

Public Document Pack

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's [web site](#) or contact **Head of Governance: Karen Shepherd: 07766 778286 / karen.shepherd@rbwm.gov.uk**

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live on Youtube and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting

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 **Desborough Suite - Town Hall** on **Tuesday, 25 January 2022 at 7.00 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 17 January 2022



Duncan Sharkey
Chief Executive

*Rev Stileman 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 meeting of the Council held on 23 November 2021.
(Pages 9 - 34)

3. **DECLARATIONS OF INTEREST**

To receive any declarations of interest
(Pages 35 - 36)

4. **MAYOR'S COMMUNICATIONS**

To receive such communications as the Mayor may desire to place before the Council (Pages 37 - 38)

5. PUBLIC QUESTIONS

- a) John Sewell of Boyn Hill ward will ask the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:**

Why aren't all the house building companies required to put solar panels on the roof of every single new build? Just think how much this could contribute to the National Grid! It would also appeal to potential buyers.

- b) Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Johnson, Leader of the Council:**

What is the economic outlook for Windsor in 2022 and how will it influence RBWM's approach to Windsor?

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

Will the lead Member update residents on the progress being made at the Vicus Way car park?

- d) Hari Sharma of Furze Platt ward will ask the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure and Digital Connectivity:**

The National Bus Strategy for Green industrial revolution states 'Green public transport, cycling and walking supported by £5 billion which would create a further 3000 jobs and bring 4000 zero-emission vehicles on the road, 12% of local bus fleets in U.K. by 2025.'

What actions or initiatives have been instigated to achieve these ambitious plans for our residents?

- e) Hari Sharma of Furze Platt ward will ask the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure and Digital Connectivity:**

The borough is blessed with Windsor Castle, Ascot Racecourse, Bisham Abbey and Legoland attracting millions of tourists from around the world. Cleaner and greener transport can make a huge difference to enhance air quality for residents.

Will he agree to propose the "first electric bus town" in the country and write to the Transport Secretary to fund this scheme?

(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. PETITION FOR DEBATE - TOWN HALL

The Constitution provides for a maximum time of 30 minutes to debate petitions; this can be overruled at the Mayor's discretion.

In accordance with the Constitution, the procedure shall be as follows:

- a) The Mayor to invite the Lead Petitioner to address the meeting (5 minutes maximum)
- b) The Mayor to invite the relevant Cabinet Member to speak, including proposing any recommendation in the report (5 minutes maximum)
- c) The Mayor to ask for the motion to be seconded
- d) Motions without Notice (other than those detailed in Part 2 C13 of the constitution) will not be allowed.
- e) The Mayor to invite any relevant Ward Councillors to speak (5 minutes maximum each)
- f) The Mayor will invite all Members to debate the matter (Rules of Debate as per the Constitution apply)
(Pages 39 - 50)

7. 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).

8. REFERRALS FROM OTHER BODIES

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

There are no referrals to consider at this meeting.

9. 2022/23 PROGRAMME OF MEETINGS

To consider the above report
(Pages 51 - 66)

10. APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

To consider the above report
(Pages 67 - 76)

11. APPOINTMENT OF VICE CHAIRMAN

To consider the following appointment:

RECOMMENDATION: That Councillor Walters be appointed as Vice Chairman of the Maidenhead Development Management Committee for the remainder of the municipal year.

12. MEMBERS' QUESTIONS

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

How is RBWM ensuring that new 5G Masts are not exceeding ICNIRP guidelines once installed?

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

The pandemic has caused serious challenges across all sectors and despite the excellent performance and ratings across our services, I'd like to know how the Children's and Adult Social Care Services have been sustained during this incredibly challenging time throughout the Royal Borough of Windsor & Maidenhead.

- c) **Councillor Larcombe will ask the following question of Councillor Stimson Cabinet Member for Climate Change, Sustainability, Parks and Countryside:**

How is the 'wildflower verge' project progressing please?

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

I have concerns relating to changing the illuminated bollards to non-lit ones, although these work well during the day, the concern is the bollards have in areas around the borough become dirty and poorly maintained which at night can seriously diminish their effectiveness. Is a regular safety check and cleaning contract in place? If so, how often are they inspected?

(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).

13. MOTIONS ON NOTICE

a) By Councillor Davey

This Council, in the interests of residents' safety and in line with the ICNIRP Guidelines, will:

- i) Actively monitor new and existing telecom masts and other "small cells" installations every 6 months to ensure they are in line with current guidelines
- ii) Insist the relevant telecommunications company takes the appropriate remedial action if found to be exceeding legal limits

b) By Councillor McWilliams

Following the closure of Phoenix Gymnastics, we lost local gymnastics provision and a community asset. RBWM has an existing commitment to having more residents more active more often and considers sport to provide physical and mental health benefits. There is demand for a new, purpose-built gymnastics facility in RBWM.

This Council resolves to:

- i) Work with existing gymnastic providers to understand the facilities that are required to meet demand, including how existing facilities can be best used
- ii) Identify opportunities to work with third parties to finance, build and manage a new, purpose-built gymnastics facility
- iii) Welcome a commitment in RBWM's forthcoming Sport & Leisure Strategy to support the delivery of a new, purpose-built gymnastics facility in partnership with a third party

c) By Councillor Tisi

The government recently committed to seek an amendment to the Environment Bill, compelling water companies to reduce the impact of storm sewage overflows into our rivers. However unregulated pollution from agricultural run-off, microplastics and industrial and household chemicals, exacerbated by climate change and demand on the waste water system, is still a major threat to wildlife.

