

Public Document Pack

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

YOU ARE HEREBY SUMMONED TO ATTEND the Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Council Chamber - Town Hall, Maidenhead** on **Tuesday, 26 April 2022 at 7.00 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Thursday, 14 April 2022



Duncan Sharkey
Chief Executive

Rev Quick will say
prayers for the meeting

A G E N D A

PART I

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence

2. **COUNCIL MINUTES**

To receive the minutes of the Extraordinary meeting of the Council held on 8 February 2022 and the Budget meeting of the Council held on 22 February 2022.
(Pages 9 - 88)

3. **DECLARATIONS OF INTEREST**

To receive any declarations of interest
(Pages 89 - 90)

4. **MAYOR'S COMMUNICATIONS**

To receive such communications as the Mayor may desire to place before the Council (Pages 91 - 92)

5. PUBLIC QUESTIONS

- a) **Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Coppinger, Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead:**

Will the Lead Member advise what steps are being taken to make sure RBWM cemeteries are properly maintained?

- b) **Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor McWilliams, Cabinet Member for Digital Connectivity, Housing Opportunity, & Sport & Leisure:**

It's nearly a year since RBWM purchased Cedar Tree Guest House in Windsor for temporary accommodation. What progress has been made in creating this new facility?

- c) **Sarah Walker of Clewer East ward will ask the following question of Councillor Rayner, Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor:**

How is the efficiency of the RBWM 'Report it' system measured across the Borough? Please could the performance levels be reported to residents on a regular basis in order to indicate the service levels provided in terms of issues raised, issues resolved and speed of resolution.

- d) **Sarah Walker of Clewer East ward will ask the following question of Councillor Coppinger, Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead:**

Are you fully satisfied that previous issues with ongoing contracts such as grass cutting and refuse collection are now resolved and that contracts are being well managed and monitored by RBWM? What process is in place to ensure service levels to residents will not drop again, particularly in light of the proposed Council Tax increase?

- e) **Mohammed Ilyas of Belmont ward will ask the following question of Councillor Carroll, Cabinet Member for Adult Social Care, Health, Mental Health, Children's Services and Transformation:**

The NHS has done a fantastic job and continues to do so during this very tough pandemic. St Mark's is a key local NHS site and residents are keen to understand more the NHS plans. Will the Cabinet Member and Leader of the Council with NHS leaders agree to meet with me to discuss this policy imperative further?

- f) **Hari Sharma of Furze Platt ward will ask the following question of Councillor Johnson, Leader of the Council:**

I believe that Council's budget shows a clear, strong and responsible framework, with prudent and smart management of its finances. However, the suffocating influence of inflation, supply chain disruption, Russia's invasion on Ukraine,

legacy of COVID and Brexit leaving great exposure to economic shocks.

Has Council got sound finances and sufficient reserves to face unexpected challenges in the coming year?

g) Hari Sharma of Furze Platt ward will ask the following question of Councillor Carroll, Deputy Chairman of Cabinet & Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation:

Mental Health problems don't define who you are, but it needs great attention. Latest studies shows that an alarming 1 in 4 people in England will experience depression, fear and anxiety.

What steps and actions have been taken by our council to address those issues?

h) John Affleck (not a resident of the borough) will ask the following question of Councillor Carroll, Deputy Chairman of Cabinet & Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation:

The peer review stated the following portfolio is unbalanced:

- Deputy Chairman of Cabinet
- Cabinet Member for Adult Social Care,
- Cabinet Member for Children's Services,
- Cabinet Member Health, Mental Health, & Transformation

Does Councillor Carroll believe this to be a fair assessment?

i) John Affleck (not a resident of the borough) will ask the following question of Councillor Carroll, Deputy Chairman of Cabinet & Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation:

RBWM are placing refugee Ukrainian children in private family homes in the borough, what safeguarding policies are in place and what checks will be made prior to placements being agreed for these children? Can you please confirm that SEND provisions will be in place for these children, along with mental health and counselling support if needed?

j) Louise Crawfoot of St Mary's ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

Who gave permission for the 5G mast to be installed directly outside St. Mary's School in Maidenhead? What steps have been taken by the council to ensure parents and grandparents that our children are safe from the 5G masts radiation levels?

k) Louise Crawfoot of St Mary's ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

Parents and grandparents feel very strongly that we were not informed properly before it was installed. Now it is installed we are requesting RBWM to arrange for OFCOM to take readings in the school time hours to prove it is safe. Why were students not given a letter to take home to alert them of this tower's installation?

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

6. PETITIONS

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

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

7. REFERRALS FROM OTHER BODIES

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

i) SCHOOLS CAPITAL ALLOCATIONS 2022-23

To consider the recommendation from Cabinet
(Pages 93 - 106)

8. DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

To consider the above report
(Pages 107 - 130)

9. APPOINTMENT OF CHAIRMAN

To consider the following appointment:

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

10. MEMBERS' QUESTIONS

- a) **Councillor Davey will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:**

When you get an email from a grandmother concerned about the health of her grandchild, you have to ask the question: What can RBWM do to ensure 5G Masts are not positioned outside schools?

- b) **Councillor Singh will ask the following question of Councillor Coppinger, Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead:**

The former cafe at Kidwell's Park which has been discussed for nearly 4 years. Are there plans to bring this back into use as a useful public amenity? Please can you explain in detail what the plan is?

- c) **Councillor Singh will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:**

Signs have gone up recently to remove the free parking at four Marlow Road used by the community centre and local charity organisation. This will impact users of the community facilities. Please can you explain the rationale for this change and why were ward Councillors not informed?

- d) **Councillor Larcombe will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:**

In the recently adopted Borough Local Plan flood policy NR1 supersedes previous BLP flood policy F1 - which limited residential extension covered floor area in flood zones to an additional 30 sq m maximum. How does new policy NR1 similarly limit flood plain development?

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

11. MOTIONS ON NOTICE

- a) By Councillor Cannon:

This Council:

- i) Requests that Cabinet write to the Police and Crime Commissioner (PCC) and Thames Valley Police (TVP) seeking support in creating a joint RBWM campaign highlighting the issue of Drink/Drug Driving, supporting our zero tolerance environment, to enhance road safety for

our residents.

- ii) Requests Cabinet to invite TVP and the PCC to work with us in holding a Roads Safety Summit on these and other RBWM Road Safety issues.

(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 (Secunder 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 AN EXTRAORDINARY MEETING OF THE BOROUGH COUNCIL held at the Holiday Inn, Manor Lane, Maidenhead, SL6 2RA on Tuesday, 8th February, 2022

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

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

In attendance virtually: Councillors Catherine del Campo and Helen Price.

Officers: Andrew Durrant, Adele Taylor, Emma Duncan, Adrien Waite, Duncan Sharkey, Kevin McDaniel, David Cook, Terry Ann Cramp, Karen Shepherd, Ama Mitharo, Dean Graham, Danny O'Leary, Ian Manktelow, John Maniscalco, Matt Smith and Ian Motuel.

Also in attendance: Ian Gillespie (consultant) and Mark Beard (RBWM Counsel)

59. APOLOGIES FOR ABSENCE

None received

60. DECLARATIONS OF INTEREST

The Monitoring Officer confirmed that for all Members present at the meeting, any home property already disclosed on their register of interests was taken as having been declared as a personal interest on item 4, Adoption of the Borough Local Plan.

The following interests were also declared in relation to item 4, Adoption of the Borough Local Plan.

Councillor Price declared a Disclosable Pecuniary Interest as she was a member of the Maidenhead Golf Club.

Councillor Hill stated he owned property around the Nicholson's site in Maidenhead and in Market Street and West Street, outside the development zone. He came to the meeting with an open mind.

Councillor Hilton stated he was on the Board of the council's Joint Venture with CALA homes and Countryside.

Councillor Johnson stated he was on the Board of the council's Joint Venture with CALA homes, Countryside and the golf course site in his role as Cabinet Member for Property. He also stated that his wife was a Director of Little Red Hen Nursery on

Grove Business Park, as tenant of Sorbonne estates. The allocation had been superseded by planning consent granted in late 2020.

Councillor Hunt stated she owned property in Maidenhead.

Councillor Stimson stated she was on the Board of the council's Joint Venture with CALA homes, in her role as Cabinet Member for Sustainability.

Councillor Tisi stated that before she had become a councillor she had campaigned against development on both AL22 and AI21. She approached the meeting with an open mind.

Councillor Clark stated he was a member of the Countryside Development Board and also had property interests around Maidenhead, although not adjacent to any site in the borough Local Plan.

Councillor Rayner stated she was on the Board of the council's Joint Venture with CALA homes and Countryside.

Councillor McWilliams stated, in respect of an interest on his register relating to his personal employment, that since his employers' role was limited to communications consultancy and neither he nor his employer owned any of the sites in the plan nor would receive any financial benefit from the adoption, the Disclosable Pecuniary Interest on his register did not relate to the item under discussion. Since his employment had been a matter of recent public interest he had declared the interest. His employer did not permit him to work within the Royal Borough and the Monitoring Officer had had sight of his employment contract which limited his involvement.

Councillor Baldwin stated that he had a part interest in a property adjacent to the golf club but not within the development site.

Councillor Bond stated that he was a member of the committee at the Quaker Meeting House in West Street, Maidenhead which was in site AL5. It was a charity owned property.

Councillor Brar stated that before she had become a councillor she had campaigned against three sites.

Councillor Carroll stated that as the Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health he was a Director of Optalis Ltd; Optalis had sites across the borough.

61. PUBLIC QUESTIONS

a) Mark Loader of Oldfield ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

A recent Environment Agency document states we live in an area of serious water stress. The council are planning large housing developments. The population growth will result in more demand for water as will the impacts of climate change. In a drought will we have enough water in the Borough without the need for extreme measures?

Written response: *The Council has engaged with the Environment Agency throughout the plan making process as well as other relevant organisations such as Thames Water. The Council has committed to working with the Environment Agency and partners that provide water and sewerage services across the Borough over the plan period to identify infrastructure needs and to ensure that adequate water supply and sewerage capacity is provided in a timely manner to meet planned demand.*

A Statement of Common Ground was agreed with Thames Water in June 2018 (RBWM_015) and this was updated in October 2020 (PS/057). Thames Water confirmed that they believe the BLP (Borough Local Plan) meets the test of soundness in relation to water supply and is supported by an appropriate evidence base covering infrastructure requirement relating to water resources and supply. The Council and Thames Water have committed to continuous and proactive joint working throughout the rest of the plan period on water supply (and sewerage infrastructure) matters, including the provision of key infrastructure.

Policy IF7 of the BLP states that, development proposals must demonstrate that adequate water supply infrastructure capacity exists both on and off site to serve the development and that the development would not lead to problems for existing users.

Developers must liaise with Thames Water at the planning application stage to identify and respond to any necessary infrastructure upgrades. The BLP Inspector is content that IF7 is, as amended, sound.

By way of a supplementary question, Mark Loader commented that his question had been about traffic and population growth and the increased demand for water in an area with serious water stress. There were also concerns about increased traffic and the impact on air quality and the health of the young, elderly and those with poor health. He asked if there was still a climate emergency in the Royal Borough and if there was, did it make sense to build on green belt land with the loss of trees, woodland and habitats which would affect the ability to adapt to the effects of climate change.

Councillor Coppinger responded that yes there was still a climate emergency and this would continue until a conclusion was reached. It was essential that if houses and affordable houses for the growing population and new people coming in were to be provided, a limited amount of green belt would need to be used. The proposal would reduce the amount of green belt from 83% to 82% which was a very small amount. There was a limit to the amount of houses that could be built on a brownfield site and in most cases the pricing was such that you could only go high and build flats or apartments.

b) John Sewell of Boyn Hill ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The council's environment strategy states access to greenspace is vital for mental and physical wellbeing. However - in response to the housing need for 712 new homes each year there are already hundreds of new flats in the town centre. Surely it's vital for our growing community to protect all the greenspace and amenity potential of the golf course?

Written response: *It's correct to say a large proportion of the new dwellings permitted in recent years have been flats in Maidenhead town centre. The Council has done everything it can to use brownfield sites first, and almost 70% of the housing allocations are on previously developed land. However, such sites are usually in other positive uses (such as providing employment), constrained and expensive to develop. The evidence shows that we need family houses with gardens as well as flats, affordable housing, and community infrastructure such as schools. To achieve this, it's necessary to also build on a limited number of greenfield sites such as the golf course site. The new development will provide a central green area and strategic and local open spaces across the site, including a green spine running from north to south and these facilities will be accessible to all. Rushington Copse would be retained along with as many mature trees as possible, with biodiversity net gains secured.*

The Mayor asked the following question on behalf of John Sewell who was not present:

Why on earth do we need to plan to build 16,000 homes if the demand is only 712 per year ?

Councillor Coppinger responded that there was a requirement to meet a figure laid down by government. That figure could be seen in the report of the Inspector; she had confirmed the housing number being worked towards was exactly the right number.

c) Paul Strzelecki of Bisham and Cookham ward asked the following question of Councillor Clark, Cabinet Member for Transport, Infrastructure, and Digital Connectivity:

The report finds BLP traffic impact at Cookham Bridge and the narrow Pound "would not be severe". My detailed analysis, shared, with cabinet and relevant officers, shows a 540% increase in delay times to less than walking pace. RBWM presented 13%! No responses and refusals to meet on the topic. Will you state I was wrong and Cookham traffic sustainable?

Written response: *The evidence for the Borough Local Plan was prepared in line with appropriate guidance, including in terms of assessing the impact of the proposed spatial strategy on transport and local infrastructure. The assessment considered a reasonable worst case for traffic generation which did not take make allowance for the additional investment in sustainable transport expected to come forward as a result of development and our wider transport strategies.*

This matter and others related to the transport evidence base were discussed extensively at the examination hearings in late 2020 and given due consideration by the Inspector. The Inspector's report, quite correctly, concludes that the approach is robust at a strategic level and that the impacts cannot be considered as severe.

The Development Management process will provide further opportunity for modelling and assessment of highways impacts and secure mitigation relating to more detailed proposals at the planning application stage.

By way of a supplementary question, Paul Strzelecki commented that his analysis of the traffic was radically different from the council's. He asked who was right? The

response had commented on additional transport that was sustainable but none of the 19 mitigations were for Cookham. If there was a bike and a bus on the bridge it all ground to a halt. With 400% difference of Wycombe's assessment of the bridge, the council's addition of just 10 cars from all the BLP development, transit times impossible to hit, and 650 homes in Bourne End not considered, he questioned the plan being robust at the strategic level. However the Inspector also stated, despite misleading numbers by RBWM, that Cookham traffic would be undeniably frustrating for both commuters and residents. He asked for what reason was Councillor Clark supportive of hundreds of his villagers being frustrated and would he vote with a Cookham conscious for non-adoption?

Councillor Clark responded that Paul Strzelecki had robustly submitted his modelling at the examination stage, but it had not been accepted. The calculations undertaken by expert officers using industry standard software to predict changes in traffic flow did not say there would be a 540% increase; neither did the examiner. Councillor Clark stated that he took the effect on Cookham seriously however the examiner did say the impact of development could not be described as severe. The report on which he had to base his decision was clear.

d) Andrew Hill of Boyn Hill ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Does the Council agree with the Inspector's final report (ID-34, 153-161) that under the NPPF the loss of the golf club "...will not result in an actual loss of open space useable by members of the public", and what steps were taken within the BLP allocations to ensure compensatory leisure and sporting sites for this net loss?

Written response: *The Council agrees with the Inspector that the loss of the golf course would not result in an "actual loss of open space useable by the general public". Other than the public rights of way running across the site, Maidenhead Golf Course is not publicly accessible. In contrast, the many greenspaces created on AL13 will be accessible to everyone.*

The Council addressed the issue of the loss of the Golf Course in paragraph 4.17.11 of its Matter 11 response, stating that "There is a significant demand for golf in the Borough and the level of golf provision is good with a mix of different types of courses. Maidenhead Golf Course...intend to use the surrender money to purchase and construct a new golf course within Maidenhead."

The Council understands that the Golf Club are still looking to secure a replacement site with the lease surrender money. On 9 September 2021, the Golf Club voted to accept a revised offer for surrendering the lease and on 11 January, it is understood that members of the golf club agreed to use the funds that would be released to purchase land for a replacement site.

The Council maintains its view that Maidenhead is well served by golf courses and there is a realistic prospect that the Golf Club will obtain equivalent or better provision in terms of quantity and quality. Sport England did not object to the Plan at the Proposed Change (or indeed the Main Modifications) stage.

By way of a supplementary question, Andrew Hill commented that Councillor Coppinger had said on 11 January the golf club voted to pursue a land replacement site such as Fifield but that was completely wrong; the vote went the other way. They were not buying the land so there was no compensatory sports facility. In fact there would be a loss of a facility contrary to the NPPF. The NPPF definition of open space encompassed visual openness as for mental wellbeing the spirit was lifted as animals and trees were seen far into the distance. The report stated bluntly that losing the golf club was 'not an actual loss of open space'. Andre Hill asked if it was Councillor Coppinger's personal view that it was not a loss of actual open space?

Councillor Coppinger responded that in terms of open space available to all, it was not a loss because it was only used by a limited number of members with a single footpath crossing it.

e) Andrew Hill of Boyn Hill ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The Council's note to the Inspector (RBWM 074, para 29) says it is factually incorrect that the golf club renegotiation will delay delivery of houses in 2023/24.

Given the new contract when did RBWM advise the Inspector of changes to years 9-13 of the housing trajectory (RBWM note 073b), and what are the new numbers for that table?

Written response: At the time of producing RWBM074 in March 2021, the position was that there was an agreement in place for Maidenhead Golf Club to surrender its lease by 2023, with delivery expected to start at the Golf Club part of AL13 in 2024/25 (124 dwellings).

On 9 September 2021, the members of the Golf Club voted to accept a revised offer to vacate their existing site by the end of 2025.

On 20 January 2022, the Inspector asked the council to respond to some points made by Mr Hill in connection with the revised surrender agreement. On 21 January, the Council provided a response to the Inspector, including on the implications of this revised agreement on the housing trajectory. The implication is simply that the housing supply for Year 13 (2025/26) would fall from 1,820 dwellings to 1,696 dwellings and these homes would be provided in later years. It is noted that the Inspector's Report includes a footnote on page 40 that demonstrates that the Inspector is aware of the renegotiation of the surrender agreement and that this would potentially extend the date by which the Club must vacate the golf course, from 2023 to 2025. The revised lease surrender agreement has now been signed by both parties.

To conclude, the housing trajectory is cautious in terms of delivery dates and there is sufficient flexibility within it to absorb a delay of 2 years on the golf course part of allocation AL13. The Inspector is fully aware of this matter and has also confirmed in the report her view that the availability of the land is not at significant risk.

By way of a supplementary question, Andrew Hill stated that at the council meeting on 28 September Councillor Coppinger had told Mr Adam Bermange that it would be 'a good idea' to formally inform the Inspector about the new golf club contract with its two-year delay clause, and yet this was not done in a timely fashion. The written response said that non-transparent, unpublished notes were being exchanged with the

Inspector on 20 January, after Mr Hill had objected in the strongest terms. Councillor Coppinger had admitted that the housing numbers, in an allegedly fact-checked report were wrong. Why did he therefore go against his better instincts to keep the Inspector fully informed about the golf club negotiations and why did he not publish the January communications to ensure the BLP was factually correct.

Councillor Coppinger responded that he did not have all the answers required he would ask officers to respond on his behalf in writing.

Written Response provided on 16/2/22: *The Inspector runs the Examination and was not inviting unsolicited information from the Council or others at that time. However, on 20 January 2022, the Inspector asked the council to respond to some comments made by Mr Hill (and Mr Bermange) in relation to the lease surrender agreement and also the impact on the housing trajectory. The Council provided its response to the Inspector on 21 January. The Council has not been asked by the Inspector to publish this correspondence.*

f) Ivan McCullough of Riverside ward asked the following question of Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside:

Within the Borough Local Plan, allocation AL27 is designated as a "2.29-hectare pocket park" and the site specification stresses its role in flood attenuation, its importance for biodiversity and its educational and leisure potential.

Can the lead member give us more details of her plans to fulfil this vision?

Written response: *Site allocation AL27 (Land South of Ray Mill Road East, Maidenhead) is allocated in the BLP for green infrastructure, including a pocket park, habitat area and flood attenuation. It is noted that a planning application for 80 dwellings and open space on this site (21/02866/FULL) was considered recently by the planning committee and that Members resolved to approve the proposed development subject to referral to the Head of Planning and the Secretary of State under the Call-in direction. The Council is currently awaiting a decision from the Secretary of State on whether to intervene.*

Should the development for housing not proceed, then the Council considers that the site is a feasible location for a pocket park that would deliver biodiversity enhancements and a pond, with trees and grassland retained and enhanced. Pocket Parks can be created at relatively low cost, sometimes supported by grants; for example, in 2019/20 two 'Pocket Parks' were created on open spaces in Windsor, both of which were supported by grants of £25k-£30k under the Government's 'Pocket Park' grants scheme.

In the event the proposed housing development is implemented, about 40% of the site would be retained as open space with works to this area funded by the development.

By way of a supplementary question, Ivan McCullough commented that the entirety of AL27, all 2.29 hectares, were reserved in the BLP for a pocket park. The Inspectors Main Modifications had decided the whole of the site should be dedicated as per the published proformas. Why was Councillor Stimson, as parks and countryside lead member, not defending this position?

Councillor Stimson responded that she believed the site had gone to the Secretary of State for confirmation and the outcome was awaited. It was a recommendation that the site be a pocket park and 40% would be reserved for habitat.

g) Phoebe Ibison of Riverside ward asked the following question of Councillor Stimson, Cabinet Member for Climate Change, Sustainability, Parks and Countryside:

There are thousands of mature trees on Maidenhead Golf Course, which have supported our local ecosystem for decades. How can the council justify cutting down so many trees when we face a Climate Emergency and we have the sixth mass extinction on our hands? The Environment Strategy states the importance of protecting our natural environment, so why aren't you?

Written response: Achieving a sustainable plan for development involves carefully balancing social, economic, and environmental factors. Whilst it is acknowledged that there will be tree loss because of the proposed development, the proforma for the site in Appendix C of the Plan puts in place both safeguards and proposals for enhancement regarding trees and biodiversity.

It indicates that proposals should retain Rushington Copse, together with other mature trees and hedgerows where possible, including buffers zones where necessary, to protect trees from the impact of development. It also indicates that the tree and landscape buffers along the site boundary should be retained and reinforced.

The proforma also indicates that development should safeguard protected species and conserve and enhance the biodiversity of the area in addition to providing net biodiversity gain across the site and adjoining open spaces within the South West Maidenhead Strategic Area. The provision of a green spine running north to south through the site provides an opportunity to connect the biodiversity and green infrastructure networks across the site.

Whilst the character of the area will undoubtedly change, development will overall have to deliver a biodiversity net gain, helping to improve biodiversity across the Borough in line with the Environment and Climate Strategy. At the same time, the allocation will provide substantial social and economic benefits by providing much needed homes, schools, accessible open space, and other facilities near the town centre and transport links adding to the overall sustainability of the plan.

By way of a supplementary question, Phoebe Ibison stated that the development would decimate a large proportion of trees, not all the saplings would survive and it would be at least 20 years before they could provide meaningful habitats and carbon absorption. It was her future and that of other children and living organisms that were relying on the lead member to make an ethical decision and not cause more distress and anxiety to the community. She asked why the advice of experts was being refused and claims being based on unaffordable housing. She asked why the council was not using every pound available to protect the few natural green spaces in the borough for habitat preservation and carbon capture.

Councillor Stimson responded the BLP was about more than just sites; it was complex and included issues such as flooding and increasing biodiversity. She would do her

utmost and this was why she had put herself on the CALA Board to ensure sustainability was built in from the start. There was a need for a BLP to stop irresponsible development across the borough.

h) Fiona Allen of Oldfield ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Climate change is already bringing us more heavy rainstorms and flood events. Building on the greenspace will make our community even more vulnerable to devastating flooding. Why aren't you taking steps to help protect our community by building on brownfield sites instead?

Written response: *The Plan ensures the re-use of brownfield land wherever this has been feasible, but it is not possible to meet the Borough's housing needs using only brownfield land. Almost 70% of the housing site allocations are brownfield sites and 45% of the housing arising from allocations is on this land.*

Because the base date for the Plan is in 2013, a significant proportion of the nearly 16,000 homes provided for in the Plan is made up of homes built since 2013 and sites with current planning permissions. A high proportion of these are on brownfield sites or involve intensification of development within existing built-up areas, with only very limited amounts of greenfield development. In addition, in helping to meet the housing target, assumptions are made about further brownfield development coming forward in the future that we currently cannot identify – this is called a windfall allowance.

Whether the site is brownfield or greenfield, care has been taken to avoid development on areas of greatest flood risk and policies have been set out to ensure detailed consideration of flooding related matters at the planning application stage.

By way of a supplementary question, Fiona Allen commented that regardless of the flawed housing figures, she wanted to point out what the scientists at COP26 had said, that arguably all the flood models were already out of date and climate change was coming faster than predictions. Basic geography told you that the more you covered an area with concrete the less natural absorption could take place. The Thames Valley was already overdeveloped so she asked why building was taking place on green belt putting all at greater risk of flood damage and destroying natural habitats at the same time.

Councillor Coppinger responded that the Inspector, who was not a Councillor or a council employee, had said the figures were correct. There was a need to provide for homes for families and young people, including affordable housing. It was not possible to build those on brownfield sites as the only thing that could be viably built were high rise flats and apartments. This was the only reason the proposal was to build on 1% of green belt.

i) Ceri Glen of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Houses in the Aldebury area, adjacent to site AL25, are in flood zone 3. Residents report significant flooding in February 1990, December 2000, 2012, January 2003, &

from January to March 2014. What do you say to residents who fear things will get worse, when building on flood plains, despite prevention schemes, only leads to an increase in flooding?

Written response: *Any planning application received proposing development on site AL25 (Spencer's Farm, Maidenhead) will be subject to full assessment as per national and local flooding policy, including Policy NR1 – Managing Flood Risk and Waterways – of the BLP. Point 5(d) of Policy NR1 states specifically that, in all cases, development should not itself, or cumulatively with other development, materially cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere.*

Document RBWM_086 (post-hearing action note re Exception Test for AL9 and AL25 allocations) describes how the latest flood data results in parts of AL25 falling within Flood Zone 3. As a result, the Council's flooding consultant undertook Exception Test work. This work confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere.

The allocation also specifically requires development and site-specific Flood Risk Assessment at the planning stage to ensure this remains the case with any detailed proposals and The Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

The allocation also specifically requires development and site-specific Flood Risk Assessment at the planning stage to ensure this remains the case with any detailed proposals and The Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

By way of a supplementary question, Ceri Glen commented that councillors were elected representatives and should work for the residents not against them. He stated that he would like to know about the people who were described as 'unable to access a safe and appropriate home within the borough, children and families who call the Borough home but cannot find a suitable home'. He asked Councillor Coppinger what he felt was a suitable price for a house for these people.

Councillor Coppinger responded that the number would depend on the circumstances of the individual. He was not an estate agent and did not deal in house prices.

j) Ceri Glen of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Will the Council fund independent consultants to advise residents about our legal rights, planning law and environmental laws, to counter all the Council paid consultants and staff who do not represent residents or our well-being and who are working towards the councils' objectives regardless of resident's objections and wishes?

Written response: *Members of the Council are democratically elected to represent the residents of the Borough and the Council has adopted a Corporate Plan which sets out our priorities and objectives in meeting these needs. The staff and consultants employed by the Council work towards these objectives and seek to deliver the best overall outcomes for the Borough's residents.*

The Borough has 151,273 residents, every one of whom is unique and contributes to the community with a variety of actions, perspectives, beliefs, and opinions.

