

WINDSOR TOWN FORUM

MONDAY, 12 OCTOBER 2020

PRESENT: Councillors John Bowden (Chairman), Samantha Rayner (Vice-Chairman), David Cannon, Jon Davey, Karen Davies, Neil Knowles, Helen Price, Shamsul Shelim, Amy Tisi and David Hilton

Also in attendance: Councillor Christine Bateson, Councillor Wisdom Da Costa, Councillor Lynne Jones and Councillor Gurpreet Bhangra. John Webb, Richard Endacott, Claire Milne, Ed Wilson, Susy Shearer, Sally Stevens, Robert Peel, John Holdstock, John Holland and Elizabeth Jones (public speakers).

Officers: Shilpa Manek, Suzanne Martin, Karen Shepherd and Fatima Rehman.

APOLOGIES FOR ABSENCE

None.

DECLARATIONS OF INTEREST

Although no formal declarations of interest were declared, it was noted that Councillors Shelim Cannon, Knowles and Davies were Members of the Community Governance Review (CGR) Working Group. Councillor Story was a Member of the working group but was not present at the meeting.

The Vice Chairman was also commented that as the relevant Lead Member, she would likely present the Community Governance Review reports to the Council.

MINUTES

Councillor Cannon said the minutes were a true and accurate record of the meeting dated 22 July 2020 and was seconded by the Vice Chairman.

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 22 July 2020 be approved.

COMMUNITY GOVERNANCE REVIEW: WINDSOR TOWN COUNCIL

Suzanne Martin, Electoral & Information Governance Services Manager, introduced the item to the Forum. She gave a procedural overview of the Stage 1 consultation rather than details such as the financial implications for a Windsor Town Council (WTC), that would come during the second stage of the consultation. The Terms of Reference was endorsed by Full Council in July 2020, which provided background information and the expected timeframe of the review. The Working Group was set up to examine if there was a need for WTC following significant interest raised by Windsor residents through an e-petition in early 2020. While the threshold was not met by the e-petition to require the council to run a review, in May 2020, the Leader of the Council announced a review would be undertaken given the resident interest. The review commenced in July 2020 and would conclude in July 2021.

The Working Group covered the whole procedure, including examining the existing parish governance arrangements, new matters, existing ward boundaries for parishes and the number of Councillors elected to parished areas. The scope of the review was the unparished areas of Windsor, which covered five wards and 12 polling districts. The first consultation was conducted from August 2020 and would close on 28 October 2020. Public consultation was being undertaken to receive feedback to help the Working Group in formulating draft

recommendations, to be published in early 2021. The consultation included members of public, local electors, businesses, community groups and other organisations with interest.

The overall consultation would address the following questions:

- What was the appetite for creating a new town council for Windsor? Was a parish council needed or desired?
- Was there a sense of community identity in the review area and should this community be represented by its own parish council?
- How could a new parish council take shape?
- Should a new parish council be warded to reflect the communities that exist in the review area? If so, how should these boundaries be drawn?

The second phase of the consultation would run for 3 months in early 2021 and would ask for the public's view on the draft recommendations. The working group would aim to scope the details of WTC, which would include the area boundary for WTC, the number of wards proposed for WTC and the number of parish Councillors needed. Final recommendations would be published at the end of the second consultation and reviewed by full Council in July 2021. If the outcome of the review was to create a WTC, the first election would take place in May 2023 as this was the date of the next scheduled election for parish elections in four-yearly cycles.

John Webb, Windsor resident and representing the WTC steering group, said he polled residents on his street and asked residents if they knew RBWM was unable to tell how and where the unparished precept was spent. Almost all residents were unaware of this and almost 90% of them signed the e-petition.

John Webb asked the following questions:

- What feedback had Councillors received regarding the unparished wards precept that had been collected, and did they know this had increased the appetite for the creation of a WTC?

Councillor Price said she did not have statistical evidence to suggest that residents were unaware regarding the unparished precept. She asked the question on social media, but the number of responses were low. She believed residents would want control over the money and she would like to know where the money was allocated in Windsor.

Councillor Tisi said there was an increase in resident's appetite to know about the unaccounted precept and the WTC would ensure accountability. Councillor Davey said asking the question directly would enable a response regarding the expenditure of the precept.

The Vice Chairman said residents from the Eton and Castle ward had not asked about the unparished precept and she was unsure if they were aware of this. The precept was accounted for and the council spent more in Windsor than the precept.

