

Public Document Pack

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

Public Document Pack Agenda Item 2

COUNCIL - 22.11.22

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

PRESENT: The Mayor (Councillor Christine Bateson), The Deputy Mayor (Councillor Gary Muir)

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

In attendance virtually: Councillors L. Jones and W. Da Costa

Officers: Emma Duncan, Tony Reeves, Adele Taylor, Sarah Moran, Adrien Waite, Dean Graham, Kevin Mist, Andrew Durrant, Tracy Hendren and Karen Shepherd.

101. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G. Jones and Knowles.

Councillors L. Jones and W. Da Costa were in attendance virtually and took no part in the vote on any item.

102. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 27 September 2022 be approved.

103. DECLARATIONS OF INTEREST

Councillor Rayner stated that she had asked Councillor Johnson to present item 8d on Constitutional Amendments as she felt uncomfortable doing so, given she had been a former member of the Platinum Jubilee Committee. She left the room for the duration of the debate and vote on the item.

Councillor Rayner declared a pecuniary interest in item 9 due to her family's land interests. She left the room for the duration of the debate and vote on the item.

Councillor C. Da Costa stated that, in relation to the Petition for Debate, she was a member of Friends of the Earth.

104. 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.

On behalf of all Members, the Mayor placed on record her thanks to Karen Shepherd, Head of Governance, who was leaving the council for a new role after almost 20 years' service.

A minute's silence was held in memory of former Mayor Dorothy Kemp who had recently passed away.

105. PUBLIC QUESTIONS

a) David Buckley of Datchet ward asked the following question of Councillor Rayner, Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor

Windsor being one of the largest tourist locations in the UK. I understand there is an ongoing shortage of hotel rooms for both the tourism and business sector. Have the Council considered restricting local hotel use to tourists, business visitors using any laws or regulations available. This would increase income for the local economy and support the growing tourism sector.

Written response: Hotels fall within Use Class C1 of the Use Classes Order which includes hotels boarding and guest houses where no significant element of care is provided and must be used for these purposes. There are a variety of reasons why people may legitimately stay in a hotel and there are no laws or regulations which would enable a Local Authority to prevent certain types of guests.

It may be of interest that there is currently a planning application under consideration in respect of Windsor Yards (Ref: 22/02893/FULL) which seeks to provide additional hotel and apart-hotel accommodation for visitors. The application is currently undergoing public consultation and the Council would welcome any comments on the proposals.

By way of a supplementary question, David Buckley explained that his question had been about whether the council would introduce some supplementary planning guidance as introduced by many other councils in terms of protecting the local hotel capacity in the borough. Over 8.5 million people visited the borough but only half a million stayed because of a lack of capacity. He asked if the council would show some commitment to protect the local economy.

Councillor Rayner responded that she agreed Windsor was an incredibly important visitor site for the UK. There were a number of new hotels coming online, for example additional holiday home units at Legoland and a new hotel in Peascod Street. She agreed with the proposal, and she was sure that officers would look into it.

b) Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot:

Why is the Council's medium term financial plan showing a need for £7M+ savings in 2023/24?

Written response: The medium term financial plan published as part of the budget papers in February 2022 already included a shortfall of £4.883m for 2023/24. This was mainly caused by inflation assumptions (£2m), demographic growth (£1.5m) and reduced NNDR funding (£708k). Further details are shown in Appendix 1, Annex A of the February Budget Report to Full Council. The updated MTFP presented to Cabinet in July and Full Council in September included revised assumptions for increases in inflation and interest rates that increased the potential shortfall to over £7m.

The Mayor read out the following supplementary question on behalf of Ed Wilson who was unable to attend the meeting:

Thank you for answering my question. Does the shortfall mean that you will be charging residents the maximum increase allowed by government despite the cost of living crisis?

Councillor Hilton responded that as the draft budget had not yet been published, it would be inappropriate for him to say more on the issue at that stage.

c) Ed Wilson of Clewer and Dedworth West ward asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

Noting that Maidenhead now has a new £12m car park, what improvements are being made to existing car parks in the Royal Borough?

