of the preferred bidder it is a requirement that there is further leaseholder consultation on the proposals in order for the process to fall within the general approval issued by the Secretary of State referred to in paragraph 12.8 above to allow the Council to delegate its housing management function.
- 14.2. It was not possible to conduct this consultation earlier in the process as until the preferred bidder is selected there is no person with whom the Council

proposes to enter into a contract and, furthermore, any earlier consultation would require the disclosure of sensitive pricing information.

- 14.3. The consultation was undertaken by the issue of a notification that a Proposal, containing the information required under the Housing Act 1985 (as amended), was being made available for leaseholders to comment. The notification was accompanied by an observation form for the leaseholder to record their comments.
- 14.4. It is a procedural requirement that the Proposal should be readily available for a period of not less than 30 days and it was in fact made available for a period from 13 February 2012 to 15 March 2012.
- 14.5. The intention was to enter into the Housing Management Contract on 30 March 2012 for an initial period of five years commencing 2 April 2012. This was the case.
- 14.6. The period between the leaseholder consultation and the entering into of the Housing Management Contract was short. The Panel were informed that no observations or submissions were received during the consultation (other than a couple of questions) and so the point next made is moot, however it is considered that the period allotted to the consideration of any submissions made was brief and could, under other circumstances, have opened the Council to suggestions of pre-determination. It should be stressed that there is no indication that this was the case and officers have confirmed that the decision was taken in the knowledge of this risk balanced against wider risks associated with changing the date.
- 14.7. The Panel has not reviewed the Contract in detail, save in so far as it relates to development opportunities, as most of the Contract falls outside of the scope of this scrutiny. The Panel does, however, have a number of general observations on the Contract.
- 14.8. The Council utilised the services of external solicitors to draw up the Housing Management Contract as it was felt that there was insufficient capacity to deal with a contract of this size in-house.
- 14.9. The Panel originally received a digital copy of the Contract (known as the "Master Documents") which was being used internally to administer the contract. Upon subsequently receiving a copy of the engrossed (signed) Contract several discrepancies were apparent.
- 14.10. There were discrepancies in the way that the various documents were referenced, numbered or paginated leading to an inconsistent approach.
- 14.11. The engrossed Contract contained a number of sections which were still in marked-up form, that is to say they were marked to show changes from previous drafts. In most cases the changes related to formatting and numbering rather than substantive changes.
- 14.12. There were two instances of appendices missing in the engrossed Contract and several instances of appendices being included, but not referenced with appendix numbers. There were also cases of appendices being referred to incorrectly in the body of the Contract.

- 14.13. Many of the issues appear to be due to the fact that the original OJEU Invitation to Tender has been lifted and inserted into the Contract without consequential amendment, re-titling or numbering. Similarly, standard terms and certain Council policies have been added to the contract without amendment. This has led to issues of construction.

Recommendation:

Procedures should be in place to ensure that working copies of contracts accord with the engrossed versions thereof.

- 14.14. Whilst it is recognised that when the services of outside professionals are retained it would be counter-productive for the in-house resource to shadow all of the work of the outside professional, there seems to have been a complete derogation of responsibility and in-house resources should have been made available, in particular, to check engrossment copies of contracts prior to execution and to ensure that those working with the contract are using the final agreed version.

Recommendation:

Engrossment copies of contracts drawn up by outside professionals should be checked prior to execution to ensure no manifest errors.

Recommendation:

Periodic reviews of the work of outside professionals should be carried out with feedback sought from those with whom they have dealt to ensure that the Council receives the best quality work and value for money. This should be the case even where the provider provides a service under a framework agreement.

15. Inclusion of the ability to review land for development opportunities

- 15.1. During the course of our scrutiny a number of people have raised questions relating to the inclusion of development opportunities within the procurement process and the subsequent Housing Management Contract.
- 15.2. As stated at paragraph 12.11 above the original decision of the Executive to market test the outsourcing of the Council's housing management function was silent on whether such function included a review of development opportunities.
- 15.3. The OJEU advert contained a statement set out at paragraph 12.16 above stating that a successful bidder would have the opportunity to be the sole development partner with the Council to progress opportunities to develop new affordable housing on HRA land.
- 15.4. However, the OJEU notice was not limited to HRA land developments, including also "development of residential real estate", "real estate services" and "improving existing estates and stock in poorer condition" with none of these being restricted to HRA land. Common procurement codes were also used, in particular 70110000 and 70111000, neither of which are restricted to HRA land.

- 15.5. The Contract which resulted from the procurement exercise placed upon the bidder an obligation to review a portfolio of land attached as an appendix to one of the schedules of the Contract to identify any development, redevelopment or infill opportunities within twelve months from the start of the Contract. A process was laid out in the Contract by which such opportunities could be progressed.
- 15.6. The Panel is satisfied that the procurement and subsequent Contract therefore covered both HRA and other land within the Borough.
- 15.7. The Panel sought evidence relating to when and why development opportunities were added to the procurement process given that there was no specific reference to such opportunities in the original papers presented to the Executive. The Panel heard evidence from Mark Rolt, Strategic Director in this regard. Mr Rolt stated that it was always the Council's intention to look at total asset management when putting this contract out to tender, a sentiment that was captured in the original Executive papers. Mr Rolt also stated that there was a desire to attract quality bidders within the housing field who were likely to provide better value for money and that the inclusion of the development opportunities would provide this additional point of interest for potential bidders. Mr Rolt reported that this latter objective had been successful in attracting some of the larger housing associations and major construction groups to express interest.
- 15.8. It should be noted that the ITT provisions expressly stated that the development provisions contained in the ITT would not form part of the tender evaluation. It could be argued that this mitigates the lack of clarity in the original paper that went before the Council's Executive with regard to the development opportunities.
- 15.9. The Panel heard that the Council's in-house legal team was consulted on the ability to include development opportunities in the Contract. It is noted that, rather than appointing a preferred construction partner, the Contract merely invites proposals for development. There is therefore no obligation on the Council to appoint a preferred development partner – i.e. no obligation to appoint NVH to build out the proposals should they receive planning permission and Council agrees to proceed.
- 15.10. The Panel is satisfied that development opportunities were properly included in the Contract and that no authority has been exceeded in this regard.

16. Underwrite Agreement

- 16.1. Whilst the Contract included the ability for NVH to bring forward submissions for development to the Council there was no obligation to work those submissions up to full plans.
- 16.2. NVH did bring forward plans for a substantial redevelopment of the Sheerwater area in accordance with its contractual obligations and in line with the Council's ambitions set out in CS5.
- 16.3. It was noted that NVH would need to make significant investment in order to bring forward detailed proposals and that whilst NVH was prepared to make this investment it was recognised that the critical decisions leading to any

implementation of a proposal would be made by the Council and thus the Council held the balance of power. NVH, quite reasonably in the opinion of the Panel, sought support from the Council for the costs that it would incur were the Council to decide subsequently not to proceed.

- 16.4. To this end an Underwrite Agreement was prepared whereby, depending upon the stage of the proposal reached, all or a proportion of the costs incurred to that point would become the liability of the Council should it choose not to proceed. In effect, the Council, in agreeing to the Underwrite Agreement was agreeing to a contingent liability for the costs of the project up to an agreed cap at each of the agreed stages (14 Milestones split across 4 gateways). In the event that the Council agreed to proceed with a scheme and entered into a development agreement with NVH once planning permission had been granted then there would be no cost to the Council under the Underwrite Agreement.
- 16.5. That NVH were asking for its costs to be underwritten also provided an opportunity for the Council to reconsider what it wished to do in relation to the proposed regeneration of Sheerwater. Should it be argued that the Council was unaware of, or unclear of the extent of, the redevelopment opportunity provisions in the Contract, this request would have highlighted the opportunities and afforded the Council the opportunity to consider how far it wished to allow a contractor to go.
- 16.6. Full Council agreed to enter into the Underwrite Agreement at its meeting on 9 May 2013 with the recommendation carried by a majority of 31 votes to 2.
- 16.7. The Underwrite Agreement was entered into on 16 August 2013.
- 16.8. It has been suggested through the course of the Panel's scrutiny that the existence of the Underwrite Agreement might indicate a pre-disposition to the Project in that, in the event that the Council does not decide to proceed with the Project, there will be a financial liability attached to such decision which liability would not exist were the Project to continue.
- 16.9. Whilst this train of thought is understandable the Panel has heard no evidence that the Underwrite Agreement is anything other than a standard commercial agreement entered into in order to redress a situation where one party to a transaction could fetter the ability of the other to achieve any benefit from that transaction. We have heard evidence that the Underwrite Agreement reflects the realities of partnership working and that any decisions would be taken on the merits of the scheme rather than any contingent liability that might attach to a particular decision. That view was backed up by the Chief Executive who confirmed that the question of what happens if the Council chooses not to proceed was rehearsed to ensure that Councillors would be free to make an unencumbered decision and that provisions have been put in place so as not to bind a future decision.
- 16.10. The Underwrite Agreement is an example of the way that councils have to adapt their traditional ways of working to reap the benefits of partnership working. Previously councils would have borne the costs of working up proposals themselves, now they have an opportunity to lay off some of the cost to a third party in certain circumstances.

16.11. The Underwrite Agreement, together with the Housing Management Contract, the Core Strategy and other Development Planning Documents provided the framework which allowed NVH to work up its proposals, in dialogue with the Council (at various levels).

16.12. It has been asked whether this framework, and in particular the use of the Housing Management Contract, was a legitimate way of progressing the regeneration proposals. Whilst the question has been raised, the Panel has received no detailed representation highlighting any flaws in the process nor has it seen any evidence that this was an inappropriate way of progressing such a project. There will invariably be a number of approaches that an organisation could take in any given matter and it is incumbent on that organisation to take whichever approach it deems most suitable.

17. Should there have been an open tender for the regeneration of Sheerwater?

17.1. The Panel has been asked whether it considers that there should have been a separate tender for the Project.

17.2. The Panel believes that there is often more than one way of achieving a desired outcome and it is matter for individuals to decide which course to choose. The Panel has received no evidence to suggest that a retendering was required. The Panel has also received advice from the Borough Solicitor that no retendering was required to allow the development proposals brought forward under the Contract.

17.3. Whether or not EU compliant tendering will be required at a later date in the event the Council wishes to progress the NVH proposals falls to be determined when and if such a decision is taken with due regard to the OJEU rules.

The Role of the Council

18. Responsibility for the Project

- 18.1. One question most asked by residents was who the Project driver was, whether it was the Council, its Chief Executive or other officers, or NVH. It was clear that there was confusion in this regard.
- 18.2. The situation was not helped, at least from the point of view of council tenants, by the fact that NVH was already known to them as the entity that provided maintenance services and was viewed, at least by some, as a simple extension of the Council.
- 18.3. Council Officers, lead Councillors and NVH, were clear that the Project was the result of NVH exercising an opportunity granted to it under the Contract to present development proposals to the Council.

19. The Council's Role in the Project

- 19.1. The Chief Executive in his evidence outlined the Council's desire to make changes in Sheerwater to address the issues of deprivation (as set out at paragraph 7.6 above) that had been identified, along with other factors that led to Sheerwater being designated as a Priority Place.
- 19.2. The Chief Executive also explained how previous interventions had had little impact and used the term "suits from the Civic" to illustrate how he perceived residents' views of the past actions of the Council and the disconnect between it and the residents.
- 19.3. The challenges faced by Sheerwater were described as multi-faceted and issues getting partner organisations to work together were highlighted.
- 19.4. It is clear from Councillors having received and voted on all of the relevant reports and having approved the Core Strategy that there was cross-party support for changes in Sheerwater. This included the designation of Sheerwater and Maybury as a Priority Place, decisions taken to review and progress the leisure facilities within the area, decisions taken to facilitate employment opportunities within the area and, importantly, decisions taken that directly relate to the Project, including the entering into of the Underwrite Agreement and the gateway decisions that have been taken to date. That is not to say that each decision has been a unanimous decision of the Council and named votes have been used for some decisions, publicly recording those for and against. Furthermore, it is apparent that there were differing levels of understanding of the issues faced by Sheerwater, and different reasons for supporting the decisions that were taken.
- 19.5. As part and parcel of partnership working there will have been conversations with the Council's contractor advising and highlighting decisions of Council which would affect or impact on the work of the contractor. The Panel has neither seen, nor received any evidence that the Council or its Officers have improperly directed NVH with regard to the Project.

20. Who is the Council?

- 20.1. The seemingly simple question “who is the Council?” plays what is perhaps a disproportionate role in a project of this nature.
- 20.2. The term “the Council” is used, interchangeably, in everyday parlance to refer to, amongst other things, council officers (individually or collectively), councillors or a combination of the two. For some residents it will also be used to refer to private companies contracted to do the work of the council, such as NVH. The distinction is, for most, semantic but it has added to the levels of misunderstanding now being experienced.
- 20.3. In law, the Council is an incorporated legal entity. The Council is also the name applied to the governing body of that entity. In the case of Woking Borough Council, it has a membership of 36 elected members, the Councillors. Those Councillors will necessarily change over time as a result of elections, or otherwise, which means, with a project such as this which runs for a number of years, the composition of the Council at the start of the project will likely be different from its composition at the end, and, indeed, part way through.
- 20.4. This change in the composition of the Council over time carries with it an inherent risk that decisions taken in the past do not necessarily accord with the will of incoming members. What is more, it is apparent from listening to and talking with some Councillors that not all Councillors take ownership of decisions properly made by the Council and, even amongst Councillors, there is confusion between political and meritocratic argument which may influence future decisions and acceptance of past decisions of the Council. Some Councillors even talk of the Corporate Management group being “the Council”. This is not to be taken as a criticism of any individual or group, rather as a feature of the system of local government.
- 20.5. Furthermore, a Council cannot commit to make future decisions in a particular way, for, when it comes to the time for such decision it must be taken on its merits at that time and by Council as it is composed at that time. This again means that there is an inherent uncertainty introduced for any project that runs over a protracted period of time. This is, however, just the same as in the private sector where board decisions can be made and reversed at will.
- 20.6. In addition, individual Councillors will wear different hats at different times, although this will not be immediately obvious to the average on-looker. This is particularly the case for members of the Planning Committee who must be careful not to pre-determine decisions that come before them. This can have the seemingly perverse result that an individual Councillor may well support a development project with his general council hat on but then have to refuse a planning application giving effect to the same with his planning committee hat on. The reverse is, of course, also true.
- 20.7. The lack of clarity surrounding the identity of the Council and the roles it performs, both externally, and in a limited way, internally, does not assist a project of this nature and adds a number of challenges to the way the Council and its officers communicate with the wider population.

Project Management and Governance

21. Project Management

- 21.1. Project management forms a pivotal role in the success of a project, more so in one that is as complex and multi-faceted as this Project. Sound project management aims to deliver agreed objectives within an agreed timescale and budget and assists those delivering a project to deal with inter-dependent tasks as well as change and risk management.
- 21.2. A distinction should be drawn between the management of the Project by the Council and its Officers and the day to day management of the deliverables by the Council's contractor, NVH.
- 21.3. The Council has in place a clear leadership structure for the management of the Project with ultimate decision making authority lying with the 36 Councillors.
- 21.4. Mr Morgan is head of administration (as the Chief Executive of the Council) and Mr Rolt is the Strategic Director responsible for overseeing the Project. It is Mr Rolt who takes on the project management role from the Council's perspective and is charged with managing the relationship with NVH which was procured, on behalf of the Council, to carry out actions under an agreed programme – the Underwrite Agreement.
- 21.5. It is a factor of local government that senior officers routinely manage many simultaneous projects. For some projects dedicated project managers are appointed to work alongside the senior officers but no such appointment was made in relation to this Project.
- 21.6. By way of governance, an oversight panel was set up as a consultative body, rather than a decision making body. This panel comprised Councillors from the two major political parties with the ward Councillors invited to attend as observers. The panel comments further on this body at paragraph 23 below.
- 21.7. Mr Rolt has the ability to bring in expertise, as required, to validate information that is presented by NVH and is able to draw on the Council's own resources as appropriate.
- 21.8. It is clear that day-to-day project activity undertaken by NVH is managed at arm's-length. This is wholly consistent with the Underwrite Agreement and the nature of partnership working.
- 21.9. The Panel has not looked in detail at the underlying project management tools that have been used in connection with this Project. It is apparent, from evidence given, particularly by Council Officers, that there is no set project management approach for projects undertaken by the Council although the broad principles of PRINCE2 (a well known project management methodology) are used in many projects. It has been suggested that a one-size fits all approach would not be appropriate.
- 21.10. Common practice and procedure across project and programme management can be a challenge for any organisation. However, local authorities face additional issues such as shifting priorities, differences in member and public

interests and the need to balance needs with those of strategic partners, which makes project management particularly important.

- 21.11. In this project the project management role is focussed on NVH. They have a delivery role particularly for development aspects of the regeneration. The Panel has not seen evidence that there is co-ordination of other work by the Council to deliver the ambitions expressed by the Council. In particular the community leadership role of the Council is not one which is apt to be delegated to NVH. Although we can see no evidence of abrogation of duty by the Council, the Panel would suggest there is confusion about roles. The Panel considers that there is a communication and co-ordination role still to be played by the Council notwithstanding the bulk of the regeneration and the physical development of the area is firmly in the hands of NVH.
- 21.12. The Panel considers (see SECTION 3 – Consultation and Communication) that the overall strategic direction, ambition and determination of the Council needs to be clearly communicated and this needs to come from the Council rather than allow it to fall solely to NVH. This work encompasses stakeholder management and engagement which complements NVH's work but importantly may also engage with statutory agencies in order to co-ordinate all other activity which may deliver the social aspects of the regeneration. Essentially, the Panel conceives that such a project needs to be people centric as much as it is focussed on the physical environment. It is this activity which may best be undertaken and co-ordinated by the Council in a project management framework which recognises the work and plans of NVH but which also takes into account the unique relationships which the Council can influence with other agencies to improve the overall outcomes for the area.
- 21.13. This activity could be managed or sponsored by Mr Rolt and equally could be overseen by the Sheerwater Oversight Panel to ensure that Councillors are closely connected to the work.
- 21.14. Whatever framework is employed, to be effective there needs to be buy-in at all levels to ensure that the benefits of any structure are gained. Additionally, Councillors should be aware of the structure and how they can play a role in its effectiveness. Any such structure should be clearly described to form part of the governance arrangements for the project.

Recommendation:

Consider the adoption of a project management framework for the Council's objectives and activities which are separate to the NVH goals. Ensure buy-in for, and application of, this framework.

22. Governance

- 22.1. Governance is concerned with accountabilities and responsibilities and describes how an organisation is directed and controlled.
- 22.2. Woking Borough Council employs a variety of council-wide governance procedures. The Council's Standards and Audit Committee is charged with reviewing and monitoring these and receives both internal and external audit reports on the adequacy of the procedures.

- 22.3. For larger projects, it is insufficient to rely solely on these council-wide governance procedures which will not provide project specific governance. However, it is equally important that additional procedures put in place on a project-specific basis fit coherently with the wider governance arrangements. This Project is taking place in a multi-organisational environment and it is important that any governance procedures accurately reflect this.
- 22.4. Further, sight must not be lost of the reasons for the Project being structured in the way it is. As set out at paragraph 10.4, a central tenet to the Project was the Council's inability to finance changes being addressed through the Project without private sector funding. Partnership working, to be successful, must necessarily involve a degree of delegation and a balance is to be struck between ensuring that the governance of any such delegation is strong without compromising the benefits to be delivered through partnership working.
- 22.5. From the evidence collected by the Panel there appear to be well-structured governance procedures in place relating to the ability of Officers, in particular the Strategic Director, to have oversight of the Project. This is achieved through a number of scheduled meetings between principal Officers and NVH which follow agreed agendas and the frequency of which has been adapted to suit the various stages of the Project.
- 22.6. What is less clear are the formal governance procedures that are in place internally, providing oversight of the Project to the Chief Executive and other members of the Corporate Management Group.
- 22.7. The Milestones and submissions procedures set out in the Underwrite Agreement provide a degree of governance and bring clarity and definition to the Project for both Officers and Councillors.
- 22.8. As a Panel we have received representation that some of the Milestones have been passed without all of the requirements thereof having been met. In particular some Councillors have stated that what is referred to as a "financial viability appraisal for each option" required at Milestone 4 was not provided. In evidence Mr Rolt confirmed that financial viability reports have been made available to Officers at the appropriate times but that these have not been shared with Councillors. Mechanisms that have been put in place by full Council to allow Officers to agree the passing of certain milestones without reference back to Council. The Panel comments further on availability of information to Councillors at paragraph 24 below.
- 22.9. Governance procedures that are in place relating to the ability of Councillors to have oversight of the Project are less effective and this is discussed below.
- 22.10. An important part of governance is concerned with looking at how an organisation is directed and controlled. Care must be taken to ensure that Officers carry out the will of the Council and do not, as a result of the changing composition of the Council or, in some instances, lack of engagement of the Council in a project, exert an inappropriate degree of influence. Great reliance may be rightly placed on Officers but it should be ensured that all necessary checks and balances are in place to ensure good governance and scrutiny. It is not suggested that there has been undue influence in relation to this Project, but, as there is significant reliance being

placed on a few individuals (although both Officer and Councillor) the perception of undue influence could be wrongly created.

