

Public Document Pack

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TO: EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

YOU ARE HEREBY SUMMONED TO ATTEND the Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Council Chamber - Town Hall, Maidenhead** on **Tuesday, 20 July 2021 at 7.00 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 12 July 2021



Duncan Sharkey
Chief Executive

*Reverend John Quick
will say prayers for the meeting*

A G E N D A

PART I

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence

2. **COUNCIL MINUTES**

To receive the minutes of the meetings of the Council held on 27 April, 4 May and 29 June 2021.
(Pages 9 - 66)

3. **DECLARATIONS OF INTEREST**

To receive any declarations of interest
(Pages 67 - 68)

4. **MAYOR'S COMMUNICATIONS**

To receive such communications as the Mayor may desire to place before the Council

(Pages 69 - 70)

5. PUBLIC QUESTIONS

- a) Deborah Mason of Riverside ward will ask the following question of Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside:**

Does the Lead Member agree that the UK is facing ecological freefall, that biodiversity gain must be the over-riding priority in all natural habitats owned by the Council and that assumptions we have made in the past about public rights must be reassessed in view of this?

- b) Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health:**

Will the Lead Member confirm how much RBWM has collected through the Adult Social Care Precept since its' inception?

- c) Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Hilton, Cabinet Member for Finance and Ascot:**

Will the Lead Member for Finance advise by ward which roads and pavements were improved under the Clewer & Dedworth Improvement Programme?

- d) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Johnson, Leader of the Council:**

In 2019 Councillors granted permission to dispose of the 50% freehold in the Nicholson Shopping centre on the understanding of multi-billion pound backing from "€22bn" Tikehau Capital. When did the Council become aware that funding for the Nicholson Quarter was no longer secured, and when was this reported to Members?

- e) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Hilton, Cabinet Member for Finance and Ascot:**

In light of the s114 'bankruptcy' by Slough Borough Council, and their £159m deficit projected for 2024/25 what is RBWM's equivalent projected year end general fund reserve figure for 2024/25, and does RBWM share any joint ventures/financial interests with SBC that may be affected or miscalculated?

(The Council will set aside a period of 30 minutes to deal with public questions, which may be extended at the discretion of the Mayor in exceptional circumstances. The Member who provides the initial response will do so in writing. The written response will be published as a supplement to the agenda by 5pm one working day before the meeting. The questioner shall be allowed up to one minute to put a supplementary question at the meeting. The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. A Member

responding to a supplementary question will have two minutes to respond).

6. PETITIONS

To receive any petitions presented by Members on behalf of residents.

(Notice of the petition must be given to the Head of Governance not later than noon on the last working day prior to the meeting. A Member submitting a Petition may speak for no more than 2 minutes to summarise the contents of the Petition).

7. APPOINTMENT OF INDEPENDENT PERSON

To consider the above report
(Pages 71 - 76)

8. APPOINTMENT OF CHAIRMEN

To consider the following recommendation:

RECOMMENDATION: That:

- i) Councillor Haseler be appointed as Chairman of the Maidenhead Development Management Committee for the remainder of the municipal year**
- ii) Councillor Cannon be appointed as Chairman of the Windsor and Ascot Development Management Committee for the remainder of the municipal year**
- iii) Councillor Rayner be appointed as Chairman of Windsor Town Forum for the remainder of the municipal year.**

9. REFERRALS FROM OTHER BODIES

To consider referrals from other bodies (e.g. Cabinet)

I) COMMUNITY GOVERNANCE REVIEW - WINDSOR TOWN COUNCIL - FINAL RECOMMENDATIONS

To consider the report.
(Pages 77 - 108)

II) ANNUAL REPORT FROM THE AUDIT AND GOVERNANCE COMMITTEE

To consider the report.
(Pages 109 - 114)

III) ANNUAL REPORT FROM THE CORPORATE PARENTING FORUM

To consider the report.
(Pages 115 - 126)

10. MEMBERS' QUESTIONS

- a) Councillor Bond will ask the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services, and Maidenhead:**

Following the Greenpeace investigation into UK plastic recycling being dumped in Turkey, can you confirm which countries RBWM plastic waste is now being sent to please, giving a percentage breakdown, and also what supply chain audits are undertaken to ensure it is actually recycled?

- b) Councillor Knowles will ask the following question of Councillor Johnson, Leader of the Council:**

The LGA peer review carried out last year identified areas of weakness in RBWM scrutiny process. Is it the intention to invite the LGA peer review team to revisit this and to assure us of progress being made to improve the system?

- c) Councillor Hill will ask the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure and Digital Connectivity:**

The Greenfields Zebra Crossing, surrounding road markings and street furniture are in a poor state of repair and the result of numerous residents and councillor complaints. When will this area of Stafferton Link Road be renovated and brought up to standard?

- d) Councillor Price will ask the following question of Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health:**

The delivery of the Transformation Strategy is key to RBWM achieving its long-term objectives. The Cabinet Transformation sub committee was formed last year. Its TOR included monitoring progress of delivery of the Transformation Strategy. The Constitution states it will meet quarterly. Why has it therefore only met once in September 2020?

- e) Councillor Price will ask the following question of Councillor McWilliams, Cabinet Member for Housing, Sport & Leisure, and Community Engagement:**

The Transformation Strategy is clear that 'investing in strong foundations' is key to underpinning RBWM's three core values. Such underpinning includes 'modern and robust IT'. More and more information is being communicated exclusively to residents via the website. When will time, effort and money be invested in making the RBWM website easy to navigate and thus 'fit for purpose'?

- f) Councillor Larcombe will ask the following question of Councillor Cannon, Cabinet Member for Public Protection and Parking:**

On 21 June Datchet Parish Council passed a resolution requiring the Environment Agency to limit the Jubilee River conveyance capacity to a volume that is compatible with current Datchet flood defences and land drainage infrastructure. How will RBWM be demonstrating their support for the resolution?

g) Councillor Davey will ask the following question of Councillor Johnson, Leader of the Council:

One issue highlighted by the CIPFA Review of Governance 2020 was that there was “no appropriate challenge or recognition that challenge was a good thing”. What have you done to demonstrate to both the public and this council that you believe challenge is a good thing, and encourage both Members and residents to challenge?

h) Councillor Davey will ask the following question of Councillor Johnson, Leader of the Council:

The CIPFA Review of Governance 2020 suggested the new Audit Committee, and an Independent Chair. Why did you not take up the recommendation for an Independent Chair?

(The Council will set aside a period of 30 minutes to deal with Member questions, which may be extended at the discretion of the Mayor in exceptional circumstances. The Member who provides the initial response will do so in writing. The written response will be published as a supplement to the agenda by 5pm one working day before the meeting. The questioner shall be allowed up to one minute to put a supplementary question at the meeting. The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. A Member responding to a supplementary question will have two minutes to respond).

11. MOTIONS ON NOTICE

a) By Councillor Davey

This council agrees to review the issues highlighted within the following reports: RBWM Corporate Peer Review Challenge Sep 2017, CIPFA Review of Financial Governance of July 2019 & CIPFA Review of Governance Final Report of June 2020 and ensure they are fully addressed by March 2022.

b) By Councillor Davies

Both Parliament and this Council have declared an Environmental and Climate Emergency. There is currently a Bill before Parliament, which, if enacted, would require the government to develop a strategy to address the emergency; enshrine the Paris Agreement and Leaders’ Pledge for Nature into law; and ensure the UK takes full responsibility for our entire greenhouse gas and ecological footprints.

This Council:

- e) Declares its support for the Climate and Ecological Emergency Bill (published as the “Climate and Ecology (No. 2) Bill”);
- ii) Requests that the Leader of the Council writes an open letter to the Members of Parliament for Maidenhead and Windsor (shared with our residents through local and social media) urging them to sign up to

support the Bill; and

- iii) Further requests that the Leader of the Council writes to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing the Council's support.

(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).

12. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

To consider passing the following resolution:-

"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 13 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"

13. REFERRALS FROM OTHER BODIES

To consider referrals from other bodies (e.g. Cabinet)

I) CHILDREN'S SERVICES CAPITAL BUDGETS

(Not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act)

(To Follow)

COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Seconded has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
 - Amendment must be seconded BEFORE any debate can take place on it

(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
 - Amendment debated (if required). Members who have spoken on the original motion are able to speak again in relation to the amendment only
 - Vote taken on Amendment
 - If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
 - If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).
- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
 - At the conclusion of the debate on the Motion, the Mayor shall call for a vote. Unless a named vote is requested, the Mayor will take the vote by a show of hands or if there is no dissent, by the affirmation of the meeting.
 - If requested by any **5** Members the mode of voting shall be via a named vote. The clerk will record the names and votes of those Members present and voting or abstaining and include them in the Minutes of the meeting.
 - Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting

(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)

Closure Motions

a) A Member who has not previously spoken in the debate may move, without comment, any of the following Motions at the end of a speech of another Member:

- i) to proceed to the next business;
- ii) that the question be now put to the vote;
- iii) to adjourn a debate; or
- iv) to adjourn a meeting.

b) If a Motion to proceed to next business is seconded, the Mayor will give the mover of the original Motion a right of reply and then put the procedural Motion to the vote.

c) If a Motion that the question be now put to vote is seconded, the Mayor will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

d) If a Motion to adjourn the debate or to adjourn the meeting is seconded, the Mayor will put the procedural Motion to the vote without giving the mover of the original Motion the right of reply

Point of order

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of the Council Rules of Procedure or the law. The Member must indicate the procedure rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

Personal explanation

A Member may make a personal explanation at any time with the permission of the Mayor. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the requirement of a personal explanation will be final.

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

COUNCIL - 27.04.21

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/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

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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.

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- 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

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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

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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:

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.

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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

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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

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

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Councillor Simon Bond	For
Councillor John Bowden	For
Councillor Mandy Brar	For
Councillor Catherine del Campo	For
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Carole Da Costa	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

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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

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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.....

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AT A MEETING OF THE BOROUGH COUNCIL held as a Virtual Meeting - Online access on Tuesday, 4th May, 2021

PRESENT: The Mayor (Councillor John Story), The Deputy Mayor (Councillor Gary Muir)

Councillors John Baldwin, Clive Baskerville, Christine Bateson, Gurpreet Bhangra, 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, 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, Helen Taylor, Amy Tisi, Leo Walters and Simon Werner

Officers: Andrew Durrant, Adele Taylor, Emma Duncan, Duncan Sharkey, Kevin McDaniel, Karen Shepherd, David Cook, Andrew Vallance, Andrew Scott and Hilary Hall

1. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Bond and Hill.

2. DECLARATIONS OF INTEREST

No declarations were received.

3. ELECTION OF MAYOR FOR THE 2021/22 MUNICIPAL YEAR

As per Part 2C 6.2 of the constitution the Mayor had agreed that the item should be considered at the meeting as a matter of urgency, as Members had agreed to amend the date of Annual Council to 4 May 2021 on 27 April 2021.

The Mayor invited nominations for the election of the Mayor of the Royal Borough for the 2021/22 municipal year.

In proposing Councillor Story, Councillor Carroll commented on the exceptional qualities Councillor Story had brought to the role over the last few months. He brought huge integrity and ethics to all that he did and a fairness and balance which was essential to the role of Chairman. Councillor Story's understanding and knowledge of the constitution and due process was first class, as was his willingness to allow debates to run smoothly and fairly. Councillor Carroll explained that Councillor Story had got stuck on the Falkland Islands at the start of the pandemic; this had proven that nothing phased him, and he was truly match-fit for anything. Councillor Carroll stated this it was his pleasure and privilege to propose Councillor Story as Mayor.

It was proposed by Councillor Carroll, seconded by Councillor Shelim and:

RESOLVED UNANIMOUSLY: That Councillor John Story be elected Mayor of the Royal Borough of Windsor and Maidenhead for the 2021/22 Municipal Year.

The Chief Executive declared Councillor Story duly elected Mayor.

Councillor Story made the Declaration of Acceptance of Office.

In making his speech of acceptance, Councillor Story commented that it was a great honour to be re-elected as the Royal Borough's Mayor. He thanked Members and officers for the tremendous support they had given him during the past four and a half months. Chairing council meetings was of course just one part of a Mayor's job. He was always mindful when chairing a council meeting that the Constitution made it very clear that the overriding aim of the meeting was to promote confidence in the Council by the public.

This was why he particularly welcomed members of the public at Council meetings, whether it was presenting a petition or asking Cabinet Members questions, or even just showing an interest by watching it on YouTube.

Councillor Story commented that he had tried to make the meetings a bit easier to understand and follow by explaining things as they happened and also, when he could, being flexible on time limits when Members were considering matters which he knew were of great public interest. In doing this he hoped the meetings would become a bit more public-friendly. After all, the one thing all had in common was that they wanted residents and businesses to be proud of, and say good things about, their Council.

4. ELECTION OF DEPUTY MAYOR FOR THE 2021/22 MUNICIPAL YEAR

As per Part 2C 6.2 of the constitution the Mayor had agreed that the item should be considered at the meeting as a matter of urgency, as Members had agreed to amend the date of Annual Council to 4 May 2021 on 27 April 2021.

The Mayor invited nominations for the election of the Deputy Mayor of the Royal Borough for the 2021/22 Municipal Year.

In proposing Councillor Muir, Councillor Luxton explained that Councillor Muir had been elected as Deputy Mayor in 2019, and he had continued in the role in December 2020. Councillor Muir was a hard-working Deputy Mayor and was fully qualified to fulfil the duties of the role. It was her pleasure to nominate him.

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

RESOLVED UNANIMOUSLY: That Councillor Gary Muir be elected Deputy Mayor of the Royal Borough of Windsor and Maidenhead for the 2021/22 Municipal Year.

The Chief Executive declared Councillor Muir duly elected Deputy Mayor.

Councillor Muir made the Declaration of Acceptance of Office. In making his speech of acceptance, Councillor Muir commented that he looked forward to his role supporting as many charities and community events as possible. He thanked the Mayor and the Civic Team for their support. It was an honour to serve.

5. POLITICAL BALANCE AND APPOINTMENT OF COMMITTEE/PANEL/FORUM MEMBERSHIP AND CHAIRMEN/VICE CHAIRMEN FOR THE 2021/22 MUNICIPAL YEAR

As per Part 2C 6.2 of the constitution the Mayor had agreed that the item should be considered at the meeting as a matter of urgency, as Members had agreed to amend the date of Annual Council to 4 May 2021 on 27 April 2021.

Members considered the political balance and resulting memberships of the council's panels, committees and forums for the 2021/22 Municipal Year.

Councillor Johnson notified Council of the appointments to Cabinet for the 2021/22 year.

CABINET	
Member	Portfolio
Councillor Johnson	Leader of the Council and Chairman of Cabinet, Business, Economic Development, and Property
Councillor Rayner	Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor
Councillor Carroll	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health
Councillor Cannon	Public Protection and Parking
Councillor Clark	Transport, Infrastructure, and Digital Connectivity
Councillor Coppinger	Planning, Environmental Services, and Maidenhead
Councillor Hilton	Finance and Ascot
Councillor McWilliams	Housing, Sport & Leisure, and Community Engagement
Councillor Stimson	Climate Change, Sustainability, Parks and Countryside

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

RESOLVED UNANIMOUSLY: That Full Council notes the report and:

- i) Notes the political balance of the council detailed in Table 1.**
- ii) Approves the membership of the committees, panels and forums for the Municipal Year as detailed in Appendix A.**
- iii) Appoints the Chairmen and Vice-Chairmen for the Municipal Year as detailed in Appendix A.**
- iv) Delegates authority to the Head of Governance to amend/make further appointments on the nomination of the relevant Group Leader.**

The meeting, which began at 6.15pm, ended at 6.31pm

COUNCIL - 04.05.21

CHAIRMAN.....

DATE.....

AT AN EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL held at the Holiday Inn, Manor Lane, Maidenhead, SL6 2RA on Tuesday, 29th June, 2021

PRESENT: The Mayor (Councillor John Story), The Deputy Mayor (Councillor Gary Muir)

Councillors 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, Jon Davey, Phil Haseler, David Hilton, Andrew Johnson, Greg Jones, Neil Knowles, Ewan Larcombe, Ross McWilliams, Samantha Rayner, Julian Sharpe, Shamsul Shelim, Donna Stimson, Chris Targowski, Amy Tisi, Leo Walters and Simon Werner

In attendance virtually: Councillors Geoff Hill, Carole Da Costa, Helen Price and Gurch Singh.

Officers: Andrew Durrant, Tracy Hendren, Andrew Vallance, Emma Duncan, Adrien Waite, Duncan Sharkey, Karen Shepherd and Greg Nelson

6. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Baldwin, Davies, W. DaCosta, L. Jones, Luxton, Reynolds, and Taylor.

