

**AT A MEETING OF THE BOROUGH COUNCIL held as a Virtual Meeting - Online access on Tuesday, 15th December, 2020**

PRESENT: The Mayor (Councillor John Story), 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, Sayonara Luxton, Ross McWilliams, Helen Price, Samantha Rayner, Joshua Reynolds, Julian Sharpe, Shamsul Shelim, Gurch Singh, Donna Stimson, Helen Taylor, Amy Tisi, Leo Walters and Simon Werner

Officers: David Cook, Tracy Hendren, Kevin McDaniel, Mary Severin, Duncan Sharkey, Adele Taylor, Karen Shepherd and Adrien Waite

62. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Targowski.

63. COUNCIL MINUTES

It was proposed by Councillor Story, and:

**RESOLVED UNANIMOUSLY: That:**

- i) The minutes of the meeting held on 27 October 2020 be approved**
- ii) The Part I minutes of the Extraordinary meeting held on 23 November 2020 be approved**

64. DECLARATIONS OF INTEREST

None received

65. MAYOR'S COMMUNICATIONS

The Mayor had submitted in writing details of engagements that the Mayor and Deputy Mayor had undertaken since the last meeting, which had been limited due to COVID-19. These were noted by Council

66. PUBLIC QUESTIONS

- a) 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 what is the Council's vision for Furze Platt?

Written response: *The emerging Borough Local Plan sets out the Council's vision for future development within the whole Royal Borough. Within the emerging Borough Local Plan there are specific policies relating to areas where it is proposed to focus future growth. Furze Platt is not proposed to be an area of significant growth or change and so there are no specific policies relating to it. The future vision for the area is for it to be part of a thriving Royal Borough where people can live and work in a safe, healthy and sustainable environment.*

By way of a supplementary question, Mr Wilson thanked Councillor Johnson for confirming the council had a generic, rather than a specific, vision for Furze Platt and asked if he would outline how this vision would become a reality for residents?

Councillor Johnson responded that this would happen through the continued implementation of a range of policies that sought to secure and embed economic recovery from COVID-19, to ensure the most vulnerable in society were protected and to ensure future opportunities, in particular economic opportunity. The broader planning policy framework was also key. It would also be important that the administration continued to attract and retain businesses in the borough, including through promotion of inward investment opportunities and attracting economic growth. The ambitions for Furze Platt would be realised in the short term by the ward councillors playing a constructive part in helping the administration to deliver its policies, for which it had a mandate.

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

The CIFPA Report under the Clewer & Dedworth Improvement Plan concludes that members were able to circumvent the Council's approved policies without appropriate challenge from officers. It also states that the plan was included after consideration at the Members Budget Steering Committee. Can he advise what challenge was made by officers at this meeting?

Written response: *There is no record of discussion of the Clewer and Dedworth Neighbourhood proposals in Budget Steering Group minutes and therefore no record of any challenge by officers.*

*However, there is no doubt that the Dedworth and Clewer Neighbourhood scheme for roads and footway improvements did not go through the formal prioritisation process which ensures investment in roads maintenance is made based on greatest need. The Clewer and Dedworth proposals circumvented that process to the benefit of one ward. Not only did the roads maintenance avoid the prioritisation process but other schemes relating to works in parks and at a day centre were added to the scheme. It may be that these were approved by the then Managing Director but as detailed in the CIFPA report, the Monitoring Officer agreed that virements from the PAVE scheme, to pay for the parks and works to the Day Centre, were beyond the authority of the Managing Director and ultra vires*

By way of a supplementary question, Mr Wilson commented that the report stated that Members were able to circumvent the council's approved policies without appropriate challenge from officers. Councillor Hilton had confirmed that this did not happen at Budget Steering Group, nor at the Cabinet meeting in May 2018 as Members discussed a paper that said officers had assessed the improvements on a technical basis to form a revised programme that benefitted three wards. If this did not happen

at Budget Steering Committee or at Cabinet, Mr Wilson asked where did the officer challenge take place? Mr Wilson asked Councillor Hilton to write to him with the details.

Councillor Hilton responded that the key individuals involved no longer worked for the council so it was not possible to ask them. He had asked the finance team to look through the minutes of the Budget Steering Group and there was no record there. Councillor Hilton explained that he was personally very involved in the CIPFA work and made comments that led to some other individual lines of enquiry. Not every statement in the report that was critical was pinpoint accurate. He had not challenged this because, in the round, the report correctly highlighted the cultural and financial governance issues. These had been recognised and a monitored programme had been established to resolve them. Councillor Hilton agreed to write to Mr Wilson although he commented that he did not know what the content would be. The council was happy to receive questions but however many times Mr Wilson asked, the answer would not change, in that the Clewer and Dedworth scheme breached the council's governance rules.

67. PETITIONS

No petitions were submitted.

68. ORDER OF BUSINESS

The Mayor explained that the previous day the council had received a request for a petition to be presented to the council in person. The petition had closed on 30 November 2020 with 1,649 signatures. On 1 December 2020 the council had emailed the lead petitioner asking him how he wished to formally submit the petition. The former Mayor agreed that under the circumstances the lead petitioner should be able to speak for up to 5 minutes at the start of the item 'Motion on Notice' which would enable Members to take the petition into consideration when debating the related motion. The Mayor confirmed he was in agreement with the former Mayor's decision and proposed that the order of business be varied to bring the item 'Motion on Notice' forward in the agenda.

