

AT AN EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL held in the Council Chamber - Guildhall, Windsor on Thursday, 30th March, 2017

PRESENT: The Mayor (Councillor Sayonara Luxton), The Deputy Mayor (Councillor John Lenton) and

Councillors Mike Airey, Natasha Airey, Malcolm Alexander, Christine Bateson, Malcolm Beer, Phillip Bicknell, Hashim Bhatti, Paul Brimacombe, Clive Bullock, David Burbage, Stuart Carroll, Gerald Clark, David Coppinger, David Evans, Dr Lilly Evans, Jesse Grey, David Hilton, Mohammed Ilyas, Lynne Jones, Richard Kellaway, Marion Mills, Gary Muir, Eileen Quick, Jack Rankin, Colin Rayner, Samantha Rayner, Wesley Richards, MJ Saunders, Hari Sharma, Derek Sharp, Julian Sharpe, Adam Smith, John Story, Lisa Targowska, Derek Wilson, Ed Wilson and Lynda Yong

Officers: Andy Jeffs, Rob Stubbs, Russell O'Keefe, Alison Alexander, Louisa Dean, Mary Severin, Karen Shepherd, and Jenifer Jackson

128. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bowden, Cox, Dudley, Diment, Gilmore, Hill, Hollingsworth, Hunt, Love, Majeed, McWilliams, Pryer, Shelim, Stretton, Walters and Werner.

129. DECLARATIONS OF INTEREST

The Mayor explained that the War Horse Statue was a major part of her work for her charity, the Household Cavalry Foundation. Although she believed that she had an open mind in relation to planning application 17/00188/FULL, for the sake of good decision making she declared pre-determination and would make representations, but then not take part in the discussion or vote on the item.

Councillor Hilton declared a personal interest in planning application 17/00188/FULL as he was a member of the Sunninghill and Ascot Parish Council and had attended the meeting when the application had been discussed. His wife was also chairman of the Parish Council Planning Committee and would be speaking on the item. He had an open mind but had decided neither to speak nor vote on the application.

Councillor D. Wilson declared a personal interest in the item 'Maidenhead Development Partnership – Joint Venture Development Partner Procurement' as a council representative on the Maidenhead Town Partnership and the Partnership for the Rejuvenation of Maidenhead.

Councillor Kellaway declared a personal interest in the item 'Maidenhead Development Partnership – Joint Venture Development Partner Procurement' as a council representative on the Maidenhead Town Partnership and the Partnership for the Rejuvenation of Maidenhead.

Councillor D. Evans declared a personal interest in the item 'Maidenhead Development Partnership – Joint Venture Development Partner Procurement' as a council representative on the Partnership for the Rejuvenation of Maidenhead.

Councillor Saunders declared a personal interest in the item 'Maidenhead Development Partnership – Joint Venture Development Partner Procurement' as a council representative on the Partnership for the Rejuvenation of Maidenhead.

Councillor C Rayner commented that when he was Lead Member for Transport and Highways he had been involved in initial discussions in relation to planning application 17/00188/FULL but had no interest to declare.

The Managing Director declared a prejudicial interest in the item 'Appointment of Managing Director and Head of Paid Service' as the individual considered for appointment. She left the room for the duration of the debate and voting on the item. She also declared a personal interest in the item 'Maidenhead Development Partnership – Joint Venture Development Partner Procurement' as she had recently purchased a property from one of the bidders. She remained in the room for the duration of the discussion and voting on the item.

130. PETITION FOR DEBATE

An e-petition containing 1,287 signatories was submitted to the Council on 20 February 2017. In accordance with the provisions of the Council's Constitution, it was requested by the lead petitioner that the petition be reported to, and debated at, a full Council meeting.

