

Public Document Pack

Service Lead - Governance: Karen Shepherd: (01628) 796529

TO: EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

YOU ARE HEREBY SUMMONED TO ATTEND the Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Desborough Suite - Town Hall** on **Tuesday, 25 June 2019 at 7.30 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 17 June 2019



Duncan Sharkey
Managing Director

Rev Drake will say prayers for the meeting.

A G E N D A

PART I

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence

2. COUNCIL MINUTES

To receive the minutes of the meetings of the Council held on 23 April and 21 May 2019.
(Pages 7 - 24)

3. DECLARATIONS OF INTEREST

To receive any declarations of interest
(Pages 25 - 26)

4. MAYOR'S COMMUNICATIONS

To receive such communications as the Mayor may desire to place before the Council
(Pages 27 - 28)

5. PUBLIC QUESTIONS

a) Adam Bermange of Boyn Hill ward will ask the following question of Councillor Johnson, Lead Member for Infrastructure, Transport Policy and Housing:

Given that the Council considers Maidenhead Town Moor to be, “ ...a haven for wildlife and part of the Council’s aim to preserve biodiversity in the Borough” (RBWM website), will the Lead Member make a commitment to give environmental and ecological impact concerns top priority in any decision making regarding the proposed link road at this site?

(A Member responding to a question shall be allowed up to five minutes to reply. No supplementary questions shall be raised)

6. PETITIONS

To receive any petitions presented by Members on behalf of registered electors for the Borough under Rule C.10.

(Any Member submitting a petition has up to 2 minutes to summarise its contents)

7. CONSTITUTIONAL AMENDMENTS

To consider the above report
(Pages 29 - 36)

8. HEATHROW - THE ROYAL BOROUGH POSITION AND ONGOING ENGAGEMENT

To consider the above report
(To Follow)

9. MEMBERS' QUESTIONS

a) Councillor McWilliams will ask the following question of Councillor Rayner, Lead Member for Culture, Communities and Windsor:

Will you commit to supporting the expansion of the Cox Green Community Centre car park, as per the recent petition which gathered almost 500 signatures from local residents?

b) Councillor McWilliams will ask the following question of Councillor Johnson, Lead Member for Infrastructure, Transport Policy and Housing

Will you commit to supporting the resurfacing of Cox Green Lane as part of our commitment to spend £50m on our roads?

c) Councillor Larcombe will ask the following question of Councillor Cannon, Lead Member for Public Protection:

The Wraysbury Drain is over two miles of ancient and legally protected watercourse that has gone dry. How much RBWM money has been spent on maintaining this channel without actually fixing the problem?

d) Councillor Bond will ask the following question of Councillor Dudley, Leader of the Council:

What process was followed when deciding to combine the Lead Member for Children's Services role with the Adult Services and Health portfolios, and will he undertake to publish the results of the 'local test of assurance' to demonstrate 'the focus on outcomes for children and young people will not be weakened or diluted', as per the Department for Education guidance?

e) Councillor Davey will ask the following question of Councillor Hilton, Lead Member for Finance and Ascot:

In last year's budget there was a line "CC52 Clewer & Dedworth Neighbourhood Improvements £350,000". On enquiring how this money was invested officers tell me that £386,943 was spent so there appears to have been a £36,943 or 11% overspend. How was this overspend allowed to happen and can you ensure us that you will not overspend again this year?

(The Member responding has up to two minutes to address Council. No supplementary question shall be raised)

10. MOTIONS ON NOTICE

a) By Councillor Taylor

This council agrees that the reasons for the chosen site of the Vicus Way car park have been superseded by the ongoing regeneration of Maidenhead town centre and the site would be better utilised for a mixed development of commercial premises and housing.

b) By Councillor Baldwin:

Homelessness cannot be tolerated or ignored. The Council's partners tell us that concentrating their clients in accessible locations better allows them to receive the services they need and makes the transition from the street to emergency accommodation easier for all concerned. We must create a seamless path from the street to full re-integration. A small step can be taken today.

This council allows the Brett Foundation to permanently site its bus/dormitory outside the roller gates of John West House, without charge.

c) By Councillor Knowles

This council will support, facilitate and promote an Armed Forces day event on Armed Forces day 2020.

d) By Councillor Clark

This Council:

i) Declares an environmental and climate emergency; whilst noting the council's achievements in reducing its environmental impacts including reducing its energy consumption by 21% and the ambitious ongoing targets to further reduce energy consumption by 10% within four years, adopted in the Energy and Water Strategy 2019-2023;

ii) Welcomes the Government's commitment to net zero carbon emissions by 2050 and calls on them to provide additional powers and resources to ensure the Royal Borough of Windsor and Maidenhead can help deliver on national targets; and

iii) Will establish a Cross-Party Working Group to undertake an in-depth review of the council's current carbon footprint and to formulate, consult and agree on a net Zero Carbon Royal Borough of Windsor and Maidenhead by 2050 Strategy in consultation with local stakeholders and partners with a draft strategy to be brought before Full Council within 12 months.

11. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

To consider passing the following resolution:-

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 13 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act

PRIVATE MEETING

12. HEATHROW - THE ROYAL BOROUGH POSITION AND ONGOING ENGAGEMENT - APPENDIX

To note the Part II appendix to the earlier Part I report.
(To Follow)

COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Secunder has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
- Amendment must be seconded BEFORE any debate can take place on it
(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
- Amendment debated (if required)
- Vote taken on Amendment
- If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
- If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).

- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
- At the conclusion of the debate on the Motion, the Mayor shall call for a vote. Unless a named vote is requested, the Mayor will take the vote by a show of hands or if there is no dissent, by the affirmation of the meeting.
- If requested by any **5** Members the mode of voting shall be via a named vote. The clerk will record the names and votes of those Members present and voting or abstaining and include them in the Minutes of the meeting.
- Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting

(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)

This page is intentionally left blank

Agenda Item 2

COUNCIL

TUESDAY, 23 APRIL 2019

PRESENT: The Mayor (Councillor Lion), The Deputy Mayor (Councillor C. Rayner) and Councillors M. Airey, N. Airey, Alexander, Bateson, Beer, Bicknell, Bullock, Cannon, Carroll, Clark, Coppinger, Cox, Diment, Dudley, D. Evans, Gilmore, Hilton, Hollingsworth, Hunt, Ilyas, Jones, Kellaway, Lenton, Lion, Love, Luxton, Majeed, McWilliams, Mills, Quick, C. Rayner, S. Rayner, Richards, Saunders, Sharma, Sharpe, Smith, Story, Targowska, Walters, Werner, D. Wilson, E. Wilson and Yong.

Officers: Duncan Sharkey, Mary Severin, Andy Jeffs, Russell O'Keefe, Karen Shepherd and Maddie Pinkham.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bhatti, Bowden, Burbage, Da Costa, Dr L Evans, Muir, Pryer, Rankin, Shelim, Smith and Stretton.

COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 26 February 2019 be approved.

DECLARATIONS OF INTEREST

None received

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 placed on record his thanks, on behalf of the council, to all those councillors who were not standing for re-election in May. He highlighted three long serving councillors: Councillors David Burbage and Lynda Yong who were first elected in 2000, and Councillor Malcolm Beer, who was first elected in 1995. He also highlighted four past Mayors: Councillors Colin Rayner, Richard Kellaway, John Lenton and Asghar Majeed.

Councillor Jones placed on record her thanks to Councillor Beer for the 24 years he had spent as a councillor for Old Windsor. It had been an honour to serve alongside him for the past 8 years. She thanked him for his diligence, knowledge and friendship.

Councillor Dudley echoed Councillor Jones' comments about Councillor Beer; he had been a true public servant and his contribution would be greatly missed. Councillor Dudley thanked all councillors who were not standing in the local elections for their contribution to Windsor and Maidenhead, including the Mayor.

PUBLIC QUESTIONS

a) Jo Smith of Belmont Ward asked the following question of Councillor N. Airey, Lead Member for Children's Services:

Despite a Freedom of Information request being submitted, residents still do not know who made the decision to change the SEN funding formula which resulted in all of RBWM's central additional SEN support fund going to just 7 schools instead of being proportionally split according to actual numbers of SEN pupils as was previously the case. Can you now advise who proposed this change and which body made the decision, including which named Councillors approved the change, and how residents can challenge/change the formula for future years?

Councillor N. Airey responded that the questioner had referenced the 'SEND funding formula' as a single item. It was far from that straight forward therefore she would explain: The Royal Borough received about £114m every year to fund education in the borough. About £80m of that went straight to mainstream schools to meet the needs of their pupils, including a contribution to the costs of every child with additional needs (known as the 'Notional SEN Budget'). A further £18.5m was described as the 'high needs block' and every penny (and more) was spent to support children with additional needs through a range of services such as behaviour and wellbeing support; provision of special schools such as Manor Green; specialist places for the most complex children, and so called "top ups" for those pupils with Education, Health and Care Plans (EHCPs) in mainstream schools.

Schools were expected to provide £6,000 of support to every child with an EHCP from their delegated budget. The question related to £105,000 (or 0.5%) of the High Needs Block budget which was allocated to support schools where the delegated 'Notional SEN budget' was higher than the budget formula allocated. Any leftover was distributed in support of inclusion, which was historically on a straight pro-rata basis.

The budget line was part of the annual budget setting process for schools which took place through the statutory meeting called the Schools Forum, which was involved in every decision. The regulations in this area were manifold and complex and there were a range of decisions that fell to the Schools Forum, some Forum Members or to the local authority through the Director of Children's Services (DCS) and the whole set was monitored by the Department for Education.

Following the joint area SEND review by Ofsted and the CQC in July 2017, the council recommitted to its local priority of inclusion in mainstream schools. As a result options to support those leading the way were discussed with a number of schools and at the Schools Forum, and as a result the Director made the final decision to implement this support in financial year 2017/18.

At the October 2018 census there were 350 pupils in RBWM mainstream schools with EHCPs. At £6,000 each, that was £2.1m of school budget. It was then logical that the impact of this cost on a school was impacted by the total number of pupils in a school and the number of pupils with an EHCP and this could be expressed as a percentage. Nationally 2.9% of pupils have an EHCP. In RBWM only seven mainstream schools had a rate higher than this, with three of these in excess of 5%. Three schools had a rate of zero: that is no pupils with an EHCP.

The seven schools (Cheapside Primary, Homer First, Riverside Primary, Bisham Primary, St Luke's Primary, Altwood Secondary and Holyport College) had 78 pupils with an EHCP between them and spent £468,000 of their budget to support them. That was an average cost to each school of £66,000. The remaining 60 schools supported the other 272 pupils at an average cost per school of £27,000.

The distribution of the additional funding reduced the average cost for the seven most inclusive schools to £53,000 which was still double the cost of schools with lower rates of pupils with EHCPs. The decision supported those schools who were able to be the most inclusive.

In both 2017/18 and 2018/19, the allocations were communicated to all schools and there had been no complaints from any of them. If parents wished to influence a change then they could communicate with the representatives of the Schools Forum as this was one element of a larger budget as previously explained. Schools could advise who was the representative for their school on the Forum and the meeting minutes and papers were published on the website.

With regards to the FOI request, the only reference the council had to a question on this topic was received via the 'whatdotheyknow.com' service in the name of another member of the public. It included the question 'When was the mechanism for February 2019 approved and who by?' The reply email was sent to the address provided on 14 March at 11:41am, 12 days ahead of the FOI deadline, and this included two attachments with all of the information provided.

By way of a supplementary question, Ms Smith requested that she receive a written response to her question, given the level of detail. She would then take up the issue with the Schools Forum. Her concern was that by allocating the funding by the number of SEN pupils, the council was running the risk that this may reduce inclusion as parents with SEN children would be more likely to send their child to these schools.

Councillor N. Airey responded that she would arrange for a written response to be sent. It was not the intention of the council to concentrate SEN pupils. The decision to allocate in the way described had been a decision of the Schools Forum two years running. The Forum had not raised the concern but she would take it back to the Director of Children's Services as a resident concern.

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

A first responder reported to Councillor Dudley deep alarm that RBWM is permanently closing the right turn out of Queen St. Why did you decide to do no consultations with emergency services, or residents in Boyn Hill, before agreeing to this detrimental change and do you agree that it will add time to medical interventions and is potentially dangerous?

Councillor Bicknell responded that the Maidenhead Station scheme, which was currently being delivered, aimed to improve links between the station and the town centre and support the increased passenger numbers from the Elizabeth Line and the broader regeneration programme. The project would enhance the public realm; deliver much wider walkways and new public spaces; provide a more direct crossing route between the town centre and station; improve facilities for bus users and cyclists (including a new 300 plus cycle parking hub) Changes to the road network were being

delivered to support the overall project, including the removal of the right-turn movement from Queen Street.

This was one of a number of changes which had been assessed through the traffic modelling, the outputs of which are combined with an assessment of all impacts and considered in overall terms for the town rather than in isolation. It was understandable that concerns were raised and Cabinet would, therefore, be considering a detailed technical note on the specific change at its meeting on Thursday 25 April 2019.

In addition, any changes to the highway network which required traffic regulation orders were required to follow a formal legal process which involved engagement with the emergency services. For this project changes had been consulted upon and no objections have been received from South Central Ambulance Service.

By way of a supplementary question, Mr Hill commented that Councillor Dudley had said in February that it was fair to say the council should pick up concerns and they should be analysed and reviewed. A lot of people were talking about bridges or a footway – were these considered as part of the change?