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

**RESOLVED UNANIMOUSLY: That the order of business as set out in the agenda be varied.**

69. MOTIONS ON NOTICE

Mr Brian McCormack, lead petitioner, for the following petition, was invited to speak:

*'We the undersigned petition the Royal Borough of Windsor and Maidenhead to offer free parking for residents over the important Christmas retail period to help boost Windsor footfall'*

Mr McCormack explained that he had been admitted to hospital with a suspected heart attack the previous day. He was suffering from chronic fatigue as a result of working constantly since 15 June 2020 to keep his business going. He had heard

about the removal of the Advantage Card scheme earlier in the year and understood the reasons for doing so. Just before his petition had closed, Councillor Cannon had announced the Sunday and Wednesday concessions. Once the petition closed, Mr McCormack had sent an email to Councillors Cannon and Rayner. Parking in Maidenhead was already free on Sundays and he felt there should be parity for Windsor.

Mr McCormack explained that his business was currently down by 39.7% down on the 52 weeks. He had one of the stronger positions in the town centre but this was no position for any business to be in. He understood that the revenue the council received would have been impacted by a reduction in season tickets but he felt it was unfair to penalise residents who were paying tourist fees for parking. He understood that the Advantage Card discount had been removed until further notice and would be brought back in if possible. It was now half way through December and he accepted that the concession was lost from 1-15 December, but he felt it would be a gesture of goodwill to give a concession for the remainder of the month. He would normally serve between 500-600 customers a week at this time of year but this was not happening because of the pandemic. Saturday and Sunday were equally busy in the town centre so if free parking was being offered on one day then it should be offered on the other one too. Anything would help the retail sector for the last few days, it was important to get Windsor residents shopping in their own town centre.

Councillor Davey introduced his motion. He explained he wished to amend his motion, following advice from officers. The amended motion had been costed at 20% of the original motion that had been put forward. The original motion was along the lines of what Mr McCormack was requesting but he understood the financial implications. Councillor Davey read out his amended motion:

*This Council agrees to extend the Christmas parking for the majority of RBWM car parks with immediate effect for a 3 hour period between 9am and 12pm on Mondays and Tuesdays until the end of the year to boost local retail sales and support RBWM retailers.*

Councillor Davey felt that he should not have needed to bring the motion or promote the petition so widely. The main concerns were about COVID-19 and keeping people apart, but Sundays were responsible for 18% of revenue in Windsor. This was the second busiest day so the excuse of busy days did not stand. Mondays, Tuesdays and Wednesdays brought in just 10% each day therefore logically more residents were needed on those days. Older residents and parents preferred daylight hours when the children were at school. Councillor Davey commented that surely the council could find £30,000 for Monday and Tuesday mornings to alleviate the stress that retailers were going through. He was unsure why others could not see the future as he did. He asked how much money the council had spent on consultants on the Local Plan in recent weeks. He had seen in the news that the telecommunications company '3' was leaving Maidenhead. The council did not own the building but received a chunk of the £2.2m business rates. He was advised that the rateable value was £2.2m. The council was investing £60,000 in an Economic Development Manager. Their job would be far easier if, when searching for RBWM on the internet, a story came up about how the council had helped retailers. The council was spending £400,000 on maximising the digital distribution of *Around the Royal Borough* next year. Councillor Davey asked if any of the current year's budget was available for a good cause. There had been

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talk of visitors to Windsor tapping to pay £3 to fund the homeless; he suggested this could be used to raise the necessary funds for retailers.

Councillor Hill seconded the amended motion.

Councillor Cannon commented that he would like to support businesses more and the council had done so in years past; but this was not years past but a unique year. Despite Councillor Davey's assumptions, the Town Managers had said that extra people were not needed in the towns on Saturdays because of overcrowding. This was the reason Sunday had been chosen. Councillor Cannon highlighted a number of practical issues with the motion, including signage. He had been advised by officers that the proposal was not feasible. He questioned what other services Councillor Davey would wish to see cut to fund his proposal.

Councillor Singh commented that he believed the motion was vital to support the towns, the residents of the borough and others who visited. It was an important motion for his ward. The town centres were suffering; they were very quiet even on Saturdays. The loss of the Advantage Card discount was starting to pinch families. Mr McCormack had done a fantastic job with his petition to highlight the problems retailers were experiencing. The issue of funding the proposal had been raised. Councillor Singh commented that one coffee shop in a town centre would pay rates of £30,000. If the motion saved one business, it would therefore pay for itself.

Councillor Werner commented that he felt it was astounding that the council would not agree to such a small thing to help those who ran businesses, worked in or used the businesses in the town centres. Councillor Johnson had earlier talked about the importance of keeping businesses in the borough. This would be a small sign to them. The cost to the council was small but the financial benefits were large. The lack of support reflected the financial short-termism that had been a feature of the last ten years and had left the council in its current difficult financial situation. Without every bit of support possible, more shops would close. The business owners and employees would be devastated. This would affect the finances of the council as it would lead to increased council tax benefits being paid out. Fewer shops meant less parking income in future. Encouraging people to shop on Mondays and Tuesdays would spread the footfall therefore there was a strong COVID argument. The signage argument was bizarre; a sign saying 'free parking until 12 noon' would suffice.