The petition read as follows:

"We the undersigned petition The Royal Borough of Windsor and Maidenhead to say "no" to 350 new houses on (mainly) green belt in the centre of Ascot. Landowners in Ascot want to build 350 new houses on either side of Ascot High Street - land that is either Green Belt or open space. This will also mean losing many of the mature trees which frame the Ascot views. How will the already gridlocked High Street and surrounding roads cope with the increase in traffic? Where will workers & shoppers be able to park, when all the car parks are built over? What will happen on Race Days? We see no answers to any of these questions. We believe this development will have a massive and unacceptable impact on our local communities - both in Ascot and the surrounding area. We call on the Royal Borough to NOT remove this land out of the Green Belt and to NOT include this site for housing in the Borough Local Plan".

The Head of Planning introduced the petition. She explained that the proposals for land fronting and around Ascot High Street came forward through the made Ascot and Sunnings Neighbourhood Plan. Chapter 9, which was about projects not policies, talked about the vision for how Ascot centre could be rejuvenated. It explained that it was not within the remit of a Neighbourhood Plan to redraw Green Belt boundaries; only the Borough Local Plan could do this which is why the area was not included in the Neighbourhood Plan as a policy. Development of the land, which was supported by the majority of the community in consultation, was important in delivering the overall vision for Ascot. The plan went on to set out what the site might bring forward, including open space and community facilities. As the local planning authority, the council had been speaking to a consortium of land owners including Ascot Racecourse, Ascot Car Parks Ltd and the Crown Estate who were working to bring forward a development brief as required by the Neighbourhood Plan. The group launched an Ascot Centre consultation webpage. At a consultation open day on 1 December 2016 the consortium set out updated proposals for up to 350 new homes with a new community facility for Ascot. The other two key areas identified were the

High Street and highways. In parallel, the council was at first stage consultation on a draft Borough Local Plan. The Regulation 18 draft included a strategic housing allocation for the landowners consortium site together with land known locally as the Shorts site. the draft borough Local Plan suggested around 300 homes together with a community facility, retail facilities and open space. It also identified constraints including significant mature trees on site and existing open space. The draft plan noted the intention to remove the land from the Green Belt as was envisaged by the projects section in the Neighbourhood Plan.

The Lead Petitioner, Mrs V. Grimes, addressed the meeting. She represented the 1,287 petitioners who had expressed deep concern at the loss of Green Belt in Ascot centre. She had additional hard copy signatures to submit and would pass these to the Petitions Officer. Mrs Grimes commented that at the heart of the concern lay the sense of an indiscriminate focus on housing, opaque and ill-considered planning and a lack of due consideration of the daily realities of both living and working in Ascot. Mrs Grimes had attended the consortium workshops; it had been refreshing that this dialogue had been opened. The original vision and aspiration for a rejuvenated Ascot was based on work by the Princes Trust and the Neighbourhood Plan. The vision had been 'twisted'. Petitioners were not blind to the national housing needs. In Ascot, windfall and change of use sites were becoming available for residential development right in the centre. Residents now faced the Green Belt being sacrificed forever, for an indiscriminate focus on housing at unheard of levels. The approach appears poorly considered in its entirety even at this very early stage. Ramifications of widespread development served to amplify concerns about parking, traffic, commuter and worker access, crucial amenities and a lack of infrastructure in the village. Back in 2012, joined up working fostered by the Prince's Foundation and the Neighbourhood Planning Group saw localism at work. 86% of residents supported the resulting vision, albeit with reservations. The Neighbourhood Plan clearly communicated the community's desire to maintain Ascot's distinct character, to preserve the Green Belt, create a successful economic environment and ensure safe and accessible roads and streets. It also recognised the village's world famous neighbour, the racecourse, which brought unique aspects to the reality of living and working in the area. There was much needed income brought into the village as a result of the visitor numbers, but there were significant logistical plans also required. The Neighbourhood Plan recognised the potential for the adoption of Green Belt where there was a proven need to do so. Residential development was included in the rejuvenation vision as a means to raise funds for improvements. Now it seemed planning for Ascot was opaque and irresponsible. Landowners and consultants had their clear priority topics but the experience of the workshops was they saw no further. Indeed Ascot as one entity did not seem to be reflected in the Borough Local Plan. The grab for Green Belt would represent major changes in the village with unique pressures. There had been unsatisfactory consideration of a joined up strategy. A picture of house building aspiration was forming; perceived promoted or planned, it was forming. As petitioners to elected officials, residents were saying no to the loss of Green Belt and asking for joined up strategic thinking for the Ascot area.

