

AT AN EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL held as a Virtual Meeting - Online access on Monday, 28th September, 2020

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

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

Officers: Tracy Hendren, Kevin McDaniel, Russell O'Keefe, Mary Severin, Karen Shepherd and Adele Taylor

Also in attendance: Barbara Richardson (MD RBWM Property Company)

31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bateson, W. Da Costa, L. Jones and Reynolds.

32. DECLARATIONS OF INTEREST

Councillor Singh declared a personal interest in the item 'Community Options – Maidenhead' because one of the Trustees of Maidenhead Community Centre was a neighbour and acquaintance. He would take part in the discussion and vote on the item.

33. PUBLIC QUESTIONS

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

The MCC submitted an Asset of Community Value nomination on May 11th 2020. By law the site MUST be designated or refused ACV status within 8 weeks. Was the RVS site designated an ACV (or not) under regulation 7 of the Assets of Community Value (England) Regulations 2012, and on what date?

Written response: Thank you for your question Mr Hill. There has been a delay in determining the application. An apology was provided to MCC as their email with the application was not picked up for a number of weeks due to staff being refocused on to the Council's response to COVID 19. Subsequent to that due to the existence of a development agreement and planning permission relating to the site specialist legal advice has had to be commissioned to support determination of the application. We are sorry for the delay and the application will shortly be determined.

By way of supplementary question, Mr Hill referred to paragraph 2.12 of the report where it stated that the ACV application was being considered in line with the relevant

legislation yet in the written response to his question it was stated that this was not true and in fact regulation 7 had been breached. Worse still, it appeared that Councillor Johnson intended to go on defying the statutory deadline. Section 5 of the report (legal implications) did not inform Members of the statutory breaches. Mr Hill asked why this was the case and why had RBWM decided not to comply with all statutory requirements?

Councillor Johnson responded by restating that the reason the application had not been determined in the required timescale was due to the reallocation of resources to tackle the more immediate issue of COVID-19. The council would be determining the application in line with its statutory obligations. Although this was delayed, it did not mean the council would not pay regard to the due process going forward. It was also fair to say that the council had arrived at a solution which would be discussed later in the agenda; the question was somewhat academic given the information now in Part I.

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

It is outrageous that the location for the proposed centre is “part 2” confidential. Councillors gave planning consent conditional on the understanding that Countryside would enter a legal contract for MCC's move: to pay £650,000 to improve the Desborough Suite. Is Countryside still obliged to pay £650,000 (s106), and what community facilities will it be spent on?

Written response: Thank you for your question Mr Hill. The proposed location was Part II so that the confidential discussions with the relevant parties could be completed. As soon as we can, this information will be made available in Part I.

Countryside are required to pay the contribution of £650,000 for improving the Desborough Suite or such other community scheme located within 5km of the development that has similar objects and purpose of use of the Desborough Suite in line with the S106. The Council will determine how this is best used in line with the S106 and we are currently considering that as part of our wider work to improve the town.

By way of supplementary question, Mr Hill commented that in reports published earlier that day the intention was to move the youth centre from 4 Marlow Road even though seven days earlier the council had been consulting on retention of the youth centre on the same site because it was close to rail and bus links. He asked whether the council had potentially rendered that consultation unlawful and would he commit to holding a third consultation on the youth and children's centres and put the £650,000 windfall into saving the children's and youth centres?

Councillor Johnson responded that both parts of the question suggested Mr Hill did not wish to see the relocation go smoothly. He assured Mr Hill that full consideration had been given to the current consultation on youth service provision. The youth service currently used 4 Marlow Road as its office base and to deliver some sessions; when the family hub consultation began it was with the view that some of this service would continue to be delivered from the site. In recent weeks however, following discussions with the Property Company and as noted in the report, the opportunity to support the community option fitted in well with the strategy to refocus council services on vulnerable groups and shared locations. Therefore the council looked forward to discussion of options with MCC in due course on how to take this forward in a

collaborative approach. Further work to confirm office space to deliver sessions in the centre of Maidenhead was needed, and this was dependent on the outcome of the family hubs consultation.