Councillor Rayner thanked Mr McCormack for this petition and the time he had given her when she had visited his shop. It was with a heavy heart that she could not support any more free parking. She fully appreciated the enormous difficulties businesses were facing and the importance of the Christmas shopping period. The motion was however not possible due to operational, COVID-19 and financial reasons. Members had been working with the Town Manager on ideas. The council was extremely grateful that Windsor Yards had agreed to match the free parking offer already in place. The owners of Windsor Dials had also agreed to open up their car park after construction finished on 24 December 2020, which would help with the sales period. Councillor Rayner highlighted the communications that were being promoted, including the My Royal Borough website hub, a digital magazine, a video by key stakeholders, competitions on social media and a 'shop local' campaign. Regular meetings were being held with partners and stakeholders to resolve issues. The council was also working with the police and the Community Wardens to keep area safe.

Councillor Hill commented that in an email exchange he had seen, Members had been told that the £30,000 cost would put pressure on the delivery of other savings; in other words, the money could be found. The forecast for reserves at the end of the year was still very healthy. The motion would help spread footfall and keep businesses going. Many businesses were just hanging on and relied on the Christmas period to make a decent profit. If business failed there would be no business rates and no council tax; people would have to make the choice between food and fuel and children may go hungry. If Members voted against the motion, they would be voting against the businesses, the families they supported and the economic health of the borough.

Councillor McWilliams commented that he wished to differentiate between the sentiment and the cold light of reality. No one disagreed with the need for all to do as much as possible within what could be done to support local businesses, He had shopped local and encouraged others to do so. The council had proposed a £70m investment in local recovery and infrastructure in the draft budget. Alongside policies at the national level including the vaccination programme, track and trace, the continuation of furlough schemes, the break on evictions and business rate support, this would be what rescued the economy.

All Members had received a briefing note on the technical problems with implementation of the original motion, including the distinction between resident and non-resident and the fact that there were more Advantage Cards in circulation than residents. Councillor Davey had suggested using funding allocated for rough sleepers. This was the opposite of Robin Hood. Councillor McWilliams commented that the figure of £413,000 related to the entire communications budget for the year rather than one edition of *Around the Royal Borough*.

Councillor Carole Da Costa commented that for a charitable organisation to pay the amount of parking fees at the moment was extortionate. A volunteer went to collect some goods from the town centre. She was only in the store for seven minutes but this had cost over £2 in parking. If the parking costs could not be dropped for Christmas to help retailers, she asked the council to think long term how it protected the most vulnerable in society, how to stop the retailers from losing their jobs and becoming the vulnerable.

Councillor Tisi commented that she had been to Windsor on the last two Sundays and it had been heaving. This was not because of free parking but because it was nearly Christmas. On the first Sunday there had been no signage at the college car park and people were unsure. The next week the signage at Victoria Street had fallen down. Therefore the council may not have lost as much income as it thought. It would have been better to spread footfall out across the week and in daylight hours.

Councillor Stimson commented that her experience of Maidenhead was that it was busy at weekends. In the last four or five weeks the Cabinet had been having discussions on how to balance the budget, it was a hideous situation and you could not say it was 'just' £30,000.

The Mayor advised Members that the 30 minute limit had been reached.

Councillor Davey concluded the debate by commenting that the draft budget stated the council would lose £1m in parking revenue, possibly another £2m. these were very

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round numbers yet Members were being told £30,000 could not be found? Mr McCormack was one of many business people working 24/7 to keep their business going and the council could not be bothered to find £30,000 because the motion had been proposed by Councillor Davey rather than a member of the administration. Those who voted against the motion would be putting a nail in the coffin for local retailers.

On being put to the vote, the motion fell.

<b>Motion on Notice a) (Motion)</b>	
Councillor John Baldwin	No vote recorded
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	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 Helen Taylor	For
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
<b>Rejected</b>	

70. REFERRALS FROM OTHER BODIES

i) Asset Disposal & Redevelopment

Members considered the disposal and redevelopment of a council asset.

Councillor Johnson explained that following the service reorganisation of the Family Centres, and to reflect that the existing buildings at Ray Mill Road East were no longer fit for purpose, the report proposed a partial disposal of the two properties to fund investment in much needed affordable housing. The service delivery would be reprioritised to the Pinkneys Green Centre. He thanked the work of Marius Gilmore in fighting for the long term survival of the centre.

Councillor Johnson highlighted the reference to the potential redevelopment opportunity at Ray Mill Road East and explained this was not a driving factor. In fact the car park of the Ray Mill centre would potentially be lost. The real driver had been the service reorganisation and the asset management review. Once the costs of refurbishment had been deducted, the council would also receive a useful capital receipt to reinvest or pay down debt.

