

AT A MEETING OF THE BOROUGH COUNCIL held as a Virtual Meeting - Online access on Tuesday, 27th April, 2021

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

Officers: Andrew Durrant, Adele Taylor, Tracy Hendren, Andrew Vallance, Emma Duncan, Simon Dale, Duncan Sharkey, Kevin McDaniel, David Cook, Mandy Mann, Karen Shepherd, Hilary Hall and Barbara Richardson

91. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Taylor.

92. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That:

- i) The minutes of the meeting held on 23 February 2021 be approved.**
- ii) The minutes of the extraordinary meeting held on 2 March 2021 be approved.**

93. DECLARATIONS OF INTEREST

Councillor Larcombe declared a personal interest in the item 'Petition for Debate' as he owned land in the floodplain.

Councillor Cannon declared a personal interest in the item 'Petition for Debate' as he owned land and resided in the floodplain.

Councillor Rayner declared a personal interest in the item 'Petition for Debate' as her family owned property and land in Wraysbury and Datchet.

Councillor Knowles declared a personal interest in the item 'Petition for Debate' as he lived in the floodplain.

Councillor Jones declared a personal interest in the item 'Petition for Debate' as she lived in the floodplain.

94. MAYOR'S COMMUNICATIONS

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

The Mayor also announced the launch of the Royal Borough's Garden in Bloom competition. The council had been running the competition for nearly 30 years to recognise and acknowledge the important contribution private gardens made to the appearance of a neighbourhood. He had always seen Garden in Bloom as the council's way of saying thank you to residents for the work they did in their gardens to brighten up their neighbourhood. This year's competition came as the country began to emerge from lockdown and he hoped it would play a small part in lifting people's spirits. The rules were the same as always: any garden visible from a footpath or road was eligible to enter. Nominations could be made by residents or anyone passing by the garden including, of course, councillors. Residents could enter online, by email, by post, or a councillor could simply select a garden they think was worthy of consideration.

All entrants would receive a newly designed certificate. In each ward there would be a runner up who would receive a certificate and a rosette as well. The winner in each ward would receive a certificate, a rosette and, thanks to the support of Maidenhead Chamber of Commerce, a £20 voucher to spend at the excellent Braywick Heath Nurseries.

95. ORDER OF BUSINESS

Councillor Davey proposed a motion to amend the order of business to enable Members to debate Motion d as, if it were successful, it would have an impact on the meeting. Councillor Hill seconded the motion.

On being put to the vote, the motion fell.

Order of Business (Motion)	
Councillor John Story	Against
Councillor Gary Muir	Against
Councillor John Baldwin	For
Councillor Clive Baskerville	For
Councillor Christine Bateson	No vote recorded
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

COUNCIL - 27.04.21

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 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 Chris Targowski	Against
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

96. PUBLIC QUESTIONS

a) Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Johnson, Leader of the Council:

How will the Royal Borough take advantage of the Government's Changing Places initiative to improve or introduce larger accessible toilets for people who cannot use standard disabled toilets?

Written response: *The Changing Places Consortium has recently been out to consultation regarding the locations for the new Changing Places toilets using the funding that was announced by Government. The council has responded to the consultation putting the borough forward as a location and this will be followed up by a letter to the consortium from the lead member.*

By way of a supplementary question, Mr Wilson asked when would RBWM residents know that the borough had obtained funding from the Changing Places scheme and how would the borough advise residents of proposed projects.

Councillor Johnson responded that there was no timetable yet confirmed. Once a definitive timetable had been confirmed, the council would be looking to go out to appropriate consultation on locations. The appropriate Lead Member would liaise with Mr Wilson and indeed all relevant parties at the appropriate time.

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

Highways improvements conducted under the Clewer & Dedworth Improvement Programme were assessed by officers to form a prioritised programme approved by Cabinet. None of these items were prioritised prior to the budget as the council was approving an area improvement scheme not a set of specific highways improvements. Should the CIPFA Report commissioned by this council have mentioned this point?

Written response: A copy of the CIPFA report is given in the link below:

https://rbwm.moderngov.co.uk/documents/s32109/meetings_200625_Cab_CIPFA%20REVIEW%20COVER%20REPORT%20JUNE%202020%20Cabinet%20DS%20v0.4.pdf

All capital schemes are prioritised by officers, regardless of whether the scheme is a specific area scheme or Highway improvement scheme.

In this rare case, the scheme was added as a member request after the prioritisation of the proposed capital programme had been undertaken by budget steering group.

The CIPFA report mentions that the scheme was not subject to a proper prioritisation process. 1.2 of the Executive summary reads as follows.

*“The Managing Director was concerned that the scheme failed to meet RBWM’s overall objectives, **that it was not subject to a proper prioritisation process**, that no business case or plan had been produced regarding the scheme’s deliverables and that there was no plan to demonstrate how it would be managed.”*

This issue has been addressed as part of the governance framework. It has not happened since nor will it happen in the future

By way of a supplementary question, Mr Wilson commented that Councillor Hilton’s only issued seemed to be that the scheme was included after the proposed capital budget was considered by the Budget Steering Group. His recollection of that meeting may differ from some of the other participants, therefore Mr Wilson asked if he would be prepared to publish the minutes and papers for the relevant meetings and a full list of attendees.

Councillor Hilton responded that he would need to discuss with the Monitoring Officer what could be disclosed. Having said that, had the proper procedures been followed and the £350,000 been approved, it would have been added to the fund for road maintenance, and roads on the reserve list would have been subject to improvement and refurbishment. That may well have included some of the roads in the Clewer and Dedworth Improvement Scheme, but in his view probably not all of them. Councillor Hilton stated that he would get back to Mr Wilson with a written response to his first question.

Written response provided after the meeting: *To gain some clarity I listened again to the supplementary question that you raised at Council on Tuesday 27th April 2021. Your question suggested that the only issue was that the Clewer and Dedworth scheme was included after the capital budget had been considered by the Budget Steering Group.*

The issue raised by CIPFA was that the request to fund the Clewer and Dedworth scheme was a late addition and was not part of the Highways Team prioritisation process. You will be aware that the highway network is assessed each year for structural condition and skid resistance through machine driven assessments. The results of these surveys are used to formulate a priority list of schemes for each road

class based on a condition rating. In addition, all requests by ward members, Parish Councils, residents, and area inspectors are considered to determine local priorities.

The Council has a formal and fair process for determining roads to be resurfaced within the available budget. As I mentioned in responding to your question had the proper process been followed the £350K for Clewer and Dedworth improvement would have been added to the road maintenance capital programme. This would have allowed more roads included in the priority list to be resurfaced which may or may not have included a number of roads in Clewer and Dedworth.

c) Adam Bermange of Boyn Hill ward asked the following question of Councillor Stimson, Lead Member for Climate Change, Sustainability, Parks and Countryside:

With reference to the governance arrangements included in the Environment and Climate Strategy, please could the Lead Member indicate when the current interim board will be replaced by a full Stakeholder Advisory Board, meeting on a bi-monthly basis as stipulated, and will she provide details of the stakeholder organisations to be represented on the Board?

Written response: We are currently reviewing the details of the stakeholder advisory board and the overall governance arrangements for the Environment and Climate Strategy to ensure they are fit for purpose and informed by best practice. We would expect that any board would be formed of experts across all four themes of the strategy with representatives from the public and private sector as well as the community and young people within the borough.

Whilst we put those plans in place, we continue to make progress in delivering the actions within the strategy, including securing £1.2M of grant funding to deliver energy projects across the borough, developing a borough-wide Biodiversity Action Plan and adopting an interim sustainability position paper to support more sustainable outcomes through the planning process. We are currently recruiting two new posts within the team to support delivery of our ambitious plans.

By way of a supplementary question, Mr Bermange commented that a vital addition to the strategy that arose through the consultation was the addition of the emissions trajectory including the ambitious yet necessary target of hitting 50% reduction by 2050. Whilst it was important to acknowledge the positive actions to date, it was troubling to learn that the governance arrangements were still being tinkered with when there was an already adopted strategy. Mr Bermange asked if Councillor Stimson share his concern that every day that went by without an advisory board in place allowing for full strategic oversight and progress monitoring, the chances of hitting the target slipped further out of reach?

Councillor Stimson responded that no, she was not concerned because she was involved in what was going on in the background. She had met the day before with the cross-party working group, the advisory board and another body in the process of gaining momentum. An enormous amount of work had been done in the interim including raising a significant amount of money from the government, the work that was ongoing with the biodiversity action group and recruitment of two new people for the strategy group.

d) Adam Bermange of Boyn Hill ward asked the following question of Councillor Clark, Lead Member for Transport and Infrastructure:

Would the Lead Member please indicate whether those Active Travel Measures proposals that did attract public support through consultation, including installing a zebra crossing on Boyn Hill Road, will be prioritised and go ahead as part of the 2021/22 Capital Programme and will these projects be eligible for Department for Transport grant funding?

Written response: As part of the consultation process, we committed to undertake further local engagement and consultation before committing to taking forward any of the schemes set out in the active travel consultation. Following discussions with local stakeholders, we are prioritising the schemes which had support in the initial consultation and are now moving to detailed design phase on them. There will be further consultation on these schemes and subject to the ongoing support of the local community and stakeholders for the projects, and confirmation of the funding, we would be able to deliver them during this financial year.

The council will engage and listen to residents' views as part of a wider 'big conversation' about walking and cycling improvements taking place later this year. That public consultation will include the opportunity to put forward ideas on how best to spend a grant of £335,000, which the council successfully secured via the Government's Active Travel Fund.

