

**AT A MEETING OF THE BOROUGH COUNCIL held in the Grey Rooms, York House on Tuesday, 17th December, 2019**

PRESENT: The Mayor (Councillor Sayonara Luxton), The Deputy Mayor (Councillor Gary Muir)

Councillors John Baldwin, Clive Baskerville, Christine Bateson, Gurpreet Bhangra, Simon Bond, John Bowden, Mandy Brar, Catherine Del Campo, David Cannon, Stuart Carroll, Gerry Clark, David Coppinger, Carole Da Costa, Wisdom Da Costa, Jon Davey, Karen Davies, Phil Haseler, Geoff Hill, David Hilton, Maureen Hunt, Andrew Johnson, Greg Jones, Lynne Jones, Neil Knowles, Ewan Larcombe, Ross McWilliams, Helen Price, Samantha Rayner, Joshua Reynolds, Julian Sharpe, Shamsul Shelim, Gurch Singh, Donna Stimson, John Story, Helen Taylor, Amy Tisi and Simon Werner

Officers: Mary Severin, Duncan Sharkey, Karen Shepherd, Maddie Pinkham and James Carpenter.

Also in attendance: Peter Robinson (CIPFA)

59. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Targowski and Walters.

60. COUNCIL MINUTES

**RESOLVED UNANIMOUSLY: That:**

**i) The minutes of the meeting held on 24 September be approved, subject to an amendment to page 24 to record Councillor Stimson's response to the supplementary question g) as 'Why don't you just ask them yourself?'**

**ii) The minutes of the meeting held on 23 October 2019 be approved.**

61. DECLARATIONS OF INTEREST

Councillor Werner declared a Personal Interest in motion e) as he worked for Guide Dogs for the Blind who were currently running a campaign on fireworks.

Councillors Werner, Bateson and Cannon declared Personal Interests in motion a) as members of the Royal Berkshire Fire Authority.

62. MAYOR'S COMMUNICATIONS

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

The Mayor welcomed Councillor G Jones, as this was his first full Council meeting following the Riverside by-election.

63. PUBLIC QUESTIONS

**a) Ed Wilson of Clewer and Dedworth West ward asked 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?

Councillor Carroll responded that he could confirm that he had received no proposals from Members that would safeguard the future of the Dedworth Sensory Garden.

However, he could confirm that, following an approach from Councillor Price, the Director of Adults, Health and Commissioning had met with her on site to discuss what options there were available for the council to help. Regrettably, the conclusion of the meeting was that there was nothing that the council could do. However, Councillor Price was advised to contact the council's delivery partners, such as Volker Highways and Tivoli, who may be able to support the local community to reopen the garden with practical help. He understood that some practical help had been provided and that there had been some wider interest from the local community to see the garden reopened and then maintained.

By way of a supplementary question, Mr Wilson stated that he was disappointed that there were no formal proposals on the table. A group of residents was looking to form a charity. Would the Lead Member commit to meeting residents and potential trustees to discuss a way forward.

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

**b) Ed Wilson of Clewer and Dedworth West ward asked 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?

Councillor Johnson responded that the Royal Borough had been, and would continue to be, committed to events and initiatives which supported Remembrance Day.

The council had previously worked with residents and other organisations to display large poppies on the highway and was very happy to continue to do so. There appeared to be differing arrangements in different localities with some providing their own poppies and others being provided and displayed by the Royal Borough.

In order to ensure that there was no miscommunication or misunderstanding in future years a short policy would be developed led by the museum and arts team. He would be happy to meet with any interested party.

Mr Wilson confirmed that he did not have a supplementary question.

64. PETITIONS

No petitions were presented.

Councillor Werner indicated he would in future have a petition to present relating to speeding outside his daughter's school. The Leader had already indicated his support. Councillor Johnson commented that he had spoken to officers and asked them to undertake a speed survey in the area.

65. REFERRALS FROM OTHER BODIES

None for this meeting

66. APPOINTMENT OF STATUTORY OFFICER

Members considered appointment of the S151 Officer.

Councillor Hilton explained that the constitution required full Council approval of the appointment of the Section 151 officer. The proposed candidate, Adele Taylor, had extensive experience. Her appointment would bring greater intellectual capability to the management team. Alongside the management of the council's finances, she would be responsible for Revenues and Benefits, Libraries and Resident Services, ICT, HR, Corporate projects and would also oversee the audit function and the pension fund. Members noted Adele Taylor's experience as detailed in the appendix.

Councillor Rayner commented that she had been a member of the interview panel; all had agreed that Adele would be a strong addition to the council. She was confident that Ms Taylor would embrace the council's culture and would be open to discussions with Councillors and residents.

Councillor Werner stated that he supported the proposal but was concerned at the comment that Ms Taylor would embrace the council's culture given the recent criticisms by CIPFA on the financial culture of the organisation.

Councillor Hilton responded that the council was already on the process of changing its culture. Financial reporting was already more clear and transparent than in the past. He would look to Adele Taylor to carry on down that road towards better practice.

Councillor Rayner highlighted that there had already been a change in culture with a new Leader and Managing Director.

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

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

- i) Adele Taylor as the Council's Section 151 Officer following her appointment to the role of Director of Resources.**

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

Members considered making the Old Windsor Neighbourhood Plan part of the Development Plan for the Royal Borough of Windsor and Maidenhead and for it to be

used in decision making for relevant planning applications in the neighbourhood plan area.

Councillor Coppinger commented that the council had and continued to support neighbourhood plans. There were currently 10 in progress across the borough. Old Windsor was the fourth to reach this stage. The NPPF gave local communities direct powers to ensure sustainable development where it was needed. The Group had undertaken a series of consultations on the plan and developed evidence to support its proposals. The independent examiner had agreed it could move to referendum with some minor modifications.

The referendum had taken place on 10 October 2019. Of 763 votes, 709 had voted to approve the plan. He therefore asked Council to accept the result and formally make the plan part of the development plan for the borough.

Councillor L. Jones commented that neighbourhood plans were truly community-led. She thanked the Neighbourhood Plan Group for producing a plan that fully reflected the views of residents. She particularly thanked Jane Dawson, Chairman of the Parish council, for her efforts.

Councillor Hilton commented that it was an incredible task for local people to bring forward a document that stood the test of the Planning Inspector. It would be essential for all Development Management Panel members to understand the plan when considering applications in Old Windsor.

Councillor Bateson commented that it was amazing that every area of the borough was involved in neighbourhood planning.

Councillor Jones requested that the second recommendation include consultation with the Neighbourhood Plan Group. Councillor Coppinger accepted the amendment.

