

**AT A MEETING OF THE BOROUGH COUNCIL held in the Desborough Suite -
Town Hall on Tuesday, 23rd November, 2021**

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

Councillors John Baldwin, Clive Baskerville, Christine Bateson, Gurpreet Bhangra, Simon Bond, Mandy Brar, Catherine Del Campo, David Cannon, Stuart Carroll, Gerry Clark, David Coppinger, Jon Davey, Karen Davies, Phil Haseler, Geoff Hill, David Hilton, Maureen Hunt, Andrew Johnson, Greg Jones, Lynne Jones, Ewan Larcombe, Sayonara Luxton, Ross McWilliams, Samantha Rayner, Joshua Reynolds, Julian Sharpe, Shamsul Shelim, Gurch Singh, Donna Stimson, Chris Targowski, Leo Walters and Simon Werner

In attendance virtually: Councillors Bowden, Price, Taylor and Tisi.

Officers: Alysse Strachan, Rebecca Hatch, Andrew Durrant, Adele Taylor, Emma Duncan, Duncan Sharkey, Karen Shepherd and David Cook

37. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C. Da Costa, W. Da Costa and Knowles.

38. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 28 September 2021 be approved subject to the following amendment:

- **p.24 to read ‘Councillor del Campo highlighted that she had previously brought a motion to full Council bring 730 empty homes back into use which had been unanimously rejected by the administration. There had been little action on the issue other than a tacit nod in the *Housing Strategy*.’**

39. DECLARATIONS OF INTEREST

None received

40. MAYOR'S COMMUNICATIONS

The Mayor had submitted in writing details of engagements that the Mayor and Deputy Mayor had undertaken since the last ordinary meeting. These were noted by Council.

41. PUBLIC QUESTIONS

- a) **Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure and Digital Connectivity:**

COUNCIL - 23.11.21

Some local authorities have received up to £500,000 in funding from the Government's Traffic Signals Funding Scheme. Will the Lead Member advise if RBWM has applied for or received funding from this scheme?

Written response: *RBWM did submit a bid under the Traffic Signal Funding Scheme to upgrade 10 traffic signal sites. Unfortunately we were not one of the local authorities allocated the grant funding.*

This is the link to the published list of successful bids on the DfT website.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1009151/traffic-signals-maintenance-scheme-award-winners.csv/preview

By way of a supplementary question, Ed Wilson commented that he hoped the Clewer Hill Road lights were one of the ten put forward for funding. the issue would not be going away, would the Cabinet Member consider a formal 6-month review of these lights?

Councillor Clark responded that the junction was currently under review and he awaited an officer's report for improvements, Councillor Shelim had raised it with him at an earlier meeting and it had therefore been referred to officers as an important junction to look at. He would welcome the opportunity to discuss the issue with Mr Wilson when the report was available.

b) Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor McWilliams, Cabinet Member for Housing, Sport & Leisure, and Community Engagement:

What work has been done to improve sporting opportunities for young people in Windsor during the past year?

Written response: *I am pleased to be able to confirm that in the Windsor area, as across the whole Borough, our built sporting and leisure facilities were successfully re-opened as soon as the restrictions allowed, to enable the community to restart using these venues. This was not the case across the whole country and it has been a really positive opportunity for our communities to re-start their sporting and leisure activities. Huge credit goes to both Leisure Focus, RBWM officers and the passionate army of volunteers from sporting groups that have worked together during the reopening.*

There are many great sporting and leisure facilities in Windsor, including three main centres which support the Windsor community area, i.e. the Windsor Leisure Centre, the Dedworth Community pitch and the Thames Valley Athletics Centre. All three are offering a full programme, and have seen a steady return of customers to a wide range of sports and leisure activities.

In addition to the re-openings of all three venues, which includes the restarting of the swimming lesson programmes and a wide range of other classes, I am pleased to be able to report that the replacement staircase to provide access to the water slide at Windsor Leisure Centre is well underway and the leisure pool will re-open again when these works are completed early in January. RBWM invested in this important improvement and repair to help keep the centre as an attractive family destination. We are also looking at the opportunities for further expansion of the current facilities at

COUNCIL - 23.11.21

Windsor Leisure Centre and will have more to say on these exciting plans in due course. The focus will be on expanding provision of popular activities our residents want to see.

Leisure Focus have also overseen a major improvement in facilities and decor at Windsor Leisure Centre, as well as providing a much-improved digital offer, classes and booking system that has improved the experience for local residents. They have listened to what their customers and residents have asked for and responded positively. Leisure Focus is a community interest organisation, which RBWM helped to found, and is run not-for-profit, which means it reinvests its earnings into local facilities and has a greater focus on community engagement, such as working with Windsor Monarchs and other disabled sports groups to provide opportunities to disabled residents, including many young residents.

RBWM has supported Leisure Focus's outreach work with and for young people in Windsor, which has included:

- *Student gym membership discount*
- *Return of swimming lessons post-COVID*
- *Time-out sessions for carers in partnership with Achieving for Children*
- *Return of Gymnastics to Windsor Leisure Centre*
- *Holidays camps have returned*
- *Local schools use facilities during term time*
- *Triathlon for juniors returned*
- *Hired 39 local young people (with gym discounts) from local area*

In further good news, Dedworth Community pitch is proving to be more popular than before Covid and RBWM is looking at options for increasing usage further at the Dedworth Community Pitch, which now also has a new three badminton court sized hall and can be used for increased activity both by the school and the wider community for a range of activities.

Borough Officers have worked with our centre operators to ensure relevant Covid measures are maintained in the centres, so that residents can enjoy first class facilities in a safe and secure manner.

In our parks and open spaces, three play areas have all been reopened, and the Borough has supported clubs with access to pitches in the parks in accordance with the advice from the relevant governing bodies to enable these clubs to re-start their activities for club members. Our sports and leisure clubs offer a rich and wide-ranging mix of sports and leisure opportunities for our residents.

I have met with as many clubs as possible to understand and support their plans to grow and increase their memberships, with a view to being able to include key aspects in the new Sport and Leisure Strategy that we are bringing forward in the new year.

RBWM is committed to supporting more residents exercise more often and becoming more healthy. By expanding our existing estate in Windsor, investing in improved facilities.

By way of a supplementary question, Ed Wilson asked commented that there was a lot going on to improve facilities but he asked if Councillor McWilliams would meet with

him at Victoria Park in Windsor to see if there was a chance to establish more five-a-side pitches for Dedworth residents?

Councillor McWilliams highlighted that his written response should have included the final sentence:

'RBWM is committed to supporting more residents exercise more often and becoming more healthy. By expanding our existing estate in Windsor, investing in improved facilities, and looking at more opportunities to partner with our leisure provider, RBWM is building on its strong offer to local young people.'

Councillor McWilliams stated that he would be more than opportunity to visit Victoria Park with Mr Wilson.

c) Sunil Sharma of Furze Platt ward asked the following question of Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside:

Following COP26, the world is paying more attention than ever to climate change and ways in which we can combat it. What are the next steps that the borough are doing to help tackle global warming?

Written response: The Council declared an Environment and Climate emergency in June 2019, recognising the climate and biodiversity crisis we are facing as a planet. Following that declaration, the Council developed and has published an Environment and Climate Strategy with four key themes, Circular Economy, Energy, Natural Environment and Transport. Included in the strategy are the science based carbon reduction targets for the Borough and the Council, committing us to reduce emissions by 50% by 2025 and being net zero by 2050.