Written response: *Approximately £150k will be spent on car park improvements throughout the borough in 2022/23 including resurfacing of Windsor Leisure Centre, lighting improvements in Multi Storey Car Parks as well as general repairs. Currently there is a £200k capital bid for 2023/24 for car park improvements and the draft budget will be considered by Cabinet on 1st December.*

The Mayor read out the following supplementary question on behalf of Ed Wilson who was unable to attend the meeting:

Alma Rd and Victoria Street car parks in Windsor are a disgrace. Will you meet with myself and other residents to discuss how these car parks can be improved?

Councillor Haseler responded that he had visited both car parks because he was aware of reports in the media highlighting issues. He would be more than happy to meet and discuss the issue.

d) Mohammed Ilyas of Belmont ward asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

Well done RBWM for listening to local residents and putting forward steps to improve safety of the highway in Ellington Park, Belmont.

What Highways budget will be set aside for safety improvements such as this, over the next year. In particular addition of zebra crossings outside schools for example as the one already outside St Luke's School in Belmont.

Written response: *The draft budget will be considered by Cabinet on 1st December which will include a draft capital programme for next year. The papers for that meeting will be published shortly so it would be inappropriate to comment on the detail at this stage. All residents and stakeholders will have the chance to comment on the proposals and. I can reassure you that road safety is a high priority for the borough. Our intention is to bring forward appropriate budgets to enable delivery of capital*

projects to tackle road safety issues and delivery of our Local Walking and Cycling Infrastructure Plan.

By way of a supplementary question, Mohammed Ilyas commented that there were pedestrian crossings outside two schools on Cookham Road providing excellent safety options for all, including pupils. He asked if it would be possible for a feasibility study for a crossing to be approved for Riverside School on the same road in Belmont.

Councillor Haseler responded that such a request could be made via the 'Report It' form on the borough website. Once submitted, Highways Officers would assess the proposal.

e) Mohammed Ilyas of Belmont ward asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

Will the Cabinet member for Highways and Transport indicate as to why a bus service route has not yet been approved nor is one in service now for the residents and Community groups in Holmanleaze following the removal of public parking in the area due the start of development on St Cloud Way?

Written response: Whilst the start of the St Cloud Way development has seen a reduction of available car parking at the former Magnet Leisure Centre, part of the car park is still available for use with other options nearby. I would be happy to engage with any residents or community groups with concerns to help understand the problem we are trying to solve and what appropriate solutions might be.

By way of a supplementary question, Mohammed Ilyas commented that with the development of more than 400 units on the St Cloud Way site the addition of a bus service for residents in the area and the community facilities in Holmanleaze would be hugely beneficial for sustainability and combatting climate change. He asked if the area could be considered in the next transport review.

Councillor Haseler responded that a bus service review had just taken place as a result of covid pressures. He suggested that the council could speak to the community groups asking for the proposal and also Thames Valley buses who had to devise the routes. He could not promise anything in the short term and further work was needed, but it could be considered going forward.

f) Hari Sharma of Furze Platt ward asked the following question of Councillor Bhangra, Cabinet Member for Environmental Services, Parks and Countryside:

Furze Platt Conservatives in 2014-2016 set up two play areas called Moffy Hill & Shifford Crescent in the ward. These play areas are very popular and well used by our children. It's been a while now since it was installed.

Can you assure residents these rides and furniture fitted in there have been inspected regularly and safety checks conducted recently?

Written response: All play areas that the borough has responsibility for are inspected regularly, including those at Moffy Hill and Shifford Crescent Open Spaces, which are

inspected three times a week. In addition a more detailed monthly and annual inspection of all play areas is undertaken by independent play inspection companies to ensure that the play areas are safe to use. Health and Safety inspections also take place regularly for our nature reserves, parks and open spaces.

By way of a supplementary question, Hari Sharma commented that the number of children using the play areas had increased considerably since the installation. There was a need for more rides, bins, and seating benches. He asked if the Lead Member would assure Furze Platt children if the issue would be considered without delay.

Councillor Bhangra responded that he would be happy to look into the issue. He commented that the top two answers in the recent resident survey had been parks and open spaces.

g) Hari Sharma of Furze Platt ward asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

Central Government is to provide £60m to help bus operators cap single adult fare at £2 / child at £1 per journey. As I understand, most cities outside London are bringing these fares in to help residents during this cost-of-living crisis. When will residents of the Royal Borough get a reduction of their bus fare and start paying £2?