23. The Sheerwater Oversight Panel

- 23.1. For larger projects it is not unusual for an oversight panel to be appointed by the Council to facilitate the sharing of information with Councillors and to perform a governance role giving assurance to Councillors that the decisions of Council are being given effect to in an appropriate manner.
- 23.2. For this Project such a panel was set up at the meeting of the Council held on 9 May 2013. The Sheerwater Oversight Panel was to be a sounding board and not a decision making body. Meetings were intended to be presentational and designed to keep Councillors engaged. The Sheerwater Oversight Panel was to be specifically consulted on matters relating to the scope of the regeneration and the communication strategy. The Sheerwater Oversight Panel comprised at its inception the Leader of the Council (Councillor Kingsbury), the Portfolio Holder for Housing (Councillor Bittleston), plus six further Councillors (three from each party). It was suggested that Councillors who were members of the Planning Committee should not serve on the Sheerwater Oversight Panel. Ward Councillors were invited to attend as observers only.
- 23.3. The suggestion that members of the Planning Committee should not serve on the Sheerwater Oversight Panel was made principally to prevent there being any suggestion of pre-determination if the Project proceeds to consideration by the Council as the Planning Authority. As discussed at paragraph 20.6 above, Councillors can be dual-hatted in relation to planning matters and they are aware of the need not to pre-determine a planning application or give the appearance of doing so. For a large project such as this it is the appearance of pre-determination that is the issue.
- 23.4. Members of the Planning Committee have, in fact, been members of the Sheerwater Oversight Panel but this is not, of itself, cause for concern to the Panel so long as the affected Councillors do not pre-determine or give the impression of pre-determining any future planning application that may be brought in connection with the regeneration. Given the relatively low numbers of Liberal Democrat Councillors and the desire to have a cross-party Sheerwater Oversight Panel it was almost inevitable that some Councillors on the panel would be dual-hatted.
- 23.5. Criticism of the decision not to allow ward Councillors to be full members of the Sheerwater Oversight Panel has been raised. The reason given for this restriction was somewhat confused in the minds of Councillors but it seems that it was considered that ward Councillors would be able to better represent their constituents if they had access to all of the information that was presented to the Sheerwater Oversight Panel but were not perceived to be part of that panel and thus "tarred with the brush of whatever the panel did" [Quote from Councillor Bittleston in evidence].
- 23.6. Although the Sheerwater Oversight Panel was not a decision making body, all decisions being taken by full Council, the reason for including ward Councillors as observers only, seems to be born out of good intention. However, the Panel was surprised that ward Councillors were not actively engaged in a more consultative fashion rather than being seen as observers

as these Councillors should be best placed to identify the needs of the community that they represent. Sometimes a label (in this case “observer”) does more harm than good.

- 23.7. When questioned by the Panel, the ward Councillors appeared to have added to their exclusion from the Sheerwater Oversight Panel (perceived or otherwise) by not attending and engaging as fully as they might in the meetings of that panel. It is apparent to the Panel that the ward Councillors did not fully appreciate the reasoning behind their status on the Sheerwater Oversight Panel and felt snubbed. It is impossible to say whether better or further communication may have had an effect on the level of engagement seen from the ward Councillors.
- 23.8. The Sheerwater Oversight Panel did not meet on a regular basis; it was called together as and when required. Given the identified need for the Sheerwater Oversight Panel to be an information conduit for the wider Council and designed to keep Councillors involved, consideration should have been given to having more regular meetings diarised even if certain of those meetings were later replaced with briefing notes.
- 23.9. The Sheerwater Oversight Panel meetings were led by NVH and, unlike other panels, task groups and working groups of the Council the Sheerwater Oversight Panel was not serviced by the Council’s Member Services team who would ordinarily provide administrative and secretarial support to such panels. The scrutiny Panel received various explanations as to why Member Services did not provide support to the Sheerwater Oversight Panel and the actual reason for them not being used remains unclear. The scrutiny Panel cannot see good reason why the Sheerwater Oversight Panel was treated differently from any other such panel of the Council.
- 23.10. Whilst agendas were produced for certain of the meetings it is not clear that this was the case for all meetings of the Sheerwater Oversight Panel. No notes or minutes were produced for any of the meetings, the only record being copies of presentational materials that were used. These presentational materials do not capture any comments or discussions. No central record of presentational materials seems to have been kept such that there is easy access to the same.
- 23.11. The lack of minutes or notes relating to the meetings of the Sheerwater Oversight Panel has a number of consequences. There is little, if any, way of verifying comments that may have been made at the meetings of the Sheerwater Oversight Panel. Whilst further external scrutiny, such as is being provided by this Panel, was probably not contemplated, there is a need for a substantial project to have the ability to refer to prior discussions and comments of a cross-party panel. This could prove beneficial, not least because the composition of such panel and, indeed, the Council changes over the long period of such a project. Furthermore, a demonstrable audit trail is sound business practice.
- 23.12. It is considered that the Sheerwater Oversight Panel has, to date, not been successful in achieving its aims. There appears to be no consistent mechanism for reporting its deliberations and considerations or for allowing transfer of information to Councillors who are not on the Sheerwater Oversight Panel. Furthermore, Councillors do not seem to be clear on how they can formally escalate concerns from the Sheerwater Oversight Panel.

There appears to be an assumption from some Councillors who are not on the Sheerwater Oversight Panel that the mere existence of the Sheerwater Oversight Panel is sufficient and reliance is placed on the perception of governance.

23.13. In the event that the Project continues and the Council elects to allow NVH to submit a planning application it is recommended that the role of the Sheerwater Oversight Panel be reviewed and procedures put in place to allow it to perform its role more effectively. Detailed Project-specific recommendations are set out in the Overview.

23.14. The Panel makes the following recommendations that should apply to any major project (including the Project):

Recommendation:

- Working groups and panels should ensure that a record is kept of meetings and discussions and such records should be available for Councillors to access.
- Consideration should be given to diarising regular oversight meetings for Councillors involved in large projects particularly where part of the purpose of such meetings is to keep Councillors engaged and informed.
- There should be an agreed method of regularly communicating information between an oversight panel and Councillors who are not part of such arrangements and an agreed method of escalating concerns which remain unaddressed by an oversight panel should be adopted.
- Consideration should be given as to how best to use the skills and knowledge that ward Councillors can bring to a project in a manner that will not adversely affect their ability to represent their constituents.

24. Availability of Information to Councillors

24.1. It is a product of the structure of local government that Councillors must often rely on one another and on Officers for information about projects and their governance arrangements.

24.2. Although this Project appears to have a clear mechanism in place to allow the dissemination of information to Councillors the Panel considers that the Sheerwater Oversight Panel has not been effective in achieving this. However, any disadvantage to Councillors has been mitigated by Councillor Bittleston making himself available to Councillors seeking information. Councillor Bittleston currently holds the portfolio for strategic development and has responsibility for this Project. The Panel has received no specific criticism of how this role has been performed by Councillor Bittleston.

24.3. Decisions taken on the Project have not been delegated but have been taken by full Council. Such decisions have been preceded by Councillor briefings which, in the main, have not been chaired by Councillor Bittleston but by Officers, NVH or members of the Liberal Democrat Group. One to one briefings have been facilitated where there is a need to assist Councillors in their understanding of the Project. The Panel is aware of group briefings being given to the Conservative Group and offered to the Liberal Democrat Group but not taken up. Meetings and briefings with individual Liberal Democrat Councillors were held. It should be noted that, until recently there

was no Labour Group (nor is there or was there a Group for independent Councillors).

- 24.4. It is clear from speaking to a number of Councillors that there is a degree of reliance placed upon one another when decisions are taken. This is to be expected. It would be unrealistic to expect every Councillor to have the same degree of knowledge and expertise on any given matter even where they have all been presented with the same information and afforded the same opportunity to engage on a matter. It is a cornerstone of local government that the electorate are able to decide who should best represent them and the Councillors elected come from a wide variety of backgrounds and hold a variety of interests. However, it is incumbent upon every Councillor that they take decisions in the best interests of both the electorate they serve and the wider Borough.
- 24.5. Various comments were made to the Panel regarding the availability of information to Councillors and requests for information going unmet. The Panel has found no evidence of information being actively withheld from Councillors who have requested it. Were Councillors to receive regular reports or briefing notes from the Sheerwater Oversight Panel or other appropriate source they might better understand what stage the Project is at and be more comfortable that the oversight of the Project is sound. Of course, a balance must be struck between ensuring that Councillors have sufficient information to perform their role but not so much as to be burdensome and counter-productive.
- 24.6. It is certainly the case that some of the information that has been requested has not been available often as a result of the project not being sufficiently advanced. In other cases the information may have been available to NVH and its team but not the wider Council. It is not unreasonable, in a complex project, for various iterations of the same information to be produced prior to a final version and not unreasonable for those early versions not to be circulated. Furthermore, where the Council employs specialist contractors and experts to carry out work on its behalf there should be sufficient trust in those it appoints, in the absence of evidence to the contrary, to allow such contractor or expert to carry out their work without requiring interim drafts (save as agreed).
- 24.7. Where clarity could be brought to bear is in providing Councillors with clear information as to why certain information that is requested is not available. If it has not yet been produced, giving an indication of why not and when it might be produced may assist. If it exists in interim form, an explanation of why such a draft may not be helpful should be given. Similarly, Councillors should be prepared to accept such reasoning, absent other cause for concern, as part and parcel of sound business practice. As partnership working increases there will need to be a cultural shift to allow such working to achieve the desired benefits of service improvement and cost reduction.
- 24.8. Some Councillors also expressed difficulty in accessing historic information and it was clear to the Panel that there were gaps in Project knowledge and recollection of prior decisions. This is not to be taken as a criticism of Councillors. It is a feature of local government and the way it works. The issue is exacerbated by the fact that the composition of the Council changes periodically and roles within the Council change. It would be unreasonable to expect every Councillor to recall the precise details of decisions taken, in

some cases, years ago and even more unreasonable for them to be aware of precise details of decisions taken before they took office.

- 24.9. For projects such as this which are a culmination of many decisions and years of work it may be beneficial for Councillors to have access to a single source of information directly related to the project. The existing Council systems do not lend themselves to easy retrieval of documents where such document is not obviously related to a matter through its title. The Panel is aware that the Council are actively promoting a document management system which may, in time, assist however the ability for Councillors to reach for a file on a shelf (physical or metaphorical) may prove beneficial. Such ability would certainly have aided this Panel. It is recognised that at the time a decision is taken it may not be clear how that decision will affect and impact future decisions but, when it is clear that a project is coming together, drawing together those previous decisions and the supporting paperwork would ensure that all Councillors, whether or not they were Councillors at the time of such decisions, would be aware of the context and background to decisions that they are now being asked to make. In this way corporate (or more correctly Councillor and Officer) knowledge is preserved.

Recommendation:

Corporate knowledge should be protected through the use of project files or clear methods of identifying documents and decisions that relate to an evolving project.

SECTION 3 - Consultation and Communication

Structure and Strategy

25. Project Communication Structure and Strategy

- 25.1. Communication is key to delivery of any project and effective communication brings about understanding, awareness and openness. Where communication fails the opposite is true.
- 25.2. The Council has its own Marketing Communications team which, up until recently, was overseen by Mr Rolt as Strategic Director for Projects. The team provides marketing communications support across the organisation.
- 25.3. The Council's Marketing Communications team has been used, to varying degrees, throughout the Project but, following the Project launch, has not played a major role in the communication strategy and outputs.
- 25.4. Following the Project launch responsibility for communication with residents was passed to NVH. This is consistent with the contractual arrangements between NVH and the Council and ensures arms-length dealings. NVH was to be the point of contact for residents regarding the Project.
- 25.5. The Council's Marketing Communications team, through Mr Denner, retained the brief to deal with media enquiries and liaised with NVH to ensure that there was a consistent approach to communications. Mr Denner also attended the Sheerwater Oversight Panel meetings.
- 25.6. Whilst communications on the Project were passed to NVH the Panel consider that there is still an important role for the Council – that of general communication with residents. Once it became apparent that there was concern and importantly, misunderstanding, within the community the Council was the body that should have addressed this. Whilst communications can be outsourced and delegated there cannot be a total abrogation of responsibility.
- 25.7. NVH produced a Consultation and Communications Strategy in July 2013, effective from Project launch. It recognised the importance of a comprehensive yet flexible programme of consultation and communication with residents, their neighbours and other key stakeholders. Stakeholders were identified and there is recognition that the lists produced were not exhaustive and that further interested parties may emerge.
- 25.8. Under the strategy all Project publicity is to be approved by the Sheerwater Oversight Panel prior to publication and a communications protocol is set out to ensure a cohesive approach to communication.
- 25.9. NVH has engaged various third parties, including PPCR Associates and Arup, to assist it in meeting its communication and consultation obligations. The project architects HTA lead the community engagement process with regard to the masterplan, scheme design and planning.

- 25.10. Oversight for communications and consultation is provided for in the Underwrite Agreement. The various Milestones set out deliverables which have to be provided prior to such Milestone being passed. Such deliverables include evidence of, and reports derived from, various communication and consultation exercises.
- 25.11. NVH has provided, in its Milestone reports, details of the various consultation and communication exercises that have been undertaken. Detailed statistics are provided to support the reports and summaries of comments (both positive and negative) made by stakeholders are given. This Panel cannot comment on the completeness of the information provided but is satisfied that there is transparency in the approach taken.

26. Pre-Project Consultation

- 26.1. As noted in Section 2 of this report titled Process – Background and History the Project is designed to address a number of needs and issues which have been identified within the Sheerwater area. The identification of those needs and issues was brought about through a number of interventions, plans, surveys and collections of data, many of which included consultation as part of the process. Such consultations have helped to inform and shape the current Project.
- 26.2. The following (amongst others) have included elements of public consultation:
- Woking Green Spaces Development Plan (2006);
 - Sheerwater Local Community Action Plan (2008);
 - Surrey Strategic Partnership Plan (2010);
 - Consultation on recreation facilities provision in Sheerwater (2012); and
 - Woking Core Strategy (2012).
- 26.3. Consultation has taken a variety of forms with differing levels of engagement. It is outside the scope of this Panel to review, in detail, the consultations entered into however they do form an important part of the history of this Project and we comment more generally on the engagements at paragraph 52.
- 26.4. Specific comment should, however, be made in respect of the consultation undertaken in relation to the recreation facilities provision in Sheerwater. The consultation was undertaken prior to and without any reference to wider regeneration proposals. Whilst the immediate Maybury and Sheerwater community were generally supportive of improvements to recreation facilities at the Sheerwater Recreation Ground and Bishop David Brown School the consultation should be viewed in context and no assumption made that the results can be extrapolated directly and applied to the current Project. It should also be noted that the consultation exercise did not incorporate a needs assessment.

27. Council Communication Structure and Strategy

- 27.1. The Panel considers that the Council's own Marketing Communications team should play a greater role in strategic planning for major projects. Communications should form a central part of any project and the expertise provided by the team used to the Council's best advantage.

Recommendation:

The Council's Marketing Communications team should play a greater role in strategic planning for major projects.

- 27.2. The Council published an External Communications Policy covering the period 2004-2007. This has not been updated since.

Recommendation:

The Council's External Communications Policy should be reviewed and updated to promote a consistent approach to external communications.

Engagement, Consultation and Communication

28. Project Launch

- 28.1. Following approval by Council on 9 May 2013 of the outline proposals to redevelop Sheerwater to create a new “Garden Suburb” for Woking and approval of the Underwrite Agreement the Project was launched to the residents of Sheerwater and the wider public in June 2013.
- 28.2. It is accepted by all that the initial launch was a key step in the communication of the Project but the Panel considers that the launch was insensitive and could have been better managed by the Council.
- 28.3. The initial communication to residents of Sheerwater was a printed A5-sized brochure which was delivered by way of a leaflet drop to properties within the Sheerwater area.
- 28.4. The initial communication was drafted by the Council with input from NVH and, whilst branded with both Council and NVH logos, it is agreed and accepted that this was a Council communication. The booklet was considered by the Sheerwater Oversight Panel prior to its distribution.
- 28.5. The Panel understands that the in-house marketing communications team were first engaged on the design of the launch brochure in late March 2013 in preparation for a meeting of Council in April 2013. That meeting was postponed until 9 May 2013 where initial approval for the Project to commence was given. The first Sheerwater Oversight Panel meeting was held on 30 May and the brochure discussed and amendments made. The brochure was sent to print on 31 May and received back at the Civic Offices on 3 June for distribution on 4 June 2013.
- 28.6. The initial communication was intended to introduce the Project and indicate how the public could get involved and have their say on the proposals. A brief background to the Project was set out followed by a desire to create a shared vision to transform the area. An indicative development zone was given although whilst it was stated that this was the area likely to be covered by a planning application it was not immediately clear that this area may be subject to change. A set of Frequently Asked Questions (“FAQ”) was included covering master planning and consultation. A consultation period of 18 to 24 months was envisaged and, if the scheme was approved and planning permission granted, construction work would possibly commence in early 2015 with works phased over a 7 year period.
- 28.7. The final FAQ section was titled “Demolition” and dealt with the need to acquire properties in order to deliver the Project. It is considered by the Panel that the choice of language here was emotive and an alternative title would have been more appropriate, allowing the Council still to convey the need to acquire certain properties in order for the Project to progress but without creating such alarm in an initial communication.
- 28.8. The communication contained an invitation for residents to attend a drop-in session on the afternoon/evening of Thursday 13th June at Parkview.

- 28.9. There has been much criticism of the initial launch brochure and, in particular, the method of its delivery. The brochure stood alone; that is to say, it was not accompanied by a covering letter nor was it preceded by a letter. It was not addressed to residents either by name or as a household.
- 28.10. The Panel was informed by Mr Rolt that the intention had always been to do a leaflet drop for the distribution of the initial communication. Such methods had been used for other launch events and it was considered that given the relatively large distribution area a postal distribution would be more bureaucratic and costly. Mr Rolt pointed out that there were also press releases and briefings to ensure that the message was communicated. There was also continued coverage of the Project across a variety of platforms including the internet, newsletters, posters and traditional press media.
- 28.11. The Panel considers the method of distribution of the launch brochure to have been impersonal and insensitive. Whilst press media is an important tool it should not be viewed as a main channel for Council communications of this nature. The Council should be communicating directly with its residents on this type of project.
- 28.12. The press media also brings with it challenges of timing. The Council will wish to control how the press receive certain information and the Panel was informed that this was why media releases relating to the Project happened simultaneously with the leaflet drop. The reality was however that certain residents found out about the Project through the media rather than through the Council's launch communication. In projects of this nature the resident's needs must be put first.
- 28.13. It is acknowledged by the Council that the distribution of the initial launch brochure was not without incident. There were a number of instances where brochures were left in communal entrances to flats and thus not received by residents. It has been suggested that in some cases the brochures were cleared away by contract cleaners the evening of the day of delivery. A few residents first became aware of the proposals when they were approached by local media at the recreation ground. Again, it has been publically acknowledged by Officers and Councillors that this was not an acceptable way of learning of the proposals.
- 28.14. When the Council and NVH became aware of the issues surrounding delivery additional deliveries were made to affected properties. Mr le May, in his evidence, stated that this also resulted in NVH changing its distribution strategy to ensure that communications are sent via Royal Mail.
- 28.15. It is accepted that there is no prescribed way to communicate a project of this scale and that, in any event and however well communicated, such communication is initially likely to come as a shock to those most affected. The Panel would, however, have expected a clear plan and a sympathetic approach to have been taken.
- 28.16. If, as suggested by Councillor Bittleston, the intention of the launch brochure was to invite residents to attend Parkview to hear more about the proposals one could rightly argue that that intention was achieved. However, the Panel considers that, for reasons given in paragraph 47.6 below, sending addressed mail to affected properties would have been preferable and been a better,

personal approach. Letters marked “Important this letter affects your property” tend to stand out, attract attention and be read.

- 28.17. Ultimately, however, it is not possible for the Council to remedy issues arising out of the initial launch as the Project has progressed significantly since that time. Whilst the information contained in the launch brochure was sound, it is the opinion of the Panel, however, that the manner of the initial launch of the Project has severely affected the level and quality of subsequent engagement with residents and care should be taken to consider the issues which have arisen for the future of this Project and any similar projects.