The Council has been working hard over the last two years to deliver on its commitments, increasing the size of its Sustainability and Climate team significantly to provide additional resources and focus. Over £1 million of funding has been secured externally to support low carbon feasibility, LED lighting upgrades and improvements to the energy efficiency of homes in the Borough.

The Council will continue to deliver its commitments on the climate.

- A Climate Partnership is currently being set up to bring together a broader range of stakeholders to help push forward the work that is required. The Council has committed to providing £250,000/year for 3 years to ensure it can establish itself.*
- A sustainability focused supplementary planning document is under development to ensure Planning have the tools they require to ensure new developments are low carbon and deliver for the natural environment.*
- 5000 trees will be planted over the winter to create new habitats and absorb carbon from the atmosphere.*
- A Local Cycling and Walking Infrastructure Plan has been consulted on with residents over the Autumn and will be published shortly.*

Internally, 25 senior officers recently undertook Carbon Literacy training, delivered by Manchester Metropolitan University, to ensure we have the skills and knowledge

COUNCIL - 23.11.21

within the organisation. A new Climate Staff Forum has also been set up to best share practice across all services, recognising that all parts of the Council will need to play a part.

Sunil Sharma was not able to attend the meeting therefore the Mayor read out his supplementary question:

'Going forward what measures can residents take to help battle climate change and is there some guidance for them?'

Councillor Stimson responded that it was ironic that the question had been asked that day when she had just put out a video of some of the activities that residents had been doing for the last several years in tackling climate change. This included opening repair cafes, reducing waste, opening shops and looking at different ways to protect the environment. Within the next month there would be more published but there were also groups that people could be directed to.

d) Martyn Cook of Hurley and the Walthams ward asked the following question of Councillor Cannon, Cabinet Member for Public Protection and Parking: Does the council take a zero tolerance approach to littering in the borough?

Written response: *Yes we take a zero tolerance approach to anti-social behaviour and actions which damage our environment including litter.*

Martyn Cook was not present to ask a supplementary question.

42. PETITIONS

Councillor Tisi submitted the following petition:

We the undersigned petition the Royal Borough of Windsor and Maidenhead to urgently upgrade the existing Zebra crossings on Maidenhead Road adjacent to the Parsonage Lane/Mill Lane mini roundabout to Toucan crossings; also to introduce traffic calming measures and reduce the speed limit.

Councillor Tisi commented that the video of Councillor Johnson in Mill Lane claiming to be listening to residents' concerns about highways issues must have been confusing to Mr Gibbons, the petitioner. He, like his neighbours and his ward councillors, Councillor Davies and Councillor Tisi, had been telling the council for years that the Mill Lane junction urgently needed upgrading. From his home in sight of the roundabout, Mr Gibbons had witnessed crumpled bumpers, a smashed bicycle and flashing ambulance lights all too often. At times, literally the entire M4 flowed through that junction, complete with thundering juggernauts and impatient motorists forced to detour through the residential areas.

Councillor Tisi asked what was there to protect cyclists against the onslaught? Fading white cycles on the cracked tarmac. Pedestrians took their chances on a zebra crossing, which was still poorly lit by broken Belisha beacons even after months of regular reporting by Mr Gibbons and herself.

The council knew this junction was a problem. They just had not done anything to properly sort it out. It was the third worst accident blackspot for cyclists in Berkshire. In

COUNCIL - 23.11.21

2018 RBWMM identified the need to replace the crossing with toucan lights as 'high priority' with a 'high safety impact' and even allocated £67,000 for improvements.

So far the considerable lobbying had achieved a new safety sign and assurances from highways officers and the lead Member that the junction would be reviewed, again. Councillor Tisi suggested the council should show residents that it was truly listening by getting Mill Lane done. Councillor Tisi requested that the lead Member write to Mr Gibbons with a plan for the review of the junction and an indication of timescale.

Councillor L. Jones submitted the following petition:

We the undersigned petition the Royal Borough of Windsor and Maidenhead to carry out an urgent review of road safety to inform improvements for children walking and cycling to Trevelyan Middle School; and install additional crossings on St Leonard's Road and Bolton Road.

Councillor L. Jones explained that the petition had been brought about due to a lack of crossing points on significant junctions on St Leonards Road and an accident and several near misses. It underlined the concerns of parents who wanted their children to walk or cycle to school safely. Trevelyan School was located on the opposite side of St Leonard's Road to the main residential area. The road had a 30mph limit and was a busy through route used by a variety of road users; most importantly up to 600 9-13-year-olds could walk or cycle to school.

A promised review in 2019 and again in 2020 appeared to become the victim of a priority list once the council started dealing with the Active Travel consultation. Cars came round from St Leonard's to Bolton Road due to the wide junction causing pedestrians crossing to abruptly halt. A central refuge was suggested. There were also calls to upgrade the existing zebra crossing to a light controlled pelican crossing. Councillor Jones urged the council to investigate the options to provide a safe route to school for pupils from both directions and implement the findings as soon as possible.

43. REFERRALS FROM OTHER BODIES

Corporate Plan

Councillor Johnson introduced the report. He thanked all Members of the Corporate Overview and Scrutiny Panel for the effective challenge session held on the Plan, which had been invaluable in shaping the document. He credited Councillor Werner for suggesting the title be amended to reference 'sustainable'. The Plan built on the interim strategy approved the previous year. It provided a clear plan for the medium term; Members would see at Cabinet later in the week how it aligned with the emerging budget priorities.

Many people had questioned why climate change had not featured more strongly. Councillor Johnson stated that he firmly believed it did feature strongly and referenced the Climate Partnership that had been set up. However the council also needed to deliver core business including adult social care, children's services, housing, and tackling anti-social behaviour. These were all priorities that residents valued in addition to tackling climate change. The Plan was one that must evolve over time and be responsive and flexible to take into account external events and future challenges.

Councillor Rayner commented that the Plan set a clear vision beyond the statutory duties of the council. The three key drivers were affordable housing, infrastructure and tackling climate change. They were important pillars to make the borough a better place and improve residents' lives. Aims that would be achieved in partnership with others including volunteers

COUNCIL - 23.11.21

and health partners. Climate change was one of the most talked about challenges. This shift was clearly reflected in the Plan which also set out the tools to address the issue.

The library consultation was a good case study. A 12-week extensive consultation had been undertaken leading to proposals for a financially sustainable service. Libraries were also at the forefront of the climate agenda, for example holding workshops and leading by example. In relation to infrastructure, Councillor Rayner referenced the Windsor Master Plan which residents had been asking for and was committed to in the Plan.

Councillor Werner commented that the discussions at Overview and Scrutiny and Cabinet had been productive but they had run out of time; some items got lost in the decision making. He had been pleased that some of his proposals had been accepted. Members at the O&S Panel had been advised that it was not possible to measure wellbeing however the ONS measured it at local authority level. Councillor Werner highlighted the issue of rates of anxiety in the borough and requested further work on the issue.

Councillor Werner commented that on council-owned land, the council could set any standards it liked for eco-homes. There was no point declaring a climate emergency if the council continued to build homes that did not work towards the targets. Rather than just raising awareness, the issue of climate change needed to be embedded in every decision taken. Tackling climate change should be seen as the council's core business.

Councillor Werner felt that the Plan was just an interim plan which would be comprehensively reviewed by 2023 to put climate change at its centre.

Councillor Davey commented that he felt there were holes in the Corporate Plan. He questioned if the document would really change the behaviour of Members at RBWM. He respected that officers would use the Corporate Plan as a benchmark for progress but he questioned whether it really contained what residents wanted from RBWM.