Councillors Hill, C. Da Costa, Price and Singh attended the meeting virtually therefore they were unable to take part in voting on any item.

7. MAYOR'S ANNOUNCEMENTS

The Mayor stated that he was delighted to be back in person after 16 months of online meetings. He commented that, to say the past year had been challenging and heart breaking for borough communities and businesses was an understatement; but the spirit and tenacity shown by everyone living and working in the Royal Borough during this period had been inspiring.

He thanked every single person who had been involved in the battle against the terrible virus. The army of residents, volunteers and voluntary organisations who worked tirelessly alongside council staff to support borough communities. Care home staff who continued to give loving care despite the many difficulties. NHS staff on the front line, alongside care home staff, who toiled horrendously long hours to save as many as they could, and the work now of the NHS and Public Health in distributing the vaccine to so many people in such a short amount of time.

The Mayor announced that the deadline for the Garden in Bloom competition had been extended by two weeks, to 14 July 2021, given plants were flowering later than usual this year. Winners would receive a certificate and rosette and a £20 voucher for Braywick Nurseries. He thanked Maidenhead Chamber of Commerce for funding the scheme.

8. DECLARATIONS OF INTEREST

Councillor Brar declared a Personal Interest in the item 'Statement of Licensing Policy – Five Year Review' as she was a licensee.

9. PUBLIC QUESTIONS

No public questions had been received.

10. DEVELOPMENT MANAGEMENT PANEL REVIEW

Members considered how the Council's Development Management Panels should be structured, and related changes to the Council's Constitution

Councillor Coppinger explained that in May 2020 the Council agreed to establish a single Development Management Panel because of lockdown restrictions. Furthermore, all meetings were held virtually so that all residents had the opportunity to attend. He believed that this had worked exceedingly well and in some ways it was a great pity it could not continue. Many residents and Parish Councils had said that for the first time they could clearly see the maps and plans that were shown.

All good things must come to an end, and the council had now returned to physical meetings. A group of Councillors from both the Borough and Parishes had been formed to discuss the future arrangements and it was important to note that their views had been fully incorporated into the proposals. The group had agreed that the purpose of their deliberations was to:

- Ensure defensible and sound planning decisions which support our placemaking agenda.
- Ensure public visibility and transparency of the decision-making process on applications of local significance and strategic importance to give the public confidence in the decisions
- Ensure public engagement in and understanding of the process
- Ensure robust and simple procedures which were adaptable to changing circumstances.

The council had also received a petition with some 197 signatures which had been taken into account. The choices that were discussed and debated were to stay as was, move to two panels, or keep one but with a larger number of Councillors.

The main criticism of a single panel was that it did not allow the decision-makers to be held accountable by those affected by their decisions, although of course it was not possible to have every ward represented even with two panels. The main concerns with two panels was that it increased the risk that policies would be interpreted differently by the panels and of course it increased the cost in terms of officer time.

There had been benefits of running the single panel; the main one being that it had reduced the risk of different interpretation of policy and of course lower cost. However, given the views of the working party and the feedback from many residents and individual Parishes the proposal was to return to two panels

If the proposal was supported, the move to two panels would occur from 1 August 2021 albeit with a number of very sensible procedural improvements

However there had been concern over the choice of names for the panels. Officers preferred to no longer be town-specific but wished to have more general terms. He had supported this but had met with concern from Members. He was going to propose that the panels made their own decisions but quite rightly it was pointed out that this could cause total confusion especially to residents.

Councillor Coppinger proposed an amendment to amend the names of the two committees to Windsor and Ascot Development Management Committee and Maidenhead Development Management Committee

Members noted the procedural changes:

- Written copies of the proposed speeches be submitted by 5pm on the day of the meeting and not at the time of registering
- Require that those wishing to speak to register by 5pm two working days before the meeting. This would allow time for officers to liaise with speakers should there be more than one person wishing to speak
- To increase the time limit for Parish and Town Councils from 2 to 3 minutes, in line with other speakers

This showed that the council had listened, especially to the Parishes, but also everyone who wished to join in the democratic processes. Councillor Coppinger recognised that there were still a number of concerns about the paper and to ensure that they were monitored, he intended that a review took place and be brought to full Council before June 2022.

Councillor Walters commented that he was glad there would be a return to two panels. The current panel had worked well but had been unpopular with the public. He felt that Members should have sufficient knowledge of the local content and issues for different areas of the borough. He was also glad that the names had changed, and the parish councils were to get equivalent speaking times. Councillor Walters commented that before the 2019 elections there were four Panels including a Local Plans Panel where all parties in proportion met to discuss what would go in the Local Plan. Unfortunately that Panel was not reinstated therefore Councillors had been denied proper input. He referred to page 17 of the report which seemed to suggest that the panel was being reinstated by giving Members the ability to make decisions on inclusions in the local plan; he requested an explanation of this point.

Councillor C. Da Costa welcomed the return of the two committees and the amendment of the name change. She was glad the petition had been listened to and the residents had been heard.

Councillor Werner commented on the great cross-party work that had been undertaken by the working party. He was glad the boroughwide panel did not longer exist; he had had suspicions that it had been created to get controversial applications through.

Councillor Davey commented that getting back to two panels was a good start. Having just one panel may save a few pounds but implying multiple panels increased the risk of making indefensible and unsound decisions was offensive.

Watching a planning meeting the other day, five Conservatives had been persuaded to challenge the officers' decision. Thankfully the panel had not been compromised into making an indefensible or unsound decision, although two panel members did follow the leader and not the NPPF or officer guidance.

Councillor Davey commented that while having more panels made for a much more democratic process, he was heartened to hear that Parish and Town Council representatives were to be given a little more time. If he had his way, Parish Councillors would make up the panels and there would be 20 across RBWM so as to better protect the interests of local residents.

Councillor Hilton stated that he had been amongst the sceptics when a single Development Management Panel of just nine Members had been proposed in May 2020. At that time, he had held the view that the status quo of two panels, where panel members were more likely to have knowledge of the location of applications and their impact on that local area, would be more effective. It was at Council on 26 May 2020 that a proposal for a Boroughwide Development Management Panel, to meet virtually was presented by the Cabinet Member for Planning. At that meeting he advised that the number of applications that had been determined by planners under delegated authority in the preceding two months was 10 major applications and 46 minor applications. Tellingly he also told Members that no Councillor, no Parish, no resident group had raised any issue with that process.

The changes in May 2020 were not just about Member involvement in determining planning applications but the delegation to planning of all decisions other than major applications, leaving about 40 applications a year to be determined by Members. Councillor Hilton explained that he had been one of the Councillors selected to sit on the panel that, consisting of Members from all parts of the borough, had within it the necessary local knowledge. The panel took its responsibilities seriously, Members made an effort to establish an understanding of the setting of applications and listen to the views of those who presented at panel including ward Members who were free to address the panel. Moreover, Members of the Development Management Panel understood that planning was a quasi-judicial process guided by the National Planning Policy Framework, the Borough Local Plan and, increasingly, Neighbourhood Plans. They made decisions within that context, taking account, but not being driven by, the public view. The Panel did not always agree but he had been struck by the coherent arguments that had been presented on all sides. In the past 13 months the Panel had determined 42 applications. He had not been in agreement with all the panel decisions but differed in very few and could understand the reasons behind a majority view. He was converted to the concept of a single panel, as it worked.

The paper told Members that the principal concern of the Working Group was that a single panel would not allow for local residents to hold the decision-makers accountable through subsequent democratic processes. He found it telling that no evidence was presented to suggest there would have been different outcomes had the applications been considered by two panels. It was argued that the benefit of a single panel was consistency of decision making, reducing the risk of loss at appeals. There may have been some substance to this assertion, but it was not significant. There would always be appeals, they were a cost of doing business, and in his experience there were just as many, perhaps more, variables and inconsistencies in the decisions made by the Planning Inspectorate as there were recommendations made by Panel Members.

Councillor Hilton commented that the overriding reason for a single panel was in the most efficient use of the council's scarce Planning resource. There was a nationwide shortage of planning officers and he felt this should be recognised. There were no business grounds for adding a panel. The current panel determined 43 applications in the past 13 months, comfortably managing just over three applications per meeting.

The Working Group's recommendation related to just 40 major planning applications a year; they were content that all other planning decisions were delegated to planners. No reasons other than a perception of democratic accountability and need for local knowledge had been presented to support the view and no account was taken of the additional strain two panels would add to the Planning Department's workload, particularly the senior members of the team who presented at Panel.

Councillor Hilton commented that he understood that in considering the paper Members were dealing with perception, and to some extent emotion, which was challenging. He had been convinced that having two panels was important but experience over the past year had changed his view. The paper offered no evidence to indicate two panels would have led to different outcomes, there was no business case for the proposal, the Boroughwide Panel included Members from across the borough who had local knowledge and ward members were free to address the panel so there was no demographic deficit. There was nothing of substance in the paper that changed his view that two panels to determine just 40 planning applications was illogical and wasteful of planning resource.

The Mayor considered a point of order by Councillor Bowden but determined that no point of order had been raised. Councillor Bowden stated that the two members referenced earlier by Councillor Davey had been himself and Councillor Shelim.

Councillor Knowles congratulated Councillor Coppinger for doing what he said he would do and leaving the Working Group to get on with it. He welcomed the increased speaking time for parishes. There had been a very long debate on the issue of accountability. Training was very important and he had been surprised it had fizzled out since the sessions immediately after the elections. Effective monitoring of decisions and any divergence would be important. The public response to one panel had been surprising. The Nicholson's decision had been run through properly but there had been comments accusing non-Maidenhead councillors of some sort of conspiracy against Maidenhead. He had sat on both a two-panel and one-panel system. Panels operated under the control of officers and the law. The Working Group had discussed every possible outcome. He felt it was a very defensible report. He thanked the officers for their support.

Councillor Shelim commented that sitting on a panel should be about what the Member thought, not necessarily the officer's recommendation. Training was needed for all councillors to understand why they were sitting on a Panel.

Councillor Cannon commented that Members were elected to represent their communities and it was important to listen to them. This was a good example of where that was happening.

Councillor Coppinger concluded the debate. He commented that the Panel suggested by Councillor Walters could be considered when the next Local Plan was written. The

only changes that could be made to the current plan were the ones requested by the Inspector. He agreed that more training was needed to ensure decisions were based on planning law.

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

RESOLVED: That Full Council notes the report and:

- i) Delegates authority to the Monitoring Officer to amend the Constitution from 1st August 2021 as set out:**
 - a. in Appendix A to establish a Maidenhead Development Management Committee and a Windsor and Ascot Development Management Committee to take effect**
 - b. in Appendices B and C to amend details of speaker's rights and require Members of the Committees to undertake annual training**
- ii) Requests the Head of Planning to bring a report reviewing these new arrangements to Full Council by June 2022**
- iii) Requires Group Leaders to inform the Monitoring Officer by 19 July 2021 of those Members and substitutes from their respective Groups to be appointed as the Members and substitutes of the two Committees**

Development Management Panel Review (Motion)	
Councillor John Story	For
Councillor Gary Muir	For
Councillor Clive Baskerville	For
Councillor Christine Bateson	For
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	For
Councillor John Bowden	For
Councillor Mandy Brar	For
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 Jon Davey	For
Councillor Phil Haseler	For
Councillor David Hilton	Against
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Ross McWilliams	For
Councillor Samantha Rayner	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Donna Stimson	For
Councillor Chris Targowski	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Councillor Simon Werner	For
Carried	

11. WINDSOR NEIGHBOURHOOD PLAN ADOPTION - FORMAL MAKING OF THE PLAN

Members considered adoption of the Windsor Neighbourhood Plan.

Councillor Coppinger explained that this would be the sixth Neighbourhood Plan to be adopted following Ascot, Sunninghill & Sunningdale, Hurley and the Walthams; Eton and Eton Wick; Old Windsor and Horton and Wraybury.

He commented that what was especially encouraging with the plan was the way they had engaged with the community through a series of events, surveys, presentations and meetings. In addition, two formal Regulation 14 consultations were undertaken. Following the procedure, the draft plan was examined by an independent examiner who recommended that, after a number of minor changes, the plan could proceed. In December 2020 Cabinet of the Royal Borough approved the Neighbourhood Plan going to referendum.

The referendum was held as part of the elections on 6 May 2021 in the areas covered by the Neighbourhood Plan. The results were clear: 4984 in favour, 617 against.

There was however a minor change to be made to the Plan following the vote. This was because clarity was asked for by a landowner in that a privately owned open space was marked as a public park. The landowner was very happy with the public usage but quite rightly wanted the word public removed.

Councillor Coppinger thanked all those involved for their commitment and unfailing enthusiasm.

Councillor Rayner thanked all involved for their commitment and dedication over a number of years. It was no easy task and required lots of skills. She quoted from the vision statement:

In 2034 developments in the WNP area have provided a more attractive and a better place to live, work and visit. It has protected and enhanced the character of the area as part of the wider historic (market) and royal town of Windsor.

Councillor Rayner felt this perfectly encapsulated the vision for the town.

Councillor Davey commented that the document had already been used to get a planning application for a 5G Mast refused. It was a planning document that was worth its weight in gold and was already serving residents.

Councillor Tisi congratulated the dedicated team of local volunteers who gave their time freely. The plan would help preserve the town and protect its future.

Councillor Knowles commented that it was a brilliant effort by the volunteers. It had already been effective in relation to a 5G mast and an appeal registered in the last couple of days. Having a Neighbourhood Plan in place gave residents something to use to describe the effect rather than woolly words.

Councillor Stimson highlighted that the Plan talked proactively about sustainable roots and outlined in detail the green spaces and how they could be enhanced and protected.

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

RESOLVED UNANIMOUSLY: That Council notes the report and:

- i) **In accepting the result of the referendum, agrees to ‘formally make’ the Windsor Neighbourhood Plan Part of the Development Plan for the Royal Borough of Windsor and Maidenhead and;**
- ii) **Delegates authority to the Executive Director of Place and Head of Planning in consultation with the Cabinet Member for Planning, Environmental Services and Maidenhead to make minor non-material amendments to the Neighbourhood Plan as necessary prior to its publication.**

12. MEMBER ATTENDANCE - DISPENSATION

Members considered a dispensation to remove the requirement that Members must attend a meeting (physically) at least once in any six-month period.

Councillor Johnson explained that the Section 85 of the Local Government Act 1972 stated that a Member of a local authority loses office if they did not attend a meeting (physically) at least once in any six-month period. This requirement was suspended by the April 2020 regulations brought in as a result of the global pandemic. The government had unfortunately not given councils the ability to continue with virtual meetings post-6 May 2021. The report therefore proposed a dispensation to continue the suspension of this requirement until 31 August 2021. He felt the proposal was a fair and sensible way forward to ensure no councillor was unfairly impacted whilst the pandemic continued.

Councillor Rayner commented that the proposal would allow Members to continue with their work until covid restrictions were lifted. A lot of lessons had been learned during the pandemic, with some benefits that should be considered in future.

Councillor Werner welcomed the common-sense solution. The hybrid system that had been developed seemed to work well and he hoped it would continue even after the end of restrictions, for the benefit of both Members and residents.

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

RESOLVED UNANIMOUSLY: That full Council notes the report and:

- i) **Agrees a dispensation until 31 August 2021 to remove the requirement that Members must attend a meeting (physically) at least once in any six-month period.**

13. REFERRALS FROM OTHER BODIES

- i) Housing Strategy 2021-26: Building a Borough of Opportunity and Innovation

Members considered adoption of the Housing Strategy 2021-2026 for publication.

Councillor McWilliams reminded Members that the strategy had been to Cabinet twice and through a public consultation. A number of workshops had been held at the outset to establish the principles. The updated version included commitments around creating better accessible properties for disabled residents and including homeworking. It also reiterated the commitment to refresh the commitment to an empty homes strategy. There was more emphasis on working with landlords to improve the private rented sector. There were some significant changes since the last

Cabinet version, which included a specific incentive for development partners and other developers to bring forward carbon neutral and carbon positive technology. The council would also seek to retrofit the existing stock where possible.

It was critical for the council to deliver on its sustainability and climate change targets whilst also improving the housing market in the borough. There was a need for more general affordable housing for residents and for those who wished to come into the borough and add their skills and passion to the area. There was also need for a greater amount of affordable rented and social rented units. The RBWM Property Company was bringing forward a number of schemes to achieve this.

If the proposals were adopted, a senior panel of registered providers would be established to bring forward key joint strategies and drive up the number of affordable rented and social rented units. The report also proposed a better way of aligning nomination allocation policies for those wishing to move within the borough.