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

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

- ii) **That the Council make the Old Windsor Neighbourhood Plan part of the Development Plan for the Royal Borough of Windsor and Maidenhead; and**
- iii) **Delegates authority to the Executive Director, in consultation with the Lead Member for Planning and the Old Windsor Neighbourhood Plan Group, to make minor, non-material, amendments to the Neighbourhood Plan prior to its publication.**

68. CONSTITUTION CHANGES - SCHOOL IMPROVEMENT FORUM TERMS OF REFERENCE

Members considered amendments to the terms of reference for the School Improvement Forum.

Councillor Carroll explained that since he had become Lead Member in May he had focussed on the importance of every child, regardless of background or social

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circumstances, being able to access the best possible education. The School Improvement Forum, which he chaired, allowed for additional scrutiny in local schools and helped to identify how the council could best support schools in achieving better outcomes. He wished to refocus the Forum to make its key priority about disadvantaged children and how to remove barriers restricting optimal attainment. The current terms of reference focussed on Ofsted ratings, however 94% of borough schools were now rated Good or Outstanding; none were considered inadequate. He wished to refocus the forum on disadvantaged children. He had discussed the proposal with Councillor Del Campo, the opposition representative on the forum, and confirmed that the changes would not mean other items could not be brought to the Forum. The idea was to set a clear priority and vision.

Councillor Del Campo thanked Councillor Carroll for the commitment to enable the forum to do other things. A focus on disadvantaged pupils was important but the 6% of schools not considered Good or Outstanding should not be forgotten; in addition other groups such as Gifted and Talented pupils also needed support.

Councillor Bhangra commented on his ward work alongside Councillor Carroll to support disadvantaged children.

Councillor Knowles commented that it was a fabulous idea to bring the terms of reference up to date. One of the key drivers was poverty. It would therefore be helpful if the forum could develop a whole support mechanism. The forum could also be a useful way of allocating additional SEND funding around the borough in consultation with headteachers.

Councillor Tisi stated that she was pleased with the changes. She highlighted that a number of schools had not been inspected for up to 10 years therefore it would be important to leave the option open if any slipped down the rankings. She also liked the fact that the forum met regularly.

Councillor Sharpe commented that it was wholly commendable to focus resources on supporting disadvantaged children to have the best start in life.

Councillor Coppinger commented that he was also a member of the Forum. As a former Chair of Governors at a primary school he had been pleased with the opportunity for political leaders to meet with educational leaders in the borough.

Councillor Davey asked who created the Inclusion Charter Mark referred to in the terms of reference.

Councillor Carroll commented that he was passionate about high performance. If needed, the forum would provide the time to address performance issues. Discussions over the Charter Mark had begun. The Corporate Parenting Forum already brought in Children in Care to get their views and he hoped this model could be developed for the School Improvement Forum. He explained that the Schools Forum also brought headteachers together with the Director of Children's Services, for holistic discussions. He was aware of the challenges to get those in the educational system to adopt a collaborative spirit. He would be happy to discuss the issues with those Members with experience.

Councillor McWilliams suggested all Members should encourage headteachers in their wards to attend the Schools Forum and input their views.

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

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

**i)Agrees the terms of reference for the School Improvement Forum as detailed in Appendix B.**

69. IMPLEMENTING THE CARE ACT - PEOPLE IN RESIDENTIAL ACCOMMODATION

Members considered approval of a policy to apply the provisions of the Care Act around costs where the Royal Borough became responsible for funding people in care homes who had previously funded their own care costs or had them paid by the NHS.

Councillor Carroll explained that adult social care operated on the basis of ability to pay therefore there was a significant element of means testing. The increasing demographic burden on adult social care was a national challenge. This was a positive challenge as it meant people were living longer, it should be celebrated but there was a need to ensure the system was equitable.

The borough had a statutory responsibility to meet the eligible care needs of adults including those who moved into care homes in the borough and subsequently ran out of money. The cost was usually then more than the council would pay for people with similar needs. The council would always look to negotiate down the costs but usually the council would exercise its discretion to allow a person to remain in their current care home.

The proposal, consistent with other local authorities, was to set a personal budget for accommodation in a suitable place with a view to only fund to that level or lower. The wellbeing principle would always apply in all cases. If medical evidence confirmed that moving an individual would have detrimental and significant impacts then the individual would be allowed to remain even if costs were higher. This would ensure all were treated equitably and ensure sufficient resources for all eligible residents.

Councillor Coppinger highlighted that the borough had more care homes beds per head of population than any other authority. New care homes were told that they needed to ensure an individual could afford the accommodation for the rest of their life however some did not in the knowledge that there would always be someone who picked up the cost in the end. The proposals ensured equity for all.

Councillor Davey commented that if the cost was £1,000 a week to provide care, 1,329 beds equated to £64m a year. The council needed to learn from its neighbours in Slough using 30% of the beds for the same population however the culture in some families there was also to keep elderly people in the family home. Councillor Davey suggested that an alternative would be to pay families to host an older person at £1,000 month. In a perfect world this would save £50m and the mother could be at home for the children, who would feel more loved and there would be less chance they would get into bother. The old person would feel loved and would add value to the family, for example helping with homework.

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Councillor Carroll explained that the council was required to source care for those unable to pay under the means tested threshold. The council commissioned care from providers at some of the most competitive unit costs in the country. The report dealt with when people ran out of money and the council had the legal responsibility to look after the individual but the costs could be higher than the negotiated unit rate. All would be offered the same level of care unless there were specific circumstances.

Councillor Reynolds questioned whether there was a definition of 'detrimental and significant impacts'. Moving people would always have some form of detrimental impact. He also questioned why the report stated at paragraph 4.1 that there were no direct financial implications when the report was designed to save the council money. The proposals were at the expense of the most vulnerable.

Councillor Knowles accepted that the council needed to be able to negotiate with care homes. However towards the end of a person's life they became vulnerable to change of any sort. He understood medical conditions would be taken into account but to show compassion he felt there needed to be a form of appeal process.

Councillor Carroll accepted the proposed amendment to include an appeal process. There was already provision under the legislation but a localised process was a good idea. He highlighted that the wellbeing principle was a legal requirement in the Care Act. He was strongly in favour of equity; the system should not be skewed to those at one end of the financial spectrum.

Councillor C. Da Costa commented that she worked in the medical field and had an elderly grandmother who had died a few years previously therefore she understood the scenario of someone being moved from one care home to another. Any move was always detrimental and often caused confusion. Most people did not do as well in a new home even if of a higher quality. She highlighted the need to ensure safeguards were in place to ensure moves were as minimal as possible. She asked how many people the council was currently required to pay for at a higher level.