Councillor Werner welcomed the move of the Family Centre to Pinkneys Green. He had been a staunch defender throughout the process so had been very pleased. He had held discussions with officers on the layout and design. Following his representations the design brief had been changed to emphasise the need for flexibility. He had no guarantee but he understood this would be taken into account. He suggested that some of the proceeds be used to build a new hall on the site. He was pleased that one of the old houses was going to be kept to generate revenue but he felt the 80% level would not be affordable to most people he knew. He suggested it be divided in a different way to allow for a real social rent.

Councillor Greg Jones commented that he was familiar with the current Family Centre and it was looking very tired. It was also in a poor location with difficult traffic flows. He fully supported the proposals.

Councillor McWilliams explained that he had mentioned during the Cabinet discussion that the involvement of Members and community champions was key, to ensure the most was made of the community development. He hoped all Members had looked at the recommendations in the proposed Housing Strategy. Councillor McWilliams thanked Marius Gilmore for his bipartisan and constructive approach, which was the best way to deliver for residents.

Councillor Davey commented that he was shocked at the number of references to a former councillor. The report was about the refurbishment of a property for the benefit of the wider community and this should be the focus.

Councillor Carroll commented that he was pleased with progress being made. The council had been seeking from the beginning to refocus the service in line with the evidence base on family hubs. He thanked Marius Gilmore for engaging on the issue.

Councillor Hill commented that he agreed with Councillor Davey. Although he appreciated the Conservatives were trying to get the former councillor re-elected, he felt it was an appalling display.



Councillor Rayner stated she felt the proposal was appropriate as the council would be managing its assets to provide a better family centre and affordable housing. She thanked the Director of Place and MD of the RBWM Property Company for their work on the project.

Councillor Johnson responded to the question about the 80% market rate. He explained that the property had been targeted at those ineligible for social housing yet who could not afford to pay open market rates. In terms of sections of housing need, it was aimed at the 'squeezed middle'. The future of the family centre had been secured following approval by Cabinet. It was a shame that some misinformation had been spread, which had rightly been pulled up by residents.

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

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

- i) Approves the investment report at appendix A.**
- ii) Approves a capital budget of £272,500 for the project.**

(Councillor Baldwin did not take part in the vote as he had not been in the meeting for the entire debate)

71. CONSTITUTIONAL AMENDMENTS UPDATE - DEVELOPMENT MANAGEMENT PANELS

Members considered an update on the procedures for Development Management Panels.

Councillor Coppinger referred Members to the decision taken on 26 May 2020 to create a single Development Management Panel to allow virtual meetings to take place as part of the council's response to COVID-19. At the time a 6 month review was agreed, with a Working Group being set up. Following a proposal by a Member of the Opposition at the May meeting, he had agreed an amendment to increase the number of Members on the Panel. Unfortunately, despite attempts, the Working Group had not met, for which he apologised to both Members and parishes. Whilst there was a strong chance of emerging from the crisis before the summer, the country was in a worse state in terms of infections.

Councillor Coppinger explained that the Panel had met on six occasions, with a seventh meeting scheduled for the following day. It had considered 22 applications; all but three had been in line with officer recommendations. There had been a real improvement in the discussions between Members and Officers before the meetings, meaning a number of issues had been resolved. In terms of public participation, as with all meetings, there had been a massive increase in public attendance. Parish representatives and the public had been able to address the Panel as usual and many had commented that they could now clearly see the presentations. The October 2020 meeting had over 1000 views; this was democracy in action. The only real issue was caused by a misunderstanding by the public and other organisations of the role of Panel Members. Councillors were appointed to make decisions based on national and local planning law; they were not appointed to represent their ward. The notification process to parishes and others and opportunities to speak were the same as before. Excluding Slough and Reading, the borough was the smallest Berkshire authority in area. Only one, West Berkshire, had two Panels before the COVID-19 crisis, but it

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was 3.5 times the size of the borough. Councillor Coppinger asked 'Should the single panel carry on indefinitely?' His answer was no, a review was needed and the Working Group must meet long before that date.

Councillor Reynolds commented that at the May meeting Members had been told the most important safeguard on moving to one panel was that it was time limited and had to finish in December 2020. There was a promise to set up a Working Group in September, but Members were now told this had not been possible. He pointed out that it had been possible to convene six Panel meetings though. Councillor Reynolds had undertaken some research and had struggled to find anyone who had been asked to be a member of the Working Group. His colleagues had predicted the intention never to bring back separate panels. He hoped this was not the case. Some meetings had run to 10pm or 11pm and no one could make good decisions at such a late hour.

Councillor Tisi highlighted that the report talked of the need for robust and efficient virtual meetings and suggested that having only one panel was the only way to achieve this. There was nothing efficient about meetings that went on from 6.15pm to 11pm, plus a technical briefing in advance. With the changes to call-ins the panel was seeing a lot more major developments requiring longer discussion. As each agenda included items for Windsor, Maidenhead and the rest of the borough, increasingly longer meetings were taking place. The council was prioritising efficiency over people. The increase in public participation was welcome but it was utterly unreasonable to expect them to sit through four hours of discussion before being able to make their representations. Officers would have done a full day's work before the meeting even started. As Members had to be present for the full debate, it was not possible to slip away. Councillor Tisi suggested maintaining one Chairman for shorter meetings, or two Chairmen splitting the allowance paid for the role. For officers the same number of reports would be needed but the workload was spread out. The report said there were no inequality issues however one Member of the Panel relied on hearing aids. He had said repeatedly that meetings over four hours drained the batteries. Councillor Tisi welcomed a proper review based on feedback from all those involved.