The Council will always engage with our community and seek to shape our plans around your diverse needs. This is what we have done in progressing the Council's Corporate Plan and Housing Strategy. It is also what we have done throughout the preparation of the Borough Local Plan. It is recognised that no solution will meet the needs or wishes of every resident but the Council seeks to deliver the best outcomes it can.

Many residents would like to see no building on greenbelt land and we can see that view through the petition which has been submitted. But there are also many people who are unable to access a safe and appropriate home within the borough, children and families who call the Borough home but cannot find a suitable home, and people who would wish to contribute to our community but cannot.

The Corporate Plan and Housing Strategy commit the Council to providing adequate housing to ensure the well-being of our residents. The adoption of a Borough Local Plan which fully meets housing need is essential to doing so and delivering on those promises.

Whilst many residents would prefer these homes not to be provided, nevertheless others within our community desperately need them.

The Corporate Plan and Housing Strategy are well worth a read for any resident who wishes to better understand the situation some members of our community find themselves in and the reasons the Council must make hard choices. These Documents are available at: [Corporate Plan 2021-2026 | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](https://www.rbwm.gov.uk/corporate-plan-2021-2026) [Housing strategy | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](https://www.rbwm.gov.uk/housing-strategy)

Of course, it goes without saying, that it would not be appropriate for the Council to provide public funds to those who wished to undermine the democratic decision of the Council should it choose to adopt the Borough Local Plan on Tuesday 8 February.

By way of a supplementary question, Ceri Glen commented that it was known that consultants always gave recommendations and the advice that their clients needed. He highlighted how dangerous smart motorways had been found out to be recently, despite the previous and wrong advice of Department of Transport consultants. With that in mind he asked if Councillor Coppinger or the council would make a guarantee, in writing, for the residents of the Aldebury estate and future residents of the Spencer's Farm site that their homes would be safe from flooding, insurable and resalable for the next 20 years, and would he guarantee market rate repurchase if they could not sell or cover the higher insurance premiums due to

increased flooding caused by the council and its consultants approving and allowing development in an area already prone to flooding?

Councillor Coppinger responded that given the complexity of the question, he would ask officers to reply in writing.

Written Response provided on 16/2/22: *It is unreasonable to expect the Council to make such a guarantee. However, as stated in our original response, work undertaken by the Council's flooding consultant confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere. Any planning application received on site AL25 (Spencer's Farm) will need to be supported by a detailed Flood Risk Assessment.*

k) Jean Sutherland of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

According to the September Cabinet report "Demand for School Places", a surplus of school places of 5% in September 2021 could increase to 14% by September 2024. The only area of slight concern is in south-east Maidenhead. So why are you building a primary school in the north of Maidenhead where we already have three primary schools close by?

Written response: *The Royal Borough has carried out extensive analysis of the likely impact of new housing on demand for new school places, as part of the analysis supporting the Borough Local Plan and the related Infrastructure Delivery Plan. This analysis looked at the longer-term impacts, so that the borough would still be able to meet demand for school places in fifteen- or twenty-years' time.*

This work concluded that, at times of high birth rates, the proposed new housing would lead to significant shortfalls of both primary and secondary school places.

The strategy for addressing this shortfall involves a mixture of further expansions at our existing schools and new schools, including a primary school within the 'Spencer's Farm' development (AL25). The Borough Local Plan has identified the potential sites for new schools, giving us options to meet future demand over the longer term.

It's correct that there is no current need for new primary school places in North East Maidenhead, due to low birth rates and reduced movement of new families into the borough. The Royal Borough will not, therefore, be looking to open a new school at Spencer's Farm in the immediate future. We will continue to review demand for school places annually and will only bring forward proposals to open the school if a shortage of places locally is expected.

You can find out more about the school places analysis for the Borough Local Plan on the council's website: <https://www.rbwm.gov.uk/home/schools-and-education/school-organisation-places-and-planning/longer-term-needs-school-places>.

The Mayor asked the following question on behalf of Jean Sutherland who was not present:

'How does your plan to build a school where it's not needed fit in with the borough's climate strategy?'

Councillor Coppinger responded that he would ask officers to provide a written response.

Written Response provided on 16/2/22: *The Borough Local Plan has a plan period that extends to 2033. At the time that the plan was submitted, educational forecasts indicated the need for a primary school in north east Maidenhead, but more recently projections show that a new primary school is not required in this area at present. Nevertheless, we will continue to review demand for school places annually, reserve an area of land on the site and will bring forward proposals for the school if a shortage of places locally is expected later in the plan period. If it is decided that a new school needs to be built, then it would be designed to be as sustainable as possible.*

I) Paul Strzelecki of Bisham and Cookham ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

"Duty to cooperate" is a plan legal requirement. An agreed strategic issue in the MOU with Wycombe council of Feb 17 is traffic bottlenecks at Cookham Bridge. Do you believe during the plan making phase that there was sufficient and ongoing cooperation on this issue, what were the specific outcomes and why weren't they included in examination evidence?

Written response: *As stated in the Council's examination note RBWM_076, on 13 February 2017, the Royal Borough and Wycombe District Council signed a Memorandum of Understanding (MoU) covering a range of strategic plan-making issues including transport (PS/009). The two councils agreed to seek longer term strategic solutions to address (amongst other matters) congestion related to Cookham Bridge.*

Potential solutions that have been explored since 2017 have included modal shift measures to encourage the use of public transport and walking, strategic route planning to direct traffic away from Cookham Bridge and potential changes to the signals to balance the queues of each side of the bridge. The two Councils have continued to engage constructively on plan-making, including making representations to each other's emerging Local Plans.

In answer to the question, the Council is confident that there was sufficient and ongoing cooperation on this issue. The Inspector states, in paragraph 24 of her report that "the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan" and concludes that the duty to cooperate has been met. The MoU is part of the examination evidence, as is RBWM_076.

By way of a supplementary question, Paul Strzelecki commented that Mr Beard, RBEM legal, insisted at the October 2020 hearing, that the obligation 'duty to cooperate' ended at the January 2018 submission. The council agreed to cooperate in February 2017. If the council had not met and cooperated during that year the Inspector, by law, would have not been allowed to recommend the plan for adoption. The answer stated that the council cooperated on traffic solutions to take traffic away from Cookham Bridget including walking and public transport and confirmed that no

minutes of any meetings existed. However the council was confident there was sufficient and ongoing cooperation on the issue. It was interesting that Buckinghamshire Council replied to a recent Freedom of Information request on the pre-submission issue of traffic that they did not hold regular meetings with RBWM. The Inspector could have asked for a re-hearing based on new evidence. Paul Strzelecki therefore asked how many meetings RBWM actually had on the strategic traffic priority of Cookham Bridge. He asked if it was 10, or 5 or was it zero and failing the duty to cooperate.

Councillor Coppinger responded that he did not have the information; the officers and legal officer would need to provide a response.

Written Response provided on 16/2/22: Officers are not aware of any recent meetings held with Buckinghamshire Council specifically on local plan matters although we regularly communicate and have continued to engage constructively on plan-making. However, the Inspector was satisfied that the Council engaged constructively, actively and on an on-going basis in the preparation of the Plan and concludes that the duty to cooperate was met. Longer term strategic solutions to issues around traffic and Cookham Bridge will continue to be explored along with investing in alternatives to the car through our Bus Service Improvement Plan and Local Cycling and Walking Infrastructure Plan. Wycombe no longer exists as a council due to the Districts and County merging to form a unitary and therefore it will be Buckinghamshire Council that we will engage with as planning applications come forward.

m) Graham Owens of Pinkneys Green ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The Plan incorporates our Climate and Environment Strategy. However, RBWM scored a very disappointing 48% in the 325 Councils assessed by the independent Climate Emergency UK, in marked contrast to Wokingham (79%) and Reading (74%). Now that Sustainability is one of three top priorities in our 2021/6 Corporate Plan, how and when will we align this Strategy with our priorities?

Written response: Clearly it is disappointing that the scorecard reflects a lower score than some of our neighbouring boroughs but there are also many of our other neighbours who are also scoring much lower. We are looking at the results to see how to improve our plans. Any scorecard-based approach cannot fully reflect the work of the Council and are dependent on the scoring methodology and the interpretation by the assessor.

In this case, the scorecard reflects the written plan rather than what has been delivered. The council has been working hard with communities to deliver many of the actions within the plan that will make a real difference in creating a more sustainable borough:

- *We have increased the size of the team to provide more resource to deliver the strategy and its actions.*
- *We have committed to funding and setting up the Climate Partnership to involve more people in tackling the climate emergency*

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- *This winter we have already planted over 6000 of the 8000 trees we are planning to plant.*
- *We are currently surveying 31 of our buildings to develop heat decarbonisation plans for them to enable the rapid decarbonisation of the council estate.*
- *We are currently undertaking heat mapping of the Borough to understand where opportunities may lie to further decarbonise heat.*
- *We are helping residents on low incomes to improve the energy efficiency of their homes through money secured from government*

Due to the timing of the assessment, we also lost marks that will later be included in our score because of the work we have already done or is in progress. We lost a lot of marks on not including adaptation in our plan. We were clear that our strategy is focused on mitigation, and we would bring forward another plan to deal with adaptation. We have recently moved the Flooding function into our Sustainability and Climate team to better address this issue. Since the climate scorecards were assessed, we have made action on climate change a key pillar of our corporate plan, another area we were marked down.

On a positive note, we scored very highly in the community, engagement, and comms section. We recognise this is not an issue the council can tackle alone and communities across the Borough have a key role to play. Only 6 single-tier councils received 9/9 so to receive 8/9 puts us in the top 20 single-tier authorities on the criteria.

We are making strong progress and fully expect that in next year's scorecard, which will mark progress, not just the plans themselves, we will score more highly.

By way of a supplementary question, Graham Owens commented that, as he read the written response, Councillor Coppinger agreed that much more needed to be done on environmental sustainability. Work was beginning, but very slowly. The Climate Change Leadership had been approved in September 2021. It set a milestone for establishing the Climate Partnership by 30 November 2021. This had not happened. He asked if any progress had been made and how would it get back on track?

Councillor Stimson responded that the Climate Partnership was in a phase of finding members for the board. This included looking at business, schools, civic society and the RBWM CEC to put together a partnership at board level to drive the change. Organisations including Legal and General, schools both public and private, Legoland and the RBWM CEC were involved. Funding of £250,000 would not become available until May 2022, until then any actions needed to be undertaken without funding. The interim sustainability statement was being used by developers therefore some money was coming in for schemes such as decarbonisation projects. There had been a slow start as officers were busy dealing with both sustainability and flooding, however the staffing resource had now increased.

n) Thomas Wigley of Clewer East ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

What assurances can RBWM provide for its residents that it will objectively and properly assess Air Quality Impact reports submitted by Developers as part of their planning application submissions to RBWM. Does it have enough qualified resources?

Written response: *Policy EP2 in the Borough Local Plan requires that “Development proposals should show how they have considered air quality impacts at the earliest stage possible; where appropriate through an air quality impact assessment which should include the cumulative impacts”.*

This may give rise to a need to implement development-specific mitigation to ensure that localised adverse air quality impacts do not occur in the short/medium term.

The Environmental Protection (EP) team are consulted on planning applications. The air quality assessment would need to consider the baseline conditions and the impact of the development proposals on air quality. The assessment may include mitigation measures where necessary and the EP officer can recommend planning conditions.

The Council can confirm that it has the necessary resources to ensure that this requirement can be met.

By way of a supplementary question, Thomas Wigley referred to a report recently published by Transport for New Homes that had found ‘new greenfield housing had become even more car based than before’. The BLP would commit the borough to a significant building programme that would therefore inevitably generate more road traffic pollution. Given that Maidenhead was one big Air Quality Management Area (AQMA), Mr Wigley asked if Councillor Coppinger agreed with him that everyone needed a Maidenhead Great Park to mitigate the aggregate effect arising from all the housing development in the town?

Councillor Coppinger responded that the reason the council believed the golf club site was right for housing was because it was the closest site across the borough to a major train station and a town which was growing and changing with investment. He fully accepted the position of the AQMA. One proposal was a car free green spine to run north-south through the placemaking area to provide the opportunity to create a new public transport corridor, fast cycle links and safe pedestrian connections.

o) George Shaw of Oldfield ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The Borough Local Plan being considered this evening cites a significant number of Supplementary Planning Documents, most of which are not yet adopted.

Please could the Lead Member give a progress update on each of these emerging SPDs, including anticipated adoption timetables, and comment on any risks to decision making whilst these are not in place?

Written response: *As stated in para 3.8 of the report to Full Council, several new Supplementary Planning Documents (SPDs) will be produced to help deliver the BLP. These will include the Sustainability and Climate Change SPD, Building Height and Tall Buildings SPD, and the South West Maidenhead Development Framework SPD as well as SPDs for Parking, Affordable Housing and the Ascot and Central Maidenhead Placemaking areas.*

Detailed timetables for all these SPDs are not available at this stage. The delay in the Inspector finalising her Report has had a knock-on effect on the timescales for a number of these SPDs. Now that the Inspector's report has been received and the plan can be adopted, timetables for the necessary SPDs can be produced.

Work has already commenced on several of the SPDs, including the Tall Buildings SPD and the South West Maidenhead SPD. It is likely that these will be published for consultation in Spring 2022. The Sustainability and Climate Change SPD is expected to be completed before the end of 2022.

Confidence should be taken from the fact that the purpose of SPDs is to build upon and provide more detailed advice or guidance on policies in an adopted local plan. The BLP, which has been found sound, contains all the detailed policies necessary to ensure appropriate decision making and high-quality outcomes until the SPDs are adopted.

By way of a supplementary question, Mr Shaw commented that he could hardly believe that in all the time the BLP had been in development the Supplementary Planning Documents (SPD) were not ready yet, nor was a specific timetable agreed upon. The BLP stated that some of these documents were to be adopted no later than March. Now the council was saying that consultation on them would hopefully be in the spring. He respectfully disagreed that the BLP included all the necessary detail without these documents in place, otherwise they would not be needed in the first place. He expressed concern at what mistakes could be made as the documents had not been produced in a timely manner. Mr Shaw asked the council to commit the resources both financial and staffing to ensure the anticipated SPDs were available with the utmost urgency.

Councillor Coppinger responded that yes he could provide that commitment; it was essential the documents were finished as soon as possible and they would be.

p) Sarah Bowden of Boyn Hill ward asked the following question of Councillor Johnson, Leader of the Council:

In October 2019, you said the plan was not perfect for 2019 but once adopted, the council would seek to make amendments relating to biodiversity and sustainable development. Two years later, the clock is ticking. Has this time been spent wisely preparing the Climate and Environment SPD strengthening the Sustainability Position Statement and when will this be tabled for adoption?

Written response: The interim sustainability position statement has provided a temporary solution to some of the issues that will be included in the Climate and Environment SPD. This has delivered some success in terms of influencing applications to be more sustainable and reduce emissions and as a result we have secured commitments for over £900k in contributions that will be used to support delivery of the Environment and Climate Strategy with further contributions expected to be secured. There have been delays to the Borough Local Plan adoption and there is also uncertainty about what changes might be made to planning guidance in June when the new building regulations come into force. At this stage our target is to ensure that the SPD is adopted by the end of this year.

By way of a supplementary question, Sarah Bowden commented that she presumed the £900,000 mentioned (just £6 per resident) related to monies raised through S106 contributions to the Carbon Offset Fund. This compensated only for the emissions during operation of the properties in question which was on average only half of the total emissions associated with the building. In addition the developer would benefit from the decarbonisation of the grid without even having to lift a finger. Offsetting should be the very last solution adopted, with the offset in this case resulting in at best 50% of the emissions being compensated for so there was still a net increase in emissions. Sarah Bowden asked if Councillor Johnson agreed that the Council needed to be driving for carbon-negative development and if so how would this be achieved

Councillor Johnson responded that he agreed the council needed to be more ambitious in delivering its carbon agenda and needed to push developers harder and further. He highlighted that the council was led by a large extent by government and needed to follow the emerging and changing policy being laid down. As a target he wished for the council to move towards carbon negativity, but that had to be done in a logical, structured, credible and deliverable way.

q) Dave Scarbrough of Belmont ward asked the following question of Councillor McWilliams Cabinet Member for Housing, Sport & Leisure, and Community Engagement:

The proposed plan results in a 22.5% increase in emissions and lacks details of mitigation measures; no areas are set aside for nature-based solutions or renewable energy provision. How are you going to ensure the housing planned doesn't make net-zero by 2050 an impossible task and more importantly mitigate against the worst-case scenarios that will impact people across the globe?

Written response: *Officers do not agree that the plan results in a 22.5% increase in emissions or lacks mitigation measures.*

The 22.5% figure arises from the Sustainability Appraisal which was undertaken in 2019. The appraisal assesses a potential impact, stating that 'The proposed development within the BLPSV-PC could potentially increase local carbon emissions by approximately 22.5%', but then recognises that the 'The contents of the BLPSV-PC would be likely to help reduce the adverse impacts of the Plan in relation climatic factors, with policies and site proformas focusing on the integration of green infrastructure.' Hence, the estimated 22.5% increase is before mitigation considerations are factored in.

Within the Borough Local Plan (BLP) itself, policy SP2 was added to the proposed changes version of the plan to specifically address and mitigate against the issue of climate change. This requires proposals to address several key topics relating to both climate change and its effects. Further to this, whilst no areas are designated specifically for renewable energy provision policy, policy NR5 states that development proposals for the production of renewable energy and associated infrastructure will be supported, should they not cause adverse harm to the area.

The BLP also has three designated areas for green infrastructure within the Borough, involving AL15, AL27 and AL28. The site proformas for all three sites share several climate and nature-based requirements, from biodiversity improvements to the retention and enhancement of trees and wildlife areas on site. Almost all of the other site proformas also require tree planting and local biodiversity enhancements.

Other policies and initiatives which have arisen since would also serve to mitigate the impacts. These include, but are not limited to, the Council's Environment and Climate Strategy adopted in December 2020, the Council's Interim Sustainability Position Statement, the Government's Net-Zero Strategy, the Government's Heat and Buildings Strategy and revisions to part L & F of the Building Regulations.

Moving forward, the upcoming Sustainability/Climate Change SPD will provide further guidance on climate change issues expanding on the policies set out in the Borough Local Plan and dealing with more specific issues such as carbon emissions, waste recycling, transport, biodiversity and energy.

The Mayor asked the following question on behalf of Dave Scarborough who was not present:

On average, building a three-bedroom semi-detached home will result in 44 tonnes of CO2 emissions. And that's before someone moves in. How will the forthcoming SPD address embodied carbon? And how many houses will already have had planning approved before the SPD is published? We need net-zero homes now, we cannot afford to wait for trees to grow.

Councillor McWilliams responded that in terms of specific policy requirements he would ask officers to respond in writing. However he highlighted that the council would be bringing forward an SPD that would look to deliver policies to achieve what Mr Scarborough had set out. The council had also adopted the climate change strategy which was taken into account when planning applications were brought forward.

Written Response provided on 16/2/22: *Embodied carbon refers to the emissions during the construction of a building rather than when it is in use. The Council is considering how it might introduce a whole life carbon approach and consider embodied emissions within the forthcoming SPD, which will be informed through engagement and consultation. In the interim we are nevertheless encouraging developers for larger sites to take this approach by highlighting the importance of the matter to the Council and its residents. We would encourage residents and groups to provide similar feedback when developers are undertaking early engagement on schemes.*

r) Daniel Seris of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

The report commissioned to assess the risk of flooding, conclusions were based on flooding caused by the rain, not rising water from the ground. As flooding is coming from the ground in Spencer's farm, how do you plan to fix this and make sure it doesn't affect future residents? Are further studies going to take place to assess this issue?

Written response: *The Sequential and Exceptions test (BLPSV-PC-030) undertaken by the Council as part of the Examination into the Borough Local Plan provides information not only on flooding from rivers but also from other potential sources such surface water flood risk and susceptibility to groundwater flooding.*

Any planning application received proposing development on site AL25 (Spencer's Farm, Maidenhead) will be subject to full assessment as per national and local flooding policy, including Policy NR1 – Managing Flood Risk and Waterways – of the BLP. Clause 5(d) of Policy NR1 states specifically that, in all cases, development should not itself, or cumulatively with other development, materially cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere.

Document RBWM_086 (post-hearing action note re Exception Test for AL25 allocations) describes how the latest flood data results in parts of AL25 falling within Flood Zone 3. As a result, the Council's flooding consultant undertook Exception Test work. This work confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere.

The allocation also specifically requires proposed development to provide a site-specific Flood Risk Assessment at the planning stage to ensure that this remains the case with any detailed proposals. Any Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

In addition, the AL25 site proforma stipulates that any proposed development will need to address potential risks to groundwater and investigate an appropriate Sustainable Drainage Systems (SUDS) for the proposals as part of the surface water drainage strategy. The use of infiltration as a potential option for surface water disposal would require a thorough site investigation and risk assessment to demonstrate that the use of infiltration SUDS would not mobilise contaminants which could then pollute groundwater.

By way of a supplementary question, Daniel Seris explained that there had been a workshop with the consultant in relation to Spencer's Farm and when residents had told the consultant that the flooding was coming from the ground rather than the rain he was very surprised. Mr Seris commented that he was not against building as he had children himself and they would need housing. However he asked if everyone knew that the land flooded but this was ignored, how could he trust the council to enable his children to buy a house.

Councillor Coppinger responded that he was delighted that Mr Seris understood that his children would need housing and he would want them to but in the borough. He understood the concerns in relation to flooding. The EA had a strategic overview of all sources of flooding and worked with the Met Office to provide flood forecasts and warnings. It was for the EA to assess how areas were designated. If the EA produced flood maps that amended the designation of AL25 then the site would need to be reassessed. It was essential that the council took full notice of EA advice and if they said a site was unsuitable for building then it would not be used.

s) Daniel Seris of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Spencer's Farm currently has a lot of deer, foxes and other animals that usually eat and live there. Has the impact to those animals' habitats been considered? If so, how and by who?

Written response: *The Borough Local Plan (BLP) acknowledges that planning has an important and positive role to play in protecting and enhancing the Borough's biodiversity, including the conservation of protected species, and helping natural systems to adapt to the impact of climate change.*

Policy NR2 (3) states that Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green corridors, stepping stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

Regarding Spencer's Farm, careful provision has been made within the BLP to protect the diverse local wildlife in and around the site.

Firstly, the site proforma for site AL25 states that any development of the site will be required to conserve and enhance local biodiversity, as well as retaining high/medium quality trees and planting of replacement trees.

Furthermore, AL28 to the immediate east of AL25 has been allocated as a green infrastructure site. Any development of the site will be required to deliver significant biodiversity improvements, including along the Greenway Corridor/Strand Water, which is a Local Wildlife Site. Development will also be required to retain the existing area of woodland to the north of the site.

Sustainability Appraisal has been carried out at all relevant stages of the plan making process and all have found that Policy NR2 (previously NR3) is anticipated to ensure the ecological value of AL25 is protected and enhanced.

Mr Seris confirmed he did not wish to ask a supplementary question.

t) Ian Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

How confident are you that the already busy junction of Aldebury Road and Cookham Road can cope with additional traffic linked to 330 new homes and a primary school?

Written response: *The evidence for the local plan was prepared in line with appropriate guidance and is considered appropriate for an assessment of a local plan and the impact of the proposed spatial strategy on transport and local infrastructure. The assessment considered a reasonable worst case for traffic generation which did not take make allowance for the additional investment in sustainable transport expected to come forward because of development and our wider transport strategies.*

The strategic transport assessment identified a series of junctions that may require improvement because of the overall development coming forward in the plan. At this stage, no improvements were identified as being needed at the Aldebury Road/Cookham Road junction.

As part of the planning application process there will need to be a full transport assessment prepared which will consider the impacts of the proposed development on the transport network. This more detailed modelling will identify whether any site-specific improvement or mitigation is required, and this will be secured through an appropriate legal agreement

The site proforma requires the development to come forward with a robust travel plan for the residential development and school to reduce car trips from the site.

By way of a supplementary question Mr Lester asked, in relation to the transport assessment mentioned, what had changed since 2013 when the highways team expressed significant concern over the site.

Councillor Coppinger responded that he would ask officers to respond in writing as he did not have the facts in front of him.

Written Response provided on 16/2/22: *The BLP is supported by an extensive evidence base, including a Strategic Highways Assessment at the Proposed Changes stage (2019). This indicated that no improvements were needed at the Aldebury Road/Cookham Road junction. In paragraph 172 of her final Report, the Inspector states that “The oral evidence given at the hearing provided comfort that localised transport/access issues are capable of being addressed”.*

u) Ian Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

As local residents we all enjoy watching the wildlife that roam Site AL25 - I especially like seeing the herd of deer. Should we build 330 homes on this land what will happen to the wildlife that live on this land?

Written response: *The Borough Local Plan (BLP) acknowledges that planning has an important and positive role to play in protecting and enhancing the Borough's biodiversity, including the conservation of protected species, and helping natural systems to adapt to the impact of climate change.*

Policy NR2 (3) states that Development proposals shall also avoid the loss of biodiversity and the fragmentation of existing habitats, and enhance connectivity via green corridors, stepping-stones and networks. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

Regarding Spencer's Farm, careful provision has been made within the BLP to protect the diverse local wildlife in and around the site.

Firstly, the site proforma for site AL25 states that any development of the site will be required to conserve and enhance local biodiversity, as well as retaining high/medium quality trees and planting of replacement trees.

Furthermore, AL28 to the immediate East of AL25 has been allocated as a green infrastructure site. Any development of the site will be required to deliver significant biodiversity improvements, including along the Greenway Corridor/Strand Water, which is a Local Wildlife Site. Development will also be required to retain the existing area of woodland to the north of the site.

Sustainability Appraisal has been carried out at all relevant stages of the plan making process and all have found that Policy NR2 (previously NR3) is anticipated to ensure the ecological value of AL25 is protected and enhanced.

By way of a supplementary question, Mr Lester commented that protecting wildlife meant leaving them be, not destroying their habitat, making it smaller or moving them on. The site east of AL25 was not great for wildlife at all. If climate change had taught people anything it was to respect the planet and all species that lived on it, not build on it.

Councillor Coppinger responded that it was not possible to guarantee specific types of wildlife would continue to be regularly seen on AL25 after the site was developed. However the measures included in the BLP to conserve and enhance local diversity on all AL25, including provision of a high-quality network of blue and green infrastructure across the site and the retention of the woodland features to the north of the site, were intended to ensure that a suitable habitat was retained for the existing wildlife in the area as far as possible.

v) Mark Smith of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

There are two areas of the field, outside of the river flood zone, that flood due to the rising of the ground water table and not "ponding" as was suggested at a previous meeting. What evidence is there that it possible to prevent flooding from Ground water rising on the site?

Written response: *The Sequential and Exceptions test (BLPSV-PC-030) produced for the Borough Local Plan Examination provides information not only on flooding from rivers but also from other potential sources such surface water flood risk and susceptibility to groundwater flooding.*

Any application received proposing development on site AL25 (Spencer's Farm, Maidenhead) will be subject to full assessment as per national and local flooding policy, including Policy NR1 – Managing Flood Risk and Waterways – of the BLP. Point 5(d) of Policy NR1 states specifically that, in all cases, development should not itself, or cumulatively with other development, materially cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere.

Document RBWM_086 (post-hearing action note re Exception Test for AL25 allocations) describes how the latest flood data results in parts of AL25 falling within

Flood Zone 3. As a result, the Council's flooding consultant undertook Exception Test work. This work confirmed that the site can be developed in a manner which is safe for its lifetime and will not increase flood risk elsewhere.

The allocation also specifically requires a site-specific Flood Risk Assessment at the planning application stage to ensure that this remains the case with any detailed proposals. The Flood Risk Assessment would be expected to include an assessment of the flood risk from all sources of flooding for a proposed development, plus an allowance for climate change. Further information on the requirements for the Flood Risk Assessment on this site are detailed in Appendix D of the BLP.