29. Launch Event

- 29.1. The first public event, the launch event, was held on 13 June 2013 at Parkview between 2 and 9pm.
- 29.2. The event was well attended with in excess of 500 people reported as attending. Attendees came from across the Borough although there was good representation reported from Sheerwater.
- 29.3. The launch event was run by NVH and designed to introduce residents to the proposed regeneration, to allow them to ask questions of NVH, and for NVH to engage with residents with a view to achieving a shared vision. This was the effective start of the consultation process directly relating to this Project (earlier consultations not having been Project-specific).
- 29.4. The Panel considers that, whilst the Council (through NVH) wished to launch the Project to the Borough as a whole, it would have been more sympathetic and appropriate to have a meeting for residents of Sheerwater only as the most directly affected group.
- 29.5. Initial feedback was collected from the attendees and reported back to the Council in the Milestone 1 report. Feedback was varied and both positive and negative views were captured.
- 29.6. Residents were invited to sign up to become members of a steering group that could be consulted on the Project. Interest in this group was larger than anticipated and 147 residents volunteered. As a result NVH decided to set up a community consultation forum (“CCF”) to allow all those who wished to play a more active role in the consultation exercise the opportunity to do so.
- 29.7. The Panel suggests that an opportunity might have been missed here. As discussed at paragraph 43, the community at the time of the Project launch did not have an active, identifiable residents association or similar representative body. With assistance from the Council this volunteer group of 147 residents might have been encouraged to, and supported in, creating an effective residents association (or even an embryonic neighbourhood forum) from which a representative steering group could have been elected. The steering group could then be used as NVH originally intended with the whole group participating in the wider engagement and larger consultation exercises.

30. Community Consultation Forum

- 30.1. As stated above the CCF was formed in response to an overwhelming interest from residents who wished to serve on a steering group. Due to the numbers of anticipated attendees at CCF meetings it was decided that sessions would be managed by splitting the group into sub-groups, each with an NVH facilitator.
- 30.2. The first CCF was held on 31 July 2013. Residents were notified by post three weeks in advance and reminded by email 3 days before the event. Of the 147 invitees, 87 attended representing 66 properties.
- 30.3. The purpose of the first CCF was to provide the design team with an insight into life in Sheerwater and to capture some of the residents' requirements. Identical questions were posed at each of the tables and the responses recorded. The resulting information was presented to the Council in the report for Milestone 1 which stated that aside from some initial apprehension the majority of the participants were happy to assist the team with the tasks.
- 30.4. The second CCF was held on 3 October 2013 and was structured in a similar fashion to the first with participants split into smaller groups, each with a facilitator.
- 30.5. This meeting was designed for NVH to deliver feedback from the first CCF session and to present an overview of the baseline report that had been compiled. There was also a workshop session that was designed to identify and capture the success criteria for the Project. The resulting data was presented as part of the Milestone 2 submission report.
- 30.6. Further CCF meetings were held in May 2014, July 2014, September 2014, October 2014 (two meetings), and January 2015.
- 30.7. It is clear that the July meeting of the CCF which was held shortly after the Council's gateway 2 review was used by some residents as an opportunity to voice their objections to the Project. Concerns about the success of the consultation were raised and it seems that there were some fairly heated exchanges. Several people left the meeting early and NVH reported that those who left early included people who had voiced support for the scheme but felt that their voice could not be heard over that of the dissenters. Whilst the Panel cannot verify this point of view the Panel has heard evidence from residents and others that supports the contention that those who support the Project feel unable to voice that support and/or feel that they are shouted down by those who object.
- 30.8. The July CCF sought to engage residents in design workshops however there was reluctance from CCF members who expressed a view that the workshops were designed to "divide and rule" and that the residents would rather be heard collectively so that their views were not diluted. This reaction appeared to be indicative of a growing level of distrust of the Council and NVH in the minds of some residents.
- 30.9. As a result of the disruption and lack of success in engaging residents in a meaningful way the format of the subsequent CCF meetings was changed again to a more controllable setup based around information dissemination rather than feedback on plans and ideas. There is some concern that this

could be viewed as NVH stepping back from its consultative role, however it should be noted that the CCF is not the only means of engaging with residents that NVH have. Council should satisfy itself that opportunities for meaningful engagement and collection of feedback exist as necessary.

- 30.10. The September meeting was very poorly attended with only 18 attendees. Feedback from the session was reported as being positive by NVH.
- 30.11. The first October CCF (8 October 2014) concentrated on housing with a specific focus on the appearance of buildings, landscaping and street scene. It was attended by 31 residents, 6 of whom were first time attendees. There was again some disruption at this meeting reportedly caused by some of the new attendees who sought to share their objections to the Project as a whole. Some regular attendees left the event early as a result.
- 30.12. The second October CCF (22 October 2014) was attended by 36 people and was designed to communicate the outline masterplan design. Members of a residents' group known as the Sheerwater Homeowners Alliance were among the residents attending and it was reported to Council in the Milestone 8 report that these members were open about their intention to disrupt the engagement process. NVH report that they tried to engage with these members but had little success. Again several members left early and some swapped groups as a result.
- 30.13. The Panel, not having been in attendance at the relevant meetings, cannot say whether or not the disruptions were significant, nor whether there was sufficient attempt to engage with those residents who were unhappy. As discussed at paragraph 42.13 it is suggested that there is a group of residents who wish to be asked a different question, namely whether or not there should be regeneration, and, as a result, such residents are highly unlikely to be engaged meaningfully on matters of detail which pre-suppose a regeneration.
- 30.14. NVH responded to the continued disruption of the CCF meetings by seeking to engage the services of PPCR Associates. PPCR Associates ("**PPCR**") is an organisation who specialise in providing independent advice and engagement to residents affected by large-scale housing regeneration projects. Its role in the Project is to provide independent support and advice to residents which will assist effective engagement and consultation.
- 30.15. NVH decided to introduce PPCR at the CCF meeting held in January 2015 which had been advertised as a discussion of the developing masterplan. The meeting was attended by 58 people, 33 of whom had registered to attend in advance and 25 of whom attended on the night. NVH had to adapt the planned session accordingly as a result of the increased numbers. NVH decided to split the attendees into two groups and run two simultaneous sessions, one on the masterplan and one introducing PPCR. The groups then swapped giving all members the chance to participate in each session. Feedback from both sessions was recorded and presented to the Council as part of the Milestone 9 submission.
- 30.16. It is clear, both from the report and subsequent actions of NVH and from submissions made to the Panel by residents, that many residents were unhappy with the structure of this CCF session. Many felt that there had been insufficient time for them to be able to review and comment on the emerging

masterplan as a direct result of the desire to introduce PPCR. Some residents reported that they felt that had been misled in that they believed the session to be about the masterplan but instead were pushed into a meeting with PPCR who they viewed with considerable suspicion. PPCR were not viewed as independent by some due to the nature of their appointment and the manner in which they were introduced. The Panel have seen no reason to question the independence of PPCR.

30.17. NVH responded to this feedback by arranging a further re-run of this CCF event over two days in February to give members and the wider community a further opportunity to review the design proposals and to discuss them with the project team. This event was also attended by the consulting engineer (in response to questions raised in the original meeting about infrastructure) and by PPCR. The material was produced and displayed in exhibition style with NVH and PPCR staff directing attendees to particular places and people as appropriate to answer their questions. Just fewer than 200 people attended this event over the two days and exit questionnaires were completed by 86 people. Feedback was passed to the Council in the Milestone 9 report.

30.18. As set out above, NVH has responded to and adapted the CCF format in response to demand and feedback. Not all CCF meetings have been successful in achieving their aims but the reports that have been submitted to the Council at the various Milestones have not hidden this and appear open and transparent.

30.19. From July 2014 onwards the CCF meetings have been used by some residents to communicate their objections to the Project. It is understandable that those opposed to schemes such as that contemplated by the Project will use whatever forums they can to communicate that objection. Unfortunately, this means that those who do wish to engage are unable to do so (or are at least compromised in doing so).

30.20. NVH attempted to remedy this situation through the introduction of PPCR Associates however it is suspected that there was sufficient mistrust at this stage to prevent a meaningful engagement. The decision to introduce PPCR “unannounced” at a CCF meeting was one which in hindsight might not have been taken.

Recommendation:

Council should satisfy itself that there was appropriate and meaningful engagement and appropriate opportunities for the collection of feedback during the consultation to date, particularly in light of the issues identified in relation to the CCF and the changes to the format of those engagements.

31. Design Workshops

31.1. Design workshops have been held as part of the engagement process and members of the CCF were encouraged to attend. Pre-registration was requested for these sessions to ensure that groups were manageable (with 20 places available for each session).

31.2. Uptake for the places by members of the CCF was poor and NVH responded by communicating the sessions to a wider audience by means of posters, the

regeneration website and Newsletters to maximise engagement. Despite this, attendance at the sessions was low (3-7 attendees at each save for the session relation to older people's accommodation which was attended by 18 residents).

32. Public Exhibitions and Engagement Sessions

- 32.1. A number of public exhibitions and engagement sessions have been organised and provided by NVH in relation to the Project. Following the Project Launch event held on 13 June 2013 NVH have held a Community Vision Workshop (29-30 October 2013), an Options Workshop (29-31 May 2014) and a Masterplan Design Exhibition (21-22 March 2015).
- 32.2. The Community Vision Workshop was attended by around 150 people over two days having been promoted through the use of posters, information on the internet (on the Council's website, NVH website and the Project Website) and in the second Project Newsletter. The results of the workshop were reported back to the Council in the report at Milestone 3.
- 32.3. NVH in their report stated that consideration had been given to the timing of the event with the workshop being spread over a two day period during a school half-term holiday, during and outside of normal working hours. The workshop ran from 2-8pm on the 29th and from 2-6pm on the 30th. Whilst it is the case that there was opportunity for those who work normal hours to attend the reality is that this opportunity was limited to a couple of hours on the 29th. Further, the fact that the engagement happened during the school half-term may have meant that families with school-age children were less likely to attend due to holidays. Given the stated aim of engaging with those who had yet to be involved in the masterplanning process it is considered that the timing of this engagement may not have been ideal. Of the 150 attendees, 45 were attending an engagement for the first time.
- 32.4. The information boards presented at the exhibition were clear, setting out the history of the estate, the current situation, feedback from the launch event, first CCF and questionnaires, and presenting the objectives both of the Project and those captured from residents. A number of activities were run alongside the presentation seeking to capture additional information from attendees (including specific activities for children).
- 32.5. Feedback on the event was captured by way of a questionnaire with 75 of the 150 attendees completing one. Feedback on the event collected by way of the questionnaire was mixed although broadly positive. The questions were fairly broad-brush and it should be noted that at this stage little detail of the specifics of the regeneration was available as it was too early in the process.
- 32.6. Concerns were raised in feedback about the uncertainty of the process (including lack of specific information) and objections to the proposals were also raised. Residents also questioned the need to redevelop the newer areas of the estate and concerns about one-bedroom and affordable housing were made. Whilst the feedback received from residents was reported back to the Council in the report at Milestone 3 the comments are (quite rightly) not attributed to residents and it is therefore difficult to judge the level of support or objection to the Project from these comments alone.

- 32.7. Many of the comments made at this meeting continued to be made at later meetings and engagements and, whilst many relate to the merits of the scheme, they are familiar to the Panel from the feedback that it has received. It could be suggested that this is indicative of comments and feedback not being listened to by NVH but it is equally the case that it could be the product of persistence. The Panel discusses this further at paragraph 53.
- 32.8. The Options Workshop took place over three days and was followed by additional sessions for specific community groups (held in June 2014). It was attended by just over 600 people and was promoted by way of posters, leaflets, websites, banners, emails, text messages and word of mouth through community groups. Information was also included in Newsletter 4.
- 32.9. The workshop was used to present three masterplan concepts and receive feedback on them and their perceived suitability. The three concepts were of equal size but different in style and configuration. It is apparent from speaking with some residents and Councillors that there was a perception that the concepts that were to be presented were to differ in scale. It is not clear where this perception has come from and evidence presented to the Panel suggests that there was never an intention to do so. It is suggested that this perception would not have been created had there been better initial communication from the Council of its intentions in relation to the Project. It should also be noted that whilst there was mention of differently sized concepts by certain Councillors during discussion in the July 2014 Council meeting the Panel can find no agreement of the Council at that meeting to consult specifically on the scale of the redevelopment with a view to producing an option of a smaller scale.
- 32.10. Members of the CCF were invited to attend the first session and around 50% of the membership attended. Data from attendees was collected which showed that around 72% of attendees over the three days came from within the Red Line Zone.
- 32.11. As with the Community Vision Workshop the Options Workshop allowed for those working normal hours to attend with workshops open until 9pm on the Friday and open from 10.30-2pm on the Saturday. Again, however, the workshop was run during the school holidays. It is impossible to ascertain how many people would have been prevented from attending as a result. The Bishop David Brown School provided a very suitable venue for the engagement, being centrally located and convenient for those most affected. However, it brings with it constraints as it is not generally available other than outside of term time for larger scale events. Indeed, it is for that reason, amongst others, that this Panel did not utilise it as a venue for the Public Hearing Sessions.

Recommendation:

Consideration is given to holding community engagement events during standard school term-time where possible and available venues permit to encourage and allow maximum community engagement.

- 32.12. No follow-up literature was provided to residents to consider immediately after the event and some considered that too much information was presented to

them in too short a time for them to digest it effectively. The information presented was made available on the Project Website.

Recommendation:

Consideration be given to providing hard copies of significant plans and documents at engagement events to facilitate residents' understanding and consideration of the same as not all are able to access and respond to this information online.

- 32.13. Feedback from the event was captured using concept questionnaires although only 86 were completed (from a possible 622) during the course of the event. The Panel understands that only questionnaires that were fully completed are included in this figure and that it does not capture those who started but did not fully complete the exercise.
- 32.14. The concept questionnaires were designed to seek feedback on the three design options but the results that were obtained showed broadly the same support for each. Significant analysis of the data was presented to the Council by NVH however it should be borne in mind that feedback was obtained from just under 14% of attendees.
- 32.15. As with the Community Vision Workshop, NVH appears to have been open and transparent in their feedback to the Council with both positive and negative comments being reported. As with the Community Vision Workshop, many comments from residents suggested a lack of clear information and uncertainty about the Project.
- 32.16. NVH received comments that there was no visible representation from the Council at this or the prior public engagement event. Whilst the Council is working in partnership with NVH on this Project and has engaged NVH specifically to consult and engage on the Project it is considered that there is good reason for residents to expect attendance from the Council. The Project remains a project of the Council and the Council should be prepared to visibly stand behind its partners. It is accepted that Councillors and Officers may not be in a position to give answers to residents' questions (in the main) but trust is built on relationships and such relationships are harder to form if the Council remains hidden or are perceived as being so.

Recommendation:

A review of the level of Council visibility at community engagement events should be undertaken.

- 32.17. Two follow-up sessions were held following the Options Workshop. The first was with St Michael's Church where amongst other things there was a request for improved communication with the wider Woodham community and opinion was expressed that several members of the congregation had not attended the Options Workshop as they felt that the Project was a "done deal" and that no new information would be provided.
- 32.18. The second follow-up was at the request of the Head teacher of the Bishop David Brown School and aimed at providing the school children with a better understanding of the Project.

- 32.19. The Masterplan Design Exhibition was held on 21-22 March 2015 at the Bishop David Brown School having been delayed from February to allow for a rerun of CCF 8. The purpose of this engagement was to present the completed masterplan design proposals to the residents and stakeholders ahead of them being submitted to the Council as part of gateway 3 (permission to submit a planning application).
- 32.20. The exhibition was run as several sessions covering Saturday daytime, Saturday evening and Sunday morning (through to early afternoon). Unlike the previous public exhibitions this one was held during term time.
- 32.21. Visitors were asked to register upon arrival and those within the Red Line Zone were requested to complete a property card, in the case of Council tenanted properties, giving details of occupants in the properties and, for all properties, confirmation of the property details including number of bedrooms and information about any adaptations.
- 32.22. Representatives from NVH, its architects and PPCR were available to answer questions and a room was set aside for one-to-one sessions to give privacy if needed.
- 32.23. There were 244 attendees registered over the three sessions with 154 (63%) residents from within the Red Line Zone. Of these 154, around 33% were owner occupiers and 61% were Council tenants.
- 32.24. A short exit survey was used to capture feedback at the end of the sessions and around 48% of attendees completed the exercise. A significant number of private owners from outside the Red Line Zone completed the survey (25 from a total of 117). A detailed breakdown of the questions and responses was provided to the Council as part of the Milestone 10 submission.
- 32.25. Response to the Masterplan that was presented was reported by NVH as being largely positive and responses to questions that were more subjective were presented in full. The reporting by NVH appears to be open and transparent in this regard.
- 32.26. The relatively low level of attendance (when compared to the number of people directly or indirectly affected by the Project) at the public engagement sessions and the low level of completion of the exit surveys makes it hard to draw any firm conclusions from the information presented to the Council by NVH. Whilst the reporting has been open and transparent and the statistics compiled seem accurately to reflect the results of surveys the value of the results is hard to determine. The Panel comments further on engagement levels at paragraph 52.

33. Focus Groups

- 33.1. A number of focus groups were held by NVH to engage with particular groups of residents, businesses and stakeholders. Attendance for most was by invitation and a variety of methods were used to promote the events depending upon the intended audience.
- 33.2. The focus groups tended to concentrate on stakeholder groups who have specific needs and interests such as the elderly, business owners, education

providers and health services. Groups were identified at a fairly early stage and planned sessions were notified to the Council as part of the report at Milestone 2. Not all of the sessions originally planned took place as a result of changing circumstances (e.g. a meeting with the Allotment Society was not necessary once the allotments were removed from the proposed scheme) and additional sessions were added in as they were required.

- 33.3. NVH has reported back, via the Milestone reports, the findings of the various focus groups. From the reports it would appear that some of the groups originally identified in the report at Milestone 2 have not been engaged as groups but have, instead been engaged on a one to one basis.
- 33.4. In addition to focus groups, NVH has engaged with various other parties and groups on a one to one basis. Groups include the Shah Jahan Mosque, the Church of England (Guildford Diocesan Group), MASCOT and Housing Associations.
- 33.5. Focus groups are used by NVH as a means of communicating Project information to groups and as a way of collecting feedback on the Project and the needs and aspirations of those groups to inform the design proposals.

34. Regen Central

- 34.1. NVH acquired the use of a vacant shop unit in Dartmouth Avenue which has been used to run a central information hub and meeting point known as Regen Central. This opened in January 2015.
- 34.2. Opening hours were originally Tuesdays, Wednesdays and Thursdays between 10am and 2pm with appointments being available from 2pm to 8pm on Wednesdays and, following feedback from residents the late appointments were changed to Tuesdays. Out of hours appointments were advertised as being available although the Panel understands that the uptake on these has been low.
- 34.3. In responses to the Panel's feedback form, many people commented that, due to work commitments they were unable to access the facility provided by Regen Central despite evening appointments being available. It was not clear from the majority of the responses received whether the responder was aware of the availability of appointments, either on Tuesday evenings or at other times by arrangement. Increased publicity in this respect may be warranted.
- 34.4. The Panel received some negative feedback about Regen Central, particularly concerning the opening hours. Some residents reported that the facility was not always open when advertised. The Panel made enquiry of NVH in this regard and was assured that the facility has been open when advertised. In the absence of firm evidence to the contrary the Panel must accept that this is the case. The Panel has visited Regen Central on a number of occasions and found it to be open. We have commented that the lighting and glass fascia are such that it is not immediately apparent that the unit is occupied in some light conditions but the presence of the "A board" outside the unit assisted in communicating that the facility was open and also made people stop to look what was on it (observed by the Panel).
- 34.5. The opening hours of Regen Central are undoubtedly the subject of some rumour within the community with statements such as "I hear the people work

and sit behind closed shutters (not very inviting) and if you do get in they are not very knowledgeable (not helpful)” being reported to the Panel. Rumour, unfortunately, cannot easily be disproved and, particularly where such rumour supports a cause (in this instance the cause against regeneration) it quickly spreads.

- 34.6. There is similar rumour circulating about the quality of information available at Regen Central with statements such as the following being made: “Haven’t been. And is due to comment from friends, residents and families who have been. They have come away angry at the lack of info given and being yet told again it will be better for us. This attitude by NVH isn’t helping to relieve the stress that we residents are living with. Going there would only add to the stress not relieve it.”[sic]
- 34.7. Comment about Regen Central is not all negative and there are some residents who have positive comments to make, particularly relating to interactions after the Masterplan Design Exhibition. It would not be unreasonable to conclude that this was really the first point in time at which more detailed information could be given regarding the proposed regeneration and thus residents’ needs were more capable of being addressed.
- 34.8. One resident in their feedback to the Panel commented: “Perhaps this initiative should have been investigated at a much earlier stage so residents could have the opportunity to speak to a representative. Regen shop came too late for many residents.” This is a view with which the Panel has some sympathy and is discussed further at paragraph 7.5 *et seq.* of the Overview to this Report.

