

# COUNCIL

TUESDAY, 28TH JULY, 2020

At 6.15 pm

in the

VIRTUAL MEETING - ONLINE ACCESS,

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
11.	<u>MEMBERS' QUESTIONS</u>  Written responses	3-8

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**a) Councillor Larcombe will ask the following question of Councillor Rayner, Lead Member for Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor**

What procedural changes will be made to ensure that Members are able to put their questions (including a supplementary if required) and receive answers at Council Meetings?

*Written response: At the last Council meeting in June 2020, Members debated a number of changes to the constitution, including amendments to procedural rules at full Council. It was agreed that all Member questions would be dealt with by way of a written answer, published the day before the meeting. Written responses allow for fuller answers to be given as they are not time limited, and for more questions to be dealt with in an efficient way, assisting agenda management.*

*Publication of the written response in advance also gives the questioner significant time in advance of the meeting to review the response and consider a suitable supplementary question; time that was not previously available when questions were answered in person at the meeting. The right to ask a supplementary question remains, with the caveat that a maximum time of 30 minutes is available for supplementary questions to be dealt with. Any supplementary questions not dealt with after 30 minutes will be dealt with by way of a written response. All written responses will be published alongside the minutes of the meeting so a full public record is maintained. In exceptional circumstances, the Mayor retains the right to extend the time period.*

*However, Members do not need to wait until a full Council meeting to ask a question of a Lead Member. I, along with my Cabinet colleagues, am happy to receive questions from Members from across the political spectrum at any time on my portfolio areas.*

**b) Councillor Larcombe will ask the following question of Councillor Cannon, Lead Member for Public Protection and Parking:**

When did the Flood Liaison Group last report to the Council?

*Written response: The Terms of Reference for the Flood Liaison Group were refreshed and unanimously approved at their meeting on 31<sup>st</sup> July 2019. The Terms of Reference do not include any provision to report to Council.*

**c) Councillor Hill will ask the following question of Councillor Johnson, Leader of the Council:**

On Saturday 14th March 2020 at the Weir Opening you gave a public commitment that the Waterways project would be completed. A4 Underpass, Chapel Arches access and boat storage, Chapel Arches lowering the hard invert, Library Boat Launching Ramp & GWR Sewer Crossing are yet to be scheduled. Can you inform council when these matters will be addressed.

Written response: *Thank you for your question to me in relation to the future of the Maidenhead Waterways Project. As you are undoubtedly aware the council has long been a strong supporter of the project and its long-term objective to fully restore water flow and accessibility within both channels. In addition to that support, the council has also facilitated significant capital investment into the scheme, culminating most recently with the aforementioned weir opening back in March.*

*As I believe I stated in my speech that day, the project as delivered to date has resulted in the creation of a fantastic asset for the town, and one it can rightly be proud of. I also stated that it still remains our long-term aspiration to complete the circular route through the restoration of the Moor Cut as and when future funding sources become available.*

*As I'm sure that you are further aware, this is very closely linked to the unlocking of future regeneration opportunities which can be used to partially fund the work. However, these opportunities are very much dependent upon broader economic factors, as well as planning policy, and as such I am unable to give any indication as to likely dates.*

*With regards to Chapel Arches and the boat storage, this is a commitment we have previously made and one I am keen to see delivered. The lowering of the hard invert is still open for discussion, however, as with all of this we must be mindful of the new economic reality we find ourselves in post COVID and ensure that every penny of taxpayers' money is spent wisely, reflective of the fact that it must be underpinned by a sound business case.*

**d) Councillor Davey will ask the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:**

With finances under incredible pressure, if all the projects in Maidenhead town centre were generating CIL and 106 revenues, what would the future revenues for those properties given planning permission be? Also the Nicholson Centre, should it be given permission?

Written response: *We of course seek to maximise contributions from developments in Maidenhead town centre to fund infrastructure but this needs to be balanced with other requirements such as affordable housing. We are only able to collect CIL and S106 based on the CIL regulations and guidance on planning obligations. Each S106 agreement must be negotiated on a case by case basis by officers taking into account viability of the development and the tests set out in the regulations which state that planning obligations must be:*

- necessary to make the development acceptable in planning terms;*
- directly related to the development; and*
- fairly and reasonably related in scale and kind to the development.*

*As you are aware, the council's adopted CIL Charging Schedule has a zero rated CIL for Maidenhead Town Centre. This decision was taken as a result of the advice prepared by the council's viability consultants and following a public examination*

*determined by an independent inspector. A CIL charge can only be levied if there is evidence that development would generally still be viable if CIL was charged and the assessment assumes all other policy requirements (including full affordable housing) are met.*

*The council cannot just make a decision to charge CIL and apply it immediately. We would need to go through the process of developing and consulting on a new evidence base and charging schedule then appoint an independent examiner to hold an examination in public. As context for the timescales, the council agreed its draft charging schedule in November 2015 and it was adopted in September 2016 which demonstrates the timescales involved.*

*The recent changes in the CIL regulations in September 2019, allows more flexible use of S106. Officers are seeking to use this approach to secure developer contributions on a site by site basis and we will be seeking appropriate contributions from all sites coming forward in the town centre.*

**e) Councillor Davey will ask the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:**

How much extra is it costing RBWM each month to go back to weekly bin collections and how does this fit with the aims of the climate strategy?