The Plan referenced an 'enabling council' which treated everyone with compassion, respect and dignity. Thousands of residents had called for the formation of a Windsor Town Council and the Conservatives then tried to tell Windsor residents they did not know their own minds and refused its formation. If the council was not going to follow through, Councillor Davey suggested it should not get residents' hopes up, or waste hundreds of hours of officer and Member time.

The Plan talked of supporting new businesses in the creative space. Councillor Davey's own experience of launching post-Covid was undermined with threats of letters to his employer. Despite this, the fourth Edition of Love Windsor's Community Newsletter would be hitting 15,561 business owners and residents in Windsor shortly. He thanked all the advertisers and community groups who had been so supportive. Councillor Davey felt that if more Members were more community focused, driven by love and compassion for all residents across the borough, rather than trying to impress or being obsessed with creating dossiers on fellow Members, then he believed residents, officers and most Members from across all parties would appreciate the change of mindset.

Councillor Davey highlighted that quality infrastructure talked of the small cell roll out of 5G. He had advised multiple times of the European Law that put the onus on councils to do their own research into the potential negative effects of 5G. This information was constantly ignored, while with another breath he was told health and wellbeing was a core value. Ignorance may be bliss but it was not a legal position and he suggested the council should at least be looking to be better informed on the subject.

COUNCIL - 23.11.21

Councillor Davey was pleased that the project he had led on, the New Windsor Cycle Hub, had been references. All he had done was apply logic and brought the right people together under one virtual roof for a single meeting where those involved grabbed the bull by the horns and ran with it. The hub met weekly at The Swan Pub in Clewer, helping and inspiring hundreds of local residents. He was happy to be of service, like thousands of other community minded residents across the borough and he would actively support positive initiatives that were rooted in the community and driven by councillors and officers with love and compassion at their core. Councillor Davey asked that the next Corporate Plan be more inclusive, sharing more of the opportunities caused by the very real problems that existed but people were afraid to talk about.

Councillor Haseler, as Chairman of the Corporate O&S Panel, explained that the Members had reviewed the draft Plan, the evidence base, and a report on the outcome of the public consultation. All Members were given the opportunity to ask pre-Panel questions and were provided with written responses. Three registered public speakers had been heard. The Panel had agreed a number of recommendations to strengthen the Plan, which had been discussed by Cabinet and accepted. Councillor Haseler clarified that the proposal to change the title of the plan to include 'sustainable' had come from a public speaker. He thanked all Members of the Panel and the supporting officers for work on the many stages of development of the Plan.

Councillor L. Jones agreed that the O&S Panel session had been productive but she would have liked to have seen the documents for a longer period of time in advance. She urged that future significant reports be published well in advance of the minimum period. She did not agree with all aspects of the Plan but as long as it had meaningful, measurable targets and accountability she felt that having an adopted Corporate Plan was better than none.

Councillor Carroll commented that the issue of wellbeing had been raised at Cabinet. He had stated at that meeting that the council, through its Health and Wellbeing Board, was required to produce a Joint Strategic Needs Assessment and a Joint Health and Wellbeing Strategy as a legal requirement. Both documents were reviewed each year and would form seminal parts of the Corporate Plan. The Board, in conjunction with the Public Health team, was looking to review aspects of the mental health strategy particularly in the context of the pandemic, recovery and learning to live with Covid.

Councillor Stimson commented that she was not a fan of long documents but it was clear what was needed: to create homes and communities for people, look after health and wellbeing especially for the most disadvantaged, and to stop the carbon numbers rising. There were great difficulties in this balance. Councillor Stimson felt that sustainability should be at the heart of everything the council did.

Councillor Hill stated that he would support the Plan but with one reservation. He commented that by the Leader's own admission, the plan was deficient in tackling climate change and protecting the environment. The Plan represented a great missed opportunity. Members had seen the residents outside the meeting room who did not want development on the golf course. He highlighted pages 159 and 160 of the report that gave a clear indication that protecting the beautiful Royal Borough outweighed other issues for residents. The report was very professionally produced by officers

COUNCIL - 23.11.21

and included all the right detail but it did not include the overriding point of the protecting the environment. A detailed rewrite was needed to put the issue first.

Councillor Johnson requested a personal explanation. He stated that at no time had he used the term 'deficiency' or indicate that the Plan was in any way deficient in terms of climate change. He had said it naturally formed a key part of the document but that was also balanced with delivering core business, which was looking after vulnerable children and adults, economic development, cracking down on anti-social behaviour and also delivering all of the other services residents deserved and paid for.

Councillor Price commented that if she could vote she would be minded to support the Plan despite some reservations. It was an improvement to what the council currently had but lacked sufficient ambition. She would listen carefully to the Cabinet meeting when she understood the annual SMART objectives would be set.

Councillor Price provided two examples where she believed the Plan lacked ambition, Objectives for air quality had been set nationally for 2004, 2005 and 2020. She did not believe the borough had met any of those targets and yet the Plan said it would meet objectives by 2025. The O&S Panel had requested some targets relating to green space. Objectives had been set by Fields in Trust to ensure residents were in so many minutes of different types of opens spaces but these seemed to have been watered down.

Councillor Cannon commented that he was glad that the recommendation he had raised at Cabinet to reduce the level of public concern about anti-social behaviour had been incorporated in terms of a zero-tolerance approach using all enforcement powers. This proposal had not been universally accepted by all councillors but he felt that residents deserved to have their environment protected from anti-social behaviour.

Councillor McWilliams commented that it was fantastic to see the importance placed on housing, in particular affordable housing. For too long the council had not delivered enough genuinely affordable and social rented accommodation. Over the last few months about 50 new social housing tenancies had come online. Councillor McWilliams highlighted the commitment to ensure no resident had to sleep rough through necessity. There were currently 209 households in temporary accommodation supported by the borough. The aim was to reduce that figure and get people into long term sustainable accommodation. There were over 1000 people on the housing register which demonstrated the clear shortage of homes.

Councillor Baldwin commented that he was delighted to hear that all possible resources would be dedicated to fulfil the policy of zero-tolerance of anti-social behaviour and he looked forward to seeing concrete plans which would restore the budgets for street cleaning, removal of graffiti, and vandalism of bus stops and open spaces. Without those proposals he felt it was another empty promise.

Councillor Johnson highlighted that the vast majority of the recommendations from Corporate O&S Panel had been accepted by Cabinet. There had been a discussion on wellbeing at Cabinet and collective agreement that due to the inherent flexibility of the Plan, there would be the opportunity to include additional measurements on a range of issues. In relation to eco-homes he commented that looking at the council's land holdings there were not many areas that could accommodate the volume

COUNCIL - 23.11.21

required. The difficulty of bringing forward brownfield sites left the major site in Maidenhead or other sites potentially in Windsor. In relation to anti-social behaviour, Councillor Johnson stated that the administration believed in an education and enforcement approach. This was not a view shared by all Members, some of whom felt there should be no enforcement at all. He looked forward to seeing costed amendments as part of the budget debate. Publication of the draft budget had been brought forward by a clear month to enable this.

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

RESOLVED: That Full Council notes the report and:

i) Agrees to adopt the Corporate Plan as the council's five-year strategy for the period 2021-2026, following design finalisation.

The vote was taken by a show of hands. 25 Councillors voted for the motion. 9 Councillors abstained.

