

**AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber - Town Hall, Maidenhead on Tuesday, 24th April, 2018**

**PRESENT: Councillors Story (Chairman), M. Airey, N. Airey, Alexander, Bateson, Beer, Bhatti, Bicknell, Bowden, Brimacombe, Bullock, Burbage, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Gilmore, Grey, Hill, Hilton, Hollingsworth, Hunt, Ilyas, Jones, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Pryer, Rankin, C. Rayner, S. Rayner, Richards, Saunders, Sharp, Sharpe, Shelim, Smith, Story, Stretton, Targowska, Werner, D. Wilson, E. Wilson and Yong.**

Officers: Andy Jeffs, Russell O'Keefe, Alison Alexander, Mary Severin, Chris Anderson and Karen Shepherd

245. APPOINTMENT OF CHAIRMAN

In the absence of the Mayor and Deputy Mayor, a Chairman was appointed for the duration of the meeting.

It was proposed by Councillor Dudley, seconded by Councillor D. Evans, and:

**RESOLVED UNANIMOSLY: That Councillor Story be appointed as Chairman for the duration of the meeting.**

246. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cox, Da Costa, Diment, Lenton, Majeed, Quick, Sharma and Walters.

247. COUNCIL MINUTES

Councillor Saunders requested an amendment to the minutes relating to comments made by Councillors Hill, Dudley and the Mayor, which had been the subject of query and debate and for which clarification was required. The amendments had been exclusively and accurately extracted from the recording of the meeting and the choice of tense and wording used had been guided by the Clerk.

Councillor Jones requested clarification that the wording used by Councillor Hill had been that the budget was insanely speculative. The clerk confirmed that, as detailed on page 15 of the minutes, this was accurately recorded in Councillor Hill's speech on the budget item.

It was proposed by Councillor Saunders, seconded by Councillor Dudley and:

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 20 February 2018 be approved, subject to the following amendment:**

**Page 21, paragraph 2 to read: 'Councillor Hill had labelled him as insane for his budget. As the council's Mental Health Champion he queried the dubious slander. *Councillor Hill interjected that he had labelled the budget insane.* Councillor Saunders explained he had a well-known sub clinical bi polar**

condition, and he regretted those with a contempt for mental health challenges might ignorantly label this as some form of insanity.

Page 21, paragraph 3 to read *‘Councillor Dudley commented that mental health was a very important issue and he did not think people should throw around the expression insane because he thought it very insensitive. Councillor Hill responded that he had not alleged that Councillor Saunders was insane; he had said that ‘the budget was insanely speculative’. The Mayor advised Members that the word insane had a specific meaning and was often cast around as a rather unpleasant adjective and was much best avoided as it could be interpreted personally. The word insane was to be avoided in future discussions.’*

248. DECLARATIONS OF INTEREST

Councillor C Rayner declared an interest in Item 12c as he was the trustee of a trust that could be affected by Heathrow’s expansion plans. He left the room for the duration of the debate and voting on the item.

Councillor S Rayner declared an interest in Item 12c as her husband was the trustee of a trust that could be affected by Heathrow’s expansion plans. She left the room for the duration of the debate and voting on the item.

Councillor Hill declared a personal interest in item 4 as his wife attended yoga at the Community Centre on a Wednesday evening.

249. ORDER OF BUSINESS

**RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be amended, to bring item 12b immediately after item 4.**

250. PETITION FOR DEBATE

Members noted that a petition containing 1,583 signatories had been submitted to the Council on 29 March 2018. 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 ensure that redevelopment plans for the York Road area include a replacement community centre*

Russell O’Keefe, Executive Director, introduced the petition. He explained that the petition asked the council to ensure redevelopment plans included a replacement community centre. The current centre operated a range of community services from the building in York Road that was leased to the Royal Voluntary Service (RVS). The council was negotiating with RVS over the surrender of the lease. Subject to agreement, the community centre would be part of the Phase 2 redevelopment. Discussions were ongoing with the centre and others over future provision.

Dean Yorke, on behalf of the lead petitioner, addressed the meeting. Mr Yorke explained that he was a volunteer trustee. He thanked all those in attendance and

who had offered support. The centre provided many services and was a valuable asset to the town centre. The King George VI Club had originally been built by public subscription and opened by the Queen in 1957. Approximately 10 years ago it had been taken over by RVS. Six months after Mr Yorke had become a volunteer in the office, RVS had announced it would close the centre. RVS had then agreed to allow Mr Yorke, along with Jack Douglas and Simon Chan, to run the centre as volunteer trustees from January 2017 under the new name of Maidenhead Community Centre. The centre included a fantastic café run by a volunteer chef cooking lunches for £5 for two courses. The centre was a great meeting point, particularly for elderly groups. Function rooms were hired out the majority of the time and funded the upkeep of the centre. Activities included yoga, martial arts and church groups.

The case had been put for a new centre when the redevelopment plans were announced for York Road. The petition had attracted over 1500 signatures; Mr Yorke thanked the local community for signing and sharing the petition. He thanked the Managing Director of the RBWM Property for her communications on the issue and Councillor Hill for his advice and support. It was important that the centre remained in the town centre; the elderly would not be able to use the centre if it were not on one of the bus routes. Many customers also worked in the town centre and used the centre at evenings and lunchtimes. With the likely increase in housing in the town centre as a result of the redevelopment it was important the council took the opportunity to work with people showing a fantastic community spirit.

Councillor Hill, Ward Councillor, thanked Cllr D Evans for reacting to the petition and producing an accompanying report. Mr Yorke had clearly stated the case for keeping the centre; with 1583 signatures it was clearly something the public supported. The centre provided many and varied activities and was busy between 9am-10pm each day and part of the weekend. It provided some of the lowest cost food in the town. Loneliness was a critical issue in society and the centre provided a very important role in addressing this problem. Councillor Hill proposed the following motion, which was seconded by Councillor Jones:

‘This council agrees to either keep the existing York Road Community Centre, or as part of the central Maidenhead regeneration re-establish the York Road Community Centre in a new building so it can perform all its current activities, allow for planned expansion and still be easily accessible to all current and future users’

Councillor Hill referred to the Manifesto Tracker to Cabinet in March 2017 that included the commitment to ‘create a vibrant and lively town centre with space for community facilities and entertainment offers’. This was the manifesto of the Conservative and Unionist Party; there was no ‘unionist’ in demolishing and not re-providing the community centre. The loss of the community centre may be seen as asset stripping of the Oldfield ward to generate large amount of cash that would end up in the pockets of developers. The community of Oldfield would be deprived of its rightful heritage. There was no better way to spend the receipts from Oldfield ward than a fit for purpose community facility and cultural space.

Councillor D Wilson, Ward Councillor, commented that for many years he had been a council representative on the management committee of the King George VI club for the elderly, until RVS took over. He was aware of the huge amount of work undertaken at the centre, which provided a vital resource for anyone wishing to meet

their friends. He was supportive of the petition, particularly given the number of signatories. He had been disappointed with Councillor Hill's preamble in relation to the way the development was going, almost alarming residents as to what was going to happen as part of any redevelopment proposal. This was an ideal opportunity to retain the facility. As Oldfield ward councillor he would have liked the opportunity to have seconded the motion.

Councillor Brimacombe commented that the centre was a fantastic facility. The devil was in the detail therefore he requested reassurances on three critical issues:

- Capacity for today and tomorrow
- Continuity of operation
- Central location

Councillor Dudley stated it was essential that redevelopment did not squeeze out community facilities and that they were future-proofed. He thanked the lead petitioner and Councillor Hill for their work in bringing the issue forward. The borough was negotiating for the surrender of the lease. It would be unfortunate if RVS decided to take the money and use it to do good work elsewhere. This could leave the unfortunate situation that borough council tax payers would lose the value and have to reinvest to create a community facility. Councillor Dudley proposed an amended motion; as Council Leader he agreed there was an absolute need to re-provide the community facility. He gave assurances in relation to the three areas Councillor Brimacombe had raised in that the plans needed to be future proofed, continuity should be seamless and the new centre would be in an appropriate central location. He would write to the Chief Executive of RVS to highlight the number of petition signatures and encourage RVS to reinvest the proceeds from the surrender of the lease in Maidenhead.

