

**AT A MEETING OF THE BOROUGH COUNCIL held in the Desborough Suite -
Town Hall on Tuesday, 26th June, 2018**

PRESENT: The Mayor (Councillor Paul Lion), The Deputy Mayor (Councillor Colin Rayner)

Councillors M. Airey, Beer, Bhatti, Bicknell, Bowden, Brimacombe, Bullock, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Hill, Hollingsworth, Hunt, Ilyas, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharp, Sharpe, Shelim, Smith, Story, Stretton, Targowska, Werner, D. Wilson, E. Wilson and Yong

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

7. APOLOGIES FOR ABSENCE

Councillors N. Airey, Alexander, Bateson, Burbage, Cox, Da Costa, Diment, Gilmore, Hilton, Jones, Lenton, Majeed, Pryer, Richards and Walters submitted apologies for absence.

8. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meetings held on 24 April and 22 May 2018 be approved.

9. DECLARATIONS OF INTEREST

Councillor Hill stated that, later in the agenda, he would be asking a question in relation to a proposed roundabout near Braywick. He informed Council that he owned property in the town centre, however he had been advised by the Monitoring Officer that as none of his properties were very near the proposed roundabout, that there was nothing to prevent him asking the question.

Councillor C Rayner declared a Disclosable Pecuniary Interest in motion a), as he was trustee of a trust that owned land with riparian rights in the borough. He left the meeting for the duration of the discussion at the voting on this item.

Councillor S Rayner declared a Disclosable Pecuniary Interest in motion a), as her husband was trustee of a trust that owned land with riparian rights in the borough. She left the meeting for the duration of the discussion at the voting on this item.

10. MAYOR'S COMMUNICATIONS

The Mayor had submitted in writing details of engagements that the Mayor and the Deputy Mayor had undertaken since the last meeting, which were noted by Council. The Mayor highlighted that the former Mayor, Councillor Sayonara Luxton, had worked hard on the War Horse Memorial project; he congratulated her on her successful efforts. The Royal Borough had provided funds of £100,000 for maintenance.

11. PUBLIC QUESTIONS

No public questions were received

12. PETITIONS

No petitions were received.

13. CONSTITUTIONAL REVIEW

Members considered a review of the constitution.

Councillor Targowska introduced the report. She explained that, following the Local Government Association (LGA) Peer Review and the Boundary Review, the decision had been taken to review the constitution. As Chairman of the Constitution Sub Committee she had been asked to lead the review. The Constitution Review Working Group had included members of the Constitution Sub Committee, but all Members had been able to attend and put their views forward. Briefing sessions were also held for all Members.

Councillor Beer joined the meeting at 7.35pm.

Councillor Targowska highlighted the main high-level changes proposed to take effect from May 2019:

- The number of panels and forums would be simplified. A number of bodies that were not formal council meetings would be moved out of the constitution. They would continue to be detailed on the borough website and supported by the council.
- The Working Group recommended the number of Overview and Scrutiny Panels should reduce from seven to four, with five members on each Panel. This was in light of the reduction in the number of councillors and the current duplication in effort across panels. The Working Group was of the view that the Panels should set their own agenda and not by default look at each and every Cabinet report. This would allow the panels to focus on key issues and look at policy development to support the Cabinet and Council to deliver its strategic priorities. The working Group had looked at the time and effort by the Panels over the last year and in comparison to other local authorities.
- The roles and duties of Cabinet members would be included; this was a statutory requirement.
- The definition of confidentiality was to be included in the Code of Conduct.
- The Working Group had looked at the complaints process used in other authorities and the LGA Peer Review comments. The borough was the only council in the country without any Member involvement in the process. The remit of the Employment Panel would be extended to allow a sub panel to determine breaches of the Code of Conduct.
- A Partnership Protocol had been developed in light of the major changes to the council in recent years.
- A Social Media Protocol had been developed.

Councillor Targowska explained that two proposals were for immediate implementation:

- Amendments to the Contract Procedure Rules, as recommended by the Senior Management Team, to align with the Public Contracts Regulations 2015.

COUNCIL - 26.06.18

- Amendments to the terms of reference for the Borough Wide Development Management Panel to clarify which applications the Panel would consider.