This Council asks that the Leader of the Council writes to:

- ii) The Secretary of State for Environment, Food and Rural Affairs and our local MPS to call for the Government to restore Environment Agency budgets to deliver the necessary oversight,
- ii) The Chairperson of the Parliamentary Environmental Audit Committee to advocate for greater enforcement of existing regulatory powers through increasing the inspection regularity of water companies and farms and rigorously prosecuting offenders through the Environmental Audit Committee and Ofwat.
- iii) The Regional Director of the National Farmers' Union requesting clarification on the action being taken locally by farmers to prevent nutrient run-off.

(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).

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 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:**

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

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

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

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

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.

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

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 paces 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

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

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.

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

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:

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*

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?

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?

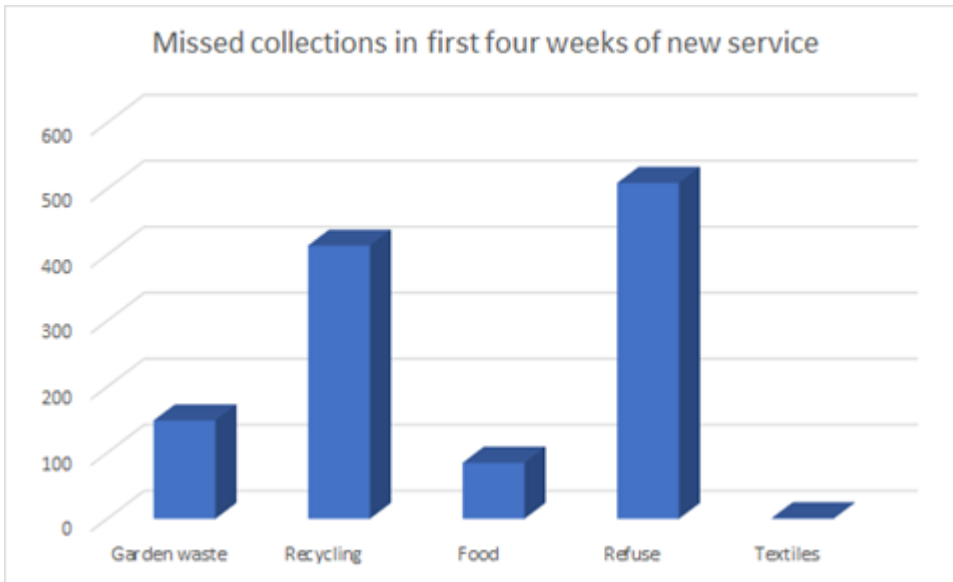
Written response: *All collection rounds have been completed on the scheduled collection day from day one of the new collection service, except for a small number of access issues, caused by parked cars and roadworks. Individual ward members were made aware of these on the same day they happened, if 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.

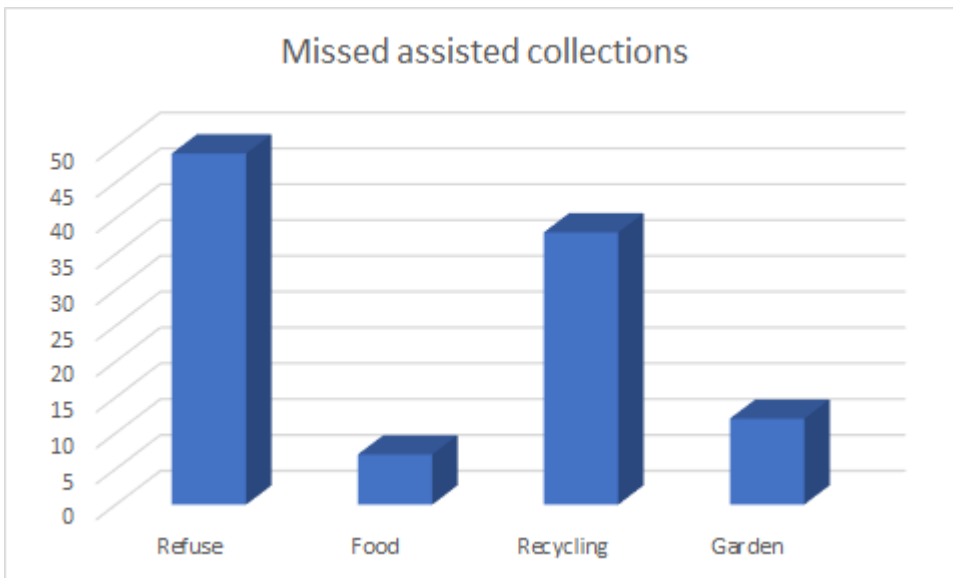
Missed collections in first four weeks.

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

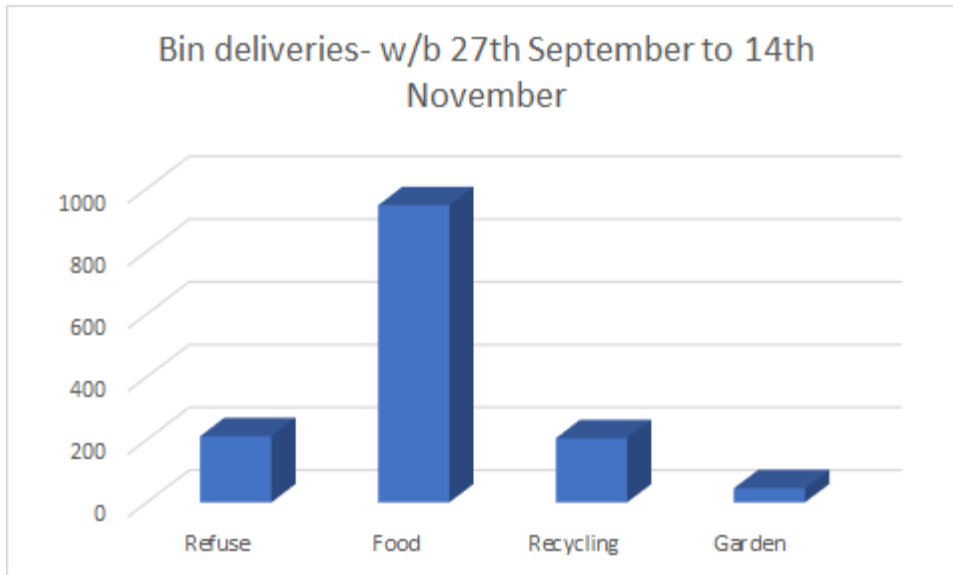
The split of missed collections is shown below:



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*

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

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,*

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

This Council:

- i) 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.*
- ii) Agrees to review the Borough's Air Quality Improvement Action Plan in the light of the updated WHO Guidelines.*
- iii) 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.