Written response: The scheme has been set up such that the bus operators have to apply directly to Government for the grant to support the offer. We are working closely with operators through the Borough's Enhanced Partnership to try and take advantage of this opportunity. From our discussion I can confirm that several are actively looking at this. Further detail will be available from the Department for Transport in Mid-December on the details of the grant and therefore we will continue to work with them to try and bring this forward for the benefit of residents.

In addition to this, as part of our plans in the run up to Christmas there will be further offers on public transport. In partnership with operators, we will be offering free travel on supported bus services on selected Saturdays leading up to Christmas, including the days of the Windsor and Maidenhead switch-on events. You can travel for free when you board within the borough on 19 November, 26 November, 3 December and 10 December on the following services: Thames Valley Buses routes 2, 3, 7, 8, 9, 15, 16, 53, 127, 234/235 and 238/239, and White Bus route 01.

By way of a supplementary question, Hari Sharma commented that residents and businesses had to pay twice and wait longer to travel because bus companies would not accept tickets from other operators. He asked when multi-operator tickets or 'any bus' tickets would be introduced in the borough.

Councillor Haseler responded that it had already been identified as an issue and he was looking to see how it could be brought forward.

h) Jack Douglas of Pinkneys Green ward asked the following question of Councillor Bhangra, Cabinet Member for Environmental Services, Parks and Countryside:

Regarding the proposed agreement with the Lawn Tennis Association for investment in the hard courts at Kidwell's Park, and other parks in the borough, what is the current

utilisation of courts by residents, what is the expected utilisation after the scheme is in place, and how is usage measured?

Written response: *The current usage is not monitored due to the open access currently available at the sites within the proposal.*

Future demand/use is derived by using the following information / expected to be as follows:

The LTA use a penetration number as a measure of confidence that a park tennis site will attract sufficient player numbers to be sustainable. Where it is around or above 1000, they have high confidence that this will be the case and therefore look to invest in those facilities.

The LTA get the penetration figures using Periscope mapping software which contains demographic data based on postcode locations. Using this demographic data they divide the population into different tennis market segments i.e. predicting what sort of tennis offer will be most attractive to people in each segment. They then look at those segments most likely to be casual players who would choose to play in a park setting (compared to e.g. a more formal tennis club setting) and take a percentage of those populations to make a prediction about the number of people we can realistically expect to come and play tennis at each of the venues.

The penetration figures and available court hours for the RBWM sites are as follows:

Goswells Park – 965 penetration figure, 10,512 court hours.

Desborough Park – 1,124 penetration, 7,008 hours

Kidwells Park – 1,167 penetration, 13,104 hours

Usage based on LTA data is projected to be made up of 7% of court hours booked via pay as you go, and 23% of the target households purchasing an annual membership (number of households is penetration figure divided by 2.4) utilising courts in addition to pay as you go. Pricing and charging options have yet to be confirmed, and some free sessions are also required under the terms of the funding agreement which will provide additional usage.

Future usage will be monitored via the LTA's ClubSpark booking platform and the use of access control gates.

By way of a supplementary question, Jack Douglas commented that, if he understood correctly, the Cabinet Member believed monitoring existing usage was not possible because of open access. However, he felt this was easy to do using sensors that did not collect personal data. As the borough had no data on existing usage, he asked how it could judge if the scheme was a success or a failure.

Councillor Bhangra responded that he would ask officers to look into the specifics of the question and provide a written answer.

- i) Sajid Khan of Furze Platt ward asked the following question of Councillor Bhangra, Cabinet Member for Environmental Services, Parks and Countryside:**

Could the Council inform as to whether the budget funds have been allocated for works for a path between the Christian and Muslim burial areas at Braywick Cemetery. If not, for what reason has this not been completed, as this had been discussed with the Council over the past year?

Written response: *There are a number of works that are being priced to be completed this financial year in Braywick Cemetery including works to extend the Muslim and Church of England sections to allow more grave space. It is not currently feasible to implement the works for the path as this would reduce the available burial plots.*

By way of a supplementary question, Sajid Khan commented that he was delighted to hear there would be funds in the next year's budget. He requested a path for access between the sections be provided and asked if the Cabinet Member would attend a site visit with representatives of both faiths before the works began.