In addition, the AL25 site proforma stipulates that any proposed development will need to address potential risks to groundwater and investigate an appropriate Sustainable Drainage System (SUDS) for the proposals as part of the surface water drainage strategy. The use of infiltration as a potential option for surface water disposal would require a thorough site investigation and risk assessment to demonstrate that the use of infiltration SUDS would not mobilise contaminants which could then pollute groundwater.

By way of a supplementary question, Mark Smith referred to the flooding on Spencer's Farm, which was a huge lake in the middle. If it was built on and those houses got flooded, affecting the neighbours currently there, he asked who should they come back to, to hold responsible?

Councillor Coppinger responded that the site had been tested through the site selection process based on the information on flood risk contained in the WSP sequential and exception test. Further work had been carried out by WSP on AL25 specifically in response to the updated EA flood maps. A note to the Inspector on implications was contained in the report. Based on their study, WSP had provided a suite of recommendations to be included in the flood risk assessment that would be a necessary part of any planning application on site. The proforma for AL25 required the potential risks to groundwater to be addressed at the planning application stage, and the flood risk assessment would also need to demonstrate that the exception test could be passed. If it could not be passed, no building could take place.

w) Caroline Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

Parking and transportation – how will the local area cope with the influx of vehicles from an additional 330 homes – not only resident vehicles, but deliveries – which have increased significantly with people working from home and shopping online, the train bridge already has a weight limit – how will we manage congestion around the Cookham road?

Written response: *The evidence for the local plan was prepared in line with appropriate guidance, including in terms of assessing the impact of the proposed spatial strategy on transport and local infrastructure. The assessment considered a reasonable worst case for traffic generation which did not take make allowance for the additional investment in sustainable transport expected to come forward because of development and our wider transport strategies.*

The strategic transport assessment identified a series of junctions that may require improvement as a result of the overall development coming forward in the plan. At this stage, no improvements were identified along Cookham Road. As the local transport authority, we will keep this under review to ensure changing transport trends such as online shopping and delivery are not affecting these conclusions. We will continue to assess the need for improvements across the transport network, in line with our corporate plan actions and targets.

This matter and other related to the transport evidence base were discussed extensively at the Examination hearings in late 2020 and given due consideration by the Inspector. The Inspector's Report quite correctly concludes that the approach is robust at a strategic level and that the impacts cannot be considered as severe.

The Development Management process will provide further opportunity for modelling and assessment of highways impacts and secure mitigation relating to more detailed proposals at the planning application stage.

The site proforma requires the development to come forward with a robust travel plan for the residential development and school to reduce car trips from the site.

Caroline Lester expressed concern about the number of councillors involved in the Joint Venture which she felt was a conflict of interest. By way of a supplementary question she asked, in relation to local infrastructure how the borough would be able to cope with the vast amount of properties to be built, particularly given the ageing population. There was no emergency care in Maidenhead; for A&E residents needed to go to Slough and the walk-in centres were in Henley. She asked how would the borough cope with an influx of people.

Councillor Carroll responded that the NHS was responsible for all future plans for health services. In terms of their consideration of the BLP, they were already looking at future plans but to take these forward a BLP needed to be in place. Subject to the decision taken at the meeting, the NHS would come forward with plans to service the local population. The same would be the case for education which the local authority had a direct hand in. The council was therefore required to work with the Department for Education and Department for Health and Social Care to ensure necessary provision of services in line with population demand.

x) Caroline Lester of Furze Platt ward asked the following question of Councillor Coppinger, Cabinet Member for Planning, Environmental Services and Maidenhead:

What plans are in place to mitigate the effects on the local infrastructure – 330 additional homes (some 600-800 + residents) will put a huge strain on our local infrastructure – Doctors surgeries, dentistry etc which already have waiting lists.

Written response: As set out in our corporate plan, delivering quality infrastructure is a priority for the Council. As part of the Borough Local Plan process, an Infrastructure Delivery Plan was prepared which assesses the impact on local infrastructure because of the local plan growth to identify where additional capacity in the school, healthcare and other systems may be required. This allows us to plan future investment in partnership with teams across the council and the NHS to ensure this capacity is in place when it is needed.

This is a document that is kept under review and will be regularly updated over the life of the Borough Local Plan to ensure it represents the current infrastructure needs of the borough and its communities.

By way of a supplementary question, Caroline Lester commented that there was a vast amount of empty properties and commercial properties that were empty. She asked why they could not be invested in rather than building on the green belt?

Councillor Coppinger responded that there were many requirements when the borough was developed, one of which was employment. There were a number of sites that were not being fully utilised that were for commercial purposes. The borough needed to attract new companies to provide jobs. It was therefore not possible to take valuable employment space, even if currently empty, to be used for residential development. If houses were unoccupied he agreed the council needed to understand why this was the case. However this would still not meet the housing need going forward. There was no choice but to use the site in the BLP.

The meeting adjourned for five minutes; it restarted at 8.17pm.

62. BOROUGH LOCAL PLAN - ADOPTION

Members considered adoption of the Borough Local Plan.

Tina Quadrino, lead petitioner, addressed the meeting in relation to the following petition:

We the undersigned petition the Royal Borough of Windsor & Maidenhead to stop all plans to build on Maidenhead Golf Course, by rejecting the Borough Local Plan when it comes to Full Council for adoption.

Tina Quadrino explained that the petition asked the elected representatives of the Royal Borough of Windsor and Maidenhead to reject the Borough Local Plan because, mainly, it included the biggest jewel in Maidenhead's crown, the golf course.

She wondered how many councillors had ever visited the golf course. If they had visited it, she did not know how they could possibly vote to destroy the wonderful space. The advantages of keeping the space green were outlined at the last petition. The rationale for not developing it had only become stronger in the intervening period and many voices had been telling the council about it time and time again.

A year ago all of the Conservative councillors present at the Extraordinary Council meeting voted against keeping it as green space. Therefore she asked Councillors Andrew Johnson, David Coppinger, Ross McWilliams, Phil Haseler, Donna Stimpson, Maureen Hunt, Greg Jones, Chris Targowski, Leo Walters, Gurpreet Bhangra, Stuart Carroll, Gerry Clark, Sayonara Luxton, Gary Muir, Julian Sharpe, Shamsul Shelim, John Story, Christine Bateson, John Bowden, David Cannon and David Hilton whether this would be a repeat performance. She could only assume that they had all been charged by their political leaders to vote to adopt the Borough Local Plan. Ms. Quadrino wanted to remind all councillors, no matter what their political persuasion, that they were the representatives of the residents of the borough. Maidenhead had said 'No' to the wanton destruction of the green lung, the execution of the wildlife that would become roadkill, further annihilation of biodiversity, the disruption, the noise

and the horror that would be the situation for many years if the current plan was adopted, the planned flats and apartment blocks that were so dense that they would make the 'Prison Block' look like child's Lego, the increased pollution and the further deterioration of air quality and the additional traffic that adding this amount of development would inevitably bring.

The land was purchased by the council in 1953 to protect the open space for the people of Maidenhead. The council had no right or mandate from the residents to do anything else. Others had talked about all the many other areas of the plan that were simply not fit for purpose. The development was only sustainable to developers' wallets and not to the environment. They had pointed out all the flaws in the plan and how due process had not been followed by the administration.

Tina Quadrino stated that it was probably the most important decision the councillors would make for the community. It was about what would be left for future generations and it was much bigger than any other single issue. Looking at the budget papers for the Cabinet meeting it could be seen that the decision was going to impact the residents and the environment for the next 15 years.

Tina Quadrino appealed to councillors' integrity. She asked if they were less than Mayor Stutchbury who had saved the land for the community many years previously. She asked what would their legacy be to the town and how would they be remembered in 60 years' time, for yet another unimaginative barren housing estate or for the Maidenhead Great Park that allowed the environment and thus the community to survive and to thrive?

Ms. Quadrino concluded that she knew the plan had been a long time in the making but times had changed, and so must the plan. She asked Councillors to not vote to adopt the BLP.

Councillor Baldwin raised a Point of Order in relation to the Local Authority (Functions and Responsibilities) (England) Regulations 2000 and Part 3B2 in the council constitution which dealt with the development of the policy framework. Councillor Baldwin explained that a number of Members had been in correspondence with the Monitoring Officer on whether the item had been brought forward appropriately. He still contended that the correct procedure had not been followed. Any procedural impropriety could lead to reputational harm and an increased risk of legal challenge. To ensure that all Members were aware of the concerns he proposed a Motion without Notice under Part 2C13d of the constitution:

It is proposed that Council refer the report 'Borough Local Plan – Adoption' to Cabinet to seek formal recommendation as a pre-requisite to it being referred back to Council for final decision.

The Monitoring Officer explained that the Point of Order was raised in relation to the council's legal duties. The council was under a duty to adopt the BLP with Main Modifications in accordance with the Planning and Compulsory Purchase Act 2004. The legislation specified that where the council adopted a local plan it was a Council function, not a Cabinet function, therefore the proposed motion could not lawfully be made. It was only Council that could make the decision on the adoption of the local plan. This was the position of both the Monitoring Officer and the Counsel who had advised on the BLP.

Councillor W. Da Costa asked in relation to comments by Paul Strzelecki if it was valid to take a vote if something presented to Members was not legal. The Managing Director commented that all Members had been in a position to hear the public questions and answers. It was up to Members how they dealt with those issues in terms of the debate and how they voted, but it was not a reason to stop the debate.

Councillor Coppinger explained that he had taken on responsibility for planning with the express brief to move the BLP forward as quickly as possible and even with that brief it had taken nearly four years, but this was the final stage. It was the most important paper he had ever brought to Council. It was not just the vision for development in the Royal Borough. It included many new and revised policies that complemented it. It defined how many dwellings were needed and where they should go. However it was not so much about buildings but about homes for families; it was about making sure within the mix there were enough family homes and most importantly, affordable ones.

It was not a detailed blueprint for every development and much work would still need to be done especially on the infrastructure that they would need, and this would of course be covered in the detailed planning applications. It introduced Stakeholder Master Plans where developers worked with local people to understand their needs and wishes before a planning application was made.

The old plan which was produced in 1999 was now very much out of date and should have been replaced many years ago. Councillor Coppinger felt it was important to understand the process and what work and consultation had gone into every stage. A highly-competent Inspector, Louise Phillips, had been appointed by the Planning Inspectorate to examine the plan and hear the representations that would be made by objectors, supporters, developers and their agents.

One of the first stages was to appoint a Programme Officer. This was a very special role in that, although paid by the council, they were independent and sat between the council, all other parties, and the Inspector. Other than at the hearings no one had spoken directly to the Inspector so no influence could be placed on the Inspector.

Consultation with residents and other interested parties had been key in the process. Every resident had had the opportunity to read all the proposals as well as of course the Parish and Town Councils. There had been two hearings in public, the first was before Covid which was held at the Town Hall and the second remotely. After the first hearing the Inspector asked the council to make several changes or 'Major Modifications'. These changes were then examined at the second hearing. To reach the final stage had taken some 9 years.

If the Plan was not passed, there were two possibilities. Firstly, given that there had not effectively been a plan for some years and housing performance although improving was below what it should be, it was likely that the council would be instructed to adopt, as had happened elsewhere in the country for example in South Oxfordshire.

The second option was far worse. Every developer that had had their proposals rejected would submit a planning application and even though the council would likely refuse, experience showed that on appeal an Inspector would agree to them because the housing need outweighed everything else. Every ward had a long list of sites that had been rejected, many in the Green Belt.

The Inspector had said that the 2018 based household projections were based on too short a period and were not representative and therefore there was no justification for lowering the housing numbers. Councillor Coppinger was also glad that she had also

said that numbers should not be increased to meet the needs of Slough. However she clearly stated that if the plan was withdrawn then the council would have to use a figure of 754 houses per annum instead of the 712 in the plan.

The council was proposing most brownfield sites, but they had one big drawback. They were expensive to develop so only suitable for flats and apartments and what was needed was affordable family homes.

The borough was 83% green belt. The golf club was not currently available to the public except for one footpath. The Inspector had said: 'Set against the limited harm to the Green Belt, the analysis demonstrates that the site would make a substantial contribution to delivering the Borough's housing need in a location consistent with the spatial strategy without reducing public access to open space or significantly eroding the character of the locality.' Councillor Coppinger confirmed that the previous week, the council had exchanged contracts on a lease surrender agreement with the golf club.

Adoption of the Borough Local Plan had to be a significant milestone in helping to improve housing affordability across tenures and housing types which was really needed if the borough was to remain sustainable into the future.

Councillor Coppinger asked those that opposed the use of the golf club, given that the Inspector had agreed the housing requirement and given that all knew family homes were needed especially affordable ones, where were they going to be built? There were no brown field sites, so it had to be green belt. He asked where were there green belt sites that were within walking distance of a station and near a town, especially a town that was being reborn with many new exciting shops coming.

Councillor Johnson seconded the proposal. He stated that planning in England was based upon a plan-led system and had been since the Town and Country Planning Act of 1947. Of course, there had been numerous changes of national policy since then and every government had a penchant to change planning, however one central premise had remained. Namely that all Local Planning Authorities must have in place an up-to-date local plan. In fact, the Secretary of State Michael Gove had reaffirmed that commitment in the recent Levelling Up White Paper, including the clear expectation that every council should have a plan in place by late 2023. The Royal Borough did not have one. Therefore, it needed a plan in place as quickly as possible, not only to provide a structured approach to development, but also to prevent speculative development and a developers' free for all across the Royal Borough.

Thankfully such a plan was before Members. A plan, which may have taken a while to produce, but had been through a period of rigorous examination in public and found to be sound by an independent planning inspector. It was not only sound but, subject to the inclusion of the main modifications, had been assessed in strongly positive terms. The Inspector had endorsed the fundamental approach to sustainable growth, the housing numbers, strategic site locations, employment designations and the broad approach to shaping the borough over the next 11 years.

Much focus has been on housing and housing numbers, but it was also about creating jobs, promoting opportunity, creating homeownership routes, planning for infrastructure and so much more. It was a clear and purposeful statement of intent ready to be supported by the necessary SDPs and masterplans. It was the beginning, not the end of the process.

However, he was aware that it had elicited a range of responses. The inclusion of the golf course as part of the wider AL13 allocation, along with other sites including the Harvest Hill Property Company site for 200 homes had proven to be the most emotive. There had been much information and misinformation in relation to this. However, he highlighted that the fundamentals of the deal were locked a long time ago. When he had become Leader, the BLP was subject to examination in public, there was a deal in place with the golf club and a CALA Joint Venture Board already established. He sat on that body in his role as Lead Member for Property under the public-private partnership concept championed by all political parties. The deal was already done, the process had now been concluded. The Inspector considered it to be a sound and sensible allocation given its proximity to the station that would deliver a new school and health facilities, affordable housing and public open space. The alternatives were not potentially palatable.

There was simply not enough brownfield land to accommodate all the housing growth without obliterating employment space. Economic growth was needed as well. To reject the plan outright would be foolish on the back of the positive Inspector's report. The logic would be that it would be imposed on the borough and all control of the planning process would be lost. Councillor Johnson concluded that no plan was ever perfect. However, it represented the best prospect for managed growth.

Councillor Baldwin stated that the previous Tuesday, the Head of Planning had provided Members with a final briefing on the BLP. He thanked officers for the briefing and the significant work undertaken to get to this point in the process. During the presentation at the briefing it had been made clear that while the plan was not perfect, and not to the taste of some individual Members, it deserved to be supported by all. The Head of Planning had commended it as the best possible borough-wide strategy that met the sometimes contradictory demands for house building, commercial development, biodiversity, recreation and the other myriad elements such a plan should encompass. The Head of Planning had stressed that the best balance between competing needs had been struck and, given the many rounds of consultation and modification and the imprimatur of the Inspector, no further amendments could be made. Members could only vote for or against the entire plan.

Councillor Baldwin explained that during the last seven days he had weighed the professional opinion with the opinions of his residents and his own often narrow and parochial views. It had been an uncomfortable and testing process however he had emerged from it firmly of the opinion that he could not support the motion. The document included the allocation of AL27 as a green infrastructure site providing a pocket park, a habitat area and flood attenuation. Nowhere was there mention of 1.3 hectares of the total being given over to the development of 80 residential units. Yet this was a very real and imminent danger following the decision of the Maidenhead Development Management Committee on 17 November 2021. The decision had been against the advice of the same officers, following a motion proposed by one member of the Executive and seconded by another, with a Chairman's casting vote. Councillor Baldwin commented that the Lead Member for Housing supporting building houses rather than developing parks might on the face of it may seem fair enough. However it begged the question what about the Lead Member for parks and countryside. In committee and private Cabinet Councillor Baldwin felt it was manifestly obvious that the Lead Member was neither seen nor heard. Some residents and members of the opposition had seen the situation coming. The fight to respect the BLP and its commitment to Dearswood Meadow would continue. Many had written to the

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Secretary of State and welcomed his recent intervention forbidding the council from issuing a decision notice and hoped he would call the matter in for his own determination.

Councillor Baldwin commented that Members were therefore being asked to approve a document that had already been tampered with and altered. Its delicate balance of competing needs had been shattered. In good conscience he could not do that.

Councillor Baldwin proposed the motion to which he had earlier referred:

It is proposed that Council refer the report 'Borough Local Plan – Adoption' to Cabinet to seek formal recommendation as a pre-requisite to it being referred back to Council for final decision.

The Monitoring Officer stated that the Council that would make the decision to adopt the BLP, not the Cabinet, therefore it was not a valid motion and was ultra vires. It was acknowledged that there were councils that took their plans straight to council and there were some that went via Cabinet.

Councillor Baldwin explained that the motion was not asking for the plan to be referred to Cabinet for their approval. However, implicit in accepting the plan was revoking the existing plans. Under Regulation 441a of the Local Authority (Functions and Responsibilities) (England) Regulations 2000 the revocation of existing plans the responsibility of the Executive. It was not possible to have an unrevoked plan running alongside a newly adopted one.

The Monitoring Officer responded that this had been the subject of ongoing correspondence and was not a correct understanding of the position.

Councillor Baldwin moved under Part 2C 13r to ask the council to vote on the Mayor's ruling under Part 2C27. The motion was seconded by Councillor Werner.

Members voted on whether to challenge the Mayor's ruling not to accept Councillor Baldwin's motion to refer the item to Cabinet.

14 Councillors voted for the motion; 22 Councillors voted against the motion; 3 Councillors abstained. The motion fell and Members returned to debating the original motion.

Motion without notice - Ruling of the Mayor (Motion)	
Councillor John Story	Against
Councillor Gary Muir	Against
Councillor John Baldwin	For
Councillor Clive Baskerville	For
Councillor Christine Bateson	Against
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	For
Councillor John Bowden	Against
Councillor Mandy Brar	For
Councillor David Cannon	Against
Councillor Stuart Carroll	Against
Councillor Gerry Clark	Against
Councillor David Coppinger	Against

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Councillor Carole Da Costa	For
Councillor Wisdom Da Costa	For
Councillor Jon Davey	Abstain
Councillor Karen Davies	For
Councillor Phil Haseler	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Maureen Hunt	Against
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against
Councillor Lynne Jones	Abstain
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	Against
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	For
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	For
Councillor Donna Stimson	Against
Councillor Chris Targowski	Against
Councillor Helen Taylor	Abstain
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

Councillor Davey stated that the Willows were weeping over the BLP 2022. The Borough Local Plan was a document that looked to address the fictitious needs of a government who had shown time and time again that they could not be trusted to have the best interests of the public at heart. They were more interested in the needs of pension companies, bankers and housing developers.

The BLP said over 14,000 new homes were needed in 2012. Councillor Davey questioned whether this was still the case in 2022. COVID had changed the landscape. Home buyers wanted gardens and plenty of fresh air. It was not possible to expect people to wear masks for two years and still want to breathe the same air as hundreds of others in tower blocks.

Councillor Davey thanked Bray Parish Council for commissioning their Air Quality Appraisal detailing readings near the proposed AL21 development, which were already over three times the WHO guideline levels before hundreds of extra cars were factored in. He questioned what weight the AQA would carry at planning.

Councillor Davey had heard stories of young people who had bought shared ownership flats having to drop 10% off the current list price in order to sell because new flats were still available. This told him there was something very wrong with the property market in 2022. He recalled seeing new home figures during the BLP process quoting half the 2012 estimates. The game had changed, life had changed, and so should the BLP.

Councillor Davey reminded Members that West Windsor used to have two garden centres which the residents loved to frequent. A flyer posted by ex-Conservative Councillors misled residents saying 'They (the garden centres) will remain untouched by the BLP'. The garden centres were sadly long gone. AL21 in the BLP was over 68 acres of land around what used to be Wyeveales and was earmarked for 450 homes and a SEND School. Local councillors were in regular contact with Wates, the developer, to optimise any CIL or Section 106 monies should it be approved.

Much had been made of Maidenhead Golf Course being under threat as a result of the BLP. What many would not know was that The Willows Estate, on the edge of Windsor, was a valuable heritage asset dating back to the 1800s, was also under threat. The problem was that some of its heritage walls bordered AL21 and it was likely Wates' application would swallow up these heritage walls as part of the development. The Willows Estate was listed as a Non-designated Heritage Asset (NDHA), and therefore legally entitled to protection from developers. Councillor Davey felt it should be showcased as part of the borough's heritage, not hidden or destroyed. There was an easy solution to the problem as there were orchards and allotments planned as part of the AL21 development, and some of these could easily be located alongside the heritage walls. The walls would consequently be left undisturbed with their heritage value remaining visible for all to see and celebrate. Councillors could help to facilitate this. Councillor Davey believed, following pressure from local residents that Adam Afriyie, Windsor MP, had written to the council sharing his concerns.

It was important to ensure boundaries were respected where the council had influence. Respecting local heritage assets, green belt and environmental protection needed enforcement teeth backed up by RBWM's legal team. Councillor Davey asked the Conservatives to stop playing the government's out of date property game. Developers argued green fields were much easier to build on than brown fields. He would argue virtual fields did not need anyone to get their hands dirty. If all people wanted to do was make money, then Councillor Davey suggested they should go and play crypto finance, the new stock market, as it had little or no impact on the lives of real people unlike the inflated house building numbers the government demanded of RBWM. Councillor Davey concluded that he looked forward to a fresh and more positive approach for the next BLP which would put the residents first.

Councillor Del Campo commented that she was sorry that she was not able to be present to vote on an issue that had such impact on residents. She thanked Furze Platt residents for attending and showing their strength of feeling. Over the last few years she had heard a number of issues that deserved further scrutiny. The first was the notion that RBWM had fully engaged with residents in the consultation process, allowing them to shape the plan. She had asked officers for specific examples. She had been told that some themes had been introduced around placemaking, sustainability and climate change as well as accessibility. These were all things that should have been there by default in her opinion. Biodiversity policy NR2 had been strengthened; again she felt this should have been done already. Other than things that should have been done already, one site was removed because it conflicted with a Neighbourhood Plan and the Ascot proforma was amended to reference a village square. Councillor Del Campo questioned how different the BLP would have been without the many thousands of hours residents had put in. Nobody really knew however she was certain the plan would have been in better shape if the council had really listened to residents. Instead, consultation seemed to be telling them that the housing numbers could not be changed, the flooding issues would sort themselves out

somehow, the council must build on the green belt and best of all, the plan was not great but the council had to implement it or something worse would happen.

Councillor Del Campo highlighted the term 'affordable housing' that was often used. She hoped all shared her loathing of the viability clause which allowed developers to shirk their responsibilities. Its very existence helped to put up land prices. It was this clause that allowed the amount of affordable housing on the Magnet site to be reduced from 40% to 20%. This was the reason building in the green belt was promoted, except for when it was also in a flood zone of course. She had found out the day before that if the EA revised flood maps had been available earlier, Spencer's Farm would likely have been removed from the site allocations. This was a bitter pill for residents to swallow and surely raised concerns that the necessary mitigations would have an impact on viability and therefore the deliverability of affordable housing there as well.

The most fundamental issue was that even with a subsidy, housing for sale in the borough was very expensive. She doubted that the subsidy got new people onto the ladder. Those wishing to buy for the first time would generally pay as much as they could afford. Therefore Shared Ownership was just pushing up house prices by the value of the subsidy and then putting money into the pockets of developers. It was time to stop using the catch all of 'affordable housing' and make a much bigger commitment to affordable and social rent. This would deliver homes people could afford to live in but would also help to cool the housing market. Councillor Del Campo feared the administration would continue to consult by telling residents what was happening and tear up the green belt to deliver affordable housing that was too expensive for people to buy.

Councillor Reynolds stated that he wanted to touch on some aspects of the BLP that his residents in Furze Platt felt particularly strongly about. If there was any doubt on the strength of feelings about the Spencer's Farm site then the public questions at the meeting had answered that. Many people could recall their minds back to 2009, when a proposal was first unveiled to the public for new housing on the Spencer's Farm site. This was dropped after residents campaigned and the council said it would not support the development. On 16 March 2012, there was an announcement that Furze Platt Senior School would move onto the Spencer's Farm site, with 320 new homes at Spencer's Farm, and 380 on the school site. Councillor Reynolds remembered it well as he was a student at Furze Platt at the time the proposals were announced.

This plan was then also abandoned in July that year, having received a 2342 name strong petition, the council made clear it did not support the proposals yet again. Residents were relieved, but many knew this wouldn't be the last time that developers tried to get their hands on Spencer's Farm. Almost 517 weeks later the BLP included 300 new homes and a school on Spencer's Farm. Residents' arguments against the development of the site now were largely the same as they were the previous two times they had fought against the development.

Councillor Reynold listed the arguments:

- The site was in the greenbelt.
- The flooding all knew happened up and down the site
- The traffic 300 new homes would bring to a blind turn off a railway bridge

There was one other green belt site that had cornered much attention in recent months. Councillor Reynolds commented that the best chance of stopping the complete devastation of the green lung that was the golf course was the vote that evening. Green belt development was one of the most important topics that was being discussed both locally and nationally. The Prime Minister had said recently 'We're not going to build on greenbelt sites.' However the administration had decided not to build on greenbelt sites; instead they would take the sites out of the green belt. Councillor Reynolds felt this was not in the spirit of what was meant.

Members had been told that no development would be allowed to make flooding problems that existing homes faced any worse. This was fantastic to hear, but when one resident asked at a public consultation, 'what happens if it does?' the developers looked confused and had shrugged. This was not the most comforting of acknowledgements for residents. Councillor Reynolds was not very convinced that the answers given at the meeting had done much to settle those concerns.

Members had been told that traffic surveys had concluded that the addition of 300 new homes, leading to around 500 new cars, and a new primary school, was not going to cause any more traffic problems, because there was not an issue with traffic in the area. Councillor Reynolds suggested telling that to anybody who did the school run to one of the local schools, the residents who lived nearby, the highways officer he had met many times in Furze Platt talking about the problems, or the bin men who could not get around the Aldebury Estate due to cars on the school run. Councillor Reynolds concluded that the people of Furze Platt, and Aldebury Road in particular, had fought off the development twice before. On both occasions they had had their concerns backed up by the council saying it would not support building on this site. It now seemed the council no longer had their backs on the issue. Councillor Reynolds concluded that development on the site was as inappropriate in 2022 as it had been in 2012 and 2009 and should not go ahead.

Councillor Brar commented that this was the biggest council decision in 23 years. The borough had failed residents on the requirements of competency, transparency, respect, and responsibility for the environment with citizens first as the plan was already out of date and 9 years overdue. The latest objectively assessed need showed growth of only 1800 more residents per year for the next 20 years. The excuse that the council was told what to build was not good enough. Members should not be puppets, they were there to represent residents and the environment. The plan's only commitment to climate change was to take material consideration in planning yet the council had declared a climate emergency. Councillor Brar questioned why the relevant SPD had been avoided.

