

Head of 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 **Grey Rooms, York House, Windsor** on **Tuesday, 17 December 2019 at 7.30 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 9 December 2019



Duncan Sharkey
Managing Director

Rev Quick 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 24 September and 23 October 2019.
(Pages 9 - 78)

3. DECLARATIONS OF INTEREST

To receive any declarations of interest
(Pages 79 - 80)

4. MAYOR'S COMMUNICATIONS

To receive such communications as the Mayor may desire to place before the Council
(Pages 81 - 82)

5. PUBLIC QUESTIONS

a) Ed Wilson of Clewer and Dedworth West ward will ask the following

question of Councillor Carroll, Lead Member for Adult Social Care, Children's Services, Health and Mental Health:

Will the Lead Member advise if he has received any proposals from members that safeguard the future of the Dedworth Sensory Garden?

b) Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Johnson, Leader of the Council:

Will the Leader of the Council meet with me and Dedworth residents who would like to display large remembrance poppies along Dedworth Rd and Maidenhead Road in years to come?

(A Member responding to a question shall be allowed up to five minutes to reply to the initial question and up to two minutes to reply to a supplementary question. The questioner shall be allowed up to one minute to put the supplementary question)

6. PETITIONS

To receive any petitions presented by Members on behalf of residents.

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

7. REFERRALS FROM OTHER BODIES

To consider referrals from other bodies (e.g. Cabinet for capital items)

None for this meeting

8. APPOINTMENT OF STATUTORY OFFICER

To consider the above report
(Pages 83 - 88)

9. OLD WINDSOR NEIGHBOURHOOD PLAN - FORMAL MAKING OF THE PLAN

To consider the above report
(Pages 89 - 156)

10. CONSTITUTION CHANGES - SCHOOL IMPROVEMENT FORUM TERMS OF REFERENCE

To consider the above report
(Pages 157 - 162)

11. IMPLEMENTING THE CARE ACT - PEOPLE IN RESIDENTIAL ACCOMMODATION

To consider the above report
(Pages 163 - 168)

12. TREASURY MANAGEMENT UPDATE 2019/20

To consider the above report
(Pages 169 - 184)

13. MEMBERS' QUESTIONS

a) Councillor Larcombe will ask the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

Unauthorised construction of raised earth bunds on flood plain are a problem in my Datchet, Horton and Wraysbury Ward. These embankments inhibit overland flood flows, take up flood storage capacity and raise flood levels. The simultaneous neglect of the ancient land drainage infrastructure exacerbates flooding. As lead local flood authority what action is RBWM taking to remedy the issues?

b) Councillor Larcombe will ask the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

What is the total cost of the Borough Local Plan to date please?

c) Councillor Price will ask the following question of Councillor Clark, Lead Member for Transport and Infrastructure:

Where there are broken/uneven pathways, lack of dropped kerbs/tactile paving, residents with disabilities, and indeed the elderly, are deterred from venturing out, thus increasing the incidence of loneliness, isolation, and physical inactivity. Will the Lead Member consider prioritising repairs/improvements where there are clusters of such residents in line with the RBWM Strategic Priority of Health, Skilled and Independent residents?

d) Councillor Davey will ask the following question of Councillor McWilliams, Lead Member for Housing, Communications and Youth Engagement:

What funding has cabinet allocated to support rough sleepers over the Christmas period and into the New Year around the Borough and how might we work better with community groups and voluntary organisations to raise awareness and sign post provision to maximise resources for all?

e) Councillor Davey will ask the following question of Councillor Johnson, Leader of the Council:

With RBWM in a very serious financial situation is it now time to make use of the skills of all councillors, across parties, rather than simply relying on the Conservative Administration trying to go it alone?

f) Councillor Davies will ask the following question of Councillor Carroll, Lead Member for Adult Social Care, Children's Services, Health and Mental Health:

Nationally 30,000 children - UK resident but EU nationals - may not receive

settled status, despite being entitled to it, due to “irregular family contexts”. Of these, 5,000 are children in care. Are there any children in our care whose settled status is uncertain for this reason? And if so, what practical and legal support are they receiving?

g) Councillor L. Jones will ask the following question of Councillor Hilton, Lead Member for Finance and Ascot:

The finance update is showing an estimated £3.61m forecast overspend at the end of the financial year. This is the ‘net figure’ after ‘saving mitigations’ have already been implemented. What assurances can the Lead Member give council that this figure can be mitigated and will not continue to rise?

h) Councillor Hill will ask the following question of Councillor Clark, Lead Member for Transport and Infrastructure:

Given the recent tragic deaths of 2 Oldfield Ward Residents when are we going to see the pedestrian crossing built on Braywick Road and safety upgrades to the 2 crossings near Oldfield School on Bray Road?

i) Councillor Hill will ask the following question of Councillor Clark, Lead Member for Transport and Infrastructure:

It was agreed after two petitions were raised to review pedestrian crossings on Stafferton Link Road that all crossing points on the road would be examined with a view to improve pedestrian safety. When will this be complete and improved safer crossings be installed?

