

AT A MEETING OF THE BOROUGH COUNCIL held as a Virtual Meeting - Online access on Tuesday, 23rd June, 2020

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, Chris Targowski, Helen Taylor, Amy Tisi, Leo Walters and Simon Werner

Officers: Nikki Craig, Adele Taylor, Ian Gillespie, Tracy Hendren, Russell O'Keefe, Chris Joyce, Mary Severin, Duncan Sharkey, Karen Shepherd, David Cook and Andrew Vallance

Also Present: Barbara Richardson (MD of the RBWM Property Company)

4. APOLOGIES FOR ABSENCE

No apologies for absence were received.

5. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That:

- i) **The minutes of the meeting of the Council held on 25 February 2020 be approved**
- ii) **The minutes of the extraordinary meetings of the Council held on 18 March 2020 and 26 May 2020 be approved.**

6. DECLARATIONS OF INTEREST

Councillor Rayner declared a Personal Interest in the item 'Horton and Wraysbury Neighbourhood Plan – Formal Making of the Plan' as she owned land and property in the ward. She had taken legal advice and had been told she could take part in the debate and vote on the item.

Councillor Bhangra declared a Disclosable Pecuniary Interest in the item 'Appointment of Panel Chairman' as he was nominated as Chairman of the Licensing Panel, a role which attracted a Special Responsibility Allowance.

7. 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.

8. PUBLIC QUESTIONS

- a) **Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Hilton, Lead Member for Finance:**

Can the Lead Member advise if the RBWM is still paying interest on LOBO loans and if so what rate of interest is being paid?

Written response:

The Council has the following two LOBO loans outstanding:

£5m borrowed from Barclays in 2006 at an interest rate of 4.19% that is due to be repaid in 2066

£8m borrowed from Dexia in 2008 at an interest rate of 4.19% that is due to be repaid in 2043

Barclays have waived their right to increase the interest rate on their loan, and with interest rates at historically low levels it is not expected Dexia will seek to increase their rate either as the Council would be able to repay the loan and refinance at a lower rate.

These loans form a small proportion of the Council's borrowing and the Council regularly reviews its borrowing levels and the split between long and short-term borrowing. The Council seeks to balance the benefits of low interest rates of short-term borrowing and the protection against future interest rate increases of long-term borrowing.

The Council's current borrowing strategy is for any new borrowing to be taken out on a short-term basis to take advantage of low interest rates, and in consultation with its Treasury Management advisors, to seek and review options to increase its proportion of long-term borrowing where this can be obtained at a favourable rate.

Mr Wilson had submitted a supplementary question in writing, which was read out by officers: 'Given that refinancing this debt at short/ medium term interest rates would save the Council around £200,000 per year will he now provide full details of these loans and the external advice received on these loans to date?'

Councillor Hilton responded that the council had taken advice on whether or not it would be possible to close these loans out, and it would not be without significant penalty which was why they remained. If that did not answer the question, Councillor Hilton stated that he would speak to the council's Section 151 officer to see if she interpreted it differently and send a written response if appropriate.

Written response provided after the meeting: The two Lender Option Borrower Option debts were discussed with the Council's Treasury Management advisers, Arlingclose. They commented that at the moment there isn't a big enough margin between the rate we are currently paying on these loans and the rate at which, we could take out a new loan to make it worthwhile repaying these at the moment. If we were to repay the loans early we would have to pay the banks an upfront payment that was the equivalent value of the interest payments we would have made to them over the course of the loans had they ran to maturity. An estimate of the impact of repaying the LOBO loans by taking out new fixed-term borrowing at current rates suggests our costs would increase by £5m.

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 advise the approximate value of the Royal Borough's assets including those held within the RBWM Property Company?

Written response:

The total value of commercial and corporate assets is £628m. The Council's assets are divided into two separate portfolios for valuation purpose.

The commercial portfolio is revalued every year. This year the total was £81.4 million. Commercial assets held for sale, which are also revalued every year and this year were valued at £63 million. These are assets where a formal commitment within the regeneration programme has already been made to dispose of them. Both of these categories are valued to open market value and total £144.4m.

The Council also hold corporate assets, which currently stand at a value of £483.6 million. The corporate assets are re-valued every 5 years on a rolling programme according to type and/or use. The valuation assumptions for corporate properties are on existing use value and include high value specialist properties like schools and leisure centres which are valued on a depreciated replacement cost (DRC) basis and not a market basis (this is not what the properties would realise if they were sold on the open market).

RBWM Property Company Ltd – holds residential assets only. The total value of those assets as of 31st March 2020 is £3.39m. These assets are valued on a fair/open market value basis.

Mr Wilson had submitted a supplementary question in writing, which was read out by officers: 'For the sake of transparency will the Leader undertake to publish a list of commercial assets identified for sale?'

Councillor Johnson responded that the council's Asset Management Strategy was an item on the agenda for Cabinet later in the week. It provided was a holistic approach to managing both the operational assets and those in the wider regeneration programme or for disposal. Given the commercially sensitive nature it would be imprudent for him to provide a list at the meeting, however he would review to see what could be released. The council believed in a policy of services not buildings, i.e. that the service should not be limited by the asset from which it was currently operating. The strategy was ambitious and integrated well with the council's climate change objectives.

c) Maria Evans of Riverside ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

The council has declared its directly controlled annual carbon footprint is only 0.7% of the Borough's production emissions; let alone accounting for the Borough's consumption emissions. What is your strategy to engage with other stakeholders to play their part in reducing the Borough's footprint to net-zero?

Written response:

We have made clear in the strategy document that we will only be able to deliver on the ambition of net zero if we work in partnership with others. This includes everyone from central Government, businesses, community groups to individuals in our community.

The council has a clear leadership role and we have set out the principles of our engagement plan in the strategy document itself. It specifies, to engage stakeholders to play their part, we will:

- Communicate the key objectives and actions of the strategy*
- Engage with key groups and organisations on the work that can be undertaken in partnership as we move forward.*
- Engage with residents and organisations on how they can contribute to the delivery of the strategy through the actions they take on a day to day basis. The strategy proposes several approaches, all of which are available for public view, so we hope people take the time to engage with it and feedback their thoughts to us.*
- Communicate progress on the delivery of the strategy.*

By way of a supplementary question, Ms Evans commented that the council had hoped stakeholders would play a part in delivering the strategy. Hope would not be enough. If the council led on its own she believed it would fail. She asked if the Lead Member would recognise success relied on all stakeholders including Frimley Park Health Trust, South East Water, housing associations and schools, who between them were responsible for over 99% of carbon emissions. Would the council stop hoping for engagement and form a leadership body of equals, and commit to do this within 6 months?

Councillor Stimson responded that the council had put forward a strategy and it would now go before the community. They had already climbed a hill but there was still a huge hill to climb. She recognised that organisations such as Frimley Park and South East Water would need to be involved to get to carbon neutral. Councillor Stimson stated that she would do her utmost; she agreed hope would not get the strategy over the line. She hoped all could see that hope would move to action. In 6 months' time actions would be on the table. Results would be seen, rather than just hope.

d) Andrew Elder of Eton and Castle ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

2019 was the warmest year on record in Europe; 1.2 degrees above the reference period. 1.5 degrees is the recommended limit to avoid catastrophic climate change. Can you demonstrate that the strategy for the borough will enable actions to be fast enough? And if not, why not?

Written response:

The council have declared their ambition to have a net zero emission Borough by 2050 at the latest which is in line with the latest climate science and international consensus on limiting catastrophic climate change. The council has produced a strategy to demonstrate it is serious about taking action to meet this ambition.

Our target is in line with the UK government target and we will work hard to bring this forward as it becomes possible. The UK government put its target into law to meet its obligations under the Paris Agreement, the historic international 2015 agreement on climate change which committed the world to pursue efforts to limit the temperature increase to 1.5°C.

We have committed to review our trajectory of emissions to net zero based upon the latest evidence and expert advice to ensure we continue to meet our obligations and commitments.

By way of a supplementary question, Mr Elder commented that the international consensus was not only that 2050 was the latest date to reach net zero, it was also that the emission reduction pathway was not a straight line. As page 76 of the Climate Change Community Net Zero report clearly illustrated this. As experts had previously informed the council, the trajectory in the strategy would mean the per capita carbon budget would be exceeded by 2028. Given this it was obvious there was not 6 months to wait, therefore he asked if the council would set up a working group to set revised targets before the end of July?

Councillor Stimson responded that by mid-July the council would be engaging with the community. She could not promise a working group by the end of July. She understood that comments about trajectory and that this was not a satisfactory solution. If a large amount of carbon was scooped up early there would be more success in reaching the target. Within 6 months the council would be looking at it again. Councillor Stimson commented that she would be happy to meet with Mr Elder to talk further on the issue.

e) Deborah Mason of Riverside ward asked the following question of Councillor Johnson, Leader of the Council:

Can you explain how this represents a consultative and collaborative approach to local democracy when critical documents relating to the Climate Strategy were not made available to the public before the question submission deadline?

Written response:

In developing the strategy, we have engaged through a series of public workshops and events to seek the views of the community. The more detailed work undertaken with specific community groups has helped to build a stronger strategy which we believe demonstrated our collaborative approach.

It is important to recognise that full Council is being asked to approve the strategy for public consultation. This will provide all residents and other stakeholders to provide their views which we will consider and make appropriate changes to the strategy before we adopt it.

By way of a supplementary question, Ms Mason asked for assurance that further collaborations with stakeholders would be transparent, timely and responsive and would she be willing to document this in a terms of reference.

Councillor Stimson responded that she was a firm believer in fair process. This did not mean that everyone got what they wanted but that the best ideas for the community were taken on, which would enable the council to get to the quickest point that was needed to get to. This would be what a terms of reference should indicate. She did not think the council had engaged exactly how it had wanted to; going forward she would like to do it differently.

f) Fiona Hewer of Bisham and Cookham ward will ask the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

Does the Council consider the Phase 1 Habitat Survey conducted by Wild Maidenhead in 2017 a suitable baseline for measuring improvements to biodiversity in the Climate Strategy and, if not, what do you propose?

Written response:

We welcome the work that has already been undertaken and it provides a great starting point. The council has committed to develop a biodiversity baseline and metrics for the borough based on the work already undertaken in the Green and Blue Infrastructure Study and by the local 'Wild Groups'.

We need to undertake the actions set out in our strategy and welcome the opportunity to work with you to determine the most suitable baseline to be able to fulfil this commitment outlined in the draft strategy.

By way of a supplementary question, Ms Hewer commented that the written answer said that the council's intention was to set a biodiversity baseline and metrics, but did not say when. If the Council truly wanted to respond to the ecological crisis it declared in June 2019 it would have adopted a baseline, set targets and started work. Instead it was mowing verges full of wildflowers so pollinators had no food, giving planning permission without wildlife-friendly measures and standing by while local wildlife sites were abandoned. Wild Maidenhead was concerned that there had already been a loss of water voles and breeding farmland birds, and hedgehog populations were crashing. Would the council have started positive borough-wide actions to increase and support biodiversity before Christmas to begin to prevent further losses?

Councillor Stimson responded that the council had started with 7-9 verges; signs were putting up to say 'don't cut'. Wild Maidenhead had a fantastic biodiversity policy but it was not for the whole of the borough therefore there was still work to do. The council would do its best and look to work with Ms Hewer. The Climate Change and Sustainability Officer had a Masters in Biodiversity.

g) Mike Copland of Bisham and Cookham ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

Unmanaged access to sensitive habitats, for example for dog-walking and watersports, is likely to decrease biodiversity. Can the Lead Member reassure me of the Council's commitment to implementing an Environment and Climate Emergency strategy by giving examples of when and how expert advice on biodiversity protection has taken precedence over such 'business as usual' activities?

Written response:

We recognise the importance of biodiversity and therefore the natural environment has been highlighted as one of four key themes within the strategy document. This includes setting up a new 'Natural Capital' programme that will enable the council to manage its natural environment projects in a co-ordinated way.

We have committed to a net gain in biodiversity of 10% over the next five years in the strategy document and the new programme will help us achieve that. In addition, we have set an objective to increase awareness of biodiversity to ensure that council officers and the wider community are better educated to support us in this challenge.

By way of a supplementary question, Mr Copland commented he had taken the written response to mean that, to date, the council had not allowed biodiversity protection to take precedence over business as usual in any council owned location. He hoped the Lead Member agreed this did not help to address the environmental challenge that was faced. The strategy stated that there was a target to identify areas of biodiversity by June 2021 but there were over 60 sites across the borough already recognised as local wildlife sites. Had they been considered? Working with local groups, the sites with the greatest potential could be identified by the end of the year. This would allow discussions with landowners in January 2021 and a target to have clear action plans for 50% of identified sites by June 2021 rather than just to start looking at them.

Councillor Stimson responded that she felt the statement was unfair as there were 110 acres at Battlemead Common. The council had thought hard about how it should be treated as a biodiversity site. The council had worked with local groups on this and would continue to do so. She asked Mr Copland to call her the following week for further discussion.

h) Mike Copland of Bisham and Cookham ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

Given that the Council has, in declaring the Emergency, recognised the existential threat we face can the Lead Member confirm that commitments or assumptions made before the Emergency was declared will be subject to review and that addressing climate change and enhancing biodiversity and our natural capital will take priority unless there are other exceptional considerations?

Written response:

The strategy document makes clear that this strategy will be a priority across every part of the council. It will require officers and members to work together to review council policies to ensure they are compatible with our commitment to deliver carbon emissions to net zero as well as the clear objectives in each of the four key themes.

Our other strategies will need to be reviewed in light of our commitments on climate change to support our overall commitment to net zero by 2050. The actions set out in this strategy will support those changes and set policy direction for any new or emerging strategies.