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:

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.

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.....

MEMBERS' GUIDE TO DECLARING INTERESTS AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) *that body has a place of business or land in the area of the council, 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.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) any body*
 - (i) exercising functions of a public nature*
 - (ii) directed to charitable purposes or*

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

MAYOR'S COMMUNICATIONS

Since the last Council meeting the Deputy Mayor and I have carried out the following engagements:-

- Attended The Rifles Biennial Awards Dinner
- Attended the Maidenhead Christmas Light Switch On
- Attended the War Horse dinner
- Started the Alzheimer's Dementia Support Santa Fun Run
- Attended the Royal British Legion's 100th anniversary service in All Saints Church, Maidenhead
- Participated in the Christmas Tree Festival at St Luke's Church, Maidenhead
- Guest speaker at the Windsor and Eton Rotary Club lunch
- Participated in the Churches Together in Windsor "Carols on the Hill" Christmas carol service on Castle Hill, Windsor
- Attended several charity meetings including Spoope, Merry Rixman Foundation and Pooles and Rings
- Chaired Twinning Committee meeting
- Attended the Maidenhead Stroke Club Christmas lunch
- Supported the Mayoral team at Maidenhead Lions Swimarathon
- Recorded a speech for Citizenship Ceremonies
- Attended Evensong to commemorate the 800th anniversary of St Peter and St Andrew Church in Old Windsor

This page is intentionally left blank

Report Title:	Petition for Debate – Town Hall
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Andrew Johnson Cabinet Member for Business, Economic Development and Property
Meeting and Date:	Full Council – 25 January 2022
Responsible Officer(s):	Duncan Sharkey, Chief Executive Adele Taylor Executive Director of Resources
Wards affected:	St Mary's



REPORT SUMMARY

A petition has been received and has secured 1581 signatures so will be debated at Full Council.

The [petition](#) says ‘We the undersigned petition RBWM to retain the world famous Maidenhead Town Hall, to use it as its primary civic building, and waste no further council tax on plans to sell or relocate the civic and community heart of Maidenhead.’

This paper explains the current work underway and reinforces the point that the Council makes decisions once it has the facts to hand. It is recognised that the petitioners are making an emotive argument, as they have no factual basis on which to base their views, but this is not a valid position for the Council nor is it a basis for good decision making in public bodies.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the Petition and:

- i) Agrees to continue to investigate the situation and report back to Members when appropriate for decision**

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

Options

Table 1: Options arising from this report

Option	Comments
To continue to investigate the situation and report back to Members when appropriate for decision This is the recommended option	The current Town Hall building was purpose built and opened in 1962. The current building is an issue for the Council in meeting our climate change targets, needs significant expenditure (not currently in budgets) to bring the fabric and mechanical and electrical installations to an acceptable standard, is in need of a major refurbishment if the building is to remain as the Council's

Option	Comments
	main operational base over the next twenty years and must be reassessed once an understanding of the organisation's current space needs is collated. The Council has a duty to properly steward public assets and stopping any work to understand how these complicated matters come together and might be resolved would not be delivering value for money for the taxpayer nor meeting our statutory duties. The Council also has a duty of care to its employees and should ensure they are based in suitable accommodation that performs appropriately.
To stop work and continue with the status quo regardless of the implications.	This option would not be in line with the Council's statutory duty to deliver value for money nor with our legal responsibility to look after our staff and visitors.

- 2.1 The Town Hall is an ageing asset that has been underinvested for a number of years. The Council now has a detailed Asset Management Strategy that identifies the Town Hall as a key operational asset however we are still building our planned maintenance programme and without such a programme previously investment in the Town Hall has been responsive, dealing with issues as they arise. At present the fabric of the building requires an estimated £377k spend over the next five years above and beyond existing maintenance budgets just to bring the fabric to an acceptable standard. This does not represent any improvement to the building. There is a further need to undertake a full mechanical and electrical survey which it would be expected would require further investment outside of existing budgets. There has not been a full survey since the main systems were installed and it is important to ensure critical systems are safe, appropriate for the needs of the occupiers and operate on a value for money basis.
- 2.2 The building remains on the original footprint which is inflexible and does not support modern office-based working although some effort was made to cosmetically remodel internally to create more open spaces early last decade. The services in the building could not cope with the pre-pandemic use and caused regular issues and problems for the occupants. If the building is going to remain an office location for the next twenty to twenty-five years, there is a need to undertake a major refurbishment to bring the space up to a modern standard and ensure services can cope with demand. There was very limited public use of the building pre-pandemic as face-to-face Customer Service functions were handled at Maidenhead Library and with the exception of some scheduled customer interviews, public meetings (which are also held elsewhere) and registry functions, the public were not able to access the building.
- 2.3 In its current configuration the Town Hall would stop the council achieving our climate change target of carbon zero because the energy and thermal

performance is that of a 1960's building. The Energy Performance Certificate is rated as D/99. All public owned office buildings must meet EPC rating E and this standard will be increased over coming years meaning that the building would fail to meet the legal requirement without remedial works which needs to be scoped. No funding is allocated for such works.