Councillor Targowska thanked all the officers involved in the review, including Sean O'Connor, Mary Severin and Karen Shepherd. A huge amount of work had been put in to redraft the constitution and canvass views. Councillor Targowska was aware that a number of the changes were substantive and not all would agree with everything; this was inevitable for a paper of this size. She encouraged Councillors to come forward to her with recommendations following the debate; changes could be made under delegated authority or be brought back to Council for consideration.

Councillor Stretton stated that the NTA was concerned that the Constitution Review Member Group, which was announced at Full Council would complete this work, was not allowed to bring their recommendations to Council. However the Leader and Managing Director agreed that 'minor further work' would be completed by the Constitution Sub Committee of Council. This sub-committee had not met, but further changes, some of significant importance, were being proposed with no discussion with the NTA, or, she understood, the wider Conservative Group.

The LGA Peer Group had also confirmed that they were not asked to provide a peer perspective on the proposals. It was perplexing that such a free resource was not welcomed when the reason for the paper was cited as being instigated by the LGA review in the first place

The paper was set out in two sections, two items for urgent implementation and the major changes proposed to be delayed until next May. Councillor Stretton announced that she would therefore be proposing at the end of her speech that the two distinct matters should be voted on separately, as urgent matters should be able to pass into the constitution immediately and should not be delayed. Whilst she was not entirely happy with the Borough-Wide Development Management Panel section, it was better than the cobbled together version Council voted on last.

There were, however, several concerns on the rest, the major one being scrutiny which was a main concern of the LGA Peer Group, in particular the scrutiny of the council's partnered and outsourced services. Paragraphs 2.5 and 2.6 stated that: 'effective scrutiny is more than scheduling meetings'; and the revised constitution would mean 'the cessation of the automatic reviewing and approval of every report prior to submission to Cabinet.'

The main reason for the problems in scrutiny had been the lack of any training for Scrutiny Panel Chairmen and Members, certainly since she had been elected in 2011, so they did not understand what scrutiny was for. It was not a tick box exercise, but a powerful tool to assist Cabinet members in their work of both formulating policy in the first place and then monitoring how well it was working. Evidence of this lack of understanding had been demonstrated the previous week when Councillor Charles Hollingsworth requested that a Task and Finish Group be set up by the Culture and Communities Overview and Scrutiny Panel to review the leisure centres contract, prior to any decision regarding awarding a new contract for the new Braywick Park Leisure Centre. His request was refused.

The Working Group actually recommended five, not four, scrutiny panels. The NTA also believe that putting Adult's, Children's and Health all into one panel,

when, according to the Leader, the first two alone accounted for 70% of the council's revenue budget was ill-thought through, particularly when social care was such a high agenda item and Children's Services (Education, Children in Care, Social Care, SEND) was such a high responsibility.

However, a main concern was the proposal that amendments to the Constitution should not be implemented until May 2019, after the local elections. Councillor Stretton could not see why these were not being implemented immediately, apart from those directly related to the change in councillor numbers as part of the ongoing Electoral Review, which should not be agreed until after that review had been completed.

The delayed amendments included:

- Roles and Duties of Cabinet. Councillor Stretton asked why would this not be included immediately as it was important that residents, partners, officers and Members all understood the current active roles and responsibilities of individual Cabinet Members.
- Member Code of Conduct and Complaints. Councillor Stretton questioned why this would be delayed and why the Working Group recommendation that, to aid transparency, decisions on Code of Conduct complaints should be reported to Full Council as a 'noting' report had been removed.
- Partnership Protocol . Councillor Stretton commented that given this was a key issue raised by the LGA Peers, and would assist scrutiny in their vital work, this was needed immediately.
- Social Media Protocol. Councillor Stretton asked why members would not be given clarity now, for the pre-election period?

In summary, Councillor Stretton felt that the Member Code of Conduct, Partnership Protocol and Social Media Protocols should be implemented as soon as possible, perhaps after some minor amendments. If the Administration was going to push so many items into year 2019/20, these needed further discussion in a Member-inclusive forum, as was previously announced at Full Council.

Councillor Stretton proposed that the recommendation be split into two votes, item (i) item and (ii). Councillor Hill seconded the motion.

Councillor Dudley stated that he did not accept the amendment; it was not a sensible proposal.

Councillor Hill stated that he felt it was an eminently sensible proposal as the Borough wide DM Panel and the contractual changes were technical issues that would be easy to deal with; the rest required more debate.