Councillor Hilton, Ward Councillor, explained that as a result of the Neighbourhood Plan in 2012 a series of community workshops facilitated by the Prince's Foundation had led to the publication of the Ascot Settlement report. The report proposed opportunities for the rejuvenation of Ascot and its centre to better reflect the image of the racecourse. Residents agreed a bold vision to take land to the south of Ascot High Street out of the Green Belt. This led to meetings to resolve a series of issues raised by the landowners, therefore the council had been surprised to not be asked for its

views on the public consultation held on 1 December 2016. The ill-conceived consultation had been a disaster with the only new information being a proposal for 350 dwellings. This had been the catalyst for the petition. Councillor Hilton had met with the landowners and explained that they had done damage to their cause, and to the council. They had been advised to fundamentally change and seek views through stakeholder groups on public facilities, open space, retail, traffic and parking. Councillor Hilton had said if there was no change, he would support the petition. However change did occur with a new Project Manager in place and meetings that led to a development brief supplemented by a detailed master plan, and reassurances of what would be brought forward in planning terms. As a result, he would not be supporting the petition, and put forward a motion to this end.

Councillor Bateson explained that in late 2014 the Head of Planning and councillors had persuaded the three landowners to work together to produce a development brief as required by the Neighbourhood Plan. She had attended the consultation on 1 December and understood the level of frustration caused as there had been very limited information and there had been a refusal to accept questions on the presentation. A strong line was taken with the landowners at the next meeting, to explain what they needed to do to get the project back on track and get the council's support. Thankfully they listened and in the last few weeks she had attended two of the three meetings held to look at open space and community facilities, housing and High Street and highways issues. Those that took part would be invited to attend a further meeting to review the outcome of the consultation before the development brief was written. There would be public consultation on the development brief, which would be presented to Cabinet for approval. Councillor Bateson stated that things were changing, otherwise she would have supported the petition.

Councillor Dr L Evans stated that she supported her fellow Ward Councillor. She had also attended meetings with the consortium; it was good to see open dialogue.

Councillor D. Wilson commented that he too had been surprised at what had been presented on 1 December, as there had been no discussions with the council. Councillor Hilton did 'read the Riot Act' to the landowners; it had been important to place on record that something needed to be done and that it was not acceptable to have a presentation in that format. The wording of the petition referred to the loss of mature trees, increased traffic and parking issues. These would be addressed by the development brief for the site. The land had originally been earmarked as a project site in the Neighbourhood Plan and would be included in the Regulation 19 consultation along with land to the south known as the Shorts site. He believed that significant progress had been made and he therefore could not support the petition.

Councillor E. Wilson asked for clarification as to whether the discussion was about the Borough Local Plan or a development brief for a specific site. He had a similar situation in west Windsor, site HA11, where 650 houses were being planned.

Councillor D. Wilson commented that the site councillor E. Wilson referred to was contained within the Borough Local Plan and was in the Regulation 18 consultation. The Regulation 19 consultation would come before Full Council on 25 April 2017. The development brief was a separate issue and would give clarity to local residents on a number of issues of concern,

The Head of Planning commented that there were a number of layers of planning: the national layer represented by the NPPF, the Borough Local Plan and then Neighbourhood Plans. The Neighbourhood Plan for Ascot was an adopted plan that specifically set out the requirement for a development brief. Such briefs would be endorsed by Cabinet as part of the formal process and in the area under discussion, this was expected to be accompanied by a masterplan.