- 2.4 The Town Hall was not fully utilised prior to the pandemic but clearly with changing working habits there is likely to be considerable 'spare' space. An assessment needs to be prepared to map out the Council's space requirements to ascertain how much of the building could be considered surplus to requirements. Once that has been established work would then need to be undertaken to understand if that surplus space could be used and accessed independently of the rest of the building.
- 2.5 Consideration must be given to the Desborough Suite as well. Although not covered in the petition, the Suite is physically attached to the Town Hall. Any decisions about the long-term use of the Town Hall must be informed by, and inform, the future use of the Desborough Suite. Currently the Desborough Suite is being used as a vaccine centre has been closed to the public for 'normal' use since March 2020. The Desborough Suite can be used as a theatre and has a maximum capacity of just under 300 (layout depending). There are no immediate plans to reopen the space as the use as a vaccine centre is likely to continue for some time. A replacement space for both theatre and concerts, the Baylis Theatre, has been provided as part of the Braywick Leisure Centre. This has approximately 600 maximum capacity. Pre-pandemic the Desborough Suite, whilst popular with those who did use it, was poorly used and has never made a commercial return meaning it is subsidised through Council Tax. There is also a need to create a planned maintenance programme for the Desborough Suite (if retained) as the facility, like the Town Hall, has been underinvested in and there would be a one-off maintenance and servicing cost to reopen the Suite as a theatre, which is not within current budgets. Cox Green and Desborough Schools also have theatre space.
- 2.6 All existing buildings have an amount of 'embedded carbon' and if any proposals for significant structural remodelling or demolition were to be brought forward this would be something that requires further investigation and understanding.
- 2.7 Turning more directly to the petition itself, it is noted that the petitioners believe the building to be 'world famous.' However, it is more accurate to say the building is well known in Maidenhead, but is not listed, nor is it in the [conservation area](#). The building has been referred to as a non-designated heritage asset but there is no evidence of the building being special or unique that the Council is aware of.
- 2.8 The petition also suggests the Council should stop work considering the future of the Town Hall, which would clearly be inappropriate. The Council as the owner of the asset, employer of staff based in the building and the guardian of the public purse – with a duty of achieving best value - will at some point over the next few years need to come to a conclusion about the Town Hall's future and make the substantial investments that would follow any decision. It is vital that any such decisions are as well informed by evidence as possible.
- 2.9 All these elements must come together with the best information to enable decision makers to conclude the future of the building.

3. KEY IMPLICATIONS

- 3.1 Work has started, but has been considerably delayed, in pulling together the disparate elements of information and shaping some conclusions.
- 3.2 The high-level timeline that is being worked to is:
- Q1 2022-23 maintenance costs and high-level refurbishment costs to be presented to Cabinet seeking a steer as to the way forward.
 - Q2 2022-23 options appraisal pulled together and work to assess each option commenced.
 - Late Q4 2022-23 or Q1 2023-24 results of optional appraisal completed, and Cabinet asked to make final decision about the investments to be made.
- 3.3 Under all options the end result must be a sustainable low or no carbon civic centre and operational base for the Council for at least the next twenty-five years. It should go without saying that the preferred option must be fit for purpose, affordable and represent long term value for the taxpayer.

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no financial implications of this report. However, there will be some considerable costs in pulling together all the information required to make a final decision about the future use of the Town Hall. There will be project management, consultancy work across a spectrum of specialisms including environmental, mechanical and electrical, space planning, market assessment and legal, and internal consultations about future operational requirements. All of this work will need to be funded and only limited costs will be able to be met by existing budgets. Decision making reports in the future must identify how such costs will be covered.
- 4.2 There will also be considerable time invested from Council Officers and PropCo colleagues.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications of this report specifically, but it is worth noting that:
- Local Authorities are under a duty of Best Value - Section 3 of the Local Government Act 1999 (as amended by s137 of the Local Government & Public Involvement in Health Act 2007).
 - The Councils statutory duty to have a petition scheme was repealed by s46 of the Localism Act 2011. Although no longer a duty, the Council has retained its petition scheme in the interests of promoting democracy.

6. RISK MANAGEMENT

- 6.1 There are no risks directly as a result of this report but before reaching any final decision all the risks of each option must be assessed and weighed.

7. POTENTIAL IMPACTS

- 7.1 Equalities. Equality Impact Assessments are published on the council's website. None as a result of this report
- 7.2 Climate change/sustainability.
Climate action and sustainability in its widest sense must be at the heart of the decisions that are finally reached. One of the drivers for this work is the fact that the building as it currently operates is a significant impediment to the Council achieving its long-term climate targets. Pulling together all the relevant assessments and information about how these objectives can be delivered will be complicated and expensive but must be done to inform decision making.
- 7.3 Data Protection/GDPR.
None as a result of this report.

8. CONSULTATION

This is not a decision-making report but a report that responds to a petition. No consultation has been undertaken.

9. APPENDICES

- 9.1 This report is supported by one appendix:
- Appendix A – Equality Impact Assessment

10. BACKGROUND DOCUMENTS

- 10.1 None

11. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>			
<i>Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	23/12/21	23/12/2021
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	23/12/21	01/01/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	-	-

Elaine Browne	Head of Law (Deputy Monitoring Officer)	10/01/2022	10/01/2022
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	23/12/21	4/1/22
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	N/A	N/A
Andrew Durrant	Executive Director of Place	23/12/21	04/01/22
Kevin McDaniel	Executive Director of Children's Services	23/12/21	23/12/21
Hilary Hall	Executive Director of Adults, Health and Housing	23/12/21	23/12/21

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Business, Economic Development and Property	Yes
---	--	-----

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Petition for Debate – Town Hall

Essential information

Items to be assessed: (please mark 'x')

Strategy		Policy		Plan		Project	X	Service/Procedure	
----------	--	--------	--	------	--	---------	---	-------------------	--

45

Responsible officer	Duncan Sharkey	Service area	N/A	Directorate	Chief Executive
---------------------	----------------	--------------	-----	-------------	-----------------

Stage 1: EqIA Screening (mandatory)	Date created: 10/01/2022	Stage 2 : Full assessment (if applicable)	Date created : N/A
--	--------------------------	--	--------------------

Approved by Head of Service / Overseeing group/body / Project Sponsor:

I am satisfied that an equality impact has been undertaken adequately.