35. Regeneration Newsletters

- 35.1. NVH has produced various newsletters over the course of the Project thus far. Initially the newsletters were produced on a quarterly basis but as the Project has progressed the frequency of the newsletters has changed and there is no longer a discernible pattern. News sheets have been produced for discrete items such as specific design and engagement topics. There has been no Newsletter since December 2014/January 2015.
- 35.2. It is clear that the Newsletters are an information source for residents and, in themselves, they do not form part of the consultation. They are, however, used to communicate details of the consultation.
- 35.3. Feedback varies as to whether residents have received copies of the Newsletters with some residents suggesting that they have not received them although back copies are available on the dedicated website.
- 35.4. The Panel is unable to state whether there has been an issue with the distribution of the Newsletters but comments further on media distribution at paragraph 47.

36. Regeneration Website

- 36.1. A dedicated website (www.sheerwater-regeneration.co.uk) was set up as a platform for NVH to communicate information about the Project to the wider community.

- 36.2. Prior to the dedicated website Project information was presented on the Council's website and on the website of NVH.
- 36.3. The website is co-branded by the Council and NVH and utilises the Project colour scheme which is found on the Newsletters. It contains very basic information about the Project and the Project partners. Following the Masterplan exhibition the fly-through video and exhibition boards were added to the website for people to view at their leisure. Notes from the early CCFs (but not the later ones) are available to view as are the Newsletters and draft Community Charters.
- 36.4. Residents are encouraged to contact NVH through Regen Central or by telephone for further information about the Project.
- 36.5. The website has been updated as the Project has progressed but changes appear to have been fairly limited. The report produced for Milestone 7 referred to a document archive being created to allow residents and stakeholders to access older documents which had previously been on the website but moved to make way for more up to date information. To the Panel's knowledge the archive has not been created and the only documents retained are the notes of the early CCFs and the Newsletters. It is therefore challenging for residents to see how the project has progressed and how plans have changed. Presentational material from early exhibitions is not available (nor was it available in hard copy to take away from the event).
- 36.6. The website appears to be an important part of the engagement strategy adopted by NVH on behalf of the Council. It was suggested to the Panel that the majority of people have access to the internet and would therefore be able to access the information contained on the website. Whilst it is accepted that more people now have access to the internet, to rely heavily on a website as a method of communicating with a community is, it is suggested, not ideal. Many people will use mobile devices to access the information and whilst the site appears to have been made "mobile friendly" many of the downloads are sizeable and could not easily be viewed on a small screen. Furthermore, the Panel met with several individuals who were not connected at all. Whilst community facilities are available for those without their own resources it is suggested that more traditional, paper-based, information would be more appropriate.

Recommendation:

Consideration should be given to providing alternatives to sit alongside internet-based information where possible.

37. Other Engagement Activity

- 37.1. NVH has undertaken a number of other engagement activities to inform residents and stakeholders, address individual issues and gather feedback on the Project as it has progressed. These engagements have included:
- 37.1.1. A "Sheerwater Questionnaire" carried out as a door-to-door exercise between August and October 2013 which canvassed 601 homes within the RLZ and resulted in 324 completed questionnaires;

- 37.1.2. One-to-one sessions with certain stakeholders including housing associations, the football club, the dental surgery and individual residents (upon request);
 - 37.1.3. Drop-in sessions which have provided a more informal format than the CCF meetings;
 - 37.1.4. Attendance at the Sure Start Centre, ADSA and MASCOT Hub; and
 - 37.1.5. Coffee mornings at St Michael's Church.
- 37.2. Sheerwater Community News is a local news publication distributed to homes in Sheerwater through a network of distributors. This publication is independent of the Council and NVH but has carried news and views on the Project.

38. Public Meeting – September 2014

- 38.1. A public meeting was held on 9 September 2014 in response to public requests for an open meeting at which residents could ask questions of NVH and the Council. The meeting was independently chaired by Mr Peter Gordon of Eagle Radio to ensure impartiality in the running of the meeting.
- 38.2. The meeting was held at the Bishop David Brown School and attendance was very high with the venue being filled to capacity.
- 38.3. There was no pre-agreed format for the meeting (save for the end time) and no agenda. Instead, questions and statements were taken from attendees in turn and a panel comprising NVH and Council representatives responded.
- 38.4. Upon viewing the recording of the meeting it is clear that emotions were running very high and responses from the panel were met with heckling and attendees attempting to talk over the top of the responses. As such, the success of the meeting in allowing an exchange of information between residents and the Council was limited.
- 38.5. Several themes were apparent from the comments made by residents including the designation of Sheerwater as a deprived area and the need to regenerate properties that were not considered wanting. Residents sought answers to specific questions about tenures, availability of properties in the new scheme and compensation. Overarching many of the comments was a sense that the residents had not been consulted on whether or not they wanted regeneration of the area at all.
- 38.6. It is considered that the public meeting was ineffective at addressing the needs of the community and engaging with them in a more open fashion. Whilst the intention to allow the public to air their concerns was well meant it is suggested that this meeting merely fuelled the upset and distrust. The Project, at the date of the meeting, was not sufficiently advanced to allow questions to be answered in full. A better approach may have been for the Council to explain exactly what it wished to achieve with the regeneration and why it felt it was necessary to do this. An explanation of NVH's role could then have been given to clarify the fact that NVH was not being tasked to ask

whether there should be a regeneration but what shape it should have if there were to be a regeneration. This is discussed further at paragraph 42.13.

- 38.7. There was no follow up by the Council or NVH after the public meeting and, it is suggested, this was a missed opportunity to address some of the common issues that had been raised during the meeting such as what was meant by deprivation and why the Council had the intention to transform the community.
- 38.8. Following the public meeting an open letter was sent by a group calling itself the Sheerwater Resident's Association ("SRA") to the Council comprising a large number of outstanding questions that they felt were unanswered following the meeting.
- 38.9. Whilst consideration was given by the Council as to how this meeting should be conducted, for example, the use of an independent chairman, the Panel considers that the outcome of this meeting was a failing on the part of the Council. The comments and questions that were raised at the meeting were, on the whole, not new and should have been anticipated by the Council. Rather than allaying anxiety, the format of the meeting (or lack thereof) had the effect of raising anxiety levels. This was a missed opportunity to engage meaningfully with the community on the underlying question that many feel is unasked and unanswered: whether Sheerwater should be regenerated or not.

39. The Open Letter

- 39.1. On 7 January 2015 an open letter (the "Open Letter") was sent by the SRA presenting questions which certain residents felt were unanswered at that time. The letter also contained "statements of fact" from some residents. The foreword to the letter stated that residents felt that they had not been effectively consulted nor listened to.
- 39.2. The questions in the Open Letter were submitted by 37 residents, 36 from Sheerwater (both in and out of the Red Line Zone) and one from Woodham. The submissions, in some cases, were on behalf of a number of individuals.
- 39.3. The Open Letter requested that the Council put a stop to the Project to properly consider the views of the SRA.
- 39.4. The Open Letter contained statements and questions on a number of topics, many of which go to the merits of the Project and so, in themselves, fall outside of the scope of review of this Panel. A considerable number of comments were made in relation to the engagement and consultation process, which comments have been taken into account in the Panel's review. There were also comments made in relation to the tender process for the Housing Management Contract.
- 39.5. The Council, through Mr Rolt, responded to the Open Letter on 20 January 2015 and this was then followed by a subsequent response from the SRA on 12 February 2015. A further response from the Council was anticipated by 9 March 2015.
- 39.6. Responses to the initial questions presented by the SRA were criticised by the SRA as being general and rebuttals restated the SRAs arguments and/or challenged the answers provided by the Council. The SRA were encouraged

to attribute certain comments and questions such that the Council could engage on a one to one basis in respect of personal issues.

- 39.7. The Panel considers that many of the questions raised in the Open Letter were not capable of full answer at the time that the letter was submitted (or indeed at the date of this report) as a result of the Project not being sufficiently far advanced and no planning permission having been obtained. However, the sentiment and subject matter of the questions will have been further highlighted to the Council.
- 39.8. There were delays in acknowledging the second response from the SRA by the Council and a more general recommendation has been made which covers this at paragraphs 53.11 and 53.12.
- 39.9. The Panel considers the fact that the SRA felt the need to send such a comprehensive open letter is, to an extent, further evidence of the failure of the September public meeting to achieve its aims.

40. Petitions

- 40.1. For the sake of completeness it should be noted that a number of petitions have been submitted by residents in relation to the Project, some of which have been heard by the Executive and some by Full Council. In each case, the petitions have been noted.
- 40.2. Residents have expressed frustration that little appears to have changed as a result of the petitions (save, perhaps, for the formation of this Panel, although that in itself was not without some controversy). That little appears to have changed is, perhaps, a result of the structure of the Project itself. The petitions have all been noted and Councillors are therefore aware of the concerns raised. At gateway 3, when NVH seeks permission to submit a planning application for the proposed scheme, Councillors will be aware of, and should take into consideration, the concerns raised in the petitions.
- 40.3. That Councillors have not chosen to delay or halt the Project as an immediate result of the various petitions is not, of itself, a failure of process. It is not for this Panel to interfere with or comment on decisions rightly taken as a result of the democratic process (save perhaps where such decision is considered to be manifestly wrong and/or taken for improper purposes).

Engagement Issues and Outcomes

41. Issues with Engagement

- 41.1. Under the Underwrite Agreement, the Council outsourced the bulk of their community engagement programming to NVH. NVH have utilised a variety of methods of engagement with residents, stakeholders and the wider community and NVH have adapted their approach in response to presenting issues.
- 41.2. Feedback from engagement appears to have been openly and honestly presented by NVH to the Council in the Milestone reports.
- 41.3. Whilst there has been open reporting of engagement, the low level of attendance at certain events should be taken into account when looking at statistics presented from such events.
- 41.4. The question that must be asked, however, is why some residents and other interested parties state that they have not been engaged in consultations. It is a recurring theme, both in the enquiries of this Panel and throughout the feedback given directly to NVH and the Council.
- 41.5. There would appear to be no shortage of opportunity for residents and interested parties to engage yet attendance at events has been, in the main, poor and, of those who have attended the events, relatively few have completed feedback exercises. There has been reported disruption at many of the sessions. An overview of the engagement opportunities is provided at Appendix 8.
- 41.6. It is suggested that a number of things have contributed to this perception of a lack of engagement but it should be stressed that this Panel's purpose is not to apportion fault or blame but consider this perception in light of evidence presented, to add independent comment on the processes and actions of the Council and NVH that may have led to this perception and to make appropriate recommendations.

42. Building Trust

- 42.1. As discussed at paragraph 28 the Project was launched to the public by the issue of a booklet setting out brief details of the Project and inviting residents to a drop-in presentation. Whilst there had been some prior consultation on discrete matters, such as leisure, this was the first most residents had heard of plans to regenerate their neighbourhood.
- 42.2. Furthermore, the fact that some residents were made aware of the proposals through the media, rather than the Council, a mistake acknowledged by the Council, meant that there was mistrust and ill-feeling from the start for some people.
- 42.3. For transformational projects such as this it is important that there is trust and that residents get a sense that the Council are "doing with" rather than "doing to". In order to build trust, however, there must first be a relationship. On the part of the Council there must be an agreed focus, objective and plan that is people centric and does not concentrate on housing alone.

- 42.4. It was acknowledged, in evidence, by both Officers and Councillors, that the relationship between the Council and the Sheerwater community was limited. The Chief Executive spoke of the Council being viewed as “suits from the Civic” and the Panel heard of previous interventions that, whilst well intentioned, had perhaps left the community in a worse state than before.
- 42.5. Further, it was acknowledged that the Council had, over the years, added to some of the issues in Sheerwater that this Project now seeks to address. Much of the Council’s one-bed housing stock is to be found in this area and this has resulted in a disproportionate number of vulnerable individuals being moved into the area.
- 42.6. It is against this background that the Project was launched.
- 42.7. The Panel heard from some residents, both officially and unofficially, that there was a sense that they would not be affected by the Project despite living in, or close to the original Red Line Zone. Some felt that the regeneration would amount to nothing; a proposal that would simply go away.
- 42.8. Such feelings were, perhaps, not surprising. Proposals to improve the leisure facilities at Bishop David Brown School had been debated for many years (indeed planning approval had been secured in 2005) but no progress had been made. Similarly, other interventions aimed at improving areas of perceived difficulty, such as the grant funding issued to the Sheerwater and Maybury Partnership, have been and gone with little legacy.
- 42.9. The need to build a relationship with the community is, as a result, heightened as the existing relationship, in so far as one exists, is not overly positive. Citizen involvement helps build trust and boosts local ownership of issues and projects. The fostering of trust within that relationship will help counter feelings of exclusion and resistance provided always that residents feel that they can make a difference.
- 42.10. The lack of a positive relationship between the Sheerwater community and the Council has not, in the opinion of the Panel, been aided by the ward Councillors. This is discussed further at paragraph 46 below.
- 42.11. That there is not a positive relationship between the Council and the Sheerwater community seems to have resulted in a lack of trust on the part of some residents. Views were expressed by some residents that the Council just don’t care or that the Council thinks it can just ride rough-shod over the residents of Sheerwater. The Panel is satisfied that this is not the case.
- 42.12. The Panel has heard evidence that certain Councillors, taking the Project at face value, have assumed that improvements in the Sheerwater area would be welcomed by the community. The intention was certainly good and founded upon a desire to bring improvements to the Borough as a whole but perhaps demonstrates a level of naivety in assuming that everyone wants and needs the same things. This, coupled with an under-representation by Councillors has meant that perhaps the voice of the resident was not championed as much as it should have been at an early stage.
- 42.13. The Panel has heard evidence from residents that no-one has asked them whether they actually want Sheerwater to be the subject of a regeneration

and, similarly, that when asked their preferences in relation to proposed options there has been no ability to say that they don't want any of the proposed options on the basis that they don't want a regeneration. There is a sense, from the perspective of some residents, that the right questions are not being asked and that as a result their views are not being taken into consideration. On the other hand there is a strong desire on the part of both the Council and NVH to engage the residents and to seek their views. However, and this is where there is a large gap between the Council and those residents who would like a "none of the above" option, NVH's brief, insofar as one existed, was not to determine whether residents wanted a regeneration, but given that a regeneration was desired by the Council, to work up a proposal for a regeneration taking into account the views and opinions of the residents. Put simply, no was not an option. Unfortunately this state has not been communicated effectively to the community which in turn has fuelled the sense that residents are not being listened to.

43. Engaging with Community Groups

- 43.1. One of the challenges of engaging with a community is that one needs to build a relationship and establish trust amongst diverse groups. Identifying groups and key individuals who best represent the needs of a community is key to engaging with the community as a whole.
- 43.2. Whilst both the Council and NVH identified a number of key stakeholder groups with whom they needed to consult on the Project there was, prior to, and at the date of the Project launch, no identifiable group that represented the wider community as opposed to special interest groups. There was no residents association or similar body, open to all that could be consulted with.
- 43.3. The Council were aware that no such representative body existed within the Sheerwater Community. The Panel heard that attempts had been made to help individuals to establish a Neighbourhood Forum (as provided for under the Localism Act 2011) for the area but that no progress had been made. Neighbourhood Forums are community groups that are designated to take forward neighbourhood planning.
- 43.4. A local authority can encourage, but cannot compel the establishment of a neighbourhood forum for a particular area. It is a citizen led process. Woking Borough has five communities who have a neighbourhood forum and who have, or are currently seeking, to prepare a neighbourhood plan. The communities that have established neighbourhood forums would be viewed by many as being communities who are traditionally actively engaged with the Council on matters and who have, or had active residents' associations (or similar).
- 43.5. Whilst the formation of a neighbourhood forum would take too long now to have an effect on the Project it is suggested that efforts continue to support and encourage residents to form a forum as this will help empower the community and boost local ownership of community matters.

Recommendation

Residents and community groups should be encouraged and supported to enable them to form Neighbourhood Forums.

- 43.6. As the Project has progressed, various (non-statutory) groups and bodies have emerged, formed by residents, in response to the emerging plans. These groups include the Sheerwater Residents Association and the Sheerwater Home Owners Alliance. More recently a group called Sheerwater Residents' Forum has been established by residents (it should be noted that this is not a neighbourhood forum under the Localism Act 2011).
- 43.7. It would appear that the three groups listed above are effectively the same group although it is acknowledged that the Sheerwater Residents Association and the Sheerwater Home Owners Alliance started out as different entities, led by different people, the former being tenant led, the latter home-owner led. They are all now led by the same individuals.
- 43.8. At the commencement of the Project, in the absence of a residents' association, NVH had no access to a representative group of residents who lacked a special interest. The closest it got was the CCF which was formed as a result of a larger than expected response from residents who wished to volunteer themselves for a steering group. The CCF has not performed effectively as a steering group or consultative body. As discussed at paragraph 32 meetings of the CCF were not always well attended and it was reported that some meetings were disrupted by members of the emerging associations.
- 43.9. NVH stated that they had attempted to engage with the emerging residents' associations but with limited success. Representatives from the emerging associations on the other hand state that NVH were not engaging with them at all.
- 43.10. The Panel have no reason to doubt that attempts have been made to engage with the various associations as they have emerged. It is suggested, however, that the level of emotion and distrust was sufficiently high at the point of such attempts that any engagement would have been extremely difficult. The associations appear to want to be consulted on the question "should we redevelop?" whereas the brief for NVH is to come up with and submit design proposals to the Council.
- 43.11. The question of whether the emerging residents' association is representative of the community should be asked. As the Project has progressed, several informal groupings, many with similar names, have come under a common leadership and a group referring to itself as the Sheerwater Residents Association ("SRA") has emerged as the voice heard by the Council, NVH and indeed this Panel.
- 43.12. Given the relatively low levels of engagement in consultations and the work of this Panel it is difficult to assess whether the views of the SRA are shared by many or few. Similarly challenging is an assessment of how widespread opposition to the Project is (whether within the SRA or not).
- 43.13. The Panel has received representation that some residents have felt pressured into signing petitions and intimidated by those opposing the Project. It has been suggested by Councillors, officers, NVH and some residents that those who support the Project are quiet and afraid to voice their support. There is suggestion that those who support the proposals have left

consultation events, frustrated that they cannot engage meaningfully when events are disrupted.

- 43.14. The Panel have no way of effectively determining whether or not those in favour have found it difficult to be heard. We have received feedback which supports the contention that some people have ceased to engage as a direct result of disruption to meetings resulting in NVH not being afforded the chance to answer questions.

44. Equality of Information and Engagement Across Tenure Types

- 44.1. At the start of our scrutiny enquiry an important question was raised as to whether there was equality of information and engagement across the differing tenures i.e. homeowners, private tenants, housing association tenants and social tenants.
- 44.2. Each tenure type brings with it a different set of challenges, a fact which is recognised in the production of different Community Charters for each type.
- 44.3. The Panel has not received any evidence which suggests that the differing tenure groups are being treated differently by NVH or the Council. However, the Panel has concerns about two of the groups in particular.
- 44.4. It has been suggested that housing association tenants have had difficulty engaging with the housing associations, some of whom have allegedly reported that they know nothing about the Project. The Panel are aware that NVH have engaged with the various housing associations but it is suggested that, if the Project continues, Council should be alive to a potential information gap or lag for these tenants.
- 44.5. The second group which merits comment is the homeowner group. This appears to be the group which is dominant in the SRA and has been the most vocal group to date. It is important that the views of all residents are heard and given equal weight with no tenure type exerting more influence than any other.

45. Identification of Consultees

- 45.1. As noted at paragraph 25.7 above, NVH, through their communications strategy, identified a number of stakeholders with whom they proposed to consult. It was acknowledged that the list was not exhaustive and would be added to as the Project progressed and additional stakeholders were identified. Views and opinions from those outside of the immediate community affected were received and this was encouraged as positive community engagement.
- 45.2. Some Sheerwater residents have questioned whether the opinions and views of people residing outside of Sheerwater should be taken into account. In particular, there is criticism of statistics which have been used by NVH and the Council which include the views of residents of the wider Borough. However, NVH have presented statistics and consultation outcomes in a way that demonstrates whether they are the views of residents of Sheerwater or the wider community where such data is available allowing the Council the ability to see the source of feedback in many cases.