34. MAIDENHEAD COMMUNITY CENTRE PETITION

Members considered the following petition:

We the undersigned petition The Royal Borough of Windsor and Maidenhead to Stop RBWM demolishing Maidenhead Community Centre and moving us to an inadequate temporary site!.

The Director of Place explained that the York Road development, the first of the Council's regeneration projects, required vacant possession of Phase II and Phase III, for these to proceed.

Phase II was currently occupied by Maidenhead Community Centre (MCC), with a head lease held by Royal Voluntary Service (RVS) and the freehold interest held by the council. The council had been in negotiations with both RVS and MCC regarding the surrender of the head lease and the relocation of MCC to an alternative facility.

The Part II report on the agenda set out a proposed way forward so that phase II of the York Road regeneration scheme could progress and the future location of MCC could be secured. The proposed way forward would involve MCC moving to 4 Marlow Road, Maidenhead. This would be a site in line with the requirements they had indicated and would not involve a move to a temporary site.

Jack Douglas, lead petitioner, explained that in late 2016 RVS had advised that the building would close. He ran a small church that used a room at the site. He had been aware the site was earmarked for development but the building would now be mothballed. It was felt that it would be a shame to simply board the building up therefore RVS had been asked if volunteers could run the facility. MCC had therefore been set up as a charity in 2017. The community centre had flourished; prices were kept low but over £100,000 of income had been raised. Given the level of demand for the building it would be a shame if what had been built up would be knocked down with the building. Several years and two petitions later, the same question was still being asked. During the three years of meetings with the council discussions had been friendly and constructive however financial constraints and the pandemic meant a solution had been difficult to find. An earlier offer of a temporary location followed by a permanent site had been considered deeply but it had been felt that a temporary move would have resulted in the destruction of the services provided. Mr Douglas provided a personal example of the difficulties of moving to a temporary location. Moving a whole community centre and leaving it in limbo for two years would not have worked. He believed the council cared about the services provided and that the petition had been heard. The opportunity of 4 Marlow Road had now arisen and Members would be asked to vote to put their trust in MCC. He believed that trust would be repaid by making full use of the site for the community for many years. He thanked the residents who had signed the petition, the council for providing the hearing and to those councillors in St Mary's ward and beyond who had worked tirelessly behind the scenes to find a solution.

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Councillor Stimson, ward councillor, commented that she could not see any reason why all councillors would not support the proposal. The community centre was sustainable as it already existed in one venue. She had spoken to Mr Douglas about any concerns or anxieties; he had identified accessibility for the vulnerable and parents who needed to drop children off for evening sessions. Volunteers did an incredibly difficult job and a temporary move would risk volunteers going elsewhere.

Councillor Singh, ward councillor, congratulated Mr Douglas and the trustees for keeping the issue at the top of the agenda. They had been resolute in two petitions and he was delighted that councillors were listening. It was great that the facility would remain in the town centre and in his ward. He endorsed the proposals and hoped all would vote for them.

Councillor Werner commented that the proposals were fantastic, but came after years of anguish for the users of the community centre, leaving them in limbo. Councillor Werner suggested that he had the perfect solution in relation to the relocation of youth services. He had been campaigning to save the Pinkneys Green youth centre which was on a fantastic site with excellent parking. This would be the perfect site to move youth provision from 4 Marlow Road. Councillor Werner asked if the various clubs that used the existing sports hall would still be able to do so if the site was run by MCC. Parking was limited therefore he asked if there was any potential for this to be expanded. He also questioned, if all Members voted to move MCC to 4 Marlow Road and residents felt 4 Marlow Road should retain the youth provision, which decision would take precedence?

Councillor Werner felt the quality of the EQIA was thin and looked like a 'tick box' exercise had been carried out. He felt it should include a list of consultees and their responses, and the evidence of the council's decision.

Councillor Davey commented that many councillors were volunteers so knew the difficulties. His question was why had it taken two petitions to get this far? The issue should have been dealt with earlier. If a petition was considered and commitments made, even if changes were needed, the original commitment should be met without the need for a second petition. He also felt the issue of the groups spending £100,000 of resident money on refurbishing the old building should be built into the deal going forward.