Gambling Act 2005 Statement of Principles – Three Year Review

Councillor Cannon introduced the report. He explained that under the Gambling Act 2005 every three years licensing authorities were required to prepare and publish a statement of the principles that they proposed to apply in exercising their functions under the Act. A wide consultation had been undertaken with statutory consultees and other stakeholders to ask if the statement provided a clear robust policy on gambling premises in the borough, and if not, what should be included. One of the key responses received was the need to strengthen provision for vulnerable adults. As a result the following changes had been made:

- an area profile had been included to provide operators of gambling premises with information about the areas in which they were, or may choose, to operate, specifically in relation to areas of deprivation and ethnic minority populations as those groups were disproportionately more likely to suffer harm from gambling.
- reference to RBWM's obligations under the Equality Act 2010 had been included.
- the provisions of the statement covering vulnerable persons, in particular vulnerable adults, had been strengthened.

Councillor Bhangra, as Chairman of the Licensing Panel, explained that Members had debated the statement at its meeting in October 2021. Members had concluded that the review had been robust and unanimously agreed to recommend it to full Council.

Councillor Price requested clarification on the area profile referenced in paragraph 2.5.1.1. She also asked why all protected characteristics had been treated as 'medium' in the EQIA despite the report saying some groups were more vulnerable.

Councillor Brar commented that she had asked for parish councils to be included on the list of statutory consultees but this had not been done.

Councillor Cannon explained that the local risk assessment was referenced in paragraph 2.7.1. The local area profile was in paragraph 2.8.1. There was no

COUNCIL - 23.11.21

particular breakdown in the report but if anyone applied for a licence, this would be where it would feature. Officers had rated all characteristics as medium in the EQIA because nothing in the paper indicated an increased risk for any group. Once an application was received the local area assessment would be looked at to determine if there was any increased risk due to demographics.

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

RESOLVED UNANIMOUSLY: That Full Council notes the report and:

i) Agrees to adopt the RBWM Gambling Act 2005 Statement of Principles 2022 – 2025 with effect from 31 January 2022.

Constitutional Amendments

Councillor Rayner, Chairman of the Constitution Working Group, introduced the report. She thanked the Members of the Working Group for their role in developing the three recommendations. Councillor Rayner explained that during the pandemic a single Development Management Committee had been held, but Members had agreed a return to two panels in June 2021, with membership based on geographic area. The Monitoring Officer had advised that this was a potential weakness for the council and increased the risk of challenge.

In relation to the Code of Conduct, Members recalled that a revised Code had been agreed in April 2021, based on the LGA model. However the council had decided to keep the threshold of £25 for gifts and hospitality rather than £50 as in the model code. The proposed amendment would deal with the issue of recurring gifts. The proposed Communications Protocol set out how the council could make the best use of its resources to support open, accessible and responsive communications whilst acknowledging the reasons it could not be used for party political purposes. The Protocol also set out the respective roles of officers and councillors dealing with the media.

Councillor Baldwin commented that the report made it clear that the existing terms of reference were agreed by full Council in June 2021. Yet only 147 days later Members were being asked to change them and tear out a key principle of localism insisted upon by the Steering Group. He questioned what evidence had been accumulated to support the recommendation? The Committee had only met 5 times under the current terms of reference. He was only aware of two meetings that might have helped identify there was a problem. The inaugural meeting held on 18 August 2021; on that occasion three non-qualifying Members had been accepted as substitutes. Councillor Baldwin had objected and they were excluded. At no time had the quorum been threatened. In the brief interval for the Chairman and others to take advice, several geographically qualifying substitutes miraculously appeared. This made him wonder why they had not been the original substitutes. The complication was not caused by geographical exclusion but a manifestly unnecessary and largely unexplained attempt to ignore the rules. It was possible that the original four Members asked to be substituted because they had a conflict of interest. However, had that been the case then they would have done the same the previous week when a near identical application was considered.

COUNCIL - 23.11.21

Councillor Baldwin commented that Development Panels rarely had only one item on the agenda. He could believe a Member may need to recuse themselves from one application but to ask to be substituted for the entire meeting suggested that the Member was so compromised that they should never have been considered for the Panel in the first place. As for a general increased difficulty to meet the quorum, Appendix A set out that the membership must be in line with the political balance, however a quorum did not. Councillor Baldwin therefore felt the proposal had a very different set of motivations to those offered in the report. He had concluded that it was a ruse to lock in a Conservative majority on both panels under all scenarios. That intent was far more damaging to impartiality than the current arrangements.

Councillor Baldwin had intended to submit an amendment but had listened to officer advice so had decided not to. Instead he called upon all those who had influence in the Groups to use that influence to ensure the use of substitutes from outside the relevant geographical area was minimised.

Councillor Werner stated that he could support the recommendation on the Code of Conduct, which had come from the Liberal Democrats. He was unable to support the other two proposals. The Communications Protocol read to him as a recipe to use the communications department to spew out press releases and social media that blatantly promoted the current administration rather than informative items on issues such as bin collections and how to be a foster carer. The protocol would even allow the infamous banners of 2019.

Councillor Coppinger explained that he had brought the Development Management Committee proposals to full Council to meet the democratic needs of both Councillors and residents. At that time he had no idea that the situation could arise where a panel was deficient of Members that could lead to decisions being challenged. The recommendation had come from the Working Group; it had not been discussed with him as Cabinet Member. The proposal would ensure safe decisions and would only be used where absolutely necessary.

Councillor Davey referenced the statement in the Communications Protocol that 'The communications team will never knowingly mislead the media on a story. In order to maintain a good long-term relationship, the department needs to be trusted by the media and the wider community.' Councillor Davey asked that Members read and applied this to their communications before publishing videos that said one thing, written words that say another, successfully misleading residents. Car parking tariffs were part of the budget and so not a decision for Cabinet but for full Council.

Councillor Price stated that she supported the points made by Councillor Baldwin. In relation to the Communications Protocol, she welcomed the proposal that press releases would be issued to councillors at the same time as the media and those that were embargoed would be sent at the time the embargo was lifted. She welcomed this as in the past councillors had not always been sent press releases and had had to read about things in the local newspaper.

Councillor Hill commented that what had taken place at the planning panel a few months previously had been appalling and had done the borough a lot of damage. The application had been withdrawn and subsequently approved. The potential existed for the situation to happen against. He wished the amendment had not been proposed. For the majority of his time as a councillor it had always been the case that Windsor

COUNCIL - 23.11.21

did not judge Maidenhead on planning issues and vice versa. Only when there was a dire need would there have been a swap. If there was a controversial decision to be made, residents wanted it to be made by councillors from the right part of the borough.

Councillor McWilliams commented that all press releases were shared with all councillors at the same time. Comments from a councillor or spokesperson may be different. If Councillor Price had examples where press releases had not been shared he encouraged her to contact him. The suggestion that professional communications officers were being used for propaganda was unpleasant and called into question their integrity. No evidence had ever been presented to him to support this. The team did promote issues such as foster caring and awareness of the Town Forums, and had played a huge role in the pandemic to keep people informed. It had won awards for its work supporting the Royal Household and media outlets during the recent funeral.

Councillor L. Jones commented that she had always supported local ward councillors being the decision makers on planning. It had worked in previous years yet Members were now being told that for practical reasons it should change. She therefore echoed the call for Group Leaders to only use non-geographical area substitutes in extreme circumstances. Councillor Jones supported the Communications Protocol but urged all councillors to consider the perception of residents when communicating through council channels.

Councillor Bateson highlighted that councillors were elected for their ward but also needed to represent the entire borough.