Councillor Bicknell responded that a bridge was considered but although it would be financially viable, there was not enough room. Further consultation would take place therefore it was not set in concrete and there was room for more debate.

c) Andrew Hill of Boyn Hill ward asked the following question of Councillor Targowska, Lead Member for HR, Legal and IT:

What are the key reasons you had to justify banning (from May) the long standing constitutional public right to ask supplementary questions of Lead Members at full Council meetings?

Councillor Targowska explained that a Local Government Association Peer Review had taken place at the council in September 2017, which recommended a review of the Constitution. She had been appointed as Chairman of a cross-party working group; she had invited any Member of the Council to take part. The working group made recommendations to full Council in June 2018 having looked at a number of areas including rules of procedure. Although not originating as a recommendation of the Working Group, feedback from briefings to councillors outside the Working Group included comments around disappointment that Lead Members felt they were not always in a position to provide members of the public with the information they were asking for at meetings. Members recognised that people took time out of their busy day to attend meetings and wherever possible councillors should be able to answer questions publically. Officers did a fantastic job in assisting Members in preparing a pack of material for pre-registered and supplementary questions. They did this by preparing a lot of material that they thought could potentially come up as a supplementary question, but this could be something of a guessing game. Inevitably, it was not always possible to predict what would be asked and on some occasions a written answer had to be given. She was aware that members of the public often came with pre-prepared supplementary questions. The change was designed to ensure wherever possible, councillors could provide full answers at the meeting.

Councillor Targowska explained that she had seen Mr Hill's letter to the Maidenhead Advertiser that raised concern that this was a freedom of speech issue. The administration had been at the forefront of transparency and had made every effort to

make council meetings as accessible as possible including streaming meetings on Periscope.

However she understood the concern and was happy to revisit the decision. She was not standing for re-election but the next Lead Member for the portfolio would bring a report to Council in June recommending that supplementary public questions be allowed at full Council.

By way of a supplementary question, Mr Hill commented that he was sure the Lead Member would be grateful for the e-petition on the subject that had been started. He asked why the threshold for bringing a petition for debate to full council had been raised from 1000 to 1500.

Councillor Targowska responded that she would provide a response in writing.

d) The Mayor asked the following question of Councillor Dudley, Leader of the Council, on behalf of Sharon Bunce of St Mary's ward:

Firstly are the new Nicholson's owners, Tikehou Capital, to be the sole funders of the Nicholson re-development, if so are they under contract to complete this project, and secondly what liabilities would the council have to pick up if the development is not completed?

Councillor Dudley responded that the council expected Tikehou Capital would fund the redevelopment of the shopping centre. Tikehou Capital had access to very significant resources as they were an asset management and investment group, which managed €22.0 billion of assets (as at 31 December 2018), with shareholders' equity of €2.3 billion (as at 30 June 2018).

The Council would fund the building of a new car park, which had already been approved. Funding of in the region of £35m had been included in the capital programme for this project. The new car park would be built before the existing one was demolished.

Tikehou Capital, with the cooperation of Areli Real Estate, completed the purchase of the lease and 50% of the freehold of Nicholson's Shopping Centre in February following extensive due diligence. The council owned the remaining 50% of the freehold. The Council had agreed heads of terms with them which would form the basis of a contract to include the council's ownership within a future redevelopment. The agreed heads of terms set out:

- The process for the sale of the council's part ownership of the shopping centre and ownership of Central House which would lead to a significant capital receipt for the council as well as a revenue return during the redevelopment period.
- The building of a new car park at what would be likely to be a substantially reduced cost than under previous plans through a land swap.
- The existing Nicholson's car park remaining in use until a new car park was completed.

Cabinet would consider a report on this at their meeting on 25 April 2019 and if approved detailed work would progress. One of the recommendations would be changed to say that the ultimate deal when documentation was completed would be brought to full Council for approval.

Under the plans the Council would not have any liabilities for the shopping centre redevelopment were it not to progress. The Council had already committed to building a new car park and could progress this independently were this to be required.

The resources and expertise brought by Tikehau Capital and their partners Areli Real Estate provided a once in a generation opportunity to regenerate this town centre location for the benefit of local residents and businesses and was a fundamental part of the overall regeneration of Maidenhead.

e) The Mayor asked the following question of Councillor Dudley, Leader of the Council, on behalf of Jacob Cotterill of Oldfield ward:

What steps has the council taken - and will it take in future - to oppose the punitive cuts imposed on the budgets of all local authorities by central Government?

Councillor Dudley responded that central government had not imposed punitive cuts on local authorities however the council was always striving for an efficient council with high quality services. This was the reason the council had the lowest council tax outside London.

f) The Mayor asked the following question of Councillor Dudley, Leader of the Council on behalf of Tom Baker of Furze Platt ward:

Following the motion passed in this chamber, a year ago tomorrow, to future proof the services of Maidenhead Community centre in a new location. I would like to know the progress made towards; Free parking to retain existing volunteers, accessibility for existing users and a drop off point for the guardians to see young users entering the premises.

Councillor Dudley responded that the Council was working closely with Maidenhead Community Centre over providing premises in the new York Road development; when the issue was debated at full Council it had been agreed that this would be seamless and equivalent or greater in size. A recent meeting with the Trustees was very positive and the council expected to both replicate and improve on many of the advantages of the current centre, enabling users to continue and grow their activities in brand new, accessible facilities. The council hoped to shortly finalise an agreement following further discussions with both the Trustees and current leaseholders which would include discussion on local parking options. Local drop off points would be available close to the venue although not in sight of the entrance due to its location.

The cost of parking for volunteers was a good point. If his party formed the next administration he would be keen to look at what could be done to support volunteers in the third sector in this respect.

PETITIONS

No petitions were received

APPOINTMENT OF STATUTORY SCRUTINY OFFICER

Members considered the appointment of a Statutory Scrutiny Officer. Members noted that, in line with Section 9FB of the Local Government Act 2000, county and unitary authorities were required to designate an Officer to undertake the following statutory functions:

- Promote the role of the Council's Overview and Scrutiny Committees
- Provide support to the Council's Overview and Scrutiny Committees and the members of those bodies
- Provide support and guidance to Members and Officers of the Council and the Executive on the functions of its Overview and Scrutiny Committees

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

RESOLVED UNANIMOUSLY: That Full Council notes the report and appoints Nabihah Hassan-Farooq, Democratic Services Officer, as the council's Statutory Scrutiny Officer.

MEMBERS' QUESTIONS

- a) Councillor E. Wilson asked the following question of Councillor M. Airey, Lead Member for Environmental Services:**

Thames Valley Police have recently reported an increase in burglary in the Dedworth area. Has the Council received any requests from Thames Valley Police for additional CCTV in the area?

Councillor M. Airey responded that the council had not received any requests from Thames Valley Police for additional CCTV coverage in the Dedworth area.