Councillor Bhangra responded that he would be happy to attend and look at further options.

Members noted that question j) had been withdrawn

k) Debbie Ludford of Oldfield ward asked the following question of Councillor Cannon, Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection:

Ozone is a gas which is damaging to human health and can trigger asthma attacks and inflammation of the respiratory tract, eyes, nose and throat. Ozone can also damage crops. RBWM doesn't currently measure Ozone, but at nearby Hillingdon and Harlington, ozone levels consistently exceeded the WHO limit during the July heatwave. Why isn't RBWM measuring ozone levels?

Written response: *Ozone is not currently incorporated into the Local Authority Air Quality Management (LAQM) Regulations. The responsibility for assessing and achieving this objective sits with Central Government and the Department for Food, Environment and Rural Affairs (DEFRA).*

There are no direct sources of emissions for ground-level ozone. The formation of ozone is complex and depends on meteorological conditions. Ozone can form hundreds of kilometres away and then travel throughout the atmosphere. Unlike nitrogen dioxide (NO₂) and Particulate Matter 10 (PM₁₀) pollutants, ozone cannot be managed locally but forecasting services (the same for ultraviolet radiation) can help alert vulnerable individuals.

The two mentioned monitoring sites are part of DEFRA's national Automatic Urban and Rural Network (AURN) which is used for compliance reporting against the Ambient Air Quality Directives and forecasting services.

By way of a supplementary question, Debbie Ludford commented that from the monitoring already in place it was known that the air was polluted. The borough already had Air Quality Management Areas (AQMAs) in Maidenhead and in Bray and Holyport. The South West Maidenhead Development Area would join up and amplify the areas. The council had said it recognised air pollution as a major health risk. Given there were no safe pollution limits and there were government guidelines on

development in polluted areas, she asked how it was right to build thousands of new homes in an area already suffering from pollution.

Councillor Cannon responded that it was more of a planning issue than an air quality issue. He accepted that air quality was important, and it was in the Corporate Plan. Defined data was needed to measure it; what was alluded to was speculation on the impacts of the development. With officers he would look into what could be done to minimise impacts.

l) Michael Young of Oldfield ward asked the following question of Councillor Cannon, Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection:

CALA Homes Environmental Impact Assessment for the golf course refers to traffic volume monitoring. The M4 motorway now has 33% additional capacity since it was upgraded to be a 'Smart' motorway. Will this be taken into account when assessing the potential increases in air pollution in the borough?

Written response: Yes. Development proposals need to assess the potential air quality impact because of traffic generated by the proposed development. Traffic data is used in the air quality models to predict future pollution levels. Traffic data from RBWM's Strategic Transport Model factors in the cumulative impact from other planned developments and future traffic growth.

The Mayor read out the following supplementary question on behalf of Michael Young who was unable to attend the meeting:

Let's be honest, with over 2,000 new flats and houses planned, two schools, roads and other infrastructure, there really won't be much greenspace left for a park. And what you create will be significantly degraded in terms of wildlife habitat once it's surrounded by a concrete jungle. Where do you expect all these people to go for amenity? Do you want them to drive to reach places like Cliveden, Hurley and Windsor Great Park. It's not sustainable - and if you want to reduce emissions and promote active travel – which you say you do, people need access to town centre greenspace

Councillor Cannon responded by referring to his earlier answer. He hoped that people would be able to use sustainable transport, including electric vehicles and public transport, to get around and visit green spaces.

m) Tara Crist of Riverside ward asked the following question of Councillor Cannon, Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection:

Recent studies have linked air pollution to dementia, irregular heartbeats in teenagers and toxic air pollution particles have been found in the lungs and brains of unborn babies. How is it possible for RBWM to achieve National Air Quality Objectives by 2025 when it doesn't measure 90 per cent of pollutants which have National Air Quality Objectives?

Written response: *The current air quality objectives incorporated into Local Air Quality Management (LAQM) Regulations in England include nitrogen dioxide, PM10 and sulphur dioxide. RBWM are currently meeting the objectives.*

The national air quality objectives for Benzene, 1,3-Butadiene, Carbon Monoxide and Lead have been met nationally for several years. There are no Air Quality Management Areas (AQMA) for these pollutants across the UK so local authorities do not have to report on these pollutants. Moreover, there are no significant sources (for example, heavy industry) of emission for these pollutants (and for sulphur dioxide) within the borough so there is little justification for these pollutants to be measured locally.