Councillor Hunt was pleased that the Lead Member had included the need for a Working Group; it would be helpful for the council to hear the views from parishes. It had been mentioned that there was a misunderstanding of the role of Panel Members by residents and parish councils, but they were fully aware of the politics behind this and that the Panel Members had to take into account planning policy. However at a recent Panel, they were very alarmed that an important issue was raised and wrongly stated by an officer. However, there had been no recourse for them to respond. This was why it was important to have someone who knew the area on the Panel. The issue at the recent meeting had been raised with the Head of Planning; no response had yet been received.

Councillor Knowles confirmed that long meetings were an issue for him as his hearing aids could only hold so many charges. During a day he could spend 14 hours in virtual meetings; it was not just officers that had full time jobs. He understood that the events in September/October with SERCO were probably a distraction in terms of getting the Working Group going. Some parishes did receive an email asking them what they thought; this seemed a bit strange in isolation. Localism was important: It was the reason Members were not invited to sit on Bracknell's panel meetings. Local knowledge was an important thing. The balance of the way the panels were formed previously was good. Although Members were not there to represent their wards they

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had a vested interest because it was around them. The length of meetings was arduous. There had been a technical argument to move to one panel to make the technical workload easier. This argument was rewriting as most people were now comfortable in the virtual environment. The officers produced plans for their geographic area anyway. Some of the more complex meetings meant a large number of officers were present. He had understood the move to the single panel and why the Working Group had not been able to meet but he was uncomfortable with a further six months before a review. The Working Group could be set up after a return to two panels.

Councillor Brar commented that parish councils had only received the email a couple of days ago so had not had time to respond to the paper. Officers were obviously finding it hard as she had been challenged by officers to withdraw her call-ins. She questioned whether Panel Members were visiting other areas and if not, how could they make valid decisions. She was disappointed that the Working Group had not been set up.

Councillor Davey commented that there were two sides to every coin. Members were not there to represent their ward specifically but planning law was there to be interpreted. By definition Members would be more interested in applications within their ward because residents would be knocking on their door and it was important to listen to residents. Councillor Davey explained that for the Aldi application had had chosen not to be on the Panel so he could represent his ward. He had learned a great deal from Councillor Hilton; he respected his independence and focus on detail. Panels were better with a mix of Members but a strength on local issues.

Councillor Rayner commented that when a single panel had first been agreed, it was not thought that COVID-19 would be around for so long. It was appropriate for a single panel to remain until the situation changed, alongside the Working Group review.

Councillor Hill commented that he struggled to support the proposal as the Working Group had not considered the situation. He believed there should be two panels. All were so used to the technology that the meetings could be pulled off with ease. He suggested that if a large agenda was anticipated, the applications be split over two meetings. Better knowledge of a local area was important.

Councillor Singh commented that he had received an email from a White Waltham parish councillor who was strongly against the proposals for a number of reasons. As part of the constitution, Members needed to listen to parishes. If local knowledge and skill was lost, mistakes could be made on big planning decisions.

Councillor Hilton commented that councillors everywhere liked to be involved in planning. Under the current circumstances it was important to stay with a system that worked. Once the Working Group was set up, it should consider other changes that came in with the formation of a single panel including the system of delegation.

Councillor Del Campo commented that it was not clear why it had not been possible to convene the Working Group.

Councillor Johnson commented that a lot of valid points had been raised. The issues would be reflected upon, particularly in terms of the Member meetings and balancing out the agenda whilst also getting business transacted. As a former Panel Member he

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recalled a number of late night finishes even when just considering business for Maidenhead. Agenda management was key.

Councillor Walters commented that local knowledge was very important and was best served by two panels. One panel was very unpopular and it took too long, leading to unsatisfactory decisions. He would vote for the 6 month continuation, but purely because of the virus. It was human nature to be more interested in your own area that you knew so well. Site visits were very important.

Councillor Sharpe commented that he did not think it was an ideal situation and it was not popular with people in the area. He suggested getting the working Group set up but then not wait for 6 months to undertake the review. He suggested a review at the end of March when hopefully the COVID-19 situation would have improved.

Councillor Baldwin agreed with Councillor Sharpe's comments. The Working Group should have been working 6 months ago and it was unconscionable that it had done zero. The excuses it could not be constituted were farcical given that the very panel it was meant to be considering had met six times and would be for a seventh time the next day. He endorsed Councillor Sharpe's comments and called upon the Lead Member to make sure the Working Group was properly constituted and up and running, from the following day.

Councillor Wisdom Da Costa commented that if the proposal for a three month review was moved as an amendment, he would second it.

Councillor Hill stated that he would be happy to propose the amendment, to change recommendation ii to read:

- ii) Agrees a further update report and review to be presented to Full Council in *March* 2021.**

Councillor Wisdom Da Costa seconded the amendment.