Members noted the proposed amendment:

That this Council agrees as part of the York Road redevelopment to re-establish the Maidenhead Community Centre in a new purpose-built building(or part of a building) so it can perform all its current activities.

Councillor Stretton commented that she had toured the building. She had been amazed at how quickly the trustees had made the centre so busy and provided so many good activities. She sincerely hoped the council did not propose that the Desborough Theatre would be able to cover the variety of events as it was not a suitable space, for example for the storage of equipment. It would also be impossible without conflicting with current users.

Councillor D. Evans thanked the volunteer trustees for their time. He had been impressed with what they had picked up when RVS pulled out. The centre was well-used in the day and evenings and played an important role in addressing loneliness in the elderly. He was absolutely committed as part of the regeneration of Maidenhead that it was not just about providing much needed homes for people to get on the property ladder but also a cultural and community centre for all. The plans that have been developed had this at the heart. As part of discussions, increased use if the Desborough Suite facilities had been considered and investment was planned as part of the community offer. The council was committed to having a community facility that was in the centre of Maidenhead. He agreed with the three critical issues

raised by Councillor Brimacombe. He encouraged the trustees to continue to work with borough officers to bring the project forward and ensure a cultural and community heart to the redevelopment.

Councillor Dudley commented that he wished for it to be minuted that the new facility should be future-proofed in terms of its business plan, that there should be continuity of service, and be in a central location to the town. The proposed recommendation referred to 'part of building' as one option would be for the facility to be on the ground floor of a larger building, such as was proposed for the Heritage Centre.

Councillor Hill stated that he was happy to accept the amended motion put forward by Councillor Dudley.

It was proposed by Councillor Dudley, seconded by Councillor Hill and:

**RESOLVED UNANIMOUSLY: That this Council agrees as part of the York Road redevelopment to re-establish the Maidenhead Community Centre in a new purpose-built building (or part of a building) so it can perform all its current activities.**

251. MOTION B

Councillor Carroll introduced his motion. He thanked the Chief Executive of the DASH charity, its volunteers and the borough officers who worked in the areas of domestic violence and domestic abuse. Last week he had been proud to launch the new service, an independent source of advice for adults and children and an outreach service. On a national level it was estimated that 1.9m people experienced domestic violence in the year ending March 2017, with the police recording 1.1m incidents. There had been a steady rise in cases reported in the borough year on year. These figures did not include unreported cases. Domestic abuse could be physical, emotional or mental abuse. In any form it was unacceptable and devastating for those affected. The issue needed to be addressed head-on as victims and future generations deserved better. The council must resolve itself to tackle the issue and take a zero-tolerance approach. It was important to bust the myth that only women were affected; men were also victims but found it harder to come forward due to the stigma. It was important people could come forward and know they would be listened to. The council should stand united and send a clear message on such a critical issue.

Councillor N. Airey stated that she was delighted to support the important motion. In 2014, under the last administration, she had brought a motion to Council on raising awareness of domestic violence and offering help and support to those affected. Nationally, domestic abuse crimes accounted for a third (32%) of all violent crime:

- 1 in 4 women would experience domestic abuse in their lifetime
- 1 in 6 men would experience domestic abuse in their lifetime
- On average, two women a week were killed by a current or ex-partner in England and Wales.
- Domestic abuse cost the UK £17 billion per annum.

The local picture for children and young people was illustrated by the fact that 127 high risk victims were discussed at the RBWM Multi Agency Risk Assessment Conference; 172 children were in these households. Of the 2669 referrals into the

borough's Multi Agency Safeguarding Hub, 31% had domestic abuse as the key concern

As Cabinet member for Children's Services, she was delighted that the new contract with DASH had a real focus on supporting children and young people affected by domestic abuse. However, it was known that children learned behaviours. For many children, what they saw was what they would reproduce, and a significant number of perpetrators of domestic abuse were victims themselves. The cycle must stop; domestic abuse was something no person, regardless of age, gender or any other factor, should endure. No child should feel unsafe in their own home, by being a victim of domestic abuse, living with the threat of violence, or witnessing domestic abuse in the home. The administration would not stop until every child and young person could grow up in safety in the borough.

Councillor Saunders commented that he had been a victim of domestic abuse at various points in his life and he wholeheartedly supported the motion. Domestic abuse and violence, whether physical or mental, whether inspired by jealousy, relationship breakdown, alcohol or drug abuse, or the insecurity and frustration of pressure of work, money or anything else, was a frightening prison for those who suffered it and an abusive environment for children and others who had to live with it. It was not gender specific, although inflicted more on women than men. It was corrosive and corrupting of all involved. It was time for this to be a focus of all those who sought to avoid, support and repair the damage of domestic violence and abuse, including this Council. Councillor Carroll had his full support for the motion and bringing it fully into effective force.

Councillor Werner stated that his side of the chamber were fully supportive of the motion. Domestic abuse had a wide range including emotional and financial abuse. The effect on children was a significant issue. Domestic abuse was not a class issue.

Councillor Hollingsworth commented that he had put his Members' budget two years in a row towards the DASH charity. Continuity of funding was important to enable the charity to plan.

Councillor Jones stated that she fully supported the motion. There were areas of the borough with large numbers of vulnerable elderly people and she hoped the motion would bring awareness and support to this issue.

Councillor S Rayner commented that she had spent International Women's Day with the Prime Minister. The focus of the day had been domestic violence and new legislation to address the issue. Councillor S Rayner had met many victims. It was unacceptable for people to lose their dignity and control of their lives. Psychological scars were long lasting. The decision to take back control was incredibly frightening and brave. To have DASH and other partners to help with this step would empower people to do so.

It was proposed by Councillor Carroll, seconded by Councillor N. Airey and:

**RESOLVED UNANIMOUSLY: That this Council:**

- i) Continues to robustly adopt a zero tolerance approach to any form of domestic violence and abuse, and strongly reaffirms our steadfast commitment to tackle domestic violence and abuse through our public**

**health strategy, joint health and well-being strategy, and awareness campaigns;**

**ii) Encourages anybody from any background who is suffering from the impact of domestic violence and abuse to come forward and get the help and support they need from the police, the council, health services or key partner organisations such as DASH, Victim Support or the 24 hour National Domestic Violence Helpline;**

**iii) Resolves to promote awareness across the Borough to ensure residents understand what constitutes domestic violence and abuse and who they can go to locally to access support.**

252. ORDER OF BUSINESS

**RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be amended, to bring item 12a as the next item.**

253. MOTION A

Councillor Dudley introduced his motion. He commented a significant number of pubs were under threat, including the North Star in Boyn Hill, the Swan in Clewer, the Barley Mow in Cox Green, the Ark in Riverside and the Red Lion in Oakley Green. Before the banking crisis a number of large pub owning companies were established, managed through aggressive acquisition activity to establish large property estates funded by debt. The banking crisis left them in a highly indebted situation and needing to de-gear to meet banking covenants. The only way to do this was to liquidate assets by letting the business go bust then selling the properties for alternative use. The Pub Code Adjudicator had been established with the aim of ensuring tied tenants would be no worse off than if they were not tied. The beer tie was usually not at market prices. The Adjudicator was meant to break the link between the dry lease (the property) and the wet lease (the beer tie). Sadly the secondary legislation was not working as intended. The motion included a letter to be sent to the government to make the legislation fit for purpose.

Councillor McWilliams explained that the Barley Mow had been located in Cox Green since 1840. It had survived 177 years including two World Wars but now found itself in difficulty. The tenants had been unable to buy beer on the open market without the threat of the rent rising astronomically. The tenants had offered to buy the freehold but had received no response.

Councillor Carroll commented that the North Star in Boyn Hill as also facing possible closure. The motion highlighted the importance of pubs to local communities. Public Health England was starting to evidence the importance of community assets such as pubs in terms of addressing issues such as loneliness.