By way of a supplementary question, Mr Bermange commented that in relation to the 'big conversation' he felt this was certainly encouraging to learn about the renewed drive to engage with the public in a much more collaborative way. He asked the lead member to explain the process by which these ideas would be integrated into a cohesive infrastructure which included walking and cycling interventions already in place and or prioritised for delivery through the existing and emerging policies such as the Cycling Action Plan and the new RWBM Walking and Cycling Infrastructure Plan.

Councillor Clark responded that it was the Walking and Cycling Infrastructure Plan that would draw together all the current papers including the Cycling Action Plan, climate and sustainability agenda, promotion of bus and sustainable travel in general and form a holistic plan. The details of the 'big conversation', were still be worked through as there was a logistical element with making contact and enabling numbers of residents to input their ideas. There would be an opportunity for members of the public and Councillors to come forward with ideas to promote active travel within each ward and across the borough in general. This would enable the council to build a plan and a prioritised list which would enable the council to interface with government funding under specific criteria.

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

The Wider Area Growth Study part2 was due for delivery last year. Its remit was to "look at supply, capacity and constraints... to identify specific locations within its boundary where housing development could be deliverable and sustainable." Has RBWM received any drafts of this document, and have you now identified which sites could be deliverable and sustainable for housing development?"

Written response: *The Wider Area Growth Study is comprised of 2 parts, with Part 1 (Defining the area of search) published in June 2019. Part 2, Spatial options for accommodating future development needs of the Slough/M Maidenhead and Windsor urban area, was commenced in May 2020 and was expected to have been completed in late 2020. However, the completion of Part 2 has been delayed due to a number of factors. Firstly, the newly formed Buckinghamshire Council withdrew the South Bucks and Chiltern Plan District Local Plan from Examination. The Council has also withdrawn from various cross boundary studies, including the Growth Study. Secondly, at around the same time, the Government consulted on possible changes to the Standard Method for calculating housing need and so it was considered sensible to wait for this to be clarified before proceeding. However, the Standard Method has now been confirmed (along with the housing need) and Slough and the Royal Borough are committed to completing and publishing the Growth Study as soon as it is completed. No drafts of Part 2 of the Study are currently available. It is important to stress that the WAGS study will not allocate sites, or even recommend sites to allocate, but will instead generate high level spatial development options for consideration in future plan-making*

By way of a supplementary question, Mr Hill commented that the answer seemed somewhat self-contradictory. The Wider Area Growth Study Report 1 said in plain English that the second report would identify 'specific locations for sustainable house building. The answer given was at pains to say that was not quite correct. Councillor Hilton had said it was important to stress that the second study would not identify specific locations, instead it would generate 'high level spatial development options'. The project timeline on the council website which clearly showed they performed a site-specific greenfield opportunity review between June and July last year. Mr Hill asked if the steering group meetings had been provided with details of site-specific greenfield opportunities in the borough in the nine months since they appear to have been identified.

Councillor Coppinger responded that the WAGS group worked at a high level. Individual sites may have been put forward, but it was not looking at site level. It was looking at high level development options to inform future plan making. There was no requirement in fact to look at public consultation because it was at a much too high a level. However, once it was completed it would be published. There was also the need to review the impact of two partners withdrawing. The council was the lead and held the government grant. There was still a need to look at it, but it was difficult to proceed now.

f) Andrew Hill of Boyn Hill ward asked the following question of Councillor Hilton, Lead Member for Finance and Ascot:

The demolition of the Nicholson centre was projected to commence as early as July, and will presumably lead to a significant loss of business rate income for several years. What is the estimated loss of income to RBWM during the construction phase, and how will any such losses be balanced in the budget?

Written response: *The estimated loss of business rates income for the Nicholson's centre is £1,025,000 per year over the 5 year construction phase, RBWM's share of this is 49% therefore £502,250 per annum. The units in the Nicholson's centre that have a tenant are currently covered by the Government funded Expanded retail relief*

scheme until the 1st of July 2021 at 100% and this will then reduce to 66% relief subject to cash caps, this relief is covered by Section 31 grant paid to the Council from MHCLG. The RBWM income budget for NNDR reduces from £15,004,000 in 2021/22 to £12,129,000 in 2025/26 to reflect the regeneration schemes as shown in the Medium term financial plan included as part of the 21/22 budget that was approved at council in February 2021.

By way of a supplementary question, Mr Hill asked if he had got it right that in July 2019 the council had agreed to sell 50% of the Nicholsons' freehold for just £1m and even that was subject to costs of £470,000. And now tonight he had learned that far from earning £530,000 for the land, residents also lost almost £3m in business rates from the demolition. If the council had not done the deal with Areli, the council would apparently have been nearly £3m better off over the next few years. It appeared to be actually costing huge sums to give away the land near Crossrail. Mr Hill stated that he could not find any reference to the business rate losses in the documents put to councillors in 2019, in fact the report seemed to suggest it would save £140,000 a year from maintenance. Mr Hill asked Councillor Hilton if, when he was voting for the deal in 2019, was he made aware of the risks of significant losses in business rate income and did it worry him that the council got none of the profits and residents now needed to find £3m worth of savings and cuts to services nonetheless.

Councillor Hilton responded that the loss of NNDR or business rates was factored into the Medium Term Financial Strategy which was approved with the budget in February 2021, so it had been taken into account. The government had recognised that in the current climate businesses may not be able to pay their businesses rates, therefore councils had been given three years over which to load level any losses.

97. PETITION FOR DEBATE - RIVER THAMES SCHEME FUNDING

Members considered the following petition:

The Council honours its commitment to partnership funding of the River Thames Scheme

Andrew Vallance, Head of Finance, explained that the full details of the petition and the council's response were contained in the published report. It would cost the authority £1.3m per year for 50 years to fund the amount requested in the petition (£40m of additional funding for Channel 1). This would equate to an extra 2% council tax per year. Since there was no government action on the borough's request for a flood levy, it would unfortunately remain unaffordable in the present referendum limits.

Margaret Lenton, lead petitioner, explained that she was Chairman of Wraysbury Parish Council. She was speaking with the support of the Parish councils in Datchet, Horton and Old Windsor. Mrs Lenton reminded Members of the 2014 floods when Wraysbury, Datchet and parts of Old Windsor had been inundated and lives had been put at risk. Without the help of the army lives could have been lost. Families were evacuated and others suffered flood damage. The psychological damage was still apparent and was compounded when the Environment agency (EA) put out flood warnings. Flooding on such a scale had occurred in 1894, 1947 and 2003. Significant flooding was becoming more frequent and may be a direct result of global warming. The Prime Minister at the time and Royal Borough leaders had assured residents that

money was no object and the area would be protected. The EA had done considerable work to deliver the scheme between Datchet and Teddington. If there was an alternative, the EA would not have worked on the current scheme and spent such considerable sums of money. Having consulted with specialists, Wraysbury Parish Council was convinced there was no alternative scheme or short-term measures that would protect the village in the way the Jubilee River protected Maidenhead and Windsor.

The EA had suggested bringing in mobile flood barriers, but these would not protect all properties at risk and were opposed by residents as failing to provide adequate protection. Supporting the scheme would allow the borough to generate income by releasing land for development. Not going ahead with the scheme from Datchet to Egham had already proved detrimental as residents had had difficulty getting flood insurance. Councillors, in particular the ward councillors in Old Windsor, Datchet and Horton and Wraysbury, should understand the concerns of residents and the need for long-term protection.

Councillor Jones stated that on 16 February 2019 Councillor Dudley, then Conservative Leader, had said the Conservatives were investing millions in the River Thames Scheme (RTS) to stop flooding. There was no viable alternative to the RTS as stated in the EA Flood Risk Management Strategy Appraisal Report of August 2010. In October 2020 a report went to full Council to say the scheme was still needed but did not highlight there were no alternatives that gave the villages of Old Windsor, Datchet and Wraysbury the same protection that the borough had given to Maidenhead and Windsor. It was appalling that residents in riverside villages had been misled. There was no Plan B that would protect residents from a repeat of the 2014 situation.

Councillor Cannon stated that as a ward member for Datchet, Horton and Wraysbury, a resident in the flood plain whose property was at risk from flooding and having experienced working in the 2014 flood waters as a volunteer, flood alleviation was a personal issue as a resident. As the Lead Member for Public Protection, with the River Thames Scheme transferred to his portfolio by the previous Leader of the Council in July 2019, he was obviously in favour of funding flood alleviation. The administration was committed to the RTS and as mentioned in the paper at paragraph 2.14, as Lead Member, he was the person who had approached the Section 151 officer in July 2020 seeking a signed letter confirming the commitment to borrow the £41m, to meet the RTS steering group's conditions to keep Channel 1 in the scheme.

Various wordings and approaches were tried but none provided the reassurance to officers that it was financially responsible to commit to borrow the amount of money without a mechanism to repay it. This was due to no firm commitment or time frame being in place for the change in legislation to allow RBWM to breach the Council Tax cap, with an additional Critical Flood Infrastructure levy. That position had not changed. The decision to exclude the channel was made by the EA and the Surrey-led RTS Sponsorship Group, as a non-reversible decision in July 2020 (against the council's wishes). The scheme had now progressed as a two-channel scheme to the stage where it is being put forward for a Development Consent Order.

The Sponsorship Group would not agree to re-introducing Channel 1 into the scheme even if funding was identified due to the additional costs and delays it would bring to the wider scheme, but the weirs and channels of the scheme would be built to

accommodate the impact of any future Channel 1 or other upstream flood alleviation schemes.