The council was implementing a £1.3m project to build a state of the art CCT facility including an upgraded control room; 200 cameras had been upgraded or relocated. The current Thames Valley Police strategy was to encourage people to improve home security and promote general awareness of security around properties. We will continue to work closely with TVP on a joint approach to community safety and we continue to monitor the incidence and type of crimes throughout the Borough.

By way of a supplementary question, Councillor E. Wilson commented that, notwithstanding that fact that no formal request had been received, would the Lead Member ask officers to review the need in Dedworth. There was a very real need in the view of a majority of residents to make them feel safer and reduce the incidence of crime.

Councillor M. Airey responded that he would work with ward councilors and officers to review the situation.

- b) Cllr Sharma asked the following question of Councillor Dudley, Leader of the Council:**

A November 2018 letter to Housing Minister James Brokenshire signed by more than dozens of Conservative council leaders, Mayors and MPs had called for the 'Overhaul of Compulsory Purchase laws' so that local authorities can buy up agricultural land at

dramatically reduced prices to help to solve housing crisis. Residents want to know, is he also one of the signatories?

Councillor Dudley responded that, no he had not signed the letter.

By way of a supplementary question, Councillor Sharma commented that residents feared if the proposed law passed it would begin the end of farmland and Green Belt in the borough. He asked if the Lead Member would write to the Minister to say that the council was against the proposed changes in the current law?

Councillor Dudley responded that there were no proposed changes to the law and any such arrangements would be a violation of private property interests.

c) Councillor C. Rayner asked the following question of Councillor Bicknell, Lead Member for Highways:

Following another road traffic death of a pedestrian on Wraysbury Road on 17 March, when will funding be available for CCTV cameras and Auto Number Plate Recognition cameras, operated by Thames Valley Police but which can be part-funded by the RBWM Council in Horton and Wraysbury. I have been campaigning for this since the last pedestrian death on Staines Road.

Councillor Bicknell responded that the project to upgrade the CCTV network across the Royal Borough was well advanced with existing cameras and back-office systems replaced with new technology and functionality.

In Wraysbury there were two existing cameras which were being upgraded and slightly repositioned to improve coverage. The new cameras offered ANPR functionality which was available for targeted campaigns and other regular activity. In addition, the Parish Councils had requested three, new additional cameras which were the subject of a capital bid for 2019/20 but were not currently funded. A joint funding package with a contribution from the Royal Borough and funding from the Parish Councils had been proposed but was still under discussion.

By way of a supplementary question, Councillor C. Rayner commented that the cameras did not cover Hythe End or Staines Road. In his time as a councillor there had been too many families who had lost loved ones. He had visited both the relatives affected and the residents who had to deal with the accident in March. Speeding was a key factor and he hoped the council could find it in their heart to find the funding to stop speeding. He asked the Lead Member to assure, if he were still in post, to find the funding for the residents of Wraysbury

Councillor Bicknell stated that would be an affirmative.

d) Councillor C. Rayner asked the following question of Councillor Bicknell, Lead Member for Highways:

Please can you list all the accidents causing injury or death on roads in Wraysbury and Horton, including Staines Road and Wraysbury Road, since 5th June 2005?

Councillor Bicknell responded that since 5 June 2005, across the whole of the Wraysbury and Horton area, there had been 110 crashes reported to the police, resulting in 3 fatalities, 19 serious casualties and 129 slight injuries. Of these, 86 were

vehicle drivers; 29 passengers; 15 motorcyclists, 11 cyclists and 10 pedestrians. Every casualty was one too many but the borough invested annually in road safety delivering local safety schemes, road safety education to vulnerable groups and campaigns. The borough's road safety record had seen a reduction in the overall number of casualties over the previous 10 years and was currently at its lowest level. However, the focus would be maintained to deliver even more improvements and reduce further.

By way of a supplementary question, Councillor C. Rayner commented that this was a shocking number of deaths in a small village of 3000 people therefore it was about time money was spent in Horton and Wraysbury on vehicle recognition. He hoped that whoever won in the ward would not have to visit affected families too many times.

Councillor Bicknell responded that the council should and would look at every opportunity to reduce fatalities, however he commented that there were approximately 2-3 fatalities and 50 serious casualties on borough roads each year. Every fatality was investigated jointly with Thames Valley Police and contributory factors identified.

Before the meeting closed, a number of councillors wished to speak.

Councillor McWilliams highlighted that Councillor Bullock, who was retiring, had first stood for election in Cox Green in 1976. He had been a councillor until the early 1990s and had then come back later in the 2000s. Councillor Bullock had helped set up the Cox Green Community Centre and helped defend the precious Green Belt in the ward. Councillor McWilliams wished to place on record his thanks to Councillor Bullock for all his advice.

Councillor Majeed thanked Councillor Burbage for his trust and support when he had been Leader of the Council, particularly during his Mayoral year. He was grateful to his fellow ward councillors Hill and D. Wilson. He also thanked Councillor Story for his strong leadership as Chairman of the Conservative Group, Councillor Hunt, Councillor Brimacombe, Councillor Cox, Councillor Sharp, Councillor Rankin, Councillor Stretton, Councillor Sharma, Councillor S Rayner, Councillor C Rayner, Councillor Lenton, Councillor Shelim and Councillor Bicknell. He also thanked Councillor Hollingsworth who was the reason he had become a councillor in the first place. He thanked the Opposition councillors for their professionalism and courtesy. He thanked officers for their professionalism and knowledge. In Duncan Sharkey he saw a Managing Director who made decisions in a balanced way.

Councillor Cox thanked officers who were a tirelessly dedicated group of individuals. He gave the example of the officers and Members pulling together during the flooding in the borough, at which time he had been Lead Member for Environmental Services. He thanked all Members, with whom it had been a privilege to work.

The meeting, which began at 7.30pm, ended at 8.26pm.

Chairman.....

Date.....

This page is intentionally left blank

AT THE ANNUAL MEETING OF THE BOROUGH COUNCIL held in the Council Chamber - Guildhall Windsor on Tuesday, 21st May, 2019

PRESENT: The Mayor (Paul Lion), the Deputy Mayor (Colin Rayner), and Councillors Baldwin, Baskerville, Bateson, Bhangra, Bond, Bowden, Brar, Del Campo, Cannon, Carroll, Clark, Coppinger, C. Da Costa, W. Da Costa, Davey, Davies, Dudley, Haseler, Hill, Hilton, Hunt, Johnson, Jones, Knowles, Larcombe, Luxton, McWilliams, Muir, Price, Rayner, Reynolds, Sharpe, Shelim, Singh, Stimson, Story, Targowski, Taylor, Tisi, Walters and Werner.

Officers: Duncan Sharkey, Andy Jeffs, Karen Shepherd, Andrew Scott, David Scott and Alison Singleton.

THE MAYOR (PAUL LION) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

None received.