Councillor Brar commended the public and organisations such as parish councils for their dedication to support but critique the plan process. At Council in May 2020 she had asked Councillor Coppinger to meet with Cookham residents to explain the detailed traffic analysis. Councillor Coppinger had refused saying the plan was done and in the hands of the Inspector. Councillor Brar commented that was not true as evidence could be submitted at any time. It was not the Inspector's plan but the borough's.

Councillor Brar explained that she represented the residents of Cookham. The plan would increase the number of residents in Cookham Rise where she lived by 17%. This would have the same relative impact as the golf course site would have on

Maidenhead. The Spencer's Farm site would impact on Cookham as it would affect one of the most strategic routes in the borough and there were no infrastructure or traffic mitigation proposals. Building on green belt would initiate creeping development which had already been witnessed. The green belt should be protected, not consumed. Ensuing traffic gridlock was not sustainable in anyone's eyes. Councillor Brar also highlighted a development of 650 homes just over the bridge at Hollands Farm; from what was heard earlier there had not been the required co-operation with Wycombe Council. In relation to traffic modelling, she highlighted that this showed a 200% slowing of traffic adjacent to the golf course when built. It appeared that the Inspector had been lulled into thinking that the impacts would not be severe or frustrating for the residents of Cookham. If the plan was adopted, the residents of Cookham would rise on any development that affected sustainability.

Councillor Knowles commented that a number of the Executive members had announced they were on Joint Venture Boards but these did not seem to be listed on their register of interests or under any other council appointment. Councillor Knowles referred to the Equality Impact Assessment (EQIA) included in the report. An EQIA was meant to assess the impact of plans on residents with protected characteristics. The EQIA as drafted did not do that. The BLP was wider than just housing and the EQIA only considered the impact on housing issues. Councillor Knowles felt that without the information it would not be possible to approve the BLP. In relation to the monitoring and implementation section, no SMART measures were included. The Leader of the Council had said it was a flawed plan. People had been asked to accept something that was not perfect. He was not happy to settle for second best.

Councillor Knowles commented that there was sometimes an incorrect perception of members of the Executive. For example, he was aware that Councillor McWilliams really did care about the provision affordable housing; Councillor Hilton cared about heritage and planning regulation; Councillor Haseler cared about the green belt; Councillor Walters had a long history of fighting to preserve the green belt; and Councillor Stimson had a concern for the environment. All understood that some sort of plan was needed but he did not feel that a flawed plan could be supported.

Councillor Johnson requested a Personal Explanation. He stated that the phrase he had used was 'Is this plan perfect, no of course it is not, no plan ever is'. He had not explicitly said it was flawed; he had said there was room for improvement. This reflected the question Sarah Bowden had asked about comments he had made in 2019. The plan had been submitted in 2017 in a very different context. The Climate Emergency had not yet been declared and national policy was not as advanced on the issue. He had acknowledged there was work to do to bring the plan up to what would now be expected in relation to climate change. It was not flawed but it needed to be modified going forward.

Councillor Bond highlighted that the largest portion of development in the plan was in Maidenhead, particularly in the town centre and about 2,500 homes on and around the golf course. The town centre mostly had planning permission already therefore he would focus on the golf course site. The question for him was whether Maidenhead needed so many new homes. It was not simply black and white, there were some positives including provision of affordable housing and balancing flats elsewhere with houses with gardens on the golf course. The whole plan was based on the Objectively Assessed Housing Need which was covered in a document called the Strategic

Housing Market Assessment (SHMA) and a letter from the council to the government inspector of August 2020.

The SHMA had come up with the need for 712 dwellings per annum from a 2012 housing projection. There had been a lot of change in the country's population demographics since then. In 2012 what was called the fertility rate was just below the replacement rate (1.9 children per woman against 2.1), it had subsequently declined and had now settled around 1.75 so fewer births. Up to 2012, in every five year period average life expectancy improved by a year. 2012 was a tipping point and improving life expectancy started to tail off, indeed before 2020 in some parts of the country it was actually declining. Looking ahead, the latest projection was that population growth was expected to slow dramatically in the rest of the decade.

The 2020 letter previously mentioned gave various arguments as to why the plan should stick with the ten year old demographic data, arguments which Councillor Bond granted the Inspector had accepted. However in the light of significantly changing population demographics, he did not find them sufficiently convincing to justify building on the whole of the golf course site. To Councillor Bond it was a simple equation: lower population growth equalled less need for quite so many new houses. This appeared to have struck a chord with public opinion. There was a growing consensus that building on the whole of the golf course was going too far.

In relation to St Marks Hospital in Belmont ward which he represented, Councillor Bond was glad to see the Inspector had recognised the lower capacity for housing as there was a place of worship in the middle. He acknowledged that St Marks was not a greenfield site. He would have very much liked to have seen the plan for medical services on the site before or at the same time as the land was made available for development. There was already a concern about services among the public. He appreciated some of the challenges facing the NHS; from direct experience he knew the frustration of waiting for a non-urgent operation or procedure that could be life-changing, waiting for months that turned into years. There were so many pressures on the NHS including waiting lists and in Maidenhead improving St Marks Hospital. No plan had been published for future services to enable him to read and make his own judgement, all that was known was that some of the land was available for development.

Councillor L. Jones commented that it had taken a long time to get to this point. Whilst recognising the efforts of the many planning officers involved in the process, Councillor Jones also thanked all those residents, individually and as members of Parish Councils, and other community groups, who had tried to contribute so much throughout the consultation process and enabled the BLP Submission Version dated 2017, which the Inspector said had deficiencies in respect of soundness, to be developed and improved into the adoption version before Members, which was sound and legally compliant. However just because the BLP was technically sound did not mean that it was a good plan for the borough.

The Covid pandemic had changed working patterns with multinational companies moving towards home working and a reduction in office space, resulting in a requirement for extra facilities and space in housing. Some residents were questioning the housing numbers and, after seeing the multitude of flats built over the last two years and the proposed developments in the BLP, were asking whether the plan was really building for the future need and whether they would ever be affordable for the

average younger person. Some residents were disappointed that the plan did not seem to echo the vision in the council's Climate Strategy. They were worried about pollution, the removal of large areas of trees and wildlife and the lack of acknowledgement that the borough did not have the public transport infrastructure to support a move away from motor vehicles.

Councillor Jones' concern was that the Borough Plan as a working document was not yet complete. There were number of Supplementary Planning Documents that were referenced throughout the plan. These were the 'nuts and bolts' that determined the criteria for development but they were not yet in existence:

- Building Height and Tall buildings
- South West Maidenhead masterplan
- Parking
- Sustainability and Climate change
- The placemaking SPD's for Ascot and Maidenhead Town Centres.

These documents could take months to go through the adoption process and would only start to be given weight at consultation stage. Councillor Jones suggested harnessing the input from the parish councils and neighbourhood plan groups from the first draft of the SPDs as they had knowledge on the ground.

Councillor Jones questioned what document Members would be referring to while the SPDs were produced, how would the council control parking provision in the borough, how would it control the height of buildings, how could it ensure infrastructure delivery, controlling traffic movements at pollution hotspots, and what impact would not having the SPDs have on the developments coming forward.

Councillor Jones was aware that the Environment Agency's September 2021 response to the consultation on the most main modifications indicated they still had reservations regarding the flood risk of some sites and questioned the ability to deliver without a 'Green and Blue infrastructure' SPD and that this was a real priority in their eyes. The EA had even said it was not sound because of this.

Councillor Jones concluded by asking if Members were being asked to vote for an incomplete plan. She had already raised the question of what impact the lack of SPDs would have. She questioned if Members should be voting for a plan where the EQIA only assessed the impact of the housing on residents and not the changes to the infrastructure, the environment, the economy or the town centres.

Councillor Werner commented that if Members did not listen to residents, they were failing in their role. Biodiversity and sustainability were the elephants in the room, barely mentioned in the BLP. Instead there was destruction of chunks of the green belt. Councillor Werner asked what the point was of declaring a Climate Emergency if it was then to be ignored. The BLP would not provide truly affordable housing which showed how out of touch some Members were. Even if affordable housing was to be built, the viability argument meant it was not delivered in the end. Members had heard that if the new flood maps had been produced, some sites would not be included in the allocations. Some councillors and residents had been warning of this for years but had been ignored. Building in town centres and villages would simply increase the levels of air pollution.

Councillor Werner commented that he felt the BLP was about money. Council debt had rocketed up to £215m which was coincidentally similar to the amount that would be raised by the sale of the golf course. If residents had been listened to, the council would not now have a flawed plan.

Councillor Davies commented that in relation to the BLP the promises were always 'jam tomorrow': affordable family homes tomorrow, sustainable developments tomorrow, net biodiversity gain tomorrow, active travel infrastructure tomorrow. The message was 'don't look at the developments we've already approved, the golf course and the greenbelt to the west of Windsor are going to be different'.

Meanwhile, development after development had been approved for overly-tall buildings full of small flats that had no meaningful sustainability features and still were not affordable. Councillor Davies felt immensely sad that the borough had missed a once in a generation opportunity to create an amazing Maidenhead civic quarter, with human-scale spaces, sustainable homes and dedicated and joined up cycle lanes. fellow Windsor councillors had already spoken about the concerns they had for the development still to come to the town.

Councillor Davies had heard the arguments that were made for approving the BLP, so many years in the making and so much time and money spent. However so much had changed in the intervening period, notably the understanding of the urgency of the climate emergency, and there were still no guarantees as to what flavour of jam would be given 'tomorrow'. Nine Supplementary Planning Documents were referred to in the BLP that had not yet been adopted and there were no timetables for their adoption. There were particular concerns about how the green and blue infrastructure policy (QP2) could work without the Supplementary Planning Document in place. In the meantime, there was a policy vacuum and there were still no guarantees for the future.

Councillor Tisi explained that she would focus her comments on the AL21 site to the west of Windsor as they reflected the concerns of residents in her ward of Clewer East and the neighbouring west Windsor wards and the correspondence she had received from residents. Local resident groups had long questioned the suitability of AL21 for a housing development due to the impact on traffic on the A308 and surrounding roads and whether the site was in a sustainable location.

The previous day the *Guardian* newspaper reported that the group Transport for New Homes had visited new housing developments and found that greenfield sites were often too far from shops and amenities, without public transport, cycling links or sometimes even pavements. They found that although developers, local policy and even the NPPF spoke favourably about promoting cycling and walking, in reality there was an absence of infrastructure provided and developments were often built to rely on the car. Councillor Tisi questioned whether AL21 would suffer the same fate. She worried that despite best intentions, safe walking and cycling routes would be slow to emerge, leaving residents dependent on their cars. Given that the council still did not have a local cycling and walking infrastructure plan in place and was spectacularly unsuccessful when bidding for active travel funding, she feared that the car would remain king in West Windsor for years to come with devastating consequences.

Furthermore, Bray Parish Council's recent Interim Air Quality Report made for alarming reading. They had expanded the area of air quality monitoring far beyond the limited Bray Air quality management area that RBWM measured. The Bray 2 monitoring site on Dedworth Road at Oakley Green was of particular importance as it

was situated so close to the proposed AL21 site. The mean annual nitrogen dioxide levels measured here already exceeded the WHO's air quality guidelines for health by three times. Adding more cars to the roads in this area, on top of all the other recent development along the A308 was not just going to be an inconvenience, it was a health hazard. Councillor Tisi urged the council to expand their air quality monitoring areas and measure for particulates to truly understand the impact of this green belt development.

A final plea on behalf of residents of the Willows was to ask that consideration be given to preserving the distinctive estate walls of the historic Willows estate that could be lost in the development of AL21. Listening to residents' concerns on these kinds of local issues did not negate the loss of green belt and the associated issues, but it might go some way to regain the trust that had been lost. From what she had heard, it was clear that the Conservatives were determined to approve the BLP. There was a sense of inevitability that the green belt land West of Windsor would be developed. Councillor Tisi commented that how many of these houses would truly be affordable for the people of West Windsor, remained to be seen but she would continue to advocate for residents on this and would not be supporting the out-dated and destructive plan.

Councillor Hilton explained that the earliest agenda he had found for the cross-party Local Plan Working Group set up to consider the BLP dated back to January 2012; the Plan before Members had been 10 years in the making. Members would either adopt the Borough Local Plan or discard the valuable work done over that extended period. It was instructive to consider the previously submitted plan that went to Public Examination in 2007. At that time housing numbers were a relatively modest 356 dwellings a year but, housing land supply had always been an issue and that plan was found unsound because it failed to release green belt. The Inspector said that green belt should be released, preferably adjacent to Maidenhead so that future development would be close to the greatest concentration of community facilities in the borough. It was no great surprise that the 2013-2033 BLP followed that Inspector's logic.

The Local Plan Working Group that met regularly from 2012 also considered green belt release and discussed the borough's aging population and the decline in working age residents. The Group accepted the council's responsibility to ensure the economic vibrancy of the borough. It recognised the need for more homes to allow younger people to live and work in the borough in order to maintain economic viability. To create certainty that these homes would be built, the Working Group took the view that a modest release of green belt was essential.

For more than a decade there had been pressure on the green belt and the council should be pleased that the proposed BLP met in full the objectively assessed need for Housing and Employment by giving up just 1% of green belt. Although Councillors were required to consider the impact of the BLP on the whole of the borough, there was a tendency to be a little parochial and consider the area one represented. As Councillor for Ascot and Sunninghill, Councillor Hilton highlighted that Ascot would do its share of heavy lifting with 1200 homes; 750 of them with new retail and a community building in the centre of Ascot, much of that on green belt land. The remaining 450 homes would be in other Ascot, Sunninghill and Sunningdale locations.

For the Ascot rejuvenation project to come forward in a way that was acceptable to local residents and reflected the impressiveness of Ascot Racecourse, robust planning

policies were needed. As in the case of the South West Maidenhead Strategic Placemaking Area, a Supplementary Planning Document was proposed for Ascot which, together with policies on character and design, climate change, trees and many more, would make that goal achievable.

The Plan was based upon evidence that interested parties and local residents had been able to comment upon and that had also been challenged by the Inspector to a level of detail Councillor Hilton found quite surprising. Reading through the main modifications he had found most to be positive, for example stakeholder masterplans drafted with input from local residents would be required for developments of more than 100 new dwellings. There would be a presumption in favour of retaining industrial and warehousing premises, including premises, suitable for medium, smaller and start-up businesses. The Inspector proposed greater protection of places where people worked, supporting jobs over housing.

Offices within the town centres of Maidenhead, Windsor and Ascot would be safeguarded against being converted to flats, again protecting places where people worked and the viability of these centres.

The Inspector understood the fact that the minimum net density of 30 dwellings per hectare on all housing developments was not always appropriate and it was deleted from housing policy. To reject the plan would be rejecting all the safeguards the Plan offered and become hostage to fortune to developers and the Planning Appeals system. Councillor Hilton concluded that this was a risk no Councillor should consider taking.

Councillor Stimson explained that her reasons for supporting the adoption of the BLP were numerous. Her cabinet role was for the entire borough in relation to Climate Change, Sustainability, Parks and Countryside. As a result of consultation a dedicated policy of SP1 was added to address the impact of climate change. She thanked all the officers and residents who had strengthened this aspect of the plan. The policies included measures such as shading, insulation and ventilation, surface water runoff, storage, green and brown roofs, green walls, provision of shading of amenity areas, buildings and streets and to help to connect habitat, designed with native plants, and adaptable to meet the predicted changed climatic conditions.

Policy QP1 'Sustainability and Placemaking', would ensure that developers provided human scale, walkable environments, and contributed to the green character of the borough through the delivery of generous green infrastructure. To secure multiple biodiversity, recreational, health and well-being and environmental benefits, development proposals would be required under QP2 'Green and Blue infrastructure' to contribute to the maintenance, enhancement, and, where possible, enlargement, of the borough's existing green and blue infrastructure both in terms of quantity and quality.

Development proposals would be expected to pay particular attention to the provision of blue infrastructure in their proposals. This could include, but was not limited to, improving and restoring the quality and quantity of existing natural water features, as well as man-made features and Sustainable Drainage Systems (SuDS).

In relation to NR1 'Managing Flood Risk and Waterways' Councillor Stimson highlighted that significant parts of the borough were in Flood Zones 2 and 3 and therefore could not be built on. The BLP sought to minimise the impact of climate

change and one of the key ways to achieve this was by adapting to climate change through the careful management of flood risk. Conversely, the area may well be faced with water shortages, so planning policy would help in terms of Policy NR2 'Nature Conservation and Biodiversity'.

These policies were complex and different depending on where the development was. Planners needed to have a BLP that had been carefully examined to act as the lens through which to examine each application. There were another 14 policies in the BLP that included nature conservation, biodiversity, renewable energy, and air pollution. Taken as a whole, this is why the council needed to adopt the BLP without delay. The borough would be a more sustainable borough with the BLP than without. Once agreed, the BLP would give the planning department teeth to protect the environment and would free the planning policy team to start working on the much needed SPDs that sat alongside the BLP.

Councillor Bhangra commented that the BLP had been many years in the making and had been found to be sound by the Inspector. As Boyn Hill ward councillors he and Councillor Carroll had made representations on a piece of land that was initially proposed for inclusion as an industrial and business use as its allocation would have been damaging to the local economy. The ward councillors had met with residents both for and against the plan. Most understood the need for the plan was rational. The plan may not be perfect for some Members or residents but if it were not adopted, it would allow for speculative development and a free for all on the green belt which would be damaging in itself.

The meeting adjourned for 15 minutes; restarting at 10.05pm.

Councillor Hill stated that he was supportive of a Borough Local Plan based on rational housing projections that sought to utilise brownfield sites and kept the green belt green. From what he had heard, sadly he could not support the proposed plan. The backdrop was one of hopelessly inflated housing need. The Plan allowed for 15,940 dwellings, 250% of housing need as detailed by the Office of National Statistics in July 2019, that being only 6,382 dwellings. The figure for built or committed to date was 6,955 dwellings.

The Office of National Statistics had published data that showed births at their lowest for 40 years and had said this position would only become exacerbated. On this basis alone Councillor Hill felt the plan was fatally flawed and showed that a dramatic slow-down in the pace of construction was required.

RBWM had declared a Climate Emergency. It made no sense to build on green belt land, particularly 2600 homes on Maidenhead Golf Club and Harvest Hill, destroying two stunning natural habitats. The result would be massive carbon dioxide emissions and chaos on borough roads, during and after construction. The borough would lose the last green lung in Maidenhead, the last major carbon sink, a major water retention zone, pollutant adsorption system and major oxygen factory. This would be replaced with the persistent release of greenhouse gases and pollutants from thousands of car journeys and homes each day.

Bray Parish was an area of poor air quality as detailed in a recent report. Air quality was also poor in Maidenhead on Braywick Road and around the station. Maidenhead Golf Club and Harvest Hill lay between the two. The council was at risk

of creating a massive area of poor air quality running all the way from Maidenhead into Bray, which would be foolhardy in the extreme. Nitrogen dioxide levels recorded in these areas already exceed World Health Organisation guidelines for health. Elevated levels of nitrogen dioxide could cause damage to the human respiratory tract and increase a person's vulnerability to, and the severity of, respiratory infections and asthma. High levels of nitrogen dioxide were also harmful to vegetation, damaging foliage, decreasing growth or reducing crop yields.

Councillor Hill felt the proposal was about money, rather than housing or affordable housing. The Vision Document for the development showed a build density of 80 – 145 dwellings per hectare for up to 80% of the site with building heights of 4 to 7 flats. Councillor Hill therefore felt it was a high-density development optimised for profit. Councillor Hill highlighted the petition signed by 4448 residents and the three protests held outside the Town Hall with hundreds of residents, their children and numerous public speakers. He believed there would be another abuse of power in the chamber with a complete disregard for resident's views, their health, and their children's health. He asked if the Conservative councillors would have the moral courage to vote against the Borough Local Plan or abstain.

Councillor W. Da Costa stated that times had changed and so therefore must the plan. The world was facing global warming, a climate emergency, and biodiversity heading for mass extinctions greater than those experienced since the loss of the dinosaurs. By 2040 the weight of plastics in ocean would be greater than the weight of fish and marine life. This would result in dead oceans, polluted seas, toxins, and microplastics accumulating in the food chain. The council had repeatedly failed to take this seriously including its responsibility to care for the environment. Rather than conservation or enhancement, what was needed was wholesale creation or recreation of habitat including planting hundreds of thousands of trees.

Councillor McWilliams had said the council had declared a climate emergency and he would be bringing forward a housing SPD. However, the SPD would only add granular detail and not create something new. The Corporate Plan would shape the future of the borough but it did not place carbon reduction, climate resilience, biodiversity restoration, plastic pollution at the heart of its agenda. 50% of residents said they wanted this but they had been ignored.

Councillor Johnson had said he wanted to prevent speculative development and a developers' free-for-all. Councillor Stimson had said the BLP would stop irresponsible development. Councillor W. Da Costa suggested that the BLP was a developers' charter as it specified environmentally disastrous development, higher levels of pollution and stipulated irresponsible development. Councillor Coppinger had highlighted the need to build affordable housing including family homes. However Countryside were struggling to sell the flats in Maidenhead due to 2001 parking policy and the change of the Crossrail routing.

The BLP did not specify housing that met the borough's needs. The BLP did not meet the needs of residents. Councillor W. Da Costa suggested perhaps the council could invest some of the millions it spent in emergency housing in social housing, to keep housing stock available for the borough's children and true affordable and sustainable housing.

Councillor Johnson had talked of the need for economic growth. Councillor W. Da Costa agreed, with a focus on developing a green economy that would generate many millions of pounds of revenue each year to the council and new companies in RBWM.

Councillor Johnson had highlighted that the Inspector had endorsed the fundamental approach. Councillor W. Da Costa highlighted the comments of Professor Strzelecki, who had noted clear legal concerns. The Inspector had been misled so the conclusion the Inspector reached was erroneous, which would result in a legal challenge and appeal. Members had not heard from RBWM legal officer, Mr. Beard, on these concerns.

Councillor W. da Costa concluded by highlighting the number of concerns and questions about the BLP, the process RBWM had followed and the Conservative Administration.

Councillor Larcombe stated that he had lived in the same place in the borough for 70 years. He knew the place, the people and the problems, and he had tried to bring them to Members' attention. He had earlier submitted a proposed amendment to the motion which would add additional wording to the recommendation to adopt the BLP:

'accompanied by a declaration that the proposed developments (individually or collectively) will not exacerbate flooding'.

The Monitoring Officer referred Members to paragraph 2.13 and 2.17 in that the council could not adopt the plan unless it did so in accordance with the Inspector's recommendation. This was taking into account the main modifications. It was not permissible to make amendments to the plan; Council did not have the power to make such amendments under legislation. The amendment was therefore not valid.

Councillor Larcombe therefore asked for an assurance that the proposed developments (individually or collectively) would not exacerbate flooding.

Councillor Larcombe commented that in 1992 he had appeared at a planning enquiry into the Jubilee River. He had been beaten into the deck by the barristers questioning his qualifications. In 1995 the minister had approved the scheme. The borough did not put a penny in as the scheme was funded by the then Regional Flood Defence Committee. The scheme was built and opened in 2002. In January 2003 the EA opened the gates at the top end and flooded everything downstream from Datchet to Sunbury and the entire structure fell apart costing £5m, followed by an out of court settlement for substandard design and construction. Flooding had occurred in Datchet in 2003 and 2014. The council had never put any money into the River Thames Scheme despite knowing how much would be needed and they knew in June 2017 that they were not willing or able to contribute. The residents of Datchet, Horton and Wraysbury were not told until July 2020.

Councillor Haseler commented that he understood residents' concerns. He himself had run a campaign between 2016-2020 against a green belt development in Cox Green including representing residents as a Rule 6 party enabling cross-examination. The council was now in the position of making the BLP so inappropriate developments could be rejected. He was concerned that some speakers had dismissed the statutory process the plan had gone through over many years. Due process had been followed including public hearings and consultation. Residents and other parties had been listened to through the process. He was hearing that some people did not want to see development anywhere on green belt, which was an impossible task. The council had a statutory requirement as a Local Planning Authority to have a plan in place. There had been comments that things had changed, which was correct, but amendments had been made to the plan. The Inspector, appointed by the Secretary of State, was

fully qualified. He could guarantee that any plan before Council would never be perfect, nobody would agree with it in its entirety. Councillor Haseler felt that the arguments about a lack of due process and that residents were not listened to were ludicrous. He highlighted that there was no planning application yet for the golf course. The proposals included retaining Rushington Copse, building a school and a doctor's surgery and creating open spaces. There were lots of benefits. With every single planning application there were pros and cons and they would come out in the planning process.

Councillor Taylor commented that all knew the BLP had been in the pipeline for a long time. Things had changed dramatically since work was started on the plan in more ways than one. Covid had changed the way people lived, worked and travelled. It had changed how businesses operated with many not surviving. People had lost their jobs and banks were bringing in stricter rules on mortgages and the pandemic was not yet over. The world had changed, and the council's actions should reflect this.

The council had also declared a climate emergency and this was not overtly reflected in the plan before Members. Councillor Taylor felt it could not when the council was looking at building over hundreds of acres of green land, displacing wildlife such as deer and foxes, cutting down mature trees which provided oxygen and ground stability through their roots, along with increasing the number of cars on borough roads, therefore increasing the pollution for residents. Affordable housing had no true definition which means that it is more often than not, not actually affordable. Until there was a set definition then the council was pandering to a policy which did not mean that much. Residents were seeing more and more housing being built that they simply could not afford, leaving many trapped in private rent or forced to move out of the borough.

Councillor Taylor had looked online to see what kind of prices Cala Homes sold their properties for. The cheapest price for a three-bedroom family home was a staggering £520,000 in Warfield and £599,000 in Tilehurst. These were hardly affordable for residents by any stretch of the imagination. The proforma for the golf course site also had no mention of social housing and the only mention of affordable housing was a quote of the planning policy already in existence for a development of this size. It was known from years of experience that many developers simply opted out of the affordable housing policy by offering a S106 payment instead. She therefore asked what guarantee was there that any truly affordable housing would be built within the BLP.

Whilst planning was clear that if a development was in a sustainable location, parking on the site could be much lower, this did not always work in reality. The borough was large and suffered from an inadequate and unreliable bus service, trains with expensive ticket costs and basic disjointed cycle and active travel infrastructure. Whilst the measures that Cala proposing to put in place on the golf club site were admirable, most people realised that this rarely worked. People would still drive. They may work in places that were not easily accessible by train or bus service. They may not wish to take their lives into their own hands with very little safe cycle infrastructure in place between towns. Therefore fears for increased road traffic, increased pollution levels and the further deterioration of infrastructure are well founded.

The proforma for the golf course also had high density properties along the Shoppenhangers Road edge towards the town centre. High rise flats or 5-7 storeys at

least were hardly in keeping with the area, which had detached houses bordering most of the site and even the flats in Shoppenhangers Road were built to emanate this with the third floor often being in the roof space. The only way to achieve the levels of density mentioned on this site was with high rise properties. The local MP Theresa May had recently come out publicly to state she did not wish for high rise flats to be built on the site.

The BLP mentioned SPDs throughout its many pages and yet many of these had not yet been completed and there was no definitive timescale for these to be done. Councillor Taylor questioned how Members could be asked to support a plan that was seemingly incomplete. She also asked where would housing be put at the end of the period of the plan, when large sites had been taken out of the green belt for development and the government stated yet more housing needed to be built. Releasing land from green belt should be a last resort and she feared that it had left the borough with its back up against a very large wall and in a corner with nowhere to go.

Councillor Walters commented that he had represented Bray ward for many years. He had also been a member of the parish council, the council's representative on the CPRE and a staunch supporter of the Holyport Residents' Association. Many in his ward would be aware of his commitment to protect the green belt and his efforts over the last few years to question and critique the BLP draft submission.