By way of a supplementary question, Mr Copland commented that changing basic assumptions about how a community behaved was difficult. Engagement was part of that as was training for council officers. In the natural environment action plan the date to complete training, particularly for planning staff, had moved in recent drafts from 2.5 years to 3.5 years from declaration. To change the regime for roadside verges would take 5.5 years. Would the council commit to review actions to find ways to bring dates forward?

Councillor Stimson responded that she would commit to looking at the dates to see what could be done.

i) Andrew Hill of Boyn Hill ward asked the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

The LPA informed me that it was not mandatory for planning panels to be presented with factually correct information *provided* any falsehoods were given “in good faith”. What process is followed to determine “good faith” where falsehoods are subsequently identified, and why aren't such matters returned automatically to the Member panel for reconsideration with the corrected known facts?

Written response:

All decisions taken by the Council's Planning Panels are taken based on the information that is before them at the time. Decisions on planning applications are final once the decision notice has been issued and as such it is not possible for a decision to be returned to the Panel.

By way of a supplementary question, Mr Hill commented that the new Head of Planning had effectively stated that once a decision notice had been issued, it was not possible for a decision to be returned to a planning panel. His predecessor had put exactly the opposite in writing to Mr Hill, quoting that ‘if material considerations had presented themselves since the decision, this would require the matter to be referred back to the committee’. He asked the Lead Member if he agreed that, if the LPA became aware after a meeting that the panel had been misled by false statements, it was better for it to come back to the same planning panel for reconsideration in light of the known correct facts.

Councillor Coppinger responded that it must be frustrating when two opposing views were given. He felt the issue would be best addressed by way of a meeting with the Lead Member and the new Head of Planning.

j) Andrew Hill of Boyn Hill ward asked the following question of Councillor Johnson, Leader of the Council:

Given Deloitte's finding that the valuation of Council assets and RBWM Property Company Limited assets are being “commissioned and conducted” under just one set of shared instructions, can you explain why this company is no longer acting as an arms-length trading company, and state whether that company's MD is formally considered an officer of RBWM itself?

Written response:

RBWM Property Company Ltd is a company wholly owned by the Council. The commissioning of the valuation report was done jointly as the RBWM Property Company's asset base is small in comparison to the Council's. The appointment of the valuer was done under a fully compliant procurement process. RBWM Property Company has to follow the same procurement regulations as the council.

RBWM Property Company has its own independent board and works under a shareholder protocol agreement. The company is arms length from the Council. The Managing Director of RBWM Property Company is not an officer of the Council.

By way of a supplementary question, Mr Hill commented that the External Auditor had said the assets of the council and the RBWM Property Company should be 'commissioned and conducted under separate instructions'. Mr Hill noted that the response appeared to reject the auditor's view, saying the company was small. It had also been stated that the MD of the Property Company was not an officer of RBWM but he had found many references on the council website that she was an officer, for example in the March-June Forward Plan for the previous year, stating that she was the lead officer for an item on the Nicholson's Shopping Centre. Could the Leader explain how she appeared to be an officer of the council on such a major application when it had been said she was not an officer.

Councillor Johnson responded that the Managing Director of the Property Company was not an officer of the local authority. An explanation had been provided that was a clear statement of fact about the separation of the two entities. If Mr Hill believed reports were written in error he asked him to forward them on to him and he would investigate.

k) Jennifer Shaw of Belmont Ward asked the following question of Councillor Johnson, Leader of the Council:

We are now emerging from a slow onset, extensive crisis into another - Climate Change. What specific actions to address the environment and climate emergency will you commence now to capture the gains made, practical and behavioural, during the Covid-19 crisis?

Written response:

The strategy sets out objectives and actions across all areas of the council. The sustainability team sits within the service that is co-ordinating the recovery planning for the covid-19 crisis which will help to ensure we are promoting a green recovery.

One practical example is the recent submission for funding to the Department for Transport to introduce changes in our town centres to support walking and cycling. As a council we have taken the opportunity to reduce travel to and from our offices which has positive impacts on carbon emissions.

We also recognise the important role the community has played in the covid-19 response. We are now working with our community volunteers and organisations to understand how we can continue to work together, and any lessons learnt can be applied to the development and delivery of our climate strategy.

By way of a supplementary question, Ms Shaw thanked the Lead Member for the actions already being taken. She noted one action had been to encourage people to drive by offering three hours free parking to help the economy. Given the radical requirements to reduce emissions and provide COVID-19 safe space, would the council consider no-car days twice a week in the town centres and putting incentives in place for walkers and cyclists using local businesses to encourage less polluting means of travel and strengthen a truly local and circular economy.

Councillor Johnson responded that the 3 hour free parking had been introduced to restart the High Street economy by enticing residents and visitors back to the town centres, thereby supporting the economy, jobs and future investment. In the medium to long term the council wanted to encourage people to travel by walking or cycling, but the immediate priority was to get people in to increase trade.

I) Dave Scarbrough of Belmont ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

In order to reach net-zero in the Borough and in the whole country by 2050, do you agree that we need to leave all fossil fuels in the ground and all new electricity generation must be by renewable means?

Written response:

Reducing our reliance on fossil fuels is undoubtedly very important. In the UK, emissions from electricity generation have fallen by 50% since 2013 (based on evidence from the Committee on Climate Change in 2019). This is significant progress in a very short period of time. The amount of renewable capacity being added to the grid each year is significant.

There is still a need for electricity to be generated on very short notice to meet the peaks in demand. This new electricity generation may need to continue come from fossil fuels in the short to medium term, but we expect that as battery and demand management technology improves, it will be possible to phase this out.

The UK is also currently reliant on natural gas for heating with one of the most comprehensive gas networks in the world. The government has plans to decarbonise gas grid with the use of alternatives such as biomethane. We recognise the need to transition and as part of our new strategy will encourage the most polluting homes in the Borough, namely those using oil for heating to move to low carbon alternatives.

By way of a supplementary question, Mr Scarbrough commented that the main pollutants resulting from natural gas electricity generation were nitrogen oxides which caused respiratory problems. They also reacted with other substances in the air to produce particulate matter and ozone which caused shortness of breath, heart attacks and premature death. Public Health England stated that there were 69 premature deaths in RBWM annually due to Particulate Matter. Recent research indicated that one was more likely to die from Covid-19 if there was poor air quality. The borough already had five AQMAs, and the highest growth rate of asthma related death in the country. What specific measures would the council take to address this life-threatening problem?

Councillor Stimson responded that measuring air quality outside of schools was something the council wanted to do but there was a funding issue. Trying to slow down drivers outside of schools and running their cars whilst waiting outside schools would also be important. As Lead Member she would like to charge higher prices in the middle of towns and also look at increasing walking and cycling routes into towns. Leaving fossil fuels in the ground also was important but there was not yet enough renewable energy available.

m) Claire Taylor of Eton and Castle ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

Understanding that the financial situation of the council has been made even worse by the Covid-19 emergency, will the Council contract work on a biodiversity action plan (and other work to implement the strategy) to local voluntary groups who will likely be able to take the work forward at low or no cost?

Written response:

We have identified the need to work with local voluntary groups to support the delivery of the climate strategy. As set out in the strategy, the action plan will be developed into a full delivery plan that will set out the scope of every action and how they will be delivered. We welcome the opportunity to discuss this further through the proposed stakeholder advisory board to identify the best way to deliver each action.

By way of a supplementary question, Ms Taylor commented that Wild Eton and Eton Wick looked forward to hearing more about the proposed stakeholder advisory. She asked how many professional ecologists the council employed and what input had they had had into the strategy.

Councillor Stimson responded that there were two full time officers and there were others involved, but she was unsure of the level of input. She would respond with a written answer.

Written response: The council has one professional ecologist who has been involved in internal consultation on the strategy, this has included internal workshops to develop the action plan. We have also worked closely with the wider parks and countryside team who have relevant knowledge and experience in these areas to develop the proposals within the Natural Environment theme of the strategy. Our Service Lead for Sustainability, who has been one of the key contributors in writing our strategy also has a Masters in Ecology.

n) Sarah Scarbrough of Belmont ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

The interim strategy lacks detail and input from RBWM's CEC. What do you expect will be gained from a public consultation on the interim strategy as it stands?

Written response:

This strategy presented to full council is the result of a series of public workshops and events which included members of the RBWM CEC and other key stakeholders.

In addition to this, the RBWM CEC and three other groups representing each of the strategy's four themes were given the opportunity to comment on the document itself. These comments were considered and the majority were incorporated. Stakeholders including RBWM CEC received written responses to their comments which explained whether their comments could be incorporated and the rationale behind this.

The public consultation offers an opportunity for all residents in the Borough to provide their views and feedback on our climate and environment strategy. It also provides an excellent opportunity to raise the profile of the issues and improve engagement with communities and businesses on the climate crisis.

By way of a supplementary question, Ms Scarbrough commented that a public consultation on a lengthy strategy document was very unlikely to draw the attention of the majority of the borough's community. The council needed to use a different method to engage, inform and inspire residents and businesses and gain the public mandate to support the difficult decisions that needed to be taken to reach carbon net zero at or before 2050. Would the council be prepared to send out more targeted information and ask the public 'Are you satisfied that the Council has chosen to aim for 2% warming rather than the 1.5% limit that the Paris agreement indicated should be pursued?

Councillor Stimson responded that a lot could be achieved by reaching out to large organisations. It had been seen with COVID-19 that the community was able to come together. The consultation approach was that the council was looking to change the way things were done and wanted the views of the community including would could be done better and how could it be speeded up. The council would be approaching businesses as well. If there were specific questions the CEC wanted to ask they would be considered, however she highlighted it was a serious consultation rather than a few lines on a piece of paper.

o) Georgina Ellis of Datchet, Horton and Wraysbury ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

Does the Lead Member agree with me that lack of good biodiversity action planning leads to food insecurity, poorer health and increased flood risk? Can the Council explain why a biodiversity action plan has not been a priority for RBWM despite repeated offers from voluntary groups to help with the implementation of this vital element of the Climate Strategy?

Written response:

We recognise the importance of biodiversity and this is why the natural environment has been highlighted as one of four key themes within the strategy document. This includes setting up a new 'Natural Capital' programme that will enable the council to manage its natural environment projects in a co-ordinated way to support biodiversity.

We understand the frustration from some people who want faster progress on specific issues and projects. However, it is important that we have the right overall approach

to tackling the climate emergency that allows us to prioritise the right activities to ensure we meet our overall ambitions of being net zero by 2050 at the latest.

Ms Ellis was not in attendance to ask a supplementary question.

p) Sarah Bowden of Boyn Hill ward asked the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

Given that the inspection of the Borough Local Plan will not now happen until Autumn, will the Council commit to immediately draft and put in place in 2020 a Supplementary Planning Document that stipulates the actions required to prevent making the Environment and Climate Emergency situation any worse?

Written response:

It is correct that the Stage 2 BLP hearing sessions will now not happen until the autumn, but there is a significant amount of work required to prepare for these hearing sessions. Earlier this month the Local Plan Inspector issued her Stage 2 Matters, Issues and Questions, along with a request that the Council responds to every question. There are over 200 questions, many of which raise complex issues, requiring detailed input from consultant advisors, as well as Officers in other departments.

It is important that development in the borough supports our ambition to be net zero by 2050 at the latest. Many of the policies in the Borough Local Plan seek to address directly or indirectly matters in relation to the environment and climate change, and getting the Borough Local Plan through the examination process and adopted remains a Council priority.

The draft Environment and Climate Strategy put before council this evening, sets out an action to prepare more detailed advice in Supplementary Planning Documents but this will need to sit under the new Borough Local Plan once it is adopted.

By way of a supplementary question, Ms Bowden commented that an emergency SPD had been originally proposed in December last year and an offer of help to produce it was made in January. The response was that it was not possible whilst the BLP was under inspection. Since then 900 planning applications had been approved, and contrary to this it was understood that a new Borough-Wide Design Guide SPD was up for approval later in the week. The response led her to believe that it was resources and priorities that were the issue rather than the status of the inspection. How many more months of planning application approvals that made the current situation worse was the Lead Member prepared to subject the borough to? Given the responses and lack of urgency demonstrated she was personally withdrawing her support of the council and redirecting her valuable time where it would have more impact addressing the climate emergency.

Councillor Coppinger responded that everyone needed to understand that the officers of the council had had a very difficult time dealing with the COVID-19 emergency in the last few months. It has had involved many officers working very hard under extreme pressure. This was not an excuse but it was a fact. The council had to deal with applications within a certain time therefore they had to proceed. The council had limited resources within the policy area; officers had had to focus time on the

questions raised in relation to the BLP by the Inspector. He was sorry that this did not meet Ms Bowden's requirements but the council was doing the best job it could.

q) Rachel Cook of Boyn Hill ward asked the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

Given that it is an important part of the National Planning Policy Framework, why have biodiversity measures such as ecological appraisal and habitat connectivity been omitted from the Borough Wide Design Guide SPD, and will you commit to including those amendments suggested by Wild Maidenhead?

Written response:

The Borough Local Plan Proposed Changes Policy NR2 incorporates a requirement that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value (such as hedgerows, trees, river corridors and other water bodies and the presence of protected species). It also requires new developments to identify areas where there is an opportunity for biodiversity to be improved including through recognising the importance of green corridors. Subsection 4 of that policy specifically requires that development proposals must be accompanied by ecological reports in accordance with BS 42020, to aid the assessment of proposals.

As such, the Council's expectation on developers in relation to enhancing and protecting biodiversity is clearly spelled out in the emerging BLP

It is not necessary to repeat these requirements in the Borough Wide Design Guide, as relevant planning applications will be considered against the policies in the Borough Local Plan, as well as against the more detailed requirements set out in Supplementary Planning Documents, including the Borough Wide Design Guide.

The Borough Wide Design Guide SPD does refer to biodiversity measures, some of which have been strengthened following consultation on the draft version.