Councillor Johnson commented that he endorsed the need for a robust, transparent appeals process but there was a need to introduce a system to ensure equitable outcomes for both those in care homes and those who had to pay for the care, the council taxpayer. Every judgement would be based on hard medical evidence but in a compassionate manner taking into account the views of the individual and their family. The policy would give the council the ability to negotiate an equitable level. Along with Councillor Carroll he would meet with ministers in the new government to push for fairer funding and reform of the system.

Councillor Jones welcomed the introduction of an appeals process. Her position was to ensure people could stay in their own homes as long as possible. She felt it would be better to offer a personal budget that people could top up themselves if they wished for in-home care. She requested that the professionals making decisions on the wellbeing principle be outside the budget constraint process.

Councillor Carroll referred Members to paragraph 2.5 which showed the number of additional individuals the council was responsible for that had previously been self-funded. 15 individuals had been funded between Apr-Nov 2019 at a cost of £0.5m. He confirmed that healthcare professionals would make the wellbeing principle decisions and they were not budget constrained. He would discuss with officers the legality of

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Councillor Jones' suggestion relating to in-home carers. He was aware that safety assessments had to be undertaken and a safety-first principle was always applied.

There was a need to reform adult social care and he would push ministers in the new government to ensure the large Conservative majority did not just get Brexit done but also addressed adult social care as well.

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

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

- i) Approves the policy to apply the provisions of the Care Act around costs where the Royal Borough becomes responsible for funding people in care homes who have previously funded their own care costs or had them paid by the NHS.**
- ii) Supports an appeals process to take into account the needs and wishes of individuals, family members and the wider social group, in line with the Care Act.**

### 70. TREASURY MANAGEMENT UPDATE 2019/20

Members considered an update on the delivery of the Treasury Management Strategy approved by Council on 26 February 2019.

Councillor Hilton highlighted a typographical error in the report summary, section 2c which should refer to 2019/20. He asked Members to note the details of long term debt in Appendix C and the borrowing requirements on page 172. The table showed money held on behalf of the Local Enterprise Partnership; these were included in the calculation of debt. Investments were shown in Appendix B and included deposits with the Property Company, credit facilities and money market deposits. Arlingclose had recommended to continue to use short term borrowing to allow the markets to settle following the election but to take longer term borrowing to cover the £61.5m reported as the borrowing requirement and to do so before the end of February 2020. The operational boundary for debt had been confirmed as £159m. The authorised limit was £181m. Both remained unchanged.

Councillor Hilton explained that the council currently used the straight line method for calculating MRP. However the annuity method was very similar to repayment of a mortgage where the MRP was charged to the end of the asset's expected life. The charges went up over time. As there was a plan to pay the debt off early this would not be an issue. This method was increasingly common in local authorities.

Councillor Jones asked what impact changes to the MRP would have on the revenue budget. She also asked for an explanation of paragraph 4.1.8.

Councillor W. Da Costa stated that he broadly agreed with the strategy but had a few questions. In relation to the £14.3m – £16m on deposit and the maximum amount that could be deposited with any particular bank was now reduced to £5m, how much money had been moved to get maximum deposits in banks to £5m per bank? Given also that the previous minimum credit rating was BBB+, assuming an average of £15m deposits, had the interest income received therefore dropped and, if so by how much?



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Councillor W. Da Costa commented that, with regard to the Minimum Revenue Provision, if the change meant the council charged more costs in future years than now, it seemed not as prudent as charging it now. What difference would changing to a less prudent method have and what would the benefit be? Did the limits and constraints also apply to RBWM Trading Companies? By changing asset lives, or using a different internal rate of return, the council could manipulate the amount of money it charged to the budget, to make it look better. He asked for assurance that any changes in asset lives and internal rates of return would be first scrutinised by the Corporate Overview & Scrutiny Panel. If this could be done, he requested that the motion be amended.

Councillor Hilton responded that the proposal reduced the impact on the MRP in the early years and had a positive impact on the revenue budget; this would grow over time. Over time there would also be inflation. He had not done the calculation, however if run over 50 years, the council would end up paying the net present value whichever way it managed the process. In relation to 4.1.8 the council prepaid its pension contributions and it received a return on the money that would achieve a better rate of return than if invested in one of its counterparties.

Councillor Hilton explained that with relatively small amounts of money involved, no more than £16m, nothing would need to move. The report was just reflecting on what was happening now. Investment income had not dropped, it was 0.11% more than LIBOR which was pretty good with short money. Small sums of money went in and out as money was loaned overnight to ensure it did not sit doing nothing. There would be no effect on the trading companies as the council just had deposits with them from time to time. The MRP methodology had been supported by CIPFA. The new method was therefore considered to be prudent.

The report did mention asset lives would be set after discussion with valuers. Once an asset life was set, unless something catastrophic happened, if the council believed the value of an asset should change in the annual statement of accounts, then there would be a discussion with the valuers. It was not within the gift of the council to change the value, it would ultimately need to be approved by the auditors.

Councillor Hill highlighted that net borrowing to 31 March 2020 as £158m. Structural debt was £57m and short term debt was circa £120m. He asked how it would be repaid and what assets would need to be sold to do so. He also believed there was a deficit in the pension fund and asked how that would be covered.

Councillor Hilton explained that the actuaries had reported to the Pension Fund Panel the evening before that the additional provision for the deficit could be reduced from the previous £800,000 to £200,000. There was a schedule of cash flows indicating when all debt would be repaid.

Councillor Price commented that some of the organisations listed in Appendix A did not seem to have Fitch ratings. Councillor Hilton stated that he would check and get back to Cllr Price. If they were other local authorities, then they did not receive Fitch ratings.

Councillor Baldwin commented that he did not understand bullet point four in recommendation iii) but he was not the Lead Member for Finance. He relied on the Lead Member to calm his fears; he was concerned at comments such as 'I have not

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done the calculations'. Councillor Hilton responded that it was the council's policy to repay debts early because it had a known positive cash flow to enable this to happen. Long term debt would be paid when completed otherwise premium had to be paid. He did understand bullet point four in recommendation iii) but would ask CIPFA to provide an explanation.

Councillor Knowles asked if the debt repayment schedule could be published even if on a confidential basis to Councillors. Councillor Hilton stated that he would discuss with officers; the plan was for the schedule to be published with the budget papers.

Councillor W. Da Costa commented that the figure of £20m referred to by Councillor Price was the maximum that could possibly be lent; what was actually lent to individual organisations were smaller amounts. In relation to bullet point four in recommendation iii) he explained that the Secretary of state could determine the treatment of specific items such as development of a computer programmes and, in relation to options 3 & 4, for no longer than 50 years except for PFI and professional valuations.

Councillor Werner expressed concern at being asked to support the recommendations when many councillors had not seen the debt repayment schedule. It would be useful to see even with the caveat it may change. He asked why it could not be shared.