Councillor Walters explained that, in his opinion, thousands of dwellings had been submitted that were neither required nor needed. In these circumstances most people would consider it incongruous and possibly dishonourable for him to fully endorse the plan. The roads in the borough were already congested. Whilst he did not support the plan without revisions, the position before Members was non-negotiable. If the plan was not adopted the council would not have a plan leaving an open season which would be the worst of all worlds. It would be a grave dilemma if the plan was not approved. In these circumstances he would follow the democratic process and support the motion. If the plan was adopted, he would do all he could to mitigate future damage particularly in his ward which he felt had been unnecessarily targeted.

Councillor Bowden referred to a recent decision on appeal for a five storey block of flats in the centre of Windsor on a brownfield site and the granting of permission to build four houses on a car park. There was no space left in Windsor other than on the outer areas. In relation to air quality Councillor Bowden highlighted the contrails of carbon dioxide emissions that could be seen over Windsor. That evening he had tracked a flight from Chicago to Addis Ababa flying directly overhead. He felt he had not received much support from the Maidenhead area in his opposition to the third runway.

Councillor Bowden referred to an email he had received from a resident in relation to heritage under threat in the Willows. He had acknowledged the email and received a further reply that stated:

'Thank you very much for your reply Councillor Bowden. To clarify for the purposes of this evening's meeting, I hope it is clear that Willows residents are not challenging the adoption of the BLP, just that we are asking Councillors to acknowledge and formally note at the meeting that there had been a serious omission that the non-designated heritage asset status of the Willows estate had been overlooked and this should be

taken into account by RBWM Councillors and officers when the planning applications start to arrive.'

Councillor McWilliams commented that delivering new homes was about much more than hitting housing targets and a home was much more than an investment of bricks and mortar. A home was somewhere to keep warm; somewhere to seek shelter; somewhere to go to rest; somewhere to feel secure; somewhere to raise and protect children as well as to enjoy life with friends and family. As policy makers, Members could not see homes simply as financial assets but as the building blocks of a happy society.

RBWM was one of the best places to live in the country and the huge success of the borough had seen an influx of talented individuals and young families, entrepreneurs, and people seeking a part of the good life. This had added to the borough's economic strength, wealth of ideas, talent, and community spirit. However, this success had not been without some losers and no doubt some younger residents, vulnerable residents, and even some life-long residents, who had fallen on hard times, may feel that they had not benefited from the economic growth and success of the borough. These were not people who had moved to an area they could not afford, but local people, who felt they were shut out from taking a stake in their own community.

The borough did not want to be one where children of life-long residents felt they needed to leave to get a place of their own or a borough that did not have sufficient social housing to give rough sleepers a second chance or a borough where life-long residents were forced to move away because they could no longer afford to live here. Instead, RBWM should be a borough that delivered new homes not only for those coming into the Borough, but for those who were already there.

At present, housing costs in RBWM saw too many local residents unable to afford to buy their own home and start a family, let alone rent, and others were in overcrowded accommodation. All were struggling to live and thrive in their home area. Shelter defined housing affordability to be 35% of total income spent on rent. RBWM's Housing Strategy demonstrated that a resident would need to earn more than £50,000 to achieve that against the average market rent in RBWM, over £40,000 at affordable rent (80%), and over £25,000 at social rent (50%). Whilst average RBWM house prices had risen 35% in 13 years, UK real wages had only risen by 5.6% in the last 12 years.

This had resulted in over 1,000 local residents being on RBWM's housing register and RBWM helping over 80 residents over the last few years previously sleeping rough into homes and there were dozens more on the rough sleeper pathway. It was important that they and all other residents facing unsustainable housing costs were represented; the housing market had simply failed them for too long. Councillor McWilliams commented that he received hundreds of emails about the unsustainable situation so many residents are in on a weekly basis.

More genuinely affordable housing which meant a variety of price points, sizes, affordable tenures, including crucially social rent was needed. What was affordable to one person would vary but certainly creating sufficient choice to bring down the average salary required to meet Shelter's definition of affordability was a good place to start. There was a grotesquely unfair land market in the UK that focussed land value returns in the hands of small numbers and forced costs for physical and social

infrastructure on taxpayers. If only government could buy land at cost value to capture land value uplift to deliver higher levels of genuinely affordable housing. Unfortunately there was a planning system that seemed at times almost specifically designed to prevent affordable housing, particularly social housing. This was of course beyond the scope of the meeting, but that did not mean that the council should not try to do what it could.

It was within the council's power to utilise publicly-owned sites to deliver higher levels of affordable housing than could be delivered on privately-owned sites, because a council did not have shareholders, but had residents to answer to. Land value receipts that would otherwise become developer profits could then be used to deliver higher levels of affordable housing. This could be secured through the relevant SPDs.

Adopting the BLP would enable the council to reverse the historic mistakes that had created such hideous social injustice where so many residents of all ages most acutely younger people and families, key workers, and others in need were squeezed out of their home area. The council should give local residents hope they could thrive in their home area, not feel like they were being told 'sorry you do not earn enough to live here, please leave'.

The council should recognise the basic humanity that an affordable home brought to individuals and families. Councillor McWilliams saw the BLP as an opportunity to do just that.

Councillor Carroll commented that he had read all the documentation and had talked to residents. From his own employment he understood the critical importance of having a plan or a strategy in place. Relativity demanded content, perspective and facts. There was a legal requirement to have an up to date plan and a statutory process to follow to achieve that. The process had been expertly scrutinised including by the Inspector at public meetings. He thanked the planning officers who had used professional due consideration throughout the process.

Councillor Carroll highlighted the situation in South Oxfordshire where the lack of an approved plan had lead to paralysis and legal issues.

Councillor Carroll also referred to the opportunities around health and education. He had recently brought a report to Cabinet outlining future school place requirements. In addition, the NHS was working on future plans. In relation to St Marks it had been made clear that they had had to suspend services due to covid-19. A Joint Strategic Needs Assessment would be coming forward and other plans to respond to the consequences of the pandemic. He had great faith in the Frimley Integrated Care System. Councillor Carroll echoed the comments by Councillor McWilliams in relation to affordability. In relation to Boyn Hill he echoed the comments of his fellow ward councillor. Simply seeking to gobble up commercial industrial land would be the wrong decision.

Councillor Singh stated that he loved his ward, his town and his borough and he would not be voting to approve the plan.

Councillor Clark acknowledged that the process had been long and protracted. The plan had been examined in public and the Inspector had found it to be sound based

on the assessed housing need; the council had a binary choice. If the plan was rejected there would be damage, danger and uncertainty.

Councillor Clark highlighted that there had been dramatic progress in relation to infrastructure including road improvements, active travel and electric vehicles. The BLP was not the end but the building of the borough's future.

Councillor Rayner stated that she believed the BLP was the best way protect and preserve the borough and set a strategic planning framework to protect communities from speculative applications. Councillor Rayner explained that she was passionate about culture and heritage and believed the BLP was the best way to protect if for residents, visitors and future generations.

The borough was rich in culture and heritage with 956 listed buildings, 12 registered parks and gardens, and 17 scheduled ancient monuments including Windsor Castle and Windsor Great Park. Many of the Neighbourhood Plans mentioned views of the castle and how important they were. It was crucial that these assets were safeguarded, protected and enhanced. The BLP also supported tourism as an industry crucial for the local economy. The balance of protecting whilst allowing for growth was in the plan. Both must be respected and encouraged to meet the residents, business and visitors.

Councillor Cannon highlighted that the BLP protected the borough moving forward. Councillors in the east were very much aware of this as areas had been taken out that would have been open to speculative development. This included sites in Old Windsor, the Alma Road Police station site and in his ward the Tithe Barn site and the St Augustine's church site. Councillors who voted against the plan would be voting to allow development in these areas that were currently protected. Each ward had its own issues around development sites but the plan was a borough-wide plan.

Councillor Coppinger concluded the debate. He applauded Councillor Walters' honesty and his statement about the free for all that would occur if the plan was not accepted. In relation to the Willows, Councillor Coppinger confirmed that he had spoken to a number of residents. A masterplan for the area had been put together. He understood the point about heritage and would ensure the issue was raised at the planning application stage. At the request of Councillor Stimson the Sustainability SPD would be brought forward and would sit under the national legislation.

Councillor Coppinger reiterated that the housing numbers were correct. He set out the choices for Members when voting. Choice one was to vote no and pass the borough into uncertainty with the Secretary of state forcing the plan in or even worse a free for all that the council could not control, with the green belt being decimated. Choice two would secure the future of the borough including more employment space, retaining 82% of green belt, homes for the next generations, affordable homes, a new school provision, green spaces open to all and new policies covering every aspect of life in the borough. He understood it was a difficult decision but he felt the value of the plan was greater than the negatives.

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

RESOLVED: That Council notes the report and resolves to:

- i) **Adopt the Borough Local Plan 2013-2033 (as set out in Appendix A), which incorporates the Main Modifications recommended by the Inspector (Appendix C) and Additional Modifications (Appendix D).**
- ii) **Agree to make the alterations to the adopted Policies Map (as shown in Appendix E) that are necessary to give effect to the policies of the adopted Borough Local Plan as modified.**
- iii) **Delegates authority to the Head of Planning, in consultation with the Cabinet Member for Planning, Environmental Services and Maidenhead to make any minor non-material corrections as additional modifications to the adopted Borough Local Plan as considered necessary ahead of publication and publicity in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).**

A named vote was taken. 22 Councillors voted for the motion; 17 councillors voted against the motion.

Borough Local Plan - Adoption (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 John Bowden	For
Councillor Mandy Brar	Against
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Carole Da Costa	Against
Councillor Wisdom Da Costa	Against
Councillor Jon Davey	Against
Councillor Karen Davies	Against
Councillor Phil Haseler	For
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Lynne Jones	Against
Councillor Neil Knowles	Against
Councillor Ewan Larcombe	Against
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Samantha Rayner	For
Councillor Joshua Reynolds	Against
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Gurch Singh	Against
Councillor Donna Stimson	For
Councillor Chris Targowski	For

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Councillor Helen Taylor	Against
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
Carried	

The meeting, which began at 7.00pm, finished at 11.08pm

Chairman.....

Date.....

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**AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber -
Town Hall, Maidenhead on Tuesday, 22nd February, 2022**

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

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

Officers: Andrew Durrant, Adele Taylor, Andrew Vallance, Louisa Dean, Duncan Sharkey, Louise Freeth, Kevin McDaniel, Hilary Hall, Dean Graham, David White, Ollie Cassells, David Cook, Karen Shepherd and Elaine Browne

63. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Luxton and Price.

64. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting of the Council held on 25 January 2022 be approved.

65. DECLARATIONS OF INTEREST

No interests were declared.

66. 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.

67. PUBLIC QUESTIONS

a) Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Hilton, Cabinet Member for Finance and Ascot:

Will the Lead Member advise when RBWM will repay its' short-term debt and how this will impact the Council's revenue budget?

Written response: *Based on the current forecast of future capital cashflows the Council is projecting to have repaid all of its short-term debt by the end of 2035/36. Based on current assumptions of future interest rates the cost of this debt is projected to peak at £2.540m per year in 2024/25 before gradually decreasing to zero by 2036/37. The average cost of short-term debt is projected to be £1.470m per year from 2022/23 to 2035/36.*

By way of a supplementary question, Ed Wilson commented that the fact the borough had a plan to repay its short term debt would be news to many residents. He asked how Councillor Hilton was proposing to share the news with residents?

Councillor Hilton responded that, as always, the council was very open and transparent in its financial dealings. The report included the capital cashflow document which showed that over the medium term (to 2035/36) the projected receipts would be £163m more than the projected spend. This was the reason why it was believed that in the medium term debt could be zero. He would consider whether more should be done to promote this, including in *Around the Royal Borough*.

b) Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Johnson, Leader of the Council:

What steps has RBWM taken to ensure that it does not follow the example of Slough Borough Council and become bankrupt?

Written response: *One of the core messages from the Slough Governance review for the Secretary of State was the importance of good financial governance. This is a message already understood by RBWM from the CIPFA review presented to Cabinet in June 2020. As such, many actions have been taken to strengthen financial governance. These include:*

- *Establishment of a robust medium-term financial strategy that underpins our budget setting. This allows us to budget in the context of challenges in future years, rather than narrowly focusing on the year in question.*
- *Development of a transformation plan which will link to this medium-term financial strategy, as it will be a key enabler of achieving the significant savings required in future years.*
- *Establishment of a Capital Board and the strengthening of links between capital and revenue budgets, so the impact of capital schemes on the revenue budget is understood.*
- *On debt, reporting of debt has been strengthened and bad debt provisions reviewed to ensure they are appropriate.*
- *Partnership arrangements have been reviewed and actions implemented, including Optalis, AfC and the Property Company.*
- *New internal auditors have been appointed, allowing a fresh pair of eyes on our processes.*
- *Audit and Governance Committee has been established to facilitate greater Member scrutiny of financial matters.*

As well as these specific actions from the CIPFA action plan, the finance team has been reviewed and strengthened, with the recent appointments of a new Chief Accountant and Senior Finance Business Partner. The finance team recognises that further change and improvements will be required to achieve the excellent financial management standards to which we aspire.

By way of a supplementary question, Ed Wilson commented that Slough Borough Council had gone bust despite having one of the highest council tax levels in the Thames Valley. The written response had not referred to council tax. He asked if

RBWM would not raise council tax in the way seen in Slough and avoid the fate of that once proud council.

Councillor Johnson responded that the Royal Borough was in no way in a similar position to Slough. The council had a sound and credible financial plan. On the core issue of council tax, he was proud that during a cost of living crisis, the borough charged residents less than a failed socialist council. This meant hundreds of pounds in residents' pockets.

c) John Affleck (not a resident of the borough) asked the following question of Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health:

What is the proposed total expenditure per head for each child in care in 2022/23 and how many children are currently in care?

Written response: *The total budget 2022/23 for Children in Care direct costs is £9.8m which, based on the current total number of Children in Care of 134, equates to £73,000 per child. In addition to these direct costs are the cost of staffing and other associated operational costs.*

By way of a supplementary question, John Affleck asked if the council would, to further protect the 134 children in care, break the non-disclosure agreement made in 2006, as the council had now compensated 15 children for the abuse they suffered, with the last settlement just two months previously. He asked if the council would continue to spend a miniscule amount of the 2022 budget to prove or disprove his claim of corruption outlined in a document he had offered to councillors and on his website 'www.rbwm.exposed'

Councillor Carroll responded that any allegation of child abuse should be taken extremely seriously. Safeguarding would always be a number one priority for the borough. In terms of the specific allegations, he urged Mr Affleck to take any evidence he had to the police. Councillor Carroll explained that he had explored the legal position with officers and there were legal specifications and stipulations which he could not breach in his response as he would be breaching the law.

d) John Affleck (not a resident of the borough) will ask the following question of Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health:

There have been 24 successful claims of sexual abuse at the Green Field House children's home, RBWM agreed the latest settlement two months ago in December 2021, does the council have a budget to pay any future compensation claims?

Written response: *The Council inherited the responsibility for dealing with claims arising from the Berkshire County Council children's home and has suitable insurance arrangements in place to ensure claims are appropriately settled.*

We hold an earmarked reserve for legal claims. The value of this is estimated at £1.1m at the end of this financial year. It is externally valued every 2 years (the last one in 2020) and the current level of reserves is sufficient on the light of this valuation.

By way of a supplementary question, John Affleck commented that he wished the record to show that his previous supplementary question had not been answered. He commented that if the council did the honourable thing to break the non-disclosure agreement and refund the money in full, unfortunately the refund would exceed the council's reserve of £1.1m. In July 2014 the Home Secretary and Maidenhead MP, Theresa May, made three promises to the nation: a full investigation into child abuse, maximum transparency, and exposure of individuals and institutions that had failed to protect children. He asked if the 2022 Conservative Council would do the right thing and break the corrupt non-disclosure agreement.

Councillor Carroll reiterated that any allegation or evidence of corruption needed to be taken to the police for full investigation. He took any allegation of child abuse very seriously but he had already explained the context of the legal situation. The council had invested significantly in safeguarding and children's services. The budget before Members that evening included further increased investment in this area.

e) Mark Loader of Oldfield ward asked the following question of Councillor Hilton, Cabinet Member for Finance and Ascot:

On page 242 of the package we have 'Major Capital Cashflows - Proposed and agreed'. Under Capital receipts it shows 6. Development partnership receipts it shows total receipts of £329 million being received cumulatively up to 2035/36. Please can you provide the breakdown by source of those capital receipts and are you confident they are realisable?

Written response: *This information is commercially sensitive and therefore not available to release.*

By way of a supplementary question, Mark Loader commented that he had taken part in the budget consultation. It had been difficult to know if the appropriate level of services were being delivered without the detail of KPIs or comparisons with other councils. The report showed the development partnerships receipts as £329m up to 2035/36. He thought that sources of that figure should be transparent as a matter of public interest but the written answer had stated the information was commercially sensitive. Mr Loader commented that the housing quota would require investment in infrastructure. He asked how people could therefore be confident that the projected net capital receipts would be realised.

Councillor Hilton responded that he had a level of confidence that they would be realised. This was based on forecasts made by professional officers who understood land values, values which had historically continued to rise. It was unlikely that the figure would be exactly £329m but it would be close. The margin allowed between income from those receipts and the planned spending was £162m which gave some headroom.

f) Adam Bermange of Boyn Hill ward will ask the following question of Councillor Johnson, Leader of the Council:

I am concerned to see that there does not appear to be any funding in the Capital Budget for the community facilities relocation project described in the withdrawn Cabinet report from September 2021. Please could the Leader give an update on this project?

Written response: *The report was referred to the Communities Overview & Scrutiny Panel; the Panel is currently developing a scoping document to ensure appropriate scrutiny takes place.*

By way of a supplementary question, Adam Bermange commented that he was pleased that the Overview and Scrutiny Panel were looking at the issue but he remained concerned for the future of the community groups on the council land at Holmanleaze, including the mosque that was in desperate need of more space and had been treated poorly. There were 120 more homes to be squeezed onto BLP allocation site AL9 and he could only assume that the £1.75m capital receipt from the JV partner was included in the Treasury Management strategy even whilst the new facility investment was not. Mr Bermange therefore asked Councillor Johnson if he agreed that the 'do nothing' option was simply not an option and would he share which of the proposals already presented he preferred.

Councillor Johnson responded that the council remained committed to deliver the objectives in the report including providing better facilities for community groups currently on the site and facilitating the expansion of the educational offering in relation to Maidenhead Mosque and the fantastic work it did for the community. He provided assurance that the council was committed to all of the objectives in the paper. However he highlighted that the council could not begin to allocate funding envelopes until discussions with leaseholders had progressed further. The report would be brought forward as soon as was practically possible.

68. PETITIONS

No petitions were submitted.

69. REFERRALS FROM OTHER BODIES

i) Appointment of Local External Auditors

Members considered the recommendation from the Audit and Governance Committee.

Councillor Hilton Council explained that Council was asked to approve that RBWM remained part of the Public Sector Auditor Appointments (PSAA) collective procurement arrangement to appoint an External Auditor from the 2023/24 financial year, on the grounds that the approach was most likely to achieve best value in a restricted market and avoided the need and cost of the council itself undertaking a complex and time-consuming procurement process.

The council had the option of appointing an auditor independently or remaining part of the Public Sector Auditor appointments.

Councillor Hilton explained that over the years audit fees had gradually reduced but during 2019 a number of financial crises and failures in the private sector led to a focus on the quality of their work. A national drive to improve audit quality had created a major pressure for audit firms to ensure full compliance with regulatory requirements and expectations in every audit they undertook. Firms had asked their audit teams to undertake additional work to gain deeper levels of assurance. This had led to

lengthened audits, increased costs, and just as importantly an effective reduction in audit capacity.

Against this backdrop it would be very challenging for the council to independently appoint an auditor. Indications were that the S151 officers of the Berkshire unitary authorities were minded to sign up to the Public Sector Auditor Appointments, and as they shared the Royal County of Berkshire Pension Fund they saw merit, if it could be achieved, of using the same auditor. The Audit and Governance Committee had supported the recommendation.

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

RESOLVED UNANIMOUSLY: That Council notes the report and:

Approves that RBWM remains part of the public sector auditor appointments (PSAA) collective procurement arrangement to appoint an external auditor from the 2023/24 financial year, on the grounds that this approach is most likely to achieve best value in a restricted market and avoids the need and cost of the council itself undertaking a complex and time-consuming procurement process.

ii) 2022/23 Budget

Members considered the recommendation from Cabinet. It was noted that updated versions of Appendix 1 Annex I2 and I3 had been published.

Councillor Hilton thanked Directors and officers across the council for their professionalism and the way they had worked with their respective Cabinet Members and particularly the finance team. The budget continued to build upon the strong financial foundation laid down in 2020 which, despite the challenge of COVID, would deliver three years of underspends.

Councillor Hilton stated that he was presenting an investment budget. A budget that consolidated hard-won gains and delivered the new 2021-26 Corporate Plan. A plan and budget that continued the transformation and modernisation programme that ensured the sustainability of crucial frontline services; harnessed the power of new technology and latest expert thinking; and put the needs of residents at the heart of everything the council did to create a community-centric and data-driven organisation.

Innovation in adult social care continued with investment in new technologies to support residents' independence. Brain in Hand and MySense had been launched in January. In the first two years of the transformation programme adult social care would deliver £5m of savings, achieved against the backdrop of Covid-19, increasing costs and the frailty of residents. New staff would strengthen the housing service to ensure that residents sleeping rough or facing homelessness received the best possible support. £1.2million would be invested in John West house to expand the intensive support services provided there. To encourage recycling rates to rise, the municipal waste collection had been moved to a bi-weekly service and was on track to achieve 50% recycling by 2025 with current rates of 48.3%.

Councillor Hilton was proud of the support the top performing Adult and Children's Social Care teams provided to the most vulnerable residents. The council had led the campaign to retain the Frimley Integrated Care System (ICS), England's most successful. As part of the Frimley ICS the Royal Borough had a productive partnership with the Clinical Commissioning Group and other health partners including GPs. Working with them all, the excellent Adult Social Care team was creating a seamless service between health and social care. To ensure support continued, £50 million was committed to Adults, Health and Commissioning.

To maintain support for young people, Children's Services had required additional staff to managed increased demand for domestic abuse and statutory services, this investment and the increased cost of placements continued. The Children's Services budget would be increased by £3m, rising to £27m, with another £8m of investment committed over the following four years.

The budget would drive investment in the future of the borough and supported local economic recovery through the capital programme; the Vicus Way Car Park, equipped with vehicle charging points, would be completed in 2022. The £30 Million Broadway car park supported the redevelopment of the Nicholson's Centre that would transform an outdated shopping centre into a vibrant, mixed-use quarter. Work had started on the Landing and the vital regeneration of Maidenhead was truly underway. New housing, new retail, new offices, evening leisure venues and the arrival of the Elizabeth Line would make Maidenhead a 'go to' place for people and attract significant investment.

Councillor Hilton highlighted that it was not just about Maidenhead. The council was in active discussions with the Princes Foundation to crystallise the ambitious plans for Windsor. The £2.3 million project to enhance the public realm would improve the visitor experience and support the retail and hospitality economy, which did so much to support vital public services. Inspired by the Ascot, Sunninghill and Sunningdale Neighbourhood Plan, adoption of the Borough Local Plan would enable the rejuvenation of Ascot to proceed.

In support of the Corporate Plan an investment of £300,000 was made to align with the national bus strategy. To deliver real change the council would need a fair share of the government's £3bn 'Bus Back Better' funding. The council would invest £1.5 million to improve cycling infrastructure and increase cycling across the borough. It was also developing a Local Cycling and Walking Infrastructure Plan which would enhance the chances of success in future Government funding rounds.

With the Joint Venture partners, the council was creating a ladder of housing opportunity. The first phase of the Watermark development neared completion and planning had been approved for St Clouds Way; together these schemes would deliver 668 new homes. Adoption of the Borough Local Plan confirmed the provision of 2,600 homes, primary and secondary schools, new and enhanced open spaces, community and health facilities on the South West Maidenhead Strategic Placemaking Area, which those seeking a decent place to live would welcome. There was a growing focus on affordable housing with the council taking the lead on affordable rents. In the past year 57 homes were completed and planning had been approved for a further 193 affordable homes.

The council was taking bold action to tackle climate change and improve the natural environment. In recognition that the council could not deliver zero carbon on its own it was establishing a Climate Partnership which many businesses and organisations had

already agreed to join. To illustrate the power of partnership working, the council's pension manager had signed up to the Net Zero Asset Manager initiative, joining 220 global investment businesses who managed \$60 trillion of assets, half the global assets under management. Their commitment to net zero emissions by 2050 was a massive boost to the cause.

The Oaks Leisure Centre remained a key administration priority. It was also committed to working with the Environment Agency to identify and progress affordable and deliverable flood alleviation schemes that would protect residents' homes from flooding in Datchet and Wraysbury.

The robust budget was agreed after considering all the options however, the budget consultation highlighted residents wished the council to promote the arts. The council understood the importance of the arts but had waited until a consultant's report on Norden Farm was published. Guided by the report it would add £140,000 to support Norden Farm and Old Court.

For 2022/23, the council was proposing a lower than inflation Council Tax increase of 1.99% together with a 1% Adult Social Care Precept. Councillor Hilton was confident that residents would not begrudge the additional average 65 pence a week they would pay to support the most vulnerable residents. The council tax, the lowest outside of London, would be between £280 and £500 less than its neighbours and demonstrated the council was on the side of residents in challenging times.

Councillor Hilton explained that officers had considered changes to the Council Tax Reduction Scheme prior to setting the draft budget but had agreed this was not a year to make change. The remaining government hardship grant would be considered at year end to see if any further one-off mitigations could put in place. During 2022/23 the scheme would be kept under review

Councillor Hilton summarised that in the past three years the council had taken difficult decisions, consistently delivered underspends on the revenue budget, and put the council's finances on a more sustainable footing. It had transformed services and kept taxes low, whilst investing in roads, health, education and leisure infrastructure, improved support for the vulnerable and expanded financial support for businesses. In delivering the Corporate Plan, in the medium term, if it chose, debt could be reduced to zero. Guided by the Corporate Plan, the council's strengthened corporate capacity to deliver improvement and transformation, and monitored by the emerging new performance management system, the council was well placed to continue transformation with innovation and opportunity, with financial responsibility at its heart.

Councillor Johnson seconded the motion. He endorsed all the comments made by Councillor Hilton. He thanked officers for their due diligence and hard work pulling the budget together in the most difficult circumstances and for accurate predictions in relation to the local government financial settlement. He highlighted that this would be the third year in a row that an underspend had been achieved as a result of clear financial management and stability. The proposed budget was fully costed, had been fully consulted on, and would be delivered. The draft budget had been brought to Cabinet one month earlier than previously to give additional time for the public consultation. Councillor Johnson stated that it was an investment budget, not one likely to facilitate savage cuts year on year or a spiral of decline. No alternative proposals for a budget had been put forward. The council would continue to invest in core services, focussing on people, infrastructure and the priorities of residents, delivered with the lowest possible increase in council tax and retaining the status of

lowest council tax in Berkshire and the lowest in England outside of London. There had been no clarity from the Opposition as to how they would balance the budget.

Councillor Jones, as Opposition Spokesperson, thanked the finance team for their work in ensuring a balanced budget and officers across the council for their efforts in providing the best services possible despite the volatile financial situation. Councillor Jones had seen, time and time again, the administration berate the Opposition for not being able to produce an alternative budget. She therefore wished to highlight the role of the Opposition in the budget process. Opposition Members could only propose amendments to the administration's final proposed budget that had been approved on 10 February 2022. The Independent group and the Liberal Democrats had submitted their views on the draft budget for consideration during the consultation, including the negative impact the cessation of arts funding would have on those organisations.

The Opposition could suggest, challenge, and hold to account, but the responsibility of setting the budget always lay with the Cabinet. The borough deserved transparency, truth and to trust their local politicians. The borough deserved better. The basics of the budget was that there was no option but to raise council tax by the maximum allowed, in 2022/23 and for the next four years. Despite these increases it would still be necessary to find another £13m of savings by February 2026.