2. DECLARATIONS OF INTEREST

None received.

3. ELECTION OF MAYOR FOR 2019/20

The Mayor, Paul Lion, welcomed everyone to the Annual Meeting and gave a brief résumé of his year in office. He thanked Reverend John Quick and Reverend Will Stileman for their spiritual guidance. His aim was now to keep an eye on Councillor Bhangra, to look after his old ward. The Prime Minister had said to him that politics was brutal; the country stood at a crossroads of national politics. Members were local politicians and should look after the local crossroads first. It had been a privilege to serve the borough and its communities. It had opened his eyes to the huge number of volunteers who gave their time selflessly to help others. The news was full of doom and gloom but if you listened to the local communities this was far from the truth. He had visited many local schools during the year and had great fun talking to the future generations. The variety of events he had attended were too many to mention but the chance to raise funds for his two charities, the Royal British Legion and Royal National Lifeboat Institute, had been a fantastic experience. He thanked everyone who had supported him throughout the year, including the Mayor's Secretary and the Mayoral Team, his loving wife and family, old friends and new, the presidents of the Rotary and Lions Clubs, Colin Rayner, who had been a fantastic Deputy Mayor, the Leader Councillor Simon Dudley and fellow Councillors.

THE MAYOR INVITED NOMINATIONS FOR THE ELECTION OF THE MAYOR OF THE ROYAL BOROUGH FOR 2019/2020.

In proposing Councillor Sayonara Luxton for the role of Mayor, Councillor Story stated that it gave him great pleasure to propose Sayonara Luxton as Mayor of the Royal Borough of Windsor and Maidenhead for the next 12 months. Sayonara was from Goa and was part of a big family, and had quite a big family herself. She had four brothers, two sisters and four daughters. Sayonara may have been of little height but what she

lacked in height she made up for in experience and determination, and certainly made up for in making her presence known.

Sayonara had been a councillor in Sunningdale for 12 years. Four years ago she had been Deputy Mayor; three years ago she had been Mayor. As Mayor she had proudly represented the Royal Borough at the many events. As Deputy Mayor, along with the Mayor Dee Quick, she had celebrated the Queen's 90th birthday and presented Her Majesty with a very special birthday present from the Royal Borough, coats for each of the corgis complete with the Royal Borough crest.

During her year as Mayor Sayonara raised a great deal of money for charities, including the famous War Horse memorial which was in a very prominent position outside the entrance to Ascot Racecourse. Councillor Story was sure she would raise a lot of money for charities in the coming year as well.

Sayonara was a great fighter for the residents of the Royal Borough; she got things done. She had plenty of campaign honours including playing a major role in the campaign to stop Heatherwood Hospital from closing. The result was that a new state of the art hospital was being built and would open in less than three years' time. More recently she had been part of the campaign to build a brand new leisure centre in Sunningdale, which would serve residents and school children from all over the Ascot area and would have a 6-lane swimming pool.

Sayonara was of course very well informed about the Borough; she had held some key positions on the council including Chairman of the Adult Services and Health Overview and Scrutiny Panel, which ensured some of our most vulnerable residents were well cared for, and last year she chaired the Audit and Performance Review Panel which ensured the council's finances were in good order.

He concluded that, in short, the Royal Borough could not wish for a more experienced Mayor and he had no hesitation in proposing Councillor Sayonara Luxton as the next Mayor of the Royal Borough of Windsor and Maidenhead.

In seconding the motion, Councillor Dudley stated that it gave him great pleasure to second Sayonara's nomination for Mayor. She had previously done a fantastic job as Mayor of the Royal Borough and he was sure she would do so again. He was also pleased to second Ian Luxton as her consort for the year.

Ian was born at King's College Hospital in Denmark Hill, London in 1954 and went to Queens' College Cambridge in 1972 where he graduated gaining an MA. Ian qualified as a chartered accountant with Price Waterhouse Coopers in 1979 and was transferred to their Dubai office a year later. He liked it so much that he stayed for 14 years becoming general manager of the World Trade Centre in 1990, shortly after meeting Sayonara.

Ian worked with the Al Fayeds in Dubai and moved over to Harrods Finance in London for two years. In 2001 Ian switched to the entirely different trade of motor repair and was now Director of Finance for Nationwide Accident Repair Services and Chairman of M&A Coachworks which repaired the world's finest car makes. Ian and Sayonara had four beautiful and talented daughters; undoubtedly his greatest achievement as a father and husband.

In conclusion, Ian would once again be an excellent companion and steadfast support for Sayonara during her year as Mayor. He was very pleased to second the nomination and wished them both a fantastic year of public service for the residents of the Royal Borough.

It was moved by Councillor Story, seconded by Councillor Dudley and:

RESOLVED: That Councillor Sayonara Luxton be elected Mayor of the Royal Borough of Windsor and Maidenhead for the ensuing Municipal Year.

The Managing Director declared Councillor Luxton duly elected Mayor.

Councillor Luxton made the Declaration of Acceptance of Office, witnessed by Councillors Story and Dudley.

THE MAYOR (COUNCILLOR LUXTON) IN THE CHAIR

Paul Lion presented the Mayor with the Mace, the Borough seal and the keys to the Mayor's Parlour.

In making her speech of acceptance, Councillor Luxton thanked Councillor John Story and Councillor Simon Dudley for their kind words of support. She had been delighted to be re-elected to serve as Ward Councillor for Cheapside and Sunningdale. She felt truly humbled to be chosen by residents in the area to represent them again and also overjoyed to be chosen by her fellow Councillors to serve the Royal Borough of Windsor and Maidenhead as a Mayor for a second term. She had now joined a very special group of Councillors to have served the Royal Borough as Mayor on more than one occasion. She certainly did feel privileged.

Councillor Luxton explained that the last time she had stood here, she genuinely never thought that she would be doing the role for a second time round. Although she had really enjoyed being Mayor, it was the hardest job she had ever undertaken. It was a very demanding role made even more demanding when she had commitments like a huge family, great friends and a very precious dog.

Councillor Luxton explained that her chosen charity for the year was Thames Valley Hospice. She wanted to try and raise as much as she possibly could for the charity. She did not fully appreciate the important work they did until she had visited the previous year. The Hospice give friends, families and residents the best care in their precious time on earth. When she had been Mayor previously, her chosen Charity was the Household Cavalry Foundation. Shortly after expressing her support to them it was announced that the Household Cavalry regiment were to leave Windsor after 210 years. She was sure that Thames Hospice was not going anywhere. In fact, they were building a brand new Hospice to help support more residents so she was hoping for support to raise much needed funds for this Charity.

She paid particular thanks to her friend and fellow Ward Councillor Christine Bateson. Christine had been a great mentor and she had learnt a lot from her over the years. Christine was very dedicated, committed to her role as Councillor, hard-working and, like herself, a little bossy at times.