Whilst the RTS Channel was not currently a viable option in its current form, the EA was working with the council to see what other schemes were affordable and deliverable to alleviate the flood risks in Datchet, Horton, Wraysbury and Old Windsor. Bearing in mind that the RTS would not provide any protection until 2029/30 at best, it was anticipated that local schemes could be installed and start to offer protection well before then. The borough's commitment of £10m had been ringfenced to contribute to these schemes as potential EA RTS Channel 1 funding. The EA and RBWM were also seeking other funding streams. RBWM, the EA and Councillor Cannon remained committed to work with its communities in providing deliverable flood alleviation to residents.

Councillor Knowles commented that he had a certain amount of sympathy for Councillor Cannon and recalled his role in the 2014 floods; he was as committed to the scheme as others. However, a series of promises had been made in the past, but when it came to the crunch they were not committed to. If the council decided to increase council tax by over 2% it would require a referendum. It was apparent there was leeway to establish a council tax increase above the cap by negotiation. It was a matter of priorities. It seemed that the council could commit a larger amount for a leisure centre for Maidenhead even though it was meant to be self-funding from development on the original site. This gave a worrying feeling that people's lives and property was not as important as the opportunity to go swimming. Councillor Knowles commented that his home insurance had increased by £250 that year. It was an anxious wait for residents watching the river rise and fall each time. Even if the scheme would not be in place until 2029 it would be something to look forward to.

Councillor Larcombe commented that due to time constraints he would give a condensed version of his submission to the meeting and then publish it in full after the event. He thanked and congratulated the Chair of Wraysbury Parish Council on achieving the 1,500 names required to get the petition debated. He also thanked those people who had added their names.

Councillor Larcombe explained that when he had been elected to the council in May 2019 he had thought his objective would simply be to see that the EA did the right job right this time. He was unaware that the project was already fatally flawed. He was concerned that an orchestrated narrative was being used to camouflage what had actually occurred. He had evidence that there were doubts about the partnership funding over four years ago. He had some concerns about the report. Section 2.3 on page 81 referred to '*the channel will be built in three sections*' but he questioned surely this was no longer the case? It was an important and long-standing proposal that now exposed the non-availability of a £50m partnership funding contribution from RBWM towards a £640m flood alleviation project that could and should have benefitted many thousands of people at risk of flooding downstream of Windsor. As a designated nationally significant infrastructure project requiring a development consent order the RTS had just lost a significant element of the programme.

Councillor Larcombe felt that the people of his ward and elsewhere had been sold down the river while the people of Maidenhead, Windsor and Eton had already benefitted from the construction of their flood alleviation scheme that was completed in 2002. The EA had organised a sponsoring group made up of councillors and officers

attending meetings in order to put the RTS funding arrangements in place. Councillor Larcombe had requested copies of agendas and minutes late last year. He was not sure when the first meeting was but he did know that at a RTS (Datchet to Teddington) sponsoring group meeting held on 22 June 2017 at the Thames Suite, Windsor leisure centre there was not one single RBWM councillor or officer in attendance. The minutes record that RBWM had already indicated they would be 'unable to commit a contribution at this stage' and that the sponsoring group were already preparing a plan b. Clearly there were doubts about the project funding even then. It appeared that the attendees at that meeting already knew what was coming and that was nearly four years ago. In his opinion this was not a covid related problem. After the CIPFA report the new council leader apologised and promised a new era of honesty, openness, transparency, and collegiate working. He was still waiting.

In conclusion Councillor Larcombe posed three questions:

- When did councillors first know about the need for the £50m partnership funding contribution?
- When did RBWM actually consider (and resolve against funding) the £50m partnership contribution?
- What was the council going to do about the problem and when?

Councillor Hilton stated that in order to move the issue to debate he proposed the motion in the report:

That Council notes the report and:

i) Reaffirms the commitment to delivering additional flood defence schemes for affected communities, but sadly recognises that the Council cannot fund Channel 1 as planned without flexibility over Council Tax or significant additional external funding;

ii) Reaffirms its commitment to continue to work with the Environment Agency and other partners to maximise the benefits of its £10 million investment;

iii) Notes that further enhancements would be possible should further external funding be provided.

Councillor Hilton commented that he could understand that residents in the areas affected by flooding were deeply disappointed that channel 1 of the scheme was not proceeding with channels 2 and 3. He had gone to Wraysbury during the 2014 flood and witnessed the despair of residents whose homes were flooded, residents who also showed amazing resilience. He recalled that the lead petitioner, Margaret Lenton, managed with considerable authority and ability the support hub at Wraysbury Primary School offering direction to residents, council officers and the army.

As Councillor Cannon had already said the council could only afford the additional £41m required to fund channel 1 if government approved an opportunity to for the council to introduce a levy to pay the cost. This had been made clear in the paper brought to Council in September 2017 when the £41m was discussed. There was an expectation that government would deliver on its promise. Despite considerable lobbying by Councillor Cannon and Councillor Johnson, the local Members of Parliament, and others, this failed.

The Head of Finance had made it clear that the council was unable to fund the £41 million. The impact of such borrowing would be the addition of £1.3million a year to the revenue budget for 50 years. This would increase the savings already shown in the Medium-Term Financial Strategy to £5.3m in 2022/23; £4.4m in 2023/24; £4m in 24/25 and just over £6m in 2025/26. These were big numbers and significant savings would therefore be needed. In setting the 2021/22 budget there was a red line not to put Children and Adults in Social Care at risk. That priority would be continued in future which would mean savings would need to be made from discretionary services. If the council were unable to make the savings a section s144 would be issued and the government would step in to run the council, which he did not believe would be in residents' interest.

Councillor Johnson commented that that he had referred to an era of openness and transparency in consideration of the CIPFA report. In that spirit he explained that the council now found itself in the position that it could not afford by the time the decision was taken in July 2020, to continue with its commitments to the RTS. This was a position taken with a heavy heart. As much as he would wish to commit in cash terms, the financial position simply did not enable it to do so. It was not possible to join the scheme late without significant increased costs. The £1.3m borrowing costs was based on a £41m cost of the overall scheme, not with the costs now the scheme had further progressed. The 2% additional council tax would increase year on year putting severe pressure on all finances and would not be a financially prudent decision to make. The council was already running at the limit of increases in council tax. He remained unconvinced wholeheartedly that the council would have won a referendum with the additional 2% increase. There had been no counter proposal in the last two budgets to propose such an increase.

A Councillor Cannon had stated, the council remained committed to delivering on its carbon reduction targets; he hoped this would in some way help with the flooding issues in the borough. The council would continue to invest in flood mitigation in what it could realistically afford. He heard constant calls from all parts of the council of the need to maintain a prudent approach. In his view the scheme was the type of project that should be funded at national level. The council had lobbied for a flood levy, but this had sadly not been successful. In terms of future projects, he was firmly convinced that projects of this scale should be funded nationally rather than by local authorities decimated by Covid-19 taking on unaffordable lending. He would continue to make that clear to Ministers.

Councillor Brar thanked Mrs Lenton, Chair of Wraysbury Parish Council, for getting the petition together with 1500 signatures. Councillor Brar commented that she knew what it was like to be neglected when it came to flood defence schemes. 2014 flood data indicated that the upstream rise of the river level at Cookham was high in comparison with other weirs on this section of the Thames. The risk of flooding from Hurley to Cookham could be reduced by increasing the capacity of the weirs at Cookham. After reading the report she could see the stretch from Hurley to Cookham had been left out from the scheme and would like to know why when Cookham had just experienced floods only in February of this year. Whilst examining the BLP even the inspector had asked the council to produce a note on the Thames Flood Scheme to explain what had happened, implications and future action required. Councillor Brar also asked if the Plan should safeguard land in connection with scheme.

In Cookham the council needed to improve out of channel flood flow on the White Brook. During minor flooding the three access roads into Cookham village were inundated and then closed by the police. The village became an island with only restricted access available over the Causeway bridge on Cookham Moor. The last of the three roads into the village that flood was the A4094 over Widbrook Common. Therefore, anything that reduced the flooding of this road improved the resilience of the village. The size of the culvert on the A4094 was inadequate being on a low embankment and the size of the culvert was critical. The borough had previously commissioned a design to replace the existing small circular brick culvert with a series of box culverts thereby significantly increasing the capacity. This proposal even obtained planning permission some years ago and she asked that it be reassessed.

Councillor Tisi welcomed clarification on the council's contributions to the scheme to date and the capital commitment going forward. In the letter to the BLP examiner the council had stated that contributions had been paid from 2015/16 and it said the same in the report today, and that there was a shortfall in the amount required to be paid by the council and the amount that could be afforded. It suggested £10m-£11m of contributions had been paid. Paragraph 2.5 of the report said contributions had been made towards planning and design works since 2015/16 and that the council had committed a further £10m from 2021 in the capital programme. She requested clarification on what the first £10-£11m had been spent on and whether value for money was achieved and if value for money on the further £10m could also be achieved.

Councillor Davey commented that the issue was cost versus risk. There was no profit in flood relief. As Councillor Knowles had said it was all about priorities. It was a gamble with the lives of residents balanced against potential profit on building high-rise flats. It was easy to blame others for lack of progress, for example the government would not allow a precept. Councillor Davey commented that 56% of residents in the 21/22 budget consultation had said that they would support a 7.5% or more increase in council tax, so he questioned why the council had ignored the opportunity to fund the scheme by holding a referendum. Councillor Davey addressed residents of Datchet, Wraysbury and Old Windsor to say if they were under water next winter, or the following fall, they would know where the blame lay.