Councillor Johnson commented that the amendment relating to gifts and hospitality was absolutely right in the interest of transparency and engendering of trust with the electorate. He highlighted that Members represented the entire borough when sitting as the Local Planning Authority. The amendment would give flexibility particularly at a time when individuals could not join face to face meetings for a number of reasons. He had been disappointed to hear the negative phrases about the communications team, which had done a great job during the pandemic in reaching areas of the borough the council had previously had little engagement with.

Councillor Rayner concluded that it was important to take into account the advice of the Monitoring Officer. She was pleased that all agreed on the issue of gifts and hospitality. The communications team did a fantastic job and had increased engagement on social media exponentially during the pandemic. The protocol was explicit in stating communications could not be used for party political purposes.

The Mayor had agreed to allow separate votes on each recommendation on the basis that they were three distinct and unrelated recommendations.

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

RESOLVED: That full Council notes the report and considers the following recommendations from the Constitution Working Group:

- i) To amend the Terms of Reference for Development Control Committees as detailed in Appendix A.**

A named vote was taken.

ii) To amend the Members' Code of Conduct as detailed in Appendix B

The recommendation was agreed unanimously.

iii) To include the Communications Protocol (Appendix C) as Part 7K of the constitution.

The vote was taken by a show of hands. 24 Councillors voted for the motion; 10 Councillors voted against the motion.

To amend the Terms of Reference for Development Control (Motion)	
Councillor John Story	For
Councillor Gary Muir	For
Councillor John Baldwin	Against
Councillor Clive Baskerville	Against
Councillor Christine Bateson	For
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Against
Councillor Mandy Brar	Against
Councillor Catherine del Campo	Against
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor 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 Ewan Larcombe	Against
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
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
Councillor Leo Walters	For
Councillor Simon Werner	Against
Carried	

44. MEMBERS' QUESTIONS

a) Councillor Larcombe asked the following question of Councillor Hilton, Cabinet Member for Finance and Ascot:

COUNCIL - 23.11.21

The RBWM Corporate Plan refers to investing £10m on flood prevention within Datchet, Horton and Wraysbury, and Old Windsor wards. Please confirm that where drainage channels have been deliberately blocked, culverted without authorisation or access to land denied - any public money used to rectify these problems will be recovered from the riparian owners?

Written response: *Ordinary Watercourses: Riparian owners have a duty to maintain watercourses for which they are responsible. Under the Land Drainage Act 1991 the Council has the powers to serve notice on riparian owners, for the removal of any blockage to an ordinary watercourse. Should the riparian owner fail to do so, the Council has powers to undertake the work themselves and recharge the costs to the riparian owner. The Council will try to resolve problems through discussion with the owners in the first instance and enforcement of legislation will only be used as the last resort.*

Main River Watercourses: The overall responsibility for maintenance of Main Rivers lies with the riparian owner. The Environment Agency has permissive powers to carry out works of maintenance and improvement on Main Rivers where required. This can include any structure or appliance for controlling or regulating flow of water into or out of the channel.

If any joint scheme were to offer an element of funding to riparian owners that would be a matter for those funding the scheme.

By way of a supplementary question, Councillor Larcombe explained the 200-year-old Wraysbury drain had worked well for many years until recently. After £150,000 of RBWM expenditure, it failed to work at all. The weir had fallen apart; it was then fixed at more expense and a circular was issued to the riparian owners to remind them of their responsibilities. Five years later it was still not working. The Corporate Plan referred to failing to maintain or blocking watercourses could be considered to be anti-social behaviour and subject to zero tolerance. He had not seen any sense of urgency or importance on the matter. The borough was the designated lead local flood authority and it did not do enough. Councillor Larcombe asked if he could offer Councillor Hilton a guided tour.

Councillor Hilton responded that he was Cabinet Member for Finance and his knowledge of flooding was limited. Through Democratic Services he had suggested that the question should be answered by Councillor Cannon but this had been rejected by Councillor Larcombe. In the circumstances he would come out and walk with Councillor Larcombe but if there was anything else, Councillor Cannon would respond.

b) Councillor Larcombe asked the following question of Councillor Hilton, Cabinet Member for Finance and Ascot:

The RBWM Corporate Plan refers to investing £10m on flood prevention within Datchet, Horton and Wraysbury, and Old Windsor wards. Please confirm that for this project RBWM as lead local flood authority has requested the partnership funding contribution from the Environment Agency?

Written response: *Members will be aware that earlier this year local stakeholders were invited to submit potential flood risk management schemes for consideration, as part of the partnership project with the Environment Agency. The project's initial task will be to assess the feasibility and economic benefit of these schemes. Business cases*

COUNCIL - 23.11.21

will then be developed and potential funding sources identified by the council and the Environment Agency on a scheme-by-scheme basis. This will include the council's £10m contribution, and grant funding from the Environment Agency.

The main source of Environment Agency money for flood schemes is Flood & Coastal Erosion Risk Management (FCERM) Grant in Aid (GiA) provided by central government (through Defra). The allocation of this money is governed by the Government's Partnership Funding policy. The Partnership Funding policy was introduced in 2011. The main objectives are to enable schemes that could not be afforded from central government funding alone and ensure all schemes are assessed on a common basis. The Environment Agency has initially put a bid for £550k FCRM Grant In Aid (GiA) funding for 2022/23 for this project. As and when the business cases for specific schemes have been completed, further bids will follow.

Councillor Larcombe confirmed he did not wish to ask a supplementary question.

c) Councillor Davey asked the following question of Councillor Cannon, Cabinet Member for Public Protection and Parking:

Can Cllr Cannon please explain clearly why there are discrepancies between Windsor & Maidenhead for the Christmas discounted parking offer?

Written response: Windsor hosts a monthly retailer meeting at which Christmas parking is discussed. As part of these discussions, we consider footfall rates, which have been increasing steadily since September to a point where it is exceeding 2019 figures over the weekends. The retail group understands that the current financial climate is strained and as such that everyday free parking is not sustainable and so felt that the focus of any free parking offered should be on the days which see lower footfall rather than offer free parking at a time when the town is already busy. On that basis Tuesday and Thursdays were submitted along with the Christmas Light Switch on dates, to the Parking team for consideration. Clearly there needs to be a balance and fairness across the whole of the borough and moving forward would suggest that there is a more formal opportunity for businesses to contribute to the discussion on free parking for the council to consider in line with what Maidenhead has been put forward and offered.

By way of a supplementary question, Councillor Davey commented that he was not sure that the response addressed the question but it appeared that the blame for the discrepancy was now on the retailers. Councillor Cannon had said at the last Council meeting that any parking discounts needed to be financially responsible. Therefore could he confirm that the decision to offer free parking all weekend in Maidenhead during December was only possible because of Windsor's parking revenue receipts plus European Regional Development Welcome Back Fund subsidising Maidenhead's parking and celebrations.

Councillor Cannon responded that this was incorrect.

d) Councillor Davey asked the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure and Digital Connectivity:

With regards to the small plots of land that are "adopted highways", can the lead member explain the liability responsibilities of the owner and RBWM?

COUNCIL - 23.11.21

Written response: *Where land is designated as adopted Highway, RBWM as Highway Authority will be responsible for the surface, its maintenance and all other duties under the Highways Act 1980. The land beneath the surface is the responsibility of the owner in all other respects.*

Link to Highways Act 1980: [Highways Act 1980 \(legislation.gov.uk\)](http://legislation.gov.uk)

By way of a supplementary question, Councillor Davey asked if for example a tree fell on a car would the council be responsible or was it the landowner?