Signed by (print): Duncan Sharkey

Dated: 10/01/2022

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Petition for Debate – Town Hall

Stage 1 : Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

A petition has been received and has secured 1581 signatures so will be debated at Full Council.

The [petition](#) says ‘We the undersigned petition RBWM to retain the world famous Maidenhead Town Hall, to use it as its primary civic building, and waste no further council tax on plans to sell or relocate the civic and community heart of Maidenhead.’

This paper explains the current work underway and reinforces the point that the Council makes decisions once it has the facts to hand. It is recognised that the petitioners are making an emotive argument, as they have no factual basis on which to base their views, but this is not a valid position for the Council nor is it a basis for good decision making in public bodies.

The Council has a general Duty of Best Value to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.” This means we must diligently manage the assets we own. To do this it is necessary to undertake studies or analysis, investigate options and come to considered decisions, after consideration of the available evidence.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Petition for Debate – Town Hall

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Not Relevant			
Disability	Relevant	Low	Positive	Any consideration of the current operation of the Town Hall will consider how well the building meets current accessibility standards. Any refurbishment or alternative provision would be judged against the most recent standards and would certainly represent improved accessibility.
Gender re-assignment	Not Relevant			
Marriage/civil partnership	Not Relevant			
Pregnancy and maternity	Not Relevant			
Race	Not Relevant			

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Petition for Debate – Town Hall

Religion and belief	Relevant	Low	Positive	<p>Any refurbishment or alternative provision would need to make sure sufficient and appropriate space was available to support the personal reflections of colleagues. Currently the Town Hall has very limited space for this purpose.</p> <p><i>Key data: The 2011 Census indicates that 62.3% of the local population is Christian, 21.7% no religion, 3.9% Muslim, 2% Sikh, 1.8% Hindu, 0.5% Buddhist, 0.4% other religion, and 0.3% Jewish. [Source: 2011 Census, taken from Berkshire Observatory]</i></p> <p><i>For the Council the figures are 38.1% Christian, 26.6% no religion, 3.1% Muslim, 2.7% Sikh, 2.6% Hindu, 0.5% Buddhist, 1.3 % other religion, and 0.5% Jewish. 24.5% of colleagues choose not to disclose the religion or belief. (Source RBWM Workforce Profile June 2021)</i></p>
Sex	Not Relevant			
Sexual orientation	Not Relevant			

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Petition for Debate – Town Hall

Outcome, Action, and Public Reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	None	N/A	N/A
Does the strategy, policy, plan etc. require amendment to have a positive impact?	No	None	N/A	N/A

This page is intentionally left blank

Report Title:	2022/23 Programme of Meetings
Contains Confidential or Exempt Information	No - Part I
Lead Member:	Councillor Johnson, Leader of the Council
Meeting and Date:	Full Council - 25 January 2022
Responsible Officer(s):	Emma Duncan, Deputy Director of Law and Strategy & Monitoring Officer/ Karen Shepherd, Head of Governance
Wards affected:	All

www.rbwm.gov.uk



REPORT SUMMARY

This report sets out the programme of meetings for the Council, Cabinet and the various panels, forums and other bodies administered by Democratic Services for the 2022/23 Municipal Year, for Council approval.

A comprehensive programme of meetings underpins the council's governance framework and decision-making processes which support the Corporate Plan 2021-26 objective 'a Council trusted to deliver its promises'.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and:

- i) Approves the programme of meetings for the 2022/23 Municipal Year, attached as Appendix A**
- ii) Agrees the split of virtual meetings/in-person meetings agreed at full Council in September 2021 should continue for the 2022/23 municipal year.**
- iii) Notes that a further review of in-person/virtual meetings would take place if and when legislation is enacted to allow decision making meetings to take place virtually.**

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

Options

Table 1: Options arising from this report

Option	Comments
Approve the programme of meetings for 2022/23 and associated split of virtual/in-person meetings This is the recommended option	It is considered that the proposed schedule best reflects the operation of the council from May 2022 onwards.
A number of variances to the 2022/23 meeting dates could be developed if Council wishes.	Although a number of variances to the meeting dates could be developed, it is considered that the proposed schedule best

Option	Comments
	reflects the operation of the council as detailed in the constitution.

- 2.1 The proposed council programme of meetings for 2022/23 (attached as Appendix A) has been developed to align with the committee, panel and forum structure set out in the council constitution.
- 2.2 A number of panels, sub committees and forums meet on an ad hoc basis. Dates for such meetings will be publicised as and when arranged, in consultation with the relevant officers and Chairman.
- 2.3 Meeting dates for a number of forums considered as outside or associated bodies but administered by Democratic Services and supported by council officers from the relevant service area, have been included in the schedule to ensure alignment with the corporate calendar. They are therefore included in Appendix A, but under a separate section.
- 2.4 The terms of reference for the four Overview and Scrutiny Panels state 'Each Overview and Scrutiny Panel shall ordinarily meet four times a year and the first meeting being held within 30 days of Annual Council meeting'. The programme therefore includes four scheduled meetings for each Overview and Scrutiny Panel. Each Overview and Scrutiny Panel can agree to call additional meetings to enable it to undertake its Work Programme. A further two meetings have been proposed for the Corporate Overview and Scrutiny Panel, to enable it to undertake budget monitoring on a regular basis.
- 2.5 In September 2021 full Council considered the appropriate split of virtual and in-person meetings for the remainder of the municipal year, in light of the benefits realised through virtual meetings held during the covid-19 pandemic. Despite the recent emergence of the Omicron variant, as yet the government has not announced any proposals to allow councils to again hold decision-making meetings in a virtual capacity. It is therefore proposed that the current split of in-person and virtual meetings continues for 2022/23. A further review would be undertaken if and when legislation is enacted to allow decision making meetings to take place virtually.