Councillor Werner stated that he would support the report, but he was disappointed as he felt it was not a strategy paper but a position paper and lacked detail. He had expected it to include specific targets for the number of affordable units to be brought forward. The document also missed out the actual consultation results which were needed to compare with the action plan. The carbon neutral proposal was welcomed but again he would like to see targets. Councillor Werner also stated that he would be interested in other Members' thoughts on the proposed changes to planning rights.

Councillor Walters commented that the strategy was full of good intentions, but he did not see how the shortage of affordable housing would be addressed in practice. The solution would be policy H03 in the local plan that required 40% affordable housing in developments between 10-500 dwellings. Over 500 units the requirement was 30%.

Councillor Knowles commented that it was a well-thought-out strategy. He raised a concern with the online housing register that although initial allocations worked fairly well, it did not work when people wanted to move to a different size property because their circumstances changed. He acknowledged that this was a result of the legislation rather than a council policy but urged Councillor McWilliams to shine a spotlight on the issue.

Councillor Rayner commented on the affordable housing crisis in the borough where residents faced housing costs 15 times the average salary. Houses were not just homes, but they also provided stability, mental health benefits, and the ability to get work. Therefore any help that could be given was important for society in general.

Councillor Johnson commented that the strategy supported the vision of a borough of opportunity and innovation. He commended the Cabinet Member on the focus on the private rented sector as he felt there was significant scope to drive up standards in this area, and on climate change and sustainability through the use of innovative technology and modern building methods.

In relation to permitted development rights, he stated that he had nuanced views. He recognised the need to increase availability and bring sites back into use, but he had concerns about the quality of development and the ability of the local authority to capture the maximum affordable units.

Councillor Sharpe commented that it was great news but he felt that serious changes would be needed to the Borough Local Plan to accord with the proposals in the strategy such as those related to climate change.

Councillor Carroll highlighted the importance of significant objectives in the strategy to support health and wellbeing.

Councillor Coppinger stated that the only changes that could be made to the Borough Local Plan were those requested by the Inspector.

Councillor Davey commented that 'ladders of opportunity' were provided by the 'snakes of capitalism'. His first house in Leeds was bought for £27,000 with a £5,000 deposit provided through inheritance from a great uncle. Today kids needed more like £150,000, which was not realistic for most. He urged the council to build some council houses and not give them away to housing associations. He would push at the right time that AL21's 180 affordable homes be made up of two thirds council homes, owned and run by RBWM.

Councillor Stimson commented that the strategy was very aspirational. There were pockets of deprivation in the borough and a huge amount of stock to retrofit. There was a lot of hard work to do but the strategy had strong links to health and wellbeing through green technology, and it addressed issues for those with disabilities, vulnerable residents, empty homes, and carbon technology.

Councillor McWilliams explained that in relation to affordable housing targets, the SHMA underpinned what was in the local plan. H03 did not specifically mention the SHMA target as the council's objective but the housing strategy did. He agreed that a summary of the consultation results could be added to the website. The document included a seven-page Action Plan with 39 separate actions including target dates. He would be happy to come to any Overview and Scrutiny Panel to discuss delivery against the targets. The Local Plan was very raw on delivery, whereas the strategy added flesh to the bone. Councillor McWilliams acknowledged that there was not enough stock at the local level with multiple bedrooms.

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

RESOLVED UNANIMOUSLY: That Council notes the report and:

- i) **Approves the recommendation from Cabinet to adopt the Housing Strategy 2021-2026 for publication**
- ii) Statement of Licensing Policy – Five Year Review

Members considered adoption of the Statement of Licensing Policy.

Councillor Cannon explained that the local authority had a duty under the Licensing Act 2003 to have a five-year policy. A request had been made to the Home Office to extend this to allow a full consultation with the trade given the situation over the last 18 months. The request was refused therefore the council had had to progress without a full consultation. It had however consulted with the police and fire services and Public

Health to develop an interim statement. The report also included a commitment to start a full review within one year.

Councillor Tisi highlighted paragraph 2.10 which referenced a suggestion made by Councillor Davies to add safeguarding partnerships to the list of consultees. Alongside Councillor Davies, she welcomed the inclusion of both Adult and Children's Services to the list. On behalf of Councillor Davies, she thanked the Trading Standards & Licensing Manager for his guidance, Councillor Hill for seconding her proposal and Councillor Cannon for his strong support during the discussions.

Councillor Bhangra commented that the statement had been debated at length at the Licensing Panel meeting he had chaired in April 2021. He encouraged all to support the proposals.

Councillor Cannon commented that the proposal to include safeguarding was welcomed as they played an integral part in licensing.

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

RESOLVED UNANIMOUSLY: That Council notes the report and:

- i) **Agrees to adopt the RBWM Licensing Policy Statement 2021 - 2026 so that it can be implemented with immediate effect (noting the interim nature of the policy as set out in paragraphs 2.8 - 2.11**

iii) 202/21 Annual Reports from the Overview and Scrutiny Panels

Members considered the 2020/21 annual reports from the four Overview and Scrutiny Panels.

Councillor Targowski introduced the item, encouraging Members to note the reports.

Councillor Larcombe proposed an amendment to add additional wording to the recommendation:

That full Council notes the 2020/21 annual reports of the four Overview and Scrutiny Panels *and recognises the need for a work prioritisation process.*

Councillor Werner seconded the amendment.

Councillor Targowski stated he did not accept the amendment on the basis that it was already referenced in the reports therefore it was unnecessary.

Members therefore debated the amendment

Councillor Larcombe commented that all four reports included improved working methods. He referred to Councillor Bowden's comment that there should be no more 'scrutiny in arrears'. The council needed to recognise there was a problem with scrutiny in particular the timing. The two elements were the importance of what was to

be scrutinised and the urgency. Councillor Larcombe felt there should be a prioritisation process based on these elements.

Councillor Knowles was disappointed that the reports laid out what had been done but there was no audit trail to see if any of the work influenced any cabinet decisions.

Councillor Werner commented that all knew that scrutiny was not working and it was not doing its job according to the legislation. One small facet of the problem was the agenda. Currently these were determined by the Chairman so it was difficult for the Opposition to get any item on the agenda.

Councillor Targowski highlighted that the reports included a number of improvements to working methods therefore he felt it was not right to highlight just one. Each panel should look at the suggestions and take them on board. Prioritisation should be up to each Panel rather than the whole council.

Councillor Larcombe commented that he had only ever asked for one item to go on a scrutiny agenda. One person had spoken against it being put on the work programme.

A vote on the amendment was taken by a show of hands. 9 councillors voted for the motion; 19 councillors voted against the motion. 1 councillor abstained. The motion for an amendment therefore fell and Members returned to debating the original motion.

Councillor Davey commented that it was painfully obvious that Overview and Scrutiny did not work in its current format, the main reason being that the Conservatives hated it. Anything that slowed down policy diktats from central government was a threat. Its real purpose was completely ignored in favour of ticking a box to say it went to scrutiny.

Councillor Davey provided three examples:

- Councillor Singh had been democratically voted in as Chairman last year. The Conservatives immediately looked to a vote of no confidence, even changing the constitution on a whim to vote out Vice Chairmen.
- He had asked for Overview and Scrutiny to discuss the ancient tree in Datchet situation but apparently that was not possible. It was not possible for Overview and Scrutiny to discuss why the system was broken, favouring an insurance company instead of an ancient tree that actually offset carbon and produced oxygen. Unlike the 10,000 trees planted to great fanfare by the Conservatives last year.
- Months ago he had asked for a debate on 5G. This still had not happened but nearly 30 applications for 5G Masts had come in during COVID with most simply sailing through planning.

Councillor Davey commented that at the last Infrastructure Overview and Scrutiny meeting there was supposed to be an item on street lighting on the agenda but it got pulled at the last minute because he had asked questions around the potential risks to residents of the radar effect of the 5G phased collimated beam. This had been addressed with a “we don’t know” and pulled. RBWM Conservatives did want the 5G debate. They thought by having it as part of the climate policy that it made it all nice and green, when in fact it used more than 10 or 20 times the electricity.

However, they did want Low Traffic Neighbourhoods (LTN), which would have walked into everyday life in the new year had there not been Independent opposition to ask the questions, bring it to the residents' attention and cause a U-turn. The issue was brought to Communities Overview & Scrutiny where the Lead Member promised if residents did not want them, they would not happen. The result was they did not, and he was as good as his word. Now, with a change of name and a fresh consultation, they were being brought back and would make significant changes to the lives of residents.

He asked if it was part of the bigger game plan, could it be reflected in the new housing estates being built in RBWM. The 450 houses on AL21 needed to be eco-friendly. Councillor Davey questioned if the developer would be happy with this. He also asked if the council should need to wait for 2040, when the UK Government would be chasing around looking for ways to push back on the Climate Change agenda date of 2050, for councils to be brave enough to challenge builders and set very high standards. He asked if should be made easy for the builders and simply force change on existing estates when builders were long gone. Councillor Davey felt this would be double standards. He hoped after his meeting with the developers that week, proposing the above, to see some significant changes to the plans. He commented that they did seem like they were actually listening to residents' concerns and mitigating any risk to plans being turned down. Councillor Davey suggested that the model should be if a builder would not add the LTN to their new application then it could not be enforced on existing estates within a 5-mile radius.

Councillor Davey concluded that Overview and Scrutiny was a waste of everyone's time and the administration knew this.

Councillor Price highlighted to Members that both she and Councillor Del Campo had supported the report from the Communities Overview and Scrutiny Panel, but not the Chairman's introduction. Other Members had said the process was broken and she agreed. There seemed to be an approach of volume which led to superficiality and a lack of proper scrutiny. She questioned if individual Members understood their roles and that of the Panel as a whole. She understood there would be some more training which she welcomed.

Councillor Singh commented that, looking at the report, there were some critiques levelled by panel members and equally batting off from scrutiny chairs, which had been a common theme over the year. One thing was clear to him was that scrutiny was not only lacking, it was broken, and it was defunct. He was not going to pick on the Chairmen because he 'played the ball not the man'. He would leave that game to the small number of members of the administration and their cronies.

Councillor Singh commented that he had noticed one interesting comment from the Chairman of the Communities Overview and Scrutiny Panel: 'I will strive to conduct the meeting in a manner akin to those in the parliamentary select committees.' He suggested that this would be an achievement, but first the council should just try to follow the guidance of the LGA and try to return to a standard that worked as a local authority.

A start would be by looking at using scrutiny to influence the policies and decisions made by the council and other organisations involved in delivering public services. Scrutiny should be seen as a 'critical friend' and help identify where decisions could be

improved and how to prevent mistakes being made or repeated; the Chairmen should help facilitate that. Councillor Singh felt that Chairmen acted as gatekeepers, stopping panel members from asking important questions and fact finding and more intent on racing through deliberately packed agendas.

Looking at work programming in the planning stages, where subjects for further investigation could be identified, was another way scrutiny could be restored in RBWM. Sketchy cabinet forward plans and last-minute agendas popping did not help either.

Councillor Singh commented that he knew all scrutiny work must add value: it must make a positive contribution to the lives of local people with clear objectives. When scrutiny was carried out properly it was constructive and fed into the priorities of the council and its partners. The council needed to return to proper scrutiny, where it could tackle issues of direct relevance to local people.

It would be helpful to regularly report on the impact and benefit of scrutiny which could be measured. The council's leadership had a responsibility to set the tone and create an environment that welcomed constructive challenge and democratic accountability. If there was buy-in to scrutiny at the top of the organisation (the leader, the cabinet, and the Conservative administration) it tended to follow that scrutiny was resourced. However, there was no buy-in to a scrutiny approach, that openness and transparency and the willingness to be questioned, seeing the value of scrutiny, it tended to follow that it was not resourced as well and there was no parity of esteem. There was a perception that overview and scrutiny was an 'add on' rather than an integral part of RBWM governance arrangements.

It was vital that the role of scrutiny chairman was respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage. He believed that there were many effective and impartial scrutiny chairs working across the country, but he was concerned that how chairs were appointed had the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety did not occur, he believed that an insufficient distance between the Conservative cabinet and scrutiny could create a perception of impropriety.

Councillor Singh believed there was great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-Cabinet councillors. Lastly, perhaps a scheme where the impact of scrutiny's effectiveness could be monitored, and its merits considered and looked into. Residents who he spoke to on a daily basis were fed up with hollow words and platitudes and wanted to see a difference and if Chairmen were truly independent of the administration they needed to prove it and return functioning scrutiny to RBWM.

Councillor Bowden requested a personal explanation. He drew Members' attention to the wording of his Chairman's introduction. He had tried his best under the prevailing circumstances.

Councillor Knowles commented that all of the Opposition wanted scrutiny to work. Thanks to Zoom they had been able to attend more meetings, as had the public. Residents had asked him what was the point of scrutiny and he had found it difficult to explain. It should be a useful tool for the Cabinet to allow research and background work to be done. It would be good if all could get behind the process and make some tweaks to some panels. Scrutiny should be seen as a positive, but both sides currently saw it as a negative.

Councillor McWilliams commented that he did not recognise the picture painted by some Members. He had been a councillor for six years and had sat on a Panel as well as attending as a Cabinet Member. He had found the conversations very useful if the right question were asked and long-term projects were put in place. It was up to the Panels to choose their own Chairman and Vice Chairman and determine their own destiny in terms of their workload, and who to invite and talk to. He highlighted a number of successful pieces of scrutiny including the Family Hub and the Homelessness and Rough Sleeper Strategy.

Councillor Johnson commented that the council had never been so candid about its finances than it currently was. It would not be possible to always get everything right and it was ridiculous to claim that. Scrutiny was not just there to hold the executive to account but also to undertake policy development. He highlighted that an Independent had been appointed as the Vice Chairman of the Audit and Governance Committee. He agreed that there was room for improvement but did not accept the system was broken.

Councillor Carroll commented that the Conservatives did not hate scrutiny; it took it very seriously. He personally took it very seriously through the Adults, Children and Health O&S Panel, which considered issues relating to vulnerable individuals. In the past he had worked on various task and finish groups in a cross-party way including on the smoking cessation programme and drug and alcohol review. All should be open minded and look to make positive improvements. He highlighted there were no sterner bodies of scrutiny than Ofsted and CQC.

Councillor Davey requested a personal explanation, but the Mayor ruled it was not a personal explanation.

It was proposed by Councillor Targowski seconded by Councillor Cannon and:

RESOLVED UNANIMOUSLY: That full Council notes the 2020/21 annual reports of the four Overview and Scrutiny Panels.

The meeting, which began at 7.02pm, ended at 9.04pm.

CHAIRMAN.....

DATE.....

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MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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MAYOR'S COMMUNICATIONS

Unfortunately due to the ongoing Covid-19 social distancing restrictions many of the traditional local events have had to be cancelled this summer. However, the Deputy Mayor and I have continued to support the Royal Borough community and residents as best we can virtually. We have also carried out the following engagements since the last meeting of Annual Council:-

- Presented prizes at International Nurses Day, Heatherwood Hospital, Ascot
- Attended the Royal British Legion's 100th anniversary commemoration in Datchet
- Attended the re-opening of the Castle Hotel, Windsor and the launch of their Captain Sir Tom Afternoon Tea
- Attended the SERFCA (South East Reserve Forces Cadets Association) virtual briefing
- Attended the Cumberland Lodge webinar "Social Cohesion – Post Lockdown"
- Considered the latest applications submitted to the Royal Albert Institute Trust
- Attended the Berkshire Archaeological Society's 150th anniversary virtual celebrations
- Attended two maths competitions for primary school children organised by the Rotary Club of Maidenhead Thames
- Attended a virtual meeting of the Charles Davis Trust
- Led the Armed Forces Flagraising ceremony in Windsor
- Chaired meeting of Extraordinary Council
- Visited the Royal Windsor Horse Show
- Officially opened the 36th Maidenhead Lions Swimathon
- Attended virtual meetings of the Spoore Merry Rixman Foundation and Pooles & Rings Charity
- Planted a tree of friendship to mark the 40th anniversary of Windsor and Maidenhead Community Forum (WAMCF)
- Launched the Royal Borough's 2021 Garden in Bloom competition.