Councillor Dudley responded that the proposal by Councillor Stretton would effectively bring in some issues earlier; the purpose was to draw forward more elements. His preference was for all changes to come into effect with a new administration other than the two specified in the report. Councillor Stretton commented that she was not

proposing a long discussion on the bits that might possibly, or not, be brought forward. She was only requesting a vote on the items in recommendation ii.

Councillor Dudley stated that he was clear on the purpose of the motion. Members needed to focus on serving residents, not spending excessive amounts of time discussing the issue. The brand new constitution should come into effect with a new administration in May 2019.

Councillor Hunt commented that Members were very able and willing to serve residents. The borough was known as one of the few councils which actually had active councillors. Her concern was that the proposals had not been looked at properly and she would like them deferred.

Councillor Hill commented that when considering serving residents, it was important to confirm the proposals for the contract rules and the Borough Wide DM Panel as they were easy to agree. However there were a whole raft of other issues of concern; it was a poor show to push them through.

Councillor Dudley commented that all councillors had received a marked –up copy of the constitution detailing changes; all had had a significant period of time to comment. It had been a very transparent process.

Members voted on the proposal by Councillor Stretton to split the recommendations into two votes. The motion fell.

(7 Councillors voted for the motion: Beer, Brimacombe, Bullock, Hill, Hollingsworth, Stretton and Werner. 35 Councillors voted against the motion: Councillor M. Airey, Bhatti, Bicknell, Bowden, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Hunt, Ilyas, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharp, Sharpe, Shelim, Smith, Story, Targowska, D. Wilson, E. Wilson and Yong)

Councillor Sharma commented that the council promoted vibrant local democracy and encouraged active participation by residents in the decision making process. Abraham Lincoln had said 'No man is good enough to govern another man without that other's consent'. He was very disappointed with the proposed Constitution review for the following reasons:

- The reduction in the number of Overview and Scrutiny Panels and meeting only four times in a year.
- Members could not sit on more than two Overview and Scrutiny Panels
- A Member could hold the position of Chairman or Vice Chairman of one Panel only.
- In relation to co-optees he felt that a co-optee from an ethnic minority should be included.
- Ward councillors' time to address Full Council on any issues had been reduce from five each to up to five minutes only, he felt this was unfair.
- His ward resident could not ask a supplementary question, which he felt was and attack on freedom of expression.

COUNCIL - 26.06.18

Councillor Sharma believed the proposals were taking away some opportunity to express opinions by reducing time and more scrutiny was needed, not less, therefore he would be voting against the revised constitution.

Councillor Brimacombe commented that a fair and democratic process had been followed to navigate the difficult subject of constitution reform. All Councillors were consulted and given plenty of time to contribute. His personal experience was that his written submission was dealt with respectfully and some points were accepted and others were declined but with an explanation. He had been very content with that. He had then attended an open meeting where the conclusions were presented and by all accepting some reasonable compromises they were agreed. He therefore sympathised with Councillor Targowska that her process was hijacked at the proverbial 'five minutes to midnight' due to the agenda of some parties who had chosen not to disclose their hand during the open process. Such actions look like a shallow abuse of process and power.

He wished to see the adoption of the document that emerged from the original process, intact, and he did not see any point in delaying implementation. He would not be supporting the proposal.

Councillor Hill commented that the LGA had described the current constitution as not fit for purpose. The creation of the Task and Finish Group had given hope for democracy and freedom of speech. However, the result has been watered down and the document was still not fit for purpose.. The council was drifting into an autocratic style with extreme patronage held by the leadership. He had three main concerns. The number of signatories required for a petition to be debated at Full Council was proposed to increase from 1000 to 1500. This limited resident access to democratic representation. The number of signatories for a no confidence vote had been increased from five to ten when the opposition numbered nine and the overall number of councillors would be reduced. The Maidenhead Advertiser had been removed from council buildings in an attempt to curtail the free press. The real losers were democracy, free speech and above all residents. He proposed that the recommendation be amended so that the number of petition signatories for a debate at Full Council remained at 1000 and the number of signatories for a no confidence vote remained at five. Councillor Stretton seconded the motion.

Councillor Dudley commented that the proposals would reduce the patronage of the leadership as the Executive would reduce to 10. He highlighted that the Maidenhead Advertiser was available in council libraries. He did not accept the amendments proposed, the recommendations should be taken in their entirety. In relation to supplementary questions he felt they were unnecessary; if a Member wished to ask a question they should do so.