Councillor Lion stated that pubs had a special place and should be supported. Councillor D. Wilson commented that the issue had been around for some time. Many years ago he had helped the Fir Cone in Norrys Drive in its dealings with Enterprise Inns. Tenants were continually suffering because they could not make sufficient profits to enable them to buy the freehold.

Councillor Brimacombe commented when the business model was so onerous you ended up with only one type of pub, when pubs should reflect the character of the local community. He suggested the letter should highlight the council was a vanguard authority and should show the way for a national issue.

Councillor Bicknell commented that this was a national issue and British people were entitled to a pint. The secondary legislation was not working. Windsor had pubs going back to the time of Nell Gwynne. The council needed to be more forceful with Ministers on this issue.

Councillor Jones commented that she was delighted to support the motion. she was aware of the issues as her parents had run a pub for over 20 years. Running a pub used to be 'work hard, play hard'; now it was just 'work hard'. A number of pubs had been lost in the last 10 years including the Queen, the Wolf, the Bell, the Rising Sun and the Lord Nelson.

Councillor Werner commented that the Merlin went years ago and the Golden Harp had been turned into a Tesco store. The tenant of the Crauford Arms had been supported by the council and residents to purchase the freehold. Mark Newcombe had run a very successful campaign. Councillor Werner suggested the tenants of the Barley Mow should be put in touch with Mr Newcombe.

Councillor Coppinger highlighted that the Borough Local Plan included tightening controls to make it more difficult for pubs to be closed and turned to other uses.

Councillor Stretton fully supported the motion. She questioned why the letter would not go straight to the Secretary of State. It was confirmed that Richard Harrington MP was the Parliamentary Undersecretary with responsibility for the Pub Code. The letter would also be copied to the Windsor MP.

It was proposed by Councillor Dudley, seconded by Councillor McWilliams and:

**RESOLVED UNANIMOUSLY: That this Council:**

- i) Is concerned that The Pubs Code Adjudicator is failing to tackle the financial unbalance suffered by tied tenants in its borough and around the country.**
- ii) Notes that the case of The Barley Mow demonstrates clearly that, in its current format, the secondary legislation is not fit for purpose, as it is clearly unable to offer tied tenants a simple and easy path to severing their tied terms, as was the intention of Parliament.**
- iii) Requests the Leader of the Council to write to Richard Harrington MP, urging him to take this issue to the Secretary of State, Greg Clark MP, copied to Theresa May MP, so he can take the necessary steps to make the legislation work, as a matter of urgency**

254. MAYOR'S COMMUNICATIONS

The Mayor had submitted in writing details of engagements that he and the Deputy Mayor had undertaken since the last meeting, which were noted by Council.

Council congratulated the Duke and Duchess of Cambridge on the birth of their second son.



255. PUBLIC QUESTIONS

- a) Lars Swann of Clewer South ward will ask the following question of Councillor Rankin, Lead Member for Economic Development, Property, Communications and Deputy Finance:**

What help can the council give to help save The Swan pub in Clewer village?

Councillor Rankin responded the council had been pleased to support the successful bid for the Crauford Arms in Maidenhead led by local residents and the Crauford Arms Society Ltd last year. That support had included:

1. Advice and guidance by ward councillors and officers and, through the council's external funding and development service - Our Community Enterprise, help community groups to put together bids for external finance and help structure the share arrangements. The tenants of the Swan had already been put in touch with Our Community Enterprise.
2. The council was able to offer financial support a small short term loan to bridge, on the basis it was secured against the premises should the Society be successful in their purchasing. In the end the loan was not required,

He was sure the council would seek to offer similar support to the Clewer community.

Mr Swann, by way of a supplementary question, asked if Councillor Rankin would be prepared to meet with him, ward councillors and Mr Williams to discuss options.

Councillor Rankin responded that he would be delighted to do so.

256. PETITIONS

None received

257. APPOINTMENT OF STATUTORY OFFICERS

Members considered approval for the statutory appointment of Monitoring Officer. Councillor Targowska explained that the Employment Panel had agreed a new management structure on 12 March 2018 including the separation of the Monitoring Officer function from the Head of Law and Governance. Mary Severin had been Acting Monitoring Officer since the departure of the previous Monitoring Officer. If approved, she would take up the permanent post immediately. Councillor Targowska thanked the Acting Monitoring Officer for the fantastic job she had done so far. Councillor Dudley echoed the thanks. Councillor Werner wished good luck in a challenging role.

The Managing Director confirmed that the role was shared with Wokingham and was on the basis of 1.5 days per week. The Monitoring Officer function had been only one element of the previous full time Head of Law and Governance position.

It was proposed by Councillor Targowska, seconded by Councillor Dudley and:

**RESOLVED UNANIMOUSLY: That Council notes the report and appoints:**

**i) Mary Severin as the Council's Monitoring Officer.**

258. EQUALITY AND DIVERSITY POLICY

Members considered a revised Equality Policy. Councillor Targowska explained that the council had a statutory responsibility under the Equality Act 2010 to publish equality objectives at least every four years and information to demonstrate compliance with the Equality Duty on an annual basis. Implementation was monitored by an annual report, and a six monthly update on progress against objectives to the Principal Member and Senior Management Team and Access Advisory Forum. In addition, Employment Panel would also receive an annual update in terms of council staff.

Councillor E Wilson commented that the definition of anti-Semitism was important but had not actually been included in the policy and he asked if this could be included. It was also important to ensure people remembered the Holocaust and children were educated so that there could be no denying it occurred. He asked what activities the council planned in remembrance?

Councillor Saunders stated that he was pleased to support the recommendations in the report, which was not simply an administrative report. The duties of councils in section 149 of the Equality Act 2010 were there to protect and advance equality for all protected groups who had experienced unwelcome, degrading and offensive prejudice. The duty extends to all those exercising a public function, including all Members and all officers, contractors and partners. It provided the opportunity for those who were elderly, with disabilities, expecting a baby, with gender ambiguity, with religious or other beliefs, of any race or ethnic origin, any gender or any sexual orientation, to reasonably expect that they could go about their lives, and in their dealings with the council, free from discrimination, harassment or victimisation. The council's duties and those of Members were clear and extended into all aspects of public service, including, but not exclusively, in how the council managed its premises, recruited and employed, educated children and mature learners, made appointments, funded organisations and licenced taxis. Each of these areas were spelled out in the law. Each borough team and partner should reflect with care on the council's duties and satisfy themselves that those duties were clear, understood and alive.

Councillor M. Airey expressed concern at the enduring presence of anti-Semitism in local and national government and the lack of action by the Labour Party leadership. Councillor Airey was proud to be part of a political party in which Jews had a home, particularly as he had lost relatives at Auschwitz. The IHRA definition included some examples of modern-day anti-Semitism including denying Jewish people the right to self-determination by claiming the existence of the state of Israel was a racist endeavour and accusing the Jews as a people or the state of Israel of inventing or exaggerating the Holocaust. It seemed in 2018 Britain was still grappling the issues that should have been finished in the Second World War. He hoped the council would promote action against anti-Semitism including Holocaust remembrance and reinforcing the Jewish people's right to self-determination in the state of Israel.

It was proposed by Councillor Targowska, seconded by Councillor E Wilson and:

**RESOLVED UNANIMOUSLY: That Council notes the report and:**

**i) Approves the draft Equality Policy, see Appendix A.**

**ii) Approves the adoption of the International Holocaust Remembrance Alliance's working definition of anti-Semitism, see point 3.5.**

259. ORDER OF BUSINESS

**RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be amended, to bring item 11h as the next item.**

260. MEMBER QUESTION H

**a) Councillor Hill asked the following question of Councillor N. Airey, Lead Member for Children's Services:**

Oldfield School pupils only got 40% of their 1st choice places with only 2 girls out of 7 going to Newlands. Why, when you knew all the class sizes, gender mix and likely 1st place choices did you do nothing for Oldfield school children?

Councillor N. Airey responded that the council had a statutory duty to ensure that there were sufficient school places for every pupil and the current investment of £30m, including £15m of local capital, was increasing the capacity in secondary schools. In Maidenhead these extra places were at Furze Platt Senior, Cox Green and some at Newlands Girls' school. At Newlands the Council had added to the s106 funds for the school to ensure the additional places were delivered as planned.