Councillor W. Da Costa said he was unaware of how precept money was used, or how money was used and raised for assets in Windsor, such as the Guildhall and Museum. He said Windsorians did not have control of these assets, and the WTC would ensure control of assets, as well as help create a community emergency plan. The Vice Chairman said residents of Windsor did have a say on the Guildhall and Museum and were welcome to Overview & Scrutiny panels to raise any issues.

Ed Wilson, Windsor resident, said it was misleading for Councillor Tisi to say the precept was unaccounted for. He said it was accounted for and published, however where the money went was undocumented. He suggested the council to breakdown the expenditure of the precept, rather than creating WTC for this function alone.

Councillor Hilton, Forum Member and Lead Member Finance and Ascot, said the formation of WTC was a democratic process about how residents felt about representation in the area, rather than a decision made in relation to finances. He said it was an obligation for the council to publish where special expenses went. The Appendices of the Budget Setting Report from February 2020 detailed where the money was spent, such as allotments, street lighting, recreation grounds, open spaces and the administration of the Town Forum. It excluded the Guildhall and the Visitor Centre, and areas directly managed by parish councils, such as parks, gardens, and recreation grounds. He said the budget report next year could provide greater granularity of expenditure, which would be an estimate because the report was produced at the end of year rather than close of year.

Councillor Hilton said the precept for unparished areas was £34.31 at Band E and the lowest precept set by a parish council was £0. The next lowest precept was £31 annually for Band E and the highest precept was £99.74. The average was £57.89, which was 68.7% more than parished areas than what unparished areas paid currently. The average was not weighted with the number of residents who lived in the parished areas. Adding another layer of government could lead to higher costs because of staffing.

Councillor Hilton said it was not possible to provide exact figures for what precept was spent in Windsor as the cost was for both Windsor and Maidenhead. He said it was possible to ascertain the expenditure for Windsor and Maidenhead in the next budget, though this would be further work.

- Did the Councillors of the Windsor ward believe their residents identified themselves primarily as Windsorians or something else?

Councillors Price, Tisi, Davey, Da Costa and the Vice Chairman said they believed residents of Windsor identified themselves as Windsorians. The Vice Chairman said residents had pride in where they lived.

- Please provide more details about how WTC could take shape.

Councillor Price said the WTC would run like existing parish councils. The Vice Chairman said the consultation was in place to understand what residents sought from the WTC, as there were diverse models.

- How easy did ward Councillors find to know and understand the needs of residents in individual neighbourhoods within their wards? Would they find it easier to represent their ward at RBWM meetings if parish Councillors were able to feedback issues, concerns and ideas, as parish wards may be smaller than RBWM council wards?

Councillors Price, Tisi, Davey, Da Costa and the Vice Chairman said it would be helpful to have ward Councillors support. Councillor Price said it would help with workload and Councillors Tisi, Da Costa and Davey said ward Councillors knew the neighbourhood well. The Vice Chairman said resident engagement and any feedback was welcome.

Councillor Bateson said Clewer South was part of the Bray Parish Council and she therefore felt that Bray should be involved in the consultation. Richard Endacott, Windsor resident and representing WTC steering group, said a part of Clewer and Dedworth West ward was in Bray parish and hoped that the review would correct this anomaly and bring this part of Bray into Windsor under a new Town Council.

Suzanne Martin clarified that it was correct that one polling district within Clewer & Dedworth West ward fell within Bray Parish (Dedworth ward). The review was focusing on the currently unparished parts of Windsor, which did not include Dedworth ward of Bray Parish. If the outcome of the review was to amend Bray Parish's boundaries and bring this area into a new

Windsor Town Council, permission would need to be sought from the Local Government Boundary Commission to do so.

Richard Endacott said WTC would not be competing with RBWM but would be an additionality to RBWM. He wanted to know how much revenue was raised in the unparished areas of Windsor over the last 40 years, rather than just the cost incurred in the area as part of the budget review.

Richard Endacott asked the following question:

- Did Members believe existing parish council served an essential function, or if they should be removed.

Councillor Tisi said a WTC was not going to be above other parished areas, but in line with them, no parish councils should be abolished. Councillor Davey said parish councils were essential and helped bring the community together and showed professionalism. Councillors Price and Da Costa agreed.

Councillor Cannon said he was taking note of the points raised, but as a member of the CGR Working Group, he would not be answering any questions to ensure he attended the group with no expression of preference either way. The Vice Chairman said she would not comment and said each parish council was unique.

Claire Milne, Windsor resident and Co-Chairperson of the Windsor Neighbourhood Plan (WNP), asked the following question:

- The WNP had stalled due to the delay in the referendum and COVID-19, lack of responsiveness from RBWM, and limited correspondence on the decision notice. She felt there was a need for a body to be in place to monitor future plan-making. Could Councillors reassure how this may be achieved in the future and how WTC may contribute to this?