Councillor D Evans stated that he opposed the amendment. The proposals were democracy in action.

Councillor Werner commented that he could not understand why the petition signatories figure had been increased to 1500 as the council was not receiving a lot of silly petitions. If it was not broken, he did not feel it should be fixed.

Councillor Rankin commented that although he may agree with some of the changes proposed, he did not feel it was appropriate to open up every clause and draft the constitution by committee.

Councillor Targowska commented that officers had spent time looking at other authorities' petition schemes including the other Berkshire authorities; all had higher thresholds. Any petition with more than 25 signatures would be accepted by the council but it would go to the appropriate forum which was not necessarily Full Council.

Councillor Saunders commented that if a group of residents felt strongly about a particular issue they could go to one Member and ask them to put a motion on the agenda for debate. The conspiracy of autocracy that was being suggested was nonsense. It was perfectly reasonable to increase the threshold for signatures.

Councillor Werner commented that the process of putting a petition to Council led to a more intelligent debate than a motion from one councillor as officers provide technical advice. Councillor Stretton commented that some councillors had lower petition thresholds.

Members voted on the proposal by Councillor Hill to amend the recommendation to retain the threshold for a petition for debate at full council at 1000 signatories and the threshold for a no confidence vote to remain at five. The motion fell.

(7 Councillors voted for the motion: Beer, Brimacombe, Bullock, Hill, Hollingsworth, Stretton and Werner. 35 Councillors voted against the motion: Councillor M. Airey, Bhatti, Bicknell, Bowden, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Hunt, Ilyas, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharp, Sharpe, Shelim, Smith, Story, Targowska, D. Wilson, E. Wilson and Yong)

Councillor Werner commented that he felt that the process had been well organised. The Working Group councillors had been able to comment but some comments were ignored and a meeting had later been held between certain people which had come up with new changes that had not been debated at the Working Group. The proposal to move some meetings to outside bodies made sense but the memberships would no longer be politically balanced. He asked how it would be assured that political balance would be carried over.

Councillor Werner highlighted the achievements of the Crime and Disorder Overview and Scrutiny Panel; he commended the Chairmanship of Councillor Sharp. The Panel had a special role in the council as it brought together a number of agencies and he therefore felt it should be retained. There would be elections in May 2019 therefore he suggested it would be more appropriate for the new councillors to decide what the constitution should be and the right course of action. He therefore felt any changes should be pushed back.

Councillor E. Wilson commented that when he spoke to residents in Dedworth they were more interested in the roads and other improvements than the sort of constitution in place. The constitution only hampered professional politicians. The constitution served the Members of Council; the Members did not serve the constitution. He wanted the new council in 2019 to get on with the things that were important to residents, not talking about the 'plumbing' of the council. Councillor E. Wilson raised an issue with the description of 'independent' councillors. There were three key tests

COUNCIL - 26.06.18

for a description – was it clear, fair and not misleading. He hoped the Lead Member would address this issue as he felt some of the descriptions were misleading.

Councillor M. Airey agreed with Councillor E. Wilson that this was an important piece of work and he congratulated officers and the Lead Member for trying to bring it up to date. It was a live document that could be changed again in future.

Councillor Hill commented that the constitution and councillors served the public, the constitution did not serve members. He had been involved in 'plumbing' all his life in terms of IT infrastructure. People forgot how important the plumbing was until something went wrong. It was therefore important to debate in detail. Residents may not care or understand but Members should. Councillor Hill commented that he was proud to be an Independent Conservative. When he had resigned from the Conservative Group he had not left the Maidenhead Conservative Association.

Councillor Hunt commented that she appreciated the work the officers had put in however Members were accountable to residents. She was concerned about the planning element which made officers responsible for the council. She could not support the proposals as they stood.

Councillor Kellaway commented that when he had first been elected there had been only one Overview and Scrutiny Committee. Councillor Burbage, the former Leader, had increased the number of Panels and their scope in 2007.

Councillor McWilliams commented that one council could not bind the next; the new councillors from 2019 could make further changes.

Councillor Quick stated that she did not want the new councillors coming in May 2019 to have to spend the first few months trying to fill all the positions with significantly less councillors. The proposals would reduce meetings by 17% but councillors were reducing by 27%. She would prefer the new councillors spent time on case work.