Councillor Saunders commented that the item had emerged when he had been Lead Member for Planning and had stayed in the democratic process through Regulation 18. He echoed the need for clarity for which Councillor E. Wilson had called. As part of the Borough Local Plan process, in terms of establishing planning policies and appropriate provision of housing to meet the borough's Objectively Assessed Need, there was a need to identify a series of sites some of which, very regrettably, were in the Green Belt. Sites not in the Green Belt were being developed as profoundly as possible but simply did not support the adequate volume of houses need to offer the right balance for the community. The site was allocated as part of the Borough Local Plan process and was referenced in the Neighbourhood Plan. To agree to the request to remove it from the Borough Local Plan would be to undo all the sequences followed hitherto. He strongly believed the council could not respond to the specific request at the foot of the petition. Every single site would also be unambiguously subject to the scrutiny of the appropriate planning process. Allocating a site in the Borough Local Plan did not give an open door to development. The emerging Borough Local Plan would actually give enhanced protection for several policies. It was not for the council to throw out a site at this stage because of fears a later application may not be appropriate.

It was proposed by Councillor Hilton, seconded by Councillor D. Wilson and:

RESOLVED UNANIMOUSLY: That:

- i) This council refuses the petitioner's request**
- ii) The proposal to remove land to the south of Ascot High Street from the Green Belt would continue**
- iii) The proposal to retain the site within Regulation 19 would remain extant**

Councillor Dr L. Evans left the meeting.

131. PLANNING APPLICATION 17/00188/FULL

As the Mayor and Deputy Mayor had both indicated they would not chair the meeting, a Chairman was appointed for the duration of the item.

It was proposed by Councillor, S Rayner, seconded by Councillor Burbage and:

RESOLVED UNANIMOUSLY: That Councillor Burbage be appointed as Chairman for the duration of the item.

The Chairman proposed that standing orders C3.1 and C14.1 be suspended for the duration of the item to allow Members to consider the planning application in the manner that would normally occur at a Development Management Panel, including public speaking and debate on the report and officer recommendation without a motion being on the table.

It was proposed by Councillor Burbage, seconded by Councillor D. Wilson, and:

RESOLVED UNANIMOUSLY: That standing orders C3.1 and C14.1 be suspended for the duration of the item to allow Members to consider the planning application in the manner that would normally occur at a Development Management Panel, including public speaking and debate on the report and officer recommendation without a motion being on the table.

The Panel considered the Borough Planning Manager's report on planning application 17/00188.

NB: *Updates were received in relation to planning applications marked with an asterisk.

*17/00188/FULL Royal Borough of Windsor and Maidenhead: Installation of Bronze War Horse statue and stone plinth with associated landscape surrounds (Application under Regulation 3- Borough Own) at Roundabout Adjacent to Heatherwood Hospital, London Road, Ascot.

The Panel was addressed by Dr. Bayliss in objection, Margaret Morgan on behalf of the Ascot, Sunninghill and South Ascot Neighbourhood Plan Delivery Group, Patrick Griffin on behalf of SPAE, Parish Councillor Barbara Hilton and Mr Carr and Ms Seagrove in support of the application)

It was proposed by Councillor Yong, seconded by Councillor Sharma and:

RESOLVED: That the application be permitted with the conditions listed in Section 9 of the main report, and an additional condition to give delegated authority to the Head of Planning in relation to up-lighting.

(31 councillors voted for the motion: Councillors M. Airey, N. Airey, Alexander, Bateson, Bhatti, Bicknell, Bullock, Burbage, Carroll, Clark, Coppinger, D. Evans, Grey, Ilyas, Kellaway, Lenton, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharpe, Smith, Story, Targowska, D. Wilson, E. Wilson and Yong. 1 Councillor voted against the motion: Councillor Beer. Four Councillors abstained: Councillors Brimacombe, Jones, Richards and Sharp. Councillors Hilton and Luxton did not take part in the debate or vote on the item.)

The Mayor resumed the Chair.

132. NEW AUDIT ARRANGEMENTS

Members considered opting in to the appointing person scheme allowing PSAA to manage auditor appointments for the audit of the 2018/19 accounts.

Councillor Saunders explained that this was a government- co-ordinated arrangement and the majority of councils had already decided to do so.

Councillor E Wilson commented that the council had very little option than to join the scheme. He requested reassurance that the quality of audits would not diminish,

particularly as the borough was becoming a more complex organisation. He also asked for confirmation that there was no intention to reduce the audit fee the council paid.