Councillor Hill commented that he supported the petition. He lived at the lowest point of the River Thames and had experienced severe floods in 2000. The RTS scheme had been wonderful for Maidenhead and he had great sympathy for those flooded in 2014. A promise had been made by the borough and he questioned why it had not been honoured. He commented that the borough had been able to build a car park at Vicus Way, a leisure centre and other capital funded projects. It was grossly unfair that one part of the borough was protected, and others were not, especially when the council had made a promise. The public had said it would suffer an increase in council tax, it seemed unfair that the council would not ask the question in a referendum.

Councillor Baldwin commented that he was incredibly puzzled when Councillor Hilton had implied that additional borrowing and the interest costs was a burden that would be placed on older people and children. He presumed he had meant that this would be the challenge the additional borrowing would present on the adult and children's services budgets. Councillor Baldwin commented that if Councillor Hilton had seen footage of flood alleviation measures he would have seen the people most in need of

emergency services were older people and children. Sadly, the unsuccessful attempts to lobby the government was a failure to influence.

Councillor Bowden commented that one unknown fact may be that the River Colne was due to be placed in a culvert as a result of the Heathrow works. When asked, Heathrow had said that Staines was the pinch point where flooding took place. The EA and Heathrow had not resolved the issues therefore costs would increase and were unlikely to be met by Heathrow.

Councillor Coppinger referred to Councillor Brar's earlier speech in which she had referenced the BLP Inspector. Councillor Coppinger stated that he would read what the Inspector had said 'Clause 9 of Policy NR1 required land to be safeguarded for the various flood relief measures including a stretch of the River Thames that falls within the borough. At present the council is unable to contribute the necessary funding for the project to proceed, but remains committed to it if the financial climate improves. The scheme represents the optimum solution to address flood risk in the area and consequently it is justified for the land to remain safeguarded for now. However, it is not clear to me that the relevant land is marked on the sufficient policies map or legend. This should be checked to ensure the policy is effective'. Councillor Coppinger stated this was therefore a relatively minor administrative request rather than a major issue.

Councillor W. Da Costa commented that it boiled down to a commitment to residents in Datchet, Horton, Wraysbury and Old Windsor that would be equal to anyone in Maidenhead. They should not be looked upon as second class citizens and told it could not be achieved because the money could not be raised. Councillor W. Da Costa asked what opportunities had been looked at with the EA to monetise some aspects of the scheme, and what opportunities to raise a precept for the specific areas affected had been considered.

Councillor Hilton commented that he agreed with Councillor Johnson that the scheme should be funded by national government. In response to Councillor Tisi's question, he explained that in April 2015, council agreed for five years to fund work to the value of £255,000 to shape the scheme. Over five years that amounted to £1.425m. From 2021/22, £10m had been allocated that would be available over a four-year period. The £1.425m had been spent; the £10m was still available. Councillor Hilton disagreed with Councillor Davey's comment amount the cost of building high rise apartments. All the council's residential building was through joint venture partners and the schemes delivered capital receipts. Although he had not been around at the time, the minutes of the meeting in 2017 when the commitment had been made, stated that the commitment was conditional on a levy being available to pay for the scheme. No promises were made that could not be kept. There was an expectation that the council would be able to charge a levy to fund the scheme. Councillor Hilton also commented that the leisure centre either needed refurbishing or a new one had to be built, paid for through the sale of the original site. That work was ongoing. The administration had said that it would not cross any red lines that would put older people or children at risk, and it would not do that in the future. The burden of savings to fund the scheme would therefore fall on discretionary services that were so much enjoyed by residents across the borough. Councillor Cannon had made it clear in his speech that flooding remained a council priority and £10m was available in the council's finances.

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

RESOLVED: That Council notes the report and:

- i) Reaffirms the commitment to delivering additional flood defence schemes for affected communities, but sadly recognises that the Council cannot fund Channel 1 as planned without flexibility over Council Tax or significant additional external funding;**
- ii) Reaffirms its commitment to continue to work with the Environment Agency and other partners to maximise the benefits of its £10 million investment;**
- iii) Notes that further enhancements would be possible should further external funding be provided.**

Petition for Debate - River Thames Scheme (Motion)	
Councillor John Story	For
Councillor Gary Muir	Abstain
Councillor John Baldwin	Against
Councillor Clive Baskerville	Against
Councillor Christine Bateson	For
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Abstain
Councillor John Bowden	Against
Councillor Mandy Brar	Against
Councillor Catherine del Campo	Against
Councillor David Cannon	Abstain
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	Against
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 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 Chris Targowski	For

COUNCIL - 27.04.21

Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
Carried	

98. PETITIONS

No petitions were submitted.

99. REFERRALS FROM OTHER BODIES

i) Finance Updates including referrals from Cabinet

Members considered finance updates and approvals that required approval from full Council, either directly or as a referral from a recommendation from Cabinet.

Councillor Hilton explained that the report sought Council's approval for a number of changes to the Fees and Charges report approved at full Council in February and a further slippage in the 2020/21 capital programme. He explained that there were a number of corrections to the registrars' charges. As people may book a registrar service a year in advance the charges for both 2021/22 and 2022/2023 should have been included. Appendix A to the report detailed both the 2021/22 and 2022/23 charges.

From 30 June 2021 this year the shared building control services contract with Wokingham and West Berkshire Council would cease. Building control services would then be provided by the Royal Borough and fees and charges agreed as part of the Shared Service agreement would become the council's responsibility. The fees and charges agreed for 2021/22 for the shared services were proposed to continue to be implemented by the Council.

The delivery framework for the Thames Basins Heath Special Protection Area requires the provision of Suitable Alternative Natural Green Space (SAANG) as mitigation for development within 5 kilometres of the SPA. Developers were charged for the use of this green space. The schedule of charges was missed from the fees and charges schedule so were added as in appendix C.

A number of clarifications to Highways fees and charges were shown in Appendix D. The main changes were the separation of the administration fee from the licence fee to make the charges more transparent. Some gaps in the fee structure relating to unauthorised hoardings, scaffolding etc on major and highway amenity roads were also included.

At Cabinet on 25 March 2021 an increase in slippage in the capital programme by £9,917,000 was reported bringing to total to £34.911mn. The additional slippage was mainly Local Enterprise Partnership schemes and some highways, schools and property schemes. The list of schemes first published with the 25 March 2021 Finance Update report was shown in appendix E.

Councillor Baldwin expressed concern that a number of the mandatory consultees listed in the table on page 92 of the agenda had not commented on the report.

Councillor L. Jones commented that she supported the report coming forward as a step towards transparency.

Councillor Johnson thanked Councillor Jones for her comments on transparency.

Councillor Hilton echoed the thanks. All issues that required approval by full Council would as a matter of course come forward to full Council.

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

RESOLVED UNANIMOUSLY: That Council notes the report and:

- i) Approves the clarification to the fees and charges for Registrars 2021/22 set out in Appendix A.**
- ii) Approves the proposed Building Control fees and charges for the period from 1st July 2021 to 31st March 2022 set out in Appendix B**
- iii) Approves the Suitable Alternative Natural Greenspace (SANG) fees as part of the Strategic Access Management Monitoring (SAMM) fees for 2020/21 set out in Appendix C**
- iv) Approves the changes and clarifications to the Highways fees and charges for 2021/22 set out in Appendix D**
- v) Approves the forecast slippage recommended by Cabinet at its meeting on 25 March 2021, as included within the Finance Update report. Scheme detail is set out in Appendix E.**

ii) Code of Conduct

Members considered the new recommended Code of Conduct which had been published by the Local Government Association.

Councillor Rayner commented that this was an incredibly important report. When elected, Members took on a special responsibility to behave in a certain manner. She thanked the cross-party members on the Member Standards Panel for their input, as well as the work undertaken by the Monitoring Officer and Deputy Monitoring Officer. The Panel had agreed to recommend the model code with one amendment which would keep the value of gifts and hospitality to declare at £25. A new training programme would be developed and implemented. The model code had been discussed with parish councils at a recent meeting. The issue of sanctions would be reviewed at a later date.

Councillor Werner commented that he welcomed the changes. He was particularly pleased that the £25 limit would remain. He had referred the issue of recurring gift declarations to the Constitution Working Group.

Councillor Johnson commented that he welcomed the £25 limit being maintained; there was cross-party consensus on this. He broadly welcomed the adoption of a new code of conduct. In future he would like it to go further to ensure a high standard of ethics, probity, and civility particularly in relation to social media.

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

RESOLVED UNANIMOUSLY: That the Council:

- i) **Adopts the Model Code, with an amendment to lower the threshold for gifts and hospitality to £25 from £50 and addition of the following requirement, included in the current code:**

- You must undertake training arranged by the Council on equality and diversity within two calendar months of your election and annually thereafter***

- ii) **That a training programme for the new adopted Code be developed and presented by the Monitoring Officer after the next Council elections for the benefit of all new and existing councillors**

100. PROPOSAL FOR THE INTRODUCTION OF TWO NEW PUBLIC SPACES PROTECTION ORDERS (PSPO) IN WINDSOR, MAIDENHEAD AND ASCOT TO ADDRESS DOG FOULING, DOG CONTROL AND CYCLING PROHIBITION AREAS IN MAIDENHEAD AND WINDSOR TOWN CENTRES

Members considered the introduction of two new Public Spaces Protection Orders (PSPO) in Windsor, Maidenhead and Ascot to address dog fouling, dog control and cycling prohibition areas in Maidenhead and Windsor town centres.