Members noted that there was no full Council meeting scheduled for March 2021, the next meeting was April 2021.

Councillor Hill therefore proposed the following amendment:

- ii) Agrees a further update report and review to be presented to Full Council in *February* 2021.**

Councillor Wisdom Da Costa seconded the amendment.

Councillor Coppinger stated that he did not accept the amendment as it would not be possible to meet this timeline.

Councillor Hill therefore proposed the following amendment:

- ii) Agrees a further update report and review to be presented to Full Council in *April* 2021.**

Councillor Wisdom Da Costa seconded the amendment.

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Councillor Coppinger stated that he did not accept the amendment.

Members debated the amendment.

Councillor Price asked for clarification that whether or not the amendment was approved, the Working Group would take place.

Councillor Coppinger explained that in his closing statement he had intended to apologise yet again that the Working Group had not been set up, and say that it would be started as soon as possible.

Councillor Cannon commented that some Members were requesting a review by a certain date prior to June 2021. Others were saying the decision should be to revert back to two meetings before a review. He was unable to support the amendment as he felt that it was setting a timeline for Member convenience rather than the asking officers and the Lead Member for a suitable timeline for a report to be put together. There was some inconsistency in the debate.

Councillor Hilton commented that he did not see the value of the amendment. The report suggested a review in six months' time. Two months was a nonsense; now Members were debating four months. He failed to see the difference with the proposal in the report. He wished to highlight the importance of giving due consideration during the process rather than taking a decision in haste. The current process was working remarkably well.

Councillor Walters stated that he could not support the amendment; it should be left to the Lead Member to decide the date.

Councillor Knowles commented that people were just trying to stop any drift in the Working Group being set up. He did not enjoy the meetings the way things were but he would like a mechanism to ensure the Working Group moved forward.

Councillor Carole Da Costa commented that nothing would necessarily be decided in two or four months but just that it should be reviewed, so it did not wander on and in six months the council found itself in the same position as today.

Councillor Carroll agreed with Councillor Walters' comments.

Councillor Taylor agreed with Councillor Knowles. Her concern was that the Working Group would be delayed in set up, therefore she asked the Lead Member to put a time frame on the set up of the Working Group.

Councillor Baldwin commented that, whether it happened the following week, or the month after, or the month after that, it was already six months behind. The Working Group was promised on 26 May. It had not met and to the best of his knowledge nobody had been approached to be on the Working Group. He certainly had not received any information, neither had any of his group. It was clear to him that when the lead councillor spoke about it on 26 May he had, as he had tonight, absolutely no intention of ever initiating it.

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Councillor Luxton commented that the debate had covered all the issues and she suggested moving to the vote.

Councillor Hilton commented that Members had forgotten that the planning team had been absolutely focussed on the Local Plan and it did not surprise him that the proposal had taken second place.

Councillor Wisdom Da Costa commented that residents were not happy with the way things were moving forward. It was becoming onerous to put everything into one panel and closure on the issue was needed.

Councillor Coppinger commented that he had never before been called a liar by a fellow councillor. He would not say any more until the return to the full debate.

Councillor Hill explained that he had been trying to be helpful in proposing the amendment. The public wanted a return to two panels. The council moved to one panel incredibly quickly for a good reason. He believed a return to two panels could be instigated very quickly.

Upon being put to the vote, the motion fell.

<b>Constitutional Amendments Update - DM Panels - Amendment (Amendment)</b>	
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	For
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 Helen Taylor	No vote recorded
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
<b>Rejected</b>	

Members returned to debate the original motion

Councillor Haseler explained he had chaired the single panel since its formation. It had met on six occasions and dealt with 22 applications. The Panel operated effectively with Members adapting to the virtual meeting environment very well. He thanked Members for their efforts and perseverance. All meetings had been streamed live on YouTube, making them more accessible to local communities. The single virtual panel had been subject to criticism. The main issue being that decisions were being made by Members from wards across the borough, with the perception that they did not possess sufficient local knowledge to make sound decisions. This concern was unsubstantiated. The Panel's role was to make defensible planning decisions based on valid planning reasons in accordance with planning policy and development plans, not to please people. Councillor Haseler did not believe Members had been unable to make sound decisions on applications in other wards. Any such claim was unwarranted and derogatory. Ward Members were able to address the Panel, along with Parish Councillors, objectors and supporters. This gave the Panel a broad spectrum of views to consider alongside the officer report and site visits. Decisions made by the panel would be scrutinised and could be subject to appeal or judicial review. Any such appeal would be decided by an Inspector or judge with likely far less local knowledge than Members of the Panel. Sadly COVID-19 was likely to be around for a while and therefore it would be some time before face to face meetings in the Council Chamber were possible. He could not see any justifiable reason at the current time to change the existing format.

Councillor Coppinger concluded by highlighting that he had already apologised that the Working Group had not met. He promised that the first meeting would be held at the end of January. It would take a number of meetings to complete the review. Officers were supportive of this proposal. He commented that when Members wanted to call in absolutely everything, he felt that officers had the right to ensure sound planning reasons were given for call-ins. Planning was a quasi-judicial role. If planning law was not followed appeals were made and the council could lose, which wasted everybody's time.