Councillor Brimacombe highlighted to Members that the Audit and Performance Review Panel had met twice to discuss the issue as what at first appeared to be a choice, turned out not to be. The Council had the option to go with the PSAA or plough its own furrow. There was a third option of rolling over the present options, but this would cause as much pain therefore the Panel had decided it was not worth it.

Councillor Saunders commented that the council had been most fortunate to be audited by KPMG, one of the two leading companies. Regrettably none of the options gave the council any degree of certainty that the council would continue to be audited by one of the top two firms. The PSAA would allocate auditors to councils. The Royal Borough was not particularly big so there was no particular reason to believe it would necessarily benefit from one of the top two firms. If the council decided to go its own way, it would incur costs and the complexity of setting up an audit panel, and could not be confident this would ensure an audit by one of the top firms either, who would likely be focussed on pursuing tender options through the PSAA. It was his personal intent as Lead Member to seek to ensure the quality of the audit would be fully maintained. He confirmed that the council would continue to invest at appropriate market rates to match the council's complexity.

Councillor E. Wilson commented that the clarification in regards of fees was important to note as the organisation became more complex.

Councillor Brimacombe highlighted that he had agreed as Chairman to send a letter to the PSAA informing them that the council expected to be appointed auditors of the same standard and quality as the incumbent auditors, with a preference to retain KPMG. He had yet to receive the draft letter from officers.

It was proposed by Councillor Saunders, seconded by Councillor E. Wilson and:

RESOLVED UNANIMOUSLY: That Council note the report and:

- i. Approves RBWM opting in to the appointing person scheme allowing PSAA to manage auditor appointments for the audit of the 2018/19 accounts.**

Alison Alexander left the meeting at 9.18pm.

133. APPOINTMENT OF MANAGING DIRECTOR AND HEAD OF PAID SERVICE

Members considered approval to appoint Alison Alexander as the Council's permanent Managing Director and Head of Paid Service.

Councillor Bicknell, on behalf of Councillor Dudley, commented that it gave him great pleasure to present the report. Alison Alexander had been at the council since June 2013 when she had joined as Director of Children's Services. She had become Deputy Managing Director in June 2015 and was now proposed for appointment as the permanent Managing Director, on recommendation from the Employment Panel. As stated in the report the salary was proposed to be £137,000. This was comparable

with other councils in the area. The council was an increasingly complex organisation that required strong leadership.

Councillor Targowska, as Chairman of the Employment Panel, placed on record her thanks to Alison Alexander, who was a huge asset to the council. The council had undergone a significant change programme in 2016/17, driven by her work ethic and leadership skills.

Councillor Jones stated that she fully supported the proposal; she was a member of the Employment Panel that made the recommendation. She commented on Alison Alexander's commitment to the council, which was a very complex organisation.

Councillor Brimacombe commented that when assessing a salary level it was important to take into account what the role entailed, whether it retained the individual in the organisation, and the ability to attract and recruit an individual of similar quality. The ratio of earnings compared to an average employee was also a key measure; he believed in the borough this was at an acceptable ratio. He therefore supported the proposal.

Councillor Saunders commented that he found it extraordinary that people who assumed high office in the public sector were prepared to do so at relatively modest rates compared to those in the private sector.

Councillor Coppinger commented on the need for a Managing Director who could work across silos in a large organisation to achieve results. Alison Alexander had proved to him that she could do this. He highlighted that the agreement with Optalis had been signed earlier that day. The project had required unbelievable levels of leadership in a very short time. He commented that the council's former Managing Director (Ian Trenholm) now earned £175,000 working for the NHS. The Chief Executive of the LGA earned £199,000. He hoped Alison Alexander stayed with the council to see the transformation programme through, and beyond.

It was proposed by Councillor Bicknell, seconded by Councillor Coppinger and:

RESOLVED UNANIMOUSLY: That Council notes the report and appoints:

- i) Alison Alexander as the Council's permanent Managing Director and Head of Paid Service.**

Alison Alexander re-joined the meeting at 9.31pm.

134. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 8 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.