- 45.3. Whilst it is understandable that Sheerwater residents would seek to promote their opinions above those of the wider community it is not considered that the views of the wider community should be ignored or viewed with any less weight. Opinions should be put into context, understood and evaluated for what they are. Each individual or group will be differently motivated to respond in the way they do.
- 45.4. An example of this is perhaps the majority view of those residents who reside in Woodham who have engaged in relation to the Project. When the planning application for increased leisure facilities at Bishop David Brown School came before the planning authority in 2005 Woodham residents objected to the plans. The leisure survey in 2012 saw support for increased leisure facilities from residents of Sheerwater but drew objections from Woodham residents. In 2014 a consultation was undertaken by the Council in relation to proposed changes to the warding pattern in the Borough. It was proposed that Woodham and Sheerwater would be grouped together. Representations from Woodham objected on the grounds that there was no connection with Sheerwater and that the areas were too distinct to be combined. However, Woodham residents are supporting the objectors in Sheerwater in relation to this Project.
- 45.5. The Panel considers it important to recognise that the aims and objectives of the Council in this Project have a wider reach than the immediate Sheerwater community and, as such, it would be wrong to exclude the views of those from elsewhere but the Council should be cognisant of the source.

46. Elected Representation in the Ward of Maybury and Sheerwater

- 46.1. Throughout the Panel's scrutiny enquiries, comment has been made about the level of effective representation that residents in the Sheerwater part of the ward of Maybury and Sheerwater have had.
- 46.2. The ward of Maybury and Sheerwater comprises two distinct communities and, whilst there will be needs common to both communities, their profiles remain distinct. Over recent years and certainly throughout this Project, Councillors for the ward have predominantly been elected from within the Maybury community. This Panel has received comment from residents of Sheerwater and wider community that suggest that Sheerwater is, or has been, poorly represented. We have also received representation from Councillors and Officers that recognises that the Sheerwater community is perceived as being under-represented. However, the Panel has received little, if any, evidence that suggests how this perceived under-representation has been practically addressed. Indeed the Chief Executive in his evidence commented that where traditionally additional efforts were made to engage with and reach recognised hard-to-reach minority groups, the reality in Sheerwater was that the hard-to-reach group actually formed a much larger, possibly even majority group, which group had previously been recognised through the work of the SSP and Council, who were not engaged and not well represented.
- 46.3. Sheerwater residents have also commented that they have heard and continue to hear, little, if anything, from their ward Councillors. Councillors play an important role in communicating the will of the Council to their constituents. In Sheerwater this role appears not to be being performed.

- 46.4. It is not for this Panel to comment upon individual Councillors who have been duly elected or to question or challenge the electoral process for to do so would be to wrongly interfere in the democratic process; if residents are unhappy with the representation that they receive the correct place to address this is at the ballot box.
- 46.5. It is a matter of public record that the ward of Maybury and Sheerwater has experienced issues relating to the electoral process over recent years. The turnout at the last local election was 59% for the ward as a whole (including postal votes), with a turnout of around 45% at the polling stations in Sheerwater (not taking into account postal votes as the data is not broken down to polling station level). Historically, turnout figures for the ward have not differed dramatically from turnout figures in other wards across the Borough although in 2015 Maybury & Sheerwater ward recorded the lowest turnout in the Borough.
- 46.6. The Panel spoke to the Maybury and Sheerwater ward Councillors (both current and those who held the seats immediately prior to May 2015) as part of its scrutiny process. All stated that they had been fully engaged in the Project and had liaised with residents. Such assertions were challenged by residents and businesses.
- 46.7. What appears clear is that, when questioned, few examples of engagement could be cited although all said that they responded to any requests that they had received. It could rightly, therefore, be concluded that there has been little, if any, pro-active engagement with the Sheerwater community by ward Councillors, particularly in the critical early stages of the Project.
- 46.8. There is no obligation on a Councillor to proactively engage with the public however Councillors are under a duty to represent the needs of the Borough, and more particularly their wards, and to actively encourage citizen involvement in decision making.
- 46.9. Ward Councillors, in evidence, stated that they did not attend and actively participate in Sheerwater Oversight Panel meetings giving the reason that, as observers, they felt side-lined.
- 46.10. It is suggested that, given the perception that appeared to be prevalent amongst many Councillors that Sheerwater was poorly represented and the lack of attendance of Sheerwater ward Councillors at Sheerwater Oversight Panel meetings extra effort was warranted to ensure that the needs and views of Sheerwater residents were being effectively represented.

Recommendation:

Where, on a substantive project affecting a particular ward, it is suspected that ward Councillors are not engaging actively with the constituents they were elected to serve, efforts should be made by the Leader of the Council supported by other Councillors to encourage participation and/or minimise the effects of any lack of representation. This may be particularly pertinent in wards which are made up of more than one distinct community.

- 46.11. The relative lack of engagement of ward Councillors, coupled with the lack of meaningful relationship between the Council as a whole and Sheerwater

residents has, it is suggested, exacerbated the discontent that residents now feel.

- 46.12. The Panel heard in evidence that Councillors and Officers considered that were this Project to have been proposed in other areas (Hook Heath, Woodham and Horsell were all quoted) we would not be where we are today as the historical levels of engagement in other communities is significantly higher than that found in Sheerwater. There are, of course, a number of very significant differences between the referenced communities and Sheerwater but the point that was being made was that these communities would have been more likely to engage at an early stage and would have been less likely to assume that any proposals would not have come to fruition or would not affect them. Sheerwater residents have, in some sense, realised the Project's impact much later than would have been expected elsewhere.
- 46.13. However, whilst some responsibility must attach to individuals and residents, the historic lack of engagement was not unknown to the Council and should have come as no surprise. Consideration should have been given to ensuring that there was an effective way of communicating and engaging with the Sheerwater community at a much earlier stage in the Project. This would have allowed the Council to ensure that residents understood what was being proposed, why it was being proposed and, importantly, what they were being consulted on. It is apparent that all three of these areas are less than clear in the minds of some residents.

Recommendation:

Care should be taken at the commencement of any project which is likely to have a significant effect on a community that that community is assisted in understanding what is being proposed, why it is being proposed and what it is being consulted on.

Where there is a shortfall in understanding, procedures and protections should be put in place to minimise the impact.

The Council's Marketing Communications Team should be involved in strategic planning to assist in this regard.

47. Passive or Active Engagement?

- 47.1. There appears to be an expectation on the part of the Council that residents will engage with the Council on matters that concern them. This is probably broadly true for many communities that are naturally engaged already with the Council or effectively empowered by ward Councillors and active residents associations.
- 47.2. However, for communities that do not have a meaningful relationship with the Council and for those where there is a lack of trust in the Council it is suggested that this needs to be identified at an early stage and greater steps taken to encourage and facilitate a resident's ability to engage meaningfully.
- 47.3. The engagement needs to be active, that is to say that it should not rely wholly on a resident taking the first steps to engage, whether that be attending a meeting or returning a questionnaire. It is for the Council to seek

to establish the engagement. Engagement must also be tailored to the needs of the community it seeks to reach.

- 47.4. As far as the Project is concerned, the first engagement wholly related to the Project came in the Project launch brochure. It was left to the resident to read and understand what was being proposed and then engage with NVH at the launch event.
- 47.5. The Panel received and heard much evidence about the manner of the launch and, in particular, how printed media is received within the Sheerwater Community. It was suggested that many residents do not read material that comes through the door unless they think it important and directly relevant to them.
- 47.6. The launch brochure was not sent under a covering letter addressed to a named individual. It was branded with Council and NVH logos. In some cases it was left in communal areas of properties. It is not difficult to see how easy it would have been to ignore such a mailing and to pass it off as “just another Council paper”, particularly given the history of the relationship between Sheerwater and the Council. From a home owner’s perspective, it was suggested to the Panel that it was felt that the leaflet did not apply to them – NVH were established as the Council’s maintenance provider and as private owners such residents would have had no relationship with NVH.
- 47.7. Whilst the Panel cannot prove whether the launch brochure was given full attention by the recipients it is not unreasonable to assume that some recipients would have considered it not applicable to them, particularly as a result of it being an unaddressed leaflet.

Recommendation:

Addressed mail should be used wherever possible to convey major communications to their recipients.

Particular care should be taken when determining the method of distribution of communications to communal buildings if direct mail is not used.

- 47.8. It was suggested to the Panel that the launch of such a project would have merited personal visits to properties as a first engagement. The Panel considers that this is not unreasonable. Indeed, it was acknowledged, when undertaking the leisure needs analysis in August 2012, that due to the recognised difficulty in engaging with individuals and groups in Sheerwater a door-knocking exercise would be undertaken aimed at consulting those most immediately affected by the proposal. It is considered that this Project potentially affects residents to a far greater degree than the provision of additional sporting facilities and, as such, it is surprising that a similar exercise was not undertaken.

Recommendation:

Preference should be given to individual, face-to-face engagement for matters that may have a significant effect on an individual or community to ensure a greater degree of understanding and to build a relationship on which the Council can develop.

- 47.9. It is considered that the method and manner in which the Project was launched was fundamental to the situation the Council (and NVH) finds itself in today. It put the Council on the back foot and possibly exacerbated the issues faced by NVH in consulting with the community.
- 47.10. Following the launch, the Panel considers that the opportunities for residents and other interested parties to engage have been good. NVH have adapted and changed engagements and communications in response to perceived community needs.
- 47.11. That such changes and adaptations have, in some cases, been less successful is, in part, due to the fact that the engagement of some residents was lost before it began.

48. Delegation of consultation

- 48.1. Part of partnership working is the ability to delegate responsibility to a third party to carry out actions on your behalf. Following the Project launch, responsibility for consultation and communication was passed to NVH.
- 48.2. Some residents have queried the appropriateness of using NVH to consult on the Project believing that NVH have a vested financial interest in the Project. Reconciling the profit-driven model of the private sector with a rights-driven public services model will always prove challenging.
- 48.3. It would appear that there is no “best practice” with regard to whether or not to use a consultant independent of the project. Some similar projects utilise independent third parties to carry out consultations, others keep it in-house.
- 48.4. Aside from a sense that some residents feel that NVH will be prejudiced in their approach, the Panel has had no evidence to suggest that this is actually the case. As has been stated in this report, NVH appear to have reported openly and fairly to the Council on consultation and engagement matters.
- 48.5. With the benefit of hindsight the Council may consider that using independent consultants would have been beneficial in this regard. Perception is important and speculation that arises from a negative perception is damaging to the Council’s ability to carry out its functions. It is suggested, however, that the use of independent consultants may, in the absence of changes to the Project launch, have had little effect as any consultant would still be consulting on the same questions as NVH and not the question that the majority of the objecting residents want to be consulted on, that of whether to regenerate or not.

Recommendation:

Consideration should be given in future projects to whether independent consultants should be used to engage or facilitate engagement with residents to counter any issues of perception that a contractor may not act fairly or openly.

- 48.6. There is, perhaps, a bigger question to be asked here and that is whether it is appropriate to fully delegate consultation and have the Council appearing to distance themselves from major projects.

- 48.7. Whilst in evidence Council Officers and Councillors were quite clear that the Project was a Council project (discussed further at paragraph 18), from a resident's perspective this has not been clear.
- 48.8. Had Council representatives been available at consultation events it may have been possible to gauge, at an earlier stage in the Project, what the evolving issues were and come up with solutions as to how best to address them. NVH have never had the ability to address the question most asked in opposition to the Project namely should the regeneration happen at all.
- 48.9. It is suggested that, following the presentation of the various petitions to Full Council and the Council's Executive to stop the Project, consideration might have been given to the Council engaging with the community to explain why NVH were being asked to bring together a proposal for regeneration and why there was no "no" option with NVH's consultation. As set out at paragraph 38 above it is suggested that the public meeting might have been the appropriate time for this although by that stage feelings were already running high in certain parts of the community.

49. Use of Language

- 49.1. Communication depends on good use of language and, particularly with the written word, when poor choices are made the effect on the reader can be great.
- 49.2. The Project has been beset by emotive words and phrases that the Sheerwater community find it hard to relate to. Perhaps the most emotive of them all is "deprivation".
- 49.3. No one likes to think of themselves as deprived and many who are truly deprived may not think of themselves as such. This is even more the case when talking of a deprived area as is the case with this Project. Many Sheerwater residents can identify what they see as deprived properties within the estate with broad agreement that this encompasses the Dartmouth Avenue and Devonshire Avenue flats but people who live in these properties may not view themselves as deprived.
- 49.4. From evidence the Panel has seen it is apparent that some residents do not accept and appreciate the basis upon which the area in which they live has been labelled as deprived. It has not been clearly explained, save perhaps during the Hearings which this Panel held, what was meant by deprivation and exactly why the Council need to consider such a large transformation to address the issue of deprivation. Residents, understandably, look at their properties, and fail to understand how they could be considered as deprived. The situation is compounded by the fact that the visible part of the proposed solution is a building project. On the face of it, a resident who has a sound home into which they have invested time, money and emotion does not need a new house and is not deprived.
- 49.5. There are other examples where it is considered that language has been used inappropriately or where the choice of word has added unnecessarily to the emotion of the Project.

- 49.6. Examples which speak for themselves include the use of the word “demolition” as a paragraph heading in the launch brochure or the conjunction of “we are delighted to enclose...” with “...we will need to acquire your property” in the letter that accompanied the Community Charters.
- 49.7. It is suggested, however, that the use of the word “regeneration” has, of itself, caused harm. Residents have put forward the view that they do not consider the Project to be regeneration as they do not consider the entire area to be in need of regeneration. The Panel has a degree of sympathy with this view. Notwithstanding semantic points, the Project is engaged in regeneration as it is traditionally understood. Whilst it might also be categorised alternatively as a redevelopment or, a transformation, it would be worthwhile to consider the ambitions of the Council in their broadest sense. Although redevelopment of the area is part and parcel of the Core Strategy, the wider requirements of the area, as disclosed by the Indices of Multiple Deprivation would suggest multi-agency activity beyond purely physical transformation. This might suggest an approach to the entire project which is as people-centric as it is property-centric. This mind-set would, in the opinion of the Panel be a truer reflection of what Council states its intentions are for the area. The Council needs to be clear on whether the Project is housing redevelopment or whether there is a real desire and intention to address those issues which have led to the description of Sheerwater as a deprived area and communicate that to the community.

Recommendation:

Care should be taken to describe the Project in a way that accurately reflects the situation and the Council’s plans and ambitions.

50. Communication of Changes to the Project

- 50.1. As the Project has progressed a number of changes have been made which directly impact the residents. The most notable of these are the changes that have been made to the Red Line Zone.
- 50.2. The Panel commented at paragraph 28.6 above that it did not consider the launch brochure to have been clear in its communication that the Red Line Zone was subject to change. Whilst it was clear that the area shown in that publication was a “proposed development area” it is suggested that this did not adequately convey the fact that the area was not set. As the Project has progressed the size and shape of the proposed regeneration area has changed and properties have both come into, and been taken out of, the proposed development area to form the Red Line Zone.
- 50.3. As properties have been brought into the proposals, residents have been contacted to inform them of this.
- 50.4. The lack of clarity surrounding the ability to move the Red Line Zone has, perhaps, contributed to the sense of confusion amongst some within Sheerwater and may have added to the number of residents who felt that the scheme would not affect them and, as a result, did not engage in the early stages of the Project.

- 50.5. The Panel has heard no evidence directly criticising the way that those brought into the Red Line Zone have been informed and one to one meetings were arranged for those people. However more could have been done in the first instance to alert people to the fact that they may move in or out of the Red Line Zone until such time as it is fixed.
- 50.6. It is considered that other Project changes have been communicated effectively with the residents and wider community at the engagement events and the information presented at these events has been of a high quality. That the events themselves have not been viewed as effective by some residents is a result of other circumstances and issues.

51. Transparency of Public Decisions

- 51.1. It is an important part of local government that decisions taken should be based on good evidence, critically assessed and debated. Such assessment and debate should be open, full, frank and honest and not pre-determined. Transparency, like justice, should not only be done but should be seen to be done and members of the public should not be left feeling that debates and public decisions are just rehearsals of advance agreement. This is something that Councillors will be very aware of in relation to planning (where it most often arises) but it applies to all decision making.
- 51.2. Decisions should be supported by clear evidence and, where such evidence is not made apparent, speculation and rumour is likely to result amongst those who were not party to the decision making process. Whether such speculation and rumour is justified or not, if left unaddressed, it can grow to present a feeling of distrust which taints future decisions and engagements such that the most open and transparent decision may be questioned. It is often a question of perception rather than reality but that perception can be hugely damaging.
- 51.3. Throughout this scrutiny process and, arguably, the Project, it has often been suggested that the Project is a *fait accompli* or a “done deal”. The Panel is satisfied that the Project itself is not a done deal, although the expressed intention of the Council is to bring about change within Sheerwater. Decisions on the Project that have been taken thus far appear to have been taken on their merits and Officers and Councillors are clear that the Project may or may not progress depending upon the will of Council and that of the Council as Planning Authority.
- 51.4. However, as a direct result of the lack of a meaningful relationship between the Council and the Sheerwater community, some within the Sheerwater community are far from clear that this is the case. Certain residents outside of the Sheerwater community also believe this to be so although it is less clear why.
- 51.5. The difficulty that the Council face is that there is a clear intention on the part of the Council to make changes in Sheerwater and bring improvement to the community for all of the reasons set out earlier in this report. How they do that has not yet been determined.
- 51.6. The lack of clear communication of the intention of the Council to bring about change in Sheerwater has caused some within that community to conclude that their input is worthless. The role of NVH is, as a result, not understood

and that section of the community continue to feel that they should be, and have not been, consulted on whether they want such changes.

- 51.7. The Council need to be more bold and open. They should articulate a clear message, in this case, that the Council intend to change and improve Sheerwater, and that the residents can help the Council shape that change. The Council should be honest about the difficulties it faces. Jargon should be avoided to prevent misperceptions that the truth is being hidden and that engagement is not genuine.
- 51.8. Without such a clear message, sectors of the community are left feeling annoyed and disengaged.

52. Encouraging Engagement

- 52.1. Levels of engagement amongst the Sheerwater community have been low, both in terms of direct engagement on this Project and engagements that have occurred prior to the Project. The one notable exception to this was, perhaps, the public meeting which took place in September 2014 which was well attended although the Panel question the effectiveness of this engagement from the perspective of both the residents and the Council.
- 52.2. Recognition of low levels of engagement within the Sheerwater community was evident prior to the commencement of the Project when the leisure strategy survey was undertaken, with additional steps being taken to facilitate and encourage participation. That recognition does not appear to have been carried through to the Project and there appears to be a presumption on the part of the Council that residents and businesses will engage.
- 52.3. The low levels of engagement bring with them issues for the Council in terms of assessing and applying feedback from residents and businesses when they need to do so to take decisions. It must be questioned whether the views presented from feedback and engagement events can be representative of the community when so few engage. Furthermore, it should be questioned whether, as a result of the low levels of engagement within Sheerwater, the influence of those from outside of that community might be greater. By way of example the 2012 leisure strategy survey attracted almost 25% of its responses from people who were not residents of Maybury, Sheerwater or near-neighbour Woodham and who were not members of the Council's consultative Citizen's Panel. What effect their responses had on the survey is not a matter for this Panel but the effect of low levels of engagement should be considered by the Council.
- 52.4. It is clear that the number of people who are actively engaging with NVH and the Council is far from ideal but this does not necessarily mean that people do not wish to engage. It is important to look at why they may not be engaging.
- 52.5. Engagement is a two way process and it should be looked at from both sides.
- 52.6. The Panel stated above that it considered that NVH had offered a wide variety of engagement opportunities and had been flexible in its approach to the consultation. The question is, whether more could have been done.
- 52.7. The leisure consultation that was undertaken in 2012 identified, from previous consultations, a difficulty engaging with individuals and groups within the

Sheerwater community. As a result a door knocking exercise was carried out to pro-actively engage with residents. The questionnaire that was used was incentivised with the chance to win £100 of shopping vouchers. The ability to have documents translated was advertised through the use of “translation blocks” written in other languages including Polish and Bengali appearing on the face of the English consultation document. Despite these additional efforts the response rate across Maybury and Sheerwater was around 7%. The response rate from the 133 Woodham properties that were included in the mailshot but not part of the door-knocking exercise was over 25%. Indeed almost 25% of the respondents to the survey were from neither Maybury and Sheerwater nor Woodham (nor part of the Citizen’s Panel). This is considered significant and highlights the issues with engagement in Sheerwater.

Recommendation:

Council should be aware of the issues highlighted in this report, particularly at paragraphs 26.4 and 52, in relation to the various engagements and surveys undertaken as part of the Project when considering the application of those results. In particular Council should consider the levels of engagement and the source of the feedback. When considering engagements that pre-date the Project consideration should be given to the context in which feedback was sought and whether it is appropriate to apply the results to this Project.