Councillor Cannon explained that PSPOs were brought in as part of a government commitment to put victims at the centre of the approach to tackling anti-social behaviour, focusing on the impact behaviour could have on both communities and individuals, particularly on the most vulnerable.

The borough currently had two PSPOs in place. These PSPOs addressed the consumption of alcohol and restriction of a public right of way in Eton and were due to run until 28 November 2022. However, Community Wardens had received many reports in relation to dog fouling and out of control dogs. They had also received a request from the Parks and Countryside Team seeking further control and supporting the need for a dog control element.

Community Wardens had witnessed many incidents of people cycling through pedestrianised zones and causing alarm and distress to residents. The borough had also received many requests from residents for the pedestrian zones to be upheld as pedestrian only use, and that cyclists be required to dismount and not cycle through these key pedestrian areas. Further incidents had been reported to Thames Valley Police. Existing legislation for cycling on the footpaths related to Highways and did not cover the areas mentioned in the PSPO. The proposals had been widely consulted on with the public and an EQIA had been completed on the council website.

Councillor Cannon explained that the two PSPO's in the recommendation were:

- Public Space Protection Order (dog control and dog fouling) for Dog control (Borough wide). The requirement for a dog to be put on a lead at the direction of an authorised person. Dog fouling (Borough wide). An offence is committed when the person in charge of a dog fails to remove faeces deposited by the dog.

COUNCIL - 27.04.21

- Public Space Protection Order (Cycling). Specified pedestrianised zones. Cycling on the highway in pedestrianised zones of High Street, Maidenhead and the pedestrianised zone of Peascod Street, Windsor.

Both PSPOs would be enforced by the police and Community Wardens.

Councillor Davey commented that it was great that officers had sorted out the admin and put the law in place. As he understood it, they would be enforced by both the forces of light and dark. The good cops, the Community Wardens, decimated in recent financial reshuffle, would do their best. There had been a great story that week about an overgrown garden underlining their style problem solving and being considerate to residents. The District Enforcement Crime Officers were known for their not so light touch. He hoped that the manager of the team could be successful in coaching of the external team.

Councillor Baldwin commented that the proposals had originally been slated to come to a Sub Committee meeting on which he had been a panel member. He had therefore undertaken a lot of preparation. He had concerns about the scope of enforcement activity in north Maidenhead. There were a number of popular dog walking areas owned by the National Trust. He requested clarification on whether enforcement could take place on this land. Councillor Baldwin commented that there was an important cycling route north-south through Maidenhead town centre to access the railway station. There was a narrow gap on the route between West Street and Kings Street without any warning signs that the area was restricted. He was also concerned that cyclists would be asked to dismount and remount a number of times as different areas were included or not included in the PSPO. Councillor Baldwin commented that secure cycle parking had been relocated to the front of the station. It made sense to be able to continue the journey uninterrupted. The Nicholson's Centre did not even allow cycles to be walked in the centre. He wanted to ensure that the cycle parking frames outside were to be retained.

Councillor Stimson welcomed the proposals. The cycling proposals were good, particularly in high footfall areas. However, as Councillor Clark had referenced earlier, there was a current review of sustainable travel taking place. The message on dog behaviour was a strong message and a very important one.

Councillor Knowles commented that he considered himself a responsible dog owner but unfortunately he had irresponsible dogs therefore he kept them on leads. Enforcement was welcomed. It was also a good idea to enforce on dog fouling. Some people left dog bags on trees therefore he hoped the scope would be wide enough to cover this issue. Once the scheme was embedded, he hoped it could be widened to other designated footpaths. He had some reservations on the involvement of District Enforcement but welcomed the involvement of Community Wardens.

Councillor Sharpe commented that the proposals were something that all could support, but he would welcome the scope being widened to include the south of the borough. The cycling proposals would need careful introduction to ensure the right controls were in the right place.

Councillor Singh commented that dog fouling was an issue in his ward however he felt a fine of £100 was quite high, particularly for cyclists. Clear demarcation was needed alongside a four-week education programme. Residents had raised concerns over District Enforcement about the fines raised and money escaping the borough. The

Wardens were very capable and had a good relationship with residents. Any fines collected should be put back into council services.

Councillor W. Da Costa commented that it was never the dogs that were the problem, but there were a number of errant dog owners who did not pick up after their dogs therefore the proposals were welcomed. He asked what signage, education and engagement would be implemented. He supported the suggestion by Councillor Singh to reduce fines to £50; this level would be deterrent enough.

Councillor Bhangra commented that you could not blame the dog; tougher action was needed on owners.

Councillor Rayner commented that she was pleased that the dog fouling PSPO would be borough-wide. She highlighted that the fine reduced to £75 if paid within 10 days. The proposals showed the borough was listening to residents' concerns.

Councillor Cannon commented that he did not believe he had referred to District Enforcement, he had mentioned the police and Community Wardens. Consideration would be given to whether District Enforcement were to be used, but if so it would be under the council policy of education before enforcement. Signage and publicity would take place and a policy of a warning for first offence. The fines had already been agreed in the fees and charges schedule. The proposals were not to persecute residents but change behaviour. Owners who allowed their dog to defecate and not clear up afterwards were a blight on society. Councillor Cannon reminded Members that it was already a police offence to cycle on the pavement. The PSPO would allow the Community Wardens and police to ensure people dismounted in pedestrianised areas. The PSPOs would be reviewed annually. It was confirmed that the PSPOs applied to the whole of the borough, including National Trust land open to the public.

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

RESOLVED: That Council consider the data collated from the PSPO consultation and the evidence collated over time, and approve the introduction of two new orders to be in place for a period of three years, as set out to address dog fouling and dog control and to prohibit cycling in the High Street, Maidenhead and Peascod Street, Windsor.

Proposal for the Introduction of Two New PSPOs (Motion)	
Councillor John Story	For
Councillor Gary Muir	For
Councillor John Baldwin	Against
Councillor Clive Baskerville	Abstain
Councillor Christine Bateson	For
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	For
Councillor John Bowden	For
Councillor Mandy Brar	Abstain
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

COUNCIL - 27.04.21

Councillor Wisdom Da Costa	For
Councillor Jon Davey	For
Councillor Karen Davies	For
Councillor Phil Haseler	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Lynne Jones	For
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	For
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 Chris Targowski	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Councillor Simon Werner	For
Carried	

101. CONSTITUTIONAL AMENDMENTS

Members considered a number of constitutional changes.

Councillor L. Jones commented that as the proposed Constitutional Working Group was not a committee of Council and not subject to political balance rules, she would prefer that Members of whatever party had a particular interest in the constitution or the right skill set should be allowed to join it.

Councillor Hill suggested an issue the Working Group could consider would be lowering the requirement for 1500 signatures on a petition before it could be debated at full Council. He had researched other local authorities, a number of whom had lower limits.

Councillor Rayner highlighted that the constitution was a living document and therefore she welcomed the idea of a working group to provide flexibility and make democracy work better in the borough.

Councillor Johnson commented that he would hope that all respective groups would have Members with the right skill set and desire to look into constitutional matters; the working group would therefore reflect political balance. Group Leaders should look to appoint the most appropriate Members from their respective groups. Members had not that long ago debated the threshold level for petitions for debate. He also highlighted that Council had recently debated three substantial petitions on Maidenhead Community Centre, Maidenhead Golf Course and Flooding; these were exactly the sort of issues that should be debated at full Council level. He had looked at levels in other authorities and some were significantly higher, but also allowed for other

mechanisms such as a debate at Cabinet or a meeting with the appropriate officer or lead member.

Councillor Johnson referred to the change in job title from Managing Director to Chief Executive, which aligned with other local authorities. He confirmed there were no changes to terms and conditions.

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

RESOLVED UNANIMOUSLY: That full Council notes the report and:

- i) Approves amendments to the constitution detailed in Section 2 and Appendices A- E**
- ii) Delegates authority to the Monitoring Officer to update as appropriate and publish the council constitution.**

102. URGENT DECISION

The Chief Executive, Duncan Sharkey, explained that urgent decisions were not regular occurrences but there was provision in the constitution to take such action following consultation with the Chairman of the relevant Overview and Scrutiny Panel. In taking the decision, he had consulted with the Chairman of the Infrastructure O&S Panel and the Mayor as Chairman of Council, as normally such an addition to the capital programme would come to full Council. The Leader of the Council, Group Leaders and the Chairman of the Corporate O&S Panel were also notified. The decision was urgent because the council only had a certain number of days' notice of the auction. The council had been successful at auction in purchasing the property at a figure lower than it would have been prepared to pay. The property would be used by the housing team and also offered a savings opportunity.

The Mayor explained that there would now be an opportunity for Members to ask questions of the Chief Executive.

Councillor W. Da Costa asked for clarity on the authority for the decision, which he believed to be the homelessness and rough sleeping strategy. He asked how many families were in temporary accommodation after the extra 10 units that had been acquired. Councillor W. Da Costa commented that the current local authority housing rate meant the ten units would equate to £113,000 but the report said the council was only getting £95,000-96,000 which would suggest a 2-month non-occupancy rate during the period. He would have expected the extra increment of 56% for temporary accommodation to be much higher. Councillor W. Da Costa requested confirmation of the rate of return. In relation to the environmental case he asked whether the refurbishment would look to use carbon neutral processes and would an ecologist be asked to look at biodiversity enhancements. In terms of ongoing operations, he asked if the property would have net zero energy use.