The Vice Chairman said she was unaware of the delay issues and asked Claire Milne to write to her directly.

Suzanne Martin said all elections including any neighbourhood plan referendum were postponed to 6 May 2021 as a result of legislation relating to the coronavirus. The Chairman said an update could be given by Councillor Coppinger, Lead Member for Planning, Environmental Services and Maidenhead, in conjunction with a boroughwide update.

Claire Milne said residents would like to see one WTC rather than different town councils or different parishes.

ACTION: Councillor Coppinger to update on the progress of WNP offline.

Robert Peel, Windsor resident and Chairman of the WTC steering committee, asked the following questions:

- Why was it suggested that there were not enough signatories for the petition, when there were over 630 signatures for the e-petition and 1,675 on the hardcopy petition?

Suzanne Martin explained that the e-petition did not meet the 7.5% of the electorate threshold required to initiate a review, but the council had permitted to review the WTC on its own accord. Karen Shepherd, Head of Governance, said neither the e-petition nor hard copy petition had been formally submitted to the council.

Robert Peel said Councillor Johnson, Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property, advised to not formally submit the petitions. The Chairman said Councillor Johnson was not present to comment.

- Why was the election of the possible WTC delayed to 2023?

Suzanne Martin said that following the final recommendations time would be needed to undertake the legal processes, including the reorganisation order and arrangements for collecting parish council tax, precept and elections. The election would then take place in the next scheduled election in May 2023.

Robert Peel said he thought the Local Government Act allowed an out of sync first election, and the Chairman said a written answer could be given to this. Councillor Davey said the cost of campaigning and running elections was high, and therefore was in favour of an election in 2023. Councillor Da Costa said it would be good to know if it was legally feasible to have an earlier election.

ACTION: A written response to be given to Robert Peel and Members to confirm if the Local Government Act allowed an out of sync first election.

Robert Peel asked what the Chairman's view was on the WTC, and the Chairman said he would not respond to that question at the meeting.

John Holdstock, Windsor resident and an active member of Windsor for over 50 years, said he was in support of a WTC. He said there was an appetite and a sense of community evidenced by the work of Windsor Neighbourhood Planning Group, Resident's Associations, churches and voluntary groups. He said more residents were spending time in Windsor as they were working from home, and therefore their community. There was a need for local democracy to support and listen to residents and a WTC would provide this, as well as liaise and work closely with voluntary groups and residents.

Given the rising pressures due to COVID-19, such as isolation and unemployment, John Holdstock said local democracy had a duty to meet these challenges. Voluntary groups provided valuable services and support to residents, and with the limitation on the local authority budgets, the contribution of voluntary groups was ever more important.

John Holdstock asked the following questions:

- Did Councillors agree that that COVID-19 brought changes in the way residents lived and worked in Windsor, which provided a new dimension in support of the WTC. Was the council able to provide an interim arrangement which would serve the function of the WTC?

The Chairman said they were unable to speak on behalf of the entire borough, as all Councillors were not present in the meeting. The Vice Chairman said that RBWM had actively been involved with voluntary groups during COVID-19 and aimed to continue to work closely with them in future. The borough was open to work with organisations and voluntary groups and felt a WTC would not necessarily be needed for voluntary group engagement.

Councillor Price said the Cabinet Transformation Sub-Committee approved a paper on services being community-centric and a pilot was taking place in Windsor. Councillor W. Da Costa said that whilst the borough worked with other services, it did not engage well with local groups, which a WTC would. He felt having the setup of a WTC prior to 2023 would help in the learning process.

John Holland, representing WTC steering group, asked the following question:

- Did Councillors agree that the Windsor Town Forum and local democracy would benefit from input from a WTC?

Councillors Tisi, Price, Davey and the Vice Chairman said that the Windsor Town Forum would cease to exist if a WTC was created, as the Forum was covering unparished areas. Councillor Davey said that whilst Windsor was comprised of 9 Councillors, of which 6 were Liberal Democrats or Independents, the Forum was dominated by members of the Conservative group.

Councillor Price and John Holland said they did not think the Forum was effective and Councillor Price said a WTC would be an improvement, with greater resident participation. John Holland said there was a need for a Forum for matters that were beyond the remit of the WTC which were the responsibility of RBWM.

Ed Wilson, Windsor resident, asked the following questions:

- What was the truth behind the precept, as there was disagreement between Councillors Tisi and Hilton? He requested for further details.

Councillor Davey said the level of detail on the precept was minimal and it would be difficult to extract this in the meeting. Councillor Hilton said he could not promise providing granular details of the precept.

