

COUNCIL

TUESDAY 26 SEPTEMBER 2023

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL - MAIDENHEAD,

SUPPLEMENTARY AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
4.	<p><u>MAYOR'S COMMUNICATIONS</u></p> <p>To receive such communications as the Mayor may desire to place before the Council</p>	5 - 6
5.	<p><u>PUBLIC QUESTIONS</u></p> <p>a) David Hilton of Ascot and Sunninghill ward will ask the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management</p> <p>Would the Cabinet Member explain the relevance of climate change when deciding the number of parking spaces to be provided in new developments?</p> <p>b) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Werner, Leader of the Council and Lead member for Community Partnerships, Public Protection and Maidenhead</p> <p>It's been a mandatory statutory duty since 2021 for councils to protect licenced mobile park home residents by conducting fit and proper person assessment tests of their management, and by publishing a register.</p> <p>When did RBWM first become aware of these mandatory statutory duties, and why has RBWM chosen not to comply with these two duties?</p> <p>c) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management</p>	7 - 10

Last December the Government introduced binding 2040 air quality targets for PM_{2.5} micro-particulates which DEFRA states are “the air pollutant that causes most harm to human health”.

Why is RBWM treating planning applications that demonstrate local breach of this 2040 target during their operational phase as being policy compliant, and by what practical mechanism will you meet the target?

The Council will set aside a period of 30 minutes to deal with public questions, which may be extended at the discretion of the Mayor in exceptional circumstances. The Councillor who provides the initial response will do so in writing. The written response will be published as a supplement to the agenda by 5pm one working day before the meeting. The questioner shall be allowed up to one minute to put a supplementary question at the meeting. The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. A Councillor responding to a supplementary question will have two minutes to respond.

7. COUNCILLORS' QUESTIONS

11 - 12

a) Councillor Larcombe will ask the following question of Councillor Coe, Lead member for Environmental Services

Please explain why the Wraysbury Drain is still blocked at Hythe End having been reported over four years ago?

b) Councillor Larcombe will ask the following question of Councillor Jones, Deputy Leader of the Council and Lead member for Finance

With the ever-increasing probability of flooding, how much RBWM money has been allocated over future years towards flood defence and land drainage infrastructure maintenance and improvements please?

c) Councillor Story will ask the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management

Planning permission for a new health centre to replace two GP surgeries in Sunninghill and Sunningdale was granted 18 months ago and residents are concerned that work has not yet started. Would the cabinet member advise Council on the reasons for the delay, when the work is likely to start and the likely opening date of the new health centre.

d) Councillor Sharpe will ask the following question of Councillor Reynolds, Lead member for Communities and Leisure

The Novello Theatre, one of the original cinemas in the country, is a highly valued gem in Sunninghill High Street. The community in Sunninghill wish to use this, now abandoned, facility for drama, dancing, singing and for cinema, to provide additional vitality to the area. What action is now being taken to return this facility to community use?

The Council will set aside a period of 30 minutes to deal with Councillor questions, which may be extended at the discretion of the Mayor in

exceptional circumstances. The Councillor who provides the initial response will do so in writing. The written response will be published as a supplement to the agenda by 5pm one working day before the meeting. The questioner shall be allowed up to one minute to put a supplementary question at the meeting. The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. A Councillor responding to a supplementary question will have two minutes to respond.

8.

MOTIONS ON NOTICE

13 - 14

a) By Councillor Carpenter

That with immediate effect this Council recognises the wishes of the Windsor Town Forum's current membership to be known as 'Windsor Forum'.

A maximum period of 30 minutes will be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period debate will cease immediately, the mover of the Motion or amendment will have the right of reply before the Motion or amendment is put to the vote.

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MAYOR'S COMMUNICATIONS

Since the last Council meeting the Mayor and Deputy Mayor have carried out the following engagements:-

- Participated in photo call for the Platinum Jubilee fountain on Castle Hill, Windsor
- Joined Aktiveeyes for some mini golf at Braywick
- Attended the Samaritans AGM
- Visited Queens Court Care Home in Windsor for their summer fair and BBQ
- Watched some of the races at Maidenhead Regatta
- Opened the new Poundstretcher store in Maidenhead
- Attended several citizenship ceremonies and hosted receptions afterwards
- Watched the competition at Hurley Regatta and presented prizes
- Visited the Community Fridge in Oxford Road, Windsor
- Presented prizes at the Windsor and Maidenhead Community Forum (WAMCF) Cricket tournament
- Visited the Old Windsor Handicraft, Produce and Horticultural Show and presented prizes
- Led the flagraising for Merchant Navy Day
- Given a reading at the civic funeral for Peter Gray former councillor and Honorary Freeman
- Visited some of the artists participating in this year's Cookham and Maidenhead Art Trail
- Visited the Royal Forest Agricultural Show and watched the ploughing match
- Led the Battle of Britain Civic Service
- Attended the Maidenhead and District Scouts AGM
- Attended a couple of Windsor Festival events: "Opera Magic" and Michael Palin talk
- Visited the Town Hall for the UK Resettlement Team's Coffee Morning in aid of Macmillan Cancer Support
- Visited the Macmillan Coffee Morning hosted by Maidenhead Athletic Club and Maidenhead United Football Club
- Attended a service (Sukhmani Sahbi Path) at Maidenhead Gurdwara
- Visited the Royal East Berkshire Ploughing Match and Country Show
- Joined Maidenhead Lions at their 50th anniversary lunch
- Attended Berkshire Vision AGM
- Welcomed the Maidenhead Women's Group for European Friendship and their guests from St Cloud, France to the Mayor's Parlour