Duncan Sharkey responded that the decision supported both the current and emerging strategy to look to improve the quality of and control the council had over accommodation and reduce costs. The current figures were 250 homeless households in temporary accommodation, down from 268 in December 2020. The purchase did not change the figures as the council already used eight of the nine available units. Part of the rationale to purchase the property was the potential to purchase further

units in future. Mr Sharkey confirmed that the provision that was made for voids and bad debt was 4% of the income costs. He also pointed out that the appraisal and the finances were different things. The appraisal made clear that had the council paid the maximum it had been prepared to go to, the payback would have been around 20 years. The council would be borrowing over a longer term thereby reducing the minimum repayment provision and the interest in the short term and inflation would eat away at those figures over time. The property did pay for itself in appraisal terms over a 20-year period and made a return on top. The figures Councillor W. Da Costa quoted were at the assumed level of local housing allowance that the council wanted to pay rather than the current private sector rate which could be £100-£150 more. In relation to sustainability, the council would look to do as much as it could on biodiversity and energy efficiency, as it did with all council properties. It was important to bear in mind that older residential properties were unlikely to get to passive house standards but as technology improved improvements would be made.

Councillor Werner asked what the benefit was of transferring the property to the RBWM Property Company and why has this been part of the urgent decision when it was only the authorisation to purchase at auction that was needed. The urgent decision allowed for an upper bidding limit of £1.4m with on costs of £.147m, giving a total capital funding requirement of £1.6m, however the winning bid was only £1.2m therefore he asked why Council was still asked to add £1.6m to the capital programme. Councillor Werner asked if the council was planning to house families with children in areas that were not self-contained. He asked if the council had an exemption from the requirement not to house families in such conditions for more than 6 weeks, i.e. would the B&B cease to be classed as privately owned. In relation to sustainability, he asked for the energy efficiency rating of the building and whether the refurbishment costs took into account appropriate measures. Councillor Werner also commented that he was aware that some neighbours had expressed concern about anti-social behaviour associated with the property and asked what additional safeguards had been put in.

Duncan Sharkey responded that the transfer to the Property Company was in the decision because it was needed for the appraisal. Before seeking Secretary of State approval for the transfer, the council would make sure the property was held in the best way for the taxpayer and resident. The decision to add £1.6m to the capital programme had already been made prior to the auction. The paper was reporting that this had already happened. The expectation was that the balance would be handed back by the end of the financial year. However, if there was a need for investment, for example to improve energy efficiency that may be something the capital programme board would be happy to do. A very small allowance had been made in oncosts for refurbishment of £1000 per room and a small sum for general repairs. Duncan Sharkey explained this was before any detailed survey had been undertaken.

Councillor Hill asked how the council had arrived at the price it was prepared to pay and the estimates for refurbishment. If it did not work, he also asked for details of the exit strategy.

Duncan Sharkey explained that the estimates for the bid were based on the appraisal for the use of the property as temporary accommodation. This was calculated by looking at what the council currently paid for accommodation and the amount it would pay in future. The appraisal was based on likely income based on local authority housing rates. Any tenant eligible for housing benefit would be expected to make a

claim. £1.2m was the reserve price therefore any lower bid would have been unsuccessful. The exit strategy if the council decided the property would not be operated in future would be disposal. It had an ongoing use as a B&B or potential conversion as a residential property.

It was confirmed that the current energy efficiency rating for the property was EPC – rating C which complied with all regulations to let the building.

Councillor Davey commented that in 2011 the cedar tree outside the property was going to be chopped down as there was talk of subsidence. He therefore asked if this was an issue in the building survey.

Duncan Sharkey explained that on the timeframe available it had not been possible to undertake a comprehensive survey. A visual inspection had not detected significant subsidence other than normal settling for a property of that age. The council would have some warranty from the auction house and vendor for certain issues.

Councillor L. Jones asked if, when the appropriate place to hold the property was being considered, that the wider finance situation would be taken into account including corporation tax.

Duncan Sharkey confirmed that the work would be undertaken in full. The Property Company had been set up to allow the council to manage residential accommodation. A review of the Property Company was underway, but he hoped that the desire to hold stock would remain as an objective. The benefit of transfer would ensure better management by experienced residential managers.

Councillor Rayner explained that the property was in her ward. It was important to house people in temporary accommodation as close to home as possible. Since the report had been published, she had been contacted by a number of concerned residents as the property was opposite a primary school. The residents had put in contact with the relevant officers and Lead Member to address the concerns. A meeting had been held earlier that day with the school.

Councillor McWilliams commented that the decision showed the council putting its principles into action to support vulnerable people. Three years previously the borough had been condemned for its approach to homelessness. Now it was buying stock to deliver services at lower cost. The covid situation would unfortunately increase the rates of homelessness, particularly when the furlough scheme and eviction ban ended. Councillor McWilliams explained that the council would look to establish a residents meeting to address the concerns raised. The meeting with the school leadership earlier that day had been productive. Comprehensive risk assessments for all new residents would be undertaken.

Councillor Johnson commented that the decision was supportive of the broader strategy to ensure an ongoing package of support and deal with the current levels of homelessness and any future growth. There was a need to be fleet of foot in property acquisition, however such an urgent decision would be the exception rather than the rule.

It was proposed by Councillor Johnson, seconded by Councillor McWilliams, and

RESOLVED UNANIMOUSLY: That Council notes that the urgent decision has been taken and that up to £1,611,500 is added to the 2021/2022 Capital Programme.

103. MEMBERS' QUESTIONS

No Member questions had been submitted.

104. MOTIONS ON NOTICE

Motion a)

Councillor Bond introduced his motion. He explained that the council had significant involvement in the health and care system, through its Health & Wellbeing Board and its responsibilities for public health and the Better Care Fund. With the significant changes going on he had felt it was an appropriate time for councillors to be better aware in order to make the system and changes more accountable. Because the changes were evolutionary, it would be easy for the ground to move without there being a particular point at which the council took stock.

As well as increasing cooperation among different parts of the system rather than working in silos, another trend had been to become geographically larger in order to capture economies of scale. For example, when the Clinical Commissioning Groups (CCGs) of GPs started, the local one covered most of the borough. They then started working more closely with neighbouring CCGs, and now all they all worked together in an organisation called 'the collaborative' that covered the same six council areas as the Frimley Hospitals Trust and the Frimley Integrated Care system, a population of 800,000. There was potential for tension between organisations covering a big geographical area and therefore perhaps feeling distant and on the other hand the importance of place and councils' knowledge of their local area. The motion therefore set out areas that the council might consider to be important. To give an example, he had not seen much comment on the role of GPs in the new structure but involving them more in how health and care services were run seemed to be to be one of the good aspects of the last government reorganization, as they had experience at the front line. On health prevention, health inequalities and mental health, although he was not suggesting they were being overlooked at the moment, in the past he was sure they had felt like the poor relation of health services so the motion highlighted their importance.

The White Paper provided a framework rather than being prescriptive about detailed organisational structure, so a lot of the local arrangements were down to local decisions. Councillor Bond commented that it would be wrong to take the message from this that the White Paper was all 'motherhood and apple pie'. There were proposals about increasing the Minister's say over the running of the NHS that had been more controversial, however those did not seem relevant to a motion from the perspective of a local council. Councillor Bond explained that he had added the last point about looking forward to government proposals on the funding of social care because otherwise it would be a an elephant in the room.

Councillor Carroll commented it was an interesting motion and raised some reasonable points although he had been disappointed that Councillor Bond had not

reached out to him as he felt some improvements could have been made. However, he was broadly supportive of the motion. The point about competition needed to be placed in the proper historical context. Labour had introduced the 'any willing provider' scheme and the Health and Social Care Act still stood as the principal piece of legislation for the English NHS. The coalition government had then moved to 'any qualified provider' with a number of constraints. NHS Improvement and the Care Quality Commission were introduced to ensure the competition point was not simply an internal market but to allow a diversity of supplier to ensure the patient could get what was best for them. The principle of cooperation was enshrined in the NHS constitution. It was also important to acknowledge the outstanding contribution that Frimley ICS had made and its ongoing record of delivering a world class vaccination programme. The White Paper already mandated a broad stakeholder involvement in the proposals. This informed the ongoing consultation process on the White Paper. It was not possible to view the White Paper in isolation to Public Health. There was a critical need to have an intrinsic connectivity to the newly formed UK Health Security Agency. A centrally funded solution for adult social care remained vitally important and the council would continue to push for this.

Councillor Coppinger explained that he had previously been responsible for Public Health and had chaired the first Health and Wellbeing Board. He had worked with the three CCGs and the Chief Executive of Frimley. This had now evolved into the ICS. Over time, the NHS realised the value of working with local government as the only people who really understood place. They also realised they had to work closely with doctors. He was supportive of the motion in terms of the direction all wanted to go in.

Councillor Stimson supported the motion. She had been invited to take part in debates of a group called the Public Policy Project. The issue was being debated earlier in the week, including how to integrate the whole health and wellbeing system.

Councillor C. Da Costa commented that the issue would continue to grow and evolve; it was just one part of the full picture of how to integrate public health. The council was already working hard to improve the delivery of care services. The current transformation consultation was looking at innovating concepts in providing services to the vulnerable in our communities. The Health and Social Care White Paper referred to the avoidance of a one-size-fits-all approach and left many decisions to local systems and leaders. The motion would enable the council to build on the consultation by including all service providers and users to aspire to provide a seamless, individual care driven service, especially as there was an increase in the numbers of people reliant on multiple services. It was essential that the council worked together with the NHS, care services and the voluntary sector to provide the best level of service at the best value for money. This would require a new inclusive way of working. It may have its challenges, but it would lead to the seamless wrap around service all desired for the most vulnerable and needy in the Royal Borough.