3. KEY IMPLICATIONS

3.1

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Full programme of council meetings approved for the start of the	Programme of meetings not approved	Programme of meetings approved	n/a	n/a	Meetings to take place from 24 May 2021 onwards

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
2022/23 municipal year.					

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The costs of holding the meetings detailed in Appendix A are contained within revenue budgets

5. LEGAL IMPLICATIONS

- 5.1 There are a number of Acts of Parliament, Regulations, Statutory Instruments and guidance which govern meetings of the Council; the principal ones being the Local Government Act 1972, the Local Government Act 2000 and the Localism Act 2011.

6. RISK MANAGEMENT

- 6.1

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Council business not transacted in a timely manner	Medium	Agreed programme of meetings in place	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities. An EQIA screening has been undertaken and [published](#) to the council website; a full EQIA is not considered to be required.
- 7.2 Climate change/sustainability. Virtual meetings have reduced the need for Members, officers, and members of the public to travel to venues around the borough. The virtual format has also enabled increased use of electronic agenda, thereby reducing printing requirements and paper usage.
- 7.3 Data Protection/GDPR. The council undertook a Data Protection Impact Assessment and published a Privacy Notice in May 2020 when virtual meetings first took place; the principles still apply for meeting participants attending meetings in a virtual capacity, whether or not the meeting itself is held fully virtually, or in a hybrid format.

8. CONSULTATION

- 8.1 Directors and Heads of Service have been consulted to ensure the programme aligns with the budget and policy framework. Partner organisations have been consulted where appropriate:

9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
24 May 2022 onwards	Meetings to take place following Annual Council 24 May 2022

10. APPENDICES

10.1 This report is supported by two appendices:

- Appendix A – draft programme of meetings 2022/23
- Appendix B - EQIA

11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- The [council constitution](#)

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>			
<i>Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	20/12/21	23/12/21
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	17/12/21	18/12/21
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	20/12/21	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	20/12/21	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	20/12/21	20/12/21
Andrew Durrant	Executive Director of Place	20/12/21	05/01/22
Kevin McDaniel	Executive Director of Children's Services	20/12/21	05/01/22
Hilary Hall	Executive Director of Adults, Health and Housing	20/12/21	20/12/21
<i>Heads of Service (where relevant)</i>			
Lynne Lidster	Head of Commissioning – People	20/12/21	20/12/21

Nikki Craig	Head of HR, Corporate Projects and IT	20/12/21	24/12/21
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Leader of the Council; Cabinet Member for Corporate & Resident Services, Culture & Heritage and Windsor	Yes
---	---	-----

REPORT HISTORY

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

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

MEETING	May	June	July	August	September	October	November	December	January	February	March	April	May
Council (7.00pm)	24 (Annual)		19		27		22		24	21 (Budget)		25	23 (Annual)
Cabinet (7.00pm)	26	23	21	25	29	27	24	15	26	9 (Budget and 23)	30	27	25
Cabinet Transformation Sub Committee (7.00pm)				2			7			7		20	
Corporate Overview and Scrutiny Panel (7.00pm)*		22	25			4		14	30			3	
Adults, Children and Health Overview & Scrutiny Panel (7.00pm)*		16			20				19			17	
Infrastructure Overview & Scrutiny Panel (7.00pm)*		21			15				31			12	
Communities Overview & Scrutiny Panel (7.00pm)*		14			13				25			11	
Audit and Governance Committee (7.00pm)			28		22	20				16			
Windsor & Eton Development Management Committee (7.00pm)		1	6	3	7	5	2	7	4	1	1	5 & 26	
Maidenhead Development Management Committee (7.00pm)		15	20	17	21	19	16	21	18	15	15	19	
Licensing Panel (6.00pm)			5			25				13		4	
Berkshire Pension Fund Committee (4.00pm)			4		19			5			13		
Windsor Town Forum (6.30pm)			13		14		15		16		20		
Maidenhead Town Forum (6.30pm)			11		5		10		12		16		
Corporate Parenting Forum (5.30pm)		28			6	17		13		8		18	
School Improvement Forum (5.00pm)		9				13				6			
Health and Wellbeing Board (3.00pm) - 2023 dates tbc			12			18							

* Overview and Scrutiny Panels set their own work programme and confirm the schedule of meetings at their first meeting of the municipal year, held within 30 days of Annual Council. Meeting dates other than June 2022 may therefore be amended or added to. Additional Corporate O&S Panel dates have been scheduled to align with the council's budget monitoring process.