Councillor Hilton commented that the Corporate Overview and Scrutiny Panel had met to discuss the CIPFA report; Councillor Werner had been present. At that meeting it had been Peter Robinson from CIPFA that had said the debt repayment schedule could not be discussed whilst it was a work in progress. The Managing Director reminded Members that the debt being discussed had already been generated. Members were not approving the debt, they were being asked to approve changes in the counterparty limits. Full information was available about the recommendations in the report. Papers had been published in previous years with the income forecast for capital; they were currently under review to improve accuracy.

Councillor Werner commented that he understood the debt had already been accumulated but Members were being asked to approve a strategy for repayment on the basis the council could sell assets in future.

Councillor Johnson commented that he was not aware the Opposition had asked for the schedule before the meeting. Early in 2020 the administration would present a comprehensive budget which Members would have the opportunity to question. He was different to former Leaders of the Council but he was still a fiscal Conservative. The capital strategy would be underpinned by an asset management strategy which would look at each asset in turn to identify its most effective use.

Councillor Carroll commented that he felt Councillor Hilton was doing an excellent job and had presented a complex paper in a human and accessible way.

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

**RESOLVED: That full Council notes the report and approves the following:**

- i) Lower the Counter Party limits for investments with external bodies from the current limit of £10m to £5m and only lend to institutions with a Fitch rating of A- and above to reduce risk.**

ii) Lower the Counter Party limit with the Council's bankers, Lloyds from £12.5m to £7.5m to reduce risk.

iii) Having regard to current Guidance on MRP issued by MHCLG and the "options" outlined in that Guidance and to even out the financing costs of assets over their anticipated life, the Council is recommended to approve the following MRP Statement to take effect from 1 April 2019:

- for all capital expenditure, MRP will be based on expected useful asset lives (Option 3 – asset life), calculated using the annuity method;
- asset lives will be arrived at after discussion with valuers, but on a basis consistent with depreciation policies set out in the Council's annual Statement of Accounts, and will be kept under regular review;
- MRP for finance leases and service concession contracts shall be charged over the primary period of the lease, in line with the Guidance;
- For expenditure capitalised by virtue of a capitalisation direction under section 16(2)(b) of the Local Government Act 2003 or Regulation 25(1) of the 2003 regulations, the 'asset' life should equate to the value specified in the statutory Guidance.

71. MEMBERS' QUESTIONS

a) **Councillor Larcombe asked 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?

Councillor Cannon, as relevant Lead Member, responded that from a planning perspective the council was not aware of any unauthorised bunds in the Datchet, Horton and Wraysbury area. There were sites in the area that had bunds but these were either lawful through planning permission or by virtue of S171B of the Town and Country Planning Act i.e. they were immune from enforcement action.

There was a site in Datchet that had piles of wood that were stored as part of an unauthorised timber processing site, to which Councillor Larcombe may have been referring. These were not strictly bunds but their removal was required by an extant enforcement notice to which the owner had failed to comply. This offence, i.e. failure to comply with the terms of the enforcement notice, had been referred to the Council's legal team to pursue prosecution.

If there were other sites in the area with alleged unauthorised bunding, Councillor Cannon asked Members to report them to the Planning Enforcement team so that the matter can be formally investigated.

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With regard to the land drainage infrastructure, actions being progressed included recommencing an annual weed spraying programme on the Wraysbury Drain in the Spring 2020; guidance to be issued on riparian responsibilities relating to the ancient infrastructure, on conclusion of the legal work; where the watercourse was impeded and there was restriction to flow, subject to legislation, undertake enforcement action using the council's powers under the Land Drainage Act 1991; and to continue working with the local community. With regard to the 'Ardmore' site at Hythe End, the planning enforcement notice for removal of the hardstanding, including reinstatement of the ditch, had a deadline of Christmas for compliance. The council would instruct legal to issue a Land Drainage enforcement notice if further ditch restoration works were needed.

By way of a supplementary question, Councillor Larcombe commented that the Flood and Water Management act 2010 identified the responsibilities of different types of flooding. As a unitary authority the borough was the Lead Local Flood Authority with overall responsibility. He realised his ward was a remote and minor outpost but he believed the council should do more to ensure proper maintenance. The emerging Borough Local Plan stated that 'the de-culverting and promotion of natural water systems should be encouraged'. He asked for confirmation that these issues would get proper consideration in conjunction with the climate change adaptation strategy.

Councillor Cannon responded that if issues were reported to the council they would be addressed. He disagreed with the comments about remoteness, but it was down to ward Members to report issues.

The meeting adjourned at 9.11pm and resumed at 9.16pm.

### **b) Councillor Larcombe asked 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?

Councillor Coppinger responded that the local plan had been in development for a number of years, and for this reason there was not a precise figure. Costs incurred towards the pre-regulation 18 stage were circa £600,000. The costs to get to Submission version in January 2018 were circa £850,000 and it was expected that costs to get the plan to be resubmitted to the Inspector early in 2020 be circa £540,000. There would also be costs associated with the Inspector's time and any further work that was required.

This cost was of course offset as investment in the future of the Borough through the future delivery of new homes for families, children, and key workers, the development of new jobs, economic growth and the associated business rates, as well as setting a clear agenda for both sustainability and place making.

It was anticipated that the new development the Borough Local Plan sought to deliver would bring in circa £3m a year in Community Infrastructure Levy to be spent in and by local communities and the council, and that was why the council was also busy supporting local communities with their development of neighbourhood plans to

enable them to maximise the ability to further shape local developments and secure the financial and infrastructure benefits of development.

All councils were required to have a plan in place, and clearly the implications of not having a plan in place, including a lack of control over the location and type of development, were clear and present reasons an adopted plan was needed.

Councillor Larcombe confirmed that he did not have a supplementary question.

**c) Councillor Price asked 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?

Councillor Clark responded that he had personal experience as he was a carer for his disabled mother.

The Royal Borough had made and continued to make significant investment in highway infrastructure in recent years and the capital programme approved by Council on 26 February 2019 included investment of £11.8m to maintain and improve highway infrastructure including roads, footways, bridges, street lighting, etc.

Part of this overall investment was £300,000 specifically for footways seeking to meet the aims of the Local Transport Plan to '*...improve access to services*. This also supported the delivery of the broader aims of the strategic priority of 'Healthy, Skilled and Independent Residents'.

Therefore, he was very happy to continue to prioritise improvements. He requested Members, residents and carers help identify issues and report them so they could be prioritised.

By way of a supplementary question, Councillor Price asked if a pilot could be undertaken in her ward to identify key routes to access local services, particularly around care homes. The results could then be used to consider extending it to other parts of the borough.