Finally, further opportunities for connecting wildlife and habitats will be addressed in the forthcoming Green and Blue Infrastructure SPD.

By way of a supplementary question, Ms Cook asked when would the Green and Blue SPD be put into place.

Councillor Coppinger responded that he anticipated it to be in place by the autumn/winter of 2020.

r) Emily Tomalin of Bisham and Cookham ward asked the following question of Councillor Clark, Lead Member for Transport and Infrastructure:

Ghentrification for Cyclists! Can RBWM copy the simple, bold, low cost strategy of Ghent, where traffic was discouraged from town centres with filters on side roads that stopped cars, allowed bicycles, reducing speed limits to 20 mph and giving cyclists clear priority? Motor vehicles could still access all areas but only by travelling outside the town and in again, between segments.

Written response:

We have reviewed the Ghent example and, as a Borough, are considering where and how the use of filters, pop-up cycle space and priority crossings can benefit local journeys. All of our cycling ambitions are based on the valuable work that went into the Cycling Action Plan 2018-2028. This used local trip data and input from local residents' groups to identify routes and measures to prioritise. At the moment we are pursuing a 20mph zone for Maidenhead Town Centre and have identified where and how the current available funding can best benefit everyone, including cyclists, to allow people to make the journeys they want to make.

The first step is additional monitoring, which we are currently undertaking. Our intention is to apply for the Emergency Active Travel Fund currently being made available by the Department for Transport to help deliver the Cycle Action Plan. This fund is for pop-up bike lanes, wider pavements, safer junctions, and cycle and bus-only corridors. The borough has already applied for the first tranche of this Emergency Active Travel funding (we have yet to hear the outcome) and we will soon be applying for the second tranche of funding. The second tranche forms the larger portion of potential funding.

The local character of the Borough means that for Maidenhead, Windsor and Ascot, there are only a few access points to High Streets and town centres. This does not make the implementation of filters straight forward, as it means that they have a significant impact on all traffic movements. For this reason it is felt necessary for such a decision to be fully considered. Once the benefits are better understood we will move forward accordingly.”

By way of a supplementary question, Ms Tomalin asked the council to explore committing income from parking charges, not excessive for the elderly or disabled, in order to improve public transport for cycling and walking. Could the council explain the multiple benefits of this to residents and local businesses including the cost-benefit ratio?

Councillor Clark responded that parking charges should not be connected with the investment. If there was an investment in cycling infrastructure to address issues in the cycling action plan that was part of the balanced budget. The collection of revenues for applications, licences etc. was a separate issue as part of the council's revenue. The council was pursuing a policy of looking at promotion of cycling in town centres under the emergency funding and it would always look how to balance its budgets and how to progress the cycling action plan.

s) Emily Tomalin of Bisham and Cookham ward asked the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

Would the Council consider a new planning designation to encourage local organic food production? Many areas are poorly used agriculturally in the hope that houses could be built. Instead could the Council find a way to encourage small holdings or allotments?

Written response:

Unfortunately, the planning system cannot be used to directly control whether food production is organic (or non-organic), and nor can the planning system be used to directly control where any food grown in the Borough is sold and consumed.

However, the Proposed Changes version of the BLP does include Policy QP2 (Green and Blue Infrastructure), and this policy requires development proposals to contribute to the maintenance, enhancement, and where possible, enlargement of the Borough's existing green and blue infrastructure, which includes allotments, community gardens/orchards and urban farms.

In addition, the Site Allocation Proformas included in the BLP specifically require some of the sites allocated for development to provide new allotments and/ or community gardens and orchards.

I therefore believe that the BLP will help maintain land that can be used for local food production, as well as creating new allotments and/ or community gardens and orchards, as part of the Plan's strong place-making agenda. This is reinforced through the climate strategy objectives to promote sustainable food production, including an action to provide more opportunities for people to 'grow their own'.

By way of a supplementary question, Ms Tomalin asked if the council could make money and create jobs by supporting more local food production, also supplying fresher food to local businesses and schools.

Councillor Coppinger responded that he would discuss the issue with officers and provide a written response.

Written response: The council has identified 'promoting sustainable food choices' as an objective of the climate strategy in our natural environment theme. As part of that work we would be working closely with local suppliers to provide education and promote more local production. There is unlikely to be direct financial benefit to the council but there could be wider economic and social benefits to the borough as a whole. The primary objective of this work is to deliver the environmental benefits but there is also an opportunity to promote the benefits to the local economy, health and wellbeing. As part of our covid-19 recovery strategy we have also been promoting local businesses through our communication channels and will continue to do so as part of this work.

t) Adam Bermange of Boyn Hill ward asked following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

The BLP under examination will increase carbon emissions by 22.5%. The Inspector now asks whether the proposed additional Policy SP2 is effective in meeting the requirements, under Section 19(1A) of the Planning and Compulsory Purchase Act, to include policies securing that development contributes to the mitigation of, and adaptation to, climate change. How does the Lead Member propose to respond?

Written response:

As a country and a borough, we have committed to be net zero by 2050, at the latest. To achieve this will require carbon emission reductions across a whole range of sectors and activities. The climate strategy sets out the key areas of focus to 2050, with an action plan for the next five years to support transition to net zero. We welcome your views on the strategy in the forthcoming public consultation.

The RBWM Planning Policy Team is currently working through all the Matters, Issues and Questions, ensuring a comprehensive response is ready for submission by 7th August 2020.

The Inspector has asked several questions in relation to Policy SP2, and in responding, Officers will be taking into account legal advice, as well as the wide range of policies and proposals in the BLP that directly (or indirectly) address the requirement to contribute to the mitigation of, and adaptation to, climate change.

The work undertaken by the Council does not suggest or support the proposition that the BLP will increase carbon emissions by 22.5% and the Council strongly considers that the proposed changes to the plan, including the addition of Policy SP2, strengthen the Plan in terms of climate change and biodiversity.

By way of a supplementary, Mr Bermange commented that the council's commitment to reaching net zero by 2050 was a positive step and this target was now enshrined in the amended Climate Change Act.

Given, under that Act, the Secretary of State had a duty when acting to consider UK domestic action on climate change and taking this together with the recent Heathrow Ruling does the Lead Member share his concern that, without significant strengthening of SP2, the Secretary of State would be duty bound to take over the entire plan-making process, under the default powers of Section 27 of the Planning and Compulsory Purchase Act, and impose whatever changes he saw fit to make the BLP sound? Was it not now wiser to submit under the less stringent economic viability constraints of the 2019 NPPF?

Councillor Coppinger responded that he expected the Inspector would ask the council to make major modifications and the council was happy to accept them. He was unsure of the consequences of Mr Bermange's question; he would therefore provide a written response.

Written response provided after the meeting: Many thanks for the supplementary question. As you will be aware, the Local Plan Inspector has asked over 200 questions to assist in her determination of whether the Borough Local Plan is legally compliant and sound. A few of these questions relate to Policy SP2. I have discussed with experienced officers, and they have confirmed that is not unusual for an Inspector to ask a lot of questions about a complex Local Plan. The Inspector is seeking to ensure that she has a good understanding of all of the key issues, prior to providing her Final Report on the Examination.

I do not see any reason at this time for the Secretary of State to use his powers under Section 27 of the Planning and Compulsory Purchase Act. The Borough Council is seeking to assist the Inspector with her Matters, Issues and Questions, and is generally working to support the ongoing Examination of the Borough Local Plan. The Council has asked the Inspector to recommend any changes to the Borough Local Plan that she feels are necessary to enable the Plan to be found sound, and as necessary and appropriate, these recommendations will address Policy SP2.

I am afraid I do not fully understand the final part of the question, in relation to submitting under the 2019 NPPF. The Borough Local Plan has of course passed through the Stage 1 Hearing process, and we are continuing at this time to progress the Plan under the transitional arrangements set out at paragraph 214 of the NPPF (February 2019).

u) Adam Bermange of Boyn Hill ward asked the following question of Councillor Hilton, Lead Member for Finance and Ascot:

Is the Lead Member satisfied that the Cabinet invested sufficient time in challenging the deliverability, from a legal and compliance standpoint, of the incremental residents' parking permit income as well as the other opportunities and savings relied upon in setting a balanced budget for 2020/21?

Written response:

When setting a balanced budget for 2020/21 almost £5.5m of savings proposals were identified. Each of these savings will have been considered in terms of their deliverability including the actions and steps that would need to be taken to ensure planned delivery. Prior to the budget being agreed at full council in February 2020, it was considered at Corporate Overview and Scrutiny too.

Whilst significant due diligence is undertaken to provide reassurance that all aspects that may affect delivery of any saving have been considered, in the case of the parking permit income it was identified after the budget was set that the intended way to deliver the scheme was incorrect. This will have an impact in the financial year 2020/21 and means the council will have to manage the financial implications of this in year by finding alternative savings and take other steps to manage our resources.

For this financial year, a new tracker has been introduced as part of the budget monitoring process which tracks intended savings delivery and identifies any risks to delivery and identifies any alternative options to manage resources appropriately. This will be included in our publicly available monitoring reports which will be considered at Cabinet on a bi-monthly basis, starting from July.

By way of a supplementary question, Mr Bermange congratulated the council for its remedial steps in writing the wrong however he was sceptical that the alternative saving in excess of £100,000 would be found when the Lead Member was unable to identify a £35,000 virement to fund four weeks of free parking. He asked whether the Lead Member intended to dip into the £1.3m contingency budget to fund the error and given other savings and opportunity deliverability issues such as the family hubs project, how much of the contingency fund was left?

Councillor Hilton responded that the £35,000 would be funded from other sources and the service would make savings in other areas. The council would remain very strict in the way it dealt with overspends. The council was sitting in a difficult and different place at the moment due to significant potential overspends as a result of COVID-19. The government had provided £7m of funding. The council would be working on a new Medium Term Financial Strategy and was determined to deliver a balanced budget.

v) Susy Shearer of Clewer East Ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

'The greenest building is the one already standing.' Recycling existing buildings including heritage assets takes maximum advantage of already utilised energy and materials. Furthermore, re-using those with even average energy performance consistently offers immediate climate change impact reductions as compared with more energy-efficient types of new construction. How will these principles be reflected in the Climate Strategy?

Written response:

This will clearly depend on the specific example. Using low carbon building techniques, it is possible to construct buildings that have both low embedded and operational carbon. Existing buildings can be expensive to retrofit and heritage buildings may well have conservation considerations.

We recognise that 'existing buildings' make up the vast majority of buildings that we will have in 2050 and we will need to tackle those to get to net zero. As part of our strategy, we will prioritise projects based on a number of factors including how much carbon emission reductions they will deliver. We will also be working with businesses in the Borough to encourage them to consider the buildings they operate from.

By way of a supplementary question, Ms Shearer welcomed the suggestions that low carbon building techniques would be used in new construction and recognised the challenges that could be faced in the process of recycling buildings. She asked the Lead Member to confirm that recycling buildings would be typically referred to as a principle in the strategy.

Councillor Stimson responded that a large proportion of existing buildings would still exist in 2050; a lot would need to be retro-fitted to be carbon neutral. There was a large task ahead.

w) Susy Shearer of Clewer East Ward asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

An estimated 25% of car journeys in the Borough are under 2 miles yet are a major contributor to CO₂, NO₂ and noise pollution and community severance. What specific measures will be included in the Climate Strategy to shift these journeys away from cars and towards walking, cycling and public transport?

Written response:

The climate strategy sets out an ambition to decarbonise transport and incentivise more use of active transport modes. This will help tackle pollution and carbon emissions issues you set out and improve people's health and wellbeing. It contains a number of specific measures to achieve this.

Delivery of our current cycling action plan is an important first step. It aims to increase cycling journeys by 50% by 2028. Opportunities for people to walking and cycle more will be identified in new 'growth areas' as part of development planning too.

In addition, the strategy sets out public transport usage will be incentivised; through the investigation of options for demand responsive transport in the borough. The climate strategy also recognises that the best way of reducing emissions is to avoid unnecessary travel. It commits to facilitate the roll out of digital infrastructure in the borough to enable flexible working.

The strategy recognises that some journeys will still need to be made by car. To minimise the impact of this, and to further reduce air pollution and carbon emissions issues you set out; we will support the reduction in emissions of these journeys through infrastructure provision for electric vehicles charging.

By way of a supplementary question, Ms Shearer commented that she had been pleased that the council had committed to implementing a cycling action plan scheme and would include facilities for cycling in new developments, along with demand responsive public transport. Incentives such as Advantage Card reward points for cycling and walking would be greatly welcomed. Additional provision through government funded safe space interventions would simultaneously help expand cycling and walking route networks and support climate change objectives. Would the Lead Member confirm that safe space interventions would be added to the strategy, particularly as future waves of COVID-19 were a genuine risk.

Councillor Stimson responded that alongside Councillor Clark she would be working on the issue to increase the number of cycling journeys by 50%, which was already in the strategy.

9. PETITIONS

No petitions were submitted.

10. REFERRALS FROM OTHER BODIES

Climate Strategy

Members considered the council's draft climate strategy and action plan to allow the document to be published for public consultation.

Councillor Stimson explained that it was a year ago, in June 2019, when the council had declared an environmental and climate emergency. As part of the motion at full Council, the Royal Borough made a commitment to form a cross-party steering group, to develop a draft strategy, and bring it before council a year later. The commitment made as a Council in June 2019 was to achieve a target of net zero carbon emissions in the Borough by 2050, in line with Government policy. This was the minimum commitment. From the number of questions that had been submitted tonight she was aware there was a strong desire for the strategy to be as ambitious as it could be. This was her wish too and the council had committed to publishing an updated trajectory within 6 months of the strategy being approved by full Council.

The latest figures had put the Borough emissions at 670.8 kt CO₂. Of that 38% was domestic, 33% was transport, and 28% was industry, commercial and agriculture.

