

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's [web site](#) or contact **Kirsty Hunt, Electoral and Democratic Services on 07817137289**

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

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

YOU ARE HEREBY SUMMONED TO ATTEND the Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Council Chamber - Town Hall, Maidenhead** on **Tuesday 24 January 2023 at 7.00 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday 16 January 2023



Tony Reeves
Interim Chief Executive

The meeting will be opened with prayers by Robert Harrap, Director of Buddhist organisation SGI-UK based at Taplow Court

A G E N D A

1. Apologies for Absence

To receive any apologies for absence.

2. Council Minutes

To receive the minutes of the meeting of Council held on 22 November 2022.
(Pages 11 - 46)

3. Declarations of Interest

To receive any declarations of interest
(Pages 47 - 48)

4. Mayor's Communications

To receive such communications as the Mayor may desire to place before the Council
(Pages 49 - 50)

5. Public Questions

- a) Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity**

Not one on the council's five largest capital projects is directed at Windsor. Can you explain to the people of Windsor why this is the case?

- b) Ed Wilson of Clewer and Dedworth West ward will ask the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity**

Will the Leader advise what progress has been made with the "Changing Places" toilets at the Windsor Leisure Centre?

- c) Sunil Sharma of Cox Green ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport**

What considerations have been given to infrastructure upgrades and improvements to mitigate the forthcoming developments AL13 South West Maidenhead and AL24 Lillibrooke Land East of Woodlands Park Ave?

- d) Sian Martin of Belmont ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport**

Can visitor parking permits be more flexible and easier to purchase? You have to guess need: 2, 6 or 24 hours, minimum 5 at a time, 12 months' expiry, and only by post. Not very useful for last minute visitors plus impossible to judge your future need.

Perhaps an App (as other councils and RingGo offer) alongside the scratch cards?

- e) Hari Dev Sharma of Furze Platt ward will ask the following question of Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot**

Despite high inflation, spiralling cost of food and energy as well as the impact of other pressures RBWM has produced a balanced budget.

Will investment in adult and social care, children services and transport & highways along with others services be protected? And will there be no cuts to the quality of services with enough reserves for contingency plans?

- f) Hari Dev Sharma of Furze Platt ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport**

What was the main reason to close the Nicholsons Car Park and had action been taken to minimise disruption and mitigate inconvenience? Maidenhead businesses were disrupted and it caused inconvenience to residents to park their vehicles.

- g) Will Scawn of Belmont ward will ask the following question of Councillor Bhangra, Cabinet Member for Environmental Services, Parks and Countryside**

Thank you to the Council and staff for their efforts to keep the roads of Belmont clean, especially of leaves this past autumn. Could the Council please update on what steps it took to manage this and whether more resources could be made available for leaf clearing in Belmont next autumn?

h) Will Scawn of Belmont ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

Road safety is a key priority in my local area, Belmont. What has the Council done to improve this recently, and could more be done, for example introducing yellow lines at key junctions and extending 20mph zones in residential areas?

i) Mohammed Ilyas of Belmont ward will ask the following question of Councillor Carroll, Deputy Chairman of Cabinet & Cabinet Member for Children's Services, Education, Health, Mental Health, & Transformation

I am aware that the Council continues to work hard, urging the NHS to expand services at St Mark's Hospital which is a vital asset to the Borough.

Could you please provide an update on this - what steps it has taken and what if any assurances have you been given by the NHS?

j) Mohammed Ilyas of Belmont ward will ask the following question of Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot

Unprecedented levels of inflation and the rising cost of living are a challenge for many people living in my local area of Belmont as it is for many in the country.

What is the Council doing to keep costs low for residents, and what measures will they take to support people through this time?

k) Thomas Wigley of Clewer East ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

The A308 Corridor Study states '... although air quality was identified as an objective, the study has not been able to source any data to evidence option development based on this'.

The A308 runs through three AQMAs and 43 pollution data points were recorded for 2019.