During the last two administrations there had been a reduction in the services offered by the council. The Children's Centre offer had been reduced. Libraries had been closed or hours reduced, despite being subsidised by parish councils. There was now no council headquarters in Windsor despite the promises by the Conservative administration. York House had been rented out to shore up the budget. Community Wardens had been reduced from a promised 25 to 6. Councillor Jones asked where the social housing was that had been promised year on year by the administration. The Assisted Transport scheme had been reduced by stealth; the system changed in a way that was not compatible with how residents used it. The promised Oaks leisure centre had been mothballed. The promised funding for the River Thames Scheme evaporated, without a plan B.

In relation to waste collection, Councillor Jones commented that a change of contract ended up costing in excess of £850,000 for a reduction in collections, and the financial details were still not transparent. She also highlighted the amount of officer and Member time spent on resolving waste collection issues. The officer core had been hollowed out with the unseen impact on skillsets, planning, strategy, democracy and evidenced policies and decision making. This had become obvious within the originally deficient Borough Local Plan and the lack of strategic policies in place to drive the direction of the council. The council leadership team was trying to recruit to fill those gaps in the skillset but it was being held back by the lack of funding to pay for the best people for those positions.

In February 2013 Councillor Jones had highlighted that the selling of council assets for development was the only way the administration could ultimately pay for their cuts to council tax. This was exactly what was happening. Land assets were being sold to pay off the Conservative debts built up by the borrowing to fund high profile, headline grabbing projects. The 2022/23 budget was set in place by decisions made up to five years previously, including outsourcing, pushing for cheaper and cheaper contracts without assessing the impact on the quality of service, the loss of knowledge and

control through redundancies and spending on projects running up the council's debt, without having guaranteed income that could be realised.

The Opposition had suggested options, challenged decisions and held the administration to account, and had been consistently ignored. There was a paper coming to Cabinet regarding the return of the highway engineers to an in-house service which Councillor Jones supported wholeheartedly. She highlighted that in January 2017 she had challenged the decision to outsource the specialised and knowledgeable team. She had called in the decision to scrutiny, challenging response times, lack of control, and communication with partners and Members. The Conservative Members had ignored her concerns and voted in favour of outsourcing, despite there being no evidence to support the move.

The Opposition had spoken out against the original BLP submission document. It had challenged that it was deficient and there was insufficient evidence to support the assertions made. The Opposition had been ignored but the inspector had agreed with them and it had taken an inordinate amount of officer time to get it to its current state. There was still much more to do regarding the supplementary planning documents to complete it. This had made the whole process unnecessarily costly. The borough deserved better.

The stranglehold that the administration continued to place on the Overview and Scrutiny process, despite two consecutive Peer Group reviews calling for change, restricted the only mechanism that enabled true challenge to take place. Councillor Jones requested that the administration either welcome challenge and collegiate decision making going forward, or stop pretending to care what the Opposition thought.

Councillor Jones welcomed the Finance Director's insistence that to increase spend in one area would mean a reduction from another. The accounts for month 8 (November) indicated that there would be a predicted underspend of £101,000 for the 2021/22 financial year. The administration obviously had information that she was not aware of as they had allocated £140,000 as a grant to arts provision. She was fully in support of this in principle, but it was not guaranteed and would depend on costs incurred to the end of the financial year. However should there be an increase to the current year's underspend, above £140,000, she proposed that it be added to the grants total and used to support voluntary community groups that were so essential for providing help and activities to residents especially coming out of Covid and the isolation that accompanied the pandemic.

Councillor Jones also asked that the Opposition, through scrutiny, be involved in the promised review of the residents parking scheme. She personally believed it was imperative for Windsor Town Centre that it be expanded to cover Victoria Car Park should finances allow. Looking further into the future, all contracts should be reviewed to assess whether a better service could be provided if they were returned 'in-house'. Ensuring the quality of service across the outsourced and transformed departments needed to be the council's highest priority. Continually chasing issues and returning to the same job was timewasting and costly.

The Medium Term Financial Strategy was to be refreshed and needed to be closely aligned with the Corporate Plan and the Medium Term budget. The aim, as a council, was to deliver the Corporate Plan objectives. There would be a cost to this and the

budget needed to reflect those costs. If it did not then the council would not be able to afford to deliver those objectives.

The Medium Term Financial Plan was mapped out against a period of uncertainty. The Fair Funding Review, Levelling Up and Adult Social Care funding reform would impact the council. There was not enough information to include any pressures in the 2022/23 budget papers, but paragraph 5.2.4 highlighted that although the 22/23 settlement from central government included nearly £3m in additional grant, this could be 'one-off' and may not be available in the following year. It was stated that general reserves were forecast to be £7.1m, marginally above minimum level. The optimum was nearly twice that level and the council was currently not in a position to increase them. This was identified as a key risk. Appendix 1 paragraphs 1.3 and 1.6 it highlighted the current situation:

'With low levels of reserves and one of the lowest levels of Council Tax... coupled with increasing levels of borrowing'it.. 'has made the position more challenging'

'The position... is more acute than other councils due to... low levels of reserves.... Insufficient to cover future projected funding shortfalls.'

Councillor Jones commented that when this was added to substantial levels of borrowing (£238m in 2024/25) and the cost of borrowing (up to £8.6m annually) it was clear why this was a key risk to the future financial sustainability of the council. The council's history of delivering savings had not been impressive over the years, but she was really pleased that officers were now closely monitoring the figures over the year.

There was no option, the council must deliver the savings the officers had identified to ensure a balanced budget. The budget was very constrained by the financial situation. Councillor Jones was sure every Member could identify an area that needed further resource and that needed to happen if it could.

Councillor Jones had asked herself if she could vote for a budget that balanced but where the decision making processes had been flawed. She made a number of suggestions:

- Any further unallocated underspends be added to the grants budget
- A cross-party review of the resident discount parking scheme
- Arts funding be put into the base budget
- A commitment to ensuring Overview and Scrutiny had the resources and the voice to allow it to play an active part in collegiate decision making.

Councillor Jones concluded that there was now an opportunity for the administration to listen to the Opposition and collectively work towards making the best decisions for the council and its residents, because the borough deserved nothing less.

Councillor Wisdom Da Costa commented that he wished to open eyes as to the fallacy of the budget and the budget setting process, and set out a proposal to help the council meet the financial and other crises it faced. Councillor Da Costa used the analogy of Rose and Jack from the film *Titanic*, two partners so in love with each other, close enough to be intoxicated with each other's scent on the prow of the Titanic. He commented that the budget was rather like that image of Rose and Jack, a snapshot in time, blissful in its presentation of revenue and costs.

Councillor Da Costa commented that all knew how Jack and Rose's story ended, sunk by the mismanagement of the ship Titanic. Moving too fast, with little scrutiny, to avoid the rocky iceberg in front of them. Charting a perilous navigation through hazard ridden waters, on an ego trip to show they had the lowest journey time, only they never got there. The good ship Titanic lay submerged beneath the icy and rising waters of the North Atlantic with the loss of thousands of lives.

Councillor Da Costa commented that the RBWM Budget was rather like that, a beautiful snapshot as it planned a 'gung ho' ride into the dangerous flux of climate change. The council was planning to spend virtually nothing in the budget when other councils were committing £7m (Cambridgeshire) £50m (Wokingham), £192m (Manchester) and £400m (Brent) to be ready for the fight. There were no plans and measures to see carbon emissions radically reduce in the borough quickly enough to avoid climate change. The Corporate Plan did not place climate change, climate resilience, plastic pollution and biodiversity salvation as some of its key criteria to be used when producing all future Local plans, future planning documents, any future spending, and the outsourced contracts of a £100m operation. Councillor Da Costa invited people to imagine the success if the council focused that annual £100m with a climate and environmental bent.

Instead, the council continued its ego trip to trumpet one of the lowest possible council taxes. However the cost saving did not get individuals very far, especially for those on a lower income or in higher need brackets, a young person or a family. Councillor Da Costa wished to end the fallacious approach and assess the budget together with the council's five year plan to see where it would end up, and against the Corporate Plan to see whether anything was achieved.

Councillor Da Costa did not want the future of the borough's children to be sunk under the rising waters of climate change and polluted food chains as the council failed to invest appropriately. He did not want the next generation disabled by dangerous outcomes fuelled by unhealthy objectives contained in the Corporate Plan and, worrying implications in the navigation charts of the council's 5 year plan as the council struck hazard after hazard unprepared. The council needed to keep a look out for hazards through improved scrutiny using capable leaders, usually Opposition Members, as chairs on Scrutiny Panels. Councillor Da Costa urged Members to vote against the budget and to change the constitution so that the 5-year plan was reviewed at the same time as future budgets, collaboratively and with the implications of the Corporate Plan in mind.

Councillor Werner commented that he had sat through many council budgets over the years; this would be his 29th. Over and over, the Conservatives seemed to make the same mistakes, the same attempts to predict the savings before they had worked out how to do them, the same impossible-to-meet income targets, and the utter inability to listen to anyone else be that residents, experts, or opposition councillors.

The comments about alternative budgets just showed a basic ignorance of how council budgets were created. Work on a budget did not start in November but as soon as the previous one was passed, if not before. Every decision that was made over the year had an effect on the budget for the next year, for instance saving money by insourcing a service would allow the saving to be allocated in the following budget. He understood that £0.5m pounds more would be spent on the waste contract so that it offered less of a service, which was bizarre if not incompetent. Councillor Werner

highlighted what else could have been done with £0.5m. It could have been used to put the council at the centre of the community again. It was now too late now to put a budget amendment as the money had been committed; £0.5m for less of a service. There were many other examples of financial initiatives that should have been taken; initiatives he had mentioned over and over again.

In relation to insourcing, Councillor Werner commented that research over the last few years had demonstrated that insourcing actually both saved money and improved services. In relation to invest to save, if the council was going to escape the spiral of decline it needed to be turning its assets into revenue raising assets rather than just selling them off cheaply. The council was charging CIL in all of the borough but not in Maidenhead Town Centre where a huge amount of development was going on. One report he had seen said that with the Nicholson's Development the council had sacrificed something like £16 million. In relation to commercialisation, Councillor Werner was interested in what the council was doing to sell services to other councils and other organisations. A few years ago the council sold off a fantastic team who were experts in putting in bids. Now, with the failure to get some grants that were available, including the Active Travel Grant, this had been shown as short sighted. Councillor Werner commented that these were all practical initiatives that would reverse the spiral of decline but by and large had been ignored up to now.

Councillor Werner referred to a quote from Einstein that the definition of stupidity was repeating the same thing over and over again and expecting a different result. He therefore named the 2022/23 budget as the 'stupidity theory budget'.

Councillor Del Campo reported that a resident had recently written to her to say the administration knew the cost of everything but the value of nothing. The idea that everything must pay for itself had been the theme for the last 15 years. Councillor Del Campo gave the example of creches at the sports centres. The one in Maidenhead had been closed in 2010 and the one in Windsor in 2014 because they were losing money. However this was a social investment with wider benefits including the opportunity for people to exercise and take care of their physical and mental health. Instead, parents were advised to go to more costly day care centres. Youth clubs had been closed to all but the most needy and breastfeeding support services had been lost. Valuable signposting opportunities had also been lost. The administration claimed to value the arts but the approach to date had been shoddy. Councillor Del Campo had tried to get the issue on the agenda for an Overview and Scrutiny Panel but it had been blocked because she was told it was not the right time when sensitive discussions were being held. The December expert report had warned Norden Farm would become a hall for hire if funding was stopped; this had been known since March 2021 when she had asked the Chief Executive at Norden Farm what the impacts of grant funding cuts would be. Councillor Del Campo had suggested to officers a three year rolling commitment should be given to enable the organisations to plan ahead.

Councillor Del Campo commented that the administration had tried to distance itself from the previous Conservative administration's failed financial policy. In June 2020 the current leader had described it as a cultural failure of epic proportions and apologised for not listening to Opposition Members, however they continued to be ignored. The current administration was not as different to the previous one as it claimed to be.

Councillor Baldwin explained he had undertaken a word search of the final report to pick out key themes: inflation received 42 mentions; Covid received 41 mentions and

transformation received 40 mentions. The Transformation of Government report of 2005 defined transformation as 'the design of citizen-centric services to ensure effectiveness of delivery to the customer, achieve policy goals and to release savings by reducing duplication and streamlining processes'. He hoped that no one would argue against reducing duplication and streamlining processes however there were only so many times the well could be visited to cut costs. Yes the medium term financial plan predicted more cuts through to 2026/27 of a further £12.4m. This suggested to Councillor Baldwin that the major contribution transformation could make would fall exclusively on non-delivery to the customer.

In relation to covid 19, Councillor Baldwin thanked all those who had sacrificed so much. No politician should seek to use it to shield themselves from previous mistakes. In relation to inflation Councillor Baldwin had spoken to a few economists to test the assumptions in the budget. Their view had been that the exceptionally high inflation currently being experienced would persist through 2022 before slowly settling to a still high but more sustainable rate of approximately 3%. This was definitely not as rosy a picture as presented in the budget and therefore a more serious threat. Councillor Baldwin understood that the inflation risks in contracted services were mitigated by fixing rises to an index. However the real world impact would be felt by residents in the subtle under-delivery of services. The budget included a pay award of 2%, carried forward in the MTFP for 2026/27. This was actually a real terms pay cut that would cause real hardship for many. The risk assessment stated that any pay award would go some way to help maintain staff morale; Councillor Baldwin felt this would not go very far.

Councillor Davey explained that Councillor Helen Price could not be present and had therefore asked him to read out her speech.

In my Ward of Clewer and Dedworth East residents are living in severe deprivation; residents who cannot afford both heating and eating. I've been putting my energies into seeking out sources of financial support and alerting residents to try and prevent these families going hungry or being cold. In addition, for some months I have been lobbying for more support for our residents who are facing the cost of living crisis, and we're all well aware that more of our families are going to be adversely affected. I therefore welcome the announcement at Cabinet earlier this month that a group has been set up to address how such residents can be reached and supported. Whilst I would have preferred that residents on the Council Tax Reduction Scheme would not be facing a doubling of their council tax next year, a decision made by this Council two years ago, I have been assured that those facing extreme hardship due to this increase and the cost of living crisis will receive financial support.

The written responses from community groups are now available, but were not at the Cabinet meeting when I asked questions on the budget. How are the points raised by community groups being addressed? To take just one, the newly-formed Youth Council, which has produced a well-considered response. It asked about home to school transport, libraries, the climate partnership, Youth Voice Youth Choice, therapy services, and their greatest concern, street lighting. And yet none of this was addressed by Cabinet. So are their concerns going to be ignored or considered at this meeting?

Councillor Davey commented that after 14 years of hurt, the borough deserved better. A recent flyer through his door from the Conservatives described how they had been keeping council tax low for 14 years. He asked why they kept blowing this rusty old trumpet? From his point of view the budget should not be used to play games but it invariably was. In 2018, after years of Conservative mismanagement of funds, RBWM had reserves of 15%, which meant 15% of the council's annual revenue was put to one side in case of emergencies. In comparison, at the same time Bracknell had 45% and Wokingham 56% put aside for a rainy day. Currently the council had reserves of around 7% and the only thing keeping the budget out of the red was the promise of an RBWM lottery that would save the day. Even Alexander Devine Children's Hospice couldn't make that work to their advantage and they had the general public on their side.

Councillor Davey commented that this was all because the Conservatives continued to have their heads in the sand post COVID. While general reserves were down 25% over the last 2 years they still wanted to be seen, even after all the evidence to the contrary, to have the lowest council tax outside of London. He suggested that the administration should start working with officers to come up with some real money-making ideas that did not involve borrowing millions. Most of those in the room recognised you could not make a silk purse out of a sow's ear. If the borough was to have perfect pavements and roads, highways would need a budget of around £100m a year. Legally the council needed a budget in place to be able to operate. RBWM employed hundreds of people and he was not going to put their livelihoods at risk. Councillor Davey concluded that he would therefore be voting for the budget but asked those listening to recognise that after 14 years of hurt, the borough deserved better.

Councillor Coppinger congratulated Councillor Hilton and the finance officers. He commented that the world described by Councillor Jones was not one he recognised. In relation to waste, he accepted there had been issues with waste and recycling collections in the past, but the service was now excellent. The council had committed to achieving carbon neutrality by 2050 at the latest and one of the first steps was to encourage recycling by reducing the frequency of black bin collections from weekly to fortnightly, in line with many other councils. Between October and January black bin waste had decreased by 21.49% and food waste increased by 30.6%. Total recycling year to date was 50.8% and in quarter 3 alone had increased to 54.1%. Vehicles were configured with two separate compartments therefore the returns to base to unload would have increased and too much time would have been taken up in transit. By increasing the number of vehicles and reducing the route size, the recycling capacity had been maximised.

Councillor Coppinger was grateful for the investment in his ward including a catchment study covering Holyport, Oakley Green, Fifield and Bray that would help investment to stop serious flooding, investment in the A308 corridor, and works to improve the Holyport Road junction.

Councillor Hunt was concerned that Councillor Jones had mentioned Overview and Scrutiny but not in a good way. She was not happy with this as she was the chairman of one of the Panels; she was hoping the Members of that Panel were happy. Councillor Werner had also mentioned about outsourcing and a spiral of decline.

Councillor Tisi welcomed the refocussing from a fixed role carrying out parental assessment to working with families already receiving support, to try to prevent things from getting worse. Recent high profile cases as well as increased stresses on families showed how vital early intervention was. Councillor Tisi also welcomed the change to bring the temporary accommodation management in house to save money.

Councillor Tisi explained that like her colleagues she had been thinking about how the £0.5m sent on 'bingate' could have been spent in her area. It could have been used to support the breastfeeding network; just £5000 a year would fund the service, help mothers and babies, and reduce long term demand on the NHS. Alternatively, money could have been spent on funding universal services for families and young children, something that had been swept away with the closure of the children's centres. Money could have been spent to upgrade lighting in areas in which young people felt frightened to walk home after dark as identified by the Youth Council. Councillor Tisi commented that her eye had been drawn to a number of savings which, although optimistic, had been tried and failed before, including a cut in the number of children's services agency staff. This was a noble aspiration but the council continued to be reliant on agency staff because permanent staff were difficult to attract, the key barriers being extortionate housing and living costs in the southeast, expensive public transport and a reduction in European workers. The shared lives scheme was an excellent idea first proposed in 2012 yet only five had taken up the offer. She asked what would be different in the next year compared to the past decade to enable the saving to be delivered.

Councillor Singh highlighted a number of issues his residents had faced in the last 12 months. Hedges and grass had not been cut, the streets were filthy and the play areas were unsafe. He had been trying to get two ponds in Kidwells Park maintained for over a year. He had been told there was no funding to repair a leak and he would need to submit a capital bid. After the issue had been highlighted in the local press and on social media one had been repaired and the water fountain restored. He would have gladly welcomed some of the money that had gone to Serco to repair the second pond.

Councillor Singh explained that he had attended a meeting of the Audit and Governance Committee and had been concerned to hear that two years of accounts had not yet been signed off and there had been a considerable number of objections by residents. He was also concerned that the council had lost out on grant funding and requested assurance that the money would not need to be returned to central government. Despite the collegiate talk there had been no engagement with him or his colleagues on the budget. Officers had not been able to answer all his questions about the budget. He therefore requested lead members to involve Opposition Members in the budget process. St Mary's ward had one of the highest levels of deprivation in the borough. With the increase in utility bills and other pressures he asked what package of support would be provided to residents. Given the council achieved a high return on council tax due, he commented that if families struggled to pay, the shortfall could put the council in a serious financial position.

Councillor Bhangra thanked Councillor Hilton and the finance officers for their hard work in preparing the budget in unprecedented times. A balanced budget was proposed despite the ongoing pandemic. He had not seen any credible alternative from Opposition Members. Some had used Norden Farm as a political football, scaremongering by saying there would be no funding and Norden Farm would be a

block of flats. Councillor Bhangra explained that he and Councillor Carroll had worked with Norden Farm and lobbied the Leader to ensure the arts received the support it needed. It had been right that an independent consultant had been appointed to ensure a financially prudent strategy was put in place. It was proposed that £115,000 be allocated to Norden Farm and £25,000 to the Old Court, with ongoing match funding and other opportunities being actively pursued including local business partnerships and sponsorship.

Councillor Stimson explained that in December 2020 the council had set out its environment and climate change strategy to reach net zero by 2050. It knew that with just two officers and funding the plan needed to be conservative. The strategy was criticised for its lack of ambition in that it did not tackle areas that were beyond the council's control, but it did not make sense to councillor Stimson to overpromise, and hence under-deliver, as she had said at the time. She would have loved to spend £100 million on the climate strategy, but she imagined that would not go down well when the council could not deliver its statutory commitments such as children's services and adult social care.

Since the last budget, the team had grown from two to eight members. The council had commissioned ARUP to review 31 council buildings to undertake a heat mapping analysis, installed over £200,000 worth of LED lighting in schools, rolled out automated meters to understand water consumption and quickly identify leaks in the borough, delivered environment education to 1200 children across the borough at Braywick Nature Centre despite the COVID impacting delivery, and had just been awarded a significant amount from the SALIX public decarbonisation fund to retrofit five of the boroughs schools and ensure they were powered by green energy by the start of the new school year.

The environment and climate strategy made it clear that it could not just be for the council to be responsible for the delivery of the strategy and it would require action from central government, the private sector, communities and individuals to deliver the challenging targets. This was one of the reasons for setting up the Climate Partnership. There was a single line item of £250,000 in the 2022/23 budget. This was planned to be put into the budget for the next two years as well, to fund the secretariat that would support the board. It was core funding, which meant that it would cease as soon as the organisation could fund itself, and that needed to be within the three year timeframe at the latest. Businesses that were not delivering sustainability were being increasingly wiped off the stock market. Employees now sought more from their employers than simply a job; they wanted to be proud of who they worked for and produce a product or service that was credible or sustainable. Residents were looking for more from the council in terms of climate action. The partnership sought to address that by partnering with highly sustainable businesses who wanted to invest their ESG funds, schools, charities, landowners, and resident groups. Going forward, there would continue to be officer capability as well as Our Community Enterprise to prepare for government bids, but sustainability benefits would also come from other departments, such as transport, planning and housing.

A similar process to EQIAs was being developed to help support all officers in assessing the Environment and Climate Strategy which should go at the end of reports. Carbon Literacy Training was being rolled out with a first cohort having completed the training already as well as members of the team being trained as trainers to accelerate the roll out. The current interim sustainability position statement

was already delivering improvements in sustainability across new developments as well as funding to support decarbonisation efforts. The capital programme included funding for development of the Local Nature Recovery Strategy and government would also be providing funding to local authorities to support delivery at a county level. There was a strong in-house team to lead on development and delivery of the Biodiversity Action Plan.

Councillor Stimson concluded by thanking the sustainability officers, who did so much with a small budget, and the Chief Executive and Leader of the Council who were both supportive of the development of the Climate Partnership.

Councillor Bateson thanked Councillor Hilton and the finance team for their hard work on the budget. The council was in a better place than a lot of other councils in Berkshire. The Cabinet had worked hard with officers to make savings in their departments in cost effective ways, for example shared services and new transformation models such as in the libraries.

Councillor Clark thanked Councillor Hilton and officers for their extreme diligence and hard work. He highlighted that the budget included £1.5m for walking and cycling. The work that was planned had been carried on by the council although the funding bid had not been successful. Bus services would be supported by £300,000 of funding. The council was dependent on government for grants. Officers in good faith made bids to secure the maximum amount of funding and although he was sad when the bids were not successful, he defended that work. £6m would be invested in highways and infrastructure including for road safety, active travel, bridge refurbishments, street lighting and regeneration.

Councillor Clark commented that the Opposition had urged the council to spend more, but every resident knew that if the council spent more in one area, there was less to spend elsewhere. He had not heard one revenue generating or cost reduction proposal put forward by the Opposition.

Councillor Singh requested a personal explanation. He had asked the lead member if the covid grant funding would need to be returned to central government. He understood there was £1.5m in the pot; if this was returned, he asked if it would leave a hole in the finances. In relation to cost reduction he asked why the administration would not ask Members of the Opposition for ideas rather than going to external consultants

Councillor Werner requested a personal explanation. He reiterated the suggestions he had made in his earlier speech in relation to insourcing, invest to save, CIL, commercialisation and re-investing in the experts in grant applications.

Councillor Werner requested a second personal explanation. He explained that his reference to a spiral of decline was in relation to the council's failure to invest in the community.

Councillor Carroll thanked officers for their work on the budget which was an 'investment in people' budget. The budget proposed continued investment in adult social care to further the principles of independence, enablement and compassion by taking a personal approach to care packages and a greater use of technology. The council would continue to place a high priority on domestic abuse services to protect

the most vulnerable. Investment in children's services would build on an already positive legacy with 97% of schools in the borough rated Good or Outstanding. Investment would support critical priorities including safeguarding, prevention and early intervention.

Councillor Carroll confirmed that the views of the Youth Council had been taken into consideration. He had met with representatives from the Youth Council along with Councillor Hilton the previous week to discuss their thoughts and concerns. He had been pleased to confirm funding for arts and therapy services and that the council would be working with the Police and Crime Commissioner in relation to street lighting.

Councillor Carroll explained that the council had invested in the family hub model because an All-Party Parliamentary Group and the Children's Commissioner had recommended the model as best practice to allow a focus on the vulnerable and disadvantaged. He highlighted that £1.7m funding was proposed for public health to support health visits including breastfeeding.

Councillor McWilliams thanked officers and Councillor Hilton. He explained that in housing, investment was proposed for additional private rented sector officers and client services officers to assist homeless households into settled accommodation and prevent homelessness by supporting issues of debt management. The budget included £1.2m investment in the expansion of John West House and the Tap 4 Lasting Change scheme. At least £1.4m in grant funding had already been secured to support homelessness with additional funding being sought. Councillor Carroll had already referenced £240,000 to support the forthcoming Domestic Abuse Safe Accommodation Strategy. In addition, £4m was included to deliver additional affordable housing.

Councillor McWilliams highlighted that three times as many consultation response had been received then the previous year. Over 450 community groups had been contacted. The largest response related to arts funding which had been responded to. He highlighted that the budget consultation was an initiative introduced by the current administration.

In relation to sports and leisure, statistics from the last few months showed a strong bounce back from COVID. Fitness revenue was back to 93%; total membership back to 95%. The council remained committed to the Oaks Leisure Centre and would be exploring options to deliver it in the new post-COVID world. The council was also looking at options to expand Windsor Leisure Centre which had new facilities opened earlier that day, including a new waterslide funded by RBWM. The budget allowed for additional repair and maintenance work at all leisure centres.

Councillor McWilliams stated that over the last few years and in the context of a global pandemic, the council had taken the difficult decisions to put RBWM's finances on a more sustainable footing. The long-term plan for the borough had seen finances stabilised, services transformed, and taxes kept low, alongside investment into roads, health, education and leisure infrastructure, improved support for vulnerable residents, particularly rough sleepers and those facing homelessness, and expanded financial support for businesses during Covid. The sound financial management would reduce public debt to zero if that was chosen, which would deliver a financial boost to future generations of local people.

Councillor Cannon thanked Councillor Hilton and officers for their work on the budget. He explained that he had listened to all the speeches and as a result he had a few

concerns. He had spoken to all his Cabinet colleagues and none were aware of any shadow Member identifying themselves to the relevant Cabinet Member. Councillor Cannon explained the council had a zero tolerance policy on making residents' lives a misery, but it also employed education before enforcement. Earlier in the debate there had been a definition of stupidity given but he believed the reference had been incorrect. The original quote had been that the definition of insanity was doing the same thing over and over again and expecting different results.

Councillor Bond commented that the subject of the refuse collection had come up a number of times. In his ward he was still experiencing problems with collections. It seemed that one thing would go wrong which was then amplified by other errors in the system. This had been happening for the last 6 months.