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Responses to Public Questions Council - 26 September 2023

a) David Hilton of Ascot and Sunninghill ward will ask the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management

Would the Cabinet Member explain the relevance of climate change when deciding the number of parking spaces to be provided in new developments?

Climate change is caused by Greenhouse Gas (GHG) Emissions. Transport is the source of about a third of the country's GHG emissions and different modes of transport give rise to varying levels of emissions.

It is well recognised that ensuring modal shift away from the use of the private car is important for climate change mitigation, and there are a number of factors which impact on people's travel choices. These include the availability of public transport, provision of active transport infrastructure, provision of shared mobility options such as car clubs and the accessibility of local facilities. It is also well established that lower levels of readily accessible car parking (including physical availability, cost and convenience) are a push factor which can encourage more sustainable travel choices, particularly as part of a balanced approach where viable alternatives are provided.

The recent establishment of Active Travel England as a statutory consultee on planning matters, demonstrates the importance of planning decisions to enabling modal shift. Travel plans, submitted alongside planning applications, are an important way of communicating and facilitating alternative travel options.

Moreover, car parking has a significant impact on the urban environment. Avoiding overprovision of car parking enables greater allocation of space for other beneficial purposes such as increased leisure/recreational spaces, increased green spaces or sustainable transport infrastructure. This can lead to significantly better quality of the public realm and improved amenity for the public, including improved experience of walking and cycling, improved perceptions of safety, reduced noise, and improved air quality. Further many of these alternative uses provide greater opportunities for adaptation to the impacts of climate change, providing for additional urban greening, sustainable drainage and biodiversity opportunities.

Planning decisions must balance many different considerations, which are often unique to a site or location, however, ensuring that there isn't an overprovision of parking within developments, providing for the communication of alternative options and maximising the space available for other beneficial use serves an important role in both reducing GHG emissions and mitigating the impacts of climate change.

b) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Werner, Leader of the Council and Lead member for Community Partnerships, Public Protection and Maidenhead

It's been a mandatory statutory duty since 2021 for councils to protect licenced mobile park home residents by conducting fit and proper person assessment tests of their management, and by publishing a register.

When did RBWM first become aware of these mandatory statutory duties, and why has RBWM chosen not to comply with these two duties?

The Council has been aware of the mandatory statutory duty since 2021 for councils to protect licenced mobile park home residents by conducting fit and proper person assessment tests of their management, and by publishing a register.

Sadly, the previous administration didn't treat the creation of the proper persons register as a priority. Since the new administration has arrived, we have asked officers to treat this as a priority and they are currently reviewing the Caravan Site Licensing procedure which includes the FPP process. The policy will be published on the Council's website together with the Fit and Proper Persons Register in due course.

The situation at Strande Park is much more complex however as it involves many legal processes including the FPP register, planning issues, license issues and compliance issues. These legal processes are taking a long time which we are all finding very frustrating.

We do however need named witness statements to pursue many of these legal processes and I have told the officers to do everything they can to create a safe process for them to give their statements.

c) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management

Last December the Government introduced binding 2040 air quality targets for PM2.5 micro-particulates which DEFRA states are "the air pollutant that causes most harm to human health".

Why is RBWM treating planning applications that demonstrate local breach of this 2040 target during their operational phase as being policy compliant, and by what practical mechanism will you meet the target?

There is clear evidence that PM2.5 has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases.

In 2021, the fraction of mortality attributable to particulate air pollution for Windsor and Maidenhead in 2021 was 5.9%, above the average for England at 5.5%.

The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 places a duty on the Secretary of State that, by 2040, the annual average of 10µg/m³ for PM2.5 should not be exceeded anywhere in England, and population exposure must be reduced by at least 35% compared with the 2018 baseline.

Whilst the national trend is that PM2.5 concentrations is moving in the right direction, having reduced by circa 32% between 2009 and 2022, more action is needed to meet the binding 2040 target, as well as the non-binding 2028 interim target of 12µg/m³.