In the admissions round for September 2018, over 80% of residents were offered their first place preference of school. Over 88% of applicants at primary level also got their first place preference, the highest in eight years. It was sadly a reality that no authority can promise a particular school because of four factors: the expressed preferences in a given year, the reputation of the available schools, the operation of the national admission system, and the individual admission arrangements set by different academies. It was not in the council's power to directly impact these four issues.

It was these factors which determined the order in which places were allocated. The national system was called "equal preference" and mandated that places must be allocated against criteria that could not include preference. It was very pleasing to note that all our secondary schools were rated as Good or Outstanding by Ofsted which gave every young person a good chance of educational success regardless of which school was allocated by the system.

Within the current arrangements for Maidenhead secondary schools, the linear distance from home to school was the most commonly used approach to order applications for pupils living in the designated area. There were a range of other types of criteria that could be used including feeder schools, different measuring points, and so called 'random allocation'. All had strengths and weaknesses, and give a different pattern of space allocation. Councillor Airey had invited representatives of all secondary admissions authorities to a workshop at the Town Hall on 9 May 2018 led by the Director of Children's Services to consider what changes could be proposed to

improve the situation. Any proposals would need to be consulted on by the admission authorities before the system was changed however she believed that a coordinated approach was better than each admission authority working alone. Feedback to Oldfield representatives would be provided.

Looking further ahead to the expected increase in housing within the area, it was estimated that a further 20 classes would be needed in every school year group by 2035, at an estimated cost of £277m. The council had allocated £1.3m to enable feasibility and costs to be developed for a range of schemes to ensure the system worked well. This work included consideration of the options to increase the capacity of Newlands Girls' school subject to any decisions the Academy may take.

The council took access to good and outstanding education very seriously and while it could not promise to meet every parent's preference, it would work with its partners in Academy schools to make the best system it could for local residents.

By way of a supplementary question, Councillor Hill asked what the Lead Member was going to do for the seven forgotten pupils.

Councillor N. Airey responded that no pupil had been forgotten; all had been offered a place. The allocation of places was not up to the authority and it could not tell academies how to allocate places. Unfortunately the local authority did not have the power to change the situation and parental preference could not be taken into account.

261. ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD ELECTORAL REVIEW -  
SUBMISSION ON DRAFT RECOMMENDATIONS

Members considered the Royal Borough's representation on the electoral review draft recommendations to be submitted to the Local Government Boundary Commission for England (LGBCE). Councillor McWilliams explained the background to the report including the fact that the review was required as Oldfield would soon be over the 30% threshold and that the borough was in the bottom quartile in terms of elector representation. Stage 1 had been to determine the number of councillors needed in future, which had been proposed at 43. In the first draft proposals the LGBCE had reduced the figure to 42.

A series of Member briefings had been held on the second stage. The consultation was open to 7 May 2018 and Councillor McWilliams encouraged everyone to respond. The council's overall response would be an important part of the LGBCE machinations. If the recommendations in the report were not supported the LGBCE work would continue without the council's input. This would be a great shame as the Working Group had placed great focus on community identity. The Working Group had agreed that, particularly in the south of the borough, the electoral representation threshold should be breached to ensure community identity was maintained. Option 1 therefore proposed the Boltons be included in Clewer East. To ensure the LGBCE was aware the council had considered all options, it was proposed to include an option 2 (not preferred) that had an electorally balanced situation but the Boltons was split between Clewer East and Old Windsor.

Councillor S Rayner commented on the need to offer taxpayers value for money in terms of less elected representatives. The patterns proposed maintained community

identities as much as possible, The council had a duty to exercise its duties in the most efficient way possible.

Councillor Jones commented that the council approached the LGBCE to resolve an issue in Maidenhead. Whilst 43 councillors addressed this issue, it had proven not to work in Windsor and in the south of the borough because of geographical constraints. Councillor Jones thanked officers who had worked so hard to produce the warding patterns that put communities first. Councillor Jones had requested, and had now received, confirmation that the ward name of Old Windsor would remain and would not be proposed for amendment to Old Windsor and Great Park.

Councillor Hilton stated that he would confine his comments to the south of the Borough where he had local knowledge. At the December consultation the seven councillors in the south of the borough, supported by the two Parish Councils, proposed three 2-councillor wards which, based on local knowledge of major sites that would be coming forward for development, and using the same methodology as officers would have, had a maximum of 11% deviation, just 1% outside the desired 10% target. The proposals would have been coterminous with Parish boundaries with four councillors within Sunninghill and Ascot and two within Sunningdale. Sadly, the proposals were rejected by the LGBCE.

The latest proposals were for two wards in the south: Sunningdale and South Ascot and Ascot and Sunninghill. Aside of the addition of the whole of Windsor Great Park to Ascot and Sunninghill matched ward boundaries prior to the 2002 boundary changes. For about 18 months, prior to the 2002 boundary review, Councillor Hilton had represented Ascot and Sunninghill so it would not be too difficult to do so again. However he did not see the Great Park as part of Ascot. It was next to the ward but it was some miles from the centre of Ascot and the village, which was the only significant collection of homes in the Park, was much closer to Old Windsor than Ascot. He was sure that the affinity of the people who lived in the village was to the north and Old Windsor and Windsor, rather than the south.

Furthermore, in 2014 the Ascot Sunninghill and South Ascot Neighbourhood Plan was adopted by the council and it had been possible to draft policies that reflected all parts of what a cohesive area was. This would not have been the case had the Great Park, which was entirely within the Green Belt, been included. Members should be aware that just 276 electors lived within the Great Park and were proposed to be moved to Ascot on the grounds of balance. The fact that developers were already talking about more than 800 homes, with more to come, in the revised Ascot and Sunninghill ward indicated the Great Park should be left where it was to allow the community to remain together and allow time, as it surely would, to correct the imbalance. Councillor Hilton had written to the LGBCE in support of the two 3-councillor wards in the south but that the Great Park should be part of Old Windsor.

Councillor Bowden commented that if Clewer East was going to be 25% over with only two councillors, he would give in. Councillor Bicknell highlighted that the ward he represented would disappear by May 2019 under the proposals. In his view residents of the Boltons were not Old Windsorians.

Councillor Brimacombe commented that he understood that there was no way to reverse the process, which had not been made particularly clear to Members. The cure seemed worse than the disease.

Councillor Beer endorsed the comments made by Councillors Jones and Hilton. He felt the figure of 43 had been picked out of the air as it was the same number as West Berkshire. At the time he had pointed out that the Sunnings and old Windsor were a special case due to geographical constraints this had been ignored. Option A would suit the Old Windsor community, but not Windsor.

Councillor Rankin commented that there was a need for electoral equality and a reduction in the cost of politics. However it had been very difficult to balance the figures. He welcomed a move to a submission with more focus on community identity. He personally felt that Eton should be in a separate ward to Windsor town centre.

Councillor E. Wilson highlighted two uncomfortable truths. The council as an administrative body rather than a self-preservation society. The council had to work smarter, rather than harder. The meeting had discussed a list of issues that it had no control over, such as admission policies. The LGBCE aim of making every vote count had been achieved in their proposals, with two exceptions. The south was simply an over-represented part of the borough. The council's submission made it clear it did not make sense to add the urban area of the Boltons to semi-rural Old Windsor village. The exception was worth arguing.

Councillor Bateson commented that the parish council had requested the ward name be amended to Sunningdale and South Ascot, as Sunningdale was the largest village.

Councillor McWilliams commented that adding a third councillor to Clewer East would throw off the elector to councillor ratio across the whole borough and the process would have to start again. The decision was not to include it but he encouraged individual councillors to make submissions. The figure of 43 had not been picked from the air; officers and the Working Group had spent many hours debating the figure. If Eton was separated as a one-Member ward this would break the good governance rule to have the same number in all wards wherever possible. The Working Group decided it would not make proposals on ward names and encouraged all to put forward their ideas for ward names as individual submissions.