Councillor Clark responded that the circumstances would require investigation and the liability would fall on the liable.

e) Councillor Price asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Since the change to our waste collection, what are the weekly statistics in terms of numbers and response times for residents reporting missed bins, non-delivery of assisted collections and large/new bins?

Written response: *All collection rounds have been completed on the scheduled collection day from day one of the new collection service, except for a small number of access issues, caused by parked cars and roadworks. Individual ward members were made aware of these on the same day they happened, if it had an impact in their area. This is a really successful start to a new collection service.*

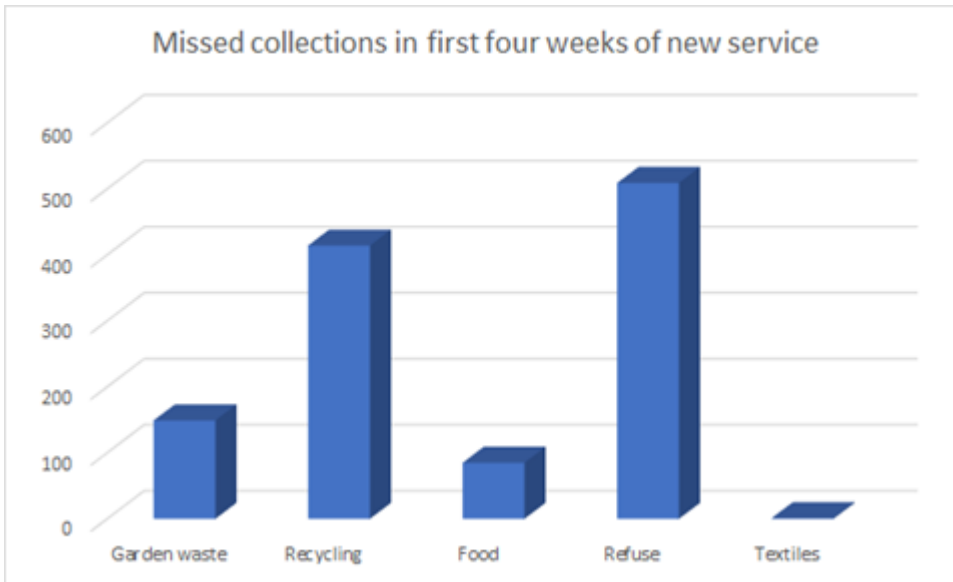
Over the first four weeks of the new collection service, there have been 1158 missed collections, the aim is to return for all missed collections within two working days of the report being made; this has not been met in a small proportion of cases but missed bin crews have been out on Saturdays to clear any remaining missed collections each week. Although the number of missed collections has been higher than it was before the change, it still remains low in comparison to the total number of collections being completed, and some disruption was expected as both collection staff and residents get used to the new collection schedules and minor issues with the rounds are ironed out.

Missed collections in first four weeks.

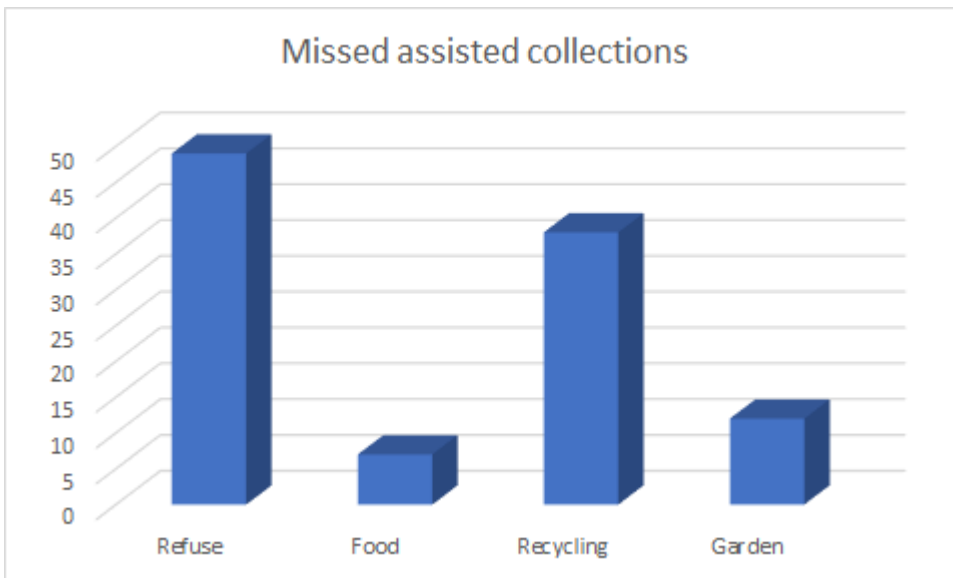
Garden waste	149
Recycling	414
Food	85
Refuse	509
Textiles	1
Total	1158

The split of missed collections is shown below:

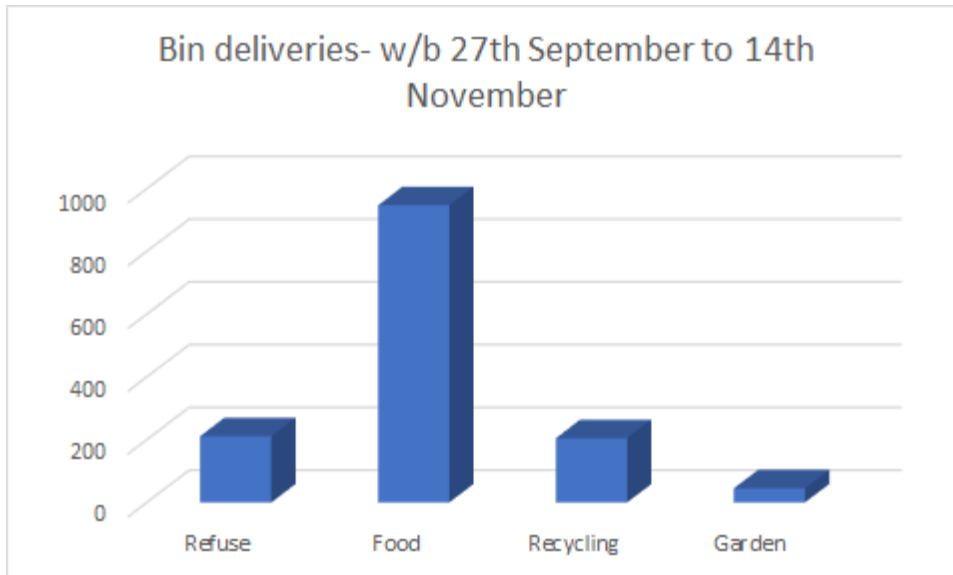
COUNCIL - 23.11.21



In the first four weeks of the new collection service, there were 106 missed assisted collections, the split across collections is shown below:



Since the w/c the 27th September, which is when the information about the new collection services started to be received, there have been 1408 requests for new bins, with the largest number of requests being for food waste caddies. Most refuse bin requests have been for bins for those entitled to additional capacity as a result of the collection changes. The split of bins requested is shown below:



By way of a supplementary question, Councillor Price provided her experience as the Clewer and Dedworth East Councillor. She had received no notifications of missed bin collections in her Ward. She knew of missed bin collections as she had guided residents how to use the report it function, which sadly did not result in the bins being collected. Only after emails either by residents or herself to officers and the Cabinet Member were bins collected. He had asked fellow councillors and they had confirmed that she was not alone in not being alerted to missed bins. Her residents had suffered from missed assisted collections, which had been corrected after emails. Requests for larger bins, despite the involvement of two Cabinet members and herself and four officers one of her residents who requested a larger bin 10 weeks ago was still waiting. The dossier on Clewer and Dedworth East residents missed bins must be quite full. She asked if Councillor Coppinger would agree that after three or more months preparing for the change it was disappointing that the recovery system for dealing with missed bins appeared not to have worked efficiently and effectively. A month after implementation, to end up with a higher rate of missed bins than before the change was not the standard of service that residents paid for and deserved.