By way of a supplementary question, Tara Crist commented that the borough's Health and Wellbeing Strategy for 2021-25 set a vision for everyone in the borough to live a healthy, safe and independent life. Yet the CALA homes environmental impact assessment for the golf course admitted that the development would impact air quality during construction for at least ten years. She asked how this was consistent with the Health and Wellbeing Strategy, given most people in the borough would not have electric cars and the construction vehicles would be diesel powered.

Councillor Cannon responded that the construction would have an impact, but it would be minimised by arrangements with the contractors and there would be air monitoring.

n) Tina Quadrino of Pinkneys Green ward asked the following question of Councillor Carroll, Cabinet Member for Children's Services, Education, Health, Mental Health, & Transformation:

This council says it recognises air pollution as a major health risk, ranking alongside cancer, heart disease and obesity. It shortens lives and damages quality of life. How can this council take the appropriate steps to protect the health of residents if it doesn't monitor air pollution properly?

Written response: *The current air quality objectives incorporated into Local Air Quality Management (LAQM) Regulations in England include nitrogen dioxide, particulate matter 10 (PM10) and sulphur dioxide. The Council are currently meeting the objectives.*

The Council has an extensive monitoring network including 40 diffusion tubes and 3 monitoring stations all monitoring nitrogen dioxide and the monitoring station at Frascati Way also monitors PM10 - road traffic is main source of pollution. The Council publishes an air quality Annual Status Report (ASR) that is also appraised by DEFRA. Air quality in the Borough is generally good and in recent years has markedly improved. Current nitrogen dioxide and PM10 levels are well below the national air quality objectives.

The national air quality objectives for Benzene, 1,3-Butadiene, Carbon Monoxide and Lead have been met nationally for several years. There are no Air Quality Management Areas (AQMA) for these pollutants across the UK so local authorities do not have to report on these pollutants. Moreover, there are no significant source (for example, heavy industry) of emission for these pollutants (and for sulphur dioxide) within the borough so there is little justification for these pollutants to be measured locally.

By way of a supplementary question, Tina Quadrino reiterated the answer to her previous question that referred to an 'extensive monitoring network' which comprised 40 diffusion tubes and three monitoring stations. The station on Frascati Way was the only one that measured PM₁₀. PM_{2.5} was not measured at all. She was not sure that experts in the field would consider that to be an extensive monitoring network especially given the location of the borough in relation to the M4, M25 and Heathrow airport. The report recommended that the council should do nothing and that there were currently no concerns about PM₁₀ and PM_{2.5} and yet the extensive monitoring network only assessed one of them in one location. She asked how the council take the appropriate steps to protect the health of residents if it did not monitor air pollution properly, particularly given the proposals for development on Green Belt land.

Councillor Carroll responded that monitoring was taking place as Councillor Cannon had referred earlier. In addition, DEFRA provided guidance about using modelling to complement monitoring. He knew that council officers continued to look at that to support the monitoring. He had discussed the issue with the Director of Public Health and would continue to seek advice from him as to what more could be done including speaking to the UK Health Security Agency.

o) Will Scawn of Belmont ward asked the following question of Councillor Cannon, Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection:

Having spoken to residents in my local area of Belmont, I understand there may be increased levels of anti-social behaviour on the footpath/alleyways that connect roads in Belmont. What measures is the Council taking in order to tackle anti-social behaviour on these important paths and to ensure the safety of residents?

Written response: *Our reported incidents and data into our Anti-Social Behaviour inbox does not show any increase in levels of ASB in the Belmont area. We would encourage residents to report incidents through the ASB inbox highlighting the type of ASB, location and time; this will help us build an accurate picture of activity and enable us to direct our resources accordingly. The Community Wardens have been asked to conduct various Environmental Visual Audits to assess our alleyways and pathways as part of our safety drive to help women and girls feel safer. We would be happy to include locations within Belmont if more information could be supplied to anti.social@rbwm.gov.uk*

Will Scawn was not present at the meeting and had indicated he did not wish to ask a supplementary question.

p) John Hudson of Oldfield ward asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

RBWM's Environment & Climate Strategy states 'The role of the natural environment in creating great places is critical to the success of the borough economy & to our residents' health & wellbeing, therefore it is important we take steps to protect it.'