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

**RESOLVED UNANIMOUSLY: That Council:**

- i) Agrees that the Royal Borough's representation on the electoral review draft recommendations be submitted to the Local Government Boundary Commission for England.**

262. BOROUGH-WIDE DEVELOPMENT MANAGEMENT PANEL

Members considered changes to the terms of reference for the borough-wide Development Management Panel.

The Chairman confirmed that the item had been the Mayor had agreed to the urgent item, in accordance with Section 100B (4) (b) of the Local Government Act 1972, to allow the amendments to take place with immediate effect.

Councillor Targowska explained that Major applications represented the most significant developments across the Borough and merited consideration in public by a

Development Management Panel. Development Management Panels were quasi-judicial. They had powers and were governed by procedures resembling those of a court of law, and were obliged to objectively determine facts and draw conclusions so as to provide the basis of planning decisions taken by the council. As part of that process Members were advised by planning professionals; Members of the Panels were not expected to be experts in the field of planning.

The Managing Director had tabled an amended recommendation that sought that only those applications falling within the definition of major development, which were recommended for refusal by the Head of Planning, would be automatically considered by the Borough Wide Panel.

Councillor Jones expressed disappointment that after four months of work by the Constitution Review Working Group only one change to the constitution was being presented. The recommendation was also different to that proposed by the Working Group. An urgent paper and amended recommendation on the evening of the meeting seemed like undue haste given the other recommendations had been put back to June. The Working Group did suggest an increase to 15 members but that the Panel would only consider applications with a significant social, environmental or economic impact. To take away all applications for 10 or more that were recommended for refusal from the area panels went against the Conservative manifesto commitment about involving councillors at all levels in planning decisions. She was against the proposal because it reduced the involvement in decisions affecting the local community. If two applications were heard on the same night for different areas of the borough, one set of residents would have further to travel.

Councillor Dudley commented that the constitution was a 400 page document; the proposals before Council were just one microcosm. The Working Group had done some fantastic work that provided a good foundation, but further work was needed. The other changes would not come in until the boundary changes in 2019 therefore there was time to make revisions and it was important not to rush the process. The reason the proposals were before council was because certain major planning applications Members would have presumed would go to Panel were being refused by officers. The amended recommendation addressed this issue. Of the major developments refused in 2017/18, 7 of the 12 were done so under officer delegation. Member involvement was needed in such decisions to ensure local communities were represented. He had also received representations on this matter by developers.

Councillor Hilton commented that planners fulfilled two roles, firstly they ensured applications reflected the NPPF, BLP and Neighbourhood Plan policies. Importantly they also worked with developers to ensure proposals either reflected local character or with very large developments created a character that was in keeping with the Royal Borough. On four major applications in the south of the Borough currently in the system he had seen the process at work and it was helpful. It was a process of negotiation, developers understood the rules and knowing that in the extreme planners could refuse their application helped to concentrate the mind. He requested explanation of two issues:

- What would motivate applicants to be open with planners and consider appropriate change if the delegated authority to refuse were removed?
- If there was no movement from developers how would the BWDMP manage the risk of applications coming forward which were not as good as they could

be? It was not the role of the panel to modify an application it could only approve or refuse.

Councillor Rankin commented that he struggled when he first saw the proposals. Fundamentally planning powers were the council's powers, delegated to officers through the constitution. The current set up of three area panels was a sensible level for democratic decision. As a Windsor member he could call in an application and residents could then walk to the Guildhall, which was viewed as the Windsor Town Hall, to see local members making the decisions. This was the proper granularity for determining planning applications. When he first saw the report which had a recommendation referring anything over 9 units to the Borough wide panel he had felt it was ill conceived. He was happy with the amendment which reinstituted the three panels. However he queried why in the first recommendation major applications that were considered for refusal would not go to the area panels.

Councillor Werner commented that Members needed to be making the decisions. The call in facility still existed. The Borough wide panel was not the right place for major applications; decisions about Maidenhead should be made by Maidenhead councillors and similarly for other areas of the borough. He suggested the first recommendation be amended to refer such applications to the relevant area panel.

The Monitoring Officer referred Members to Part 2C 14.6 of the constitution which set out that amendments could not introduce a new proposal unrelated to the original motion.

Councillor Dudley suggested that the recommendation be approved at this meeting to ensure Members were able to decide on major planning applications and if necessary, an alternative motion be brought to the next meeting. Councillor Werner accepted this if a motion would be guaranteed at the next meeting. Councillor Dudley agreed.

Councillor Beer commented that the council had previously been castigated because it was only delegating a small percentage of applications; the government had said it would intervene if the council did not meet the 95%.

Councillor Smith suggested that it should be up to the Chairman of the relevant Panel to determine if an application should come to the local Panel. Councillor Brimacombe commented that he thought Members would have had visibility and nothing would be determined without their knowledge. He was under the impression a Member could call in an application if they so desired. Councillor C Rayner expressed concern that the report had been brought in haste.

Councillor D Wilson commented that he did not understand why the wording could not be changed from borough-wide to area panel in the first recommendation. He had served on planning panels since 1991. They were all quasi-judicial and bound by the same process; it did not matter whether it was a borough wide or area panel. He was pleased with the amended recommendation. Councillor Dr L Evans questioned whether only bringing applications that were recommended for refusal to the panel would be seen as predetermination.

Councillor Kellaway commented that a Planning Task and Finish Group (TFG) was underway. At the first Constitution Review Working Group he had made the point that in the current constitution major applications could be refused by officers. He had called in one such application the previous month. The TFG was looking to reduce the



overall number of panels. As currently proposed this would add to the burden; there should be some discretion.

Councillor Bateson agreed with the recommendation that applications should go to the Borough wide panel; there was sufficient representation from each area on the panel.

Councillor Bicknell commented that powers were delegated to officers from Members to undertake the workload that would be too time consuming for Panels. However big applications were going through without Members being aware. If the recommendations were agreed this would be stopped immediately. The bigger panel gave better political balance.

Councillor Saunders echoed the concerns about applications not called in or called in late. Members had the right to have applications determined by a Panel. However in the zeal to fix the situation, he believed the recommendations had been incorrectly drafted. Councillor Saunders proposed an amendment to recommendation ii to read:

Applications falling within the definition of major development and called in or falling within the minor or other categories will continue to be reported to the relevant area Development Management Panel;

The meeting adjourned at 10.30pm, and reconvened at 10.38pm.

Councillor Targowska confirmed she accepted the amendment to recommendation ii).

It was recommended by Councillor Targowska, seconded by Councillor Dudley and:

**RESOLVED UNANIMOUSLY: That full Council notes the report and approves the following amendments to the Council's Constitution:**

- i) Applications falling within the definition of major development which are
  - a. recommended for refusal by the Head of Planning AND**
  - b. have not been called-in for determination for a decision by the relevant Area Development Management Panel**will be determined by the Borough-wide development management Panel. Those major applications that have been called-in will continue to be considered by the relevant Area Development Panel; \***
- ii) applications falling within the definition of major development which are recommended for approval by the Head of Planning, including those applications which fall within the definition of major development which have been called-in, will continue to be determined by the relevant Area Development Management Panel.\***
- iii) The membership of the Borough-wide Development Management Panel will increase to 15, political balance and quorum to be adjusted accordingly; and**
- iv) Planning Enforcement items will continue to be reported to the relevant Area Development Management Panel unless the Chair authorises the issue of the notice prior to Panel.**

*\*The wording of resolutions i and ii was clarified by the Monitoring Officer subsequent to the meeting. When the draft minutes are considered for approval at the next meeting (June 2018) Members will have the opportunity to consider the revised wording.*

263. CONTINUATION OF MEETING

At this point in the meeting, and in accordance with Rule of Procedure Part 4A 23.1 of the council's constitution, the Chairman called for a vote in relation to whether or not the meeting should continue, as the time had exceeded 10.00pm.

Upon being put to the vote, those present voted in favour of the meeting continuing.