Councillor Coppinger commented that he had first visited the site as the previous Lead Member for Adult Services and had been very impressed with the volunteers. However the site was run down and needed work. The proposals were therefore a leap forward. The only problem with the current premises was that so many of the users needed assistance and there were only two or three parking spaces on site. The site at 4 Marlow Road would provide far more spaces. He expected all would support the proposals.

Councillor Walters commented that he was sure all would support the plans. He asked for clarification if the space at 4 Marlow Road currently was currently a vacant possession.

Councillor C. Da Costa commented that she was a great supporter of work in the community and she did not want to slow down the permanent rehoming of the MCC, however she had concerns about the family hub consultation. She wanted to protect

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the borough from any further judicial review therefore she wanted reassurance that the family hub consultation would not be impacted by the proposal. She also asked for reassurance for the current users of 4 Marlow Road that they would either still have access or that they would be adequately re-housed.

Councillor Hill commented that he had been intimately involved with both petitions and the campaign. He was grateful to the Leader and officers for bringing the opportunity forward. All could benefit from the new site.

Councillor Johnson stated that the meeting marked a milestone in the administration delivering on its commitments. He paid strong tribute to Councillor Hill for facilitating a meeting with Mr Douglas. During that meeting it had struck him what a fantastic asset the existing centre was to Maidenhead, and the entire borough. It became clear to him that for the MCC to survive in the long term they needed the right accommodation. His predecessor had made a proposal to move the MCC to a new space in Block B of the York Road regeneration scheme. Earlier that year, he had considered another option involving a temporary relocation to the Desborough Suite followed by a permanent move to the new Nicholson's Centre. He had reflected on feedback on that proposal and had therefore looked for an alternative long-term solution. He was delighted to recommend to Council, with the endorsement of the Cabinet and the entire administration, the proposal for a permanent move to 4 Marlow Road. At the Council meeting back in July he had explained that he was not simply going to wait for a trigger number of signatures to have been collected. He wanted to move forward with certainty, purpose and clarity to give a long term future for the MCC and allow the regeneration schemes to continue. Councillor Johnson explained the recommendation in Part II related to the financial elements.

The Director of Children's Services explained that the consultation for family hubs was an ongoing and live consultation. The question before Members would enable Members to make a decision in the best interests of the residents of Maidenhead. The decisions that would flow from the family hubs consultation would need to take such a decision into account. As the consultation was live there was no need to restart it. What was important was that the consultation on family hubs talked about the services the council delivered. The council looked forward to conversations with MCC about the delivery of essential services the consultation identified the council needed to continue to run, ensuring they remained available to service users as referred to by Councillor C. Da Costa. The second question was from where the council would propose to run its base youth services. The council had a number of office locations around Maidenhead and the team could be based in any of those buildings; there would be no issue in terms of delivery of youth services. Children's Services, being guided by the decision by full Council, would then make recommendations on proposals for family hubs that would come forward at the end of October.

Councillor Price requested clarification as she had thought that the consultation on family hubs was complete and people could not contribute any more in light of the new information. In the consultation 4 Marlow Road was recommended to be retained. She was concerned about the validity of the consultation process as what people were originally consulted on had now changed. She was concerned about the potential for another judicial review and the costs and further delay.

The Director of Children's Services responded that one of the key purposes of a consultation process was that anybody could bring forward a different idea from that

which was originally proposed. The original consultation did include a proposal to maintain 4 Marlow Road for youth provision. This proposal had now been brought to the attention of Children's Services. The formal consultation process had now closed; a range of inputs had been received. This proposal would be another one of those representations for officers to consider. He would be guided by the view of all the councillors in the meeting on the proposal to use 4 Marlow Road in a different way. He believed that was in the intent of the law on consultations. He obviously could not say whether a judicial review would be launched but he believed it was in the spirit of consultation to listen to an opportunity that had come up since the consultation had started.

RESOLVED UNANIMOUSLY: That Council notes the report and debates the petition.

35. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 6 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.