Councillor Saunders referred to Article 11 and requested that the issue of consultants being considered employees should be checked in line with Tax and PAYE. He commented that he had looked through the entire document and there were some elements he was not entirely comfortable with however his judgement in the round was that it was a substantial step forward in the right direction. He had heard scandalous allegations that individual Members had hijacked issues. The Working Group had put together a detailed set of changes with good intent. Many of the Opposition had been active participants. It was then critically important for those who had not been involved in the process to review the proposals. It had been quite clear to a substantial majority that the Working Group had been hijacked by a vociferous weaselling group of Members with a back to front set of proposals which were subsequently queried and questioned. Some Members were then commissioned to review the changes and propose a more appropriate set of changes. No hijacking took place, it was for clarity and propriety and the democratic process of the active involvement of the majority of the people in the room. He encouraged his fellow councillors to take the big step forward. There would be issues such as those raised by Councillors Sharma and Hunt but these could be the subject of careful reflection going forward. In conclusion, Members should accept the majority view of those in the room and not a trumped up minority driven alternative.

COUNCIL - 26.06.18

Councillor Werner requested an apology for the untrue allegations made by Councillor Saunders.

Councillor Dudley commented that he had taken the time to read the entire document. He hoped it would be approved so that it would be in place when the new council came in, based on optimism and a positive message. He sat on national government entities and saw what other local authorities were doing. The scale of ambition at the borough was unprecedented, therefore high quality exceptional people were needed along with a constitution fit for purpose. He thanked officers for their work on the constitution, in particular Sean O'Connor. A document as long as 400 pages would never be perfect; it was not possible to debate a smorgasbord of changes. If a tidying up exercise was needed this would be for the next administration. The savings figure in the report did not take into account the time taken for meetings, refreshments, officer time etc. The proposals represented a significant cost reduction for the council.

Councillor Sharp commented that he had a number of concerns as Chairman of an Overview and Scrutiny Panel. He had not appreciated that the document had been available for all councillors to review for some time and should have raised them earlier. However he did not feel he could sanction a document that was not right; he saw no rush to approve the changes at this point.

Councillor Beer commented that he felt it was absurd that the Crime and Disorder Overview and Scrutiny Panel was to be deleted. It was a diabolical insult to the time and devotion of top level police officers who deserved proper recognition. He also felt that as the borough's economy was based on tourism the deletion of the Tourism Development Forum should not take place. The Cycle Forum was a highly specialised forum with external people contributing experience and knowledge. It supported many of the council priorities such as health and wellbeing and reducing congestion and pollution. Councillor Beer felt the Rural Forum should have the same status as the two Town Forums. SACRE was a mandatory body therefore he did not see how it could be moved. There were a number of niggling points that needed to be tidied up before the revised constitution could be agreed.

Councillor Targowska concluded the debate by highlighting that if the proposals were deferred to the start of the new administration then scheduling would be affected and would have to be changed half way through the year. It would also mean another year of duplicated effort. The proposals for Overview and Scrutiny Panels to be combined would not stop engagement with partners and the community. They would also increase flexibility and allow the Panels to focus on issues of their choice. A number of the forums and panels would be moved to outside bodies. These were often groups the council did not run therefore political balance could not be controlled. There had been a number of comments made about planning; all these could be fed into the Planning Task and finish Group that was currently underway. Councillor Targowska suggested the Constitution Sub Committee could look at the issue of naming of independent councillors. She would look at the issue of consultants under her delegated powers. She encouraged councillors to put forward recommendations for the constitution to her at any time.

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

RESOLVED: That Full Council approves the amendments to the Constitution:

- i) From the first annual meeting of council in 2019/20 to numbers and terms of reference for:
 - a. Sub-committees, forums and panels of Council and Executive, see points 2.4 and Appendix 1.
 - b. Overview and Scrutiny, see points 2.5 and 2.6 and Appendix 1.
 - c. Roles and duties of Cabinet Members, see point 2.7.
 - d. Council Rules of Procedure, see points 2.8.
 - e. Member Code of Conduct and Complaints process, see points 2.9 – 2.10.
 - f. A new Partnership Protocol and Member's Social Media Protocol, see points 2.13 and Appendices 2 and 3.
- ii) From 27 June 2018:
 - a. Changes to Part 8A – Contract Procedure Rules, see points 2.14;
 - b. Changes to Borough Wide Development Management Panel Terms of Reference; see point 2.15.