264. MEMBERS' QUESTIONS

**RESOLVED UNANIMOUSLY: That Member questions a, c-g and i-m be responded to in writing outside of the meeting and answers appended to the minutes.**

**b) Councillor C Rayner asked the following question of Councillor Bicknell, Lead Member for Highways, Transport & Windsor:**

What are the arrangements for the upcoming Royal Wedding in Windsor and why there has not been wider consultation of ward councillors and the Tourism Development Forum, given the event will affect everybody living in the Royal Borough?

Councillor Bicknell responded that the forthcoming Royal Wedding would help showcase Windsor to the world. He was delighted that Prince Harry and Ms. Meghan Markle had chosen to share their very special day with the Windsor and the world, and by deciding to have a procession through our wonderful town after their wedding service in St George's Chapel on Saturday 19 May 2018. He was pleased to be able to confirm that the planning for this very large event, perhaps the biggest ever in Windsor, and one that would be under the watchful eyes of millions, watching the event around the world, were progressing very well.

The arrangements were being drawn together by the established Ceremonial Events Project Group, which had for many years been the multi-agency planning group that worked to plan and coordinate Royal and State events for Windsor. For the planning of such events, there was always a balance to the process, between finalising arrangements to meet the safety and security requirements, and keeping Members, local residents, businesses and visitors informed of the plans as they became finalised.

The work was ongoing but with just over three weeks to go, he was pleased to report arrangements were now well advanced with the council's partners, which included: police, emergency services, a number of government departments, a range of health services, the Environment Agency, security services, the Royal Household and many others.

The multi-agency group was continuing to make the final detailed plans, but he was able to confirm that in addition to the confidential Elected Member Briefing that was issued to all Elected Members a couple of weeks ago, residents and businesses most directly impacted by the arrangements had recently been sent letters setting out the

plans as they currently stood, and confirming the best way to stay up to date with any last minute changes or developments.

With an event of this size, there would inevitably be some disruption to the town on the day of Rehearsal (Thursday 17th) and on the big day itself, with a number of the special arrangements coming into effect incrementally from the Friday afternoon and evening in some specific areas. The event would provide a legacy of tourism for a long time to come. Whilst these details were correct, Councillor Bicknell re-iterated that as there were still over three weeks to go, some details may change, but the council would keep Members, residents, local businesses and visitors updated through the website, leaflets and local signage.

By way of a supplementary question, Councillor C Rayner asked why ward councillors and himself as the Chairman of the Tourism Development Forum not been consulted; this meant they were unable to advise residents.

Councillor Bicknell responded that there was a great deal of security around the event and as much as the council would like to tell business and residents the details in advance this was not possible, the methods had been well used for previous events.

265. MOTIONS ON NOTICE

Councillor Beer introduced his motion. There was a perception that the only issue with a third runway was noise. People were either not in an area affected by noise or had got used to it. There was therefore a need to energise the public. He accepted that public presentations were probably out of the question but the council should use traditional and social media to get the message across. The Aviation Forum had hoped to get an article in *Around the Royal Borough* but this had not been successful. A golden opportunity had been missed. Active promotion was needed because Heathrow's plans would be a disaster for the borough, for example the housing problems would be exacerbated. Councillor Beer requested to amend the motion by removing the words 'including public presentations'.

Councillor Dudley agreed that as much communication with residents as possible was needed. The National Policy Statement (NPS) was due for adoption in the summer. If approved it would open a six week window for a legal challenge.

Councillor Hilton thanked Councillor Beer for bringing the motion to Council and for consistently fighting for residents' interests on the impact of aircraft noise. He wholeheartedly supported the motion on the third runway and the need to make Members of Parliament, Ministers and residents aware of the consequences of a third runway. The Transport Select Committee had reviewed the NPS and published their findings on 23 March 2018. The Select Committee supported the NPS but this was not a wholehearted endorsement and they had voiced significant reservations that without further work to address concerns raised, there was a risk of successful legal challenge.

On air quality the Select Committee had asked the Government to adopt a more stringent interpretation of air quality compliance with some headroom to manage the uncertainty of predicting future air quality compliance. It said Heathrow should be required to show, with a reasonable degree of confidence, that their scheme could be compliant.

The Select Committee recommended that a condition be included in the NPS to the effect that consent would only be granted if the Secretary of State was satisfied that the proposed scheme would: avoid significant adverse impacts on health and quality of life from air quality; mitigate and minimise adverse impacts on health and quality of life from air quality; and where possible, contribute to improvements to health and quality of life. Given what was known about issues of air quality this was a high hurdle indeed.

On surface access the Select Committee recommended a condition that ensured approval only be granted if the target for no more airport related surface traffic (cars, taxis and trucks travelling to the airport) could be met, or that as a condition of approval capacity be released at the airport after construction, only when the target was met.

The third runway was essentially a cost-plus project with Heathrow being able to recoup costs through Landing Charges, departing passenger charges and aircraft parking charges. All these costs ended up being paid by passengers. Heathrow's airport charges were already the highest in the world and the Select Committee voiced concern over the lack of clarity on costs for surface access, both rail and road as well as the re-provision of the Colnbrook energy from waste facility.

The Select Committee went on to say that a 50% increase in airport charges, as was assumed by the Airports Commission, was an unacceptable outcome and would be detrimental to the business case for the scheme. It recommended that, at an appropriate early stage of the planning process, the Government's preferred scheme be tested by the Civil Aviation Authority to ensure it was both affordable and financeable. Such a test should offer an opportunity to halt the planning process if it was evident that the proposed scheme had no realistic prospect of being built.

On aircraft noise many had been asking for some clarity on proposed flight paths so that communities that would be overflowed by more aircraft and those who would be newly overflowed had a better understanding of how a third runway could affect them. The Select Committee made a number of recommendations in this area including that the Government should define in the NPS what constituted 'significant adverse impacts and define an acceptable noise limit that reflected a maximum acceptable number of people newly exposed to noise due to the scheme.

The council needed to make sure that the local MPs were fully conversant with the Select Committee's recommendations and conditions and insist that they be included in the NPS and if they were not, to reject the NPS.

Councillor Bowden highlighted that the 380 page document Heathrow published did not include any rail provision. Councillor Bicknell highlighted issues such as rail crossings being closed for 20 minutes in the hour and the need for 45,000 homes to be built. Roads would need infrastructure such as traffic lights and junctions and he questioned how all this would be funded. The airport was already at 98% capacity and had the most expensive landing charges in the world.

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

**RESOLVED UNANIMOUSLY: That this Council:**

- i) Notes that the government has proposed that it confirms its provisional approval of a third Heathrow runway in the coming months.**

- ii) Agrees urgent Borough publicity to empower residents to inform MPs and Ministers of their objections to the inevitable and irreversible impacts on the housing crisis, infrastructure and the quality of life.**

(Councillors C Rayner and S Rayner left the room for the duration of the discussion and voting on the item).

Councillor Beer agreed that his second motion could be deferred to the June 2018 meeting of Council.

The meeting, which began at 7.30pm, finished at 11.00pm.

CHAIRMAN.....

DATE.....

Appendix to Minutes: Member Questions – written responses provided

- a) Councillor Hill will ask the following question of Councillor Bicknell, Lead Member for Highways and Transport:**

When Oldfield School was proposed to be built on Braywick Park a roundabout on Braywick Road with crossing points was deemed necessary at the entrance. Now with a busy leisure centre approved for construction and a school in the pipeline why is no roundabout being planned?

*The planning application for the new leisure centre was subject to a full transport assessment which was reviewed as part of the overall application.*

*Assessment by highways specialists deemed that the impact of the development, measured against the current site use did not warrant the introduction of a new roundabout on Braywick Road.*

*Traffic patterns for the new leisure centre will be spread across hours from 6am to 11pm, seven days a week. Traffic patterns for new schools are very different, whether it be for a large form entry school or smaller, specialist schools,*

*Additionally, I am aware of a long-standing request from some residents for a pedestrian crossing at this location and have met some of them recently. There are technical safety concerns about introducing a pedestrian crossing at this location and*

*traffic modelling would also be required to highlight any potential impact of a roundabout on traffic flow and congestion.*

*Safety is critical and I have asked that the request for a crossing be investigated at an appropriate point in the future. For example, we have been successful in securing grant funding to undertake a 'Corridor Study' of the A308 which is being led by planning colleagues and I have asked that this be included in the study.*

**b) Councillor C Rayner will ask the following question of Councillor Bicknell, Lead Member for Highways, Transport & Windsor:**

*Responded to during the meeting*

**c) Councillor E. Wilson will ask the following question of Councillor McWilliams Principal Member for Housing:**

The Local Government Ombudsman has recently upheld a complaint regarding a homelessness application to this Council. Will the Principal Member for Housing explain how he intends to respond to this decision?