She concluded by thanking Paul Lion, her predecessor and Colin Rayner, the Deputy, for all the great work they had done throughout the year.

The Mayor presented Paul Lion and Mrs Laura Lion with their Past Mayor's and Past Mayoress' badges.

4. ELECTION OF DEPUTY MAYOR FOR 2019/20

In nominating Councillor Muir for the office of Deputy Mayor, Councillor Shelim stated that Gary was originally from Blackpool but had been educated at Henley College, before becoming the youngest ever Area Manager for the Association of Retailers of America. After that he spent a decade working in Jeddah, Saudi Arabia where he met his long-time friend Jesse Grey. He moved back from the Middle East in 1989 to raise his two wonderful sons, Christopher and Jonathan, in Datchet. He was elected to the Royal Borough in a by-election in 2007. Councillor Muir discharged his public duty without a desire for fanfare or fame, media attention or public recognition. He had raised thousands of pounds for numerous charities and had been instrumental in ensuring the traveller community in Datchet was valued, respected and an integral part of the village. Gary Muir's love for community, family and patriotism made him the perfect choice for Deputy Mayor.

In seconding the motion, Councillor Cannon stated that he had known Councillor Muir over 10 years in his capacity as Borough Councillor, Parish Councillor and together with Caron, as personal friends. Caron North would be a great support to Gary during the year ahead. Caron was born and raised in Sheffield. It was apparent from a very early age that her passion was animals. After College she moved to Old Windsor in 1985 where she studied Equestrian Science and Husbandry. These qualifications led into several jobs where she worked, trained and cared for horses. 34 years ago, while driving the horse drawn carriages in Windsor she met one of her closest friends, Bob Reagan. Little did she know that that meeting would be the beginning of a new chapter. Caron had always dreamt big ideas (no matter how crazy they seemed) and one of her biggest was to learn to drive HGV lorries, to join Bob on his farm business.

In 2002 Caron's life changed when Blue Acre Horse Rescue was formed. Bob finally gave up fighting the growing numbers of horses turning up on the farm with Caron, with countless stories of terror told to him about their backgrounds. A selfless and generous woman, Caron planned to change the world for as many animals as she could. The charity became Caron's life 24 hours a day, 7 days a week. She created a sanctuary full of love and safety for not just horses but any animals in need. Today she cared for 43 horses, countless ducks and chickens, 6 dogs and 2 goats on a daily basis. She also worked part time at the Old Windsor Club. Caron lead the team on rescue missions, receiving calls in the middle of the night, attending immediately, completely disregarding herself, thinking only of the animals.

Blue Acre not only helped animals; it was very important to Caron that everyone had a safe place where they could be themselves and feel comfortable. She worked closely with the Ways Into Work Scheme through Blue Acre to help disadvantaged young people. Many young people and adults visited the farm on a day to day basis, and some stayed to become part of the team. Caron would always put others first, protect the ones who trusted her and would always battle for a better future. She would be a great support for Gary during his year in office.

It was moved by Councillor Shelim, seconded by Councillor Cannon, and:

RESOLVED: That Councillor Gary Muir be appointed Deputy Mayor of the Royal Borough of Windsor and Maidenhead for the ensuing Municipal Year.

The Managing Director declared Councillor Gary Muir duly appointed Deputy Mayor. Councillor Muir made the Declaration of Acceptance of Office, witnessed by Councillors Shelim and Cannon.

In his speech of acceptance, Councillor Muir thanked Members for placing their trust in him by electing him Deputy Mayor of the Royal Borough of Windsor and Maidenhead for 2019/20. He particularly thanked Councillor Shelim and Councillor Cannon for proposing and seconding the nomination. He thanked his partner Caron North for agreeing to take the role of Deputy Mayoress; she would do a great job. He was looking forward to supporting his great friend and the dynamic new Mayor, Councillor Luxton, over the next year. and visiting as many community groups, charities and schools as he could.

Councillor Muir then presented Colin Rayner and Councillor Samantha Rayner with their past Deputy Mayor's and past Deputy Mayor's Consort badges.

5. ELECTION OF LEADER

Members considered the election of the Leader of the Council.

Councillor Coppinger proposed Councillor Simon Dudley as Leader of the Council. Councillor Coppinger explained that he had first become a Member 8 years previously; the borough had been a very different place then. It was a borough that did not support affordable housing, only supported sustainability if the pay back was good and where children and grandchildren had to move away to afford a house. The Waterway was only a dream; Maidenhead had literally been dying. Now it was a borough with high levels of investment, a new leisure centre in Maidenhead and a new one to be built in the south of the borough; where those unfortunate enough to be homeless were offered accommodation and not just when it was freezing. Where 30% affordable housing was guaranteed on joint development sites. York House had been rebuilt, the new Waterways were coming and millions had been invested in schools. The borough had fought to stop the expansion of Heathrow and improve the lives of residents, and had worked closely with the government on a flood relief scheme. A Cabinet Member had been appointed to drive the green agenda including a new kerbside recycling scheme. The common factor had been Councillor Dudley, a leader with foresight, financial acumen and the ability to see opportunities and make decisions.

In seconding the motion, Councillor Rayner commented that Councillor Dudley was one of the most experienced and long-serving councillors. He had held a number of Lead Member positions in which he had gained valuable insights and then had been Leader for the last three years. In that time the council had made huge and brilliant steps to make the lives of residents better. Change was not easy and bravery was needed. Councillor Dudley was passionate about delivering and driving change. There was a need for stability in the council to give confidence to businesses and residents and to encourage more investment in the borough. Councillor Dudley brought to the council a long and successful career in banking, dealing in complex and high finance. These skills were essential as the borough tackled the most challenging and demanding issues of the day including increasing social care for adults and children and the huge infrastructure and development needed. This required a Leader who could steer with confidence and the skills to deliver what was so needed.

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

RESOLVED: That Councillor Dudley be elected as Leader of the Council.

A named vote was taken as at least five councillors made such a request, as per Part 2 C17.3.3 of the constitution: 23 councillors voted for the motion: Councillors Bateson, Bhangra, Bowden, Cannon, Carroll, Clark, Coppinger, Dudley, Haseler, Hilton, Hunt, Johnson, Luxton, McWilliams, Muir, Rayner, Singh, Sharpe, Shelim, Story, Stimson, Targowski, Walters. 17 councillors voted against the motion: Councillors Baldwin, Baskerville, Bond, Brar, C Da Costa, W Da Costa, Davey, Davies, Del Campo, Hill, Jones, Knowles, Price, Reynolds, Taylor, Tisi and Werner. Councillor Larcombe abstained.

Councillor Dudley confirmed the Cabinet positions for 2019/20; details of which had been distributed to those present. He thanked all who had voted in the recent local elections. He looked forward to working with all Members to improve the lives of every resident in every ward whether Conservative controlled or not.