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When domestic use, the biggest sector, it was gas emissions that were the issue. There were 151,000 residents in the borough living in 59,000 properties, with upwards of 700 being built annually that would need to be taken account of as well. This was the biggest sector to influence and the council would work with government on funding to retrofit homes to decarbonise them.

Councillor Stimson highlighted the areas the strategy covered;

- Circular economy - how to become more sustainable in the use of resources, from not using them, to reducing waste, encouraging material re-use, increasing recycling, and supporting less resource intensive lifestyles
- Energy: how to use less energy in buildings and homes, decarbonisation of supply
- Natural environment: how to look after and improve this part of the Thames Valley and in so doing increase residents' health and wellbeing.
- Transport: how to reduce the need for carbon intensive travel by encouraging walking and cycling, investing in digital infrastructure, encouraging sustainable travel, electric vehicle charging points, cycle routes.

This was a true emergency, with the climate changing on a scale and pace that threatened the current way of life and more so that of children and their children. The COVID-19 pandemic had shown how people could adapt rapidly, and how the borough was capable of working together with urgency to try to help those more vulnerable.

From her perspective as Lead Member, this had been a hard mountain to climb, and the council was just in the foothills. The execution had not been perfect. A month ago her Cabinet colleagues had trusted her (along with the Director of Place) to strengthen the draft strategy presented to them with the work of four stakeholders. A much stronger document was therefore presented. It was still not perfect. It was, after all, a draft. The council needed to engage with businesses, identify a budget and a governance structure. There would be many other challenges that had not yet been thought of; facing a climate emergency was something all councils were struggling with for the first time.

The process going forward needed to encapsulate "fair process". She felt there was a nervousness that rippled through some Members and officers when she spoke of stakeholder engagement. She was not trying to achieve harmony through compromise by getting everyone's buy in. Fair process pursued the best ideas whether they were put forward by one or many. It was about engagement, explanation and expectation clarity. When practiced, it engendered trust and buy-in.

In adopting the report, the Council in its entirety would be demonstrating that the challenge was of paramount importance, placing climate change high on the agenda of every council Member and every department. To achieve the goals that had been set out, the council would utilise a range of internal funding sources and deliver its programme of activity. A challenge of this urgency and scale would require funding from central government. The council would also continue to lobby government to make available specific funding.

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Councillor Stimson commented that she had many people she would like to thank but did not have time. She particularly wished to thank Sarah Bowden for her patience and her fair approach. She also thanked Gerry and Julian and Councillors Davies and Da Costa.

Councillor Davies commented that the natural world became all the more precious when people were shaken out of their usual complacency by a reminder of just how precarious life was; the sharp contrast made the sky seem bluer, the air fresher, flowers more colourful and birdsong more beautiful. When a crisis happened, it could also be seen what was possible. In the COVID-19 crisis, human beings had shown they were resourceful, inventive, imaginative, and generous. Those same attributes needed to be harnessed to address the existential environmental crisis.

It had been a privilege over the last year to spend time with local residents who had offered so much expert advice on tackling the crisis. She paid tribute to Dr Sarah Bowden for her work leading the CEC over the last eighteen months and kicking the process off. Those connections were something the council needed to develop into a truly participatory process, so that everyone used the unique tools at their disposal. Going forward, the consultation needed to both harness the expertise of stakeholders and reach out to the wider population of the borough and not just engage with those who are already engaged. Councillor Stimson and the sustainability team had worked extremely hard over the last nine months to get to this point, but it was vital that every single Member and every single officer in the Royal Borough truly took ownership of the strategy and for developing it.

There was no time to lose. Accepting the strategy only marked the start of the process. A year ago Councillor Davies had argued for a target date of 2030, as many councils had. In the strategy there was a clear acknowledgement that 2050 was a backstop date and that the target date must be brought forward as this became possible. There was also a commitment that the Steering Group would continue to develop the objectives, scope and methodology of the strategy. There was also a commitment to publishing a revised trajectory to net zero within six months of the strategy being accepted.

That being the case, this was a once in a lifetime opportunity to act. It was not the strategy for the next thirty years, but she believed it was the strategy for this year and she therefore urged Members to support it.

Councillor W. Da Costa thanked Councillor Stimson for agreeing to revisit and bring the strategy back in six months. Stakeholders and residents felt they had not been listened to hence the fervent questions from residents earlier in the meeting. Stakeholders were starting to disengage and stop supporting the council; one world renowned expert has even called the paper and council “hapless” and had withdrawn their support.

The council had to address the issue, involve residents, and collaborate because all were in it together. Much good work had been done by many including officers but, it was important to start off on the right foot. Climate change resilience must be included to safeguard residents and services. Dangerous levels of climate change were already locked in, actions to limit it were needed. Councillor Da Costa suggested three clear objectives to cover:

- Net Zero Carbon emissions by 2030 or 2040
- Protect and restore native biodiversity

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- Develop Climate Change Resilience for the extreme weather

There was a need to be clear and precise about the three key objectives, the metrics, the targets, and the timeframes and then turn these into policy and report on each in every report that was produced by the council, and embed them in all planning documents.

There was a limited budget of carbon that could be used before dangerous concentrations of greenhouse gases were in the atmosphere, precipitating extreme levels of climate change. Targeted carbon emissions were straight line but should be logarithmic. If they were there would be massive reductions in carbon emissions in the earlier years meaning the target was more likely to be hit before dangerous levels. Baseline emissions should be produced from scratch using metrics which should then be used to assess all projects and evaluated retrospectively for success. Borough wide baseline assessments of biodiversity, soil types, and geography and geology must be produced to inform a Biodiversity Strategy for the whole borough. Metrics including blue infrastructure and green infrastructure could then be used to inform the Borough Local Plan. The council must take up the free offer of help from Natural England and DEFRA

Biodiversity should target protection of species, habitat, and green space, and target restoration back to earlier levels. Green urban spaces and biomimicry should be considered. Passivhaus standards for building materials, processes and building operations should be applied to all new builds and even retrofits. The Supplementary Planning Document must include standards and methodologies for zero carbon, biodiversity restoration and, climate change resilience. Then developers would know what they were aiming at and how to achieve it.

There were other issues not included in the plan such as transportation being decarbonized which accounted of 40% carbon emissions. Plant based diets must be promoted, which would contribute to a 10% reduction in carbon emissions

Work could start on the plan now but it must start off on the right foot, and agree to bring back a revised strategy in 6 months and include input from stakeholders, a board of governance and, two Citizen Assemblies, funded by DEFRA. This was a once in a life time opportunity; it was a life or death opportunity.

Councillor del Campo commented that without direct funding it was difficult to see how a strategy could be perfect but it was a good starting point. She wished to highlight the issue of emissions outside the council's direct operational control. She was glad to see that Procurement would look at ways to contractually require contractors to reduce emissions. It would be impossible to measure progress if they were not included in the council's baseline emission figures. Schools were included but there were a number outside of the local authority control.

Councillor Singh commented that this was an evolving piece of work that would need to be periodically revisited. He thanked the Lead Member and officers for what had already been achieved.

Councillor Werner welcomed the work completed by the working group and stated he would be supporting the strategy at the vote. The country was fighting a dreadful virus and the council was fighting a financial situation of its own making. Ultimately the climate emergency could destroy all life on earth therefore it needed to be dealt with urgently and fast. It would cost money but he asked 'what cost the planet?' He paid

tribute to the work of the working group but he was disappointed that there were so many barriers put in the way. The final report was a compromise between what the working group wanted and what the administration was prepared to allow. Ideally he would like to see some improvements, including an exponential model for carbon emissions. The Tyndall model clearly showed the way to achieve neutrality without exceeding global warming by 1.5 degrees was to invest now in up front improvements. The stakeholder representatives had highlighted a number of issues, but he urged them to stay involved in the process and hold the council to account. Councillor Werner requested that the strategy be brought back updated with money attached to make it a reality.

Councillor Davey commented that he knew the Lead Member's heart was in the right place and she was keen to find solutions. Improving recycling rates, promoting more sustainable choices, reducing energy demands, creating nice places all sounded idyllic. As a local authority, the need for carbon intensive travel would be reduced by encouraging walking and cycling as well as investing in digital infrastructure. It would create conditions for sustainable travel through the provision of infrastructure such as cycle routes and electric vehicle charging points, and minimise the impacts of road traffic by encouraging cleaner vehicles and supporting innovative smart mobility solutions.

It would take the combined efforts of business, industry, residents and community groups to make the strategy a reality and drive forward real change at the pace and scale that was required. There was talk of the government taking action to ramp up the electric vehicle market. In relation to the target for a growth of cyclists by 50% by 2028, Councillor Davey highlighted that the figure was currently 3%.

In measuring emissions the government advised local authorities to exclude motorway emissions or diesel railways. There were thousands of cars a minute moving in triangular form around Windsor, which was just ignored and instead the focus was on challenging local residents popping to the shops.

A straight line trajectory to net zero by 2050 was the current measure of success. If you asked local school children how they would measure success they would be looking at more of a logarithmic curve. Waste made up 4% of emissions. Targets of 44% waste recycled or composted, with a vision to be 50% by 2025 and improving composting rates by 10% by 2025. Councillor Davey felt these targets were very unambitious. How many people were completely ignoring recycling and chucking out their black bin waste in blue bins at this time? They did not care, they just wanted their rubbish not to be their problem. The council should explain to residents how much more that selfish behaviour costed when the recycling plant rejected the recycle load. Instead the strategy talked about swap shops. He questioned would RBWM fund these; they were not needed when there were charity shops and Facebook.

The strategy talked about 100 people switching domestic energy tariffs to green supplies each year. Councillor Davey asked if that was really ambitious enough to accelerate change.

Councillor Davey highlighted the roll out of digital infrastructure in the borough to enable flexible working, including identifying partners to provide 5G and superfast broadband and trial Smart City concepts in RBWM.

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The strategy also talked about identifying a partner and funding model to deliver sufficient charging points to meet demand, monitored through the council's annual monitoring report. He understood that Connected Kerb were providing the kit for Alma Road and there was a budget allowance for the year. There was a need to review the CIL and S106 payments if the council was going to find the money for all the 5G technology.

The Lead Member mentioned 59,000 properties in RBWM so how did having 10,000 5G enabled electric charge points around RBWM fit with reducing energy demand? Councillor Davey suggested that surely 10,000 hydrogen fuelled cars would be far better for the environment and residents' health. The government had put 5G in the same box as motorways.

He could not support the paper without a debate on 5G, as without it the Climate Strategy was defeating itself. He would be looking for RBWM to have a proper, public debate on 5G pros and cons in the not too distant future.

Councillor Hilton commented that he believed everyone would be supportive of the Climate Change strategy which demonstrated that many people making relatively small changes delivered a big outcome. It was all about cultural change and that would take time. As Lead Member for Finance he was, with Cabinet colleagues, responsible for balancing the council's books. Cabinet members responsible for spending this money would be considering how that may be done in alignment with the four objectives of the Climate Change strategy.

Councillor Hilton explained that he also chaired the Berkshire Pension Fund Investment working group which proposed the investment strategy and, in the past, made individual decisions on how to investment £2.2 billion. However, in 2016 under government guidance, the fund had pooled its fund with the Local Pensions Partnership (LPP) who managed investments on behalf of the Berkshire fund and also the Lancashire County Pensions fund and the London Pension Fund Authority. There was a total of £17bn in the fund.

For a long time, pension funds had recognised their responsibilities under environmental, social, and governance (ESG) factors which were the three central factors in measuring the sustainability and societal impact of an investment in a company or business. LPP employed 400 people and one of the unintended consequences of pooling was that the resource had become available to provide ESG metrics. LPP had just developed a Responsible Investment Dashboard for client pension funds which presented summary information in a series of visual metrics which allowed engagement with invested companies to seek improvement. This would soon be shared with the Pensions Panel.

There were 89 Local Government pension schemes with assets totalling £300 bn. A number formed the Local Authority Pensions Fund Forum (LAPFF) which provided them with considerable financial muscle; to date 81 of the funds were members. The Forum considered that issues such as climate change and employment standards required as much investor attention as more traditional concerns such as corporate governance and executive remuneration. Councillor Hilton proposed that the Berkshire pension fund joined the LAPFF, something which he was sure Councillor Sharpe who chaired the Pension Panel would support. This did not form part of the local strategy but demonstrated that every aspect of the council's operations were totally committed to the cause.

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Councillor Baldwin stated that he welcomed the paper. It had already undergone significant changes and it was much better for them. As the council moved forward, a clear plan for protecting the remaining natural treasures was needed. The council should urgently review the scope and range of its powers so that Members could be briefed on what was possible. No solution, no matter how radical, should be casually discarded. Preserving them in some sort of trust would benefit both the aims of the paper and the residents of the borough.

Whatever the mechanism, a way had to be found to permanently remove the threat of development on Deerswood Common. He thanked Wild Maidenhead for their extraordinary efforts in the area, from toad ladders upwards. Great Thrift Wood too should be the subject of an urgent review. This was a vital local engine for carbon absorption and one of the loveliest spots in the borough. The work done so far by the Friends of Battlemead Common needed to quickly restart as soon as the COVID-19 limitations could be overcome. This was perhaps the most important wild-life habitat in the borough. The ecological diversity, the rarity of bird species that nested there and its simple beauty made it a rare gem indeed. It was not a park; it was a nature oasis and it should be treated as such.

Councillor Bond commented that the strategy was a good start to an important task. He had been undertaking research into pension fund portfolio transparency and climate change risk and resilience. He welcomed Councillor Hilton's announcement. In relation to funding of the strategy. The report referred to internal funding sources which were strained at the moment, and the government. Brief mention was made of the local renewable energy co-op which left out so much. Many of the ideas had a payback including renewable energy and home insulation: The circular economy reduced the cost of landfill; low carbon transport usually had lower running costs; composting for even small gardens. Where there was a return there was potentially an investment. There were different risk profiles. Getting the funding was one of the key features of a successful outcome. The Steering Group had taken an important first step.