Councillor Clark responded that local knowledge was key. He would be pleased for the pilot to be implemented and the results discussed, he asked then to be informed of the resources needed so he could ensure prioritisation in future.

**d) Councillor Davey asked 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?

Councillor McWilliams responded that the council had a statutory duty under SWEP. The council had taken the decision to rehome people from the end of November this year. On top of the statutory obligations, £138,000 in grant funding had been received. Of this, £88,000 was for the rough sleeping initiative which funded a rough sleeping co-ordinator and an outreach worker. The remaining £50,000 for cold weather provision funded an additional outreach worker and supported the rough sleeper pathway which would be rolled out at John West House in the coming days. It would include wrap-around support to move to long term solutions; this was a sea change in approach. The three principles he applied to the issue were compassion, thoroughness and co-operation.

By way of a supplementary question, Councillor Davey asked as there had already been a few nights of very cold weather, why had implementation not already taken place?

Councillor McWilliams responded that if residents had come forward and contacted the council via SWEP they had already been housed. However this was not a long-term solution. The council was looking at sites in Windsor and Eton to provide services similar to John West House, to ensure more comprehensive support rather than at isolated units dotted around the borough.

**e) Councillor Davey asked 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?

Councillor Johnson responded that it was fair to say that there was a focus as an authority on significant financial challenges, some driven by demographics and some service-related pressures. The borough was in a comparable situation to others in the southeast facing constricted budgeting issues. His administration was committed to presenting a balanced budget. It would look to discuss with all interested parties; the Opposition would be able to comment at Scrutiny Panels and at Cabinet. Any ideas how to improve the financial position would be welcomed. He would be calling on the new majority Conservative government to look at the entirety of the local government financial settlement.

By way of a supplementary question, Councillor Davey asked if a cross-party working group including officers could be set up to look at the issues.

Councillor Johnson responded that the administration was working on a draft budget, which would go through the scrutiny process. Opposition Members would have the opportunity to suggest ideas and could contact individual Lead Members if they had contributions in specific areas.

**f) Councillor Davies asked 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

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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?

Councillor Carroll responded that as of 16 December 2019, the council did not have any children in its care who were UK resident EU nationals that would require an application for settled status. However if that situation changed, council staff would stand ready to support any children in care for whom settled status was required, including care leavers.

More generally parents who were EU nationals and had children who were born in the UK should check with the Home Office to ensure that their children had settled status.

By way of a supplementary question, Councillor Davies asked what risks had been identified with regard to Brexit preparedness in Adult and Child Services in the case of a No Deal Brexit and how would the council cope given that it was known that there were not the 'very healthy reserves' that were referred to by the former leader of the council when this question was asked by Windsor for EU earlier in the year?

Councillor Carroll responded that given the general election result, a no deal scenario was unlikely. However, if it occurred the council would coordinate with colleagues in the Home Office to understand any additional implications. Children's Services had not identified any immediate risks with any of the possible Brexit scenarios. The Prime Minister had made it clear that EU nationals were welcome to apply for settled status.

**g) Councillor L. Jones asked 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?

Councillor Hilton responded that with demand led services there could be no certainties and in the December Finance monitoring report, which had already been published, he had declared an additional £132,000 overspend.

By way of a supplementary question, Councillor L. Jones asked, with the information available at the moment, what impact would this have on the 2020/21 budget and what was the current total estimated shortfall that needed to be met.

Councillor Hilton responded that the figures were still moving and it would be inappropriate for him to talk about it at the moment.

**h) Councillor Hill asked 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?

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Councillor Clark responded that the deaths of two residents in road accidents was tragic and his thoughts and condolences were with the families and friends of those affected.

Every fatal collision was investigated by Thames Valley Police in conjunction with road safety specialists from the Royal Borough and any points which emerged from the process would be reviewed and actioned. On average there were four road deaths per year in the borough.

The Royal Borough approved funding and committed to delivering a pedestrian crossing on Braywick Road earlier in 2019. This approach responded positively to a local petition and an extensive public consultation and the council made a commitment to deliver in advance of the opening of the new leisure centre. This timeline remained with works due to start in April 2019.

With respect to the crossings on Bray Road, a meeting had been undertaken between Members, residents and officers to listen to concerns and identify any potential improvements which could be introduced.

Councillor Hill confirmed he did not not have a supplementary question but commented that officers had been very helpful and a way forward had been identified, subject to funding.

**i) Councillor Hill asked 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?

Councillor Clark responded that safety and easy access to services and facilities was a priority for the Royal Borough and was embraced in the 'Local Transport Plan' and throughout other policies and strategies (for example: the 10-Year Cycle Action Plan adopted by Cabinet).

There were a number of key crossing points along Stafferton Link which were being, or had been, reviewed and assessed by officers. He welcomed the opportunity to update on the good progress. The existing zebra crossing adjacent to Vicus Way had been reviewed and was being considered to be upgraded to a signalised crossing due to the changing nature of the area.

The existing signalised crossing adjacent to 'Lidl' was installed relatively recently to link the north-south cycle network and integrate with the waterways.

The eastern end at the junction with Bray Road and Forlease Road had been investigated, seeking to manage the large volumes of children and parents walking to and from Oldfield School. There were practical constraints in introducing a controlled crossing in this area but dialogue was ongoing to find a deliverable solution.

In addition, a meeting had been undertaken that afternoon between Members, residents and officers to listen to concerns and identify any potential improvements which could be introduced in addition to the normal review procedures.



Councillor Hill confirmed he did not have a supplementary question but commented that officers had come up with a proposal for a crossing at the eastern end near Green Lane. The western end was more problematic.

72. MOTIONS ON NOTICE

Motion a)

Councillor Cannon introduced his motion. He explained that in the Royal Berkshire Fire Authority Annual Plan 2019 – 2020, the Fire Authority had committed to:

- Promote and influence the fitting of sprinklers in all buildings where appropriate.
- Engage with local authorities and encourage the retrofitting of sprinklers where it supported both occupants and firefighter safety.
- Continue to work with building developers and designers to introduce sprinklers as a part of an alternative design package; ensuring the appropriate levels of fire safety are maintained.

In support of these objectives Royal Berkshire Fire and Rescue Service (RBFRS) proactively endorsed the installation of sprinklers systems in educational, domestic, industrial, commercial and residential premises. Currently, under the Building Regulations in England sprinklers should be fitted in schools, warehouse premises of 20,000m<sup>2</sup>, buildings over 30m high and single and multi-storey shops over 2000m<sup>2</sup>.