(27 Councillors voted for the motion: Councillor M. Airey, Bhatti, Bicknell, Bowden, Bullock, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Kellaway, Lion, Love, Luxton, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharpe, Smith, Targowska, D. Wilson, E. Wilson and Yong. 10 Councillors voted against the motion: Beer, Brimacombe, Hill, Hollingsworth, Hunt, Ilyas, Sharma, Sharp, Stretton and Werner. 5 Councillors abstained: Councillors Carroll, McWilliams, Mills, Shelim and Story.)

14. ORDER OF BUSINESS

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.

15. MOTION B

Councillor McWilliams introduced his motion. He explained that he had brought the motion following a highly emotional and affecting meeting he had had with two of his residents, Mark and Alison Hollands, in their home at Cox Green. They had told him their story and it had completely broken his heart. He believed that one of the most important jobs for a representative was ensuring that residents' stories were heard in the chamber:

Bryony Hollands was studying Music at the University of Sheffield and was looking to pursue a career in music; she was an accomplished musician playing the French horn, trumpet and piano, as well as performing ballet and in local plays and pantomimes. Whilst during her time at Sheffield University, she also helped provide soup and sandwiches to the homeless and helped decorate a remote village school in India. She was loved by her friends and family and had a bright future ahead of her, bringing her own 'sunny disposition and mischievous humour' as one of her teachers described her, who 'would light up the room'.

Almost three years ago in August, Bryony was walking home when a car mounted the curb and hit Bryony and her boyfriend. Bryony was killed instantly; she was 19. Her boyfriend survived but has been left permanently deaf in one ear. The driver got out of the car and immediately proceeded to try to dispose of a syringe and other drug paraphernalia, delete data from his phone and babbled for 'no police'. It was later found that the driver had taken cocaine and was three times over the drink drive limit.

The driver was promptly arrested and in October 2015 was jailed for causing death by dangerous driving. The maximum sentence available to the judge was 14 years. The judge said that he had to reserve this maximum sentence for cases even more serious than Bryony's, he said he would have sentenced the driver to 12 years had he been found guilty after trial. However, he was sentenced to just 8 years after having pleaded guilty at the earliest possible opportunity.

Councillor McWilliams had recently discovered that an inmate was usually released after serving half of their sentence, which meant the selfish, callous and ultimately stupid individual would serve just four years for killing Bryony. In recent months there had been confusion added to the situation when the Hollands received an email suggesting that the driver would be moved to a low security prison for the final two years of his sentence. He was also being considered for overnight release on temporary licence in August, just 3 years after killing Bryony.

Councillor McWilliams stated that this just did not feel right; it felt wrong for someone to serve more time in prison for fraud than for killing another human being. He questioned how anyone could feel that justice had been served.

Following the shock of such a short sentence, the Hollands became involved in the Brake campaign, fighting for longer sentences. The Hollands had said to their sadness they realised that Bryony's killer had one of the longer sentences for death by dangerous driving.

It became apparent that this sense of injustice was prevalent throughout the UK, where in 2016/17 the police recorded 569 'causing death or serious injury by dangerous driving' offences, which was more than 10 per week. Around them were families, friends and the wider community, the whole area. Finding out that someone had been killed took a toll on everyone whether they knew them or were close to their family.

Mark Hollands had explained about having to let Bryony's housemates know why she would not be coming home. How they had already secured accommodation for the following year and so had a room sitting empty for the entire year; a constant reminder and an upsetting and all too real metaphor for loss. He had also spoken about the moments in which the family found out the news and the days, months and years that had followed that moment. No parent should have to bury their child; it was a loss that was really too great, extensive and all-consuming to fully appreciate. The ripples caused by the single act of stupidity were felt far and wide and across many years, ceaselessly expanding and affecting more people.

Eventually these ripples affected so many people that any government would feel them and so eventually the government issued a consultation, following calls to extend the sentences available and in October 2017, after 70% backed introductions of life sentences, the government said it would bring forward legislation to introduce life sentences for death by dangerous driving. However, since then no legislation had come forward.