*On 28 November 2017, the LGO issued a draft report to the council following an investigation into a complaint made by a resident against the Royal Borough that originated in December 2015.*

*The report found fault causing an injustice, and as a result the LGO made a number of recommendations. It was not however, until the final report was received that I, or the Leader were notified, this being on 26 February 2018.*

*Notwithstanding, the head of service immediately began working on implementing all the recommendations made by the LGO in their draft report. Following this, I asked for the process to be changed to ensure regular reports are provided to members on all LGO complaints. I am pleased to say that is now the case.*

*The recommendations the LGO made were that the council should:*

- Apologise to Mr X for the identified faults and for the injustice this caused him – This was done by officers on 19 December 2017.*
- Pay Mr X a total of £4,175  
– This was done on 9 January 2018*
- Amend its interim accommodation offer letters so that both are correctly titled  
- This was done in December 2017*
- Create a separate temporary accommodation letter  
• This was done in December 2017*
- Review and improve its complaint handling arrangements and its Ombudsman liaison arrangements  
– Work began on this in December 2017, and was concluded in March 2018.*

*In addition to this the council has taken a number of further steps to ensure the housing service is strengthened, including:*

- Moving the housing enabling and housing options services to one directorate under the leadership of one Executive Director, and one Principle Member from 1 April 2018,*
- Agreeing investment in a new housing system to ensure there is one database for the recording of all decisions, with an estimated implementation date for this of the end of September 2018*
- Appointing an experienced interim Housing Lead, one of who's tasks will be to carry out a thorough review of the service and make further recommendations for improvement.*
- I am pleased to say that she has started and this process is underway.*
- The council will also be:*

*i) Developing a new Housing Strategy, which will set out the Council's priorities for housing,*

*ii) updating the Homelessness Strategy which sets out the Council's priorities and approach for preventing homelessness, securing accommodation and providing support,*

*iii) and updating the Allocations Policy which provides the framework for how the Council allocates housing.*

*The driver of these strategies and policies being the council's priorities, best practice and taking account of the new requirements of the Homeless Reduction Act. Consultation on our new strategies and policy is scheduled for June and, as I have previously stated, the papers are scheduled for Scrutiny and Cabinet in the autumn.*

*I have personally written to the resident to apologise for any distress caused by the actions of officers. I explained that what happened to them should not have happened and we let them down. I also reiterated, as I do again this evening, that we take the findings of this report very seriously. Important lessons have been learnt from this process and appropriate actions have been taken to ensure this does not happen again. This is about some of our most vulnerable residents and we need to get this right. I will do all I can to help ensure something like this does not happen again.*

**d) Councillor Carroll will ask the following question of Councillor S Rayner, Lead Member for Culture and Communities:**

Could the Lead Member please explain to me the process being followed and action being taken to reinstall the much admired traditional steel railings in Grenfell Park, Boyn Hill, which were recently removed without Lead and Ward Member consultation and which has caused understandable upset amongst many of my residents?

*Thank you Cllr Carroll for your question about one of our much loved parks and open spaces. I enjoyed reading the memories and bonds residents have with our parks on the Maidenhead past and present facebook page. Parks play a central role in our community.*

*The section of Park railings that was recently removed from the South Road boundary of Grenfell Park had partially collapsed following storms and heavy winds, and the fallen railings were causing a safety hazard to road users.*

*Unfortunately, due to the age and condition of these railings, they were beyond effective repair.*

*Following a discussion with the Grenfell Park User Group, the failed section of railings was replaced with horizontal metal rails of the same design used along the internal footpaths within the Park.*

*However, in light of the concerns that have recently been raised about the style of the replacement railings, arrangements and proposals are being made to have these replaced with traditional style railings, as far as possible matching the original design. This has obviously created much upset amongst the local residents.*

*The works to restore the original style of railings will be tied-in with resurfacing works on the adjacent footway, which is also in need of repair.*

*It is regrettable that all the Ward members (yourself and Cllr Lions) and myself were not involved in the discussion about the replacement of these railings, (cllr Stretton is a member of the user group) but in future the Parks team will be working closer with the ward members and lead member and will also be seeking to broaden the membership of the Grenfell Park User Group and I hope you are able to join the group with other residents.*

*The User Group will be kept informed of progress with the railings replacement work, and information will be displayed on site to keep members of the public and local residents updated. We will also publish on the website and distribute letters to surrounding houses.*

*I hope this will show your residents that the council is keen to respond and preserve what is important to neighbourhoods.*

**e) Councillor Bhatti will ask the following question of Councillor Rankin, Lead Member for Economic Development, Property, Communications and Deputy Finance**

*The Swan plays a vital part in the life and social interaction of the Clewer North community. Please can the lead member give reassurances that all options will be considered in making this site an asset of community value and that the lead member would be happy to discuss the issue with my local residents?*

*I am pleased to confirm that the Council will consider all the options in relation to the request we have received to list the Swan Pub as an Asset of Community Value. However I do need to confirm that the Assets of Community Value (England) Regulations require the Council to follow a prescribed procedure in*



*considering all nominations to list local assets as assets of community value. These regulations represent a number of 'predefined tests' which the council has a duty to assess, as having been met prior to approving a nomination. All decisions made are open to challenge.*

*The council has received a nomination to list the Swan from a local group. I, as Lead Member responsible with officers, am currently considering the relevant evidence submitted, together with the legal points of detail raised by the current owners of that property. Hopefully these legal points will be clarified shortly and the council will then be in a position to make a decision; the timescale requires a decision by no later than 7 May 2018.*

*In the meantime I would like to confirm that the council remains committed to supporting local communities.*

**f) Councillor Brimacombe will ask the following question of Councillor McWilliams, Principal Member for Housing:**

What is the publication date for the promised 'Affordable Housing' paper and will it address in detail all of the ten questions from RRAG, plus questions (under topics of Money, Products, Policy and Ratio) asked by me for the (cancelled) February Councillor briefing? Specifying to Council any questions that Cllr McWilliams considers will be too difficult for him to answer.

*Answers to the specific questions mentioned have been provided.*

*As I have also set out previously, a new Housing Strategy, updated Homelessness Strategy and updated Allocations Policy will also be brought forward, following consultation, to Scrutiny and Cabinet in the autumn.*

**g) Councillor Brimacombe will ask the following question of Councillor McWilliams, Principal Member for Housing:**

On 4th February 2018 Councillor McWilliams tweeted that he would shortly hold a public meeting on Affordable Housing, which did not take place. The scheduled 19th February Councillor briefing was cancelled. Does Cllr McWilliams have any plans at all to consult with anybody regarding Affordable Housing and if so, then who, when and how, and if not, then why not?

*As I announced at the previous Full Council we will be consulting widely and meaningfully on the Homelessness Strategy update and Allocations Policy, as well as our new Housing Strategy, which will set out the Council's priorities for housing.*

*A number of initial meetings have already taken place as part of our wide and meaningful consultation and more are scheduled with registered providers and third sector organisations. This will help to inform the future development of our new draft Housing Strategy, updated Homelessness Strategy and updated Allocations Policy.*

*Consultation on the new and updated strategies and policy is scheduled to commence in June.*

**h) Councillor Hill will ask the following question of Councillor N. Airey, Lead Member for Children's Services:**

*Responded to during the meeting*

**i) Councillor Majeed will ask the following question of Councillor McWilliams, Principal Member for Housing:**

The RBWM was found at fault by the Local Government Ombudsman in dealing with one of our vulnerable homeless residents suffering from mental health issues. It was not just Housing who had let this individual down but also Adult Services, so why was the LGO complaint report 16-003-062 not sent to the Adult Services & Health Overview & Scrutiny Panel?