How is the proposed development of the golf course remotely compatible with your environmental and climate strategy statement?

Written response: *The site was allocated within the Borough Local Plan which promotes a sustainable pattern of development for the Borough until 2033. The plan aims to provide for high quality new housing in the right places, including affordable housing, family housing and accessible housing, whilst at the same time meeting employment needs and protecting our valued natural and built historic environment and assets. During the plans evolution it was strengthened by increasing the emphasis on placemaking and tackling climate change, recognising that the Royal Borough declared an environment and climate emergency in 2019.*

The council is in the process of finalising a Supplementary Planning Document (SPD) for South-West Maidenhead which is scheduled to be discussed at Cabinet in December for adoption. This will set out our expectations on the development across a wide range of issues including delivery on biodiversity net gain and low carbon development. This will help to ensure that the development is consistent with our Environment and Climate Strategy, while also contributing to other essential sustainable development goals. In addition, the council expects to be in position to adopt a new Environment and Climate SPD next year which will support delivery of the Environment and Climate Strategy through the planning process, building on our current interim sustainability statement.

By way of a supplementary question, John Hudson commented that petrol, diesel and electric cars all caused pollution from braking and tyre wear. Electric vehicles produced more particulates because the weight of the battery meant there was more tyre wear. When modelling the health impacts of the development that was planned for the borough, he asked if the council would use robustly and accurately quantified data about the number of lorry, van and car journeys including electric vehicles that would be on the roads during the construction and operation phase of the development. He also asked if the council would agree that if this was not done effectively and accurately, it would be impossible to monitor the health impacts from the proposed development.

Councillor Haseler responded that each application would have a transport assessment to identify the number of vehicle movements. A Transport Plan would be in place for the construction, set by the authority, to direct routes and vehicle numbers during specific times of the day.

q) Claire Huntley of Belmont ward asked the following question of Councillor Carroll, Cabinet Member for Children's Services, Education, Health, Mental Health, & Transformation:

Particulate Matter is microscopic pieces of solids or liquids suspended in the air we breathe. Particulate air pollution is toxic and scientific research has consistently demonstrated adverse health effects including asthma, lung and throat cancers, and premature death. How will this council protect residents from the harmful effects of the extra particulates generated by the development planned for our greenbelt?

Written response: *PM10 is monitored at Frascati Way, Maidenhead. The recorded annual mean concentration decreased from 25 µg/m³ (micrograms per cubic meter air) in 2016 to 19 µg/m³ in 2021. These levels are well below the national air quality objective of 40 µg/m³.*

Within the development of Local Borough Plan the council has undertaken a detailed air quality assessment across the borough. The dispersion modelling study shows low level concentrations for PM10 and PM2.5 within the five AQMAs. The predicted levels show full compliance with the air quality objectives and there is no identified risk that the objective may be exceeded in the future.

Development proposals would need to assess the potential air quality impact during both the operational and construction phases and demonstrate that these impacts can be sufficiently mitigated to prevent dust nuisance and/or the risk of exceeding the air quality objectives.

By way of a supplementary question, Claire Huntley commented that PM₁₀ levels to date for 2022 had returned to the 2016 values mentioned in the response. It was disappointing that the borough consistently stated its belief that simply being below air quality objectives was ok, but it was not. Other local authorities had already acknowledged this; there were no safe pollution levels. Trees absorbed particulates. Around 40% of Maidenhead golf course was woodland and it had 10,000 mature trees. Under development plans most of the trees were not protected therefore the development would remove the vital mitigant of particulate pollution that the community was dependent upon. The loss, increased with increased road traffic associated with the thousands more residents and 10 years of major construction traffic, would significantly worsen air pollution in Maidenhead. She asked how the council would properly monitor all recommended environmental pollutants and protect residents from the harmful effects of the development planned for the Green Belt.