Councillor Rayner stated that climate change was a most serious threat to the planet. She was very proud to be part of a council that had declared a climate emergency and was working towards being carbon zero. The last few weeks of lockdown had shown what change could happen and that there was the capacity to adapt. She enjoyed being part of one of the key stakeholder groups, Plastic Free Windsor. She had begun to understand what was possible and achievable and this had led to increased engagement through the One Borough group. There were several offshoot projects. In her ward Wild Eton and Eton Wick had been established. With the waterways group they had been working to protect homes from flooding and improve resident access to the rivers and wildlife.

Councillor Rayner explained that in her Lead Member areas there had been a number of targets achieved. The new leisure centre would use 70% less energy than the previous one. The borough libraries had minimised single use plastics, which had also been removed from council meetings. Training for staff on biodiversity and climate change was planned and small groups had been able to take time off to work in the community, for example planting trees.

Councillor C Da Costa commented that she was disappointed to hear that Sarah Bowden had withdrawn her support. She had witnessed the amount of time invested

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by many in the piece of work, this needed to be honoured by ensuring that climate change policies were woven throughout borough policies rather than put into silos.

Councillor Walters explained that he had originally been a climate change sceptic but was now convinced he had been wrong. He congratulated the Lead Member and her team on the strategy.

Councillor Tisi highlighted the circular economy and the need to reduce waste. She was disappointed that the strategy did not include any actions to reduce the waste from disposable nappies. A single child could create a tonne of waste before they were potty trained. Some local authorities encouraged the use of reusable, washable nappies by sharing knowledge and dispelling myths. Financial support was also often provided, although she appreciated that would be difficult at the moment. She suggested the council could work in conjunction with NCT groups, provide samples at libraries, seek incentive funding from the government and work with local providers to negotiate discounts.

Councillor Jones thanked the contributors to the working group; she understood this was a starting report. Reports included a section on climate change but it was important to fully understand the impact of each decision on the climate emergency that was faced. When measurable targets were in place, she requested that the impact be detailed in reports.

Councillor Knowles explained that he had spent many years living in central Europe, which led the way because of a surge of interest in Green parties in the 1980s. This had led to coalition involvement meaning the issue was higher on the agenda. From that experience, he was aware that everything was integrated. At a local authority level, the lead on climate change attended every single policy decision making meeting to ensure climate change was taken into consideration and prevented silos.

Councillor Price commented that over 50 years previously she had picked up a book called 'Silence of Spring'; the message within had affected her ever since. She requested three things be considered over the next 6 months. Increasing cycling had been mentioned but many of the borough residents were elderly whose only alternative was public transport. She would therefore like to see greater emphasis on public transport. The second area was consultation; she felt there was nothing in the report about the consultation. The third was the equality duty. The Equalities Impact Statement could not be left until the end otherwise the council would not be meeting its duty.

Councillor Carroll highlighted the involvement of young people, including the youth ambassadors for whom the issues was very important. A letter had been sent to all school seeking more involvement. He requested that the next iteration continue with the involvement of young people who offered unique insights. The issues highlighted by young people included a desire for the council to be ambitious, that the Members were accountable for undertaking actions both in the council and in their own lives. He felt it would be important for the Lead Member to bring forward a proposal to ask all councillors to commit to improvements from a lifestyle point of view, including investments. The council would be bringing forward a comprehensive recycling campaign including educating residents on which bins to use.

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Councillor Sharpe commented that the strategy was an incredible piece of work that all had enjoyed working on. It had got the council to a position far better than previously. It was time to stop talking and get on with it by starting the consultation.

Councillor Hill commented that he felt there was some hypocrisy in the paper. The borough opposed development at Claires Court School, Lodge Farm and other areas yet there was a push to develop Maidenhead golf club and land south of Harvest Hill. The impact of COVID-19 meant a reduction in need for office space and some retail units would inevitably move to residential use. He would support the paper but he was concerned about overdevelopment in his ward.

Councillor Clark commented that it had been an enormous task to produce the paper in the timescale set, particularly given the distraction of COVID-19. The strategy was a dynamic document that would be reviewed.

Councillor Johnson highlighted that 12 months after declaring a climate emergency, the council had a draft strategy for consultation. It was a robust, forward-thinking, innovative document of which all could be proud. He thanked the Lead Member, councillors on the working group and the very valued stakeholder representatives. It was a document in constant need of review to take into account changes in technology, the markets and societal behaviour. He was pleased to see that issues raised 12 months ago, for example enhanced digital infrastructure and innovative use of technology, had been embedded. The COVID-19 situation demonstrated that such behavioural shifts in working patterns and daily lives was possible. It was not easy and needed to be balanced with the need to restart the local economy.

Councillor Stimson thanked Councillor Hilton for looking at the role of the Pension Fund. She highlighted that 15,000 trees had been planted by volunteers in Thrift Wood. Recycling of nappies was covered in the strategy but she welcomed a follow-up conversation with Councillor Tisi. The council was reviewing the trajectory; ideas to improve the situation were welcome from anyone in the community. She had enjoyed working with the stakeholders and thanked them for their input. She looked forward to working with everyone as the strategy progressed.

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

RESOLVED UNANIMOUSLY: That Full Council notes the report and:

- i) Approve the strategy for public consultation at the appropriate time.**

Fees and Charges Report 2020/2021 - addition

Councillor Hilton explained that the report detailed an addition to the councils proposed fees and charges for 2020/21. As a result of an administrative error this was not included in the schedule considered by Council in February.

The council had the ability to charge for some services, some charges were fixed and some discretionary. When discretionary the charge was based on the cost of the service and what was reasonable. When street furniture was damaged, on behalf of Highways, the Insurance team sought to recover the repair cost from the third party. The council made no charge for to the third party or their insurers for the time spent in

progressing the claim. To address this the administration fee was proposed to be added to recoveries, payable by the third-party insurers as part of the claim. It was anticipated this would amount to £2,000 a year.

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

RESOLVED UNANIMOUSLY: That Full Council notes the report and approves the Street Furniture Cost Recovery Admin Fee for 2020/21 as set out in Appendix A.

11. CONSTITUTIONAL AMENDMENTS

Members considered amendments to a number of sections in the council constitution to improve clarity, consistency and transparency, avoid duplication, and ensure efficient use of resources.

Councillor Johnson proposed the motions in the report.

Councillor Rayner seconded the proposals. She explained that, as Members would be aware, the last full review of the constitution was undertaken during 2018, with a revised version in place from May 2019. As the council had operated under the revised constitution for over a year, it was now an appropriate time to review corporate governance arrangements.

In relation to employment functions, the purpose of the amendments to the terms of reference of the Employment and Member Standards Panel was to increase efficiency, largely by removing duplication whilst ensuring appropriate consideration of decisions relating to staffing. The Head of Paid Services already had responsibility for staffing matters within the council. The changes would lead to swifter decision making in response to business needs. The key change was the introduction of a five Member Appointment Committee to appoint Directors. In the case of the Managing Director (Head of Paid Services) Chief Finance Officer (Section 151 Officer) and Monitoring Officer, the Committee would make a recommendation to full Council. Recruitment of Heads of Service would be delegated to the Head of Paid Service. A number of items would be considered for approval by the Head of Paid Service in consultation with finance as appropriate. These included payment of discretionary payments to an employee other than those under a contract of employment. The Head of Paid Service would make Group Leaders aware of amounts in excess of £50,000 and all Members aware of amounts in excess of £100,000. New or significant changes to staffing currently required a Panel decision for groups of five or more employees where the total cost was more than £25,000.

Where relevant, data on policies for staff including corporate health and safety, equal opportunities and training and development would be published via the weekly Members' Update. The annual pay policy statement and proposals for any staff award were already contained in the annual budget papers considered by full Council. The Trade Unions would be invited annually to a formal meeting to discuss pay with relevant portfolio holders. Any other representations by the Trade Unions would be considered by the Head of Paid Service. The Employment and Member Standards Panel would become a Member Standards Panel going forward. The Employment Appeals Sub Committee would be a sub committee of the new Appointment Committee.

Councillor Rayner explained that in March 2020 the Employment and Member Standards Panel had considered and approved for recommendation to full Council changes to the Members Code of Conduct and complaints process, detailed in Appendices D and E. She drew Members' attention to the fact that two updates had been issued following publication of the agenda. These changes to the membership arrangements for the Members Standards Sub Committee were approved by the Employment and Member Standards Panel In March but unfortunately were not reflected in the appendices. They therefore formed part of the officer recommendations in the report.

A number of changes were proposed to strengthen both the Members Code of Conduct and the complaints process. The complaints process was considered to be overly complicated and it was felt that more decisions should be made by a Member Sub-Panel including an Independent Person, rather than by the Monitoring Officer alone. The Member Sub-Panel would also have wider powers of sanction. Other changes included introduction of a rule about breaches of the equality regulations and a new section to deal with Members failing to co-operate with the complaints process

The report also included a review of Overview and Scrutiny and full Council procedures. In addition, changes to the financial rules were proposed, which she knew the Lead Member for Finance would talk about.

In proposing the recommendations in the report, Councillor Rayner proposed an amendment relating to Motions of no Confidence, to include reference to Vice Chairmen of Overview and Scrutiny Panels:

C12 Motion of No Confidence

Motions of no confidence in the Leader, a Cabinet Member, any Member holding a Special Responsibility, *or any Vice Chairman of an Overview and Scrutiny Panel* must be signed by ten Members and must be delivered to the Head of Governance no later than 10.00am on the seventh working day before the meeting (excluding the day of the meeting). The wording of the Motion shall be "That this Council has no confidence in the *[insert relevant post]*"

No amendments will be allowed to the Motion at the meeting where the matter is discussed.

Motions of no confidence can be accepted at any Council meeting, including Annual and Budget Council meetings.

If following a Motion of no confidence the majority of Members of the Council vote to remove the Leader or any Member with a Special Responsibility (other than a Lead Cabinet Member, *as the power to remove a Lead Member is within the remit of the Leader*), a Motion, under Rule 13(t), to nominate a new Leader or Member with a Special Responsibility may be moved without notice. If a Motion to nominate is not moved then the election of the Leader of Council or re-appointment to the role with the Special Responsibility will take place at the next Council meeting.

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If a majority of Members of the Council agree a motion of no confidence in a Chairman or Vice Chairman of an Overview and Scrutiny Panel, the Panel will be required to consider the appointment of a Chairman or Vice Chairman (as appropriate) at the next scheduled meeting of the Panel.

Councillor Johnson confirmed that he accepted the amendment.

Councillor Jones proposed three amendments:

Amendment 1:

Employment Appeals Sub Committee

B53.2 Membership

3 selected (*including one member from an Opposition group*) from the existing members (including substitutes) of the Appointment Committee

Councillor Jones explained that the Appointment Committee was politically balanced therefore it seemed sensible that a sub committee would also be politically balanced.

Amendment 2

A16 d) Call-in

Those Members requesting call-in should specify the reason for the call-in when making the request. Call-in should only be used in exceptional circumstances. These are where non-Executive Members have evidence that suggests that the Executive did not take the decision in accordance with the principles set out in Article 12.2. (*This includes, but is not an exhaustive list*):

Councillor Jones explained that she had been advised by officers that the intent had been to provide guidance rather than to restrict.

Amendment 3

Part 4 - Overview and Scrutiny

A6.1

The Chairmen *and Vice Chairmen* of each scrutiny panel shall be appointed by that Overview and Scrutiny Panel. *The Chairman and Vice Chairman of each scrutiny panel must be appointed from different political groups.*

Councillor Baldwin seconded the amendment.

Councillor Johnson stated that he did not accept the amendments proposed. Therefore Members debated each amendment in turn.

Councillor Jones confirmed the first amendment read as follows:

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Employment Appeals Sub Committee

B53.2 Membership

3 selected (*including one member from an Opposition group*) from the existing members (including substitutes) of the Appointment Committee

Councillor Jones explained that the Appointment Committee was politically balanced therefore it seemed sensible that a sub committee would also be politically balanced.

Councillor Werner seconded the amendment.

Councillor Bhangra, seconded by Councillor Bateson, proposed a closure motion as per Part 2C 14.11 ii), that 'the question be now put to the vote'.

Councillor Werner commented that it was unusual as Council had not heard any reasons why the administration did not wish to accept the amendment. He could not understand why the clarification on the membership of the sub committee would not be useful, when the main committee was politically balanced.

As there were no other speakers, Councillors Bhangra and Bateson agreed to withdraw the closure motion.

Members then voted on Amendment 1 proposed by Councillor Jones. The amendment was not accepted.

| Constitutional Amendments - Cllr Jones amendment #1 (Emp Appeal Sub Cttee membership) (Amendment) | |
|--|---------|
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | Against |
| Councillor Gurpreet Bhangra | Against |
| Councillor Simon Bond | For |
| Councillor John Bowden | Against |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | For |
| Councillor David Cannon | Against |
| Councillor Stuart Carroll | Against |
| Councillor Gerry Clark | Against |
| Councillor David Coppinger | Against |
| Councillor Carole Da Costa | For |
| Councillor Wisdom Da Costa | For |
| Councillor Jon Davey | For |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | Against |
| Councillor Geoffrey Hill | For |
| Councillor David Hilton | Against |
| Councillor Maureen Hunt | Against |
| Councillor Andrew Johnson | Against |
| Councillor Greg Jones | Against |
| Councillor Lynne Jones | For |
| Councillor Neil Knowles | For |
| Councillor Ewan Larcombe | For |

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|----------------------------|---------|
| Councillor Sayonara Luxton | Against |
| Councillor Ross McWilliams | Against |
| Councillor Gary Muir | Against |
| Councillor Helen Price | For |
| Councillor Samantha Rayner | Against |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | Against |
| Councillor Shamsul Shelim | Against |
| Councillor Gurch Singh | For |
| Councillor Donna Stimson | Against |
| Councillor John Story | Against |
| Councillor Chris Targowski | Against |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | Against |
| Councillor Simon Werner | For |
| Rejected | |

Members moved on to discuss the second amendment proposed by Councillor Jones. Councillor Jones confirmed the amendment read as follows:

A16 d) Call-in

Those Members requesting call-in should specify the reason for the call-in when making the request. Call-in should only be used in exceptional circumstances. These are where non-Executive Members have evidence that suggests that the Executive did not take the decision in accordance with the principles set out in Article 12.2. (*This includes, but is not an exhaustive list*):

Councillor Jones explained that she had been advised by officers that the intent had been to provide guidance rather than to restrict.