(A Member responding to a question shall be allowed up to two minutes to reply to the initial question, and up to two minutes to reply to a supplementary question. The questioner shall be allowed up to one minute to put the supplementary question)

14. MOTIONS ON NOTICE

a) By Councillor Cannon

As a member of Royal Berkshire Fire Authority I bring this motion to the Council to demonstrate our commitment to the Royal Berkshire Fire and Rescue Service motion to ensure the safety of RBWM buildings and residents from the risks of fires.

This Council:

- i) Acknowledges that sprinklers and other Automatic Fire Suppression Systems (AFSS) save lives, protect property, reduce the impact of fire on the environment, reduce interruption to business and improve safety for individuals in the community in general and firefighters. In recognising these benefits support the National Fire Chief’s Council position on sprinklers by writing to Central Government to express support for the creation of a legal requirement to fit sprinklers or AFSS in buildings.

- ii) Commit to installation of sprinklers or other AFSS within its own building stock when planning for and constructing new buildings or as a retrofitted solution when undertaking major refurbishments of existing buildings.
- iii) Through the planning application or building control process, promote and support the installation of sprinklers or other AFSS for all new or refurbished buildings and particularly those that present the most significant risk to the public and firefighters.

b) By Councillor Taylor

Following the declaration of a climate emergency this year, along with the spells of record breaking hot weather, I ask the council to commit to addressing the responsibilities it has to residents during this extreme type of weather.

This Council:

- i) Ensures that correct and helpful information is provided via the council's communications channels and libraries to assist people during periods of hot weather.
- ii) Liaises with other support groups / charities to see what help can be offered to those who are most vulnerable in the Borough.
- iii) Establishes a Heat Mitigation Research Working Group to discuss what responsibilities the council may have moving forwards to tackle the inevitable changes to a wider range of issues including building regulations, responsibilities for existing housing stock and general heat relief.

c) By Councillor Davey

The Police tell me one of the main reasons young people start getting into trouble is limited parental support after school.

This Council:

- i) Recognises many 15-18 year olds could benefit from community support after school for approximately 3 hours a day.
- ii) Commits to working harder to find solutions to give our youth the best possible start in life.

d) By Councillor Del Campo

According to a recent freedom of information request (number 74334, November 2019), there are currently 766 empty homes in the Royal Borough. The same request shows that no Empty Dwelling Management Orders have been issued in the last five years. Bringing these empty homes back into use could avoid the need to build on several green-belt sites in the borough.

This Council resolves to:

- i) Promote the grants and support available to owners of empty residential properties to bring them back into use
- ii) Use all reasonable powers to bring empty residential properties back into use
- iii) Write to the inspector of the borough local plan requesting the urgent removal of green-belt sites with allocations totalling up to 766 empty homes.

e) By Councillor Baldwin

While fireworks bring much enjoyment to some people, they can cause significant problems and fear for other people and animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise.

This Council resolves to:

- i) Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- ii) Write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- iii) Encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

f) By Councillor Hill

This Council agrees to review and evaluate all pedestrian crossings on safe walking routes to school and in the vicinity of schools, with particular emphasis given to crossings on main roads, and put in place measures to mitigate identified risks.

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). Members who have spoken on the original motion are able to speak again in relation to the amendment only
- 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.)

Closure Motions

a) A Member who has not previously spoken in the debate may move, without comment, any of the following Motions at the end of a speech of another Member:

- i) to proceed to the next business;
- ii) that the question be now put to the vote;
- iii) to adjourn a debate; or
- iv) to adjourn a meeting.

b) If a Motion to proceed to next business is seconded, the Mayor will give the mover of the original Motion a right of reply and then put the procedural Motion to the vote.

c) If a Motion that the question be now put to vote is seconded, the Mayor will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

d) If a Motion to adjourn the debate or to adjourn the meeting is seconded, the Mayor will put the procedural Motion to the vote without giving the mover of the original Motion the right of reply

Point of order

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of the Council Rules of Procedure or the law. The Member must indicate the procedure rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

Personal explanation

A Member may make a personal explanation at any time with the permission of the Mayor. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the requirement of a personal explanation will be final.