Councillor Bond explained that when he was elected the Advantage Card parking discount scheme was in place, which was then abolished. An alternative was proposed in 2020 but had been aborted within a month. There was now 1 hour free parking in a limited number of car parks starting in April. He was sure that independent businesses and other shops would be in favour of anything that encouraged footfall but they also liked stability and predictability. It was also important that there was no discouragement of alternatives that were better for health and were more environmentally friendly such as walking, cycling or catching the bus. As an occasional bus user he welcomed investment in the services.

Councillor Bond referred to a rule of thumb he found useful that stated 80% of the work to identify savings should be done by this stage. From the wording of some of the savings and the level of unachievable savings from the current year detailed in the financial update, the council did not seem to be there yet. He appreciated a pandemic had occurred but in the year ahead he felt it would be good to get ahead of the curve and put some flesh on the bones of the medium term financial plan. In the revenue, investment and growth bids there was a line described as 'ongoing issues relating to parcels of land, boundary fences and tree maintenance for which there was no current budget'. He assumed that this included a hedge in Belmont ward that was badly overgrown. The area was widely used by families from three wards walking to local schools. In the autumn a team of volunteers had cut it back to make the pavement safe. The leader of the opposition had presented the volunteers with a certificate to thank them for their work. If the allocation in the budget covered that hedge Councillor Bond was sure that the volunteers and everyone in the area would be pleased to see it being dealt with properly by the council in future.

In relation to inflation, Councillor Bond referred to the range of uncertainty. The interest rate assumption was 0.6%. Inflation was now at 5% and heading to 7% therefore the real after inflation interest rate was -5% and rising. This was a peculiar price signal in a market economy; he worried about how it would end and the developing cost of living crisis for residents.

Councillor Haseler acknowledged that the cost of living crisis was an issue but he had also heard criticism of the low council tax level in the borough, which was a confusing message. After the 2019 elections the council had called in CIPFA to review its financial management. Officers had worked hard to bring the finance back on track. The Corporate Overview and Scrutiny Panel had reviewed the CIPFA report in November 2021 and noted that all actions had been implemented or were on track. Therefore the earlier statement about a 'spiral of decline' was not appropriate.

Councillor Haseler explained that the draft budget had been scrutinised at an expanded Corporate Overview and Scrutiny Panel in December 2020. All Members had been invited to submit questions to be answered and to guide the Panel in terms of lines of enquiry. Only four Members had submitted questions. Councillor Haseler thanked Cabinet for the arts funding; he felt Norden Farm was a fantastic community asset.

Councillor Rayner stated that she was proud to be part of an administration and council that two years previously was facing so many severe financial challenges and today was providing success, transformation and making lives better through a sustainable borough of opportunity and innovation, though still mindful of the acute issues such as low reserves.

One service that had faced the challenge was the libraries. Last year the budget showed a £300,000 saving and libraries possibly facing closure. The challenge was enormous but following a 12 week consultation, 35 meetings with residents and community groups and over 1,000 responses to the consultation, funding was secured through partnership working to create a sustainable service which was more closely linked to the community and all 11 libraries were kept open. In the 2022/23 budget the council was looking to increase the access with three pop up libraries and more opportunities with £48,000 in the capital budget. The success of the transformation had been noticed in central government and libraries across the country as a potential blueprint for others. This helped promote RBWM's reputation amongst its peers. The council had responded to the Youth Council letter and engaged with them and had been delighted to hear their ideas.

The recently adopted Corporate Plan was threaded through the budget, giving focus to the future and evidence of the most important challenges to deliver on the priorities, serving residents and the vulnerable and making services simpler, easier to access, faster and better. It would create a council run more efficiently and effectively and spending residents' money more wisely.

Councillor Rayner highlighted the Guildhall in Windsor, which was a key heritage asset and much loved by locals, used for events and housing the museum and tourist information centre. In the budget there was £615,000 for the building repairs. For the amazing local groups and charities the council was able to offer a pot of grant funding in the capital budget of £261,000. The voluntary work they did and lives they changed was enormous; it was a great privilege to be able to help them do their fantastic work.

In relation to the arts, Councillor Rayner stated this was not a U-turn but considered an effective decision making of a well-run council. The council had identified £140,000 from underspends in the current year thanks to the fantastic officers who were working to find better and more efficient ways of delivering services. This had been confirmed by the Section 151 officer. Through discussions and partnership working and a consultant's report it was proposed to give £115,000 to Norden Farm and £25,000 to Old Court. Councillor Rayner thanked those residents who had taken part in the public consultation. The arts were so important to create culture and quality of life; this had been especially true during the pandemic.

The council had an invest to save programme including appointing a commercial officer who would look at new opportunities for the council to earn revenue and

support the services. The new direction would expand the council as a revenue earning business and explore commercial opportunities making the most of the assets the council had to provide more money to spend on what residents wanted. Our Community Enterprise was retained by the council to look for grants and bids for the council and residents.

Councillor Rayner was delighted to offer a 2% pay award to RBWM staff, including those at Optalis and Achieving for Children. The staff had faced enormous, unprecedented pressures with Covid and recently with the storms. These challenges, as well as working from home, meant that it was important to recognise this. She was really pleased that the staff satisfaction surveys showed an improvement over the last few years. Staff had shown dedication beyond their work to look after residents. Councillor Rayner highlighted that there was also a recommendation that the Independent Remuneration Panel reviewed the indexation element of the Members' Allowances Scheme and brought a report back to full Council. As residents were having an incredibly tough time and struggling with inflation and other things it was appropriate that councillors did not benefit from the staff pay award.

Councillor Rayner thanked the finance team and Cllr Hilton for the budget which balanced and gave a clear strategy for the next year ahead.

Councillor Reynolds stated that he wanted to clear up some confusions that had arisen. The biggest U-turn in the budget was funding for Norden Farm and the Old Court. Councillor Johnson had said on social media that it had always been the plan to fund the arts. Ward councillors had accused people of scaremongering. Yet Councillor Rayner did say on her social media page in January that a conversation had been held with the arts centres and it was made clear that there would be no funding in the following year's budget.

Councillor Reynolds highlighted that many Members had commented on the bold action being taken on climate change, yet the plan was also to build on the green belt in Maidenhead. It had been said that the waste contract would support the climate change objectives, yet this would mean more lorries on the road. Members had been told that the administration did not want to overpromise and under-deliver, yet this is what had happened in relation to the pocket park in Dearswood. Councillor Reynolds had heard that discussions had taken place with the Youth Council but that did not mean actions were taken. He had been told that the Oaks leisure centre remained a priority but a four year delay and no idea when it would be built did not seem much of a priority to him. Members had heard that the waste service was excellent, but this was not the experience of residents who contacted him on a weekly basis.

Councillor Reynolds highlighted the various suggestions Councillor Werner had made in his earlier speech, some of which had been referenced by Councillor Rayner. The budget had been described as positive but it would not feel like that to those who were disadvantaged.

Councillor Hill congratulated Councillor Jones on her excellent speech; she had called it right since 2011. Council tax was being put up by the maximum amount allowed plus the adult social care precept and that was the plan for the next five years. The capital flows, debt levels and repayments spreadsheets on pages 190 and 191 of the report told the whole story. The story was one of financial mismanagement on an epic scale. The Conservatives had become addicted to debt leaving RBWM around £0.25bn in debt by 2025/26, with interest payments of almost £9m per annum.

RBWM's financial future was based on the sale of Maidenhead Golf Club and a mass extinction event in the town. The wholesale destruction of the green belt site and its wildlife was environmental devastation on a scale that had never been seen before in the borough. The Conservatives had made RBWM's financial health dependant on one development site, Maidenhead Golf Club. It was not known what CALA Homes would build, when the build would take place, what the sale prices would be, or what the capital receipts would be. Yet the Conservatives were betting the future of the borough on the receipts and reductions in interest payments. Councillor Hill commented that there were so many assumptions it was frightening. If CALA Homes sneezed, RBWM would catch a cold. Councillor Hill felt it was a highly speculative, highly irresponsible budget that he would not vote for.

Councillor Knowles commented that the medium term financial plan included a commitment to lobby the government to allow council tax increases above the maximum allowed. He agreed with others that there was a historic set of circumstances including the inheritance of five year old problems that were being worked through. Cash flow forecasts were a very good arbiter of an organisations' financial position. It was not until 2025/26 that the council would be in a position where income was greater than expenditure. Until then any major project would need to be funded by borrowing. 2024/25 was the pivot point. The current debt including the pension deficit required a £11m repayment that came out of the revenue budget. This was a concern as it would increase going forward and the market was volatile. The service fee for the debt in 2024/25 was £8.6m. There was still a lot of risk and there was no plan beyond 2024/25. The 2022/23 budget was what it was. He knew that both officers and Councillor Hilton had put a lot of effort in to balance it all out. He would therefore be supporting the budget because it was the only budget on the table, but it was balanced and had been put together with due diligence.

Councillor Hilton concluded the debate. He commented that had Covid not occurred, the council would be a lot further down the line into transforming the medium term financial strategy. Greater granularity was already planned along with transformation and the Corporate Plan. This meant the strategy would become a plan for the future and explore all risks that could be identified including the fair funding review, the levelling up risk and the impact of changes in self-funders. Being transparent had simply provided opportunities for the Opposition to talk back to the administration on issues that had already been identified. The finance team and Directors were already working on mitigation measures. The Members of the Opposition seemed keen to spend more money on areas such as reducing parking charges. Councillor Hilton commented that he paid less in Winsor for parking than he did in Bracknell. In terms of arts the Lottery would help. He did not understand why the council was always seen as the first place to go for arts funding when there was a wealth of organisations that had money available for such projects.

Councillor Hilton highlighted a number of capital projects that had been invested in, including the Braywick Leisure Centre, Maidenhead Waterways and the Stafferton Way Road. All these projects were in support of Maidenhead regeneration. There was a price to pay and that was through capital receipts. The capital cashflow demonstrated the council could be debt free by 2035 and have significant cash reserves.

Councillor Hilton concluded by commenting that he had been told the administration was doing the same thing over and over again. As in the last two years, the administration would deliver underspends on the revenue budget.

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

RESOLVED:

Appendix 1 – Revenue Budget

That Council considers and:

- i)** Approves the 2022/23 Net Budget of £103.346m, consisting of:
 - a. The proposed new growth in service budgets of £5.449m as set out in **Annex D to Appendix 1**, plus an additional £0.140m growth in the Arts budget recommended by Cabinet on 10th February 2022;
 - b. The proposed new opportunities and savings of £3.396m as set out in **Annex E to Appendix 1**;
 - c. The associated contribution from Earmarked Reserves of £2.144m, and the level of contingency as £2.38m as set out in paragraph 5.8.3;
- ii)** Approves the calculations for determining the Council Tax Requirement for 2022/23 as set out in **Annex I1 to Appendix 1**, consisting of:
 - a. A Council Tax Requirement of £82.493m.
 - b. A Band D charge of £1,164.99 for the Royal Borough of Windsor and Maidenhead in 2022/23, reflecting an overall increase of 2.99%, based on:
 - i. A 1.99% increase in base Council Tax taking the charge to £1,025.90 for 2022/23;
 - ii. An additional 1% to reflect an increase in the Adult Social Care Precept which is proposed as £139.09;
 - c. The Special Expenses Precept increases by £0.67(1.99%) to £34.57 for 2022/23 for the unparished areas of Windsor and Maidenhead in accordance with Section 35 of the Local Government Finance Act 1992, as set out in **Annex F to Appendix 1**;
- iii)** Notes the following Precepts by partner organisations:
 - i. The Police and Crime Commissioner for Thames Valley - £241.28 (para 5.6.3), as set out in the updated **Annex I3 to Appendix 1**;
 - ii. The Royal Berkshire Fire Authority - £73.95 (para 5.6.3), as set out in the updated **Annex I3 to Appendix 1**;
 - iii. Parish Precepts as set out in the updated **Annex I3 to Appendix 1**, as notified by the individual Parish Precepts;
- iv)** Approves the allocation of the £140.607m Dedicated Schools Grant as set out in **Annex G to Appendix 1**, and delegated authority be given to the Executive Director of Children’s Services and S151 officer in consultation with the Cabinet Members for Finance and Adult Social Care, Children’s and Health Services to amend the total schools’ budget to reflect the actual Dedicated Schools Grant levels once received;

- iv) Approves delegated authority to the Grants Panel to award community grants (capital and Kidwells Trust) for the 2022/23 annual round and publish the decisions following the Grants Panel.

Appendix 2 – Fees and Charges

That Council considers and approves:

- v) The Fees and Charges for 2022/23 as set out in **Annex A to Appendix 2**.
- vi) Delegated authority is extended to the Executive Director for Adults, Health and Commissioning, in liaison with the Cabinet Member for Adult Social Care, Health, Mental Health and Children’s Services, to set the Direct Payments Standard Rate (p20 of Annex A to Appendix 2).

Appendix 3 – Capital

That Council considers and approves:

- vii) The Capital Strategy 2022/23 – 2024/25 as set out in **Annex A to Appendix 3** of this report. A draft was considered by Audit and Governance Committee on 21st October 2021.
- viii) The consolidated Capital Programme for 2021/22 – 2024/25 in **Annex B1-3 to Appendix 3** of this report, including previously approved schemes and proposed new schemes as set out in **Annexes B4 & B5 to Appendix 3** of this report.
- ix) Capital programme slippage to date from 2021/22 to 2022/23 as detailed in **Annex B6 to Appendix 3**.
- x) Funding of £0.497m of School Condition Allocation is used to support the increased costs of replacing oil-fired boilers at five schools with gas boilers (para 7.8)

Appendix 4 – Treasury Management

That Council considers and approves:

- xi) The Council’s Treasury Management Strategy for 2022/23 as set out in **Appendix 4** of this report, including
 - a. The proposed Lending Counterparty Criteria;
 - b. the continuation of the current Minimum Revenue Provision Policy for 2022/23.

A draft was considered by Audit and Governance Committee on 21st October 2021.

- xii) The Council’s Treasury Management Policies as set out in **Annex A to Appendix 4** of this report;
- xiii) The Council’s Prudential Indicators as set out in **Annex B to Appendix 4** of this report

Appendix 5 – Pay Policy Statement

That Council considers and approves:

- xiv) The Council’s updated Pay Policy Statement Strategy for 2022/23 as set out in **Appendix 5** of this report, noting that Sections 2.9, 3.3, 4.1, 4.2, 4.3, 4.4 and 4.5 of that appendix will be updated following Council’s decision regarding the 2022 staff pay award.

Appendix 6 – Proposed Pay Award

That Council considers and approves:

- xv) A pay award of 2% from 1 April 2022 for all staff paid on RBWM local pay scales.
- xvi) An increase in Members’ Allowances of 2% in line with the employee pay award, as required by Section 17 of the Members’ Allowances Scheme.
- xvii) a request to the Independent Remuneration Panel to review the indexation element of the Members’ Allowances Scheme and to report back to full Council.

Appendix 7 – Feedback from the Corporate Overview and Scrutiny Panel / Public Consultation

That Council considers and has due regard to the contents of Appendix 7.

2022/23 Budget (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 John Bowden	For
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	For
Councillor Karen Davies	Against
Councillor Phil Haseler	For
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For

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Councillor Greg Jones	For
Councillor Lynne Jones	Against
Councillor Neil Knowles	For
Councillor Ewan Larcombe	Against
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 Helen Taylor	Against
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
Carried	

The meeting, which began at 7.00pm, finished at 9.33pm.

CHAIRMAN.....

DATE.....

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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 Annual Hungerford Star Dinner of the Berkshire Yeomanry
- Attended the final of the Rotary young writers competition
- Joined HRH Earl of Wessex in visiting St Peter's School, Old Windsor
- Attended the World Day of Prayer service at St Joseph's Catholic Church, Maidenhead
- Visited the Rotary Big Read Festival in Maidenhead
- Attended the Windsor Maidenhead Symphony Orchestra concert
- Planted a tree in Kidwells Park, Maidenhead as part of the "Queen's Canopy" for Her Majesty The Queen's Platinum Jubilee
- Attended the Lord Lieutenant's presentation of Queen's Award for Voluntary Service and Honours
- Attended the closing blessing ceremony of St Luke's Chapel, Heatherwood Hospital and toured the new hospital building
- Chaired a meeting of the Royal Borough's Twinning Committee
- Visited Windsor Boys School
- Attended the Primary Schools Dance Festival
- Attended the Windsor and Eton Choral Society Jubilee Concert in St George's Chapel
- Attended meeting of the Samuel Lewis Old Age Pension Fund
- Hosted the plaque unveiling and museum/VIC official opening by HRH Earl of Wessex at the Guildhall, Windsor
- Attended meeting of the Prince Philip Trust Fund
- Hosted reception and dinner in aid of the Prince Philip Trust Fund attended by HRH Earl of Wessex in the Guildhall, Windsor
- Participated in the Windsor and Maidenhead Police Commendation Ceremony
- Presented awards at the Windsor Lions presentation evening
- Official photographic portrait sitting
- Welcomed 1st Maidenhead Sea Scout Beavers to the Mayor's Parlour, Town Hall, Maidenhead for viewing of civic insignia
- Visited the Easter Art Expo at All Saints Church, Dedworth
- Commenced a programme of visits to all the care homes in the Royal Borough to present each resident with a commemorative Platinum Jubilee mug
- Visited Desborough Bowls Club, Maidenhead for their tree planting as part of the Queen's Canopy
- Attended meeting of the Royal Albert Institute Trust
- Attended the annual dinner of the Old Maidonians and Desborough Society
- Attended the RBWM Staff Awards Ceremony, Town Hall, Maidenhead
- Attended the Swearing In Ceremony for the new High Sheriff
- Attended meetings of the Spoore Merry Rixman Foundation and Pooles and Rings charity
- Attended virtual twinning meeting with the youth council representatives from St Cloud, France and RBWM
- Started the Maidenhead Easter Ten race and presented medals to the winners
- Celebrated the Festival of Vaisakhi at Maidenhead Gurdwara

- Led the 21 Royal Gun Salute, Long Walk, Windsor
- Hosted a charity reception (in aid of the Mayor's Benevolent Fund) in honour of Her Majesty the Queen's 96th birthday, Guildhall, Windsor
- Attended the Windsor Platinum Jubilee Committee's Champagne Reception at Norman Tower, Windsor Castle
- Guest speaker at the St George's Day Lunch of the Rotary Club of Windsor St George
- Joined Maidenhead District Scouts for their St George's Day celebrations in Braywick Nature Centre, Maidenhead

Report Title:	Schools Capital Allocations 2022-23
Contains Confidential or Exempt Information	No - Part I.
Cabinet Member:	Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance and Ascot
Meeting and Date:	Full Council - 26 April 2022
Responsible Officer(s):	Adele Taylor, Executive Director, Resources Andrew Vallance, Head of Finance
Wards affected:	All wards

REPORT SUMMARY

Following February 2022 Council, this report seeks approval to spend the confirmed grant allocation of School Condition Allocation for 2022/23.

The report also seeks to formally approve a budget addition for the capital grant allocation for the Public Sector Decarbonisation Scheme discussed at March 2022 Cabinet.

These items were recommended for Approval to Council by Cabinet at its meeting on 31st March 2022.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council approves:

- i) A capital budget addition of £498,456 to the 2022/23 capital programme for school estates improvement works fully funded by School Condition Allocation grant.**
- ii) A capital budget addition of £1,567,000 to the 2022/23 capital programme fully grant funded by the Public Sector Decarbonisation Scheme.**

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

Background

Purpose of the School Condition Allocation (SCA)

- 2.1 Following discussion of the 2022/23 SCA grant at March Cabinet, Council are recommended to formally approve the budget for inclusion in the Capital Programme.
- 2.2 The SCA for the Royal Borough is intended to cover any works at community and voluntary controlled schools related to improvements to the school estate. This includes major replacements and improvements to the fabric of the buildings and grounds. The scheme includes compliance works to meet

health and safety and building regulations. Schemes may, therefore, include works to:

- boilers, radiators and pipework
- doors and windows
- external areas such as playgrounds, paths and roads
- floors
- internal and external walls
- kitchens
- roofs, gutters and soffits
- utilities

Timings and amount of School Condition Allocation grant

- 2.3 The final level of grant allocated to the Royal Borough via the SCA was not announced until after the February 2022 Council budget report.
- 2.4 The Royal Borough's confirmed SCA for the 2022/23 financial year is £1,268,456.

Budget increase for the 2022/23 School Condition Allocation

- 2.5 A report to January 2022 Cabinet discussed School Condition allocation schemes for the 2022/23 financial year. February Council agreed a 2022/23 capital budget addition of £770k. A further capital budget addition of £498k is therefore required to allow the full budget allocation of £1.268m to be spent in 2022/23. Cabinet has already delegated any variation of the list of agreed School Condition Allocation schemes for 2022/23 to the Director of Children's Services, in consultation with the Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health (January 2022).

Public Sector Decarbonisation Scheme

- 2.6 Following the preparation of a bid by the Sustainability and Climate Change Team, Property Services and Achieving for Children, the Council has been successful in a £1.567m bid for capital funding from the Public Sector Decarbonisation Scheme. This grant funding is linked to five specific schools, replacing their oil-fired boilers with lower carbon alternatives, and carrying out other sustainability improvements at their sites.
- 2.7 Boiler replacement schemes at the five schools (Alexander First, Boyne Hill Infants, Braywood First, Courthouse Junior and Oakfield First) have already been approved by Cabinet, with higher budgets approved at Council in February 2022. These budgets are fully funded by the School Condition Allocation (SCA). Under the terms of the Public Sector Decarbonisation Scheme (PSDS), the Council will need to continue to fund a sum for each scheme that represents the cost of a straight oil to gas boiler conversion. The costs over and above that of providing more ambitious carbon reducing alternatives, plus the wider sustainability improvements, are covered by the Public Sector Decarbonisation Grant.
- 2.8 Accordingly, the current £1.11m allocated to the five schemes from the School Condition Allocation can be reduced to £634k. It is proposed that the released funding (£476k) is returned to contingency for the School Condition Allocation and that the existing overall budget set for the School Condition Allocation

spend is not changed. Officers will consider further school condition schemes to be funded using the released funding. Cabinet has already delegated any variation of the list of agreed School Condition Allocation schemes for 2022/23 to the Director of Children's Services, in consultation with the Cabinet Member for Adult Social Care, Children's Services, Health and Mental Health (January 2022).

- 2.9 Council is recommended to approve budgets to allow the new £1.567m grant to be spent in 2022/23. Following further consideration of the revised projects, it is proposed that the new schemes are procured and managed as one project, with one cost centre.
- 2.10 Table 1 below shows the budget revisions for the individual school schemes, including the new project value and the breakdown by grant. The shaded column gives the amount of additional (grant funded) budget approval requested from Council
- 2.11 Table 2 below combines the projects shown in Table 1 into one cost centre.

Table 1 – Proposed changes to budgets for previously agreed boiler replacement schemes, now supplemented by the PSDS

School site	Cost-centre	Already funded by SCA (£,000k)	New total project value (£,000k)	Total to be funded by SCA (£,000k)	Total to be funded by PSDS Grant (£,000k)	Extra 2022/23 budget sought (£,000k)	Amount of SCA released back to other school projects (£,000k)
Boyne Hill Main and annexe	CSKC	260	574	182	392	392	78
Courthouse Junior	CSLE	350	412	106	306	306	244
Oakfield First	CSLO	100	445	137	307	307	-37
Alexander First	CSLP	250	446	139	317	317	111
Braywood First	CSLQ	150	313	69	244	244	81
Total		1,110	2,200	634	1,567	1,567	476

Table 2 – Breakdown of new combined budget

Project	Cost-centre	Total budget	Funded by the PSDS Grant	Funded by the SCA Grant	Extra 2022/23 budget sought
Climate strategy – school heating & carbon reduction measures.	tbc	£2,200,182	£1,566,590	£633,592	£1,566,590

Options

Table 3: Options arising from this report

Option	Comments
Recommends the budget increases are approved to allow the 2022/23 capital grant allocations to be spent. This is the recommended option	This will allow the capital schemes to proceed.
Do nothing This is not the recommended option	Doing nothing means that the schemes cannot proceed and the grant will be required to be returned to the DfE.

3. KEY IMPLICATIONS

Table 4: Key Implications

Outcome	Unmet	Met	Exceeded/ significantly exceeded	Date of delivery
Agreed schemes delivered by	01/4/2023	31/8/2022	01/5/2022 to 31/8/2023	30/04/2022
Programme budget (under) / overspend	>+0.5%	+0.5% to -2%	-2% to -6%	< -6%

4. FINANCIAL DETAILS / VALUE FOR MONEY

Table 5: Financial Impact of report's recommendations

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

CAPITAL COSTS	2021/22	2022/23	2023/24
Additional total	£0	£2.065m	£0
Reduction	£0	£0	£0
Net Impact	£0	£2.065m	£0

5. LEGAL IMPLICATIONS

- 5.1 The Council is required to produce a balanced budget that provides Service Directors with sufficient resource to meet their own statutory requirements.

6. RISK MANAGEMENT

Table 6: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Higher than expected costs and/or emergency works result in overspend on the programme.	Medium	The borough will carry out tendering exercises in accordance with Contract Rules to achieve best Value for Money. Monthly budget monitoring meetings are held to ensure that spending is tracked and within budget. The inclusion of a sum for contingency ensures that there is some capacity built in to address these risks.	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities. Equality Impact Assessments are published on the [council's website](#). An Equalities Impact Assessment (EqIA) is attached at Appendix A.
- 7.2 Climate change/sustainability. The government is placing increasing importance on the sustainability of school buildings. Many school improvement projects, including new boilers, windows and doors, and roofs can have a positive environmental impact. A number of projects, including some boiler replacements that are not immediately urgent could be completed under the Public Sector Decarbonisation Scheme, which will help further reduce carbon emissions.
- 7.3 Data Protection/GDPR. There are no data protection or GDPR implications arising from this report.

8. CONSULTATION

- 8.1 Decisions about spending the SCA are based on a prioritisation of schemes by officers in Achieving for Children and Property Services, taking into account requests from schools and surveys carried out by specialists.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 It is proposed that the design and planning works on the schemes will begin immediately. Procurement will proceed. Projects will then be delivered over the 2022/23 financial year.

10. APPENDICES

10.1 Appendix A - EQIA

11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- Condition funding: methodology for the financial year 2022-2023, March 2022, DfE.

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory: Statutory Officers (or deputy)			
Adele Taylor	Executive Director of Resources/S151 Officer	13/4/22	13/4/22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	13/4/22	13/4/22
Deputies:			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	13/4/22	13/4/22
Elaine Browne	Head of Law (Deputy Monitoring Officer)	13/4/22	13/4/22
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	13/4/22	13/4/22

Confirmation relevant Cabinet Member(s) consulted	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health, Mental Health & Transformation	Yes
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REPORT HISTORY

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

Report Author: Zarqa Raja, Capital Accountant

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA: School Capital Allocation

Essential information

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

Strategy		Policy		Plan		Project	x	Service/Procedure	
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Responsible officer	Ben Wright	Service area	School Support Services	Directorate	Children's Services
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Stage 1: EqlA Screening (mandatory)	Date created 13/04/2022	Stage 2 : Full assessment (if applicable)	Date created : n/a
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

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

Signed by (print): Lynne Penn, Support Services Service Manager

Dated 13/04/2022

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA: School Capital Allocation

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

EqlA: School Capital Allocation

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 aim of the project is to carry out larger scale maintenance and improvement works at Community and Voluntary Controlled schools in the borough, funded by the DfE's School Condition Allocation and Public Sector Decarbonisation grant; spent in accordance with the guidance. Projects are prioritised based on condition and urgency.