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

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

- i) Agrees to retain the amendments to the constitution as previously approved on 26 May 2020.**
- ii) Agrees a further update report and review to be presented to Full Council in June 2021.**

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<b>Constitutional Amendments Update - Development Management Panels (Motion)</b>	
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	Against
Councillor Karen Davies	Against
Councillor Phil Haseler	For
Councillor Geoffrey Hill	Abstain
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 Helen Taylor	No vote recorded
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
<b>Carried</b>	

### 72. MEMBERS' QUESTIONS

#### **a) Councillor Larcombe asked the following question of Councillor Hilton, Lead Member for Finance:**

The River Thames Scheme (Datchet to Teddington) was developed in order to give Datchet, Horton, Wraysbury and Old Windsor a similar level of flood protection as that enjoyed for eighteen years by Maidenhead, Windsor and Eton. My question is when was this Council first aware of the requirement for approximately £50m of partnership funding contribution?



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Written response: *Cabinet Regeneration Sub Committee on 26 September 2017 considered recommending to Council a future funding commitment to assist in delivery of the River Thames Scheme. The minutes record that the Council were aware that the Environment Agency had originally asked for £50m contribution.*

*Council considered a report on 26th September 2017 and resolved:*

- (i) £10m, split over four years, is added to the capital programme commencing 2020/21 (subject to delivery of the full scheme).*
- (ii) There is an agreement in principle of paying a flood levy of up to £500,000 per annum to the Environment Agency as a contribution to the operating and maintenance costs (subject to new legislation being enacted to make provision for this)*
- (iii) A delegation to the Head of Finance in conjunction with the Lead Member for Finance to develop and introduce a flood levy be approved.*

*Discussions about funding continued internally and with the Environment Agency River Thames Programme Board. Council considered the 2020/21 capital programme on 25th February 2020 and approved a capital programme which includes £10m over four financial years commencing 2020/21.*

By way of a supplementary question, Councillor Larcombe thanked Councillor Hilton for his precise response, from which he saw that the 22 September 2017 minutes of the Cabinet Regeneration Sub Committee (CRSC) recorded that the council was aware the Environment Agency (EA) had originally asked for a £50m contribution. Councillor Larcombe's original question asked when the council was first aware of the partnership funding requirement. The CRSC meeting began at 5.30pm. The report included a reference to a funding scheme gap of £228m but no reference to the sum of £50m. The minutes recorded that Councillor Love asked how the figure of £10m had been determined and the Chairman explained that the EA had originally asked for £50m which was beyond the means of the local authority. After debate, the CRSC agreed the recommendation. The Council meeting itself commenced at 7.30pm. The CRSC recommendation was item 10. It was Councillor Larcombe's observation that the Council was not aware of the £50m or that without the Royal Borough funding, it would not progress. After all these years, he asked who precisely was accountable for the failure of a £640m project?

Councillor Hilton responded that the fact that the council could not contribute £50m had not sunk the project; most of it was going ahead downstream. As far back as 2017, in order to fund the £10m, the council would have needed to set a precept or levy to raise the money over a period of time. The government refused to allow councils to set a precept and the money could not be borrowed because the council's finances did not have the capacity. The figure of £10m remained in the budget and would not be removed. The council would do all it could to fund the project affordably.

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

When were you first aware of the requirement for approximately £50m of partnership funding contribution from RBWM towards the cost of the River Thames Scheme Channel One through Datchet, Horton and Wraysbury?

Written response: *I can confirm that I was elected as Ward Councillor for Datchet in November 2018 and then elected as Ward Councillor for Datchet, Horton and Wraysbury in May 2019. At this time I was invited to join the Cabinet as Lead Member for Public Protection.*

*In July 2019, at the request of the then Leader of RBWM (Cllr Simon Dudley), I was asked to attend the River Thames Scheme Sponsorship Group, to be held on 22nd July 2019, in his stead.*

*It was at this meeting that I first became aware of the details and nature of the proposed funding requirement for the partnership funding, above the £10 million already in our budget line.*

By way of a supplementary question, Councillor Larcombe commented that apparently at the borough's Flood Liaison meeting on 29 October 2019, chaired by Councillor Cannon, the Environment Agency stated that Surrey County Council had approved funding and that meant funding for the scheme was now in place. He therefore asked, if Councillor Cannon had been aware of the borough's partnership funding problem since 22 July 2019 and the contradicting information since October 2019, what action did he take to highlight or remedy the situation.

Councillor Cannon responded that he had been made aware in July 2019 of the funding need. Ever since the council became aware, it was established with officers what communications had been made with the government about the levy. The statements by Surrey, misinterpreted by some people, that the scheme was fully funded, related to their contribution to the scheme being fully funded. At no time had the borough misled anyone over the fact that any contribution was subject to getting the levy from central government. Unfortunately they had been uncooperative over that matter despite representations by the Lead Member, Managing Director and other officers. The council was unable to fund the £43m required for Channel 1 to go ahead, but the council remained fully committed to the project and any funding needed when it could be afforded.