On behalf of the UK fire and rescue service, the National Fire Chiefs Council (NFCC) had published a clear position on sprinklers and Automatic Water Suppression Systems (AWSS) with a view to save lives, property and ensuring residents and firefighters were as safe as possible. In addition to lobbying for the creation of a legal requirement to fit sprinklers or AFSS in buildings, Fire Authority members had been asked to put the motion to their councils for adoption.

Councillor Cannon amended recommendation iii to replace the words 'the planning application or building control processes' with 'building regulations'.

Councillor Larcombe raised concerns about the costs of the proposal and how enforceable it would be. He was also concerned it did not refer to buildings with flammable cladding.

Councillor Werner stated his support for the motion, with the amendment.

Councillor Hill commented that he had undertaken fire risk assessments therefore he knew them to be very lengthy. He was concerned that fire officers did not visit private landlord premises. He felt an inspection process should be introduced to approve and certify the installation of sprinklers and AWSS.

Councillor Bateson commented that it was important to recognise the role sprinklers played. They were the most effective way to extinguish a fire before the fire service arrived. They saved lives, protected fire fighters and reduced damage to properties. The report from the Fire Chiefs Council had highlighted that when suppression systems operated, they were 99% effective at containing or extinguishing the fire.

It was proposed by Councillor Cannon, seconded by Councillor Bateson, and:

**RESOLVED UNANIMOUSLY: That 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 building regulations, 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.**

Motion b)

Councillor Taylor introduced her motion. She highlighted that 2019 had brought many extremes of weather to the UK. Along with severe flooding there were record breaking hot spells with temperatures reaching 38.7 degrees. Spells of hot weather would become more common and the UK was a country that traditionally was not used to dealing with the issue. Extreme weather affected residents, especially those who were most vulnerable or homeless, pneumonia and flu could cause serious illness and as a result the council had to provide additional support via SWEP and CWP.

NHS England, along with the Met Office, sent out weather warnings during times of extreme heat. Heat exhaustion and heat stroke could be fatal, especially in the most vulnerable and elderly who were less able to regulate body temperature. In 2017/18 almost 3000 people were admitted to hospital due to heat related ailments and in 2018/19 this rose to 8700. Heat was something that could seriously affect residents' health even those that were not vulnerable and put an increased strain on the NHS.

The NHS website offered advice during times of hot weather but for people without the internet this would be hard to access. She wished to see the advice echoed on information sheets in libraries, council buildings, charities, doctor's surgeries and other community centres. Simultaneously, the council could encourage social landlords to send the literature to their residents, along with regular updates on the council's social media.

Refill was a national campaign. There were currently 31 Refill outlets in Maidenhead and 41 in Windsor. They encouraged people to ditch single use plastic and to stay hydrated. She would like the council to explore the possibility of installing outdoor water fountains in both town centres.

Councillor Taylor had raised her concerns with Theresa May, MP, earlier in the year. She had assured Councillor Taylor that the government was working to implement

legislation to overcome the issue with new builds. During the climate hustings she had also recognised that current housing stock would need to be retrofitted. Building sustainable housing was not enough. The council needed to ensure those responsible for maintaining and repairing the properties understood the systems being used. Residents also needed to be informed of ways they could make their homes more comfortable at little or no cost.

The relevant minister had written to Councillor Taylor via Mrs May's office in October 2019 with information on what the government was doing in relation to heat mitigation and a link to research undertaken, to determine costs for house builders and home owners should this mitigation be retrofitted. He had also highlighted in relation to residents in rented accommodation that under the Housing Act 2004, local authorities had powers to tackle poor property conditions including excess heat which impacted on health. In many countries air conditioning was the solution but it was costly in the UK. Planning permission may also be an issue in conservation areas.

Councillor Taylor stated that she would like to see a review on repairs that social landlords carried out. During winter months some repairs were prioritised for the most vulnerable residents to ensure they were not cold. Heat rises therefore those on the higher levels of buildings suffered more. When lifts broke down, those with disabilities could not get up and down the stairs easily. She would like to see a system of priority repairs during hot weather as well as cold. The council should be proactive so that when legislation was passed it was ready with an idea of costs. Social landlords would have the daunting task of retrofitting their housing stock so it would be in residents' interest to research in advance what could be done.

Councillor Taylor was asking Council to establish a Heat Mitigation Research Working Group to pull all the necessary information together and start a plan of action. It could liaise with charities and other organisations including social landlords to ensure all were informed. Councillor Taylor stated that she had worked with Councillor Stimson to ensure that efforts were not being duplicated with the Climate Emergency Group.

Councillor Stimson comments that when legislation came through pockets of money would become available. If the council was ready in would be in a position to take advantage.

It was proposed by Councillor Taylor, seconded by Councillor Stimson, and:

**RESOLVED UNANIMOUSLY: That 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.**

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At this point in the meeting, and in accordance with Rule of Procedure Part 4A C25.1 of the council's constitution, the Chairman called for a vote in relation to whether or not the meeting should continue, as the time had exceeded 10.00pm.

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

**RESOLVED UNANIMOUSLY: That the meeting continue after 10.00pm to conclude the outstanding business on the agenda.**

### Motion c)

Councillor Davey introduced his motion. Members noted that Berkshire Youth had said that young people wanted support to:

- grow in confidence;
- improve communication skills;
- learn leadership skills;
- increase personal resilience; and
- improve their personal relationships/friends and social skills.

If the support and guidance needed was provided, youngsters were less likely to get into trouble. Creating an environment for young people to thrive had to be a priority for any sane society. While that responsibility rightly fell firmly at the feet of parents and schools, it could hugely benefit from positive contributions and leadership from members of the local community.

Young people aged 15 - 18 naturally challenged societal norms to find out who they were but with too little family, school and community support to provide boundaries then things could go wrong. There was also a growing mental health crisis amongst young people. The Green Room in Windsor was providing support but only to the seriously deprived. Support was needed for all young people

Councillor McWilliams commented that there were some extraordinary young people in the borough. He did agree with the point about stronger communities; he was trying to achieve this in his ward. The youth services website had a lot of information on services available including self-esteem groups and the Girls Policy Forum. Schools and the voluntary sector also provided a lot of support. Councillor McWilliams highlighted the consultation on family hubs that was due to start in January 2020. He had a personal project to restart the Youth Council.

Councillor McWilliams proposed an additional recommendation:

*Encourages all residents & stakeholders to take part in the RBWM's consultation on transforming RBWM's early help services into an integrated Family Hub model 0-19 (up to 25 years for young people with a learning difficulty or disability).*

Councillor Davey accepted the amendment.

Councillor Carroll highlighted the excellent youth service, the Youth Ambassadors project and the Brighter Berkshire campaign.