Councillor Werner seconded the amendment.

Councillor Reynolds commented that he was concerned that an amendment could not be accepted but there was no requirement to debate the proposal. He and others would welcome Councillor Johnson providing reasons.

Councillor Johnson stated that he did not accept the premise of the amendments and he did not wish to accept motions during the meeting when they could have been discussed with himself or the Lead Member in advance.

Councillor Knowles commented that the amendments seemed like common sense to tidy up some sections so they were fit for purpose.

Councillor C. Da Costa echoed the comments by Councillor Knowles. The proposals were simply to tidy up some wording so that there were no restrictions in the future. It may have been preferable to have discussed in advance but Members had the opportunity to do so at the meeting.

Councillor Werner commented that it was always better to have decisions taken in the open for transparency. The constitution was a key document of the constitution; it was

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better that decisions were not taken in smoke filled rooms hidden from the public gaze.

Councillor Johnson responded that talk of smoke filled rooms was ridiculous. All discussions should be in the open for public debate. He did not believe that bulldozing an amendment through on the night was appropriate.

Councillor Jones stated that she wished to respond in relation to the comment about 'bulldozing'. Members had had a week to look at the entire proposals. She was working full time therefore only had the weekend to look at them. She felt that, if the administration had used the Constitution Sub Committee, or the report had been published earlier, those conversations could have taken place.

Members then voted on Amendment 2 proposed by Councillor Jones. The amendment was not accepted.

| Constitutional Amendments - Cllr Jones amendment #2 (call-in) (Amendment) | |
|--|------------------|
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | Against |
| Councillor Gurpreet Bhangra | Against |
| Councillor Simon Bond | For |
| Councillor John Bowden | Against |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | For |
| Councillor David Cannon | Against |
| Councillor Stuart Carroll | Against |
| Councillor Gerry Clark | Against |
| Councillor David Coppinger | Against |
| Councillor Carole Da Costa | For |
| Councillor Wisdom Da Costa | For |
| Councillor Jon Davey | For |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | Against |
| Councillor Geoffrey Hill | For |
| Councillor David Hilton | Against |
| Councillor Maureen Hunt | No vote recorded |
| Councillor Andrew Johnson | Against |
| Councillor Greg Jones | Against |
| Councillor Lynne Jones | For |
| Councillor Neil Knowles | For |
| Councillor Ewan Larcombe | For |
| Councillor Sayonara Luxton | Against |
| Councillor Ross McWilliams | Against |
| Councillor Gary Muir | Against |
| Councillor Helen Price | For |
| Councillor Samantha Rayner | Against |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | Against |
| Councillor Shamsul Shelim | Against |
| Councillor Gurch Singh | For |
| Councillor Donna Stimson | Against |
| Councillor John Story | Against |
| Councillor Chris Targowski | Against |

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|-------------------------|---------|
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | Against |
| Councillor Simon Werner | For |
| Rejected | |

Members moved on to discuss the third amendment proposed by Councillor Jones. Councillor Jones confirmed the amendment read as follows:

Part 4 - Overview and Scrutiny

A6.1

The Chairmen *and Vice Chairmen* of each scrutiny panel shall be appointed by that Overview and Scrutiny Panel. *The Chairman and Vice Chairman of each scrutiny panel must be appointed from different political groups.*

Councillor Jones highlighted that the Centre for Public Scrutiny (CfPS) Good Scrutiny Guide (June 2019) included four principles of good scrutiny:

- Constructive critical friend challenge
- Amplifying the voices of the public
- Led by independent people who took responsibility for their role
- Driving improvement in public services

Three further key areas were accountability, transparency and involvement. These principles relied on a supportive political and organisational structure to allow robust scrutiny to develop and thrive. The administration had made a lot of collegiate working and transparency. It had been suggested by the CfPS that Chairman of Overview and Scrutiny Panels should be from opposition groups. The structure suggested in the amendment would support collegiate working in the important area of scrutiny and governance. CIPFA and the external auditors had said that the council's governance was not up to scratch. This would be an important way of ensuring cross-party working.

Councillor Baldwin seconded the amendment.

Councillor W. Da Costa stated that he agreed with the CfPS proposal that Chairman should be from the opposition. All Members were ordinary residents who cared for the borough and wanted the best. There was nothing to lose other than an SRA, which may or may not be insubstantial but should not be relevant. A collegiate approach would give better results.

Councillor Davey commented that as Vice Chairman of the Infrastructure Overview and Scrutiny Panel he thought that this was obviously the way to go. If true scrutiny and accountability did not take place, he suggested the council would end up in a place where one party made all the decisions all the time. He felt it was impossible for the administration to properly scrutinise the decisions it made at Cabinet. In his role, he would be making sure the Infrastructure Overview and Scrutiny Panel did great things during the year.

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Councillor Knowles commented that there were a number of new councillors but as individual critical thinking matured and the panels developed, it could only be a good thing to have a divergence of opinion in scrutiny. The Panels had sensibly called-in a number of issues and helped to limit problems down the line. This was the role of scrutiny, to look at things in a different way. He had been more involved in planning panels than scrutiny, and felt that they worked in a collegiate way. This should be the same for scrutiny. A compromise would be to have the Chairman and Vice Chairman from different parties.

Councillor Johnson commented that he valued the role that scrutiny played and it was accurate to say that the function needed to be strengthened. The amendment was premature because the issues would be discussed under the CIPFA report item at Cabinet later in the week. The report would then be referred to the Corporate Overview and Scrutiny Panel. The Panel would make recommendations to come back to Cabinet for consideration and implementation. If appropriate, the recommendation could therefore be brought forward to a future full Council meeting. He felt it would be premature to make the change before discussion had taken place on the full implications of the CIPFA report.

Councillor Sharpe commented that he had always said overview and scrutiny was important. The council was going through a process where it was improving; it was on a journey. Membership of the Panel should be based on the best people rather than from being from the opposite party.

Councillor Price commented that if robust scrutiny had been in place and it had been listened to, the council would not be in the financial situation it was in. She supported the motion and felt that it should be in place as soon as possible otherwise another year would be wasted. The council did not have another year given the financial situation.

Councillor Tisi commented that the administration should not fear scrutiny; if all worked together it could make the administration look better and stop errors of a legal or financial nature.

Councillor Hill commented that the borough had ended up in an appalling financial position; all had seen the CIPFA report. One of the key reasons was inadequate scrutiny and governance. He welcomed Councillor Jones' amendment. All should agree to submit to the most severe and intense scrutiny of every decision. In Parliament Opposition members chaired scrutiny panels, but it did not happen at RBWM. It was a key reason that the borough had ended up where it had.

Councillor Carroll commented that in his Lead Member position he was of the view that the role of Overview and Scrutiny was very important. He had often asked officers to proactively bring issues forward to scrutiny.

Councillor C. Da Costa thanked Councillor Carroll for his support of scrutiny. She hoped that all the talk that had been heard would lead to action. For example a Vice Chairman was still to be elected on the Adults, Children and Health Overview and Scrutiny Panel.

Councillor Baldwin commented that the first training course he had attended as a councillor was on the effectiveness of scrutiny. The presenter of 23 years' experience as a councillor emphasised that effective panels actually avoided conflict and call-ins.

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He also stressed the need for them to have councillors with an independent train of thought and who could effectively manage meetings so that the important matters were discussed and were not ignored. The council was in the midst of something of a governance crisis. Increasingly urgent items appeared on agenda at extremely short notice, amendments were presented during council, and cabinet papers were excluded from the Forward Plan. Nobody disputed that the majority party had the legal obligation to have the majority on the Overview and Scrutiny Panels, but being able to influence the agenda and working with officers prior to the meetings as Chairman or Vice Chairman was an enormously important component in holding the Cabinet to account. It had been mentioned that the CIPFA report would be discussed at Cabinet but there was no guarantee non-Cabinet Members would be allowed to speak. This was within the rules but it did not give a good impression to residents when Members were not allowed to speak.

Councillor Jones concluded by commenting that she had made similar proposals a number of times over the years; it was not the first time.

Members then voted on Amendment 3 proposed by Councillor Jones. The amendment was not accepted.

| Constitutional Amendments - Cllr Jones amendment #3 (O&S Panel Chairman/Vice Chairman) (Amendment) | |
|---|------------------|
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | Against |
| Councillor Gurpreet Bhangra | Against |
| Councillor Simon Bond | For |
| Councillor John Bowden | Against |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | For |
| Councillor David Cannon | Against |
| Councillor Stuart Carroll | Against |
| Councillor Gerry Clark | Against |
| Councillor David Coppinger | Against |
| Councillor Carole Da Costa | For |
| Councillor Wisdom Da Costa | For |
| Councillor Jon Davey | For |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | Against |
| Councillor Geoffrey Hill | For |
| Councillor David Hilton | Against |
| Councillor Maureen Hunt | Against |
| Councillor Andrew Johnson | Against |
| Councillor Greg Jones | Against |
| Councillor Lynne Jones | For |
| Councillor Neil Knowles | For |
| Councillor Ewan Larcombe | For |
| Councillor Sayonara Luxton | Against |
| Councillor Ross McWilliams | Against |
| Councillor Gary Muir | Against |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | Against |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | Against |

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| Councillor Shamsul Shelim | Against |
| Councillor Gurch Singh | For |
| Councillor Donna Stimson | Against |
| Councillor John Story | Against |
| Councillor Chris Targowski | Against |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | Against |
| Councillor Simon Werner | For |
| Rejected | |

Members returned to debating the substantive motion.

Councillor Hill brought forward the motion on notice in his name listed in item 14 on the agenda, by proposing an amendment:

‘To reduce the number of signatures required for a petition to be debated at Full Council from 1500 to 1000.’

Councillor Knowles seconded the amendment.

Councillor Johnson stated that he did not accept the amendment, therefore Members debated the proposal.

Councillor del Campo commented that her first foray into local politics was when she had brought a petition to full Council, therefore she knew how important the opportunity was, even if the outcome was not what was hoped for. If the signatory level was too high, the council would only hear about issues that impacted a large number of residents or where campaigners had a particularly good marketing campaign. An issue that only impacted part of a ward or a small school for example would not be heard. The level used to be 1000; she felt that it was a high enough level to screen out frivolous petitions but low enough that people with genuine concerns would be able to get enough signatures.

Councillor Bhangra proposed a closure motion that ‘the question be now put to the vote’.

Councillor Hill was ejected from the meeting by the Mayor for poor behaviour.

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

RESOLVED: That, as per Part 2C 14.11 ii), the question now be put to the vote.

| | |
|---|---------|
| Constitutional Amendments- Cllr Hill Amendment (petition for debate signature level) - closure motion (Motion) | |
| Councillor John Baldwin | Against |
| Councillor Clive Baskerville | Against |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | For |
| Councillor Simon Bond | Against |
| Councillor John Bowden | For |
| Councillor Mandy Brar | Against |
| Councillor Catherine del Campo | Against |

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| | |
|----------------------------|------------------|
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | Against |
| Councillor Wisdom Da Costa | Against |
| Councillor Jon Davey | Against |
| Councillor Karen Davies | Against |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | Against |
| Councillor Neil Knowles | Against |
| Councillor Ewan Larcombe | Against |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | Against |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | Against |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | Against |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | Against |
| Councillor Amy Tisi | Against |
| Councillor Leo Walters | For |
| Councillor Simon Werner | Against |
| Carried | |

Councillor Hill had left the meeting therefore Councillor Knowles concluded the debate. He commented that it was sad that residents could not hear more debate, such a high threshold denied residents access to be heard.

Members then voted on the amendment proposed by Councillor Hill. The amendment was not accepted.

| | |
|---|---------|
| Constitutional Amendments- Cllr Hill Amendment (petition for debate signature level) (Amendment) | |
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | Against |
| Councillor Gurpreet Bhangra | Against |
| Councillor Simon Bond | For |
| Councillor John Bowden | Against |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | For |
| Councillor David Cannon | Against |
| Councillor Stuart Carroll | Against |

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| | |
|----------------------------|------------------|
| Councillor Gerry Clark | Against |
| Councillor David Coppinger | Against |
| Councillor Carole Da Costa | For |
| Councillor Wisdom Da Costa | For |
| Councillor Jon Davey | For |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | Against |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | Against |
| Councillor Maureen Hunt | Against |
| Councillor Andrew Johnson | Against |
| Councillor Greg Jones | Against |
| Councillor Lynne Jones | For |
| Councillor Neil Knowles | For |
| Councillor Ewan Larcombe | For |
| Councillor Sayonara Luxton | Against |
| Councillor Ross McWilliams | Against |
| Councillor Gary Muir | Against |
| Councillor Helen Price | For |
| Councillor Samantha Rayner | Against |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | Against |
| Councillor Shamsul Shelim | Against |
| Councillor Gurch Singh | For |
| Councillor Donna Stimson | Against |
| Councillor John Story | Against |
| Councillor Chris Targowski | Against |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | Against |
| Councillor Simon Werner | For |
| Rejected | |

Members returned to debating the substantive motion.