*Written response: The council temporarily moved to alternate week collections for waste and recycling directly in response to the coronavirus crisis, including the impact on resources and the supply chain, to ensure that a core service could operate. The contract payments have been made in full during that period even though the service delivered was adapted to suit the situation. This was as a direct instruction from government and applies to all RBWM contracts and those for councils across the country. This was set out in the Cabinet Office Procurement Policy Note - Supplier relief due to COVID-19 - Action Note PPN 02/20 - March 2020.*

*The council's policy is to deliver a weekly collection for waste and recycling, which is how the contract is set out and priced. We do not have a mandate to continue with alternate week collections once it is deemed sensible and low risk to return to the normal service. During lockdown we have seen residents recycling more as a percentage of their overall waste. We hope to continue and build on this positive behavioural change for the environment.*

*Going forward we will look at all aspects of the climate change agenda including waste collections and disposal, however any changes considered in the future would need to be subject to a clear process, including consultation and decision making.*

**f) Councillor L. Jones will ask the following question of Councillor Rayner, Lead Member for Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor:**

Can the Lead Member clarify the role of the 'Chair' of Full Council (the Mayor) in ensuring 'full and effective debate and decision making by the Council with the overriding aim of promoting confidence in the council by the public.'

Written response: *I would like to begin with the full wording in the constitution from which the excerpt you have quoted is taken, as this adds context:*

*The Mayor or any person presiding as Chairman over a meeting shall conduct and make decisions in relation to the business of the meeting always in an objective, non-political and reasonable manner with the intention of achieving the efficient and orderly conduct of the meeting, facilitating full and effective debate and decision-making by the Council with the overriding aim of promoting confidence in the Council by the public.*

*However, it is incumbent on all Members, not just the chairman or Mayor, to ensure their conduct during all types of council meetings promotes 'full and effective debate and decision-making.....with the overriding aim of promoting confidence in the Council by the public'.*

*The public see us as councillors collectively, they don't differentiate poor behaviour and as we are elected by residents we should set an example in our behaviour worthy of their trust they put in us. The Mayor has to ensure the meeting is conducted to this high standard, it is incumbent upon us all to behave in a respectful manner during the meeting and debate.*

*As many Members will know, chairing any meeting can be difficult and there needs to be understanding from all those participating in a meeting that it is also their responsibility to assist those chairing a meeting by being polite, addressing their remarks to the chair – it's not a conversation – and respecting the decision of the chair.*

*The constitution states:*

*The Mayor may consult any officer present with the aim of compliance with Rule C7.2 and the Members in attendance shall not speak during such consultation. The Mayor or any person presiding as Chairman shall (subject to Rule C27) have the final decision on any rule or procedure in this Part including compliance with Rule C7.2.*

*At full Council the Mayor is supported by the Managing Director, Monitoring Officer and Head of Governance who will all provide advice and guidance on interpreting the constitution, but ultimately the Mayor's decision is final and that should be respected by all Members.*

**g) Councillor Knowles will ask the following question of Councillor Clark, Lead Member for Transport and Infrastructure:**

In 2019 the then Leader of the Council announced a trial of streetside EV charging points involving 3 units which were to be placed on Alma Road in Windsor along with

a number of free trial EV for use by residents. When can we expect the results of this trial to be published?

Written response: *The electric vehicle charging points in Alma Road, Windsor were installed in partnership with 'Connected Kerb' who also provided three electric vehicles to local residents on a short-term free 'trial' basis to promote use and awareness.*

*I have recently received an evaluation report from 'Connect Kerb' which is encouraging and shows levels of usage significantly higher than the industry average. In addition, three of the six drivers who took part on the short-term vehicle trial have now elected to lease electric vehicles.*

*As you will be aware we have committed through the draft Climate Strategy to increase electric vehicle charging capability in the borough. As part of this we will be adopting standards for electric vehicle charging in new developments as well as identifying a partner and funding model to deliver sufficient charging points to meet demand.*

*I am happy to share the results and the case study information with Councillor Knowles which will be part of our future thinking on electric vehicles.*

**h) Councillor Bond will ask the following question of Councillor Johnson, Leader of the Council.**

Will the pension fund governance review mentioned in the CIPFA report and 2019/20 audit plan be made available in advance of an action plan (as has happened with the CIPFA report itself) to help RBWM's Pension Fund committees comply with s106 (1) (b) of the LGPS (Amendment) Regulations 2015 to "ensure the effective and efficient governance ... of the Scheme"?

Written response: *The pension fund governance review is still being finalised but will be shared with relevant committees prior to a finalised action plan being agreed as well as engaging with broader members of the pension fund overall.*

*The 2019/20 audit plan has already been considered by the Corporate Overview and Scrutiny Panel at their May meeting alongside the audit plan for the main RBWM accounts. They are the committee who hold the responsibility for considering the external audit of the accounts. That plan details the scope and remit that our external auditors (Deloitte) have and how they carry out their work. The paper is available on the public website here:*

*<https://rbwm.moderngov.co.uk/documents/s31644/Royal%20County%20of%20Berks%20hire%20Pension%20Fund%20-%20FINAL.pdf>*

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