- 52.8. It was suggested during the course of the Panel’s scrutiny that there may be linguistic barriers to engagement. Certainly language was recognised as an issue when the leisure consultation was undertaken in 2012 and translation blocks were used to inform residents, in their own language, that translations of the consultation documents were available. Whilst the launch brochure for the Project and the covering letter for the Community Charters both offered translations if required, neither did so using translation blocks in alternative languages. The Panel heard differing opinions in evidence to it as to the need for translation of documents. Whilst the Panel cannot draw any firm conclusions from the evidence received it is not considered that linguistic barriers to engagement have been instrumental in the general lack of engagement. However, for a project of this nature where communication is critical the Panel considers that translation blocks in alternative languages should be used or at least considered as part of an equalities impact assessment. Whilst the Chief Executive in his evidence expressed the opinion that he would rather provide English speaking classes for those who don’t have English as a first language that should perhaps form part of the wider transformation of Sheerwater – communicating the Project to residents should be paramount and be facilitated as necessary.

Recommendation:

Translation blocks in alternative languages should be considered as part of the equalities impact assessment for critical communications.

Documents should be drafted using plain English, avoiding the use of jargon or industry terms.

- 52.9. Encouraging engagement also requires clear lines of communication and residents need to know who to approach. Council has been clear that responsibility for communication on the Project lies with NVH. The Panel have criticised the extent to which communication has been passed from the Council to NVH but there is another issue to which the Council should be alive.
- 52.10. When seeking to engage, in the absence of clear direction, it is human nature to use whatever platform and line of communication that presents itself; more so if we feel we are not being listened to. The Panel has seen examples of this behaviour throughout the Project whether that be residents seeking to use consultation events to voice objection or contacting Officers and Councillors other than those immediately involved to seek resolution of issues. The Panel itself has been contacted by residents with enquiries about their entitlement to particular property types and when their moving date might be.
- 52.11. The Council should ensure that there is clarity around the various channels of communication and it should be made easy for residents to know who to contact and how. Encouraging or allowing multiple lines of communication can lead to confusion and perceptions of back-channelling or preference.
- 52.12. It is suggested that the difficulties that are experienced in establishing effective engagement with the Sheerwater community will only improve if a relationship can be built up between the Council and that community. This will require significant effort on the part of the Council, drawing on its own resources and that of partner agencies. In particular it is considered that better use could be made of the work that the Council's community development worker for Sheerwater is doing and the Council's presence at the Parkview Centre for the Community to encourage and build relationships with residents. This requires the Council to be open and honest with the community and requires the Council to listen and respond to the needs of the community offering reasons where such needs cannot currently be met. This community engagement should be seen as fundamental to the success of any project which seeks to transform an area – buildings alone will not achieve that.
- 52.13. The Panel considers that better use should be made of that group of Borough residents formerly known as tenant representatives and now known as Resident Operations Board Members. It is considered that this group has not been used effectively within the Project consultations and communications and, as a group of residents who have indicated that they are willing to be involved, they could have been engaged to a greater extent.

53. Is anyone listening to the residents and businesses?

- 53.1. The Panel have repeatedly been told by certain residents that they feel that they are not being listened to by the Council or NVH. It is certainly the case that similar comments have been made by residents repeatedly throughout the Project so far. To a degree, criticism of the consultation amongst the business community has, in many ways, echoed that of residents.
- 53.2. The Panel have found examples which demonstrate that not all of the needs and aspirations expressed by residents and businesses through engagement have been incorporated into the design proposals. For example, a focus

group for the elderly suggested that assisted accommodation should be near both a health centre and shops whereas the current proposal sites the assisted accommodation away from the shops. A further example arose in relation to a business who suggested that the comments they had made to the architects during a site visit had not been taken into account and they considered that the proposals seen at the Masterplan Design Exhibition would neither meet their needs nor those of their regulatory body. It is not for this Panel to comment on the design of the current proposal however Council should satisfy itself that engagement outcomes have been given due consideration by NVH.

Recommendation:

Council should satisfy itself that NVH has demonstrated that it has given due consideration to engagement outcomes and public feedback in the production of its Masterplan.

- 53.3. The Panel have heard little, however, to allow a conclusion that residents and wider stakeholders are not being listened to. NVH have, as previously stated, appeared open and transparent in their reporting of engagement outcomes with both positive and negative comments being captured. The Council have heard, through formal petitions and other correspondence, the concerns being brought by residents and stakeholders.
- 53.4. The question that perhaps should be asked is “is anyone responding to the residents and is there clarity as to where along the Project timeline we are?”
- 53.5. That residents do not feel that they have been listened to and that consultation is just a “tick-box exercise” is perhaps more a product of a lack of communication than an inability to hear what is being said.
- 53.6. The fact that the community was not well engaged at the launch of the Project is fundamental here, creating a communication barrier between the Council (and NVH as its contractor) and the community. The question of why the community were not being consulted on whether or not they wanted any changes to be brought to the area was left unanswered allowing it to grow and colour all of the subsequent engagements.
- 53.7. Some residents have stated that they do not receive feedback on the evolving plans, particularly from one CCF to the next and, as a result, find the process disjointed, making it hard to see what effect their feedback is having. Agendas and plans for CCF meetings produced by NVH do make reference to providing feedback from prior meetings. The Panel, not having attended the CCF meetings cannot confirm whether such feedback is given. However, the Panel considers that feedback to residents is an important part of the process of consultation allowing residents to see the effect of their input and helping them to understand the Project.
- 53.8. Furthermore, it does appear to be the case that there has been a poor response to some communications from the community to the Council. In some instances this is likely to be a perception of poor communication rather than an actual failure but perceptions turn easily into facts in the minds of those affected.

53.9. It has been reported that emails sent to Councillors have not received responses. Some of these emails have been individually addressed; some sent to a wider group. This Panel has experienced a lack of response to emails from some Councillors and, whilst we are aware of reasons why that might have been the case, it does tend to back up the reports from within the community.

53.10. It is recognised that there may be instances where electronic communications go astray, are inadvertently overlooked or do not warrant a response but as a general rule it is considered that emails should be acknowledged and then responded to as appropriate. It is suggested that, where an email is clearly addressed to a group of people it would be appropriate for such acknowledgement to come from one of the group rather than all.

53.11. It must be remembered that Councillors are not full-time servants of the electorate, they are entitled to, and many do, have full-time occupations in addition to their role as a Councillor. However, it is not considered unreasonable to expect a response to communications within a reasonable time-frame.

Recommendation:

Consideration should be given to the adoption of a protocol detailing how Councillors respond to communications (whether by email, letter or otherwise). It is suggested that there should be an agreed time-frame in which an acknowledgement and, if appropriate, a reply should be expected and a procedure for who should be responsible for responding to group emails (with alternates to cover known absences). It may be possible to use the Council's Customer Care Code as a basis for this.

53.12. It is suggested that similar consideration should be given by the Council to a review of how its Customer Care Code is working in practice and ensuring that all employees who have contact with the public are aware of the need to follow the agreed procedures. This could be done in conjunction with a review of and update to the External Communications Policy, the last iteration of which was the 2004-2007 version, discussed at paragraph 27.2 above.

Recommendation:

Review the Customer Care Code and its application to ensure it meets the needs of the organisation and expectations of the public.

53.13. Despite the feeling amongst some that Councillors have not engaged successfully with the Sheerwater community the Panel has heard of and seen examples of some very positive engagement by some Councillors within the community.

53.14. Furthermore, to state that the Council, in its widest sense, do not care about the community and are not listening to what the community says is, in the opinion of the Panel, not true. There is a great deal of concern, particularly on the part of Councillors, that the right thing is done. Ultimately, that may not be what certain residents want – that is inevitable whether the Project progresses or stops.

54. Impact on the Community

- 54.1. Regardless of whether a particular individual is in favour of, or opposes, the Project, there has been a clear impact on the community within the Red Line Zone and that surrounding it.
- 54.2. Uncertainty has been created as a result of changes to the Red Line Zone and a poor understanding of the time-frame applicable to the Project. There is a perception, amongst some, that the Project is further advanced than it is, a perception that is not helped by the use of language in communications that is suggestive of a "done deal".
- 54.3. Residents and businesses are in a state of limbo; there is effective blight on properties and a sense of uncertainty about the future, potentially extending over a long period of time. Some residents are worried and concerned and GPs have reported an increase in stress related complaints. Other residents express a wish that the Council would just hurry up and "get on with it".
- 54.4. It is inevitable that, in a complex project such as this, not all information will be available at the start of the project. However, as a result of the poor relationship between the Council and the Sheerwater community the effect that this lack of information has on the community is exacerbated.

55. Nature of Feedback from the Community

- 55.1. Most of the feedback received by the Panel expresses views in opposition to the Project, in whole or part. It reflects the issues and questions that we have sought to address in this report. However, it is apparent to the Panel that this is not the view of the entire community.
- 55.2. It is a fact of society that often the voice that shouts the loudest has the most influence. Arguments articulated with passion tend to prevail and passionate opinion can quickly become fact in the minds of those who hear it. There are certainly many examples of rumour and mis-information being quoted and accepted as the truth in the feedback that the Panel has received.
- 55.3. Direct feedback from those supporting the Project has been limited, but not non-existent. This is, perhaps, not surprising, the voice of opposition will likely be louder and more engaged.
- 55.4. The Panel has, however, received comment from a number of sources unconnected with the Council and NVH supporting the view that there are many in the community who welcome the Project, some going so far to suggest that the majority of tenants are supportive. We have had resident feedback that confirms the reports of NVH that those who support the Project have struggled to be heard and have, as a result of intimidation and disruptions caused by some who oppose the Project, left consultations and disengaged from further interaction.
- 55.5. It is impossible to determine from our scrutiny review what level of support there is for the Project within the community. That was never the role of the Panel. What is clear from engagement levels, however, is that there is a significant portion of the community who remain unengaged and, as a result, their voices are hard to hear.

SECTION 4 – Community Charters

56. Community Charters

- 56.1. Draft Community Charters have been produced to give greater detail about how the proposed Project will affect residents and to inform residents of the commitments of the Council to them. Four versions have produced: a general charter, a charter for council tenants, a charter for council shared owners and a charter for freeholders and leaseholders.
- 56.2. The Community Charters were sent to residents within the Red Line Zone under a covering letter signed by Mr Rolt as Strategic Director of the Council.
- 56.3. The Panel have heard comment that not everyone within the Red Line Zone received their copy of the relevant Community Charter. The Panel have not, however, received sufficient evidence on this point to be in a position to confirm whether or not there was a distribution issue with this document. The Community Charters were only sent to addresses within the Red Line Zone and this too has attracted some criticism, not least due to the fact that the Red Line Zone has changed throughout the life of the Project so far. However, the Panel considers that the Red Line Zone was the appropriate area of distribution for the draft Community Charters given their content. It may be considered that an alternative document might be appropriate for the immediately adjoining area.
- 56.4. The preface to the report sets out an intention to use the existing sense of community within Sheerwater to develop a “thriving, balanced and sustainable community for the future”. It sets out an intention to maintain local community links and to ensure that as many residents as possible can remain living in Sheerwater. The role of the community in planning is recognised as being key.
- 56.5. The Community Charters set out how the council will do business broken down into headings of “Integrity”, “Trust”, “Excellence” and “Respect”. The Community Charters also set out how the Council will deliver locally through “Engagement”, “Active Involvement” and “Empowerment”.
- 56.6. It should be stressed that the Community Charters are, at present, only in draft form and as such are not in force as they have not yet been adopted by the Council. However, this notwithstanding, there are some general obligations which should rightly apply whether or not the Community Charters are in place.
- 56.7. Furthermore, in evidence the Panel heard from NVH that it would be usual for a Council to launch such a charter earlier in the process than was the case for this Project. The Panel understand that the reason that the Community Charter was not produced earlier was that the Council wished to fully understand the obligations that they were committing to, be able to put as much detail in the Community Charter about the compensation packages and to be assured that they were able to finance any such offering. Whilst this is understandable the Panel feel that benefit could have been gained from an

early launch of a charter with full details of compensation arrangements following.

- 56.8. Many of the commitments that are set out in the draft Community Charter are general in their nature and relate to engagement and consultation. There has already been much consultation and engagement and it is perverse to assume that the general commitments set out in the draft Community Charter can only apply from the date that such Community Charter comes into force (if any).

57. General Community Charter:

- 57.1. The general Community Charter contains ten commitments of which numbers 1, 2 and 3 would be directly relevant to this scrutiny were the Community Charter to be in force. These are “Personal Engagement”, “An Open and Transparent Approach” and “Regular Communication and Feedback”. Numbers 4 and 5 (“Independent Advice” and “Older People and Vulnerable Support”) would be relevant in the round but not specifically. Numbers 6 through to 10 inclusive go to the merits and actual delivery of the project and so would fall outside the scope of this scrutiny. Given the general nature of the first three commitments we consider that comment on whether these commitments have been met so far would not be stretching the scope of our scrutiny. It is important, however, to stress that, as the Community Charters have not yet been adopted by the Council any comment this Panel makes is advisory only.

57.2. Personal Engagement:

- 57.2.1. The Council, through NVH, have put in place provision for one to one engagement although, in the main, this is reliant on the resident initiating the engagement rather than being pro-active throughout the community. It is considered that had there been more pro-active one to one engagement with residents at the start of the Project residents might have had a better understanding of the Project and how they would be affected.
- 57.2.2. The Panel heard comment from residents that suggested that residents thought that NVH and the Council were not sufficiently aware of the needs of residents in Sheerwater and, in particular, their housing needs and preferences. Particular concern has been raised about the changing tenure and unit size mix that is being contemplated under the Project, particularly amongst those currently living in affected accommodation. When questioned about needs analyses the Panel heard evidence from NVH and the Council that suggested that it was too early in the process for many of the needs assessments to have taken place and that there was an awareness of needs through information already gathered. It was noted that, in the event that Council agree to the submission of a planning application, any such application would be a hybrid application, that is to say it would be submitted in detail for phase one but outline only for the remaining phases. The tenure and unit size mix of the Project is clearly outside of the scope of this scrutiny and the Panel will not comment. However, during the course of our evidence gathering the Panel have spoken to and identified certain groups and individuals within the community whose needs differ from the general population

in such a way that they appear to merit additional consideration by the Council. It would be inappropriate to set these out in detail in this report but our thoughts will be passed to the Council in confidence.

Recommendation:

Council should satisfy itself that there is sufficient understanding of the needs of the residents within the Red Line Zone and that individual needs, particularly where they differ from the needs of the majority, are identified. There should be a clear engagement plan in place to capture residents' needs at the appropriate time.

57.3. An Open and Transparent Approach:

57.3.1. As previously stated reporting to the Council through, amongst other things, the Milestone reports appears to be open and transparent. The Panel have heard little to suggest that the situation is any different for residents. There has, however, been criticism that answers cannot always be provided and that, when this is the case, there is little, if any, follow-up with residents and other interested parties. Evidence to this effect has been largely anecdotal and it is the Panel's opinion that there has been no active intention to withhold information from residents and interested parties or any dishonesty.

57.3.2. It is the opinion of the Panel that two factors have contributed to the sense that residents have of questions not being answered. The first is the fact that, as a complex Project, many questions cannot be answered due to the fact that the Project has not progressed sufficiently so to do. Residents and interested parties will quite naturally seek answers to the questions that most affect them and will experience a sense of frustration (at the very least) when immediate answers cannot be given. This is completely understandable but, perhaps, unavoidable.

Recommendation

Where a question cannot be answered, where possible, reasons for that inability are given together with a likely timescale within which an answer will be available. Where the answer to a question is likely to affect a group of people (rather than an individual or household) consideration should be given to proactively disseminating the answer when it is available.

57.3.3. The second contributing factor arises where residents and interested parties do not receive the answers that they would hope to hear and, as a result, feel that their questions and concerns have gone unanswered. This is perhaps most clearly illustrated by the number of comments that the Panel has received stating that there has never been an option to "say no". Against this background any answers to questions about the Project, building and estate design and phasing are likely to be ill-received because the answer most sought by this group of residents is not forthcoming.

- 57.3.4. It is important that project information is accessible to all and provided in formats that aid understanding. The Council and NVH have used a variety of media to engage and consult with the community. The Panel comment more fully on the accessibility of communications in SECTION 3 – Consultation and Communication.
- 57.3.5. Taken alone the Panel considers that it is not clear that the Community Charter documents that have been presented are un-adopted draft documents for consultation. Nothing on the Community Charters themselves makes this clear and they look to be the finished article, printed on quality paper and bound. The covering letter that was sent with the Community Charter documents does refer to the fact that the Community Charters are for consultation but also suggests that residents should keep the documents safe for future reference and states that the charters set out the process of regeneration and the compensation available.
- 57.3.6. The draft Community Charters are unbranded, that is to say, they do not feature either the Council's or NVH's logo. Whilst the Community Charter is a Council document – it sets out the obligations of the Council to the community – communication on the Project (other than the launch brochure) has been conducted by NVH. In practice the delivery of many of the practical obligations contained in the Community Charters seem to have been carried out by or through NVH. As a result it is not immediately apparent who the word “we”, used throughout the document, refers to. It is not considered that the foreword by Councillor Bittleston is sufficient to convey the fact that “we” refers to the Council and not NVH for the majority of the obligations. This lack of branding seems only to serve the confusion that appears within the community and allows easy spreading of rumour.
- 57.3.7. The Panel noted at 47.6 that the use of NVH branding in the Project launch brochure caused some residents to assume that the information contained therein did not apply to them as homeowners. NVH were established in the community as the Council's provider of housing management services to Council tenants. The Panel considers that, if the Project is to continue, there may yet be merit in introducing a clear Project brand to allow the Council and NVH to clearly identify Project material and to differentiate it from the other obligations of NVH as the Council's provider of housing management services.

Recommendation:

Future iterations (if any) of the Community Charters should be clearly branded with the Council's corporate identity.

Consideration should be given to the introduction of a Project brand to clearly identify Project communications.

- 57.3.8. The foreword to the Community Charters uses language that could be read as reinforcing the perception that the regeneration is a “done deal” with nothing to reflect the fact that the Project is subject to a

number of contingencies. Similar language is found at other points throughout the Community Charter documentation including, in particular, the use of the phrase “when the scheme has received planning permission” rather than “if the scheme receives planning permission”. It is not clear that, at present, the Project is a proposal rather than a definitive scheme with all the necessary permissions.

- 57.3.9. Whilst the covering letter for the Community Charters offered the documents in a different language or format there was no such offer in the Community Charters themselves. Given the importance of these documents should the Project progress it is suggested that this should be rectified.

Recommendation:

Translation blocks in alternative languages should be used in the Community Charters. The Community Charters should be drafted in plain English and avoid the use of jargon and industry terms.

57.4. Regular communication and feedback:

- 57.4.1. The Panel heard in evidence that it would be usual for community charters to be adopted much earlier in a regeneration project that has been the case with this Project. Many of the actions required of the Council in this part of the Community Charters are already underway and some may have been completed by the time the Community Charters are adopted. There will, of course, be ongoing commitments and obligations but the Panel consider that the sooner Community Charters can be agreed and adopted by Council the better.

- 57.4.2. One specific commitment which does require comment is the commitment that states that residents will be able to contact the Council at any time using a dedicated phone number or email address. These details appear in the covering letter but do not appear at all in the Community Charters themselves. Given the ease with which letters may be misplaced it is considered that contact details should be given in the body of the Community Charters.

Recommendation:

Clear contact details be set out in the Community Charters, rather than relying on the central switchboard details.

58. Role of the Sheerwater Oversight Panel in the Community Charters

- 58.1. The Panel heard evidence that the Sheerwater Oversight Panel had sight of, and commented on, the Community Charters before they were distributed in draft form.
- 58.2. Comment on the draft Community Charters would not be complete without mention of the covering letter that accompanied the Community Charters upon their distribution. It has been widely acknowledged by both Officers and Councillors that the wording of the letter was inappropriate resulting in the

communication being ill-received. Despite being seen by a number of individuals and the Sheerwater Oversight Panel prior to being sent no one picked up on the language used and how it would be read. Written communication of this nature cannot be retracted and so it is important that the tone of such communication is right. It is the opinion of the Panel that, whilst unfortunate, the covering letter, of itself, was not instrumental in creating the ill-feeling felt amongst some sectors of the community but it did add to the picture of discontent.

Recommendation:

Consideration should be given to third party review of important communications using staff unconnected to the project to which they relate to minimise the risk of such communication being poorly received. Members of the communications or neighbourhood teams may be well placed to undertake such a review of how a communication might be read and received.