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Report Title:	Appointment of Independent Person under the Localism Act 2011
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Rayner, Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor
Meeting and Date:	Full Council 20 July 2021
Responsible Officer(s):	Emma Duncan, Deputy Director of Law and Strategy & Monitoring Officer / Karen Shepherd, Head of Governance & Deputy Monitoring Officer
Wards affected:	All

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REPORT SUMMARY

This report recommends that the Council appoints Keith Robinson to the position of Independent Person under s28(7) of the Localism Act 2011.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and:

- i) Appoints Keith Robinson as an Independent Person under s28(7) of the Localism Act 2011.**
- ii) That £1000 be added to the Member Allowances budget to cover the cost of the allowance to the new Independent Person.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
To approve the appointment of Mr Keith Robinson as Independent Person This is the recommended option	Appointing a third Independent Person would add resilience to the council's processes and support the standards regime
To not approve the appointment of Mr Keith Robinson as Independent Person	

- 2.1 The council is required under section 27 of the Localism Act 2011 to appoint an Independent Person to assist the Council in promoting and maintaining high standards of conduct by borough councillors and co-opted members of the Council, and by Town/Parish Councillors of Town/Parish Councils within the borough.

- 2.2 Under the council’s local process for the consideration of code of conduct complaints, the views of the Independent Person may be sought by the Monitoring Officer on receipt of an allegation against a Councillor. Those views are then taken into account by the Monitoring Officer on whether an investigation should be carried out and on making the decision itself.
- 2.3 The Independent Person’s views may also be sought by the person complained against. The Independent Person may also be consulted by the council on other ‘standards of conduct’ matters.
- 2.4 Finally, the Independent Person will be available to advise the council as part of a Panel prior to any vote on whether to dismiss the Council’s Head of Paid Service, the Monitoring Officer or the Chief Finance Officer (“Protected Officers) This is a statutory requirement under The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 Under these regulations, the advisory Panel must contain at least two Independent Persons.
- 2.5 The council currently has two Independent Persons: Mr David Comben and Mr Peter Hills. A third Independent Person would add resilience to the process and would also allow different Independent Persons to cover different aspects of the process. For example, one Independent Person could provide views to the Monitoring Officer on receipt of an allegation, another could support the Subject Member through the process and the third could act as Chairman on any subsequent Member Standards Sub Committee hearing.
- 2.6 In accordance with the provisions of the Localism Act, an advertisement for an Independent Person role was placed in the local press in May 2021. The role description is attached at Appendix B. Two candidates were interviewed in June 2021 by the Monitoring Officer and Deputy Monitoring Officer.
- 2.7 Following the recruitment process, it is recommended that Council appoint Mr Keith Robinson as a third Independent Person to the Royal Borough. A short biography of Mr. Robinson is attached as Appendix A.

3. KEY IMPLICATIONS

3.1

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Mr Keith Robinson appointed as Independent Person	No appointment made	Appointment made	N/A	N/A	20 July 2021

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The two current Independent Persons are each paid an allowance of £1000 per annum. If a third Independent Person were appointed, a further £1000 would need to be added to the Members’ Allowances budget.

4.2

Table 3: Financial impact of report’s recommendations

REVENUE COSTS	2021/22	2022/23	2023/24
Additional total	£1000	£1000	£1000
Reduction	£0	£0	£0
Net Impact	£1000	£1000	£1000

5. LEGAL IMPLICATIONS

5.1 The Council is required to appoint Independent Persons under s28(7) of the Localism Act 2011.

6. RISK MANAGEMENT

6.1

Table 4: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Insufficient resilience and flexibility in the standards process	Medium	Appointment of third Independent Person	Low

7. POTENTIAL IMPACTS

7.1 Equalities. Equality Impact Assessments are published on the [council’s website](#). An EQIA screening form has been completed; no negative impacts have been identified.

7.2 Climate change/sustainability. None by virtue of the recommendation in the report.

7.3 Data Protection/GDPR. None by virtue of the recommendation in the report.

8. CONSULTATION

8.1 N/A

9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 5.

Table 5: Implementation timetable

Date	Details
20 July 2021	Appointment of Independent Person
21 July 2021	Independent Person in post

10. APPENDICES

10.1 This report is supported by two appendices:

- Appendix A - Biography of Mr Keith Robinson.
- Appendix B – Independent Person role description

11. BACKGROUND DOCUMENTS

11.1 This report has no background documents:

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Rayner	Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor	30/6/21	30/6/21
Duncan Sharkey	Chief Executive	28/6/21	28/6/21
Adele Taylor	Executive Director of Resources/S151 Officer	28/6/21	
Andrew Durrant	Executive Director of Place	28/6/21	29/6/21
Kevin McDaniel	Executive Director of Children's Services	28/6/21	
Hilary Hall	Executive Director of Adults, Health and Housing	28/6/21	28/6/21
Andrew Vallance	Head of Finance	28/6/21	
Elaine Browne	Head of Law	28/6/21	29/6/21
Nikki Craig	Head of HR, Corporate Projects and IT	28/6/21	28/6/21
Louisa Dean	Communications	28/6/21	28/6/21

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

Report Author: Karen Shepherd, Head of Governance, 07766 778286

Appendix A

Mr Keith Robinson - biography

Keith Robinson is a retired process and organisational consultant, latterly with IT specialisation. His commercial training, business and voluntary work experience all centered on problem definition, data gathering by interview and informal communication, situation analysis and solution proposal.

He is a former Chairman of White Waltham Parish Council and member of DALC and BALC. During his time at White Waltham PC he was heavily involved in the development of the Hurley and the Walthams Neighbourhood Plan.

Appendix B

ROLE OF INDEPENDENT PERSON

Responsible to: The Royal Borough of Windsor and Maidenhead

Liaison with: Monitoring Officer, officers and Members of the Royal Borough of Windsor and Maidenhead and Town and Parish Councillors within the borough.

1. To assist the Council in promoting high standards of conduct by elected and co-opted Members of the Royal Borough of Windsor and Maidenhead and town and parish councillors in the borough and in particular to uphold the Code of Conduct adopted by the Council and the seven principles of public office, namely selflessness, honesty, integrity, objectivity, accountability, openness and leadership.
2. To be consulted by the Monitoring Officer before a decision is made on an investigated allegation and to be available to attend meetings for this purpose if necessary.
3. To be available for consultation by the Monitoring Officer before a decision is taken as to whether to investigate a complaint or to seek local resolution of the same.
4. To be available for consultation by any elected Member and co-opted Member, including town and parish councillors, who is the subject of a standards complaint.
5. To be available for consultation by the Monitoring Officer before making a decision on an allegation that the Monitoring Officer has decided should be formally investigated.
6. To be available for consultation by the Monitoring Officer in respect of a complaint at any other stage.
7. To develop a sound understanding of the ethical framework as it operates within the Royal Borough of Windsor and Maidenhead and its town and parish councils.
8. To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside the Royal Borough of Windsor and Maidenhead's area
9. To advise the Council as part of a Panel prior to any vote on whether to dismiss the Council's Head of Paid Service, the Monitoring Officer or the Chief Finance Officer ("Protected Officers) This is a statutory requirement under The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015,

Report Title:	Community Governance Review – Windsor Town Council – Final Recommendations
Contains Confidential or Exempt Information	No - Part I
Lead Member:	Councillor Shelim, Chairman of the Community Governance Review Working Group
Meeting and Date:	Full Council – 20 July 2021
Responsible Officer(s):	Emma Duncan, Deputy Director of Law and Strategy and Monitoring Officer/ Karen Shepherd, Head of Governance
Wards affected:	Clewer & Dedworth East, Clewer & Dedworth West, Clewer East, Eton & Castle, Old Windsor

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REPORT SUMMARY

In July 2020 full Council approved the Terms of Reference to formally commence a Community Governance Review (CGR) to consider the formation of a town council for Windsor.

A first round of consultation was held between July and October 2020 to determine the appetite for a town council in the area. Following consideration of the consultation responses, full Council approved a set of draft recommendations, and a second round of consultation followed between March and June 2021. Following analysis of the second round of consultation responses, the cross-party CGR Member Working Group has drafted a final set of recommendations for the formation of a Windsor Town Council, which are recommended to full Council.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and considers the recommendation of the Community Governance Review Working Group to:

- i) Establish a new town council for Windsor as detailed in Appendix A.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Approve the recommendation to establish a town council for Windsor as detailed in Appendix A	Consideration of the final recommendation from the CGR Working Group is the final step in the CGR process. The Council has a duty to complete the review process within twelve months of
This is the recommended option	

Option	Comments
	publishing the Terms of Reference.
Modify the electoral arrangements recommended	The proposed electoral arrangements have been developed by a cross-party Member Working Group taking into account the responses to the consultation and therefore amendments are not recommended.
Do not approve the recommendation to establish a town council for Windsor	The Council has a duty to complete the review process within twelve months of publishing the Terms of Reference, even where it deems the existing governance arrangements for Windsor to be sufficient.

- 2.1 The Council can undertake a review of the parish governance arrangements in its local area at any time and has a duty to ensure effective and convenient governance arrangements are in place
- 2.2 The CGR Working Group established to manage the CGR process comprises 5 elected members: Councillors Shelim (Chairman), Cannon (Vice Chairman) Davies, Hilton and Knowles.
- 2.3 Supported by officers from across the council, the CGR Working Group held ten meetings between August 2020 and February 2021, initially to plan the first round of consultation, then to consider the consultation results and draft recommendations for a second round of consultation.
- 2.4 A further five meetings have been held between April and July 2021 to consider the consultation results from the second round of consultation and to draft the final recommendations. Having considered both the volume of responses and the content of the feedback provided in the consultation, the CGR Member Working Group agreed by majority vote to recommend to full Council the establishment of a Windsor Town Council with the electoral and consequential arrangements as detailed in the draft recommendations. Further details are provided in the final recommendations (Appendix A).

3. KEY IMPLICATIONS

- 3.1 The final recommendations as detailed in Appendix A propose the establishment of a Windsor Town Council.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Establishment of Windsor Town Council	Town Council not established	Town Council established	N/A	N/A	Elections to the Town Council would take place in May 2023

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The financial implications of the establishment of a town council for Windsor will concern the setting of a parish precept for the new council as part of the budget setting process in February 2023, as well as impacts on the special expenses precept for currently non-parished areas within RBWM. If it is decided that a Windsor Town Council should be established, at the point it comes into being in April 2023, the Royal Borough will no longer retain the £469,000 which is currently collected through the corporate Special Area Expense Account (SAE) from residents in Windsor. Instead, residents who currently pay their precept to the Royal Borough which makes up the £469,000 amount, will pay this element of taxation directly to Windsor Town Council. Further details are included in Appendix A.
- 4.2 The document 'Land, Buildings and Services Devolution Criteria' (Appendix B) sets out the parameters by which the council would determine assets and services that would be transferred to a new town council. The document recognises the need to balance the aspirations of local communities to take on the guardianship of public property assets and delivery of services, with the duty of care the council must have in safeguarding the best interests of all RBWM residents.

5. LEGAL IMPLICATIONS

- 5.1 The Council has the power to facilitate a process to review and amend existing community governance arrangements under the Local Government and Public Involvement in Health Act 2007.

6. RISK MANAGEMENT

6.1

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
A community governance review is not conducted in	Medium	Full Council considers the recommendations from the Working Group and	Low

accordance with the statutory framework		concludes the process within 12 months of publishing the Terms of Reference for the review.	
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7. POTENTIAL IMPACTS

- 7.1 Equalities. An [EQIA screening](#) has been undertaken; a full EQIA is not considered to be required.
- 7.2 Climate change/sustainability. Some assets and services that may transfer to a Town Council would have associated carbon emissions and generate waste. A Town Council would need to work with RBWM to achieve the outcomes set out in the climate strategy to reduce carbon emissions, reduce waste and increase biodiversity.
- 7.3 Data Protection/GDPR. The contact details of individuals responding to the consultation have been processed in accordance with GDPR.
- 7.4 In the event of a new Town Council being in existence from April 2023, any RBWM employees in post at that time in the relevant services would likely be in scope for TUPE transfer. Further work will be undertaken on this when specific services for transfer have been identified.

8. CONSULTATION

- 8.1 The cross-party Community Governance Review Working Group has been involved in managing all stages of the review.
- 8.2 All interested parties were given the opportunity to provide feedback on the draft recommendations as part of the second round of consultation:
- The 69 respondents to the first consultation who provided their views on the Terms of Reference between August and October 2020 were contacted directly and notified that the draft recommendations had been published and comments were welcomed.
 - The stakeholder database compiled for use during the first consultation was used again for the second consultation and schools, parish councils, local businesses and community groups etc were contacted directly about the draft recommendations.
 - An information leaflet providing high-level details of what was proposed and how residents could respond was distributed to all residential households (covering the electorate of 21,000) in the review area w/c 29 March 2021.
 - An advert was placed in the Windsor Observer w/c 29 March 2021 to raise awareness about the review.
 - The council's usual communication channels were deployed and regular articles in the Residents' Newsletter and on the council's social media channels were published throughout the duration of the consultation.

- Members of the CGR working group wrote to the local press to highlight the consultation.
 - Responses to the consultation could be made by multiple methods, including by post or email and by completing the interactive survey on the council’s webpages hosted by Engagement HQ. Hard copy responses could also be deposited at Windsor library
- 8.3 There were 679 responses received during the second consultation period. A breakdown is provided below:
- 656 responses submitted via the [online survey](#).
 - 23 responses submitted by email or post
- 8.4 The consultation responses have been published on the [community governance review webpages](#), with all personal information of consultees redacted.
- 8.5 A detailed breakdown of responses received is provided in paragraph 5.10 of the Final Recommendations (Appendix A).

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The full implementation stages are set out in Table 4.

Table 4: Implementation timetable

Date	Details
20 July 2021	Consideration of the Final Recommendations by full Council
	<i>If the creation of a Windsor Town Council is approved</i>
December 2021	Reorganisation Order made
4 May 2023	Elections to Windsor Town Council

10. APPENDICES

- 10.1 This report is supported by two appendices:
- Appendix A – Community Governance Review – Windsor Town Council – Final Recommendations
 - Appendix B – Land, Buildings and Services Devolution Criteria

11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by the following background documents:
- [Guidance on community governance reviews](#), published by the Local Government Boundary Commission for England and the Department for Communities and Local Government
 - The [Terms of Reference](#) of the CGR
 - [Responses](#) to the first round of the consultation
 - [Responses](#) to the second round of consultation
 - [Minutes](#) of the CGR Working Group meetings

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllrs Shelim, Cannon, Davies, Hilton and Knowles	Members of the Community Governance Review WG	2/7/21	2-4/7/21
Duncan Sharkey	Chief Executive	2/7/21	7/7/21
Adele Taylor	Executive Director of Resources/S151 Officer	2/7/21	5/7/21
Andrew Durrant	Executive Director of Place	2/7/21	6/7/21
Kevin McDaniel	Executive Director of Children's Services	2/7/21	2/7/21
Hilary Hall	Executive Director of Adults, Health and Housing	2/7/21	2/7/21
Andrew Vallance	Head of Finance	2/7/21	
Elaine Browne	Head of Law	2/7/21	6/7/21
Nikki Craig	Head of HR, Corporate Projects, and IT	2/7/21	5/7/21
David Scott	Head of Communities / Returning Officer	2/7/21	2/7/21
Chris Joyce	Head of Infrastructure, Sustainability and Economic Growth	2/7/21	7/7/21
Louisa Dean	Communications	2/7/21	

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

Report Author: Suzanne Martin, Service Lead – Information Governance and Electoral Services, 01628 682935.
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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

COMMUNITY GOVERNANCE REVIEW WINDSOR TOWN COUNCIL

FINAL RECOMMENDATIONS

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1. Introduction

- 1.1 The Royal Borough of Windsor and Maidenhead is carrying out a community governance review pursuant to the provisions of the Local Government and Public Involvement in Health Act 2007.
- 1.2 The Royal Borough is required to have regard to the "[Guidance on Community Governance Reviews](#)" issued by the Secretary of State for Communities and Local Government published in 2008. In addition to this guidance, the Royal Borough will be mindful of the provisions set out in the Local Government Act 1972, the Local Government (Parishes and Parish Councils)(England) Regulations 2008 and the Local Government Finance (New Parishes) Regulations 2008 which regulate consequential matters arising from the review.
- 1.3 The Local Government and Public Involvement in Health Act 2007 transferred the powers for conducting community governance reviews to principal councils, which had previously been shared with the Electoral Commission's Boundary Committee for England under the Local Government Act 1997. The Royal Borough of Windsor and Maidenhead is statutorily responsible for carrying out the review.
- 1.4 A community governance review is the process used to consider whether existing parish arrangements under the jurisdiction of the local authority should be changed in any way. Community governance reviews can address the following:
 - Altering the boundaries of existing boundaries
 - Changing the names of existing parishes
 - Creating or abolishing parish councils
 - The electoral arrangements for parish councils (including the number of councillors and arrangements for parish warding)
 - The grouping or de-grouping of parish councils (and consequential changes to their electoral arrangements)
 - The "style" of a parish (enabling an area to be known as a town, community, neighbourhood, or village rather than a parish).