COUNCIL - 21.05.19

CABINET	
Member	Portfolio
Councillor Dudley	Leader of the Council, Maidenhead Regeneration and Maidenhead (incl. Communications and Property)
Councillor Coppinger	Deputy Leader of the Council, Planning
Councillor Rayner	Deputy Chairman of Cabinet, Culture, Communities and Windsor (incl. Customer and Business Services)
Councillor Carroll	Adults, Children and Health
Councillor Hilton	Finance and Ascot
Councillor Clark	Sustainability, Waste Services and Economic Development
Councillor Cannon	Public Protection
Councillor Shelim	HR, Legal & IT (incl. Performance Management)
Councillor Johnson	Infrastructure, Transport Policy and Housing

6. POLITICAL BALANCE AND APPOINTMENT OF PANELS, CHAIRMEN/VICE CHAIRMAN 2019-20

Members considered the political balance in accordance with the duty in the Local Government and Housing Act 1989 to review and determine the representation of the different political groups on bodies appointed by the council.

RESOLVED: That Full Council notes the report and:

- i) Notes the political balance of the council as a result of the local elections held on 2 May 2019 as detailed in paragraph 2.1.**
- ii) Approves the membership of the committees, panels and forums for the ensuing Municipal Year as detailed in Appendix A.**
- iii) Appoints the Chairman and Vice-Chairman for the ensuing Municipal Year as detailed in Appendix A.**
- iv) Delegates authority to the Service Lead – Governance to amend/make further appointments on the nomination of the relevant Group Leader.**
- v) Delegates authority to the Monitoring Officer to amend the constitution as appropriate in light of any amendments to the structure of Panels, Committees and Forums as detailed in Appendix A, including:**
 - The number of panel members on the Licensing Panel be amended to 11 (see paragraph 2.7 for details)**
 - The inclusion of Old Windsor ward in the terms of reference for the Windsor Town Forum (see paragraph 2.8 for details)**

In closing the meeting, the Mayor invited Lily and Mia, representing Thames Hospice, to present bouquets to the Mayor, Deputy Mayoress, immediate past Mayoress and immediate Past Deputy Mayoress.

MEETING

The meeting, which began at 7.30pm, finished at 8,28 pm.

SIGNED.....

DATE.....

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

This page is intentionally left blank

MAYOR'S COMMUNICATIONS

Since Annual Council the Deputy Mayor and I have carried out the engagements detailed below.

Meetings

- International Partner Towns Committee “Twinning”
- Charles Davis Trust

Schools/Clubs/Community

- Attended the anniversary dinner with the Rotary Club of Windsor St George and the Rotary Club of Goslar Nordharz
- Attended the “Celebration of Life” for Mrs Ady Sheldon, Past Mayor
- Attended the 50th anniversary celebrations at Mountbatten Garden, Ward Royal, Windsor
- Mayor’s Sunday Civic Service
- Welcomed the steam train “Mayflower” into Windsor and Eton Riverside Station on its inaugural journey to Windsor
- Citizenship Ceremony
- Arts and Sport Bursary Awards launch 2019
- Hurley’s Secret War OSS Station Victor unveiling of blue plaque
- Met the Mayor of Windsor, Ontario, Canada and escorted him to a meeting with the Governor of Windsor Castle
- St John Ambulance NHSBT organ donor ceremony
- Installation of vicar as Team Rector of the Windsor Parish Church
- Attended the memorial service for former Lord Lieutenant, Mrs Mary Bayliss
- Photocall for the Tour de Troops The Castles at Combermere Barracks, Windsor
- Sir Christopher Wren Hotel Terrace Party
- Attended Old Windsor Carnival and judged the floats
- Pentecost Day celebrations and service at Datchet Baptist Church
- Rural Forum Farm Walk
- Attended assembly at Wraysbury Primary School and presented prizes
- Presented certificates at the Fit4Life celebration at Harwood House, Cookham
- Attended the 30th anniversary Annual Reception of SGI-UK at Taplow Court, Taplow
- St Edwards Catholic First School Summer Fayre
- 175th anniversary service at Holy Trinity Garrison Church, Windsor
- Attended the Most Noble Order of the Garter ceremony in St George’s Chapel, Windsor Castle
- Attended the coffee morning in Bowes Lyon Close to celebrate the 50th anniversary of Ward Royal, Windsor
- Led the Armed Forces flagraising in Windsor

Concerts/Show

This page is intentionally left blank

Report Title:	Constitutional Amendments
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Shelim, Lead Member for HR, Legal and IT
Meeting and Date:	Council 25 June 2019
Responsible Officer(s):	Mary Severin, Monitoring Officer
Wards affected:	All

www.rbwm.gov.uk



REPORT SUMMARY

1. During 2018, the council undertook a full review of the constitution. This involved a cross-party working group presenting recommendations to full Council. Following a wide variety of recommendations, changes were agreed at the full Council meeting in June 2018, for implementation in May 2019. One of the agreed changes was to remove the opportunity for a member of the public to ask a supplementary question under the item 'Public Questions'.
2. Following a public question on the proposed change at the full Council meeting in April 2019, the then Lead Member for HR, Legal and IT (former Councillor Lisa Targowska) suggested that the decision be reviewed and a report be brought to full Council on 25 June 2019.
3. Subsequent to that announcement, on 28 May 2019, the council received an [e-petition](#) on the subject containing 397 signatories, requesting that the council 'rescind their decision to ban supplementary public questions at council meetings'.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Full Council notes the report and:

- i) **Agrees to reinstate the opportunity for members of the public to ask supplementary questions under the item 'Public Questions'.**
- ii) **Delegates authority to the Monitoring Officer to amend the constitution as detailed in Appendix A.**

2. REASON FOR RECOMMENDATION AND OPTIONS CONSIDERED

- 2.1 At the Full Council meeting in April 2019 the then Lead Member for HR, Legal and IT (former Councillor Lisa Targowska) explained that although not originating as a recommendation of the constitution review working group, feedback from briefings to councillors outside the working group included comments around disappointment that Lead Members felt they were not always in a position to provide members of the public with the information they were asking for at meetings when raised in a supplementary question.
- 2.2 The Lead Member went on to explain that Members recognised that people took time out of their busy day to attend meetings and wherever possible councillors should be able to answer questions publically. Officers assisted Members in

preparing a pack of material for pre-registered and supplementary questions. They did this by preparing a lot of material that they thought could potentially come up as a supplementary question, but this could be something of a guessing game. Inevitably, it was not always possible to predict what would be asked and on some occasions a written answer had to be given. Members were aware that members of the public often came with pre-prepared supplementary questions. The change was designed to ensure wherever possible, councillors could provide full answers at the meeting.