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Councillor W. Da Costa highlighted the Thames Valley Police cadet scheme in the borough. He referred to issues in South London where youth clubs had been closed leading to more negative influences on young people. This had led to an increase in issues such as knife crime. He never wanted that situation to occur in the borough therefore he urged more funding for youth centres. He also felt it was important not to outsource the services but have people involved who knew the young people and their communities.

Councillor Jones stated that she saw no reason not to support the motion as it was simply asking the council to look again at what could be done to support teenagers, particularly in the after school period.

Councillor Sharpe commented that some of the most deprived areas in the borough were in South Ascot; more youth facilities were needed there. Along with Sunningdale these areas were often overlooked.

Councillor Werner commented that each ward had areas of deprivation. Over the last ten years there had been a number of cuts to the youth services provision. If the council was going to tackle the issue it needed to ensure funding. Investment would be a saving for society in the long run. Pre-school years were also important therefore he encouraged residents to respond to the consultation to keep Children's Centres in north west Maidenhead.

Councillor C. Da Costa commented on two successful programmes for young people in the borough: upcycling of clothes that had been destined for landfill and the Food Academy. Funding was needed in all areas, not just deprived ones.

Councillor Hilton commented that not everything needed to be driven through the Council. This issue was raised by the Clerk at Sunninghill Parish Council at the Ascot Neighbourhood Action Group meeting in November 2019. The Clerk held the view that Charters School tended to look after pupils up to 16 years and it was 16 to 20-year olds who seemed to drift aimlessly and occasionally cause problems. The provision of something meaningful for them to do was thought to be of value. The issue was discussed again in December when Rob Hathorn, a Borough Lead Youth Worker attended the meeting. The Ascot NAG was made up of representatives of two parish councils, the police, community wardens, a YOT volunteer, two sixth form boys from Charters School and public members.

Rob Hathorn provided an example of where the Youth Services team had successfully tackled groups of youths (15 – 18-year olds) in Maidenhead via twice weekly initial visits to chat to the group which then progressed to a 10 – 12 week project. This had good outcomes but there was no ongoing programme. He had found it interesting that the two sixth form boys confirmed that 12-16 year olds were not interested in youth clubs, and preferred online gaming at home. At age 16 they start going out with mates. The sixth formers also made the point that anything organised had to be relatable to the young people.

A lot of ideas were presented at the meeting including the National Crime Prevention Awards and if the Youth Council at Charters had an interest, they could assist in setting up a programme which could potentially gain them an award. This idea would be taken to the Student Leadership group which would be a good starting point to find out what young people at school would like and where.

Councillor Hilton believed there were three requirements for success: finding someone to own the project and see it through, an appropriate location to meet and necessary funding and lastly would the young people in question engage. He did not see an issue with the first two but the challenge would be how to engage young people.

Councillor Price commented that at a recent Windsor Town Forum the police had reported on their initiatives and funding available. She urged liaison with the police to take advantage.

Councillor Davey highlighted that young people who were struggling received a lot of attention, including from social services. Those being monitored would not be approached by people trying to get young people involved in things like county lines. Therefore support was needed for all.

Councillor Carroll confirmed that the council was coordinating efforts with the police to pool funding. The Children's Commissioner report on the first 1000 days of a child's life had highlighted the need to use funding in a targeted way. The Integrated Family hub model was evidence based. There were some Children's Centres that were not being used therefore better targeting was needed.

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

**RESOLVED UNANIMOUSLY: That 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.**
- iii) Encourages all residents & stakeholders to take part in the RBWM's consultation on transforming RBWM's early help services into an integrated Family Hub model 0-19 (up to 25 years for young people with a learning difficulty or disability).**

Motion d)

Councillor Del Campo introduced her motion. She explained that the draft Borough Local Plan proposed building on Green Belt sites which was to the detriment of residents and wildlife. Some were in areas of flood risk and there were numerous highways and infrastructure issues. Given the recent declaration of a climate emergency the council needed to preserve green spaces. Her motion proposed offsetting the 766 empty homes in the borough against the various sites identified for development.

She amended her motion to remove the word 'empty'; from the third recommendation.

Councillor Brar seconded the motion. She felt the Inspector should be made aware of the 766 empty homes. There were sites, especially in Cookham, that should be removed from the Borough Local Plan to avoid destroying the Green Belt and wildlife.

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Councillor Coppinger stated that the suggestion that 766 empty homes diminished the overall local plan housing requirement was incorrect. The Strategic Housing Market Availability Assessment (SHMAA), which had informed the housing figure in the Local Plan already took into account the fact that there were empty homes in the Borough as part of natural turnover in the housing market. In any case the housing figure was a minimum target and seeking to remove 766 units from the projected housing requirement would be without justification and would potentially render the plan unsound for failing to meet its objectively assessed housing need.

Councillor Coppinger explained that to seek to do so would be an entirely flawed position for the Council to take, given the submitted position to the Planning Inspector of the council that recognised the need to deliver homes, and the fact that this would require a very small amount of Green Belt release.

Councillor W. Da Costa commented that Green Belt land was vital for carbon capture but also for maintaining biodiversity. He asked, if the SHMAA included empty homes, was this figure 766 or lower? If it were lower, could the difference be utilised to reduce the objectively assessed need?

Councillor Baskerville commented that he had worked with officers ten years previously to bring empty properties in his ward back into use. The previous administration had tried to tackle the subject with little success. Experienced officers with commitment and determination were needed. Bringing properties back into use demonstrated a clear message to owners that the council would persevere, was a more efficient use of space and improved the quality of the local environment.

Councillor McWilliams highlighted that only six EDMOs had been used across the country because of the criteria required. Legislation had not been a great success. Of the 766 empty properties, only 268 had been empty over two years. Only 97 had been empty over 5 years. Since the Empty Homes Strategy was implemented in 2017, the number of empty over two years had reduced from 303 to 268. The ambition was to reduce this further but the policy of 100% council tax premium had encouraged movement.

Councillor McWilliams explained that he was able to support the first two recommendations as the council was already doing what they requested, but he could not support the third recommendation with its linkage to the BLP.

Councillor Hill supported the principle because he did not think the council did enough to bring empty homes back into use, although he accepted the motion was flawed. In his view the BLP was in a dire state anyway. It planned for 16000 homes when only 14500 were needed. 766 therefore did not need to be built on the golf course site. He objected to the objectively assessed need figure.

Councillor Del Campo commented that she was not attempting to derail the BLP; she knew it had to be done. She also knew the council could not edit the plan but it could write to the Inspector to urge her to consider the proposal.

Members voted on the motion as amended by a show of hands; the motion fell.

Motion e)

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Councillor Baldwin introduced his motion. He explained that according to the RSPCA 62% of dogs, 54% of cats and 55% of horses showed signs of distress during firework displays. The British Horse Society reported 20 deaths, 10 severe injuries, and 88 mild to moderate injuries in horses since 2010.