Actions being taken by the Borough to improve Air Quality are clearly set out within Air Quality Annual Status Report. The latest ASR, published in June 2023, which includes specific measures relating to PM2.5 in response to the new legislation, is available on the Council's website at: <https://www.rbwm.gov.uk/home/environment-and-waste/environmental-health/air-quality-annual-status-report-asr>

Within planning decision making, in appropriate circumstances planning applications are accompanied by Air Quality Assessments prepared by qualified persons. These assessments are considered by Officers within both the Planning and Environmental Health Teams, to ensure that the requirements set out in BLP Policy EP2 are met. That said, we recognise that this policy is weaker than equivalent air pollution policies adopted by some authorities; the London Plan, for example, requires an “Air Quality Positive” approach. As with a number of BLP policies we intend to keep EP2 under review.

The authority has not granted permission to any planning applications which it considers would result in a breach of the national 2040 target and does not consider that any non-policy compliant decisions have been made in that respect. It is important to recognise that, generally, the incremental impact of new development on PM2.5 levels is marginal, and the policy does not require planning permission be refused in such circumstances.

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Responses to Councillor Questions Council - 26 September 2023

a) Councillor Larcombe will ask the following question of Councillor Coe, Cabinet Member for Environmental Services

Please explain why the Wraysbury Drain is still blocked at Hythe End having been reported over four years ago?

The Wraysbury Drain has been blocked for many years, in particular at Hythe End where homes and an industrial yard have been built across its path.

Sadly, in 16 years the former Conservative administration made extremely limited progress in restoring the channel as a whole and no progress at all in reinstating the channel in the vicinity of Hythe End.

The Council did undertake clearance of part of the channel at the Dive Centre in March 2022 and engagement and enforcement work is currently underway along another section where riparian owners have recently taken action to further clear the channel.

How planning consent has been acquired for property to be built across the course of a drainage channel is a question we are exploring with officers, with a view to seeing if there are any lessons to be learnt. We will also look at options for reinstatement of this section of channel such as diversion or culverting.

Further updates on work to reinstate and maintain the Wraysbury Drain are given by the council at the bi-monthly Flood Liaison Group.

b) Councillor Larcombe will ask the following question of Councillor Jones, Deputy Leader of the Council and Lead member for Finance

With the ever-increasing probability of flooding, how much RBWM money has been allocated over future years towards flood defence and land drainage infrastructure maintenance and improvements please?

The following items are currently identified as 'spend' in the capital budget in relation to flood defence and land drainage infrastructure maintenance and improvements.

2023/4 CD54	River Thames Scheme Infrastructure Project	£400k
CI93	Highway Drainage Schemes	£300k
2024/5 CD54	River Thames Scheme Infrastructure Project	£450k

c) Councillor Story will ask the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management

Planning permission for a new health centre to replace two GP surgeries in Sunninghill and Sunningdale was granted 18 months ago and residents are concerned that work has not yet started. Would the cabinet member advise Council on the reasons for the delay, when the work is likely to start and the likely opening date of the new health centre.

On 2nd March 2022, the Council's Development Management Committee resolved to approve the application for the new health hub, subject to an appropriate legal agreement

being in place to secure planning obligations, namely an undertaking to secure a carbon offset contribution. This agreement has only recently been completed allowing a decision notice on the application to be issued on 20th September 2023. This is a welcome step forward for the long-awaited new health facility, however, the Council does not currently have any information from NHS Frimley Integrated Care Board, as developer, about their intended programme for implementation.

d) Councillor Sharpe will ask the following question of Councillor Reynolds, Lead member for Communities and Leisure

The Novello Theatre, one of the original cinemas in the country, is a highly valued gem in Sunninghill High Street. The community in Sunninghill wish to use this, now abandoned, facility for drama, dancing, singing and for cinema, to provide additional vitality to the area. What action is now being taken to return this facility to community use?

The Novello Theatre was returned to the Council following the surrender of the lease in June 2023. The building was originally built as a cinema in 1908 and subsequently extended when converted into a small theatre. It is directly next door to the Cordes Hall in Sunninghill – a community venue which hosts a range of events, productions and shows, many of which are similar in nature to the events that used to be held at the Novello.

Following the lease surrender handover inspection and detailed building condition survey, the Cement Particle sheets making up the flank wall have been found to have failed due to their age. The building is beyond its economic life and the subsequent cost to extensive refurbishment or new build would be approximately £1 million which we believe is prohibitive.

The Council is in the process of considering the appropriate option(s) for the property particularly given the challenging funding environment facing the Council. Once the feasibility options for the site have been concluded the Council will report on the proposed strategy.

Motions Council - 26 September 2023

b) By Councillor Karen Davies

This Council notes the Prime Minister's recent announcement delaying the planned phasing out of diesel and petrol cars and gas boilers. Given that gas and other heating fuels in domestic use contribute 29% and vehicle usage contributes 33% of the borough's total carbon emissions, this Council:

1. Asks the Leader of the Council to write to the Prime Minister to express our concerns at how this national delay will impact on the ability of local authorities to reach net zero carbon, and asking for an urgent renewed commitment to funding the improvements to electricity infrastructure necessary to enable to enable residents, businesses and local authorities to make the necessary transitions to reach net zero.

This motion has been accepted by the Mayor under rule C6.2 and is therefore treated as a Motion without Notice under C13(s).

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