Why did you accept a report based on such an obvious misrepresentation?

l) Mark Wilson of Eton and Castle ward will ask the following question of Councillor Cannon, Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection

Following the Environment Agency report into National River water quality from January 2022 and queries raised at the Place Overview & Scrutiny Panel, what steps have been taken over the course of the last year to improve the water quality of the River Thames (including the Jubilee River flood relief section) for both short term and long term improvement?

m) Devon Davies of Eton and Castle ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

With regards to the draft EV Charge Point Implementation Plan, please could the Lead Member give details of the likely revenue budget required for the Council to subsidise the energy cost for on street charging

n) Mark Loader of Oldfield ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

The Statement of Common Grounds with Thames Water assured RBWM of compliance in relation to wastewater infrastructure. Before a single house is built on AL13 residents have been suffering sewage on Shoppenhangers Road. What enforcement steps can RBWM take against Thames Water to protect residents from avoidable sewage overflows on streets and rivers.

o) Mark Loader of Oldfield ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

The South West Maidenhead draft SPD states indicative infrastructure costs are now estimated at £100m. Developers are expected to provide in contributions £41.0+£33.5=£74.5m, will this be realised?

This excludes land costs. How will the land cost be valued, based on the fact that disposal of land cannot be for less than the best consideration that can reasonably be obtained.

p) Fiona Tattersall of Riverside ward will ask the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity

Are the terms of reference and meeting minutes for the Desborough Development Partnership Board available for the five years it has been established for elected members to view and scrutinise this Joint Venture and how has the Board been able to operate with no governing documents?

q) Fiona Tattersall of Riverside ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

At the recent Place Overview and Scrutiny call-in of the South West Maidenhead SPD, Mr Motuel referred to the SWM SPD as a "high level masterplan" (@2hrs 19mins). The document itself at paragraph 6.2.2 states "it is not intended to represent a masterplan for the area". Which of the two statements is correct?

r) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity

Given that court case EA/2021/0092 concerned withholding key sections of a report into the integrity and safety of our local elections, why did the Council not openly and transparently report to Members or the wider public the decision and reasoning of the First Tier Tribunal, who stated there was a "...weighty public interest in disclosure"?

s) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity

RBWM were aware in October 2019 of their report's redacted conclusions, which rejected the view that the former leader had derived no electoral advantage from the sending of a draft land agreement by senior officers days before the election. What is RBWM's process for dealing with identified undue electoral advantage?

t) Tina Quadrino of Pinkneys Green will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

It is becoming increasingly obvious that the development of the golf course site is not going to be anywhere near as lucrative as it once was, with all costs spiralling including the amount of money that the residents will be paying from the taxpayer's purse. At what point does RBWM re-evaluate the true viability of this unwanted development?

u) Michael Young of Oldfield ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

The 2022 South West Maidenhead Viability Update states "the cost of strategic infrastructure and mitigation" has risen to £110m from its 2019 assessment of £32m. An approximately 250% increase. Can you explain this increase, and why (despite this) the final SPD removed the draft SPD's 10% risk allowance - recommended to account for any "level of uncertainty" in infrastructure costs?

v) Michael Young of Oldfield ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

The draft South West Maidenhead SPD stated that total infrastructure costs were £100m. However, the final SPD now says that costs have rocketed to £120.1m due to a 200% increase in highway junction costs. Why were Members told this week in Scrutiny that the October Viability Update was a "sense check", when it is based on the discarded £100m projections?

w) John Hudson of Oldfield ward will ask the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

The SWM SPD proposes a choice between two models of infrastructure payments by developers - the so-called "simple", and "complex" approaches. Why does RBWM delegate this vitally important decision to the developers themselves (who paid for the SPD document), and if one developer chooses a different approach to that of the others, will RBWM insist that the majority choice prevails?

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 Service lead – Electoral and Democratic Services no later than noon on the last working day prior to the meeting. A Councillor submitting a Petition may speak for no more than two minutes to summarise the contents of the Petition.

7. Councillors' Questions

- a) Councillor Bond will ask the following question of Councillor Rayner, Deputy Leader of the Council & Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor**

Will the council be publishing the number of people turned away from exercising their democratic right to vote at each polling station in May because they do not have acceptable photo ID or have forgotten to bring it, and how many free Voter Authority Certificates (the new voter cards) do you anticipate issuing please?

- b) Councillor Brar will ask the following question of Councillor Rayner, Deputy Leader of the Council & Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor**

As the Voters ID law has been passed how are the RBWM planning to communicate with residents in the Borough and educate them about the change in good time for the forthcoming local elections in May 2023, so that the Borough residents do not find themselves turned away from the polling stations?