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

EqlA: School Capital Allocation

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Not relevant	n/a	n/a	n/a Key data: The estimated median age of the local population is 42.6yrs [Source: ONS mid-year estimates 2020]. An estimated 20.2% of the local population are aged 0-15, and estimated 61% of the local population are aged 16-64yrs and an estimated 18.9% of the local population are aged 65+yrs. [Source: ONS mid-year estimates 2020, taken from Berkshire Observatory]
Disability	Not relevant	n/a	n/a	n/a
Gender re-assignment	Not relevant	n/a	n/a	n/a
Marriage/civil partnership	Not relevant	n/a	n/a	n/a
Pregnancy and maternity	Not relevant	n/a	n/a	n/a
Race	Not relevant	n/a	n/a	n/a Key data: The 2011 Census indicates that 86.1% of the local population is White and 13.9% of the local population is BAME. The borough has a higher Asian/Asian British population (9.6%) than the South East (5.2%) and England (7.8%). The forthcoming 2021 Census data is expected to show a rise in the BAME population. [Source: 2011 Census, taken from Berkshire Observatory]
Religion and belief	Not relevant	n/a	n/a	n/a 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]

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA: School Capital Allocation

Sex	Not relevant	n/a	n/a	n/a <i>Key data: In 2020 an estimated 49.6% of the local population is male and 50.4% female. [Source: ONS mid-year estimates 2020, taken from Berkshire Observatory]</i>
Sexual orientation	Not relevant	n/a	n/a	n/a

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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	No	Ben Wright, School Places and Capital Team Leader.	The proposed schemes should be completed in the 2022/23 financial year.
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	No	Ben Wright, School Places and Capital Team Leader.	The proposed schemes should be completed in the 2022/23 financial year.

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).

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Report Title:	Development Management Committee Review
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport
Meeting and Date:	Full Council 26 April 2022
Responsible Officer(s):	Andrew Durrant, Executive Director of Place & Adrien Waite, Head of Planning
Wards affected:	All

REPORT SUMMARY

This report follows the review brought to Full Council in June 2021. The report prepared last year highlighted the resource implications and risks associated with having two Development Management Committees but recommended two committees be established given concerns raised regarding local member involvement in decision making. The Member resolution following the debate was to operate with two committees but also requested the Head of Planning to bring a report reviewing these new arrangements back to Full Council.

Following the operation of two committees since last August, it is clear that this is having a significant impact on Planning, Democratic and Legal Services, and is not an efficient use of Council resource. Risks in relation to decisions are also best mitigated by a single committee. It is therefore recommended that a single Development Management Committee is established.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Full Council notes the report and:

- i) Delegates authority to the Monitoring Officer to amend the Council's Constitution from 24 May 2022 to establish a single Royal Borough Development Management Committee to meet on a monthly basis on the third Wednesday of the month as detailed in Appendix B and to make the related changes to Part 7 Speaking Protocols as detailed in Appendix C**
- ii) Requires Group Leaders to inform the Head of Governance by 13 May 2022 of those Members and substitutes from their respective Groups to be appointed as the Members and substitutes of the Royal Borough Development Management Committee, so that the details can be included in the report to Annual Council in May 2022 on 'Political Balance/Appointment of Committee/Panel/Forum Membership and Chairmen/Vice Chairmen for the Municipal Year 2022/23'**

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

Options

Table 1: Options arising from this report

Option	Comments
Delegate authority to the Monitoring Officer to amend the constitution from 24 May 2022 to establish a single Royal Borough Development Management Committee to meet on a monthly basis This is the recommended option	Single committee makes the most efficient use of council resources whilst reducing risk of inconsistent decision making.
Retain current two area committees	Two area committees do not make an efficient use of council resources, have a significant impact on workflow management for officers to the detriment of overall performance and increases risks associated with inconsistent decision making.

- 2.1 Following the Full Council meeting on 29 June 2021 this report is reviewing the two development management committees that have been operating for the last year.

Impact on Resources

- 2.2 In the report presented to Full Council last year a number of concerns were raised about two committees and the impacts it would have. Over the last year it has become clear that two committees have a significant resource impact on services involved in the committee process.
- 2.3 Each committee involves the following officers and steps:

Table 2: Officer actions relating to a committee meeting

Production of agenda	
Planning officer	Preparation of report and appendices
DM Team Leader	Checking of reports
DM Service Manager	Checking of reports
Planning Appeals Support	Preparation of appeals list
Planning Support Officer	Formatting of reports into agenda and sending notification letters
Democratic Services Officer	Production, publication and printing of agenda
Prior to meeting	
Planning Officer and DM Team Leader	Preparation of presentation, production of Committee update
Team Leader and DM Service Manager	Responses to queries

Democratic Services Officer	Booking and scheduling of meeting and rooms, responses to queries, management of speakers list, management of Member substitutions, scheduling of technical briefing, publication of Committee update
Legal officer	Review of agenda
Attendance at meeting	
Presenting Officer	
Team Leader	
DM Service Manager/Head of Planning	
Democratic Services Officer	
Legal Officer	
Post meeting	
Democratic Services Officer	Production and publication of minutes
Team Leader, DM Service Manager and Legal Officer	Review of minutes

- 2.4 Whilst these tasks would need to be carried out for one or two committees, running two committees means that each of these tasks has to be carried out twice a month. The impact on Planning staff is that these frequently repeating deadlines negatively impacts their ability to flexibly manage their workload. This has a significant impact on the time available to officers for other important parts of their role. In Development Management this takes time away from the assessment and determination of delegated decisions as well as impacting on officers' ability to respond to correspondence. This is particularly the case for Team Leaders and the DM Service Manager. The impact is a reduced performance in the DM service.
- 2.5 The same impacts also apply to Democratic and Legal Services. For Democratic Services staff there is also clear duplication of tasks created by running two committees. For example, two committees duplicates administrative tasks such as room bookings, the issuing of meeting invites, the publication and printing of agenda, and seeking substitute members where required. It is often the case that the committee cycles overlap meaning that in the week of one committee meeting, the reports for the next agenda need to be checked and finalised. This has a detrimental impact on the availability of Development Management staff, Planning Support Staff and Democratic Services staff during those weeks and on other necessary work in the services as ensuring that there is adequate scrutiny of reports and preparation for the public committee meeting is prioritised.
- 2.6 Since the last report to Full Council, the Council's legal service returned in house last July. Whilst this has had a number of wider benefits, there is now a smaller pool of legal officers available to support and attend the committees. It is not always possible for a legal officer to be present and a decision has to be taken in advance as to whether or not their attendance is required. As with the other

services, a requirement for a legal officer to be present at a committee twice a month significantly impacts their ability to undertake other important work.

- 2.7 In addition to the above impact of officer resource and time, there is a financial impact of having two committees. Two committees require two chairman Special Responsibility Allowances of £6355 per annum for 2022/23. A single committee would halve this cost to the council.
- 2.8 Each meeting requires scheduled facilities to be arranged and booked. Currently meetings are held in the Council Chamber and Grey Room, York House. Staff are required in both these venues and have to stay late until after the meeting. There is a cost associated with this staff time which is currently having to be met twice a month.
- 2.9 Appendix A sets out a schedule of the meetings since August 2021. As can be seen each area committee has had to be cancelled once during the last year as there were no applications to determine within their remit. Each committee has also met to discuss only one item on several occasions. This has meant a total of 6 meetings over the last year with only one item on the agenda.
- 2.10 As rooms and staff have to be booked in advance, there is an impact on resources even when a meeting is cancelled. As planning decisions should be made in a timely fashion, it is not possible to manage agendas to avoid single item or cancelled meetings. In line with the National Planning Policy Framework, decisions should be taken as soon possible and to delay making the decision for a non-planning reason would be seen as unreasonable behaviour. This would increase the risk of non-determination appeals, with potential costs awards, and complaints. As Appendix A shows there would have been no months where a single committee would not have met and only one month when it would have only dealt with one item. The appendix also demonstrates that the most items a single committee would have had to deal with would have been six which would still be a manageable agenda. Most months a single committee would have had four items on its agenda.
- 2.11 For these reasons a single committee would improve how officers can manage their workflow to enable them to work in a more efficient way, would avoid duplication of certain tasks and would be a more effective use of Council resources. This would be in line with the Council's Corporate Plan which outlines the Council's approach to make the most effective use of resources and delivering the best value for money.

Impact on Decision Making

- 2.12 In the review carried out last year, one of the main points raised in support of two committees was the view that local members should be making decisions related to their wards. There have not been any appeal decisions received yet for any of the committee overturns made over the last year to provide any additional evidence regarding the decisions made. However, the view of officers remains that this is not the purpose of the Planning Committees and that there are increased risks associated with two committees.
- 2.13 Planning decisions are based on balancing competing interests and making an informed judgement against a local and national policy framework in the wider public interest. Planning affects people's lives and land and property interests,

particularly the financial value of landholdings, and the quality of their settings. Opposing views are often strongly held by those involved. Whilst councillors must take account of these views, they should not favour any person, company, group or locality, or appear to be doing so. Decisions need to be taken in the wider public interest on what can be controversial proposals.

- 2.14 Any site-specific material considerations, such as its immediate context or planning history, will be clearly set out in the officer's report. Members are able to visit a site if they feel it is necessary to do so before a meeting. It is also strongly encouraged that Members contact officers before a meeting to raise any queries so that they can either be addressed prior to the meeting or ensure that full responses are available for Members in the meeting. All relevant material considerations, as well as planning policy, that Members should be taking into account will therefore be available to them prior to taking the decision. It is not necessary for Members to have any previous 'local' knowledge of an application site to take a robust and informed decision. As can be seen in Appendix A, councillors have only overturned officers' recommendation on five cases since August last year. This would suggest that Members are being presented with all the necessary information and relevant material considerations in officers reports to make informed decisions.
- 2.15 In addition, the potential for lobbying is arguably greater with Members who are 'local' to any application site. Members are properly able to represent local concerns through the local member protocols. It should be noted that, following Member approval of a change to the constitution in November 2021, substitute Members for each committee can now come from any ward which establishes the principle that Members can make decisions for applications outside of their local area.
- 2.16 Two committees increase the risks of inconsistent decisions being made. This increases the risks of losing appeals and costs being awarded against the Council as the appellant can point to other decisions that may not support the Council's appeal case, including those made by the other committee. A single committee would significantly reduce this risk. Full public consultation would still be undertaken on each application and there is no proposed change to speakers' rights. There would therefore be no loss of local engagement on applications or ability to present views at the committee meetings and relevant representations would still be fully considered as part of any decision-making process. It would also be the case that by reducing the burden of two committees on council resources, engagement with parties would be improved by a single committee as it would allow more time for officers to provide updates and responses to queries.
- 2.17 In recognition of the concerns that have been expressed regarding local Member involvement in decisions, it is recommended that a single committee has a larger membership than the current committees. A single committee of 13 members is recommended, subject to political balance. This would allow Group Leaders to take account of the different areas represented on the committee in nominating Members and substitutes.
- 2.18 A larger single committee would significantly reduce the risks associated with inconsistent decisions whilst not undermining local engagement with planning applications.

Recommendation and Conclusion

2.19 A single Royal Borough Development Management Committee would have significant benefits compared to the current system of two committees:

- More efficient and effective use of council resources allowing for improvements in other areas of work
- Saving of costs associated with running a second committee
- Better value for money as a single committee would have more items on the agenda and be less likely to be cancelled
- Reduced risks with decision making ensuring defensible and sound decisions.

2.20 It is therefore recommended that the Constitution is amended to establish a single Royal Borough Development Management Committee of 13 members, subject to political balance. The Committee would meet on the third Wednesday of the month, utilising the dates already in the corporate diary for the Maidenhead Development Management Committee. It is also recommended that the protocols on speaking rights are amended to relate to the proposed single committee.

3. KEY IMPLICATIONS

Table 3: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Single Royal Borough Development Management Committee established	Current area committees retained	Recommended changes made	N/A	N/A	24 May 2022

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 A single committee would result in better value for money as it would be a more efficient use of Council resources. It would also result in the saving of one Chairman's special responsibility allowance (£6355 per annum) and the costs associated with holding one of the current committees.

5. LEGAL IMPLICATIONS

5.1 The proposed recommendation would ensure proper decision making under the powers given to the Local Planning Authority under Section 70 of the Town and Country Planning Act 1990.

6. RISK MANAGEMENT

Table 4: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Inconsistent and unsound decision making	High	Recommended changes would reduce risk	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities. None identified; see EQIA at Appendix D.
- 7.2 Climate change/sustainability. A single committee which is also streamed to a wider audience would result in a reduced impact from associated journeys.
- 7.3 Data Protection/GDPR. None identified.

8. TIMETABLE FOR IMPLEMENTATION

- 8.1 The full implementation stages are set out in table 5.

Table 5: Implementation timetable

Date	Details
13 May 2022	Group leaders to nominate committee Members and substitutes
24 May 2022	Amendments to constitution to take effect
15 June 2022	First meeting of the Royal Borough Development Management Committee

9. APPENDICES

- 9.1 This report is supported by four appendices:

- Appendix A – Summary of committee meetings from 2021 - 2022
- Appendix B – Proposed Amendments to Part 6 of the Constitution
- Appendix C – Proposed Amendments to Part 7 of the Constitution
- Appendix D - Equality Impact Assessment

10. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	06/04/22	07/04/22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	06/04/22	06/04/22

<i>Deputies:</i>			
Elaine Browne	Head of Law (Deputy Monitoring Officer)	06/04/22	08/4/22
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	06/04/22	06/4/22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	11/04/22	12/04/22
Andrew Durrant	Executive Director of Place	06/04/22	08/04/22

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Planning, Parking, Highways & Transport	Yes
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REPORT HISTORY

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

Report Author: Sian Saadeh Development Management Service Manager

Appendix A

<i>Month/Committee</i>	<i>No of agenda items and reason for committee decision</i>	<i>Decisions (overturn)</i>	<i>Duration of meeting</i>	<i>No of speakers</i>
<i>August</i>				
Windsor and Ascot	1 – 1 x call in	Approve	12 minutes	0
Maidenhead	3 – 1 x major, 2 x call in	Refuse (overturn 20/02484/FULL) Refuse Approve	1hour 45 minutes	8
<i>September</i>				
Windsor and Ascot	1 – 1 x call in	Approve	43 minutes	0
Maidenhead	2 – 1 x major, 1 x call in	Approve Approve	45 minutes	1
<i>October</i>				
Windsor and Ascot	1 – 1 x major	Approve	40 minutes	1
Maidenhead	1 – 1 x major	Approve	1hour 35 minutes	4
<i>November</i>				
Windsor and Ascot	2 – 1 x call in, 1 x major	Approve Defer (overturn 21/02144/OUT)	1 hour 40 minutes	4
Maidenhead	3 – 3 x major	Refuse Refuse Approve (overturn 21/02866/FULL)	2 hours	6
<i>December</i>				
Windsor and Ascot	3 – 3 x major	Approve Approve Refused	2 hours 25 minutes	7

Maidenhead	3 – 1 x call in, 1 x councillor application with objections, 1 x major	Approve Approve Approve	2 hours 20 minutes	8
<i>January</i>				
Windsor and Ascot	3 – 3 x call in	Refuse (Overturn 21/02367/FULL) Approve Approve (Overturn 21/02063/FULL)	1 hour 55 minutes	7
Maidenhead	1 – 1 x major	Approve	22 minutes	1
<i>February</i>				
Windsor and Ascot	Cancelled			
Maidenhead	1 – 1 x call in	Approve	50 minutes	2
<i>March</i>				
Windsor and Ascot	4 – 3 x major, 1 x call in	Approve Approve Approve Refuse	2 hours 45 minutes	11
Maidenhead	Cancelled			
<i>April</i>				
Windsor and Ascot	2 – 1 x major, 1 x call in	Approve Approve	1 hour 25 minutes	5
Maidenhead	4 – 2 x major, 2 x call in	TBC	TBC	TBC

Appendix B Proposed Amendments to Part 6 of the Constitution

B) REGULATORY

B1 Royal Borough Development Management ~~Area~~ Committees

B1.1 Purpose

(I) Within the operating guidelines and budget approved by the Council the Royal Borough Development Management ~~Area~~ Committees will determine applications relating to the following:

a. New full or outline planning applications, regardless of recommendation, falling into the definition of major development as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or as superseded).

Note: Section 73/73A applications or reserved matters applications are delegated matters unless called in under the call-in provisions in b) below.

Note: Any Crown applications which are covered by the National Security arrangements set out in the National Planning Policy Guidance are exempt from part a) and are delegated to the Head of Planning.

b. Applications where a Borough councillor has requested that an application be called-in to be the subject of a decision by the ~~relevant Area~~ Royal Borough Development Management Committee (an application in this case being an application for Full, Outline, Hybrid or Householder Planning Permission or an application for Listed Building Consent. No other case types are the subject of the call-in provision.) This is conditional in that the call-in must:

i) Be in writing using the on-line Councillor call-in pro forma and received before the Neighbour Consultation Expiry Date for that application, and

ii) Relate to an application in their own ward; and

iii) provide a planning reason based on a material consideration for the call-in.

c. Where an application is made by a Councillor or a member of their family and there are one or more representations.

d. Where an application is made by an officer employed in a role which is directly involved in the decision making stage of the planning application process and there are one or more representations.

e. Any matter where authority is normally delegated to the Head of Planning, but where the Head of Planning chooses not to exercise their delegated authority and considers the matter should be referred to the relevant Area Borough Development Management Committee.

(II) All other functions regarding town and country planning and development management listed in Part A and related to trees and hedgerows listed in Part I of

Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the CIL regulations are to be delegated to the Head of Planning. All functions listed in the Localism Act 2011 related to plan making and neighbourhood planning are delegated to the Head of Planning save for those which the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 require to be determined by Full Council. For the avoidance of doubt the Head of Planning also has delegated authority for those types of application subsequently introduced under the Town and Country Planning Acts (including secondary legislation and regulations) subject to the exceptions listed above.

(III) To advise the Council, the Cabinet, the Infrastructure Overview and Scrutiny Panel on the preparation, updating and monitoring of the Local Plan and policies relating to development management guidance.

B1.2 Membership of the Royal Borough Development Management Area Committees

~~Each~~ The Committee shall have ~~9-13~~ members. One shall be the Chairman.

Membership shall be in line with political balance.

A Cabinet Member may be a Member of the Royal Borough an Area Development Management Committee but the Cabinet Member(s) holding the main portfolio for Planning shall not be permitted to be a Member.

B1.3 Quorum

3 Members

B1.4 Frequency

Meetings ~~of each committee~~ will take place once per calendar month, usually on the ~~1st and 3rd~~ 3rd Wednesday of each month

Note: While the dates are ideally fixed they may be subject to change for reasons such as venue availability issues or may be on other days if additional extraordinary meetings of the Committee are required. Extraordinary meetings may be called by agreement of the Head of Planning with the Chairman of the Committee.

PART 7 – THE CONSTITUTION

F – PROTOCOL FOR PUBLIC SPEAKING AT MEETINGS

1. Public Speaking at Development Management Area Committee Meetings

- 1.1 Planning applications are determined by ~~either an Area~~ Royal Borough Development Management Committee or officers acting under delegated authority.
- 1.2 Each application is subject to a public consultation exercise which enables the public and other bodies to comment in writing on the application before it is determined.
- 1.3 The Council provides the opportunity for the public and for applicants (or their agents) to speak at the planning meeting before the Development Management Committee makes their decision.
- 1.4 If objectors speak at the meeting, the applicant must be allowed to speak provided they have notified Democratic Services of their intention (or provided the Chairman has used his discretion to allow speaking in the absence of notification to Democratic Services). An applicant may speak at a meeting even where there are no objectors wishing to speak (but if the applicant is in agreement with the Officers' recommendations to the Committee the Chairman will request the applicant to restrict any comments to matters not covered, or not covered fully, in the Officer's Report).
- 1.5 Anyone who has written to the Council with representations on a planning application will be contacted by the planning department at least one week before the relevant meeting is due to take place when the application will be considered. They will be invited to tell the Council if they wish to speak at the meeting.

Notification to Democratic Services

- 1.6 If anyone does wish to speak they must register with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. Registered speakers should provide a copy of their proposed representations prior to the start of the meeting to allow their representation to be read in the event of any technical failure or unavoidable delay in attending the meeting.
- 1.7 The Committee Chairman will not normally allow applicants, the public, any other members of the public (or their respective agents) to speak if they have failed to notify the Council as stated above, of their wish to speak.

Speeches to the Development Management Committee

- 1.8 Generally, applications where the public are to speak will be moved to the start of the agenda, at the discretion of the Chairman.
- 1.9 No new documents should be circulated to the Committee at the meeting except the Committee Update prepared by officers. The Committee Update will contain information pertinent to the application provided to the case officer after the Committee report publication date and up to 5pm of the working day before the date of the Committee meeting. It shall be at the discretion of the planning officer if any further updates are to be accepted after this point. Messages should not be passed to individual Committee Members.
- 1.10 Only one public speaker will be allowed to speak against an application. They will be given, a total of **three (3) minutes** in which they can present their views. They must register their intention to speak with Democratic Services by 12pm, 2 working days

before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. If there are multiple people wishing to express opposition to an application, they must nominate a single spokesperson. If a single spokesperson is not nominated only the first person to register will be allowed to speak.

- 1.11 If a Parish or Town Council, has made representations, and a member of that organisation wishes to address the meeting, they must register their intention to speak with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. The Committee Chairman will not normally allow a member of the organisation to speak if they have failed to notify the Council as stated above, of their wish to speak.
- 1.13 A Parish or Town Council representative will be allotted a total of **three (3) minutes in which they can present their views**.. If more than one Parish or Town Council wishes to address the meeting they should nominate a single spokesperson for all organisations no additional time will be allocated unless exceptional circumstances apply (see below).
- 1.14 The applicant, their agent or any member of the public wishing to support an application will be allocated, in total **three (3) minutes** in which to present their views. They must register their intention to speak with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda. Only a single spokesperson will be allowed to speak in support of an application, as such should a member of the public wish to speak they are encouraged to contact the applicant or their agent. If a single spokesperson is not nominated only the applica~~tion~~ or their agent will be allowed to speak.
- 1.15 Any Member of the Council, not already a Member of the Committee, wishing to speak at a meeting will be permitted to speak in favour or against any agenda item after all public speakers have spoken and prior to the Committee debating the item. Non Committee Members will be restricted to **three (3) minutes** each in total. Non Committee Members must register their intention to speak with Democratic Services by 12pm, 2 working days before the Royal Borough Development Management ~~Area~~ Committee (i.e. Monday, 12pm, if the Committee is on Wednesday). Democratic Services are unable to register speakers until the relevant planning application is listed in a published agenda.
- 1.16 The Chairman of the meeting has discretion to extend the speaking time for any party, in exceptional cases. This discretion is intended to be applied only rarely. Exceptional circumstances might arise as a result of the range of issues raised by the matter. Where the Chairman has extended speaking time for any one party, then the time shall be extended by a similar amount for any other party.
- 1.17 Where any circumstances prevent a party from attending the meeting or being able to present for their full allotted time the Committee shall continue to consider and determine the application having regard to the written copy of their representation if

one has been submitted to Democratic Services in advance of the meeting as detailed in paragraph 1.6 above.

2. Public Speaking at Cabinet.

Please see Part 3 A2.8 of the Constitution.

3. Public Speaking at Council.

Please see Part 2 C9 of the Constitution.

4. Public speaking at other Committees, Forums and Panels

- 4.1 This Protocol sets out how members of the public can take part in many Council meetings, including meetings of most Committees, Forums and Panels. As set out above there are separate provisions for the public to ask questions at meetings of the Council (Part 2 C9); Cabinet (Part 3 A2.8) and speaking at Development Management Panels (covered in the preceding section).
- 4.2 The operation of this Protocol will be the responsibility of individual Chairmen and may need to be revised from time to time, or disapplied in particular circumstances.
- 4.3 Members of the public cannot attend meetings when confidential or exempt items are being discussed.
- 4.4 This Protocol will not apply to appeal or other quasi-judicial hearings, such as most Appeals Panels.
- 4.5 Any members of the public wishing to speak may only do so in relation to an item on the agenda of the meeting. The Council wishes to provide the opportunity for the public to speak at the meeting before the Members take their decision but the Chairman will have the right to apply the criteria to restrict public questions or participation if he feels it necessary to do so for the better conduct of the meeting.
- 4.6 If the matter is one where there are applicants or supporters of a proposal speaking, objectors must be allowed to speak at the meeting, and vice versa. An applicant may speak at a meeting even where there are no objectors wishing to speak (but if the applicant or objector is in agreement with the Officers' recommendations to the Panel Forum or Committee, the Chairman will request the applicant or objector to restrict any comments to matters not covered, or not covered fully, in the Officer's Report). Members of the public may not necessarily be supporters or objectors but may wish to ask questions or make statements to Members about the item under discussion. This is permitted under the terms of the Protocol.
- 4.7 If anyone wishes to speak at a meeting, they must register with Democratic Services by 5pm, 2 working days before the meeting. If anyone wishes to use visual material, e.g. photographs, plans, etc., or present documents, these should be sent to the Council, as soon as possible, before the relevant meeting. The Chairman will not normally allow members of the public to speak if they have failed to notify the Council, as stated above, of their wish to speak.

- 4.8 In respect to any meeting that is not an ordinary committee, joint committee or subcommittee of the Council (such as non-statutory Forums) at the sole discretion of the Chairman, items may be added to the agenda and/or additional public speaking be allowed at the meeting.
- 4.9 Generally, items where the public are to speak will be moved to the start of the agenda. The individuals speaking on the item will be allowed up to a maximum of **3 minutes** to speak, with a total time for public speaking of **9 minutes** per agenda item. It may be convenient, if there are a number of members of the public that they agree amongst themselves to appoint one or two spokesmen for them all to stay within the time allotted. If the speakers are unable to agree amongst themselves, the Chairman shall share the **9 minutes** equally amongst the persons on the list recording the names of members of the public wishing to speak attending the meeting. The Chairman shall call them strictly in the order the names are recorded. When the end of the period allowed for public speakers has been reached, the Chairman will not permit any more public speakers.
- 4.10 The Chairman of the meeting has discretion to extend the speaking time for the public by up to a further **3 minutes** in exceptional cases. This discretion is intended to be applied only rarely. Exceptional circumstances might arise as a result of the range of issues raised by the matter.

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

Essential information

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

Strategy		Policy		Plan		Project		Service/Procedure	X
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Responsible officer	Sian Saadeh	Service area	Planning	Directorate	Place
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Stage 1: EqIA Screening (mandatory)	Date created: 14/04/22	Stage 2 : Full assessment (if applicable)	N/A
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

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

Signed by (print): Adrien Waite

Dated: 14/04/22

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

Guidance notes

What is an EqIA 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.

EqIAs 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 EqIA 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 EqIA?

The process for conducting an EqIA 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 : DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

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 proposed changes is to establish the structure of planning committees for the Royal Borough which will determine certain types of planning application. The proposed changes would move from two committees to one.

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 : DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age				There is nothing set out in the proposals which could cause direct discrimination in relation to age, indeed age is not mentioned and all persons would be treated fairly in this regard. The proposals do not change current access arrangements for committee meetings J
Disability				There is nothing set out in the proposals which could cause direct discrimination in relation to disability and all persons would be treated fairly in this regard. The proposals do not change current access arrangements for committee meetings
Gender re-assignment				There is nothing in the proposals which would impact on this protected characteristic.
Marriage/civil partnership				There is nothing in the proposals which would impact on this protected characteristic.
Pregnancy and maternity				There is nothing in the proposals which would impact on this protected characteristic.
Race				There is nothing in the proposals which would impact on this protected characteristic.
Religion and belief				There is nothing in the proposals which would impact on this protected characteristic.
Sex				There is nothing in the proposals which would impact on this protected characteristic.
Sexual orientation				There is nothing in the proposals which would impact on this protected characteristic.

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA : DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

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	Not Applicable	Not applicable
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	None	Not Applicable	Not applicable

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).

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