Councillor Bond commented that he hoped the debate had at least updated people and encouraged them to take an ongoing interest.

It was proposed by Councillor Bond, seconded by Councillor C. Da Costa, and:

RESOLVED UNANIMOUSLY: This Council:

- i) Notes approvingly that in putting the Integrated Care Systems (ICSs) on a statutory footing and encouraging cooperation rather than competition, it**

is essentially an evolutionary change rather than a top down reorganisation of the NHS.

ii) Considers that the following should be part of the development and implementation of the proposals:

- a. The ICSs should encompass a range of stakeholders including doctors (GPs) to continuing to give them a voice, and local authorities to reflect peoples' 'place-based' experience of health and care services**
- b. Besides continuing to improve collaboration across health and social care, that decision-making bodies recognise the importance of effective prevention & public health, addressing the social determinants of health and wellbeing, and of mental health services.**

iii) Looks forward to the government's proposals on the funding of social care.

Motion b)

Councillor Rayner introduced her motion. She explained that the legislation allowing virtual meetings to take place would cease on 7 May 2020, therefore the motion proposed that the date of Annual Council be amended. The benefits of virtual meetings had included better communication, transparency and democracy.

Councillor Johnson commented that in line with most councils, the borough would support the call for councils to have the right to hold meetings virtually. In the long term a return to face to face meetings would be welcomed but whilst the pandemic continued there should be flexibility. Virtual meetings had worked broadly well allowing the business to be managed whilst giving the public access and the ability to hold councillors to account. The proposal would allow the Annual Council meeting to be held in a covid-safe way without the need to hire a large venue.

Councillor Stimson supported the motion. At a Rotary meeting she had spoken at the previous day, a young person had said that virtual meetings had afforded much better public access and there were environmental benefits. However it had been alleged that the council had one of the highest mileage claims. The borough was quite large, and some members therefore had to travel quite far. If meetings could continue virtually, this would be a positive.

Councillor Tisi commented that online meetings helped with accessibility for those with disabilities and caring responsibilities. It helped a range of people to become involved in the democratic process.

Councillor L. Jones commented that she had found it a lot easier at times to access meetings online but she was aware that some officers and Members did not have separate spaces at home and therefore meetings could be disruptive to families.

Councillor C. Da Costa commented that internet problems could be a disadvantage. As someone who was disabled the ability to hear the debate whilst also being able to walk and stretch was very helpful. She could see both sides of the argument.

Members noted that if the High Court decided that virtual meetings could continue, the decision had already been taken to amend the date of Annual Council.

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

RESOLVED UNANIMOUSLY: This Council:

- i) Agrees to amend the date of Annual Council from 25 May 2021 to 4 May 2021; and as a result:**
- ii) Agrees an Extraordinary meeting of full Council be held on 29 June 2021 to consider the Development Management Review.**
- iii) Agrees that for the municipal year 21/22 only, the requirement in the constitution for each Overview and Scrutiny Panel to meet within 30 days of Annual Council be waived (noting all O&S Panels already have a meeting scheduled in June 2021)**

Motion c)

Councillor Johnson introduced his motion. He referred Members to the budget agreed at full Council in February, as part of which Members had agreed a pay rise for officers of 2%. This was the first time in a significant number of years that staff had received an increase. Member allowances were index-linked to staff pay rises. He had made a commitment at the meeting to bring forward a motion to forgo the increase in allowances given the broad agreement when Members had considered the Independent Remuneration Panel report in late 2020.

The Mayor considered a point of order by Councillor Baldwin but determined that no point of order had been raised.

Councillor L. Jones commented that the basic allowance and special responsibility allowance was paramount in ensuring that a wide cohort of residents had the opportunity to represent their area as a Borough Councillor and bring differing skill sets and outlooks to the council. All were aware that councillors could forgo part or all of any allowance at any time by writing to the Head of Governance. The motion did not compel Members to do so, it just said that they should. She completely supported the fact that councillors should be foregoing the indexation but, in recognition of the financial situation that local charities found themselves in and their lack of opportunity to hold normal fundraising activities she put forward the option of giving the indexation to charity.

Councillor Jones also acknowledged the financial situation RBWM was experiencing and the cuts to services such as libraries, that no Member wanted to see. Therefore, to support these services she proposed that Members consider foregoing 10% of their Special Responsibility Allowance (SRA) and it being used to offset these reductions.

Councillor Jones proposed the following amendment:

COUNCIL - 27.04.21

This Council believes that all Members should, under Regulation 13 of the (LA Members Allowances) Regs 2003 and as detailed in the RBWM Members' Allowances Scheme, either give notice in writing to the Head of Governance that they wish to forgo the indexation applied in 21/22 in relation to the Basic Allowance and any Special Responsibility Allowances they receive or donate the amount (less taxes) to a local charity. Members in receipt of a Special Responsibility Allowance should also give notice in writing that 10% of their allowance should be transferred into a council department budget of their choice.

Councillor Hill seconded the amendment.

Councillor Baldwin commented that Members should give the proposal serious consideration as residents were being asked to pay more for less. Everyone he had spoken to about the SRA had said that when they had voted for councillors they had only been aware that Councillors would receive the Basic Allowance and therefore they had not provided a mandate for any other remuneration. SRAs were in the gift of the Leader and were the source of political largesse. SRAs were sold on the idea of burdensome duties but this argument ran into difficulties when the Licensing Panel Chairman had had to dust off his skills for just one meeting in the last municipal year. The figure of £6107 was eye watering in addition to the Basic Allowance. However, this example paled into insignificance in comparison to the committee that had never met. Those who supported the amendment would be able to hold their head up in May 2023.

Councillor W. Da Costa commented that some who took up the role of councillor relied on it as supplementary income for the additional time put in. Therefore, he did not believe it should be mandatory for all but he would be happy to give up the additional amount for officer training. He asked it if was possible to give the funds to a specific charity.

Councillor Luxton commented that she was a seasoned fundraiser and had raised £200,000 for national charities. Every day she gave to charities; what she decided to do with her allowance was up to her. She did not need to publish what she gave to charity.

Councillor Haseler commented that the amendment was well intentioned, but he already gave monthly payments to local charities. He understood the proposal was not mandatory, but all should have a choice. It should be left to each individual councillor to decide.

Councillor Carroll commented that he gave to charity on a weekly and monthly basis and had done so before he was a councillor. It was important not to assume everyone's personal circumstances were the same. The principle of encouraging people to give to charity was positive but the council should not seek to mandate to any councillor what they should do with their allowance.

Councillor Knowles commented that many councillors contributed to local and national charities. The motion did not compel anyone to do anything; the aim was to formalise the generosity of spirit.

COUNCIL - 27.04.21

Councillor Bhangra commented that he had also given a lot to charity, including Norden Farm and the Youth Centre in his ward. It was a personal choice to give to charity and should remain so.

Councillor Walters stated that he could not support the amendment. Giving to charity was a private matter. When he had first joined the council he had not taken any allowance at all as he felt it was a public service.

Councillor Hill commented that the proposal was for just one year and was only 10%. The motion sought to ask those who received the most in the borough to pay the most and would therefore be an important gesture particularly after so many residents had had a torrid time in the pandemic.

Councillor Johnson commented that he was surprised by the amendment because Members had previously discussed the difficulty of accepting motions tabled at the meeting. However laudable those behind the motion felt it was, it was not a collegiate way of working. He also questioned why it had not been proposed as part of the budget setting process. It was not for him to direct where Members gave to charity. The overall cost of allowances had been reduced and the full complement of allowances had not been claimed. Given the pandemic it was absolutely right that all did their bit. The council would continue to provide value for money services to residents, keep council tax as low as possible. In relation to a comment on libraries, he suggested Members await the outcome of the transformation report before taking any decisions about what would be included.

Councillor Jones commented that if it had been put in the budget that would compel Members rather than being a personal choice. The original motion had been published five days previously and since then she had been taking advice, She had put a call in to the Leader that afternoon to advise him of the amendment but there had been no answer so she had left a voicemail.

On being put to the vote, the amendment fell.

Motion c - amendment (Amendment)	
Councillor John Story	Against
Councillor Gary Muir	Against
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

COUNCIL - 27.04.21

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 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 Chris Targowski	Against
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

Members returned to debate the substantive motion.

Councillor Werner commented that it had been an interesting debate and he had heard many say that it was up to the individual to decide how they spent their allowance. He highlighted that he was the only councillor who had taken a drop in allowance following the last review. He suggested that Members' reticence to support the amendment would mean they also would not support the original motion.

Councillor Knowles commented that anything that created a saving was good. He asked if the published allowances would list who had opted out.

Councillor Bond commented that as the topic had been reopened it had provided the opportunity for a re-think. A backbench councillor who became chair of an Overview & Scrutiny Panel received extra; looking at other councils the range was from 43% (a Liberal Democratic administration) to 100%, with the average about 60% which was where RBWM was. An MP chairing a the Parliamentary equivalent of a select committee received only 20% extra, yet MPs still wanted to do it. The difference was that select committee chairs were chosen by secret ballot. In May 2019 a MHCLG review of oversight and scrutiny (with Rishi Sunak as the minister) advised, "The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot." Councillor Bond recommended the issue to the Constitution Working Group.