By bringing the motion forward he hoped, given the local MP, it would put pressure on the government. He was sure the government's parliamentary draftsman were working

hard on the details. By passing the motion it would help force the government to bring forward the legislation as urgently as possible.

Councillor Dudley commented that he completely supported the motion. As a father of four he could not imagine how one would come to terms with such a tragic event. However, one must try to reduce the likelihood of such pain and suffering for other parents. More significant custodial sentences would perhaps make people more contemplative of whether or not it was wise to take drugs or have extra drinks. If one of his children killed someone else's child he would expect them to serve a lengthy sentence. He would be honoured to sign the letter, which would be copied to the Prime Minister. He would also raise the issue directly with the Prime Minister.

Councillor Smith asked for clarification if the motion was asking for mandatory life sentences or for the permissible tariff to be increased to life. Councillor McWilliams confirmed he would take legal advice before the letter was written to ensure the correct wording was used.

Councillor Carroll highlighted three principles in relation to sentencing:

- Fairness – the point of justice was to provide redress or a balance. When people saw harsher sentences for lesser crimes this undermined confidence in the system.
- Proportionality – judges needed the necessary tools and flexibility
- Prevention – more was needed in terms of education and promotion of the message that such actions were socially unacceptable.

Councillor Werner stated that he was very supportive of the motion. He trusted that Councillor McWilliams would work with the legal team to get the correct wording in the letter.

Councillor Targowska suggested that the letter should also be sent to the Sentence Advisory Council, the body which set guidelines for judges. This could help with an interim solution before primary legislation came through.

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

RESOLVED UNANIMOUSLY: That this Council:

- i) Requests the Leader of the Council to write to the Lord Chancellor and Secretary of State for Justice urging him to find time in this parliamentary session to bring forward legislation to introduce life sentences for those who cause death by dangerous driving, and for careless drivers who kill while under the influence of drink or drugs, as per the government's response to the Ministry of Justice's consultation in October 2017;**
- ii) Recognises the pain and suffering caused by death by dangerous driving or careless driving while under the influence of drink or drugs to family, friends and wider community;**
- iii) Believes that the current sentences for death by dangerous driving and careless driving while under the influence of drink or drugs should be strengthened.**

16. FAMILY FRIENDLY POLICY FOR ELECTED MEMBERS

Members noted that the council's Independent Remuneration Panel (IRP) would be asked to consider family friendly policies as part of the Members' Allowance Scheme.

Councillor Dudley commented that all wished for more women to be involved in the democratic process. Inevitably there were some challenges therefore the intention was to explore opportunities to make the environment more conducive to women. A number of other councils had adopted such policies.

Councillor S Rayner stated that she wholeheartedly supported the motion.

Councillor Werner supported such an important piece of work. All parties needed more women involved. He also welcomed the inclusion of support for dependent carers.

Councillor Bicknell commented that as both he and his partner were councillors it was often difficult to juggle childcare. The council would not be seen in a good light if it did not have a policy.

Councillor M. Airey explained that Councillor N. Airey, as Lead Member for Children's Services, was keen to include adoption parental leave. He believed a new policy was very much needed.

It was proposed by councillor Dudley, seconded by Councillor S Rayner, and:

RESOLVED UNANIMOUSLY: That Council notes the report.

17. MEMBERS' QUESTIONS

a) Councillor Hill asked the following question of Councillor Coppinger, Lead Member for Planning and Health:

Oldfield Ward housing growth is set to spiral from 5,500 to 9,500 dwellings, a 72% increase in 15 years under the Borough Local Plan, more than any other ward. What special provision will be made for Maidenhead Town Centre from the recently published infrastructure analysis funds to avoid gridlock, parking chaos, lack of schooling and doctors etc?

Councillor Coppinger responded that he wished to clarify some points. The question referred to growth 'spiralling'. By Councillor Coppinger's calculations the growth was 4.4% over the period, which included the 2000 dwellings on the golf course. Secondly the question stated that the growth was in Oldfield. Following the report of the Electoral Commission a new ward structure would come in to place, therefore Oldfield would not be growing. Councillor Coppinger questioned whether Councillor Hill's calculations included the dwellings he had recently approved by overturning the officer's recommendation that a site be kept for employment.