John Webb asked about the Chartered Institute of Public Finance and Accountancy (CIPFA) report, and the Chairman said the report was boroughwide and was not a matter for the Windsor Town Forum. John Webb referred to the special budget item and expenses and said RBWM should list these separately in the budget report in the CIPFA report. Councillor Hilton said this information was addressed in the CIPFA report, was acted upon and provided to a few Windsor residents. The Vice Chairman said the CIPFA report referred to the previous year's budget.

- Was the consultation on the terms of reference, as suggested on the RBWM website?

Ed Wilson felt the consultation was not regarding this and felt the small number of resident responses to the consultation may have been because people did not understand the questions they were being asked or there was not an appetite to respond.

Suzanne Martin said when conducting a Community Governance Review, the terminology 'consultation on terms of reference' was used. Further detailed questions were posted on the webpage to help guide electors and community groups to narrow down the findings. Awareness and engagement were raised through borough bulletins, resident newsletter updates, direct communication with community groups and businesses operating in Windsor.

- Was a potential WTC going to cover unparished areas in Windsor?

Suzanne Martin informed the Forum that a WTC would cover the unparished areas, which covered five borough wards. Councillor W. Da Costa asked if the Working Group had powers to recommend moving the boundaries that a WTC would cover, and the Forum was informed this was possible.

- Who decided to hold this additional Windsor Town Forum meeting?

The Chairman said John Webb requested for another meeting because the Stage 1 consultation closed on 28 October, and the next scheduled Forum meeting was after the deadline.

On behalf of Elizabeth Jones, Windsor resident, the following question was asked:

- What was the perceived impact of WTC would have on democracy, as it would be closer to people and businesses?

The Chairman said businesses could not vote but could respond to the consultation. Councillor Price said residents and democracy would work closer together due to a WTC, and Councillor Tisi said a WTC would allow the devolution of power to the lowest practical level.

Councillor W. Da Costa said democracy could be brought to the lowest level, such as decisions on Community Infrastructure Levy (CIL) and Section 106 money use. The Chairman said Windsor had limited CIL money, such as the planning application on Alma Road was not subject to CIL due to the method of development. Councillor W. Da Costa said a significant amount of money had been attributed to Windsor over the years, and the Chairman said the money had been distributed to other areas.

Susy Shearer, resident of Windsor, said that the Windsor Town Forum was not a decision-making body, which was why a locally elected WTC was needed, as well as to help liaise with residents and local groups and give better support to the Borough councillors.

Sally Stevens, representing Windsor 2030 Business Neighbourhood Plan, asked the following question:

- Was there a recognised process for neighbourhood plans being adopted by WTC, despite its existence being after the plan's preparation.

She said there was a struggle to get through the process due to the delay as a result of COVID-19 and lack of responsiveness from RBWM. Suzanne Martin informed the Forum that the Neighbourhood Plan would either be endorsed by a Parish Council or a Neighbourhood Forum on the Parish Council so that the local planning authority could process it to examination.

Richard Endacott said a WTC would provide democratic accountability and would be a strong and coordinated voice on areas such as planning, bins, car parking, antisocial behaviour and so forth. He said it was mildly offensive to consider residents of Dedworth as not part of Windsor. He said community projects had a knock-on effect across Windsor and said the Windsor Town Forum had no purpose as it was not a decision-making body and disengaged residents. He felt a WTC needed to exist to ensure the democratic deficit between ordinary residents and RBWM was filled.

Claire Milne said if a WTC was formed, it would be the responsible decision-making body for neighbourhood plans but was unsure of the process if a Town Council was created but there was not yet a neighbourhood plan in place. The Chairman said it would be dependent on whether the business plan was accepted before or after the creation of the Town Council. Ed Wilson said his experience in Gloucestershire showed that it was up to the Town Council to decide the process, as the purpose of the Town Council was to give it autonomy as the decision-making body.

Councillor Price asked if the Chairman felt the four areas that were due to be covered in the Forum meeting were sufficiently covered and the Chairman said these areas were aptly covered. Councillor Price asked how the Working Group would be made aware of the discussion from the Forum. Karen Shepherd explained that individual Members could respond to the consultation as Councillors and residents, and the minutes of the Forum meeting could be forwarded to the Community Governance Review Working Group as a representation.

Councillor W. Da Costa asked if the draft minutes could be commented on by all Forum Members before publication and the Chairman said this was possible.

Councillor Davies and Knowles said they were unable to comment in the meeting as Members of the CGR Working Group and thanked residents for their comments, which were heard with interest.