*The focus of the LGO's investigation was on Homelessness and Complaints Handling, and although the report acknowledged the resident had mental and physical health conditions, there was no finding by the LGO that Adult Services had let the resident down.*

*One of the actions the council is obliged to take, where the LGO upholds a complaint and finds maladministration and injustice is that the report must be laid before the authority concerned. The advice of the Monitoring Officer was that the appropriate panel before which this report should be placed was Planning and Housing Overview and Scrutiny.*

*The panel received a report from officers, along with the report from the LGO on 18 April 2018. The recommendation to that panel was that they noted the report, and further noted the actions implemented following the report to improve services. I attended the panel along with the Managing Director and the two Executive Directors. The panel fully scrutinised the report, expressing concerns on the reports content, while seeking assurances about actions taken by officers to ensure this could not happen again. Officers provided those assurances and the panel agreed to the recommendation before them.*

*The Chairman of the Adult Services O&S Panel has asked for the report to also go to that Panel; this will be arranged for May 2018. I will be happy to attend the Panel meeting.*

*Supplementary Question submitted by Cllr Majeed: I believe the draft report was given to RBWM in November 2018 – from my understanding – please correct me if I am wrong – no members including your own group members were shown this report or had any input into it. Can you confirm that the only time this report surfaced was during the cabinet briefing last month and only a few hours before this meeting? Also were you aware of the second LGO complaint - 16 019 229 – where safeguarding alerts raised for a vulnerable girl were not met and it led her to be exposed to sex work and drug use ?*

*Response: I provided a detailed description of events in my response to Cllr Ed Wilson's question of the same Full Council meeting. It was certainly the case that the Members did not see the report in November 2017, which is why we have changed*

*our system for handling upheld LGO complaints so that going forward all upheld complaints will be seen by the relevant Lead Member.*

*We discussed the LGO report - 16 019 229 - in detail at a recent Adult and Social Care Overview and Scrutiny Panel, where I answered a series of questions on this issue. I was previously aware of the report.*

**j) Councillor Majeed will ask the following question of Councillor Targowska, Principal Member for HR, Legal and IT:**

*Residents have been put on the vexatious list. Can you please inform Council how many residents who have a democratic right to question the council have been excluded by being placed on the 'vexatious list', on what grounds have these decisions been made and by whom, and what is the appeal process, if any?*

*There are currently three individuals named in the Council's Vexatious Register.*

*The individuals on the Register have been placed on the Register in accordance with the Council's Policy for dealing with vexatious or unreasonable complainant behaviour.*

*The decision to place the individuals on the Vexatious Register was made by either the relevant Strategic Director or the relevant Head of Service in consultation with the Council's Monitoring Officer and Head of Libraries and Resident Services.*

*If an individual is unhappy about the Council's decision to place their name on the Vexatious Register they can submit a written request for a review of the decision to the Council which will be considered by the Managing Director (or a Strategic Director who has not had any previous dealings in respect of the complaint or the complainant).*

*If an individual is not satisfied with the outcome of the internal Council review of the decision they can refer the matter to the Local Government & Social Care Ombudsman.*

*Supplementary question from Councillor Majeed: What are the criteria for residents - who by the way have a democratic right to question us - to be placed on the vexatious list and are there any residents who whilst not officially labelled as vexatious, that you have required that they cease from contacting officers direct?*

*Response: Please find the link to the vexatious or unreasonable complainant behaviour policy below:*

*[https://www3.rbwm.gov.uk/downloads/file/2803/vexatious\\_or\\_unreasonable\\_complainant\\_behaviour\\_policy](https://www3.rbwm.gov.uk/downloads/file/2803/vexatious_or_unreasonable_complainant_behaviour_policy)*

*In accordance with the policy; whilst a complainant may not be declared vexatious they may be informed that further contact with the Council should only be made through a nominated officer. It should be noted that this course of action will only relate to contact with the Council relating to a specific complaint, it is not intended to*

*have any impact on any other reasonable dealings between the Council and the complainant on unrelated issues.*

**k) Councillor Jones will ask the following question of Councillor Coppinger, Lead Member for Planning and Health:**

Could the Lead Member for Planning give Full Council and residents an update on the progress of the Borough Local Plan and likely timescales for approval?

*As you will be aware the Council submitted its Borough Local Plan on the 31<sup>st</sup> January 2018. An inspector, Louise Phillips was appointed, and now all communications to and from the Inspector go through a Programme Officer appointed by and paid for by the Council.*

*We received the initial set of questions from the Inspector, which involved working with the Environment and other agencies, with a relatively short time scale to respond. We asked for and were granted an extension and we have now submitted a response. This response will shortly be placed on our website as will of course all further correspondence.*

*The inspector will now, using the plan, residents and other parties submissions and our responses decide what areas need to be examined in public and she will advise us of the timetable and dates for examination.*

*It is worth noting that running in parallel we are preparing a Waste and Minerals Plan and a Traveller local plan both of which will be consulted on later this year.*

*Can I take this opportunity of thanking the officers, especially Jeni Jackson, Helen Murch and Phillipa Silcock for the long hours that they have been working and also Cllr Derek Wilson whose detailed notes from the past have proved beneficial.*

**l) Councillor Da Costa will ask the following question of Councillor McWilliams, Principal Member for Housing:**

At the last Council meeting, in relation to the Homelessness Strategy you said, “the council would be consulting widely, including forming a fully formalised Homelessness Forum”. What progress has the Council made on the Homelessness Strategy, who has it consulted with so far (individuals and organisations) and, how many times has the Homelessness Forum met?

*A number of initial meetings have already been held and are scheduled with registered providers and third sector organisations that will help to inform the future development of our new draft housing strategy, updated homelessness strategy and updated allocations policy.*

*We expect to be able to bring forward further details about the refreshed Homelessness Forum in June alongside consultation commencing on our new and updated strategies and policy.*

*Supplementary question submitted by Councillor Da Costa:*

- What "initial meetings have already been held" to date; who were the meetings with; what was the dates of the meetings?*

- *What meetings have been “scheduled with registered providers and third sector organisations”: name of organisation and date of proposed meeting?*
- *What is the timeline or roadmap for producing the “new draft housing strategy, updated homelessness strategy and updated allocations policy”?*
- *You mention the “refreshed Homelessness Forum” - can you tell me more about the previous “Homelessness Forum”*
- *Response: The meetings that have been held so far include:*
  - *Windsor Homeless Project: 29 March and 25 April*
  - *Housing Solutions: 28 March*
  - *Radian – 29 March*
  - *Sue Brett Foundation: 1 May*
  - *Probation Service 1 May*
- *See above for meetings, regular meetings will be held with each and others are being arranged.*
- *This timeline was set out in detail in the answer to Cllr Ed Wilson’s question and can be found in the minutes of the meeting.*
- *The previous Homelessness Forum discussed a range of issues relating to homelessness and rough sleeping. It involves different Council services and a number of third sector and other statutory organisations.*

**m) Councillor C Rayner will ask the following question of Councillor Coppinger, Lead Member for Planning:**

Wraysbury residents are requesting, via an e-petition, support in ensuring that no illegal development or habitation of Greenbelt land on the Gloucester Drive area is permitted, support to prevent further fly tipping, and liaison with the landowner to restore the visual aspect of the land to its former state. What can the council do to support Wraysbury residents?

*The lead petitioner has confirmed that she wishes for the petition to be submitted via the Head of Service route which is set out in the Council Constitution. I can confirm that the Head of Service will be in contact with the Lead Petitioner shortly to set up a meeting, I will also attend that meeting as Lead Member. I can also confirm that the Council, as planning authority, is investigating alleged breaches of planning control in the locality and will do so in accordance with the adopted Local Enforcement Plan.*

*As regards fly tipping we will be discussing this issue with the Lead Member responsible, Councillor Grey, to ensure that we have the appropriate controls in place.*