N.B. Council meetings programmed on an ad hoc basis: Aviation Forum, Appeals Panel, Licensing and PSPO Sub Committee, Employment Appeals Sub Committee, Grants Panel, Member Standards Panel and Sub Committee, Appointment Committee, Rights of Way and Highway Licensing Panel, Independent Remuneration Panel, Statutory Officer Panel

OUTSIDE/ASSOCIATED BODY ADMINISTERED BY RBWM

MEETING	May	June	July	August	September	October	November	December	January	February	March	April	May
One Borough (11.00am) - 2023 dates TBC		14			13			6					
Rural Forum (5.30pm)							29				7		
Flood Liaison Group (6.00pm)		29				26			11			13	
Standing Advisory Council on Religious Education (6.00pm)		13			12			8			6		
Local Access Forum (6.30pm)			7					6					
Schools Forum (2.00pm)			14				17	15	19				
Disability and Inclusion Forum (11.00am)		20			19			12			13		

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Council meeting arrangements

Essential information

Items to be assessed: (please mark 'x')

Strategy		Plan		Project		Service procedure	X
----------	--	------	--	---------	--	-------------------	---

Responsible officer	Karen Shepherd, Head of Governance	Service area	Governance	Directorate	Law & Strategy
---------------------	------------------------------------	--------------	------------	-------------	----------------

Stage 1: EqIA Screening (mandatory)	Date created: 15/12/21	Stage 2 : Full assessment (if applicable)	Date created : N/A
--	------------------------	--	--------------------

Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): *K. Shepherd*

Dated: 15/12/21

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Council meeting arrangements

Guidance notes

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Council meeting arrangements

Stage 1 : Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of the proposal is to set the council's programme of meetings for the 22/23 municipal year and to determine which council meetings should be held in-person and which in a virtual format.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as "Not Relevant".

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Council meeting arrangements

Protected characteristics	Relevance	Level	Positive/negative	Evidence
----------------------------------	------------------	--------------	--------------------------	-----------------

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Council meeting arrangements

Age	Relevant	Low – Negative Low - Positive	Negative and Positive	<p>The setting of the programme of meetings does not affect persons with this protected characteristic, but in determining meeting venues issues of accessibility will be taken into account.</p> <p>People with this protected characteristic may experience difficulties using technology to access fully virtual meetings, although use of online meetings has increased across all age groups as a result of the pandemic.</p> <p>The ability to attend virtually or watch online both in-person and virtual meetings is a positive impact for those who may experience difficulties travelling to formal meeting venues.</p> <p>The virtual meeting technology used by the council (Zoom) allows individuals to join the meeting via a telephone line rather than requiring a computer. The democratic right of residents to ask any questions/address Councillors is therefore maintained. Ensuring each speaker identifies themselves before speaking will help those joining by audio only.</p> <p>If an individual is not able to access either a computer or telephone they would be permitted to nominate a spokesperson to speak on their behalf or submit a question or statement to Democratic Services in advance to be read out at the meeting.</p> <p>Those unable to access technology to enable them to watch a meeting at home would be able to use borough libraries to view the livestream or video after the meeting date.</p> <p>Minutes summarising the debate and setting out any decisions will be drafted after the meeting and can be provided, upon request, to anyone without a facility to watch the live broadcast or view the minutes on the council website.</p>

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Council meeting arrangements

				<p>There may be some positive impact for younger people or working age people who find it harder to attend committee meetings (particularly those held during the day) due to work, education or caring commitments but they will be able to observe the meetings live or via recordings.</p> <p>Positive for all age groups who would have previously had to travel to council offices in order to attend meetings particularly if they did not drive, have access to a car or had to rely on public transport.</p>
--	--	--	--	--

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA : Council meeting arrangements

<p>Disability</p>	<p>Relevant</p>	<p>Low – Negative Low - Positive</p>	<p>Negative and Positive</p>	<p>The setting of the programme of meetings does not affect persons with this protected characteristic, but in determining meeting venues issues of accessibility will be taken into account.</p> <p>People with this protected characteristic may find it more difficult to access fully virtual meetings.</p> <p>The virtual meeting technology used by the council (Zoom) allows individuals to join the meeting via a telephone line rather than requiring a computer. The democratic right of residents to ask any questions/address Councillors is therefore maintained. Ensuring each speaker identifies themselves before speaking will help those with a visual impairment of joining by audio only.</p> <p>If an individual is not able to access either a computer or telephone they would be permitted to nominate a spokesperson to speak on their behalf or submit a question or statement to Democratic Services in advance to be read out at the meeting.</p> <p>Those unable to access technology to enable them to watch a meeting at home would be able to use borough libraries to view the livestream or video after the meeting date. Minutes summarising the debate and setting out any decisions will be drafted after the meeting and can be provided, upon request, to anyone without a facility to watch the live broadcast or view the minutes on the council website.</p> <p>However, some users have found that audio and picture quality has improved in fully virtual meetings, having a positive impact.</p>
--------------------------	-----------------	--	----------------------------------	---

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Council meeting arrangements

				<p>The ability to attend virtually or watch online both in person and virtual meetings is a positive impact for those who may experience difficulties travelling to formal meeting venues.</p> <p>For meetings that are not formal council committees, such as the Disability and Inclusion Forum, the views of non-Councillor Members on the split between virtual and in-person meetings have been taken into consideration.</p> <p>Audio and picture quality for hybrid meetings may have a negative impact this is being considered by officers who are currently looking at options to improve AV equipment used for council meetings.</p>
Gender re-assignment	Not relevant			The proposals do not affect persons with this protected characteristic
Marriage/civil partnership	Not relevant			The proposals do not affect persons with this protected characteristic
Pregnancy and maternity	Relevant	Low	Positive	<p>People with this protected characteristic may find it more difficult to access in-person meetings.</p> <p>The ability to attend virtually or watch online both in person and virtual meetings is a positive impact for those who may experience difficulties travelling to formal meeting venues.</p>
Race	Not relevant			The proposals do not affect persons with this protected characteristic
Religion and belief	Not relevant			The proposals do not affect persons with this protected characteristic
Sex	Not relevant			The proposals do not affect persons with this protected characteristic
Sexual orientation	Not relevant			The proposals do not affect persons with this protected characteristic

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : Council meeting arrangements

Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	Officers to consider the needs of users with protected characteristics specified above when looking at options for improving AV equipment used to stream council meetings.	Karen Shepherd	Early 2022 (dependent on procurement process)
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

Report Title:	Appointment of Returning Officer and Electoral Registration Officer
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor Rayner, Cabinet Member for Corporate & Resident Services, Culture & Heritage, and Windsor
Meeting and Date:	Full Council – 25 January 2022
Responsible Officer(s):	Duncan Sharkey, Chief Executive
Wards affected:	All

www.rbwm.gov.uk



REPORT SUMMARY

This report recommends the appointment of a Returning Officer and Electoral Registration Officer following notification to the Chief Executive of the resignation of the current postholder.