The Council had planned growth through the Borough Local Plan process and was required to demonstrate what the infrastructure capacity was currently and then calculate what may be required for the future to 2033. This was all set out in the infrastructure delivery plan (IDP) which was first produced in 2016 and had now been

updated twice, most recently at the end of 2017. It was available on the borough website. The IDP had been produced working with colleagues in highways, education, health and social care and that work continued, it was a live document to be updated continually. Sat alongside was evidence which underpinned the plan and the IDP including the recent transport modelling.

In Maidenhead the Council was also proposing 251 temporary parking places whilst redevelopment takes place which would ensure no net loss. After that development around 1,300 permanent new public parking spaces for use by residents, retail, local businesses and the Elizabeth Line would be provided with further private car parking to support individual development schemes, subject to planning permission. Further detailed transport modelling work was currently underway to ensure that the pinch points and local junction improvement works already committed, along with the missing links project for the station, were not in conflict with future development proposals from the private sector.

Councillor Coppinger stated that this was not about special provision. The development expected was planned development and the IDP responded to it; the planned development would not be able to happen if there was not supporting infrastructure; you could not have one without the other. The Council would continue to pursue funding sources to assist in bringing forward infrastructure in line with development and the capital programme in future years would align to the IDP through an infrastructure investment strategy

Councillor Hill confirmed he did not have supplementary question.

b) Councillor Hill asked the following question of Councillor Bicknell, Lead Member for Highways and Transport:

When Oldfield School was proposed on Braywick Park a roundabout was deemed necessary at the entrance on Braywick Road. Looking at the popular times of use of the existing Leisure Centre it is clear that they coincide with morning and particularly evening traffic peaks. Why is no roundabout being proposed?

Councillor Bicknell referred to the answer he had already given in writing, detailed on page 25 of the agenda.

By way of a supplementary question, Councillor Hill stated that he had read the answer but had found it to be inadequate because there was a clear peak of traffic to the leisure centre between 4.30pm-7.00pm each day, which would coincide with the rush hour. With this volume of traffic it was an accident waiting to happen. The answer was not thorough enough or analysed the traffic enough. He was asking for a second opinion and for that to be published to all Members.

Councillor Bicknell responded that each planning application was considered on its own merits. The Borough Local Plan was supported by the IDP which assessed the road network and identified improvements to be delivered to support the development.

18. MOTIONS ON NOTICE

Councillor Beer introduced his motion. He explained that at a recent Flood Forum the Environment Agency (EA) representative had said that the River Thames Scheme

was hitting problems as many local authorities could not afford to put their share of funding into the pot, this included Surrey County Council. Communities in Surrey had worse, or equally as bad, problems as in Wraysbury and Datchet. The key point was that the water came down from the entire Thames catchment area including tributaries such as the Cherwell. It was unfair and unjust that local authorities who happened to be located on the banks of the lower reaches had to pay enormous sums to safely discharge someone else's water. This was a national problem and a national injustice. The council should lobby the government to fund the scheme at the national level. Floods could be life-ruining; once a property had claimed on flood risk, the insurance companies would no longer offer cover.

Councillor Dudley commented that there had been extensive meetings on the scheme. Central government had been asked to fund the scheme but the Treasury had declined. The council would continue to bang the drum. The Royal Borough had already agreed to contribute £10m to the scheme. Surrey County Council had indicated they would make a significant contribution but there was still a funding gap.

Councillor Grey commented that, as the borough's representative on the Regional Flood and Coastal Committee, he was very close to the scheme. The Committee was working closely with the EA and other partners. The overall cost of the project was £588m. Funding for channels one and two was in place, however funding for the third channel, which would be the one to protect Datchet, Horton, Wraysbury and Old Windsor, was under threat. The government needed to facilitate a way forward.

Councillor Hill stated that he supported the motion. he had himself been flooded; insurance was possible but with a very high excess. Once such a scheme was in place, insurance excesses would reduce. The scheme would be of huge benefit to residents and business in the borough.

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

RESOLVED UNANIMOUSLY: That this Council:

- i) Notes that there is evidence that the progression of the River Thames Scheme is in doubt as several riparian Councils cannot commit to its funding.**
- ii) Urges the Government to fully fund the essential project as it is totally unjustified to burden a few communities to fund the safe disposal of water from such a vast catchment area.**

Motion b had been dealt with earlier in the meeting.

The meeting, which had begun at 7.30pm, had finished at 9.50pm.

CHAIRMAN.....

DATE.....