Councillor Reynolds highlighted the constitutional changes relating to full Council procedures. It was proposed that all public questions be dealt with by way of a written response. He felt that a better option would be to offer a bi-monthly question and answer session which would allow more detail and full debate without taking any time out of the full Council meeting. Each Lead Member could take it in turn to run lead the session. It was also proposed that all Member questions be dealt with in writing. Councillor Reynolds pointed out that if he wanted this he could just send an email to a Lead Member. If he brought a question to full Council it was because it was in a different format in an open forum. To refuse to answer the initial question verbally but then allow a verbal supplementary question seemed disrespectful. A time limit of 30 minutes was proposed for Member motions. After a proposer and seconder had spoken this left very little time for others to speak. Councillor Reynolds felt the proposal was stifling debate. He suggested the whole section should be withdrawn and discussions take place as a group as to how to take things forward.

Councillor Bhangra proposed a closure motion that 'the question be now put to the vote'.

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Councillor Hill was ejected from the meeting by the Mayor for poor behaviour.

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

RESOLVED: That, as per Part 2C 14.11 ii), that the question now be put to the vote.

| Constitutional Amendments - closure motion (Motion) | |
|--|------------------|
| Councillor John Baldwin | Against |
| Councillor Clive Baskerville | Against |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | For |
| Councillor Simon Bond | Against |
| Councillor John Bowden | For |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | Against |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | Against |
| Councillor Wisdom Da Costa | Against |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | Against |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | Against |
| Councillor Neil Knowles | Against |
| Councillor Ewan Larcombe | Against |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | Against |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | Against |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | No vote recorded |
| Councillor Amy Tisi | Against |
| Councillor Leo Walters | For |
| Councillor Simon Werner | Against |
| Carried | |

Councillor Johnson concluded the debate by commenting that the constitution was an ever-evolving document. Some legitimate issues had been raised which would give

pause for future reflection. It would not be the last time the constitution would be updated. He highlighted that the administration had proposed restoring political balance to the appointments process for senior officers. He felt this was fair and equitable and it should have happened previously. There had been assertions that the report was issued late. The constitution had not fundamentally changed for a while; he was sure that all Members had had plenty of opportunity to review it based on some of the concerns raised about scrutiny. The council was operating under extraordinary circumstances; he did not regret bringing forward an urgent report to provide free parking as it was the right thing to do. He assured Members that the administration did value scrutiny and it was only fair that scrutiny had the lion's share of the forensic investigation of the CIPFA report. He would take limited questions at the Cabinet meeting but he saw the Overview and Scrutiny Panel as the prime forum for Members to debate the issue. Any recommendations would come back to Cabinet at the end of July for consideration.

RESOLVED: That full Council notes the report and:

- i) **Approves amendments to the constitution detailed in Appendices A-J, subject to an amendment to Part 2 C12 to read:**

C12 Motion of No Confidence

Motions of no confidence in the Leader, a Cabinet Member, any Member holding a Special Responsibility, or any *Vice Chairman of an Overview and Scrutiny Panel* must be signed by ten Members and must be delivered to the Head of Governance no later than 10.00am on the seventh working day before the meeting (excluding the day of the meeting). The wording of the Motion shall be "That this Council has no confidence in the *[insert relevant post]*"

No amendments will be allowed to the Motion at the meeting where the matter is discussed.

Motions of no confidence can be accepted at any Council meeting, including Annual and Budget Council meetings.

If following a Motion of no confidence the majority of Members of the Council vote to remove the Leader or any Member with a Special Responsibility (other than a Lead Cabinet Member, as *the power to remove a Lead Member is within the remit of the Leader*), a Motion, under Rule 13(t), to nominate a new Leader or Member with a Special Responsibility may be moved without notice. If a Motion to nominate is not moved then the election of the Leader of Council or re-appointment to the role with the Special Responsibility will take place at the next Council meeting.

If a majority of Members of the Council agree a motion of no confidence in a Chairman or Vice Chairman of an Overview and Scrutiny Panel, the Panel will be required to consider the appointment of a Chairman or Vice Chairman (as appropriate) at the next scheduled meeting of the Panel.

- ii) Delegates authority to the Monitoring Officer to update as appropriate and publish the council constitution.
- iii) Delegates authority to the Head of Governance in consultation with the S151 officer and Lead Member for Finance and Ascot to review the arrangements for audit oversight and bring proposals to full Council in July 2020.

| Constitutional Amendments (Motion) | |
|---|------------------|
| Councillor John Baldwin | Against |
| Councillor Clive Baskerville | Against |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | For |
| Councillor Simon Bond | Against |
| Councillor John Bowden | For |
| Councillor Mandy Brar | Against |
| Councillor Catherine del Campo | Against |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | Against |
| Councillor Wisdom Da Costa | Against |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | Against |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | Against |
| Councillor Neil Knowles | No vote recorded |
| Councillor Ewan Larcombe | Against |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | Against |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | Against |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | No vote recorded |
| Councillor Amy Tisi | Against |
| Councillor Leo Walters | For |
| Councillor Simon Werner | Against |
| Carried | |

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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 9.30pm.

Councillor Johnson, seconded by Councillor Coppinger, proposed items 9-12 be voted on as a block, without debate, but this was not supported unanimously.

RESOLVED UNANIMOUSLY: That:

- i) The meeting continue after 9.30pm to consider items 9-12 on the agenda.**
- ii) Member questions would be dealt with by way of written answers.**
- iii) Remaining Member motions would be deferred to the next meeting on 28 July 2020.**

13. APPOINTMENT OF PANEL CHAIRMAN

Councillor Johnson highlighted that the appointments proposed would help to spread the talent across the panels on the council.

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

RESOLVED: That:

- i) Councillor Cannon be appointed as Vice Chairman of the Royal Borough Development Panel**
- ii) Councillor Bhangra be appointed as the Chairman of the Licensing Panel**
- iii) Councillor Tisi be appointed as Vice Chairman of the Corporate Parenting Forum**
- iv) Councillor Taylor be appointed as Vice Chairman of the Maidenhead Town Forum**

(Councillor Bhangra declared a Disclosable Pecuniary Interest and took no part in the debate or vote on the item)

| Appointment of Panel Chairman (Motion) | |
|---|-----------------------|
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | Conflict Of Interests |
| Councillor Simon Bond | For |
| Councillor John Bowden | For |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | For |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | For |
| Councillor Wisdom Da Costa | Abstain |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |

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| | |
|----------------------------|------------------|
| Councillor Greg Jones | For |
| Councillor Lynne Jones | No vote recorded |
| Councillor Neil Knowles | No vote recorded |
| Councillor Ewan Larcombe | No vote recorded |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | Abstain |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | For |
| Councillor Simon Werner | For |
| Carried | |

14. HORTON AND WRAYSBURY NEIGHBOURHOOD PLAN - FORMAL MAKING OF THE PLAN

Members considered making the Horton and Wraysbury Neighbourhood Plan as 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 planning area.

Councillor Coppinger explained that the first neighbourhood plan in the borough had begun nine years before. The Plan for Horton and Wraysbury would be the fifth in the borough. The ability for a community to define what happened in the locality was very important. The steering group had produced the Plan on behalf of the two parish councils. The draft Plan had been submitted to the Inspector, who had recommended a referendum subject to a number of modifications. In October 2019 Cabinet had approved the Plan to go to referendum. The poll took place in January 2020, with 83% of electors casting a vote agreeing that the Plan should be approved. The costs were covered by a government grant.

Councillor Cannon, in seconding the motion, commented on the great deal of work that had been undertaken by the community.

Councillor Bhangra proposed a closure motion that ‘the question be now put to the vote’.

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

RESOLVED: That, as per Part 2C 14.11 ii), the question now be put to the vote.

| | |
|--|------------------|
| Horton and Wraysbury Neighbourhood Plan - Closure motion (Motion) | |
| Councillor John Baldwin | Against |
| Councillor Clive Baskerville | No vote recorded |
| Councillor Christine Bateson | For |

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| | |
|--------------------------------|------------------|
| Councillor Gurpreet Bhangra | For |
| Councillor Simon Bond | Against |
| Councillor John Bowden | For |
| Councillor Mandy Brar | Against |
| Councillor Catherine del Campo | Against |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | Against |
| Councillor Wisdom Da Costa | For |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | Against |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | Against |
| Councillor Neil Knowles | No vote recorded |
| Councillor Ewan Larcombe | Against |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | Against |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | Against |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | Against |
| Councillor Amy Tisi | Against |
| Councillor Leo Walters | For |
| Councillor Simon Werner | No vote recorded |
| Carried | |

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

RESOLVED: That Council notes the report and:

- i) **Makes the Horton and Wraysbury Neighbourhood Plan part of the Development Plan for the Royal Borough of Windsor and Maidenhead and,**
- ii) **Delegates authority to the Director of Place in consultation with the Lead Member for Planning and Maidenhead to make minor non-material amendments to the neighbourhood plan as necessary prior to its publication.**

Horton and Wraysbury Neighbourhood Plan (Motion)

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| | |
|--------------------------------|------------------|
| Councillor John Baldwin | Abstain |
| Councillor Clive Baskerville | Abstain |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | For |
| Councillor Simon Bond | Abstain |
| Councillor John Bowden | For |
| Councillor Mandy Brar | Abstain |
| Councillor Catherine del Campo | Abstain |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | For |
| Councillor Wisdom Da Costa | For |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | Abstain |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | For |
| Councillor Neil Knowles | No vote recorded |
| Councillor Ewan Larcombe | Abstain |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | Abstain |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | Abstain |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | Abstain |
| Councillor Leo Walters | For |
| Councillor Simon Werner | Abstain |
| Carried | |

15. BANK RECONCILIATION REPORT

Members considered actions in relation to unreconciled bank reconciliation entries.

Councillor Hilton explained that this was an historic issue of bank reconciliation which had been described in the last two external audit ISA260 reports as “unadjusted mis-statements.”

The issue was first reported in 2017 and had prompted action. Processes were set up to enable income received by the bank to be identified, allocated and reconciled to the correct service account more easily. This proactive management of income ensured that the amount of unreconciled income would not grow. The 2017/18 bank

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reconciliation control audit was carried out in March 2018. The audit, which was on the revised reconciliation process, resulted in a final report awarding the second highest of four audit opinions 'Substantially complete and generally effective'.

There were two large unreconciled balances of £1,136,953 relating to bank reconciliation entries and £1,152,758 on the Housing Benefit subsidy account respectively. One a debit and the other a credit.

The Finance team and Internal Audit had undertaken significant work to resolve the differences but given the lack of historical records could not go any further. In conclusion the unreconciled entries and housing benefit credits could not be individually matched off and a technical financial adjustment was required to rectify this in the statement of accounts. If approved, the adjustment would be reflected in the 2020-21 accounts but noted by external audit for the 2019-20 external audit report.

Members would note in table 3 that the impact on the council's accounts was negligible and a positive of £15,800.

Councillor Bond asked whether the Lead Member was confident that the decision was acceptable for audit purposes if one was asked for by the Secretary of State. He asked if any claimants had been left out of pocket. As the report did not detail the root causes, was the council happy that the situation could not happen again.

Councillor W. Da Costa explained that he had spoken to officers and had been told that there were no ongoing unreconciled items. New processes were in place so it should not happen again. This was reassuring. However, he expressed concern that the issue was raised in August 2017 but the credits related to 2017/18 and 2018/19 so whilst it was fortuitous that the amounts were similar, he wondered if the housing benefit subsidy account was about to be raided inappropriately. He asked how Councillor Hilton how he could be assured this was not the case.

Councillor Hilton explained that the work had been ongoing for a long period of time and it was decided it needed to be closed down. The external auditors were involved in that process. He was absolutely comfortable that the reconciliation was appropriate and a small positive balance would be received as a result.

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

RESOLVED: That Council notes the report and:

- i) Approves the write off of £1,136,953 for the unreconciled bank reconciliation entries.**
- ii) Approves use of £1,136,953 of the £1,152,758 credit balance in the Housing Benefit Subsidy Revenue Account to offset these entries.**

| Bank Reconciliation Report (Motion) | |
|--|-----|
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | For |
| Councillor Simon Bond | For |
| Councillor John Bowden | For |
| Councillor Mandy Brar | For |

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| | |
|--------------------------------|------------------|
| Councillor Catherine del Campo | For |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | Abstain |
| Councillor Wisdom Da Costa | Against |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | For |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | For |
| Councillor Neil Knowles | No vote recorded |
| Councillor Ewan Larcombe | No vote recorded |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | For |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | No vote recorded |
| Councillor Simon Werner | For |
| Carried | |

16. URGENT DECISION REPORT

Members considered an urgent decision report for noting only.

Councillor Cannon explained that the report was to bring to the attention of Council the urgent decision made by Cabinet to give 3 hours free car parking to residents with an Advantage Card.

It was proposed by Councillor Cannon, seconded by Councillor Bowden.