Councillor Carroll responded that as part of any planning process there was an environmental impact assessment. At the moment there was only speculation. He would certainly be looking at the environmental impact assessment in terms of his portfolio. He would continue to work with Councillor Cannon and the Director of Public Health to ensure the council was appropriately focussing on the issue of air pollution and what it meant for the community.

r) Hilary Su of Oldfield ward asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport

Please could we get an update on the footpath and cycle path in the Maidenhead Town Moor area? It's frustrating to residents so it would be great to know when it can be completed.

Written response: I appreciate the frustration of residents as we complete the final phase of this important project and thank you for your patience. The main bridge construction works are now complete and the project team are working hard to complete the remaining elements so that the Town Moor can be reopened, with the target to provide public access again by Christmas.

Hillary Su did not wish to ask a supplementary question.

106. PETITION FOR DEBATE - AIR POLLUTION MEASUREMENTS

Members debated a petition requesting the council to increase measurements of air polluting and health damaging particulates.

Thomas Wigley, lead petitioner, addressed the meeting. Mr Wigley highlighted that over 200 residents had signed the petition; he thanked the Maidenhead Great Park team for their efforts. He wanted to explain why a better regime to measure toxic particulates was needed. Particulates were toxic and could cause premature death. They could cause irregular heartbeats in young people. The World Health Organisation (WHO), the government, and the council knew that particulates were bad for health. Particulates were tiny bits of solid suspended in the air. PM₁₀ and PM_{2.5} caused the most concern. The latter were the most toxic because they were so tiny, they entered the bloodstream from the lungs and then got carried to organs which got damaged. Particulates were created by diesel, petrol and electric vehicles. Their engines, brakes and tyres all wore down. Aircraft too created ultra-fine particles that drifted over long distances. There were five AQMAs in the borough due to traffic pollution. This was bad news if you lived in Bray or Holyport, where the M4 now had 33% more capacity as a Smart Motorway; if you lived near the busy A308 corridor; if you lived in Windsor which had two AQMAs and the busiest junction in the borough; if you lived near Wraysbury with 16 lanes of traffic on the A308 and M25; if you lived in Maidenhead as the proposed development would generate increased traffic; or if you lived under any of the Heathrow flightpaths.

Mr Wigley asserted that one PM₁₀ particulate measuring site in Frascati Way could not possibly provide information on pollution across the borough measuring 190 square miles. There was currently no measurement of PM_{2.5}, instead it was modelled from the PM₁₀ figures from a single source in Maidenhead. The borough must measure much more than it did now, which was what the petition requested. The report stated there was no money and no need to extend measurements therefore it recommended doing nothing. The justification was that the current data did not suggest there was a need to extend the current network. Mr Wigley suggested this was a case of 'don't look, don't find'. He felt it was surely self-evident that there were many significant sources of particulates in the borough. The report said extending the monitoring would cost money and resources must be prioritised. Mr Wigley questioned why health was not considered a priority. The Director of Public Health for East Berkshire had not been consulted in compiling the report before Members and neither were residents. The report stated correctly that there was currently no statutory requirement to measure PM₁₀ and PM_{2.5}. This was not a sensible justification given the specific local issues he had outlined. Slough and Spelthorne measured PM_{2.5} and Slough had five PM₁₀ stations. Particulate pollution affected everyone and there were no safe pollution limits. The 'no money, no need' stance was dismissive and dangerous.

Councillor Cannon thanked the petitioner for bringing the important matter to council, to give Members the opportunity to debate it and see what proposals other councillors had to address air quality in the borough. He explained that air quality monitoring and improvement was already part of the Corporate Plan 2021-26 that had been agreed by the Council in November 2021. It identified a goal to *Achieve the National Air Quality Objective (AQO) across all Air Quality Management Areas (AQMAs) by 2025*, within the goals to take action to tackle climate change and its consequences and improve the natural environment.

The petition wording itself was somewhat misleading in stating that 'There are five Air Quality Measurement Areas in the Borough, where air pollution is acknowledged as a

problem.’ The council did not acknowledge such problems as the assumptions being made were not based on data, which was an issue in itself, that he accepted.

In view of this, he wished to propose an amendment to the recommendation to read

The council agrees to continue the current monitoring regime and report back to members with 2022 results but also commits to 3 additional monitoring stations for Monitoring PM10 and PM2.5 to provide data for the council to base air quality monitoring and actions moving forward.