2. Background

- 2.1 At a meeting of Full Council on 28 July 2020, the Council approved the Terms of Reference for the review. The review area is limited to the currently unparished parts of Windsor located in and around the town centre and this specified area forms the scope of the review. The unparished parts of Windsor comprise twelve polling districts spanning the wards of Clewer & Dedworth East, Clewer & Dedworth West, Clewer East, Eton & Castle and Old Windsor.

- 2.2 The intention to consider the formation of a new town council for Windsor had arisen from interest raised by members of the local community. An [e-petition](#) calling for the local authority to undertake a community governance review was started in September 2019, led by a group of local residents. In order for the petition to be successful, 7.5% of the local government electorate for the review area (the unparished parts of Windsor) needed to support the proposal, which equalled 1,661 electors. As at February 2020, when the e-petition closed, the number of valid signatories on the open petition was 606 (36% of the required amount). To date, the e-petition has not been formally submitted to the council.
- 2.3 However, having approved the terms of reference at its meeting on 28 July 2020, the council took the view to commence a community governance review of its own accord, removing the requirement to do so had a valid petition been received. The council committed to undertake the review as it recognised that the possible formation of a new town council is a relevant and topical subject amongst the local community.

3. Existing Parish Governance Arrangements

- 3.1 The Royal Borough believes that parish councils play an important role in terms of community empowerment at a local level. Parish governance should continue to be robust and representative to meet the challenges that lie before it.
- 3.2 There are fifteen parishes (fourteen parish councils and one parish meeting) that operate within the Royal Borough's administrative area. Seven parishes are warded. Elections to the parish councils take place once every four years at the same time as elections to the principal council. The most recent changes to parish governance took effect in May 2019 where minor, consequential changes were made to the parishes of Bray and Sunninghill & Ascot by the Local Government Boundary Commission for England as a result of the borough-wide electoral review which took place in 2018/2019. The electoral boundaries for the internal wards of these two parishes were adjusted and the number of seats to each ward redistributed across each parish.
- 3.3 Unlike an electoral review which examines the electoral arrangements for a principal council, there is no provision in legislation that stipulates that each parish councillor should represent, as far as possible, the same number of electors. That said, the Royal Borough is committed to ensuring equitability amongst the parishes and its internal wards as far as possible, to ensure effective and convenient local government and that electors across the parished areas are treated fairly. Any recommendations made by the review which results in the formation of a new town council for Windsor must adhere

to the legal minimum number of parish councillors for any parish council, which is five. There is no legal maximum number of parish councillors.

- 3.4 Parish councils set their own precept on an annual basis and therefore have the power to spend a significant amount of council tax-payer money. A new town council would be able to set its own precept from Year 2 onwards and allocate this funding to projects within its defined area.

4 Timetable

- 4.1 The timetable for the review is set out below in Table 1:

Table 1: - Timetable for the review

Stage	Activity	Date	Duration
Stage 1	Publication of the Terms of Reference	28 July 2020	-
	Consultation 1 on Terms of Reference	28 July 2020 – 28 October 2020	3 months
	Initial meeting(s) of the CGRWG	July - October 2020	As required
	CGRWG consideration of representations received and meetings of the CGRWG	29 October 2020 – February 2021	4 months
Stage 2	Publication of the Draft Recommendations	3 March 2021	-
	Consultation 2 on Draft Recommendations	3 March 2021 – 2 June 2021	3 months
	CGRWG consideration of representations received	3 March 2021 – 30 June 2021	4 months
Conclusion	Publication of the Final Recommendations	12 July 2021	-
	Full Council consideration of Final Recommendations	20 July 2021	-
	Reorganisation Order made (<i>if applicable</i>)	By December 2021	-

	Elections to Windsor Town Council (<i>if applicable</i>)	4 May 2023	
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5 Stage 2 – Consultation on Draft Recommendations

- 5.1 The cross-party Member-led Community Governance Review Working Group (CGRWG) appointed for the purposes of formulating the review’s final recommendations met five times between April 2021 and July 2021. The Members of the Working Group are Councillors Shamsul Shelim (Chairman), David Cannon (Vice-Chairman), Neil Knowles, Karen Davies and John Story (replaced by David Hilton in December 2020.) Minutes of the meetings are available to view on the CGR [webpage](#).
- 5.2 The public consultation on the draft recommendations ran from 3 March to 2 June 2021. The draft recommendations outlined the council’s proposal to support the formation of a new town council for Windsor on the basis that the electorate and any other stakeholders remained supportive of the proposal in light of the additional detail provided in the draft recommendations regarding the potential financial impact and the possible transfer of powers and assets.
- 5.3 A summary of the draft recommendations agreed by full council on 2 March 2021 is provided in Table 2 below:

Table 2 – A Windsor Town Council

Electoral arrangements	<ul style="list-style-type: none"> • 1 town council comprising the twelve polling districts as defined in the terms of reference’s review area. • 21 elected representatives • 10 wards of the parish • First elections to the town council to be held on 4 May 2023
Powers	<p>The town council would be responsible for the delivery of the following services:</p> <ul style="list-style-type: none"> • Allotments • Others to be determined
Finance	<p>The following aspects would need to be funded through the precept:</p> <ul style="list-style-type: none"> • Maintenance of allotments • Appointment of staff and employer oncosts • Office and meeting room accommodation costs <p>The precept would be at least the current level that properties pay towards the special area account (£34.31) but would be more in the first year, to cover the costs of overheads such as employing a clerk and office and meeting room accommodation. The amount in</p>

	following years could be changed and would be determined by the town council.
--	---

5.4 The purpose of the consultation on the draft recommendations was to understand the electorate’s views on the proposed governance arrangements and whether they were considered to deliver effective and convenient local government to Windsor residents. Where the proposals were not considered to provide effective and convenient local government, alternative proposals were invited.

5.5 The following steering questions were formulated to encourage residents to express their thoughts on the draft proposals and to take part in the [consultation](#):

- *Do you believe the creation of a Windsor Town Council as set out in our draft recommendations delivers effective and convenient local government for the residents of Windsor? Please explain why.*
- *Do you support the creation of a Windsor Town Council under the electoral arrangements set out in our draft recommendations? If not, what alternative electoral arrangements would you suggest?*
- *Do you support the creation of a Windsor Town Council as an additional layer of local government or do you believe the existing governance arrangements and representation for residents is sufficient? Please provide reasons to substantiate your view.*

5.6 As with the first public consultation, Section 93(3) of the Local Government and Public Involvement in Health Act requires the principal council to consult with local residents and any other third parties who might have an interest in proceedings. The following activity took place to maximise awareness about the consultation and publication of the draft recommendations:

- The 69 respondents to the first consultation who provided their views on the Terms of Reference between August and October 2020 were contacted directly and notified that the draft recommendations had been published and comments were welcomed.
- The stakeholder database compiled for use during the first consultation was used again for the second consultation and schools, parish councils, local businesses and community groups etc were contacted directly about the draft recommendations.
- An information leaflet providing high-level details of what was proposed and how residents could respond was distributed to all residential households (covering the electorate of 21,000) in the review area w/c 29 March 2021.

- An advert was placed in the Windsor Observer w/c 29 March 2021 to raise awareness about the review.
- The council's usual communication channels were deployed and regular articles in the Residents' Newsletter and on the council's social media channels were published throughout the duration of the consultation.
- Members of the CGR working group wrote to the local press to highlight the consultation.

5.7 Responses to the consultation could be made by multiple methods, including by post or email and by completing the [interactive survey](#) on the council's webpages hosted by Engagement HQ. Hard copy responses could also be deposited at Windsor library.

5.8 There were 679 responses received during the consultation period. A breakdown is provided below:

- 656 responses submitted via the online survey.
- 23 responses submitted by email or post.

5.9 The consultation responses have been published on the [community governance review webpages](#), with all personal information of consultees redacted.

5.10 The results of the 23 submissions by email and post were:

- **“For” the establishment of a town council - 18**
- **“Against” the establishment of a town council - 3**
- **No clear opinion expressed - 2**

5.11 The results of the online survey were:

Do you believe the creation of a Windsor Town Council as set out in the draft recommendations delivers effective and convenient local government for the residents of Windsor?

Yes – 524

No – 113

(No answer) – 19

Do you support the creation of a Windsor Town Council under the electoral arrangements set out in the draft recommendations?

Yes – 516

No – 110

(No answer or don't know) - 30

Do you support the creation of a Windsor Town Council as an additional layer of local government or do you believe the existing governance arrangements and representation for residents is sufficient?

Yes, I support the creation of a Windsor Town Council – 524

No, I believe the existing arrangements are sufficient – 118

I don't know - 11

(No answer or unclear) – 3

- 5.12 In addition to the quantitative data detailed above, there were a number of sections in the consultation allowing for free text answers to provide further context.
- 5.13 The Working Group considered both the quantitative and qualitative data from the consultation in detail. Members noted that strong arguments both for and against the creation of a new town council were articulated by those respondents who chose to provide further commentary on whether they supported the proposals or not.
- 5.14 A summary of the overarching themes supporting the establishment of a new town council included:
- A more direct and accessible tier of government at parish level is needed for the people of Windsor. Much of the borough, including surrounding areas are represented by parish councils and the same should be in place for Windsor residents.
 - Representation needs to be provided by the people of Windsor rather than direct rule from the borough council, which was perceived in some cases to be focussed on Maidenhead. Residents of Windsor felt that their unique set of requirements as a tourism generating town, steeped in history were not adequately met with the current representation provided at Borough level only, where the majority of councillors represented Maidenhead. Representation between the two principal towns in the borough was not perceived to be equal at the borough level.
- 5.15 A summary of the overarching themes in not supporting the establishment of a new town council included:
- An extra layer of government is not needed, the current arrangements with one tier of representation are sufficient.
 - There is a need to streamline operations for Maidenhead and Windsor and the two towns should be working more closely together. The creation of a separate parish would create disunity.
 - A town council would add more bureaucracy without bringing many benefits for local residents as most powers would be retained by the Borough council anyway.

- There would be too many representatives as the area would be represented at both Borough and Parish level in Windsor and the decision-making process would be delayed or become protracted.
- Council Tax for Windsor residents would almost certainly rise in future years in order to support both a parish and principal council.

5.16 On the issue of the proposed electoral arrangements for a new town council, it was noted that a significant majority of participants were broadly in favour of what had been proposed in the draft recommendations. Detail provided by the minority who did not support the draft electoral arrangements were:

- 21 councillors seemed to be too high.
- Dedworth Riverside required three councillors rather than the proposed two councillors.
- The parish ward boundaries between polling districts in Clewer & Dedworth East and Clewer & Dedworth West wards could be adjusted to reflect better electoral equality.

5.17 Whilst the feedback and views expressed by both the online and email/postal responses were informative, the Working Group noted that some views indicated a misunderstanding about the scope of the current review and the potential powers a new town council might hold. A number of responses revealed that some respondents were under the impression that a new town council would operate with the same level of powers as a borough council. There was also a misconception that Windsor would no longer be under the jurisdiction of the Royal Borough of Windsor and Maidenhead if a town council were established. The Working Group were disappointed that some residents had misunderstood that only limited powers were in the remit of delivery at parish level. They acknowledged, however, that the information provided in the draft recommendations and the information leaflet was very clear on this point and no further clarification could have been provided in the consultation documents.

5.18 It was also noted that many of the respondents who had stated that they supported a new town council did not provide any further reasoning to substantiate their views. Most additional commentary on this point related to reasons why a town council would not be favourable. The Working Group noted that not all questions in the online consultation were mandatory, but that this was also the case in terms of hard copy or email submissions; individuals could choose to respond to some or all of the questions as they wished..

5.19 Most responses received during the consultation were made by residents or other stakeholders who lived or operated within the boundary of the review area. It was noted that twelve responses made via the online consultation were submitted by parties from the Maidenhead area and 40 responses were received from neighbouring areas, such as Eton Wick and Old Windsor. The

distribution of responses made via the online survey can be viewed in Appendices 2 and 3.

6. Final Recommendations of the Working Group

- 6.1 When assessing the representations made during the consultation and reviewing the draft recommendations, the Working Group were mindful of making recommendations which reflected the needs of those living in the review area who would be most affected by the outcome of the review. The Working Group decided to attach greater weight to comments made by those living or operating in the review area than those who lived or operated outside it; this was considered a fair approach to the decision-making process.
- 6.2 When reviewing the draft recommendations, the Working Group has continued to consider Section 93 of the Local Government and Public Involvement in Health Act 2007 and its duty to ensure that community governance within the area under review will be:
- Reflective of the identities and interests of the community in the area and;
 - Effective and convenient.
- 6.3 The Working Group has remained mindful of the need to ensure that the review takes into account a number of influential factors, including:
- The impact of community governance arrangements on community cohesion and;
 - The size, population and boundaries of a local community or parish.
- 6.4 In publishing its final recommendations, **the Working Group continues to support the formation of a new town council for Windsor under the electoral arrangements proposed in the draft recommendations approved at full Council on 2 March 2021, and provides further clarification on the consequential impact of the establishment of a new layer of governance for Windsor residents in relation to the transfer of powers and assets from the Royal Borough of Windsor and Maidenhead.**
- 6.5 The final recommendations provide further detail on the powers and responsibilities that the new town council will hold. It should be noted that a definitive list of the individual assets to be transferred will be drawn up following the review process, if it is agreed that a town council should be established.

Electoral Arrangements

6.6 The electoral arrangements as proposed in the draft recommendations remain unchanged. The Working Group recommends the following arrangements:

- **The Windsor Town Council area will comprise the twelve polling districts as set out in the terms of reference and draft recommendations, encompassing the borough wards of Clewer & Dedworth East, Clewer & Dedworth West, Clewer East, Eton & Castle and Old Windsor.**
- **There will be 21 seats on the town council.**
- **There will be 10 wards of the parish, the names and number of representatives for each ward as shown in Table 3:**
- **The first elections to Windsor Town Council will take place on Thursday 4 May 2023.**

Table 3: Parish Wards of Windsor Town Council

WARD	POLLING DISTRICT CODE	PARISH WARD NAME	LOCAL ELECTORS (DEC 20)	LOCAL ELECTORS (DEC 25)	COUNCILLORS	ELECTORS PER COUNCILLOR
CLEWER & DEDWORTH EAST	WCDE1	DEDWORTH MANOR	2,005	2,037	2	1003
	WCDE2	CLEWER HILL	2,150	2,184	2	1075
CLEWER & DEDWORTH WEST	WCDW1	DEDWORTH RIVERSIDE	2,257	2,293	2	1129
	WCDW3	DEDWORTH GREEN	2,044	2,077	2	1022
CLEWER EAST	WCE1	CLEWER NEW TOWN	1,805	1,834	2	903
	WCE2	SPITAL	2,056	2,089	2	1028
	WCE3	CLEWER VILLAGE	892	906	1	892
ETON & CASTLE	WEC1	TRINITY	2,881	2,927	3	960
	WEC2	CASTLE	2,047	2,080	2	1024
OLD WINDSOR & CLEWER & DEDWORTH EAST (PARTIAL)	WOW3	BOLTONS & ST LEONARD'S HILL	86	87	3	818
	WOW4		1,497	1,521		
	WCDE3		873	887		
			20,593	20,922	21	

6.7 The Working Group proposes retaining the same warding pattern as outlined in the draft recommendations for the reasons previously cited in the draft proposals. 21 councillors is considered an appropriate number for an

electorate of almost 21,000 by 2025, which adheres to guidance supplied by NALC.

- 6.8 Whilst it was acknowledged that some feedback during the consultation suggested readjusting the boundaries between some parish wards, the Working Group did not consider that the alternative warding arrangements provided in just two responses, each being different, carried a strong enough mandate to justify deviating from the proposed ward boundaries, which reflected established polling district boundaries. A significant majority of respondents supported using the current polling district boundaries as building blocks for the new parish wards. The Working Group noted that in the event that the ward boundaries were not deemed to effectively reflect the different communities in the town council area once the town council had come into being, a further community governance review on a smaller-scale could take place in the future to address these anomalies.
- 6.9 As no consultation responses were received suggesting that the first elections should take place any earlier than 4 May 2023, the Working Group upheld its decision to recommend that the elections were held on this date for the reasons already cited in the draft recommendations.