RESOLVED: That in line with Part 3B, Paragraph Section 4b of the Constitution (Urgent Decisions Outside the Budget or Policy Framework) Council notes the urgent decision taken by Cabinet on 12th June 2020

| | |
|--|-----|
| Urgent Decision Report (Motion) | |
| Councillor John Baldwin | For |
| Councillor Clive Baskerville | For |
| Councillor Christine Bateson | For |
| Councillor Gurpreet Bhangra | For |

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| | |
|--------------------------------|------------------|
| Councillor Simon Bond | For |
| Councillor John Bowden | For |
| Councillor Mandy Brar | For |
| Councillor Catherine del Campo | For |
| Councillor David Cannon | For |
| Councillor Stuart Carroll | For |
| Councillor Gerry Clark | For |
| Councillor David Coppinger | For |
| Councillor Carole Da Costa | Abstain |
| Councillor Wisdom Da Costa | Abstain |
| Councillor Jon Davey | No vote recorded |
| Councillor Karen Davies | For |
| Councillor Phil Haseler | For |
| Councillor Geoffrey Hill | No vote recorded |
| Councillor David Hilton | For |
| Councillor Maureen Hunt | No vote recorded |
| Councillor Andrew Johnson | For |
| Councillor Greg Jones | For |
| Councillor Lynne Jones | Abstain |
| Councillor Neil Knowles | No vote recorded |
| Councillor Ewan Larcombe | For |
| Councillor Sayonara Luxton | For |
| Councillor Ross McWilliams | For |
| Councillor Gary Muir | For |
| Councillor Helen Price | No vote recorded |
| Councillor Samantha Rayner | For |
| Councillor Joshua Reynolds | For |
| Councillor Julian Sharpe | For |
| Councillor Shamsul Shelim | For |
| Councillor Gurch Singh | For |
| Councillor Donna Stimson | For |
| Councillor John Story | For |
| Councillor Chris Targowski | For |
| Councillor Helen Taylor | For |
| Councillor Amy Tisi | For |
| Councillor Leo Walters | For |
| Councillor Simon Werner | For |
| Carried | |

17. MEMBERS' QUESTIONS

As agreed earlier in the meeting, all Member questions (including supplementary questions where submitted) were dealt with by way of written answers provided after the meeting:

a) Councillor Davey asked the following question of Councillor Johnson, Leader of the Council:

At Corporate Overview & Scrutiny Panel Councillor Johnson said he was “curious” why the opposition had challenged Cabinet’s decision to give Maidenhead United many acres of Braywick Park for zero consideration. How else would he suggest we challenge Cabinet decisions that do not have the required detail to ensure the decision is in the best interests of council and residents?

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Written response: Sadly, you appear to have taken my words out of context, either on a wilfully deliberate or accidental basis, from that meeting of the Corporate Overview & Scrutiny Panel which took place on 15th January 2020.

Whilst I appreciate that the meeting was now some time ago please do let me refresh your memory and clarify the position.

As you will recall, given that you were present at the meeting on 15th January 2020, but sadly not at the meeting of Cabinet on 19th December when the issue was discussed and the report approved, I used the phrase “curious” to reference the fact that neither of the members (apart from Cllr Lynne Jones) who called in the application to that committee had been present at the meeting of Cabinet on 19th December. In fact, Cllr Jones as verified by the minutes asked no questions on the item relating to MUFC, with the only questioner being Cllr Helen Price. Furthermore, despite calling-in the application Cllr Jones gave apologies for the 15th January and was substituted by Cllr Hill, who had failed to show up at the 19th December, despite the agenda relating to a significant matter within his ward.

It was to this that I used the word “curious” to describe the situation. Curious that when the issue was discussed at Cabinet on the 19th December that none of those members who had called-in the decision had attended to ask questions and join the discussion. Had they done so it is likely that many of their questions, and indeed concerns, could have been addressed. Yet they did not and only Cllr Helen Price diligently asked a question on the subject.

Perhaps even more “curious” was the fact that Cllr Jones did not ask any questions on the issue, but then decided to call-in the application and failed to attend to meeting to discuss said call-in. As recorded in the minutes Cllr Hill acted as substitute to ask the questions that he, or a colleague, could readily have asked at Cabinet on 19th December.

As I stated on the evening of 15th January, and as the minutes record, “any initial concerns could have been addressed at Cabinet” on 19th December rather than by a call-in request which appeared to look like an attempt to salvage some of the lost initiative caused by a comprehensive failure to ask questions on the 19th December. Questions I would state for the record I would very happily have answered. One hopes that you don’t find this too much of a curious response.

b) Councillor Hill asked the following question of Councillor Johnson, Leader of the Council:

Why after the COVID-19 Crisis has shown that much office space and some retail space will most likely never be used again and is highly likely to be converted into private dwellings are we as a Borough still proposing to develop Maidenhead Golf Club for housing?

Written response: Maidenhead Golf Club is allocated in the emerging Borough Local Plan for 2000 homes (30 % affordable) with supporting infrastructure including a new school and is key to meeting objectively assessed housing need. There is also no evidence yet, that substantial office and retail will be converted into residential, or that even if it was that it would be in the correct place for residential use. Employment and retail space will also be very important for economic recovery. Housing need and demand in the borough is substantial and new homes are desperately needed to meet that, including affordable housing. The Maidenhead Golf Course site will provide much needed new housing including a significant amount of affordable housing to meet housing need in the Borough in a sustainable location alongside new education and community facilities to support the town.

A supplementary question was not submitted

c) Councillor Larcombe asked the following question of Councillor Cannon, Lead Member for Public Protection and Parking:

What is the current total of the RBWM River Thames Scheme partnership funding contributions required to ensure that Channel 1 through Datchet, Horton and Wraysbury is progressed?

Written response: To progress the Outline Business Case for the River Thames Scheme which includes the channel through the Royal Borough contributions of £53m from RBWM will be required together with a commitment to a risk sharing agreement for any potential changes in costs.

£10m (split over four years commencing in 2020/21) of the Royal Borough's contribution was approved by Council in September 2017 and forms part of the approved budget for 2020/21.

At this stage of the approvals process for the project, the commitment to the financial contributions would require a letter from the Section 151 officer to the Project Sponsoring Board.

Supplementary question: When will the S151 Officer be writing to the Project Sponsoring Board?

Written response: tbc

d) Councillor Brar asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside.

The Tyndall Climate Centre has produced a report for RBWM. It is available online. It shows a target of approximately 5Mtons of CO2 not 10 Mtons as in the Climate Strategy document. Why was this scientific advice declined and not mentioned in the strategy especially when the RBWM targets go against the Paris Climate agreement of 1.5 degrees warming?

Written response: The council is thankful for the research the Tyndall Centre has produced and has not declined the advice. The strategy states we will review their expert guidance and consider it as part of our review of the proposed carbon trajectory.

The RBWM target does not go against the Paris Agreement, according to the Committee on Climate Change (CCC, the UK Government independent advisory body on climate change. The target fully meets the obligations under the Paris Agreement, the historic international 2015 agreement on climate change which committed the world to pursue efforts to limit the temperature increase to 1.5°C.

Supplementary question: The Government funded SCATTER TOOL provides RBWM with the ability, at no cost, to build scenarios for emissions reduction. It is based on

setting ambition levels for 32 elements of the RBWM carbon footprint and produce pathways or trajectories to 2050.

The Current RBWM 5 Year pathway presented is close to the lowest level of ambition from all 32 elements. Why is the ambition so low and why has the tool and output not apparently been used or mentioned in the strategy formulation. It has been available for 11 months?.

Written response: We have adopted an initial trajectory in the draft strategy for consultation, which will be subject to consultation and review as a result of those comments. As stated in the strategy, we have committed to review the trajectory over the next six months working with relevant experts. This will utilise the best tools and evidence to support that work, guided by our overall commitment to be net zero by 2050 at the latest. The trajectory is not the only measure of ambition in the strategy and we have set out some ambitious actions and targets over the next five years. This includes setting a new strategy for the natural environment and transport, as well as ambitious targets to increase renewables generation and increase recycling rates.

e) Councillor Baldwin asked the following question of Councillor Rayner, Lead Member for Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor:

Despite concerns voiced by opposition members over many years about the sorry state of corporate governance within RBWM we are still routinely issued with agendas lacking crucial reports. It appears the date of the meeting has become the disclosure deadline, making proper preparation impossible. What assurances can the lead member give us that these long-term deficiencies are being addressed?

Written response: There are some occasions when an urgent report is required, such as the recent Cabinet report to allow free parking for Advantage Card holders. In this case, to have followed the standard timescales would have delayed implementation of the decision, which would have been to the detriment of residents. There are also occasions when the council is reliant on information or data from a third party that can lead to a delay in publication.

However, it is clearly important for both Panel Members and the public that reports are available in good time before a meeting. Meeting work programmes are maintained, which enable Directors and Heads of Service to anticipate future reports and manage officer workloads. This process can most clearly be seen in terms of the Cabinet Forward Plan and the Overview and Scrutiny Panel work programmes. Meeting clerks in Democratic Services liaise with officer colleagues across the council to ensure they are fully aware of agenda publication deadlines and to manage emerging issues such as the requirement for urgent reports.

The number of reports marked as 'to follow' and the reasons given are monitored on a monthly basis, with details being circulated to the Corporate Leadership Team for review. Excluding the past three months where the number of meetings has been significantly lower due to the COVID-19 situation, the average percentage of reports marked as 'to follow' for the preceding 12 months was less than 7%.

A supplementary question was not submitted

f) Councillor Jones asked the following question of Councillor Johnson, Leader of the Council:

The RBWM 2018/19 Audit issued a 'qualified' conclusion with concerns regarding inadequate resourcing of key governance functions: weaknesses in arrangements of financial sustainability and resilience, ultra vires spend, inadequate reports to council and a culture that discouraged individuals to challenge. Concerns echoed by Cipfa and the Peer Review. What impact have these failures had on the council as an organisation?

Written response: RBWM as an organisation has undergone a significant amount of change over the last year to 18 months, particularly with the change in leadership both at a political and officer level.

External challenge and review through our annual external audit, peer review and the report on financial governance that we commissioned CIPFA to undertake has meant that we can ensure that we have a full understanding of the issues that we need to tackle and address as a whole organisation. External challenge is always healthy for any organisation that wants to continue to positively grow and learn and will be something that we need to continue to be committed to undertaking.

In the meantime, as an organisation we have not sat back and waited for the results of those reviews. It would not be acceptable to know that some things were wrong and not look to fix them.

Underpinning everything we need to do to move RBWM forwards was a need to tackle a culture that discouraged individuals from speaking up. As soon as our new permanent MD started at RBWM he committed to listening to all of our staff, to understand the values and behaviours of the organisation that they want to work in and to then ensure that actions are identified to help demonstrate those values and behaviours on a daily basis.

Members have also been included in that conversation and are encouraged to continue to be part of that journey.

The detailed CIPFA report has been received by RBWM in the last week and has been published, publicly, as soon as possible so that all councillors, staff and residents are able to view their findings. This demonstrates a desire to change the past culture and ensures transparency of the issues that they found. Their interim report in 2019 identified these issues but this provides more evidence and analysis as well as demonstrates how a number of actions have already been put into place to tackle past issues.

The next most important step is the development of an action plan to address any remaining, outstanding items. The corporate overview and scrutiny committee have an important role in scrutinising whether the action plan that officers are developing will address the issues raised by CIPFA before cabinet approve that plan. Scrutiny of the action plan will ensure that the organisation can demonstrate that actions are realistic, deliverable and we can be held to account for delivering on them.

The impact of these reviews therefore ensure that RBWM is able to move forwards as an organisation and we are equipped to tackle the very relevant issues that our local residents and businesses are faced with today and in the future. Having sound governance is integral to delivering for them.

A supplementary question was not submitted

g) Councillor Reynolds asked the following question of Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside:

Currently RBWM only has the capacity to power 1% of our homes via renewable energy. To simply keep pace with other local authorities we need 13X more. How will RBWM do this?

Written response: The strategy demonstrates we have high ambitions for renewable energy generation; we aim to match local authorities performing well in this regard.

The target in the strategy is to increase renewable capacity 10-fold by 2025. This will need to be achieved through a variety of means including incentivisation of renewable energy in new build; retrofit of renewable energy systems in existing buildings and support for community energy schemes such as MaidEnergy.

A supplementary question was not submitted

h) Councillor Del Campo asked the following question of Councillor Coppinger, Lead Member for Planning and Maidenhead:

The inspector's response to the latest version of the Borough Local Plan suggests that even this version is far from "legally compliant and sound". With eleven areas of concern, some fundamental, and hundreds of questions for clarification, and in light of the climate emergency we declared, has the lead member considered starting the process again? If not, why not?

Written response: The Borough Local Plan was submitted for Examination in January 2018, with the Stage 1 Hearing sessions taking place in June 2018. The Inspector subsequently issued her advice, which raised some areas of concern, and asked for further work to be undertaken.

This work was completed by Officers, with support from consultants, and an updated version of the Local Plan (presented as 'Proposed Changes') was agreed by Councillors in October 2019. The further work and proposed revisions to the Plan strengthened the document, with a strong emphasis on place-making.

The Inspector has considered all the further information submitted by the Council and has determined that it is appropriate for her to proceed with Stage 2 of the examination.

As is normal practice, the Inspector has issued her Matters, Issues and Questions to all examination participants, asking for responses to assist in her consideration of the key issues not explored in the Stage 1 hearing sessions.

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Officers are working hard to prepare a robust and comprehensive response to the Inspector's Matters, Issues and Questions, with a view to supporting the October 2019 version of the Borough Local Plan. A significant amount of time, effort and money has been spent on getting the Borough Local Plan to this stage, and getting this Local Plan adopted clearly is the right thing to do. This will give us an up to date set of planning policies and proposals, which take account of the Borough's current needs, and set a clear framework for delivering on our environmental and place-making agenda.

To my mind there is nothing in the Inspectors questions which suggests nay thinking that the plan is unsound, the questions are simply a part of the process. To the contrary I do not think the Inspector would waste public resources by continuing if they had such concerns and I see it as really positive that we are moving forward.

A supplementary question was not submitted

18. MOTIONS ON NOTICE

As agreed earlier in the meeting, all remaining motions were deferred to the next scheduled meeting on 28 July 2020.

Motion a) by Councillor Hill had been considered as an amendment to the Constitutional Amendments report earlier on the agenda.

Motions b) and c) would be deferred to the next scheduled meeting.