Councillor Coppinger responded that he disagreed as the failure rate was 0.16%. There had been issues but to the best of his knowledge actions had been taken to resolve issues as quickly as possible. He would be happy to follow up specific instances with Councillor Price.

f) Councillor Tisi asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Residents and members have been reporting an increase in overflowing public waste bins for months. Litter and dog waste bags are piling up in our streets. What steps has the lead member taken to resolve apparent issues with the contract and would providing more litter bins, for which members were asked to identify locations months ago, have improved the situation?

Written response: *Depending on the location of litter bins these are either emptied as part of the street cleansing service by Urbaser if they are on the highway network, or by Tivoli if they are litter bins in parks and open spaces or dog waste bins. Members were presented with information about performance on the Tivoli contract and work*

COUNCIL - 23.11.21

that is being undertaken to improve this as Communities Overview and Scrutiny and this is ongoing.

In terms of dog waste bins, dog ownership in the country has increased by 25% over the period of the pandemic and this is having an impact on usage in some locations, which is being looked at. In terms of litter bins on the public highways, they are being emptied to the regular schedules and additional collections are made where reports are received of them being full in between scheduled collections. In some cases this is due to misuse of litter bins by local businesses and where this is suspected to be the case we are working with District Enforcement to ensure that businesses understand and are complying with their duty of care to responsibly dispose of their waste.

The locations members have identified as possibly requiring more bins are being looked at for their suitability and whether there are options to move bins from locations where bins are not well used. We have also put in a capital bid for some additional litter bins.

By way of a supplementary question, Councillor Tisi commented that she was pleased to hear more bins would be provided but they needed to be emptied more frequently. Residents may have been as surprised as she had that the District Enforcement contract had been renegotiated and renewed by officers. Now the borough would receive some financial benefit from littering fines, Councillor Tisi asked if this gave less of an incentive to ensure street bins were emptied on time.

Councillor Coppinger responded that as he was not responsible for the enforcement he was unable to comment. Obviously if the council had the money and it became a priority it would do whatever was necessary.

45. MOTIONS ON NOTICE

Motion a)

Councillor Davey introduced his motion:

This Council respects the value of its volunteers and charity leaders and will pay a fair consultancy rate to the relevant charity when one of their employees, volunteers or trustees are invited to meetings where their knowledge is sought by RBWM and partner organisations who may go on to use that information for their own financial gain.

Councillor Davey stated that he would not share specifics in public as he feared for the potential backlash to the organisation that had told him how they shared information and then watched as a third-party contractor made money from their insight. Councillor Davey stated that he had experienced this personally, in the noughties he had run a very successful business network called Business in Berkshire and helped drive business owners to Business Link workshops not realising the business model arrangement they had with the government until much further down the line.

The use of volunteers was increasingly promoted when the council should really be funding professionals. If it could not afford to pay them immediately, if funding should land from their consultancy then they should be given the opportunity to be paid to deliver the service. His extensive experience of volunteers told him that most were

COUNCIL - 23.11.21

doing what they did through a personal experience that fed their desire to help as best they could. Being asked questions around something they know, by people they trusted, meant they were likely to want to be of assistance and share information freely in the meeting. For this information to be used by a third party listening in with an eye on a tender for government funding was ethically wrong. Councillor Davey therefore asked if the council could start paying a fair consultancy rate, when feasible, to the relevant charity when one of their employees, volunteers or trustees were asked for insight into how things work

Councillor Werner seconded the motion.

Councillor Haseler commented that he could not understand the motion as it did not give examples. He asked if Councillor Davey had sought officer advice and whether a business case had been prepared.

Councillor Hilton commented that it was an interesting motion but it missed the point of the council's partnerships with many volunteer and charitable organisations. In his experience when charities and the council meet, they did so to discuss shared interests in a spirit of cooperation with the objective of agreeing how they could work together to further both parties' objectives. Crucially the discussions would always have at their heart how the charity and the council could work together to better support a cause and residents. This was about shared experience, information and expertise. Councillor Hilton could not think of a circumstance when the council would charge a charity for advice nor where a charity would refuse to meet without payment. Of course, if the council would like to use valuable intellectual property owned by a charity this could lead to payment. He could not support the motion.

Councillor Werner commented that the motion was not about when the council used volunteers; it should continue to do so. However there had been a number of recent occasions where volunteers had done all the set up and design, and to an extent the implementation, yet the grant went to a commercial company to run with it. The motion would help prevent this happening in the future.

Councillor Davey reiterated that he would not give specifics because he feared the repercussions. It was not about the council charging for advice but about respecting the value of someone's intellectual property. The council finances were not in great shape because they had not been managed properly. If they had been, there would be more money in the pot available to pay professionals.

The vote was taken by a show of hands. 13 Councillors voted for the motion; 20 voted against the motion; 1 Councillor abstained. The motion therefore fell.

Motion b

Councillor Davies introduced her motion:

In September the World Health Organisation (WHO) issued new Global Air Quality Guidelines, which recommend much stricter values for the legal limits of six air pollutants. The Borough's Corporate Plan 2021-2026 (draft) commits to prioritise actions to:

- *tackle climate change,*

COUNCIL - 23.11.21

- *improve the natural environment,*
- *promote health and wellbeing,*
- *reduce inequalities.*

This Council:

- Agrees to increase measurement of PM10 air particulates from a single location in the Borough to locations within all five Air Quality Management Areas and start measuring PM2.5 air particulates in AQMAs.*
- Agrees to review the Borough's Air Quality Improvement Action Plan in the light of the updated WHO Guidelines.*
- Requests that the Leader of the Council write to the Secretary of State welcoming these updated WHO Guidelines and asking that they be adopted into law as a matter of urgency.*

Councillor Davies explained that the World Health Organisation estimated that around 7 million deaths each year were linked with air pollution. Nearer to home, last December saw a landmark ruling in the tragic case of nine-year-old Ella Adoo-Kissi-Debrah, who died in 2013 in Lewisham and became the first person in the UK to have air pollution listed as the cause of death on their death certificate. Coroner Phillip Barlow had said there was 'no safe level of particulate matter' in the air and called for national pollution limits to be reduced.

Air pollution was one of the biggest environmental threats to human health, alongside climate change. Improving air quality could enhance climate change mitigation efforts, while reducing emissions would in turn improve air quality.

The new Global Air Quality Guidelines from the WHO recommended lowering overall air pollution target levels across the six key air pollutants. They also recommended introducing interim targets that could be used by authorities to develop pollution reduction policies that were achievable within realistic time frames.

There were five Air Quality Management Areas in the Borough, including two in Windsor, which were both at least partly in Councillor Davies' own ward of Clewer East. There were seven schools in and around those two AQMAs and families criss-crossed them four times a day.

The Borough's latest Air Quality Annual Status report stated that air quality in the borough was good and improving, but that was not the lived experience of residents living in the areas in and around the AQMAs. As the Borough's latest report also stated, Covid's effects on travel equated to a 20-25% reduction in annual mean concentration of Nitrogen Dioxide in 2020 relative to 2019, which would not be the case going forward.