Consequential Matters

Powers and Assets

- 6.10 Parish councils are potentially able to take on a wide range of powers that relate to local matters including looking after community buildings, maintaining allotments, play areas and open spaces, as a few examples. The Royal Borough's existing parishes deliver a range of services which have been established over time.
- 6.11 The creation of new town and parish councils adds an additional tier of local government but does not rescind the powers of the principal council and its relationship with electors who are served by a parish or town council. If a Windsor Town Council is created, the significant majority of services that residents receive will continue to be delivered directly by the Royal Borough. The new town council and the Royal Borough would work collaboratively to deliver services to residents.
- 6.12 The Working Group considers that the transfer of assets and associated services to Windsor Town Council via the devolution process will make a significant contribution to making local communities more resilient and sustainable. There are many benefits to the establishment of governance at the lowest possible level; local decision-making and budget setting will empower local communities to develop facilities based on the specific needs and preferences of Windsor and retain the services most important to this community.

- 6.13 The Royal Borough has both owned (via a freehold or lease) and dedicated assets relating to land and buildings in the proposed town council area. It also has assets for which it has a statutory responsibility to maintain and provide services. The approach taken by officers has been to identify all assets in the review area and then to eliminate assets which the Royal Borough is unable to transfer to Windsor Town Council based on criteria such as the operational or strategic value of the asset. . It is acknowledged that it would not be practical or desirable to transfer certain assets to Windsor Town Council based on these criteria. The Royal Borough is required to balance the aim of empowering local communities to determine their own affairs through local powers and the devolution process ,with the need to maintain its statutory services for all residents and protect its own position as the principal council.
- 6.14 The criteria to determine powers and assets which are in scope for transfer to Windsor Town Council are set out in Appendix B. Decisions on the specific assets will not be made until it has been decided to establish a town council and the community governance review has concluded, but it is anticipated that assets which might be transferred would fall into the categories of public conveniences, cemeteries, open space and sporting facilities. It continues to be proposed that allotments are transferred to Windsor Town Council as a basic requirement.
- 6.15 Where the ownership of and income generated from a particular asset is to remain with the Royal Borough for the reasons outlined above, maintenance of that asset would also reside with the Royal Borough. Equally, where it is decided to transfer the ownership and income from an asset to Windsor Town Council, the town council would be required to assume responsibility for the maintenance of this asset and the associated costs.
- 6.16 Where assets are identified for transfer to Windsor Town Council, it is proposed that they will be gifted under covenant so that they are only used by the new town council for their intended purpose.
- 6.17 In relation to the transfer of strategic powers currently held by the principal council, a similar approach has been applied to that of the transfer of assets. For example. responsibility for managing the streetlighting and highways services in Windsor will not be transferred to Windsor Town Council as the Royal Borough needs to maintain strategic oversight for how these services are delivered in order to influence and support other corporate strategies, such as the climate change and biodiversity strategies.

Finance

- 6.18 If it is decided that a Windsor Town Council should be established, at the point it comes into being in April 2023, the Royal Borough will no longer retain the £469,000 which is currently collected through the corporate Special Area Expense Account (SAE) from residents in Windsor. Instead, residents who

currently pay their precept to the Royal Borough which makes up the £469,000 amount, will pay this element of taxation directly to Windsor Town Council.

- 6.19 The Royal Borough is responsible for setting Windsor Town Council's precept for its first year of operation in 2023/2024. The precepted amount will reflect the anticipated costs of maintaining the assets proposed for transfer from the Royal Borough and overheads relating to employment of a clerk, hire of office space and meeting rooms etc. From the second year onwards (2024/2025), the elected members of Windsor Town Council will need to determine the precept for the town council, which will reflect the costs of delivering any additional services it decides to provide.
- 6.20 It should be noted that Windsor Town Council need not rely on the collection of the parish precept as the only means by which to generate income. It will be for Windsor Town Council to decide which income generating ventures it may embark upon to increase revenue according to how it decides to deliver its services. Parish Councils are also able to seek loan funding.
- 6.21 It should be noted that a Windsor Town Council will be required to fund the administration costs for running its own elections. In years where the elections take place at the same time as elections to the borough council these costs will be apportioned.

7. Summary of Final Recommendations

- 7.1 Whilst noting the majority of respondents were in favour of establishing a town council, the Working Group also took into account that a number of those respondents had significant misconceptions about the powers and remit of a Town Council, as detailed in paragraph 5.16.
- 7.2 Whilst noting there was no required threshold for responses, the majority of Working Group Members considered the level of response (from an electorate of 21,000, 679 responses [3.2%], of which 542 were in favour [2.58%]) provided a sufficient mandate to create a Town Council, with the associated consequences for representation and council tax, for all 21,000 electors.
- 7.3 The Working Group discussed all the arguments presented in the consultation feedback, both for and against the establishment of a town council in Windsor and decided to recommend the creation of a Windsor Town Council according to the electoral and consequential arrangements outlined in this document, on the basis that the residents of Windsor should be represented by the most direct form of local government as possible at parish level.

Table 4: A Windsor Town council

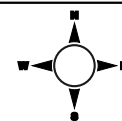
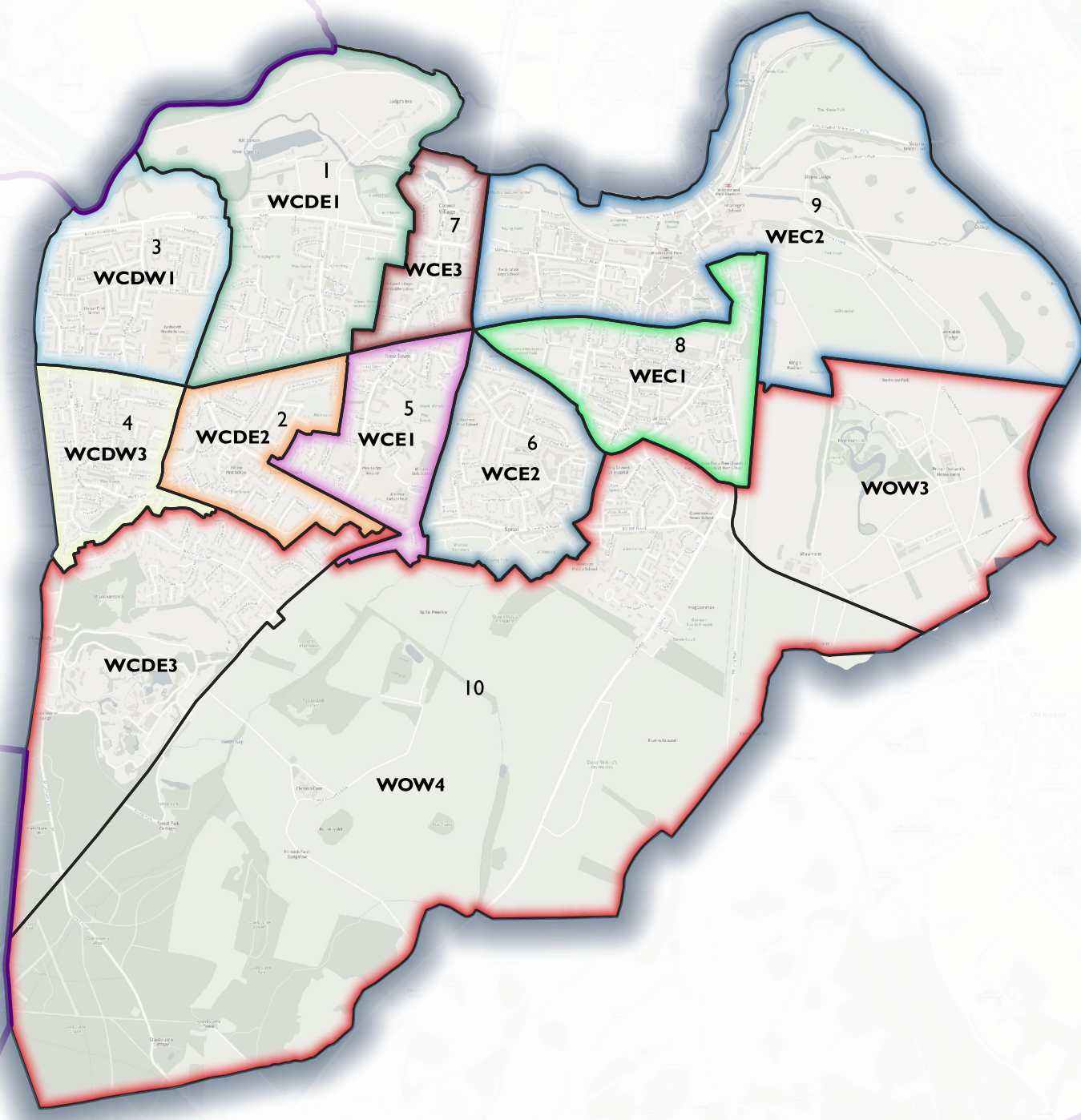
Electoral arrangements	<ul style="list-style-type: none"> • 1 town council comprising the twelve polling districts as defined in the terms of reference’s review area. • 21 elected representatives • 10 wards of the parish • First elections to the town council to be held on 4 May 2023
Powers	<p>The town council would be responsible for the delivery of the following services:</p> <ul style="list-style-type: none"> • Allotments • Others to be determined on an individual basis according to the criteria set out in Appendix B.
Finance	<p>The following aspects would need to be funded through the precept:</p> <ul style="list-style-type: none"> • Maintenance of allotments • Appointment of staff and employer oncosts • Office and meeting room accommodation costs <p>The precept would be at least the current level that properties pay towards the special area account (£34.31) but would be more in the first year, to cover the costs of overheads such as employing a clerk and office and meeting room accommodation. The amount in following years could be changed and would be determined by the town council.</p>

8 Next Steps

- 8.1 If Council approves the final recommendations, officers in relevant service areas will continue the work to identify which assets and services will be transferred to Windsor Town Council.
- 8.2 The community governance re-organisation order is expected to be made by December 2021 which will outline the detail of Windsor Town Council’s powers.

Windsor Town Council Parish Wards

-  1. Dedworth Manor
-  2. Clewer Hill
-  3. Dedworth Riverside
-  4. Dedworth Green
-  5. Clewer New Town
-  6. Spital
-  7. Clewer Village
-  8. Trinity
-  9. Castle
-  10. Boltons & St Leonard's Hill

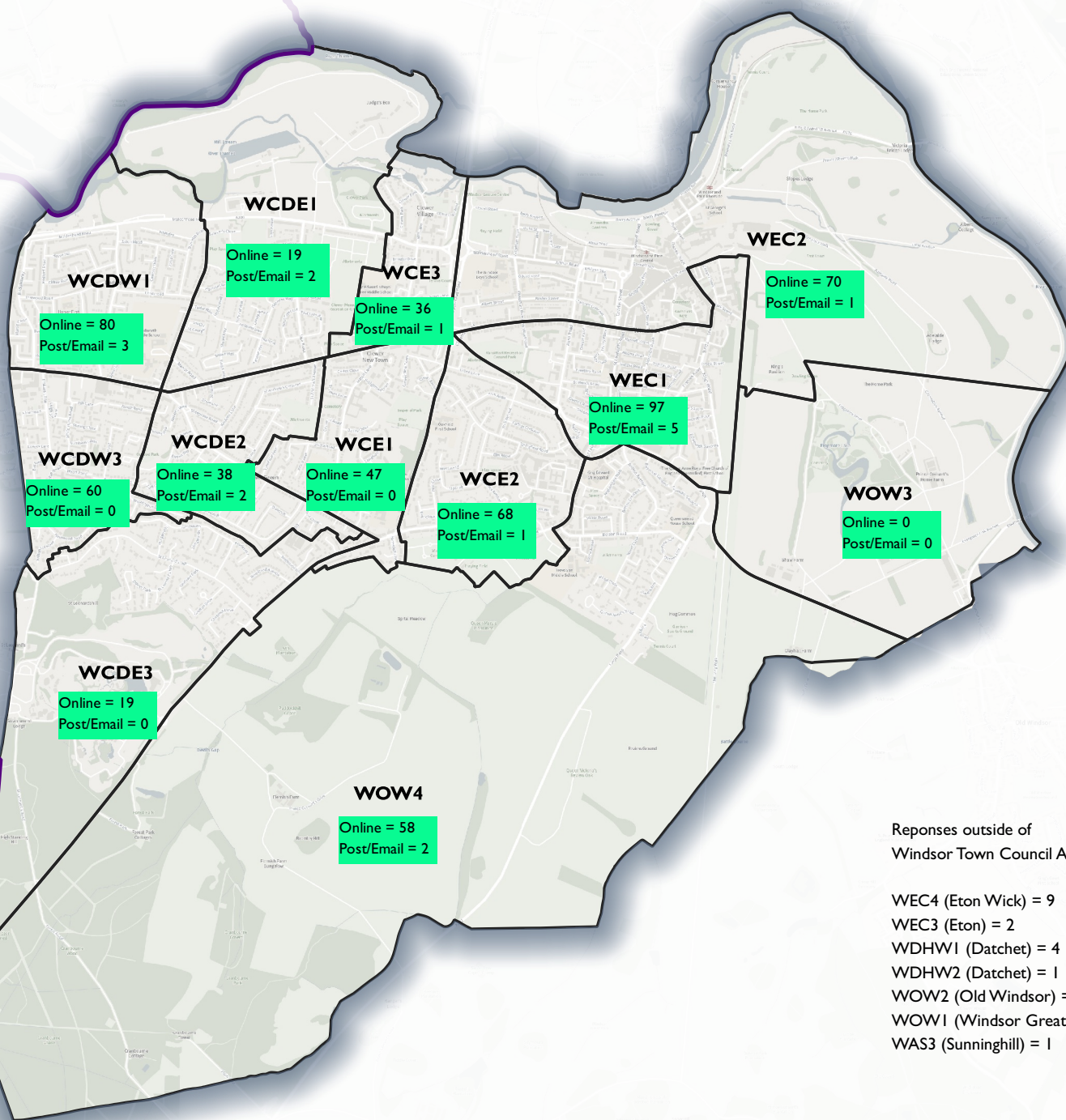


Reponses outside of
 Windsor Town Council Area

- MBC2 (Cookham) = 1
- MBC3 (Cookham) = 1
- MBC4 (Cookham) = 1
- MRS2 (Maidenhead) = 2
- MRS3 (Maidenhead) = 3
- MSM2 (Maidenhead) = 1
- MBR1 (Bray) = 1
- MBR2 (Holyport) = 1
- MBR3 (Fifield) = 1

External to the RBWM

- Thatcham = 1
- Winkfield = 2



Reponses outside of
 Windsor Town Council Area

- WEC4 (Eton Wick) = 9
- WEC3 (Eton) = 2
- WDHW1 (Datchet) = 4
- WDHW2 (Datchet) = 1
- WOW2 (Old Windsor) = 22
- WOW1 (Windsor Great Park) = 1
- WAS3 (Sunninghill) = 1