- c) Cllr C Da Costa will ask the following question of Councillor McWilliams: Cabinet Member for Digital Connectivity, Housing Opportunity, & Sport & Leisure**

How many people on the part 3 Homeless Pathway, being supported by Browns, were not helped to apply for council tax support, and how much was, or is owed to the council by this failure to claim the benefit, that has either been paid for by the resident, the Household support fund or remains an outstanding debt?

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

I understand following the Broadway car park closure which has now been deemed unsafe due to rust from structural steelwork which was open to the elements. When were these issues first highlighted by/to Officers/Members and why the delay in carrying out any repairs?

- e) Councillor Singh will ask the following question of Councillor Bhangra, Cabinet Member for Environmental Services, Parks and Countryside**

At the last full council meeting I highlighted the resident's concerns with losing the sensory water cascade feature, pond, and footbridge, the Lead Member provided assurances that he would meet and look at alternatives to backfilling this valued feature, unfortunately, that has not happened and the decision has been made to backfill regardless, please explain why?

- f) Councillor Davey will ask the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity**

As leader of RBWM will you be actively encouraging prospective candidates to respect the mental health of all candidates in the May 2023 elections?

g) Councillor Davey will ask the following question of Councillor Carroll, Deputy Chairman of Cabinet & Cabinet Member for Children's Services, Education, Health, Mental Health, & Transformation

As advisor on vaccines to the Government during the Covid pandemic, can you advise on any concerns you may have regarding the Yellow Card reports for RBWM or relevant PHE geographical area?

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.

8. Appointment of Chief Executive and Head of Paid Service

To approve the candidate recommendation from the Appointment Committee for the appointment to the role of Chief Executive and Head of Paid Service.

Please note that processes and negotiations are ongoing at the time of publication of this agenda and therefore the name of the recommended candidate and the recommended salary will be detailed in a supplementary appendix to be published prior to the meeting. (Pages 51 - 60)

9. Programme of Meetings 2023/24

To approve the proposed programme of meetings for the 2023 – 2024 municipal year and agree to continue the split of virtual meetings/in-person meetings. (Pages 61 - 84)

10. Motions on Notice

a) By Councillor Hill

During an appeal hearing of the First tier Tribunal between a resident and The Information Commissioner, held in October 2021, it was alleged that RBWM had not been entitled to withhold information included in an Independent investigators report pertaining to a code of conduct complaint. The final decision was that the information was to be made available with minimal redactions.

This council agrees to

- i) Ensure all members are made aware of any court decisions pertaining to the RBWM organisation
- ii) Ensure all court decisions pertaining to the RBWM organisation are published in full in a timely manner
- iii) Ensure that the Investigation report into the speech made on 26th April 2019 by Simon Dudley, then Councillor Dudley and Leader of the Council, now eventually released following an initial FOI request, is published immediately following this meeting on the RBWM website and treat that day as day one regarding the period it remains live online, rather than the date of the original FOI request.

b) By Councillor Davey

That all existing Councillors will treat all political candidates with respect during the May 2023 elections and will encourage any prospective party candidates to follow their lead and sign up to running clean, respectful campaigns in May 2023.

c) By Councillor W Da Costa

Construction is a major UK activity using resources, emitting Green House Gasses, and affecting local Biodiversity and ecosystems. Buildings constructed today will continue to affect GHG Emissions and Biodiversity extinction for decades to come. Today's developments and development processes have the potential to help RBWM meet its Climate and Environmental obligations or to fail future generations and life on Earth.

This Council agrees to radically improve our processes in line with BLP Policies SP2, NR2 & NR3 and require that every planning application is accompanied by:

- i) a biodiversity assessment measuring the impact on the fullness of biodiversity and biomass and targeting a high value of enhancement or creation (using TCND or the best practice then available), and
- ii) a Climate Change mitigation assessment incorporating measurement of the impact on Greenhouse Gas emissions including Scope 3 emissions as set out by the Task Force on Climate-related Financial Disclosures (TCFD) and targeting the highest level of mitigation.

A maximum period of 30 minutes will be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period debate will cease immediately, the mover of the Motion or amendment will have the right of reply before the Motion or amendment is put to the vote.

COUNCIL MOTIONS – PROCEDURE

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

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

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

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

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

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

Closure Motions

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

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

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

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

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

Point of order

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

Personal explanation

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