59. Consultation on the Community Charters

- 59.1. The Panel heard evidence from both NVH and the Council explaining why it was, or might be, considered inappropriate for NVH to carry out the consultation on the Community Charters. The Council also wished to ensure that there was independence from the Council in any consultation and thus the services of PPCR were engaged. The Panel commented on the introduction of PPCR at paragraph 30.14 *et seq.*. It is considered that the role of PPCR was perhaps not as clear as it could have been from a resident's perspective.
- 59.2. At the date of writing, this Panel has not had the benefit of seeing any of the feedback on the Community Charters, and, in any event, the content of such feedback would likely fall outside of the scope of our scrutiny. It is understood that the feedback will form part of the gateway 3 review that will be undertaken by the Council and it will be at this stage that the Community Charters may be amended and adopted by the Council. The Chief Executive, in his evidence to the Panel, suggested that the adoption of the Community Charters could be as much as six months away (as at June 2015).
- 59.3. As stated above at paragraph 57.3.5, it is considered that the draft Community Charters circulated under cover of the letter dated 15 January 2015 were not, in the absence of the covering letters, clearly consultation documents. Absent sight of the feedback on these documents it is hard for this Panel to conclude whether there has been effective consultation on these documents. Evidence received by the Panel would suggest that some residents who have submitted feedback were expecting to be engaged further in relation to these documents.
- 59.4. Following the circulation of the draft Community Charters residents were contacted by PPCR and invited to attend specific sessions designed to assist residents in understanding and providing feedback on the draft Community Charters. These meetings were held between 30 January and 10 February 2015.

- 59.5. The Panel has heard evidence that there was some confusion relating to the date that feedback needed to be provided in relation to the Community Charters. The original consultation period end date was published as Thursday, 12 February 2015 but this was later extended until Saturday, 14 February 2015 in order to allow residents and interested parties the opportunity to view the most current proposals prior to submitting their comments on the draft Community Charters. The Panel is informed that this amendment was communicated in writing to all recipients of the draft Community Charters. This confusion was, perhaps, unfortunate but is not considered fundamental absent evidence that residents were actually disadvantaged by this.
- 59.6. The Panel is aware that Councillors also have concerns about the content of the Community Charters as currently drafted, predominantly relating to the compensation arrangements that will be put into place. It is not for this Panel to comment on those arrangements. However, the Panel considers that it is important that the Community Charters be agreed by Council as soon as possible and distributed to all those whose properties lie within the Red Line Zone (assuming that the Council is satisfied that there has been sufficient consultation on the draft Community Charters). In any event, if Council continue with the Project and gateway 3 is passed and NVH are successful in obtaining planning permission, the Community Charters should be fully consulted on and adopted in advance of any decision of Council to proceed with the Project.

Recommendations:

- In the interest of transparency, feedback on the Community Charters should be made available to residents (without identifying the source) at the earliest opportunity.
- If the Project continues, the adoption of the Community Charters should be expedited such that they are fully consulted on and adopted well in advance of Gateway 4.

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Glossary

“Borough” means Woking Borough;

“CCF” means the community consultation forum set up by NVH as part of the public consultation process relating to the Project;

“Community Charters” means the community charters produced by the Council in connection with the Project;

“Contract” means the Housing Management Contract;

“Corporate Management Group” or **“CMG”** means, in relation to the Council, Mr Morgan (as Chief Executive), Mr Spinks (as Deputy Chief Executive), Mr Rolt and Mrs Barham (as Strategic Directors), Mr Bryant (as Head of Democratic and Legal Services/Monitoring Officer) and Mrs Clarke (as Chief Finance Officer);

“Council” means Woking Borough Council;

“County” means Surrey;

“CS5” means Core Strategy 5;

“Executive” means the Executive Committee of the Council (at the relevant time or from time to time);

“Gateway 4” means the decision that Council will need to take for the Project to progress in the event that the relevant Milestones are completed and planning permission is obtained by NVH in respect of the Project;

“Hearings” means the public hearing sessions held by the Panel on 1-4 June 2015 (inclusive) and 17 June 2015;

“Housing Management Contract” means the contract dated 30 March 2012 entered into between the Council and Woking Housing Partnership Limited relating to the provision of, *inter alia*, housing management services;

“HRA” means Housing Revenue Account;

“IMD” means indices of multiple deprivation;

“ITT” means Invitation to Tender;

“LCAP” means the Sheerwater Local Community Action Plan 2008;

“LDD” means Local Development Documents;

“Masterplan” means the masterplan proposals produced by NVH;

“Member Services” means the democratic services team of the Council who provide support and administrative services to Councillors;

“Milestone” means the milestones set out in the Underwrite Agreement;

“Newsletter” means the Project newsletters produced by NVH;

“**NVH**” means New Vision Homes the trading name of Woking Housing Partnership Limited;

“**Officers**” means officers of the Council;

“**OJEU**” means the Official Journal of the European Union;

“**Panel**” means the Independent Sheerwater Scrutiny Panel set up by the Council at its meeting on 12 February 2015;

“**Parkview**” means Parkview Centre for the Community, off Blackmore Crescent, Sheerwater;

“**PQQ**” means Pre-Qualification Questionnaire;

“**Priority Place**” means those neighbourhoods identified by the SSP as the focus of joint delivery of local services and interventions;

“**Project**” means the Sheerwater Regeneration Project;

“**Project Website**” means the website provided by NVH in relation to the Project (www.sheerwater-regeneration.co.uk);

“**Public Hearing Sessions**” means the public hearings of the Panel which took place on 1 – 4 June (inclusive) and 17 June 2015;

“**Red Line Zone**” or “**RLZ**” means the Project area from time to time as determined by NVH;

“**SADPD**” means the Site Allocation Development Planning Document;

“**Scope of Review**” means the scope of review document published by the Panel on 29 April 2015;

“**Sheerwater Oversight Panel**” means the cross-party panel set up by Council to provide governance for the Project;

“**SHLAA**” means the Strategic Housing Land Availability Assessment;

“**SOA**” means super output area;

“**SSP**” means Surrey Strategic Partnership;

“**Terms of Reference**” means the terms of reference of the Panel as set out in Appendix 3 to this report;

“**Underwrite Agreement**” means the agreement dated 16 August 2013 made between Woking Borough Council and Woking Housing Partnership Limited in relation to land at Sheerwater, Woking;

Summary of Recommendations of the Independent Sheerwater Scrutiny Panel

Although the Panel have separated the recommendations into four categories in the table below for ease of reference, there is a considerable degree of overlap between the categories and regard should be had to all of the recommendations when considering their application to the Project or the wider business of the Council. References are to paragraph numbers in the substantive report.

No.	Recommendation	Reference
Major Recommendations should the Council proceed with the Project:		
1	The transformational aims of the Project should be paramount. It should be clear, at all times, that the Project is not merely a construction project. A people-centric approach should be taken, ensuring that the needs of residents, businesses and other community stakeholders are identified and issues recognised.	Overview
2	Council should set out and communicate to residents its clear vision for the transformation of Sheerwater and its determination to achieve the outcomes it seeks subject to the necessary caveats relating to its obligations as a Planning Authority and the ultimate suitability of any proposed scheme to achieving that vision.	Overview
3	Council should communicate clearly the steps necessary to achieve that vision and ensure that resident expectations are clearly managed especially as regards timescales for delivery and the difficulty which these can be estimated with accuracy.	Overview
4	Council should work to build a relationship with the community, being open in communications and encouraging trust. The characteristics of Sheerwater as a community should be recognised. In particular the Council should be visible within the community and not perceived as hiding behind its contractors.	Overview
5	Council should learn from the communication and consultation process so far and work with NVH to ensure that residents are clear what they can expect from the consultation process. In particular Council should ensure the following: <ul style="list-style-type: none"> a. That the Council's marketing communications team play a strategic role in the Project. b. That residents are clear as to 	Overview

	<p>responsibilities for the Project.</p> <p>c. That there are mechanisms in place to allow residents to see how their feedback and input is incorporated into the Project and, where it is not, are helped to understand why. This could be achieved with regular reporting.</p> <p>d. Where residents' questions are not capable of answer when they are asked, a mechanism for capturing such questions should be put in place so that answers can be provided at an appropriate time. Realistic expectations as to when answers might be available should be given.</p>	
6	<p>The governance structure for the Project should be revisited and, in particular the role of the Oversight Panel should be reconsidered.</p> <ol style="list-style-type: none"> It should be formalised, run by the Council and receive the support of Member Services. It should have a formally appointed Chairman. This person should be someone who does not have a specific role within the Project at present. It should meet regularly with a standing report to Council to ensure maximum engagement. Formal minutes should be kept of meetings of the Panel with minutes made available to the wider Council. There should be an agreed method of escalating concerns which arise but remain unaddressed. Sheerwater ward Councillors should be supported in playing a full and productive role in the Panel. Expertise from among the Council's staff and its partners should be utilised on the Oversight Panel to help the Council overcome some of the issues identified in this report. Amongst those who should be considered are the marketing communications team, the community 	Overview

	<p>development worker for Sheerwater, members of the planning team and partner agencies such as Surrey County Council's SureStart team and similar bodies.</p> <p>h. Consideration should be given to the formation of a steering group for the Council's own Project activity. Representatives from this group could attend the Oversight Panel.</p> <p>i. Consideration should be given to ways in which the work of the Oversight Panel can be communicated to residents.</p>	
7	The Panel's comments on the draft Community Charters should be considered and, in particular, the Community Charters should be fully consulted on and adopted prior to Gateway 4.	Overview
Recommendations specific to the draft Community Charters:		
8	<p>Future iterations (if any) of the Community Charters should be clearly branded with the Council's corporate identity.</p> <p>Consideration should be given to the introduction of a Project brand to clearly identify Project communications.</p>	57
9	Translation blocks in alternative languages should be used in the Community Charters. The Community Charters should be drafted in plain English and avoid the use of jargon and industry terms.	57
10	Clear contact details be set out in the Community Charters, rather than relying on the central switchboard details.	57
11	<ul style="list-style-type: none"> In the interest of transparency, feedback on the Community Charters should be made available to residents (without identifying the source) at the earliest opportunity. If the Project continues, the adoption of the Community Charters should be expedited such that they are fully consulted on and adopted well in advance of Gateway 4. 	59
Further Project Recommendations:		
12	Consider the adoption of a project management framework for the Council's objectives and	21

	activities which are separate to the NVH goals. Ensure buy-in for, and application of, this framework.	
13	Council should satisfy itself that there was appropriate and meaningful engagement and appropriate opportunities for the collection of feedback during the consultation to date, particularly in light of the issues identified in relation to the CCF and the changes to the format of those engagements.	30
14	Consideration is given to holding community engagement events during standard school term-time where possible and available venues permit to encourage and allow maximum community engagement.	32
15	Consideration be given to providing hard copies of significant plans and documents at engagement events to facilitate residents' understanding and consideration of the same as not all are able to access and respond to this information online.	32
16	A review of the level of Council visibility at community engagement events should be undertaken.	32
17	Consideration should be given to providing alternatives to sit alongside internet-based information where possible.	36
18	Residents and community groups should be encouraged and supported to enable them to form Neighbourhood Forums.	43
19	Care should be taken to describe the Project and in a way which that accurately reflects the situation and the Council's plans and ambitions.	49
20	Council should be aware of the issues highlighted in this report, particularly at paragraphs 26.4 and 52, in relation to the various engagements and surveys undertaken as part of the Project when considering the application of those results. In particular Council should consider the levels of engagement and the source of the feedback. When considering engagements that pre-date the Project consideration should be given to the context in which feedback was sought and whether it is appropriate to apply the results to this Project.	52
21	Council should ensure that it is satisfied that NVH has demonstrated that it has given due consideration to engagement outcomes and public feedback in the production of its Masterplan.	53
22	Council should satisfy itself that there is sufficient understanding of the needs of the residents within the Red Line Zone and that individual needs, particularly where they differ	57

	from the needs of the majority, are identified. There should be a clear engagement plan in place to capture residents' needs at the appropriate time.	
23	Where a question cannot be answered, where possible, reasons for that inability are given together with a likely timescale within which an answer will be available. Where the answer to a question is likely to affect a group of people (rather than an individual or household) consideration should be given to proactively disseminating the answer when it is available.	57
Recommendations of General Applicability to the Council:		
24	Briefing papers to Council and its committees should include all substantive information and should highlight any departures from standard practice. In the event that what is proposed changes after consideration by Council or its relevant committee, care should be taken to ensure that delegations and authorities are not exceeded and that Council or its relevant committee is informed as required and in any event when the matter comes back before it.	12
25	To the extent not already in place, a checklist should be drawn up to be used in procurement exercises to ensure that procedural obligations are met in a timely fashion. Where procurement is outsourced, in whole or in part, the Council's officer responsible for the project should ensure that due regard is paid to such checklist and obligations notwithstanding the fact that day to day management of the project has been outsourced as it remains the Council's ultimate responsibility.	13
26	Procedures should be in place to ensure that working copies of contracts accord with the engrossed versions thereof.	14
27	Engrossment copies of contracts drawn up by outside professionals should be checked prior to execution to ensure no manifest errors.	14
28	Periodic reviews of the work of outside professionals should be carried out with feedback sought from those with whom they have dealt to ensure that the Council receives the best quality work and value for money. This should be the case even where the provider provides a service under a framework agreement.	14
29	<ul style="list-style-type: none"> Working groups and panels should ensure that a record is kept of meetings and discussions and such records should be available for Councillors to access. 	23

	<ul style="list-style-type: none"> • Consideration should be given to diarising regular oversight meetings for Councillors involved in large projects particularly where part of the purpose of such meetings is to keep Councillors engaged and informed. • There should be an agreed method of regularly communicating information between an oversight panel and Councillors who are not part of such arrangements and an agreed method of escalating concerns which remain unaddressed by an oversight panel should be adopted. • Consideration should be given as to how best to use the skills and knowledge that ward Councillors can bring to a project in a manner that will not adversely affect their ability to represent their constituents. 	
30	Corporate knowledge should be protected through the use of project files or clear methods of identifying documents and decisions that relate to an evolving project.	24
31	The Council's Marketing Communications team should play a greater role in strategic planning for major projects.	27
32	The Council's External Communications Policy should be reviewed and updated to promote a consistent approach to external communications.	27
33	Where, on a substantive project affecting a particular ward, it is suspected that ward Councillors are not engaging actively with the constituents they were elected to serve, efforts should be made by the Leader of the Council supported by other Councillors to encourage participation and/or minimise the effects of any lack of representation. This may be particularly pertinent in wards which are made up of more than one distinct community.	46
34	<p>Care should be taken at the commencement of any project which is likely to have a significant effect on a community that that community is assisted in understanding what is being proposed, why it is being proposed and what it is being consulted on.</p> <p>Where there is a shortfall in understanding, procedures and protections should be put in place to minimise the impact.</p> <p>The Council's Marketing Communications Team should be involved in strategic planning to assist in this regard.</p>	46
35	Addressed mail should be used wherever possible to convey major communications to their recipients.	47

	Particular care should be taken when determining the method of distribution of communications to communal buildings if direct mail is not used.	
36	Preference should be given to individual, face-to-face engagement for matters that may have a significant effect on an individual or community to ensure a greater degree of understanding and to build a relationship on which the Council can develop.	47
37	Consideration should be given in future projects to whether independent consultants should be used to engage or facilitate engagement with residents to counter any issues of perception that a contractor may not act fairly or openly.	48
38	Translation blocks in alternative languages should be considered as part of the equalities impact assessment for critical communications. Documents should be drafted using plain English, avoiding the use of jargon or industry terms.	52
39	Consideration should be given to the adoption of a protocol detailing how Councillors respond to communications (whether by email, letter or otherwise). It is suggested that there should be an agreed time-frame in which an acknowledgement and, if appropriate, a reply should be expected and a procedure for who should be responsible for responding to group emails (with alternates to cover known absences). It may be possible to use the Council's Customer Care Code as a basis for this.	53
40	Review the Customer Care Code and its application to ensure it meets the needs of the organisation and expectations of the public.	53
41	Consideration should be given to third party review of important communications using staff unconnected to the project to which they relate to minimise the risk of such communication being poorly received. Members of the communications or neighbourhood teams may be well placed to undertake such a review of how a communication might be read and received.	58

References

Document	Source
Information on Indices of Multiple Deprivation	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6871/1871208.pdf
Sheerwater Community Needs Assessment	http://www.windowonwoking.org.uk/neighbourhoods/sheerwater_woodham/cnareport.pdf
Sheerwater Local Community Action Plan	http://www.windowonwoking.org.uk/neighbourhoods/sheerwater_woodham/shaction.pdf
Statement of Community Involvement (2011)	http://www.woking2027.info/community/sci
WBC Vision Statement	http://www.woking.gov.uk/council/about/vision
CS5 (contained within the Core Strategy)	http://www.woking2027.info/corestrategy/adoptedcorestrategy

INDEPENDENT SHEERWATER SCRUTINY PANEL



SECTION ONE – THE SCRUTINY REVIEW

Background:

1. On 30 March 2012, Woking Borough Council ("Council") entered into an Agreement with Woking Housing Partnership Limited (commonly known as "New Vision Homes" ("NVH")). The Agreement provides for NVH to (i) deliver housing management services for the Council's housing stock and (ii) review the Council's land and property portfolio to identify development, redevelopment and infill development opportunities and, subject to Council approval, obtain outline planning permission for the same.
2. On 16 August 2013, the Council and NVH entered into an Underwrite Agreement in relation to the Sheerwater Regeneration Project ("Project"). The Underwrite Agreement (i) detailed the actions required of the Council and NVH to secure a resolution to grant planning permission for the Project and (ii) detailed the financial liabilities of the parties in respect of the same.
3. It is anticipated that the Council will decide, at its meeting on 21 May 2015, whether a hybrid planning application in respect of the Project should be submitted to the Local Planning Authority.
4. On 19 January 2015, the Council's Overview and Scrutiny Committee considered a request from local residents that there should be an investigation into the processes and actions taken by the Council in respect of the Project. The Overview and Scrutiny Committee instructed the Council's Chief Executive to submit a report to Full Council, on 12 February 2015, to enable an Independent Sheerwater Scrutiny Panel to be established.
5. On 12 February 2015, Full Council agreed to establish the Independent Sheerwater Scrutiny Panel, as set out in this document.

Terms of Reference of the Scrutiny Panel

1. To investigate and review the processes and actions taken by the Council in respect of the Project.
2. To make appropriate recommendations to the Council arising from its investigation and review of the processes and actions taken by the Council in respect of the Project.

N.B. For the avoidance of doubt, the Scrutiny Panel's Terms of Reference do not include consideration of the merits of the Project. These will be determined by the Council at the appropriate time.

SECTION TWO - THE SCRUTINY PANEL

Membership Of Scrutiny Panel:	
Role	Name
Chairman	Claire Storey (Co-opted Independent Member of the Council)

Vice-Chairman	Tim Stokes (Council's Independent Person)
Panel Member	Michael Graham (Monitoring Officer, Spelthorne and Reigate & Banstead Borough Councils)

SECTION THREE - THE SCRUTINY REVIEW PROCESS

Review Process

The Scrutiny Review will be conducted on the following basis:

1. The Scrutiny Review will start on Monday 2 March 2015.
2. A preliminary meeting of the Scrutiny Panel will be held for the Chairman to outline how she intends to conduct the Scrutiny Review. This meeting will also provide an opportunity for Panel members to identify persons they consider should be invited to contribute to the Scrutiny Review. This meeting will be held in private.
3. The first formal stage of the Scrutiny Review will be a "Call for Evidence", i.e. the submission of information in writing by Sheerwater residents, Councillors, Council Officers, NVH, other stakeholders and any other interested parties.
4. A private meeting of the Scrutiny Panel will be held to (i) identify any gaps in the information which has been provided to it as a result of the Call for Evidence and (ii) clarify the issues which need to be addressed at the public meetings to be held during the second formal stage of the Scrutiny Review.
5. The second formal stage of the Scrutiny Review will comprise a public meeting, or meetings, of the Scrutiny Panel. Interested persons will have the right to give oral evidence to the Scrutiny Panel at these public meeting(s). Cross examination of persons giving evidence will normally be permitted. Subject to this, the Chairman will determine the procedure to be followed at the public meeting(s).
6. Public meetings of the Scrutiny Panel will be webcast and transcribed (where practicable).
7. The Chairman shall have the right, if she considers it appropriate, to hold a meeting of the Scrutiny Panel in private.
8. The Chairman shall have the right to require Councillors and Council Officers to provide such evidence (written and/or oral) as they can on matters of interest to the Scrutiny Panel.
9. The Chairman shall produce a written report of the Scrutiny Review for consideration by Full Council at its meeting on 22 October 2015. The report will be published.

Legal and Administrative Support:

1. Joanne McIntosh (Legal Services Manager to the Council), or her nominee, will act as legal advisor to the Scrutiny Panel. The legal advisor will act as Vice-Chairman to the Scrutiny Panel if the appointed Vice-Chairman (Tim Stokes) is either absent from a meeting or is acting as Chairman.
2. Peter Bryant (Head of Democratic and Legal Services/Monitoring Officer to the Council), or his nominee, will provide all necessary administrative support to the Scrutiny Panel.

Independent Sheerwater Scrutiny Panel

Scope of Review

The Independent Sheerwater Scrutiny Panel's review of the Sheerwater Regeneration Project is centred around the processes and actions taken by the Council in respect of the Project and does not consider the merits of the regeneration.