Councillor Davey commented that the alternative motion was for all intents and purposes the same thing yet there had been significant negativity towards the proposal. He commented that if he gave up £100 but then he had to put an extra 100 hours to raise money to subsidise his local library in Dedworth, that was £1 an hour. He had heard councillors singing the praises of Cox Green Parish Council for bailing them out. The bottom line was the Parish Council had been sensible and saved their money for a rainy day meant they were in a position to do something on the basis of

COUNCIL - 27.04.21

decisions made by the administration. He felt the motion was all about virtue signalling. Many people did things for charity without the need to talk about it. It would be interesting to see if those who gave up their allowances went to the Advertiser first before going to the Head of Governance.

Councillor Carroll commented that he felt the speech from the Leader of the Opposition had been sadly political and polemical. No one was saying they deserved the money, and no one was asking for sympathy, and therefore it was wrong to say so. Councillor Carroll stated that he already gave more than 10% of his allowance to charity and had done so from his salary before he was a councillor. He had never publicised this before, but it had been accentuated by the discussion underway. He would not judge other people's circumstances; it was up to the individual to make their own decision, but he actively encouraged people to give what they could. Telling people what to do was not the way forward.

Councillor McWilliams commented that he felt the description of what Cox Green Parish Council had done had been unfair. The parish council had taken the sensible decision to look at a holistic way to deliver the library in a long-term, sustainable way and had provided bridge funding for the next year. It was part of a wider approach to devolve responsibility down to the parish council.

The Mayor considered a personal explanation by Councillor Werner but determined that no personal explanation was required.

Councillor Jones commented that she supported the motion, but it did not give councillors the option to put the money where they thought it should go.

Councillor Baldwin stated that his issue was whether individuals were deserving of the allowances. When the issue was discussed in October, a number of councillors had made declarations and had only been allowed to speak by being required to make a declaration of interest. They had not made such a declaration during the debate this evening yet were making the same points as in October. Residents must be confused.

Councillor Hill stated that he supported the motion, however it was regrettable that the Conservatives had not gone the extra mile with the 10% on SRAs. He would like the option to put the 2% into an organisation in the ward he represented and asked Councillor Johnson whether he would consider his motion to allow this to happen.

Councillor Davey stated that in no way was he degrading Cox Green Parish Council; he had been praising them for being in the position to support libraries in the way they were doing so. His concern was the way that the administration was expecting the Parish Council to step up and take the strain.

Councillor Luxton clarified that she was not against Councillor Johnson's motion; she was not supporting the amendment.

Councillor W. Da Costa commented that the motion said councillors 'should,' which meant it was not mandatory. The constitution did not allow Members to forgo their allowance and have it paid to charity therefore Councillor Jones' amendment added more granularity. The motion Members were now discussing did not allow Members to do anything they could not already do.

The Monitoring Officer confirmed that under the current Members' Allowance Scheme, Members could choose not to receive all or part of their allowance, by notifying the Head of Governance in writing. Alternatively, they could choose to take the allowance and direct it to charity themselves.

Councillor Rayner highlighted that it was a matter of public record what allowances councillors received each year.

Councillor Johnson stated that unfortunately Councillor Hill's request was not one he could accept at the time. In February the budget for 2021/22 had been agreed that included a 2% pay rise for employees. The 2% increase in Member Allowances was index linked. This reason for the motion was to rectify this unintended consequence. He could not accept the request by Councillor Hill as if Members gave up part of their allowance, the money would go back into general council finances and therefore would not be a cost pressure and reallocated elsewhere or potentially carried forward as an underspend in the democratic services budget, which could be used to support the provision of frontline services the following year. The onus rested with individual councillors to decide what was the right thing to do. At the October meeting he had stated that he did not think that any Member allowances should be increased. He had also stated this view to the press at the time and declared an interest at the meeting as he had felt it was the right thing to do. He had agreed to a reallocation of allowances between the Leaders of the Opposition Groups to ensure the money was spread more evenly among the main groups. Given recent events and at times a lack of scrutiny of the current administration and the previous one, and in the context of some of the large decisions taken such as the earlier discussion on the RTS, Councillor Johnson commented that he wondered at the value for money that had been achieved for some of those positions. If Members wished to give to charity out of their Basic Allowance and SRA after forgoing the 2%, he would wholeheartedly encourage them to do so. He also highlighted that significant savings had been made on mileage and other expenses associated with face to face meetings. Overall, the council was underspending on democracy without cutting corners on the quality of that democracy.

The Mayor confirmed that all Member allowances were published at the end of the financial year. This would show which councillors had chosen to forgo any part of their allowance.

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

RESOLVED: This Council believes that all Members should, under Regulation 13 of the (LA Members Allowances) Regs 2003 and as detailed in the RBWM Members' Allowances Scheme, give notice in writing to the Head of Governance that they wish to forgo the indexation applied in 21/22 in relation to the Basic Allowance and any Special Responsibility Allowances they receive.

Motion c (Motion)	
Councillor John Story	For
Councillor Gary Muir	For
Councillor John Baldwin	Abstain
Councillor Clive Baskerville	Abstain
Councillor Christine Bateson	For
Councillor Gurpreet Bhangra	For

COUNCIL - 27.04.21

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	For
Councillor Jon Davey	Abstain
Councillor Karen Davies	For
Councillor Phil Haseler	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Lynne Jones	For
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	For
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 Chris Targowski	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Councillor Simon Werner	For
Carried	

CONTINUATION OF MEETING

At this point in the meeting, and in accordance with Rule of Procedure Part 4A 23.1 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.

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

Motion d)

Councillor Hill introduced his motion:

This Council agrees that in the interests of full and open debate all time-limits on debates at full Council meetings be removed and the prerogative for the duration of debates be given solely to the Mayor.

He explained that the issue was close to his heart as it was close to democracy. He complimented the Mayor as on a number of occasions he had used his discretion in relation to time limits to allow debates to continue. Councillor Hill felt this had been to the benefit of the decision-making process by improving the quality of debate and allowed residents to see their opinions were being heard. He highlighted to Members that Section 7.2 of the constitution referred to full and effective debate at the discretion of the Mayor.

Councillor Jones seconded the motion.

Councillor Baldwin echoed the comments by Councillor Hill on the state of democratic debate in the chamber and the role of the Mayor in the Chair. He commented that various clauses in the constitution appeared to contradict Part 2 7.2. It was a clause that dealt specifically with full Council meetings and gave the Mayor absolute discretion on the fullness and fairness of the debate. It was interesting to juxtapose that overriding clause with the farcical events of earlier the evening when an extended debate took place which Councillor Baldwin felt had been unnecessary. Members would like the Mayor to be more active as they trusted his judgement.

Councillor Davey commented that residents deserved better and more thorough debate. Closing down debates rapidly was not good for freedom of speech. He thanked the current Mayor for being an excellent judge on when to extend debates. It was a shame that many of the Conservatives seemed to be in a constant state of fear that they would get found out and that they would struggle to defend their position if challenged in an open forum. By example he had been trying to have a debate around 5G for the last two years and there seemed to be a resistance to do so. He could only assume this was based on a fear of what information might come out. Councillor Davey commented that this was not democracy as he understood it but then he had been naive when he had begun the journey. He asked Members to vote for democracy and remove the 30-minute rule.

Councillor Hilton commented that it was the quality of speeches not the length of time people spoke that made the difference in the debate. The Mayor already had the necessary discretions in his opinions.

Councillor Cannon highlighted the irony of having such a debate at 10.30pm. He recalled previous complaints from some Opposition councillors about how long meetings lasted. All were aware 30 minutes was the limit, with discretion by the Mayor. This was a far more sensible option than unlimited debate. Democracy was not served by people talking for the sake of it. Democracy was served by informed debate. Awareness of a time limit helped people focus on relevant points.

Councillor W. Da Costa stated that the Mayor had been fantastic in using his discretion and acting in a neutral manner. The motion would however give clear direction to any future Mayor and ensured future fairness.

Councillor Knowles commented that he felt an overall limit was a detriment to debate. The time limits applied to individual speeches and interventions were good and provided some discipline. The Independent Group had worked hard not to repeat earlier speeches and use some brevity. He felt this was across the board now, possibly due to the way the meetings were now chaired and a realisation that

COUNCIL - 27.04.21

residents did not want to simply hear people repeating what had been said before. He supported the motion as he trusted the framework.

Councillor Jones suggested that the Constitution Working Group could consider part 2 C12.4 of the constitution:

A maximum period of 30 minutes will be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period debate will cease immediately, the mover of the Motion or amendment will have the right of reply before the Motion or amendment is put to the vote

Councillor Jones explained that this clause had meant on occasion the seconder of the motion had not had the opportunity to speak if they had reserved their right at the start.

Councillor Hill commented that he had been severely disappointed by some of the comments on the debate from the Conservatives. Good quality debate had been from all sides and curtailing such debate would therefore lower quality. If any Councillor was uncomfortable at being in a meeting at 10.30pm at night, then they were uncomfortable with the service to which they had signed up. Members had rights to speak and any time limit was impinging on those rights. He felt the Mayor should be given full authority and discretion to manage the debates rather than have an artificial limit.

On being put to the vote, the motion fell.

Motion d (Motion)	
Councillor John Story	Against
Councillor Gary Muir	Against
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

COUNCIL - 27.04.21

Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	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 Chris Targowski	Against
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

Members agreed that there was no need for the meeting to move into Part II to consider the Part II appendix to the earlier Part I report 'Urgent Decision'. All Members had noted the appendix when considering the Part I item.

The meeting, which began at 6.15pm, finished at 10.49pm.

CHAIRMAN.....

DATE.....