The relationship between for example 60 decibels and 70 decibels for the same sound source was not the same as that between 60 and 70 miles per hour on the speedometer of a car. The decibel scale was logarithmic: a change of 10dB was accepted as the difference in level that is perceived by most listeners as twice as loud. The Firework Regulations of 2004 prohibited any firework that detonated at a higher level than 120 decibels. This was already the equivalent of being in the front row at a loud rock concert. However, fireworks designated as F2 and F3, i.e. those that could be purchased by anyone over the age of 18, were routinely sold with a detonation decibel output of 150 to 175 decibels. This was not at the lower end only 25% louder than it should be, but was nearer eight times louder than it should be.

Councillor Baldwin stated that the council needed to educate firework users of the dangers to which they were exposing themselves, their families, their neighbours and those animals that surrounded them. There was much that could be done without coercion or enforcement and some of those suggestions were detailed in the motion. However, even more could be achieved by raising the general level of awareness. Members could use their connections and contacts within the wards to help spread the word. Lead Councillors could do even more through their contact with senior officers and Heads of Departments.

Councillor Del Campo seconded the motion.

Councillor Cannon commented that this was a national issue rather than a council one. He did not think it was enforceable therefore he did not see how the council could take it forward.

Councillor Davies stated that Members should support the motion as the council would be able to promote the campaign, write to the government and encourage suppliers in the borough. She was aware of the impact on dogs as she had previously volunteered with a dog rescue charity. Fireworks also had an impact on retired servicemen as they could trigger PTSD.

Councillor Knowles commented that the council could write to the government to urge for a change in legislation. Military veterans suffered three weeks of hell around bonfire night. Private displays were generally manageable but the large public displays were a problem.

Councillor Bhangra commented that fireworks were used in festivals such as Diwali. Fireworks had been used for hundreds of years. He did not think it was an issue the council could decide on; it was a national issue to introduce legislation.

Councillor W. Da Costa stated that the council had a duty of care to residents and their pets. Windsor was a garrison town and many military families stayed in the area. He felt the council could easily undertake a public information campaign in Around the Royal Borough. He acknowledged that the last recommendation would be difficult for the council to control but it could adopt a leadership position on the issue.



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Councillor Haseler referred to a national petition calling for the banning of the sale of fireworks to the public. He felt that introducing the motion one year after the issue had been debated at the national level could be fruitless.

Councillor Reynolds commented that the issue came up on local social media groups. Approving the motion would be a profoundly positive thing to do in the eyes of residents. Just because something had happened for hundreds of years did not mean it should continue in the same way. If the council could do something, however small, it should do so.

Councillor Price commented that Legoland was in her ward; the regular displays had been reported as a real issue for her residents. Community wardens monitored the situation to keep the displays within limits but they did affect the community. She therefore agreed with the motion in terms of informing people of steps they could take to mitigate the impact.

Councillor Johnson commented that to enact change would require a change in primary legislation. He suggested that Members could write to the two local MPs to ask them to raise the issue with ministers. He would be prepared to speak to Theresa May to urge her to raise the issue with ministers. If the motion had been brought in the summer an article in Around the Royal Borough could have been considered along with a social media campaign. An article could be included next autumn.

Councillor Singh commented that he had been a retailer of fireworks for 20 years. A number of changes had occurred over that time including raising the age to purchase to 18 and the banning of noisy fireworks such as bangers. The council was restricted in what it was able to do.

Councillor Baldwin commented that Members seemed to have read the motion in very different ways. He was not asking for a change in primary legislation but just for a letter to be written. He thanked Councillor Johnson for acknowledging there may be an appropriate time for an article and social media campaign.

Members voted on the motion by a show of hands; the motion fell.

### Motion f)

Councillor Hill introduced his motion. He explained that recently a member of the public had lost their life on Bray Road; they had been on the crossing when they were hit. There was an increased amount of traffic with all the new development. Residents had undertaken a detailed survey which alleged drivers were recorded speeding across the crossing and failing to stop. The council needed to do its utmost to avoid another tragedy.

Councillor Clark commented that he agreed with the sentiment of the motion but it implied this was not something that was already being done. There was already a policy in place that looked at all routes. Routes were considered to be acceptable if the following criteria were met:

- A road with heavy traffic flow must have continuous adequate footway provision.

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- Roads with light traffic flow must have adequate step-off areas with good sight lines.
- Roads with low traffic flow do not require step-off areas, but should have sufficiently good sight lines to be able to see approaching vehicles.
- If there is a need to cross roads there must be sufficient gaps in the traffic flow and sight lines to allow enough opportunities to cross safely, or there must be traffic calming, formal / informal crossing facilities or a school crossing patrol.

He therefore proposed that the motion be amended to read:

*This Council agrees to continue 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.*

Councillor Hill stated that he did not disagree that the crossings complied with the regulations but traffic flows may have changed and people used different routes therefore assessments could be a few years out of date.

Councillor Clark highlighted that the school travel plans were reviewed regularly and there was an approved capital budget entitled 'Safe Routes to Schools' which was targeted at delivering measures identified through the travel planning process.

As part of the contract with 'Project Centre Ltd' there was a requirement to review, develop and promote school travel plans and deliver road safety training and education in schools. He therefore suggested that update on the status of all travel plans be sought.

Councillor Hill accepted the amendment proposed by Councillor Clark.

Councillor W. Da Costa commented that a child had been knocked down outside a school in Dedworth in March 2019. A meeting had been convened with the police, community wardens, PCSOs, highways officers and school representatives. At the meeting on 3 April it had been decided to ask for a crossing but since then there had been no progress; nothing had been heard from the council. Councillor Da Costa had put in a capital bid in August 2019 but again he had heard nothing.

Councillor Clark asked Councillor W. Da Costa to email him with the details.

Councillor Larcombe commented that because of stationary traffic vehicles often drove over a crossing on the wrong side of the road in Datchet. Another crossing was needed on Slough Road near Churchmead School.

Councillor Sharpe commented that a crossing was required in South Ascot for children going to school. Officers had turned it down. The whole area needed review.

Councillor Reynolds commented that he had been working with Councillor Del Campo and Furze Platt Junior School and Furze Platt Infant School for a safer crossing. He was pleased to say a council bid for £30,000 had been put in. It was important that routes and crossings were reviewed. For example, the route to Furze Platt Senior School included a pavement which was not ideal. He would welcome the Lead Member looking into this issue.

COUNCIL - 17.12.19

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

**RESOLVED UNANIMOUSLY: That this Council agrees to continue 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.**

The meeting, which began at 7.30pm finished at 11.16pm.

CHAIRMAN.....

DATE.....