Our review will be broken down into three main areas of enquiry:

- Process
- Consultation
- Actions

Process

Our review of process will look at how the project has progressed from its inception to the date of the Hearings in terms of the decision making path and the contracts/agreements giving effect to those decisions.

We anticipate that our review will include, to varying degrees:

- The designation of Sheerwater as a priority place
- Local Development Framework and Strategic Housing Land Availability Assessment (SHLAA)
- The role of the NVH Housing Management contract in the development process
- The process by which the redevelopment was brought forward:
 - under the HM contract
 - under the Underwrite Agreement
 - or otherwise
- Documents relating to the assessment of leisure needs
- Whether there is a clear and transparent project plan
- Who is the project driver – WBC or NVH
- Quality and quantity of information available at key decision making points (particularly that available to Councillors) and the role of the Oversight Panel.

Consultation

We will look at the consultation and engagement undertaken by the Council and NVH in relation to the project to consider the effectiveness of the approach taken to date. We will look at:

- What consultation has occurred, not only in relation to the regeneration scheme proposed by NVH but also more generally
- Whether the engagement including, amongst other things, the Community Consultation Forum, has been effective?

- Whether the engagement been monitored and evidenced?
- Whether there is evidence of consultation outcomes being taken into consideration?
- Are there clear channels of communication?
- Who are the decision makers? Do the stakeholders have the ability to influence them?

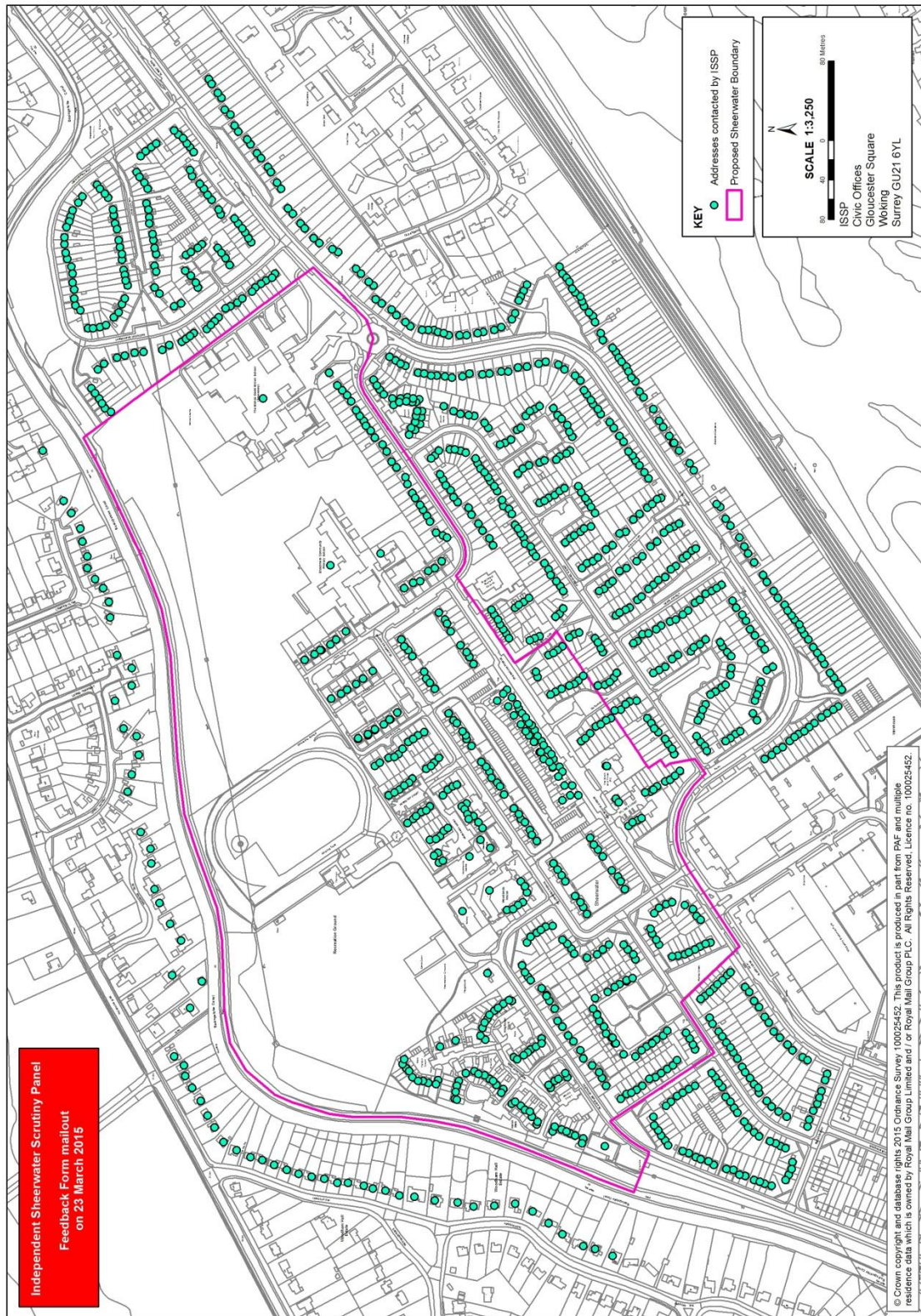
Actions

The actions of the Council will become more apparent and clearly defined as we start receiving evidence. Examples of areas that we have identified at this stage include:

- The appropriateness of using NVH as the consultant in some cases
- Whether there has been equality of information across tenure types and stakeholder groups
- Whether key information has been communicated appropriately and at an appropriate time

We would like to stress that this is **not an exhaustive list of areas** of consideration and that, as evidence is received by the panel, our lines of **enquiry will develop and evolve**

Appendix 5



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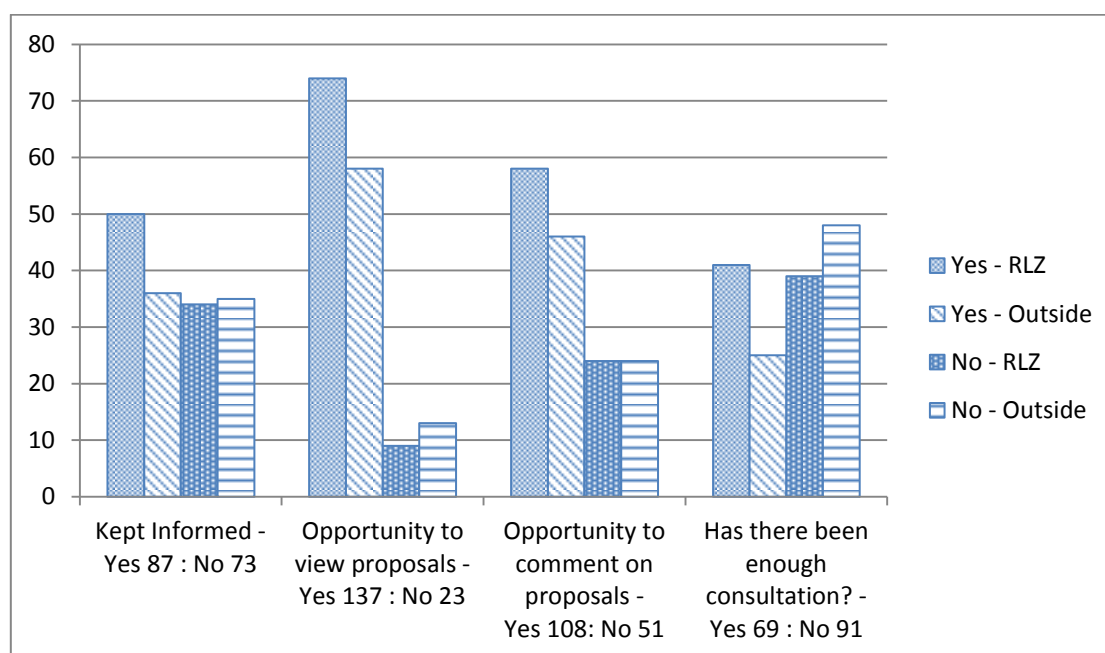
Summary of Responses to ISSP Feedback Form

The Panel received 164 completed feedback forms from 150 properties (with a further 3 responses from undisclosed addresses) which were submitted as part of the Panel's "Call for Evidence". This represents just over 11% of the 1364 properties surveyed.

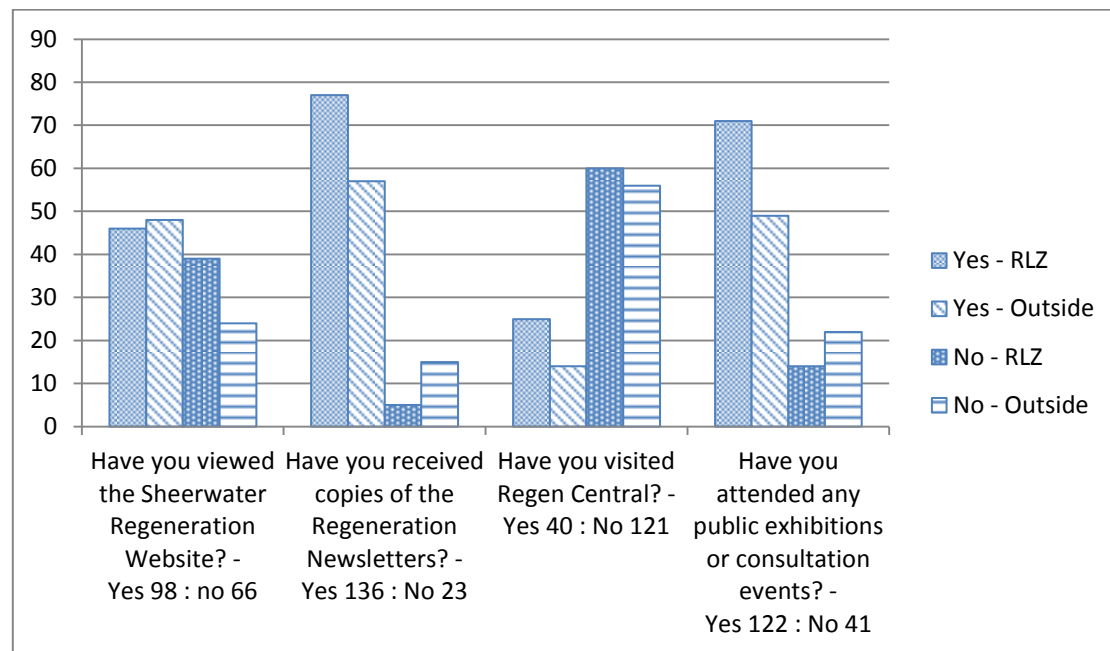
The feedback form sought views on a number of areas. Closed questions were used with space provided for supporting comments. Not every respondent answered every question and so there are slight variations in the total number of responses recorded for each question.

Results have been broken down, where possible into responses from within the Red Line Zone and those from outside.

General Engagement:



Specific Engagements:



Website:

Feedback on the website varied with some residents finding it helpful and others stating that it was out of date and hard to navigate with large downloads. Many residents commented that they did not have a PC or access to the internet. Some residents were unaware that there was a dedicated website.

Regeneration Newsletters:

Again, there is a mixed response to the newsletters with some residents finding them useful and others questioning their purpose. Some residents report that they have not received them. In general they are viewed as information and not part of the consultation.

Regen Central:

Comments pertain to opening hours in the main with much criticism that the shop is only open during the day. There is some recognition that evening appointments are available. Residents who have visited generally report good service at Regen Central although it is clear that not all questions can be answered. Many residents seem to think that there is no point visiting and there is much rumour circulating concerning the ability and willingness of staff to help. The Panel have found nothing to substantiate such rumours beyond the more general issue of questions being posed before answers are available.

Feedback on the remaining questions was significantly more subjective and does not lend itself to presentation in the form of statistics. Residents were reminded that the Panel has no authority to look at the merits of the regeneration. Set out below is a general overview of the type of comments made.

1. Do you have any comments on the processes or actions that the Council and/or New Vision Homes have taken?

- Residents do not feel consulted;
- Lack of understanding why the regeneration is contemplated;
- General uncertainty and lives put on hold;
- Clearer timescales required;
- Impersonal approach;
- Lack of Council visibility;
- Lack of ward Councillor support;
- Don't understand the relationship between the Council and NVH;
- Financial motivation;
- Information is improving as scheme progresses.

2. Are there any actions you feel the Council and/or New Vision Homes should have taken?

- One to one visits/individual letters before the launch brochure;
- Public meeting or other engagement prior to the launch;
- Provide evidence to back up /explain proposals;
- Provide a range of options regarding size/extent/refurbishment;
- Home designs not consulted on;
- Provide more clarity;
- Better Councillor involvement;
- Better Council visibility;
- Engage with residents association;
- Written responses should have been provided to questions asked of PPCR;
- Listen to Sheerwater residents only;
- Need a stronger mandate from residents.

3. Are there any other points you would like to be taken into consideration?

- The Panel should look at the merits also;
- What companies tendered for the regeneration;
- People are not giving NVH the chance to answer questions;
- Consideration should be given to the communication needs of the elderly/disabled/computer illiterate/ non-English speakers;
- Clearer timetable to stop rumours;
- This is lots of stress over a protracted period;
- Charter documents should be provided for those not in the RLZ but still affected;
- When can this not be a done deal when we are told that the Council needs our property?

A significant number of comments from residents related to the merits of the proposals rather than the remit of the Panel. The Panel considers that, whilst it has not taken these matters into account, Council should be made aware of the broad areas of concern which include, amongst others:

- Financial concerns:
 - Price/Affordability of new properties;
 - Compensation arrangements;
 - Transfer of Right to Buy.
- Ability to stay in Sheerwater;
- What alternative areas will be available to move to?
- Like-for-like properties;
- Just improve what is there;
- Poor reputation of NVH as a maintenance provider;
- Parking concerns;
- Location of assisted and sheltered accommodation;
- Sheerwater has sturdy, well-built houses;
- Some properties are less than 30 years old;
- Sheerwater is not a high crime area;
- Concern for wildlife/SSSI/canal habitats.

List of Consultees

The Panel heard evidence from the following individuals and businesses in person:

Participant Group	
Council Officers	Mr Ray Morgan – Chief Executive
	Mr Douglas Spinks – Deputy Chief Executive
	Mr Mark Rolt – Strategic Director
	Mr Peter Bryant – Head of Legal
	Mrs Jeni Jackson – Head of Planning
	Mr Ernest Amoako – Planning Policy Manager
	Mr Andy Denner – Marketing Communications Officer
	Mr Bob Morgan - Sheerwater Community Development worker
	Mr Jonny Moles – Operations Manager
	Mr Chris Dale – Development Manager, Planning Services
	Mr Terry De Sousa – Planning Policy Officer
Councillors	Cllr. Tahir Aziz
	Cllr. David Bittleston
	Cllr. Graham Cundy
	Cllr. Kevin Davis
	Cllr. Ian Eastwood
	Cllr. Will Forster
	Cllr. Beryl Hunwicks
	Cllr. Ian Johnson
	Cllr. Colin Kemp
	Cllr. John Kingsbury
	Cllr. Rashid Mohammed
	Cllr. Anne Murray
	Cllr. Mohammad Ilyas Raja
	Cllr. Melanie Whitehand
Former Councillors	Mazaffar Ali
	Louise Morales
New Vision Homes	Mr Chris le May
	Ms Gelina Menville
	Mrs Susan Hayter
Residents	13 from Sheerwater (both in and out of the RLZ)
	1 from outside Sheerwater
Businesses/Services	Kiddywinks Daycare
	Woking Children's Centre / Busybees
	MASCOT
	Sheerwater Health Centre

The Council received specific feedback (not including responses to the Panel's Feedback Form) by email or telephone from the following additional sources:

Participant Group		
Council Officers	Mrs Sue Barham – Strategic Director	
Councillors	Cllr. Gary Elson	
	Cllr. Debbie Harlow	
	Cllr. Rizwan Shah	
	Cllr. Michael Smith	
	Cllr. Carl Thomson	
	Cllr. Tony Branagan	(unable to comment as incumbent Mayors during this scrutiny)
	Cllr. Derek McCrum	
Residents	3 from Sheerwater (both in and out of the RLZ)	
	2 from outside Sheerwater	
	1 unknown	
Businesses/Services	Parkside Dental Centre	

140 questions were submitted during the Hearing sessions from 15 individuals, 4 of whom (3 outside Sheerwater, 1 unknown) are not included in the statistics presented in either table above.

Consultation, Communication and Engagement Events

Set out below is an overview of the major consultation, communication and engagement events conducted by NVH in relation to the Project. The list is indicative and does purport to capture every event. Attendance figures have not, and cannot, be verified by the Panel.

<u>Date</u>	<u>Activity</u>	<u>Type</u>	<u>Resident Attendance</u>
June 2013	Project Launch Brochure	Communication	-
June 2013	Project Launch Event	Event	547
July 2013	Project Website Launched	Communication	-
July 2013	Project Email/Telephone	Communication	-
July 2013	Presentation to Woodlands House	Meeting	20
July 2013	CCF 1	Meeting	87/147
August 2013	Newsletter 1	Communication	-
August 2013	NVH Residents Operation Board visit to Myatt's Field North	Visit	4/7
August 2013	Survey	Survey	601
August 2013	Sheerwater Festival	Event	~200
September 2013	Article in Residents' Newsletter	Communication	-
October 2013	Newsletter 2	Communication	-
October 2013	CCF 2	Meeting	61
October 2013	Community Vision Workshop	Event	150
November 2013	Focus Group – Church of England	Meeting	-
November 2013	Focus Group – Elderly (sheltered/supported)	Meeting	14
November 2013	Focus Group – Over 55s	Meeting	10
December 2013	Housing Manager's Drop in Surgery	Event	0
December 2013	Focus Group – Education	Meeting	
December 2013	Focus Group – Business and Retail	Meeting	7
December 2013	Focus Group – ASB and Community Safety	Meeting	4
December 2013	Focus Group – Health and Wellbeing	Meeting	5
December 2013	Focus Group – Youth Service Provision	Meeting	5
December 2013	Children's Christmas Party	Event	-
January 2014	Focus Group – Mosque	Meeting	-
January 2014	Project Area at Parkview launched	Communication	-
January 2014	MASCOT lunch	Meeting	-
January 2014	Newsletter 3	Communication	-
February 2014	Sheerwater update to Surrey Lifelong Partnership	Meeting	-
April 2014	Project update to Bishop David Brown School	Meeting	-

April 2014	NVH Party in the Park	Event	~400
April 2014	Article in Residents' Newsletter	Communication	-
April 2014	Project Update – The Children's Centre (Woking) Advisory Board	Meeting	-
May 2014	Project update to Bishop David Brown School	Meeting	-
May 2014	Regeneration Boundary Update Session	One-to-One	61/103
May 2014	Newsletter 4	Communication	-
May 2014	Project Update – St Michael's Church	Meeting	-
May 2014	CCF 3	Meeting	71
May 2014	Options Workshop	Event	622/2000
June 2014	St Michael's Church Event	Event	31
June 2014	Focus Group – Bishop David Brown School	Meeting	26
July 2014	Progress Update Newsletter	Communication	-
July 2014	Stakeholder's Lunch	Event	32
July 2014	CCF 4	Meeting	
August 2014	Design Workshop – Streetscape	Meeting	4
August 2014	Design Workshop – Emerging Masterplan	Meeting	6
August 2014	Kiddywinks Day Nursery	Meeting	-
September 2014	Newsletter 5	Communication	-
September 2014	Design Workshop – Community Facilities	Meeting	7
September 2014	CCF 5	Meeting	18
September 2014	Sheerwater FC	Meeting	-
September 2014	Public Meeting	Meeting	
September 2014	Design Workshop (Leisure)	Meeting	3
September 2014	Design Workshop (Housing)	Meeting	7
October 2014	CCF 6	Meeting	31
October 2014	Design Workshop (Drainage)	Meeting	4
October 2014	Hyde Housing Association	Meeting	-
October 2014	Visit to Oaktree Housing	Visit	11
October 2014	CCF 7	Meeting	36
November 2014	Design Workshop (Elderly Accommodation)	Meeting	18
November 2014	Sure Start Play and Learn	Meeting	-
November 2014	Stall in ASDA lobby	Meeting	-
November 2014	MASCOT Hub	Meeting	-
November 2014	Woodham Residents	Meeting	10
November 2014	Hyde Housing Association Residents	Meeting	-
December 2014	Newsletter 6	Communication	-
January 2015	CCF 8	Meeting	58
January 2015	Draft Community Charters	Communication	
February 2015	Re-run of CCF 8	Meeting	87
March 2015	Masterplan Exhibition	Event	244
March 2015	Sheerwater FC	Meeting	-

Independent Sheerwater Scrutiny Panel

October 2015