The proposed appointment would take effect from 14 February 2022 to allow for continuity in the role of Returning Officer for a potential parish by-election in early February 2022.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and:

- i) Appoints Emma Duncan, Deputy Director of Governance, Law and Strategy as Returning Officer and Electoral Registration Officer for the Royal Borough of Windsor and Maidenhead with effect from 14 February 2022 until further notice.**

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

Options

Table 1: Options arising from this report

Option	Comments
Appoint Emma Duncan as the council's Returning Officer and Electoral Registration Officer with effect from 14 February 2022 This is the recommended option	The Council will comply with its legal obligations under the Representation of the People Act 1983
Do not appoint to the role of Returning Officer and Electoral Registration Officer	The council will not comply with its legal obligations

- 2.1 David Scott (Head of Communities) is the council's current Returning Officer and Electoral Registration Officer (first appointed September 2014). He has

notified the Chief Executive of his intention to resign from the role of Returning Officer and Electoral Registration Officer with immediate effect and it is therefore necessary that the borough has a replacement appointment in place as soon as possible.

3. KEY IMPLICATIONS

3.1

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
RO and ERO appointed	RO and ERO not appointed; failure to carry out the requirements of the Act	RO and ERO appointed	N/A	N/A	14 February 2022

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no financial implications as a result of the recommendation in this report as the role is separately funded.

5. LEGAL IMPLICATIONS

5.1 Under section 35 of the Representation of the People Act 1983, the Returning Officer for local elections needs to be appointed from among the officers of the council by full Council.

5.2 The role of the Returning Officer is one of a personal nature and distinct and separate from their duties as an employee of the council.

5.3 Under section 8 of the Representation of the People Act 1983, an Electoral Registration Officer needs to be appointed from among the officers of the council by the full Council.

5.4 The council's insurance cover indemnifies the council's Returning Officer (as well as their deputies and all persons engaged by them in the performance of official duties) with no personal exposure to the individual/s concerned, with an upper limit of £5m. In addition, the Cabinet Office provides further indemnity if required for UK Parliamentary elections.

6. RISK MANAGEMENT

6.1 Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
There is a risk of challenge if the requirements of the Act are not put in place.	High	Appointment of RO and ERO	Low
Day to day responsibilities of officer acting as RO not covered during an election period	Medium	Ensure Deputy Returning Officers and Deputy Monitoring Officers are in place	Low

7. POTENTIAL IMPACTS

7.1 Equalities. Equality Impact Assessments are published on the [council's website](#). An EQIA screening assessment has been completed; it is not considered that a full EQIA is required.

7.2 Climate change/sustainability. No impacts identified.

7.3 Data Protection/GDPR. No impacts identified

8. CONSULTATION

8.1 N/A

9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
25 January 2022	Consideration by full Council of the appointment of RO and ERO
14 February 2022	New RO and ERO in post

10. APPENDICES

10.1 This report is supported by one appendix:

- EQIA

11. BACKGROUND DOCUMENTS

11.1 None

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputy)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	6/1/22	13/1/22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	4/1/22	6/1/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	6/1/22	13/1/22
Elaine Browne	Head of Law (Deputy Monitoring Officer)	6/1/22	10/1/22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Andrew Durrant	Executive Director of Place	6/1/22	10/1/22
Kevin McDaniel	Executive Director of Children's Services	6/1/22	7/1/22
Hilary Hall	Executive Director of Adults, Health and Housing	-	-
<i>Heads of Service (where relevant)</i>			
David Scott	Head of Communities	14/12/21	23/12/21
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Corporate & Resident Services, Culture & Heritage, and Windsor	Yes
---	---	-----

REPORT HISTORY

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

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

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA: Appointment of RO/ERO

Essential information

Items to be assessed: (please mark 'x')

Strategy		Plan		Project		Service procedure	X
----------	--	------	--	---------	--	-------------------	---

Responsible officer	Duncan Sharkey	Service area	Chief Executive	Directorate	Chief Executive
---------------------	----------------	--------------	-----------------	-------------	-----------------

Stage 1: EqIA Screening (mandatory)	Date created: 6/1/21	Stage 2 : Full assessment (if applicable)	Date created : N/A
--	----------------------	--	--------------------

Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): Duncan Sharkey

Dated: 6/1/22

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA: Appointment of RO/ERO

Guidance notes

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
EQUALITY IMPACT ASSESSMENT
EqIA: Appointment of RO/ERO

Stage 1 : Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of the proposal is to appoint a Returning Officer and Electoral Registration Officer for the council

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA: Appointment of RO/ERO

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Not relevant			The proposal does not affect persons with this protected characteristic
Disability	Not relevant			The proposal does not affect persons with this protected characteristic
Gender re-assignment	Not relevant			The proposal does not affect persons with this protected characteristic
Marriage/civil partnership	Not relevant			The proposal does not affect persons with this protected characteristic
Pregnancy and maternity	Not relevant			The proposal does not affect persons with this protected characteristic
Race	Not relevant			The proposal does not affect persons with this protected characteristic
Religion and belief	Not relevant			The proposal does not affect persons with this protected characteristic
Sex	Not relevant			The proposal does not affect persons with this protected characteristic
Sexual orientation	Not relevant			The proposal does not affect persons with this protected characteristic

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA: Appointment of RO/ERO

Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No			
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

75

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

This page is intentionally left blank