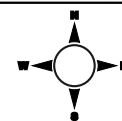
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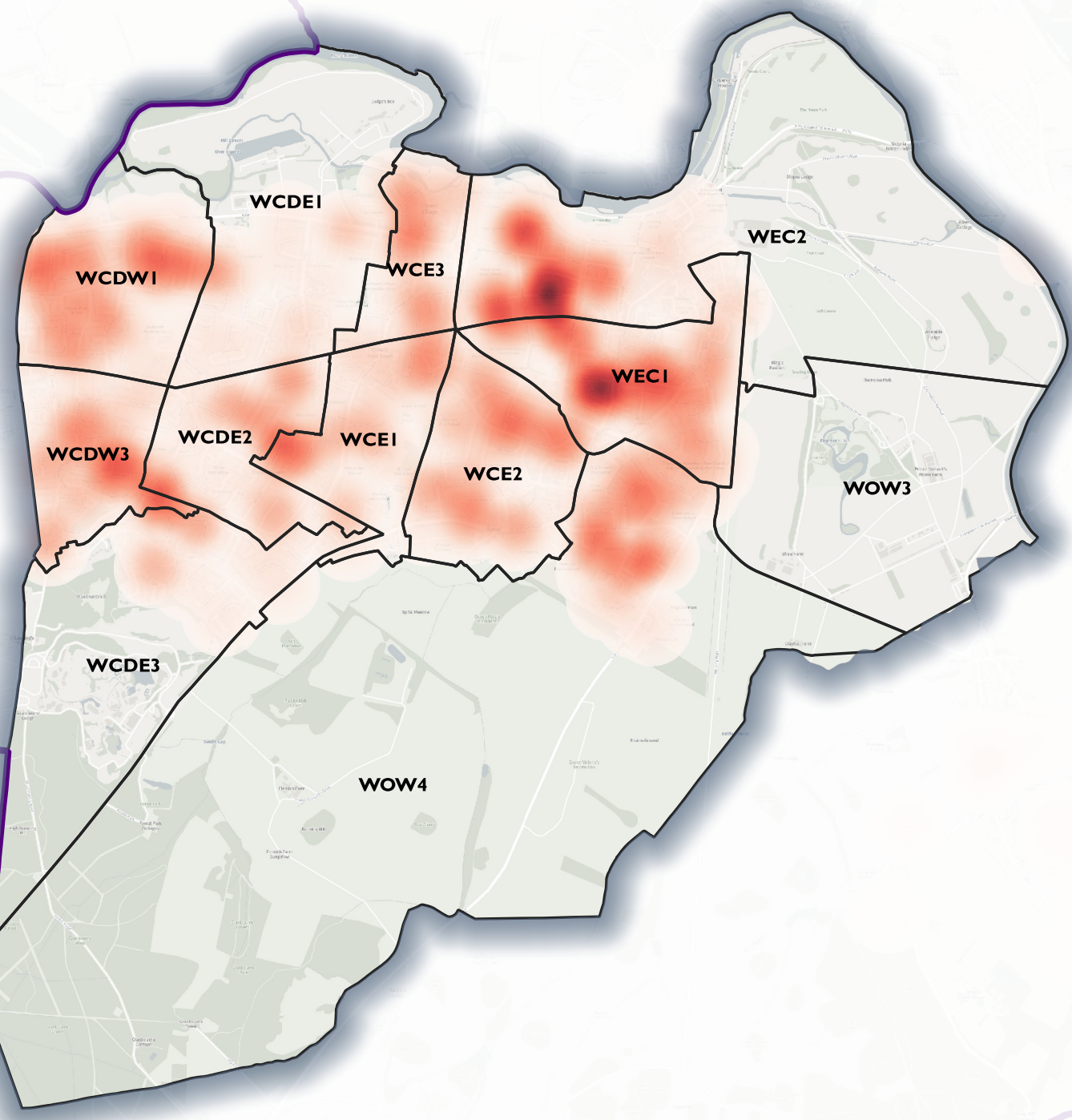
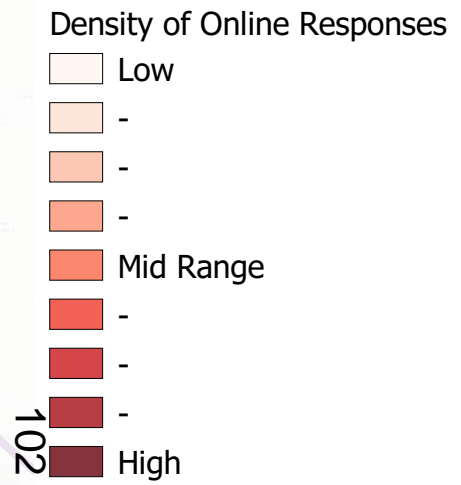
**Appendix 2 - Number of Consultation
 Responses by Polling District**

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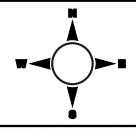
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Appendix 3 - Distribution of Consultation Responses within Review Area



LAND, BUILDINGS AND SERVICE DEVOLUTION CRITERIA

The Council recognises that the devolution of assets and associated services to a new Town Council will make a significant contribution to enabling them to be stronger, more resilient and sustainable local communities.

There are potential benefits to be had in empowering the local community to develop facilities based on local needs and preferences, and retain the services most important to those neighbourhoods. This means more local decision making and budget setting.

The Council has a requirement to be able to balance the aspirations of local communities to take on the guardianship of public property assets and delivery of services, with the duty of care it must have in safeguarding the best interests of all RBWM residents.

Land and Buildings

RBWM has responsibility for land and buildings through various means:

- Owned assets – RBWM holds either a freehold interest or long lease (usually in excess of 100 years) of the asset;
- Dedicated assets – RBWM has responsibility to maintain land due to a historical contractual obligation but does not have the freehold ownership, for example areas of public open space or play areas under planning agreements;
- Statutory responsibility – RBWM has the responsibility for maintaining assets and providing services under legislation, for example highway land or closed burial grounds.

In terms of the above RBWM will consider the following in terms of the vesting order:

- Freehold transfer (incl. fences, walls, paths, lighting, seats, fixed equipment etc.)
- Leasehold assignment
- Service devolution (see later)

The above is subject to the following exceptions:

- Adjoining / surrounding land not being transferred
- Potential for redevelopment, either with or without RBWM land
- Historic and/or complex land issues which would make a freehold transfer resource complex
- Assets held for investment purposes - both assets that generate an immediate income to RBWM and those held for future capital realisations

Appendix B

- Land or buildings that has a strategic or civic function
- Land held for future development of RBWM or partner schemes - as it would not be financially prudent to devolve the land and be required to repurchase in the future
- Vacant land or buildings that can generate a capital receipt in excess of de-minimus level for capital accounting purposes - with capital receipts required to fund the capital programme
- Operational assets including car parks or land held or adopted as public highway (due to RBWM's role as Highway Authority) or Education and statutory early years premises (due to RBWM's role as a Local Authority for education purposes)

Minimum assets to be transferred (subject to exceptions above):

- Play areas
- Amenity land, parks and gardens
- Monuments and fountains
- Allotments
- Closed churchyards
- Cemeteries
- Public conveniences
- Any area for which section 106 monies are held
- Any other assets which are not covered by the exception criteria (above)

Service Devolution of discretionary services

RBWM recognises certain services are more appropriately delivered by the local community in which they are required. The service devolution of amenity services recognises those activities that are best delivered locally.

The decision to devolve may form part of a package including a freehold vesting OR the service may be a single package approach where there may be reasons for RBWM to retain the freehold ownership.

RBWM will cease to be responsible and accountable for the delivery of these services. There is also no guarantee that the borough council would consider re-assuming responsibility or accountability for the service.

Where the borough council retained ownership and income from an asset, such as a car park, the responsibility for maintenance would also be retained. Only where assets were formally transferred would the town council also have responsibility for maintenance.

Minimum services to be devolved include:

- Grounds Maintenance of all land which is to be transferred
- Maintenance of closed churchyards, cemeteries and allotments

Grounds maintenance

Task	Comment	Conditions
Litter Picking	Litter examples include: <ul style="list-style-type: none"> • Dead animals (roadkill) • Dog/ animal faeces • Cigarette waste & cigarette packets • Beverage and drinks containers • Food containers or utensils <ul style="list-style-type: none"> • Publications, magazines and newspapers • Shopping and other bags • Illegal deposits of bagged commercial and household waste which shall be cleared as fly tipping, see further below • Removal of pigeon droppings from pathways and footways • Removal of fallen branches, wood, metal and plastic objects • Removal of leaf and blossom falls to an approved programme • Other similar waste types up to 1 cubic metre 	Must be carried out on Amenity Land
Emptying of litter bins		Must be carried out on Amenity Land
Removal of Fly Tipping (but no enforcement related tasks)		Must be carried out on Amenity Land
Removal of Fly Posting (but no enforcement related tasks)		Must be carried out on Amenity Land
Graffiti Removal (but no enforcement related tasks)		Must be carried out on Amenity Land

Appendix B

Shopping Trolley Removal (but no enforcement related tasks)		Must be carried out on Amenity Land
Leaf Clearance		Must be carried out on Amenity Land
Balancing ponds, amenity footpaths, Streetscene assets and water courses		Must be carried out on Amenity Land
Park and Highway Furniture		Must be carried out on both Amenity Land and the Highway. RBWM's prior written permission must be given in respect of repairing and replacing Highway furniture
Grounds Maintenance	High amenity areas General grass areas Low Amenity areas Highway verge areas Rough grass areas Flail grass areas Wildflower/conservation areas	Must be carried out on the Amenity Land and the verges of the Highway. RBWM's consent to maintain the verges of the Highway.
Sports Pitch Maintenance (Football and Rugby)		Must be carried out on Amenity Land
Cricket Pitch Maintenance		Must be carried out on Amenity Land
Play Areas, Multiple Use Games Areas (MUGA) and Skate Park Inspection and Maintenance		Must be carried out on Amenity Land
Allotments	General up-keep and maintenance including: • Boundary fencing • Gates and Hedges • Tracks • Car parks • Grass areas and • Footpaths	Must be carried out on Amenity Land
Open Cemeteries	General up-keep and maintenance including memorial testing	Must be carried out on Amenity Land
Closed Churchyards	General up-keep and maintenance including memorial testing	Must be carried out on Amenity Land

Appendix B

Car Parks and assets maintained by RBWM immediately prior to the vesting date	Maintenance of car parks – grounds and street cleaning	Must be carried out on previously maintained areas
Litter Picking and Sweeping		Must be carried out on Amenity Land
Weed Control (amenity hard areas and highways)	Responsibility for all weeds on the highways any other assets vested and service devolved areas	Must be carried out on Amenity Land
Bus shelter maintenance	Litter collection and cleaning (graffiti, fly posting, moss etc. removal	Must be carried out on Amenity Land and the Highway

The town or parish council would take responsibility for all consequences: financial, contractual, safety or otherwise for the services delivered and the management of the amenity asset and any assets situated on the highway.

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Report Title:	Audit and Governance Committee - Annual Report 2020/21
Contains Confidential or Exempt Information	No - Part I
Member reporting:	Councillor Christine Bateson, Chairman of the Panel
Lead Officers:	Adele Taylor, Executive Director of Resources
Meeting and Date:	Full Council – July 2021

REPORT SUMMARY

Part 2A (26) of the [council constitution](#) requires the Audit and Governance Committee to report annually to Full Council ‘in relation to the Audit and Performance of the Council.’

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Full Council notes the annual report of the Audit and Governance Committee.

2. CHAIRMAN’S INTRODUCTION

- 2.1 The Committee was re-established this year, as recommended by the CIPFA review of Financial Governance in the Authority. It has taken over some of the functions of the Corporate Overview and Scrutiny Panel.
- 2.2 This has enabled increased Member oversight of key financial governance issues.
- 2.3 The Committee oversees the work of both the internal and external auditors. It is responsible for approving the statement of accounts. It also oversees Risk Management, Fraud and Treasury Management.
- 2.4 It has met 4 times since September 2020.

3. TOPICS CONSIDERED DURING THE MUNICIPAL YEAR 2020/21

- 3.1 The 19 reports considered included:
 - Statement of Accounts 2019/20 and External Audit ISA260 reports
 - Annual Governance Statement 2019/20 progress report
 - Internal Audit Annual Report 2019/20
 - Internal Audit Strategy 2021/22
 - Internal Audit in-year progress reports
 - Draft Treasury Management Strategy and Prudential Indicators 2021/22
 - Draft Capital Strategy 2021/22-2025/26
 - Fraud Policies Refresh
 - Risk Management Report

- Key Risk Report
- Redmond Review of External Audit
- Valuation of Nicholson's Centre report

4. PROPOSALS FOR IMPROVED WORKING METHODS

- 4.1 More training, virtually as a group, on all relevant matters, including governance.
- 4.2 Earlier publication of papers to allow more time for preparation.
- 4.3 Develop a team ethos.
- 4.4 Review compliance with relevant CIPFA governance review recommendations.

5. THANKS

- 5.1 The Committee would like to thank the following individuals and organisations for their involvement in the Committee's work this year:
 - Officers from the Finance Team
 - Officers from Democratic Services
 - Officers from the Shared Audit and Investigation Service
 - The Council's external auditors, Deloitte

6 PROPOSED WORK PROGRAMME FOR THE MUNICIPAL YEAR 2021/22

- 6.1 The Committee proposes to consider the following topic areas in the coming municipal year:

Topics already in progress/carried over from 2020/21:

- Internal Audit progress reports
- Redmond Review of External Audit updates

New topics:

- Statement of Accounts 2020/21 and External Audit ISA260 reports
- New Internal Audit arrangements from April 2022
- Draft Treasury Management Strategy and Prudential Indicators 2022/23
- Draft Capital Strategy 2022/23-2026/27

7. APPENDICES

- 7.1 This report is supported by one appendix:
 - Appendix A – Audit and Governance Committee Work Programme 2021/2022

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For information	No	No

WORK PROGRAMME – AUDIT AND GOVERNANCE COMMITTEE

DIRECTORS	<ul style="list-style-type: none"> • Duncan Sharkey (Chief Executive) • Adele Taylor (Executive Director of Resources and S151 Officer) • Emma Duncan (Deputy Director of Law and Strategy)
LINK OFFICERS & HEADS OF SERVICES	<ul style="list-style-type: none"> • Catherine Hickman (Lead Specialist Audit and Investigation) • Steve Mappley (Insurance and Risk Manager) • Andrew Vallance (Head of Finance) • Karen Shepherd (Head of Governance)

MEETING: 29th JULY 2021

ITEM	RESPONSIBLE OFFICER
Annual Statement of Accounts 2020/21	Andrew Vallance , <i>Head of Finance</i>
External Audit ISA260s 2020/21	Andrew Vallance , <i>Head of Finance</i>
Annual Governance Statement 2020/21	Emma Duncan , <i>Deputy Director of Law and Strategy</i>
Treasury Management Outturn 2020/21	Andrew Vallance , <i>Head of Finance</i>
Work Programme	Panel clerk

MEETING: 23rd SEPTEMBER 2021

ITEM	RESPONSIBLE OFFICER
Internal Audit Service – new arrangements	Andrew Vallance , <i>Head of Finance</i>
Work Programme	Panel clerk

MEETING: 21st OCTOBER 2021

ITEM	RESPONSIBLE OFFICER
Key Risk Report	Steve Mappley , <i>Insurance and Risk Manager</i>
Mid-Year Treasury Management Update 2021/22	Andrew Vallance , <i>Head of Finance</i>
Draft Treasury Management Strategy 2022/23	Andrew Vallance , <i>Head of Finance</i>
Draft Capital Strategy 2022/23-2026/27	Andrew Vallance , <i>Head of Finance</i>
Internal Audit 2021/22 Progress Report	Catherine Hickman , <i>Lead Specialist Audit and Investigation</i>
Work Programme	Panel clerk

MEETING: 17th FEBRUARY 2022

ITEM	RESPONSIBLE OFFICER
2022/23 Internal Audit Plan	Catherine Hickman , <i>Lead Specialist Audit and Investigation</i>

Work Programme	Panel clerk
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MEETING: 19th MAY 2022

ITEM	RESPONSIBLE OFFICER
2021/22 Annual Audit and Investigation Report	Catherine Hickman , <i>Lead Specialist Audit and Investigation</i>
Work Programme	Panel clerk

ITEMS SUGGESTED BUT NOT YET PROGRAMMED

ITEM	RESPONSIBLE OFFICER

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Report Title:	Corporate parenting annual report 2020/21
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health
Meeting and Date:	Council – 20 July 2021
Responsible Officer(s):	Lin Ferguson, Director of Children's Social Care and Early Help
Wards affected:	All



REPORT SUMMARY

Corporate Parenting is the collective responsibility of the local authority and its partners to ensure the care and protection of our Children in Care and Care Leavers. In 2019 the Royal Borough of Windsor and Maidenhead's Corporate Parenting Strategy and action plan was revised in partnership with the Children in Care Council (Kickback) and was then endorsed by Full Council in February 2019. The report, Appendix A, outlines the progress made between October 2020 - June 2021 towards being high quality corporate parents for our Children in Care and Care Leavers.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full council notes the report and:

- i) **Notes the Annual Report from the Corporate Parenting Forum, attached as Appendix A**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Full Council notes the Annual Report from the Corporate Parenting Forum, attached as Appendix A This is the recommended option	Corporate parenting is a collective responsibility of the local authority and its partners. Detailing achievements in an annual reports enables all Members, officers and partners to gain an understanding of how this duty is being discharged.
Do nothing	

Key Highlights from the Annual Report

- Reports being presented are thoroughly scrutinised by Elected Members, Officers and young people,

- Elected Members and Children in Care and Care Leavers have participated in joint events in order to develop positive relationships,
- Young people continue to be involved in Corporate Parenting Forum meetings and facilitate activities which aim to highlight to members how it feels to be a Children in Care or Care Leaver,
- Children and young people continue to engage in decision making processes virtually if required, removing the barrier of where a child/young person lives,
- Corporate Parenting Forums have been highlighted by Regulators as an example of good practice in involving children and young people in Council decision making/scrutiny mechanisms.
- The Corporate Parenting Forum supports the needs of young people within their caring responsibilities.

3. KEY IMPLICATIONS

3.1 N/A

4. FINANCIAL DETAILS / VALUE FOR MONEY LEGAL IMPLICATIONS

4.1 There are no direct financial implications arising from this report as all activities are delivered through existing budgets

4.2 The Children and Social Work Act 2017 says that when a child or young person comes into the care of the local authority, or is under 25 and was looked-after by the authority for at least 13 weeks after their 14th birthday, the authority becomes their corporate parent. This means that they should:

- act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people
- encourage them to express their views, wishes and feelings, and take them into account, while promoting high aspirations and trying to secure the best outcomes for them
- make sure they have access to services
- make sure that they are safe, with stable home lives, relationships and education or work
- prepare them for adulthood and independent living.