Councillor Davey said it was important to listen to the residents and keep those in power accountable, without causing increased pressures on the town's finances. He said the CIPFA report showed wider financial and governance issues that the council needed to address with transparency.

John Webb thanked those who contributed in the meeting. He asked if the WTC steering committee could comment on the minutes before they were published. The Chairman said comments could be made by any individual attendees of the Forum meeting.

The Chairman said he attempted to be a Chairman and not a person of power. He found groups of individuals referring to themselves as the Boltons and from West Windsor, when he viewed these areas as Windsor. He said there did not appear to be any clear boundaries, therefore a WTC should be called Windsor Council. He had reservations about how a WTC would be funded and felt the Borough performed ceremonial matters over the last few years in a safe manner, which were viewed nationally and globally. He said he was neither for nor against a WTC.

WORK PROGRAMME

Councillor Tisi requested for an item on Windsor Yards, to be reported by the management company. The Chairman said he would contact Forum Members offline regarding confidential information regarding this.

Councillor Davies said an update on the air pollution statistics would be useful. The Chairman said it was likely the pollution levels would be low, due to the lack of vehicle use due to COVID-19.

Councillor Price asked to go through the items suggested but not yet programmed. It was agreed that:

- Royal British Legion to be removed as it was out of date. Councillor Knowles said the legion guidance was ever-changing, the poppy appeal was to be brought online with contactless options rather than face-to-face to reduce risk of the spread of COVID-19. To avoid mass attendance, no comment was made on the borough's plans for Remembrance Day.
- Councillor Knowles to update on the Army covenant in the next meeting.
- Windsor & Eton Town Partnership item to be added to the Work Programme.
- It was noted that Radian had been renamed as Abri. The Vice Chairman requested to invite Abri to the forum to share the work they were doing for a future Forum.
- COVID-19 Update to be added to all upcoming meetings.
- The Chairman said there was commercial confidentiality regarding the Royal Windsor Station.
- Councillor Cannon and Paul Roach, Windsor Town Manager, to update on the CCTV item. Councillor Davey said the item could also discuss the District Environmental Crime Officers enforcement. The Chairman said this may be a question to put forward to Full Council.
- Claire Milne requested for the WNP to be added to the Work Programme, and this was agreed for the January 2021 meeting. Susy Shearer said she was given permission to relay a question on behalf of Claire Milne at the previous Forum meeting on 23 September 2020. The report related to progressing the WNP prior to referendum and to what amount of planning "weight" it could be, given it had successfully passed its examination by an officer in Planning Policy, to be considered by Cabinet at the end of October 2020. The question was raised again today as the date was fast approaching.

ACTION: Councillor Knowles to invite Windsor Chamber of Commerce representative.

John Holland asked to have written reports before the meeting so that questions could be prepared in advance of the meeting, rather than verbal updates. The Forum was informed this was dependent on officer workload and resource availability.

The Chairman thanked all officers, Members and residents.

ADDENDUM TO THE MINUTES ADDED ON 02 DECEMBER 2020

Dear Mr Peel,

I am contacting you in relation to an outstanding query you raised at the last Windsor Town Forum meeting on 12 October. You asked for clarification on the position as to whether the first elections to a new Windsor Town Council could take place earlier than 2023.

As advised at the meeting, should the outcome of the community governance review be that a new town council for Windsor be created, it would be RBWM's intention to hold these elections at the next ordinary date for parish elections, which is May 2023. Our position is based on guidance from central government where the most appropriate date for the first elections to a new parish would be the next ordinary elections. However, Section 98(6) of the Local Government and Public Involvement in Health Act 2007 allows principal council to modify or exclude the application of Section 16(3) of the Local Government Act 1972 (the provision that elections take place every four years) and the election rules in a reorganisation order so that the first election to the parish council is held in an earlier year. So in summary, it is possible to hold the first set of elections earlier than 2023, but if this were to take place, the first set of councillors would serve a shorter term as the elections to the parish would also need to take place in the ordinary election cycle in 2023.

It should be noted that it is at RBWM's discretion as to whether the reorganisation made to bring a new parish council into effect will allow for earlier elections or whether the first set of elections will take place as planned in 2023. This would be something that would be considered by the community governance review working group further in the review process, in the event that a new town council is created for Windsor.

Regards,

Suzanne Martin, AEA (Dip)

ADDENDUM TO THE MINUTES ADDED ON 02 DECEMBER 2020

There was £6.5 million of Community Infrastructure Levy (CIL) money for the Imperial House, of which 15% could go locally.

The meeting, which began at 6.15 pm, finished at 8.55 pm

CHAIRMAN.....

DATE.....