- 2.3 In light of the question raised at the full Council meeting in April 2019 and feedback contained in an [e-petition](#) submitted to the council on 28 May 2019, the report proposes the reinstatement of the opportunity for members of the public to ask supplementary questions of a Lead Member under the item 'Public Questions' at full Council meetings.
- 2.4 It is not proposed as part of this report that the opportunity for Councillors to ask supplementary questions of a Lead Member under the item 'Member Questions' at full Council meetings be reinstated.

Options

Table 1: Options arising from this report

Option	Comments
Approve the changes detailed in Appendix A	This addresses the concerns detailed in the question raised at the full Council meeting in April 2019 and the e-petition submitted in May 2019
Recommended option	
Do not approve the changes detailed in Appendix A	This does not address the concerns detailed in the question raised at the full Council meeting in April 2019 or the e-petition submitted in May 2019

3. KEY IMPLICATIONS

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Members of the public have the opportunity to ask supplementary questions	Changes not agreed and members of the public do not have the opportunity to ask supplementary questions	The constitution is amended and Members of the public have the opportunity to ask supplementary questions	n/a	n/a	25 June 2018

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no financial implications.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications

6. RISK MANAGEMENT

6.1 The risk remains that Lead Members will not be in a position to provide full answers to supplementary questions at the meeting and will need to provide written responses afterwards..

7. POTENTIAL IMPACTS

7.1 N/A.

8. CONSULTATION

8.1 The constitution review working group undertook a full review of the constitution during 2018, resulting in a wide range of recommendations. Full Council agreed a number of changes in June 2018, for implementation in May 2019. Full Council now has the opportunity to review one of the proposed changes, following feedback from members of the public.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date: Immediately.

10. APPENDICES

10.1 This report is supported by one appendix:

- Appendix A: Extract from Part 2 of the council constitution (The full Council) – tracked changes version

11. BACKGROUND DOCUMENTS

11.1 This report is supported by two background documents:

- [Minutes](#) of the full Council meeting held on 26 June 2018
- [Minutes](#) of the full Council meeting held on 23 April 2019

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr. Dudley	Leader of the Council	11/6/19	11/6/19
Cllr Shelim	Lead Member for HR, Legal and IT	11/6/19	13/6/19
Cllr Story	Chairman of the Constitution Sub Committee	11/6/19	13/6/19
Duncan Sharkey	Managing Director	31/5/19	4/6/19
Sean O'Connor	Shared Legal Services	31/5/19	31/5/19
Mary Severin	Monitoring Officer	31/5/19	11/6/19
Russell O'Keefe	Executive Director	10/6/19	
Andy Jeffs	Executive Director	10/6/19	13/6/19
Rob Stubbs	Section 151 Officer	10/6/19	
Elaine Browne	Interim Head of Law and Governance	31/5/19	10/6/19
Hilary Hall	Deputy Director of Commissioning and Strategy	10/6/19	11/6/19
Kevin McDaniel	Director of Children's Services	10/6/19	
Nikki Craig	Head of HR and Corporate Projects	10/6/1/9	14/6/19
Louisa Dean	Communications	10/6/1/9	

REPORT HISTORY

Decision type: Non-key decision	Urgency item? No	To Follow item? No
Report Author: Karen Shepherd, Service Lead - Governance		

APPENDIX A – extract from Part 2 of the council constitution

C9 QUESTIONS BY THE PUBLIC

C9.1 General

Members of the public may ask questions of

- i. the Leader; or
- ii. a Cabinet Lead Member;

at ordinary meetings of the Council for which the Council will set aside a period of **20 minutes**, which may be extended at the discretion of the Mayor. Public questions are permitted to Extraordinary meetings of the Council where such a question is directly related to an item on the Agenda.

C9.2 Answering Questions

Although the public may only direct questions to those Members in C9.1, the Member specified in C9.1 may request that another more appropriate Member of the Council answer the question, whether in whole or part, but only where the other Member has agreed and has communicated their agreement prior to the Meeting and the substitute Member can provide a more substantive reply to the question (for example, if the Member has a greater understanding of a ward issue or if it falls within the portfolio of the substitute Member).

Members with specific responsibilities cannot pass the question if it falls within their responsibility.

C9.3 Order of questions

Questions will be asked in the order that notice of them was received, except that the Mayor may group together similar questions or decide that questions should be asked in a particular order.

C9.4 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by email to the Service Lead - Governance no later than midday, 7 clear working days before the day of the meeting. Each question must give the name and address of the questioner and must name the Member of the Council specified in C9.1 to whom it is to be put. The Mayor may, in his discretion, allow a question to be asked when the period of notice required has not been given, if he considers the matter to be urgent and that the Member receiving the question has agreed to answer the question.

If a question cannot be answered at the Meeting, then the questioner shall be offered the opportunity to raise the question in the next ordinary

APPENDIX A – extract from Part 2 of the council constitution

meeting of the Council or a written response provided. Any written response will be published by the Council as soon as provided.

The deadline for submission of questions for Extraordinary Meetings shall be decided by the Mayor.

C9.5 **Number of questions**

At any one meeting no person may submit more than two questions.

C9.6 **Scope of questions**

The Service Lead - Governance may reject a question if it:

- Is not about a matter for which the Council has a responsibility or which affects the Borough.
- Is defamatory, frivolous or offensive;
- Relates to any existing or proposed application, permission, licence, consent, benefit, grant or enforcement action.
- Is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- Requires the disclosure of confidential or exempt information.
- No question shall be longer than 60 words.
- The Service Lead - Governance may, after consultation with the questioner and with the questioner's consent, amend the wording of the question for the purpose of clarification.

C9.7 **Record of questions**

The Service Lead - Governance will maintain a register of all questions, which will be open to public inspection. A copy of the question will be sent immediately to the Member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

C9.8 **Asking the question at the meeting**

The Mayor will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with. Both the question and any supplementary question shall be put and answered without discussion.

APPENDIX A – extract from Part 2 of the council constitution

C9.9 **Supplementary question**

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question.

The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. The questioner shall be allowed up to 1 minute to put the supplementary question. The Mayor may reject a supplementary question on any of the grounds in Rule 9.6 above.

~~No supplementary questions shall be raised.~~

C9.10 **Response**

The Member who provides the response may answer by:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- c) where the reply cannot conveniently or accurately be given orally or the question requires further information, then a written answer will be sent to the questioner

A Member responding to a question shall be allowed up to **5 minutes** to reply to the question and up to 2 minutes to reply to a supplementary question.

C9.11 **Written Answers**

Any question which cannot be dealt with during the public question time, either because of a lack of time or because of the non-attendance of the questioner or the Member to whom it was to be put, will be dealt with by a written answer.

C9.12 **Reference of question to Cabinet, Committee, Forum or Panel**

No discussion will take place on any question, but any Member may move that a matter raised by a question be referred to Cabinet or the appropriate Committee, Forum or Panel. Once seconded, such a Motion will be voted on without discussion.

This page is intentionally left blank