**c) Councillor Brar asked the following question of Councillor Coppinger, Lead Member for Planning, Environmental Services and Maidenhead:**

Judging from his comments in the local media the lead member seems content with the standard of service now being delivered by Serco. His rosy view is contradicted by reports of difficulties, particularly with assisted collections. What assurances could he give to the most vulnerable residents in the Borough that their collections will return to an acceptable level and when?

Written response: *We are aware that the standard of service offered to some residents receiving an assisted collection has been unacceptable and that there have been missed collections. We are working with Serco to focus on the areas of service that still need to improve. Work is ongoing to ensure that all crews are aware of the locations of assisted collections and that they are collecting and returning the bins of those residents receiving this service, on the scheduled collection day.*

By way of a supplementary question, Councillor Brar referred to Bigfrith Lane, Lower Road, and Anchor Court. She asked Councillor Coppinger to refer these specific locations to SERCO and advise her when this had been done.

Councillor Coppinger responded that he had given all councillors a full update earlier that day. He acknowledged that a number of areas in the borough had suffered the worst, including Eton, Windsor, Sunningdale and Bisham & Cookham. The service was now where it should be but there was always room to improve. SERCO had responded well to his requests to get the service back to where it should be.

**d) Councillor Brar asked the following question of Councillor Coppinger, Lead Member for Planning, Environmental Services and Maidenhead:**

For many years the residents of Cookham have been able to leave their Christmas trees for collection and disposal at a drop-off point in the car park on Cookham Moor. Last year service was withdrawn. Will this service be re-introduced for this Christmas season?

Written response: *Last year the owners of the car park on Cookham Moor did not give permission for the site to be used as a drop off point. This year permission has been given and the site will be available as a drop off point for local residents.*

*The following locations will be available across the borough from 4<sup>th</sup>-17<sup>th</sup> January. In addition Alexander Devine Children's Hospice and Thames Hospice will be offering collections of Christmas trees to raise money for the great work they do, on the 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> January. Details of how to book collections can be found on their websites. Residents who have a garden waste subscription will also be able to put their tree in their garden waste bin to be collected during January.*

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<b>Area</b>	<b>Location</b>
<b>Ascot</b>	<i>Recreation ground car park, Victoria Road</i>
<b>Bray</b>	<i>Car park, High Street</i>
<b>Cox Green</b>	<i>Ockwells Park, Ockwells Road</i>
<b>Datchet</b>	<i>Village hall car park, Allen Way</i>
<b>Eton Wick</b>	<i>Recreation ground car park, Haywards Mead</i>
<b>Hurley</b>	<i>Car park, High Street</i>
<b>Knowl Hill</b>	<i>Village hall car park</i>
<b>Moneyrow Green</b>	<i>Memorial Hall car park</i>
<b>Maidenhead</b>	<ul style="list-style-type: none"><li>• <i>Household Refuse &amp; Recycling Centre</i></li><li>• <i>Stubbings Nursery</i></li></ul>
<b>Old Windsor</b>	<ul style="list-style-type: none"><li>• <i>Church Road Allotments</i></li><li>• <i>Recreation ground, Robin Willis Way</i></li></ul>
<b>Sunningdale</b>	<i>Broomhall Recreation Ground, Broomhall Lane</i>
<b>Sunninghill</b>	<i>Victory Fields Recreation Ground, London Road</i>
<b>Windsor</b>	<i>Community Centre, Hanover Way</i>
<b>Wraysbury</b>	<i>Village Hall car park</i>
<b>Cookham</b>	<i>Cookham Moor Car Park</i>

By way of a supplementary question, Councillor Brar commented that every Member would welcome the useful list of locations. She asked how far in advance collection points were agreed and could the list be issued for 2021 at the earliest possible moment

Councillor Coppinger responded that he was sure that officers would issue the list as soon as possible, but negotiations with parties concerned took time and they often did not want to commit too early. He referred to the fantastic service offered by the Alexander Devine hospice and Thames Hospice to collect trees in exchange for a donation.

**e) Councillor Knowles asked the following question of Councillor Clark, Lead Member for Transport and Infrastructure:**

During the full council on the 28th July you undertook to provide me with a copy of the report on the trial street side EV charging points and the user information and reports

from the residents who benefitted from the free EV for one year offer. When am I likely to get this report?

Written response: *Connected Kerb have provided a briefing note to us capturing the headline outcomes from the trial, I have asked for some more information and this will be shared with Cllr Knowles once received; I anticipate this will be before the Christmas break.*

By way of a supplementary question, Councillor Knowles explained that the reason he was pushing for it was because he had heard from residents in the Boltons area that they had seen no effective kerb side charging, which had been an obstacle to electric vehicle ownership. It was not practical if you lived in a Victorian terrace on Bolton Avenue to run a cable across the street, so infrastructure needed to be in place. He was keen that the trial gained traction.

Councillor Clark responded that he had some information from the trial but he would have a lot more by the end of the week. He would be happy to share this with Councillor Knowles and to see how it could benefit residents especially those who did not have the option of off-street charging.

Councillor McWilliams raised a point of order. He had been sent a clip of an earlier section of the meeting in which his speech had been interrupted by Councillor Baldwin. He would be seeking advice from the Monitoring Officer on what he considered to be an offensive personal attack.

73. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

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