Monitoring and evaluation were equally important in working to improve air quality. RBWM only measured PM10 at a single site in the entire Borough and only estimated PM2.5 for the same site on Frascati Way in Maidenhead. According to the WHO, the health risks associated with particulate matter equal to or smaller than 10 and 2.5 microns in diameter were of particular public health relevance. Both PM2.5 and PM10 were capable of penetrating deep into the lungs but PM2.5 could even enter the bloodstream, primarily resulting in cardiovascular and respiratory impacts, and also affecting other organs.

COUNCIL - 23.11.21

Air quality in the Borough may be worse than known because the council was not measuring all the pollutants. While achievement of the WHO's updated air quality guidelines levels should be the ultimate goal, the WHO had understandably proposed interim targets to facilitate stepwise improvement in air quality and thus gradual, but meaningful, health benefits for the population.

Almost 80% of deaths related to PM2.5 could be avoided in the world if the current air pollution levels were reduced to those proposed in the updated guidelines.

While many of the policy interventions to rectify this problem would have to come from central government, and others required international cooperation, the council could do more and needed to be proactive on the issue. Oxford City Council had adopted an action plan which went further than the current legal annual mean limit value for Nitrogen Dioxide of 40 microns/m³ and set out a new local annual mean Nitrogen Dioxide target of 30 microns/m³ by 2025, in line with the WHO's updated interim target.

Councillor Davies suggested that the borough could also show such leadership on the issue, which was of great environmental, health and equalities significance.

Councillor Reynolds seconded the motion.

Councillor Bond commented that he had recently heard from residents about some of the ways to improve air quality for example not leaving cars idling. He understood that the council was planning some action to encourage people to do this. What was distinctive about these communications from residents was not that they were looking at them from the global point of climate change but at the more parochial or domestic level. This highlighted the importance of air quality to residents and why action should be taken.

Councillor Johnson explained that he had undertaken some research on the issue before the meeting; as a result he regretfully could not support the entirety of the motion. The principal reason was the implications of the WHO guidelines on the UK had not yet been ascertained. It would therefore be deeply unwise of him to call for the guidelines to be brought into law at this time. Councillor Johnson referred to comments by Professor Alastair Lewis of the University of York. Professor Lewis had said that some of the new values were feasible for the UK, but not all. It was known that Nitrogen Dioxide levels were falling due to the introduction of electric vehicles and it would continue to fall as older vehicles were phased out. The new guidelines on fine particulate matter looked close to impossible to deliver in some urban areas as they could remain in the air for weeks and drift across nation states. The southeast was sadly an example of any area affected by fine particulate matter from Europe.

The situation left an unenviable challenge. Councillor Johnson agreed that the impacts on health should be mitigated but this must be with policies that were proportionate, cost effective and delivered benefits equitably across the country. Councillor Johnson suggested that he would be able to support the motion if recommendations i and iii were removed.

Councillor Davies and Councillor Reynolds agreed to withdraw recommendations i and iii. Members therefore debated recommendation ii only:

COUNCIL - 23.11.21

This Council agrees to review the Borough's Air Quality Improvement Action Plan in the light of the updated WHO Guidelines.

Councillor Davey questioned whether electric vehicles were the answer. Children died going into mines getting the ingredients for the batteries. All vehicles used rubber tyres that spewed toxins into the air. Historically the particles were measured on the roadside but they were later moved to 30 yards away simply to fit an agenda.

Councillor Larcombe asked where for clarification of the single monitoring location in the borough. The number of vehicles travelling through his ward was high because it included the A30, M25 and the M4. If the number of vehicles was added up he thought it would outweigh anything else locally therefore he expected the location to be near Junction 13.

Councillor Haseler commented that air quality was on the work programme for the Infrastructure O&S Panel but had not yet been factored in. He suggested to improve the debate, a scoping document should be completed and submitted to the appropriate Panel. This would also enable appropriate officer advice to be given.

Councillor Hill commented that as Maidenhead had got busier over recent decades with the amount of development especially in Oldfield and the Town Centre a review of air quality was overdue.

Councillor Price explained that this was an area she had followed for over 10 years so she knew more about the issue than others. She was aware of the harm it caused to children so she was particularly concerned given the number of schools in the area. It would be reassuring to know the real situation if it was measured properly. Councillors Price, Davies, Tisi and Shelim had undertaken a review of the traffic junction referenced earlier. They had spent about 30 minutes in the area walking around; by the end Councillor Price's lungs had hurt due to the pollution.

Councillor Stimson confirmed that the main measuring site was Frascati Way. A value of 40 was deemed high. Frascati Way measured 22, Windsor was 18 and all other areas were below this figure. This was compliant with national air quality objectives. The possibility of putting PM2.5 into the Frascati Way site was an option.

Councillor Reynolds highlighted that as the borough report stated, air quality was good and improving, but this was not the experience of residents. The air quality in all wards needed to be improved. The Corporate Plan included a target which he welcomed. Reviewing the Action Plan was a good start; he found it difficult that Members could not agree to increase monitoring in all five sites as it would help the council understand what it needed to do. He therefore requested that the review of the action plan should include changes to monitoring for PM10 and PM2.5 in all 5 Air Quality Management Areas.

Councillor Bowden highlighted that nothing had been included in relation to aircraft emissions over Windsor. He also commented that he was perplexed by the ambiguity of some councillors supporting resident discounted parking which would encourage people to drive into Windsor.

Councillor Sharpe commented that measuring air quality across the borough would be increasingly important over the next few years to ensure it moved in the right direction.

COUNCIL - 23.11.21

Councillor Carroll echoed the comments made by Councillor Johnson. As an alumnus of the University of York he had followed the analysis quite closely. He had also spoke to professional colleagues in the WHO. It was important that Parliament debated the issue and came forward with a clear legal framework. He had discussed with Councillor Stimson making representations to the two local MPs. He would also be happy to bring the issue to the Health and Wellbeing Board as a substantive item.

Councillor Del Campo suggested adding the issue to the scoping document for monitoring climate change progress at the Communities O&S Panel. She would discuss the issue offline with the Scrutiny Officer.

Councillor Walters thanked Councillor Davies for bringing the motion to full Council and agreeing the amendment proposed by the Leader.

Councillor Clark commented that air quality was clearly an important issue but he felt it would be negligent if he did not also mention the Active Travel programme. Everything to improve walking and cycling opportunities would have an impact.

Councillor L. Jones commented that Old Windsor was one of several parishes that conducted air pollution monitoring. That information might be helpful for the borough so she suggested the relevant parishes should be contacted.

Councillor Tisi commented that she was extremely disappointed that the result was likely to just be another action plan rather than any action. She commended Councillor Davies for bringing a well-researched motion to full Council.

Councillor Davies welcomed the expressions of support from Members and the suggestions to take the issue further to the relevant O&S Panel. She thanked Councillor Jones for her suggestion of using parish data. She had read many of the experts referred to by Councillor Johnson and had noted in her introduction that it was a massive issue that required international cooperation. The issue of Heathrow was significant as Councillor Bowden had highlighted. It was important not to be complacent. Air quality may be worse then was known because of gaps in the data. She felt reviewing the action plan would therefore be a useful first step.

It was proposed by Councillor Davies, seconded by Councillor Reynolds, and:

RESOLVED UNANIMOUSLY: That this Council agrees to review the Borough's Air Quality Improvement Action Plan in the light of the updated WHO Guidelines.

Councillor Hunt abstained.

The meeting, which began at 7.00pm, finished at 9.27pm

CHAIRMAN.....

DATE.....

COUNCIL - 23.11.21