As corporate parents, it's every councillor's responsibility to make sure that the council is meeting these duties towards children in care and care leavers. Children can be in care in a range of different settings, with the authority acting as corporate parent to all of them. This includes foster care, children's homes, secure children's homes and kinship care.

5. RISK MANAGEMENT

5.1 Table A: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
The Royal Borough of	High	The Corporate Parenting Forum is used to monitor,	Low

Windsor and Maidenhead not fulfilling the legal requirements around corporate parenting		challenge and champion the work undertaken towards meeting the principles outlined in the Children and Social Work Act 2017	
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6. POTENTIAL IMPACTS

6.1 N/A

7. CONSULTATION

7.1 The Children in Care Council (Kickback) are regularly consulted with and are represented on the Corporate Parenting Forum.

8. TIMETABLE FOR IMPLEMENTATION

8.1 N/A

9. APPENDICES

9.1 This report is supported by one appendix:

- Corporate Parenting Annual Report 2019/20

10. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Carroll	Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health	7/7/21	7/7/21
Duncan Sharkey	Chief Executive		
Adele Taylor	Executive Director of Resources/S151 Officer	9/7/21	12/07/21
Andrew Durrant	Executive Director of Place	9/7/21	12/07/21
Kevin McDaniel	Executive Director of Children's Services	7/7/21	7/7/21
Hilary Hall	Executive Director of Adults, Health and Housing	9/7/21	11/07/21
Andrew Vallance	Head of Finance		
Elaine Browne	Head of Law		
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer		
Nikki Craig	Head of HR, Corporate Projects and IT		
Louisa Dean	Communications		

Karen Shepherd	Head of Governance		
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For information	No	No

Report Author: Danny Gomm, Family Hub Manager, 07768 036438

Corporate Parenting Annual Report July 2021

1. Background

“We would like to get to know you better. We would like you to know us better. We would like you to better communicate with us and let us voice our opinions. We would like to be listened to and heard. We know you are not our mum or dad, but you are responsible for looking after us. Sometimes it feels like we are just names on a piece of paper..... prove us wrong” Letter from the Children in Care Council, known as Kickback, to their Corporate Parents.

Corporate parenting is the collective responsibility of the local authority and its partners to ensure the care and protection of Children in Care and Care Leavers. In 2019 the Royal Borough of Windsor and Maidenheads Corporate Parenting Strategy (see Appendix A) was revised in partnership with the Children in Care Council (Kickback) and was then endorsed by Full Council in February 2019.

The strategy outlines the four key priorities to ensure that the Royal Borough of Windsor and Maidenhead provides effective corporate parenting. These are:

- Working together with young people, councillors, professionals and partner services;
- Listening to our children and young people and act on their views;ensuring they know what to expect from us;
- Ensuring all professionals and Elected Members are aware of their corporate parenting responsibilities;
- Supporting and encouraging our Children in Care and Care Leavers to achieve their full potential.

An action plan was developed in order to monitor the progress towards achieving these priorities. The action plan does not cover the safeguarding and educational responsibilities for Children in Care and Care Leavers because these are routinely monitored by Children's Services. However these areas are reported on by relevant Officers on a bi-monthly basis to the Corporate Parenting Forum, which also oversees the strategy and plan to ensure that sufficient progress is made. At the February 2021 Corporate Parenting Forum it was agreed that the actions within the plan that were unaffected by COVID had been completed and a new shortened plan will be developed by the end of 2021.

2. Key Highlights

1. Reports being presented are thoroughly scrutinised by Elected Members, Officers and young people,
2. Elected Members and Children in Care and Care Leavers have participated in joint events in order to develop positive relationships,
3. Young people continue to be involved in Corporate Parenting Forum meetings and facilitate activities which aim to highlight to members how it feels to be a Children in Care or Care Leaver,

4. Children and young people continue to engage in decision making processes virtually if required, removing the barrier of where a child/young person lives,
5. Corporate Parenting Forums have been highlighted by Regulators as an example of good practice in involving children and young people in Council decision making/scrutiny mechanisms.
6. The Corporate Parenting Forum supports the needs of young people within their caring responsibilities.

Highlight 1: Reports being presented are thoroughly scrutinised by Elected Members, Officers and young people.

There have been four Corporate Parenting Forums held during the period October 2020 - June 2021 with a number of reports having been presented and scrutinised. In addition to the standard agenda items which include the 'Kickback update' and 'Kickback activity', the following reports have been presented to the Forum:

December 2020:

- Ofsted - Update on Recommendations
- Independent Fostering Agency Annual Report

February 2021

- Care Leavers NEET and Apprenticeship Report
- Independent Visitor and Advocacy
- Virtual School Development Report

April 2021:

- Emotional Health and Wellbeing Update Overview
- Children in Care Reviews Report
- Housing Report

June 2021:

- Virtual School Annual Report
- Reviewing Service Annual Report
- Children In Care Impact Report - this was postponed to the next meeting
- Annual Fostering Report

Those presenting reports at Forum are asked to complete a 'young person friendly' version of their report, so that young people can fully contribute to the discussions. However, more work is currently taking place in order to enhance this further over the coming year. This is a recommendation.

Highlight 2: Elected Members continue to build positive relationships with Children in Care and Care Leavers

To help build relationships between Children in Care/Care Leavers and Elected Members, as requested by Kickback in their letter, Forum Members have been invited to attend Kickback meetings. Cllr Carroll and Cllr Tisi have both attended meetings and participated in fun, social activities with the children and young people, which was thoroughly enjoyed by all.

Unfortunately, the Covid restrictions had an impact on these activities, as highlighted in the June Forum. However work is in progress to develop these activities over the coming year. For example, the annual BBQ for Children in Care, Care Leavers, foster families and Forum Members is being planned for October 2021. This is a recommendation.

In December 2020 a process was developed to ensure that all Children in Care and Care Leavers receive personalised Christmas cards from Forum Members. With the support of Achieving for Children, Cllr Carroll, Cllr Tisi and Cllr C Da Costa took on the responsibility of handwriting cards for each Child in Care and Care Leaver, which were then delivered to the child's/young person's home. This process has also been adapted for birthday cards. However feedback at the June Forum was that work needs to be undertaken on how Children in Care and Care Leavers receive these cards and how they should be signed off. This is a recommendation.

Highlight 3: Children in Care and Care Leavers continue to be involved in Corporate Parenting Forums and facilitate activities which aim to highlight to members how it feels to be a Child in Care or Care Leaver.

Children and young people attending the Corporate Parenting Forum continue to deliver a presentation or activity at each meeting in order to highlight what it is like to be in care and to build positive relationships with the Forum Members. The feedback from the young people and Forum Members continues to be positive and the activities assist in building relationships between the Children in Care/Care Leavers and the Forum Members.

It is recognised that more Children in Care and Care Leavers need to be recruited to attend the Corporate parenting Forums. The Youth Engagement Officer, Elaine Keating, is currently working on this. However she is reluctant, based on feedback from young people, for new recruits to start attending Forums virtually and on their own. Therefore when Forums go back to being 'live meetings', Elaine will support more children and young people to attend. This is a recommendation.

Highlight 4: Children and young people continue to engage in decision making processes virtually if required, removing the barrier of where a child/young person lives.

In order to continue Kickback meetings throughout lockdown, meetings were moved to a virtual platform which enabled children and young people to participate irrespective of where

they live. As lockdown has eased and face to face meetings have recommenced, children and young people will continue to be able to participate virtually if they prefer.

Virtual Corporate Parenting Forums have also made it easier for children and young people to attend when not living in the borough. The virtual meetings also eradicate travel time to meetings which is a benefit to Children in Care and Care Leavers now they are back at school or college and trying to catch up on the work they missed when educational establishments were closed during lockdown. This is a recommendation.

Highlight 5: Corporate Parenting Forums have been highlighted by Regulators as an example of good practice in involving children and young people in Council decision making/scrutiny mechanisms.

The format of the meetings and how children and young people have taken ownership over part of each Forum has been highlighted as a positive example of working with the younger members of our community. In recent Cabinet discussions about the setting up of a Youth Council within the borough, the success of the Corporate Parenting Forum was highlighted as a positive example of how children and young people can effectively be engaged in Council decision making/scrutiny mechanisms.

The report of the Ofsted Inspection of Children's Services in January 2020 concluded the following:

'Children in RBWM have a strong voice. The Children in Care Council, Kickback, is proactive and very well run. Children spoke joyfully of the range of activities they had done in 2019, including their active participation on the Corporate Parenting Panel. Children have delivered innovative and creative input to their corporate parents, and others working with children, to help them understand the experience of being a Child in Care'.

Highlight 7: The Corporate Parenting Forum supports the needs of young people within their caring responsibilities.

The Forum have agreed for a proposal to be presented to Cabinet to request that a council tax exemption be made for Care Leavers up to age 25 and a contribution be made towards the council tax for out of borough care leavers.

3. Recommendations

1. Complete a self assessment of the Corporate Parenting Forums to ensure they continue to be fit for purpose and effectively champion, on behalf of Elected Members, the best possible outcomes for Children in Care and Care Leavers. Marie Bell by 31st December 2021.

2. Develop a revised action plan for 2021-2023 which includes any areas for development highlighted in the self assessment. Marie Bell by 31st December 2021.
3. A guide will be produced for those presenting at Corporate Parenting Forums so that appropriate 'young person friendly' versions are produced as 'business as usual'. Elaine Keating by 30 September 2021.
4. A workshop, involving Elected Members and Officers will be held in order to agree a clear process for the sending of cards to Children in Care and Care Leavers. Lin Ferguson by 31 July 2021.
5. More Children in Care and Care Leavers to be recruited to attend the Corporate Parenting Forums. Elaine Keating by December 2021.
6. Hold the date invites will be sent out to all members of the Corporate Parenting Forums, for activities with Children in Care and Care Leavers over the next year. Elaine Keating by September 2021.
7. A process will be developed so that Children in Care and Care Leavers have the option to attend future Forums in person or virtually. Elaine Keating by September 2021.

Appendix A - Corporate Parenting Strategy

CORPORATE PARENTING STRATEGY

We want every child in care and care leaver from the Royal Borough of Windsor and Maidenhead to reach their full potential and be healthy, happy, safe and secure whilst feeling loved, valued and respected.

We will achieve this by:

- everyone working together - young people, councillors, professionals and partner services
- listening to our children and young people and acting on their views and ensuring they know what to expect from us
- ensuring all professionals and elected members are aware of their corporate parenting responsibilities
- supporting and encouraging our children in care and care leavers to achieve

CORPORATE PARENTING FORUM

The Corporate Parenting Forum is the champion, on behalf of elected members, for children in care and those leaving care. It receives information on how the Royal Borough of Windsor and Maidenhead (RBWM) is fulfilling its corporate parenting responsibilities. There are approximately six meetings held a year and the views of young people are represented by Kickback members as part of the Corporate Parenting Forum.

Corporate parenting is the collective responsibility of the local authority and its partners to ensure the care and protection of child in care and care leavers

The Children and Social Work Act 2017 sets out the principles for the local authority so that all staff and departments consider the impact of their work on children and young people for whom the local authority is the corporate parent. The local authority is the corporate parent for a child that is looked after by the authority or is under 25 and was looked after by the local authority for at least 13 weeks after their 16th birthday.

It's every councillor's responsibility to make sure that the local authority is meeting its duties towards children in care and care leavers.

DID YOU KNOW? DECEMBER 2019

122 children in care
64 care leavers

DEAR CORPORATE PARENTS

At our last meeting we were asked who or what were our corporate parents.....75% of us didn't know. Is that our fault or yours?

If we didn't attend corporate parent forum meetings, would you even know what Kickback is, who attends and what it is we do? If you really knew who we were and cared for us, wouldn't you do simple things like send us a birthday card or a voucher at Christmas?

We are often asked our opinions about how things are working and what could be better...we give our opinions, but rarely get feedback and see very little change.

We would like to get to know you better. We would like you to know us better. We would like you to better communicate with us and let us voice our opinions. We would like to be listened to and heard. We know you are not our mum or dad, but you are responsible for looking after us.

Sometimes it feels like we are just names on a piece of paper..... prove us wrong.

From Kickback

CORPORATE PARENTING PRINCIPLES

- Act in the young person's best interest and promote physical and mental wellbeing
- Promote the expression of wishes and feelings and giving the young person's views
- Take into account their views, wishes and feelings
- To provide support with accessing the services needed
- To promote high aspirations
- To provide safety and stability their home lives, relationships and education, work and training
- To prepare young people for adulthood and independent living

AFC RBWM LOCAL OFFER

The Children and Social Work Act 2017 requires each local authority to consult on and publish a local offer for its care leavers. AFC's RBWM Local Offer provides information about all the services and support that is available to care leavers from the local authority including information on their statutory entitlements as well as any discretionary support provided above our statutory duties.

We will also co-produce a local offer for children in care with young people promoting the opportunities available to them. The local offers can be found:

www3.rbwm.gov.uk/downloads/download/567/local_offer_for_care_leavers

CHILDREN IN CARE PLEDGES

0 TO 15 YEAR OLD PLEDGE

In order for all children and young people to reach their full potential, AFC has developed a set of pledges to ensure that, regardless of age, ability background or whether placed in or outside of the borough, every child in its care:

- gets a good education
- keeps healthy and happy
- keeps in touch with their family and friends
- gets involved
- is helped to stay safe
- is provided with good care

16 TO 18 YEAR OLDS PLEDGE

The Children (Leaving Care) Act 2000 and the Children Act Transition Guidance outlines the support that local authorities give 16 and 17 in order to assist them with successfully moving into adulthood.

In RBWM, eligible or relevant children (16 to 18) can expect:

- an allocated social worker or personal advisor
- a full assessment based on their needs
- a detailed pathway plan (PWP) based on their assessed needs, which will be overseen by a qualified social work team manager. The child will need to be a key contributor towards this. The plan will be reviewed every six months
- their personal advisor or social worker to keep in touch and visit them every six to eight weeks (more often if necessary or less as identified within their pathway plan)
- financial support as relevant
- support to help them to access safe and suitable accommodation
- support with obtaining a bank account, National Insurance number and passport (unless your legal status prevents you)

18+ YEAR OLDS PLEDGE

The Children and Social Work Act 2017 extended the provision for care leavers to include young people aged 22 to 25 who are not in education.

For care leavers aged 21 or over, the new duty means that local authorities do not necessarily need to provide the same level of support to care leavers aged 21 to 25 as it does for those aged 18 to 20. The new duty does however enable local authorities to respond positively to requests for support from care leavers aged 21 to 25 who may be continuing to struggle with the transition to independence and adult life.

In RBWM, an adult aged 18+ and former relevant, can expect:

- an allocated personal advisor
- a full assessment based on their needs
- a detailed pathway plan (based on their assessed needs) which will be overseen by a social work team manager. The plan will be reviewed every six months
- their personal advisor to keep in touch and visit you every six to eight weeks (more often if necessary, less if they don't want this. Frequency of visits and as identified in your pathway plan)
- support with accessing relevant safe and suitable accommodation
- financial support to help maintain education, training or employment
- to be provided with vocational accommodation if in higher or further education
- council tax exemption for care leavers

If you do not feel that you are getting the support that you are entitled to as highlighted in the pledges please speak to your Social Worker, IRO or you can email Kickback@achievingforchildren.org.uk



ENGAGING CHILDREN AND YOUNG PEOPLE

Achieving for Children has multiple mechanisms in which children in care and care leavers can be involved in service design and delivery.

Kickback

Kickback
Kickback (Children in Care council) gives children in care aged 12 to 18 years the chance to have honest, enjoyable and interactive discussions about the services that they receive.

Leaving Care Forum
A forum for care leavers to discuss their views on the services that they receive.

Interview panels

Children in care and care leavers have opportunities to engage in the recruitment process for new staff within Children's Services.

One off events and survey

Events and surveys are organised to collect feedback on either specific services or to gain general feedback about how children in care and care leavers experience services.

Total Respect training

A cohort of children in care and care leavers deliver training to elected members and professionals on how children and young people experience being looked after.

Individuals

Children in care and care leavers are involved in processes linked to their individual needs such as care plans, pathway plans and personal education plans.

SUPPORTING DOCUMENTS

- Corporate Parenting Action Plan
- Children in Care Pledge
- Local Offer for care leavers
- Councillors Guide to Corporate Parenting
- Checklist of corporate parenting responsibility

FOR MORE INFORMATION CONTACT

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achieving for children



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