This council was already committed to improving air quality for its residents in the Corporate Plan and the commitment would provide the data on which to base decisions.

Councillor Davies thanked Tom Wigley, the Maidenhead Great Park team and all the residents who had worked together to gather over two thousand signatures. She was delighted that the administration had listened to the residents. At full Council in November 2021, the Council had passed a motion to review the borough’s Air Quality Improvement Action Plan in the light of updated WHO Guidelines. It was now November 2022 and Members were being asked to agree that a review of monitoring results for 2022 be published in 2023 to help inform future decisions on air quality monitoring in the future, taking it to 2024. This was the very definition of kicking the can down the road.

Councillor Davies stated that it was not a ‘nice to have’ extra. Airborne particulates were a contributing factor in the onset of heart disease, cancer, and dementia, and they particularly affected the most vulnerable in society.

Air quality in the borough may be worse than was known because the council was not measuring all the pollutants and could be missing particulates hotspots. In fact, emerging expert opinion was that technology had advanced to the point where a dense network of low-cost sensors could be used, especially in areas of high population density. In combination with more expensive fixed measurement stations, they identified the local emissions which were under local control, and so empowered local decision making. Councillor Cannon had asked for suggestions from councillors so looking into that technology was her suggestion, to get a really good granular picture of what was actually happening and where the hotspots were.

Councillor Brar commented that the report was misleading. Comparing 2016 with Covid years to demonstrate progress was against guidance. In pre-Covid years, the report showed existing NO₂ diffuser sites, in excess of the limit in almost all AQMAs. It should be assumed that NO₂ levels were an indicator of PM_{2.5}. In short, it was already known that PM_{2.5} was too high for good health.

In supporting the petition in principle, the proposed solution of Casella Guardian PM_{2.5} monitors was unsuitable. Expert advice should be sought before deciding on any deeper monitoring which would be required in any case for new legislation. The council should though focus resources on reducing traffic emissions and citizen exposure not just getting DEFRA sign off on a report.

However, the Local Plan would increase traffic significantly in such areas as alongside the golf course, and in her ward of Cookham where the Inspector even recognised traffic was today, and would be, ‘frustrating for residents and commuters.’ The council

should take an immediate approach to understanding pollution hotspots beyond the existing five AQMAs that had remained largely the same for 15 years. A zonal, low-cost, NO₂ diffuser site deployment which measured mean and could indicate peak hotspots should be implemented. Diffuser tubes cost £5 for a month's collection and reporting on Cookham High Street. 10 could be deployed at £600 per annum and could be managed by 'Citizen Science' volunteers, as elsewhere in the country.

Councillor Brar proposed the council determine, with the assistance of the petition leaders, four other sites in addition to Cookham. This approach was advised by an air monitoring expert that had intimate knowledge of the existing AQMA deployments.

Councillor Brar summarised that she did not agree with the status quo recommendation of the rather complacent report and proposed the fifth option supporting the petition: Take expert advice before any deeper AQMA monitoring but immediately define and implement a traffic emission reduction plan with an approach, certainly in building development locations, to limit citizen exposure. Further hotspots should be monitored with the low cost NO₂ diffuser tube expansion in Cookham and elsewhere. There was no safe limit to air pollution. The likely existing PM_{2.5} level approximated to 6-8 deaths per month in RBWM, let alone long-term health conditions.

Councillor Hill commented that in the UK air pollution was the largest environmental risk to public health. Annual mortality of human-made air pollution was roughly 28,000 - 36,000 lives per year. The estimated cost to the NHS and Social Care in the period 2017- 2025 was £1.6 billion. Air pollution affected all ages and knew no bounds and gave rise to the following conditions: low birth weight, diabetes, high blood pressure, developmental disability, obesity, delayed lung development, asthma, lung cancer, reduced life expectancy, accelerated reduction in lung function, dementia, heart attack, heart failure and stroke.

Councillor Hill referred to a number of recent air pollution reports in the press:

"Healthy teenagers at risk of irregular heartbeats from air pollution" *The Guardian*, September 2022.

"Coroner calls for law change after air pollution identified as a factor in Ella Adoo-Kissi-Debrah's death" *BBC News*, April 2021.

"Toxic air pollution particles found in lungs and brains of unborn babies" *The Guardian* October 2022

"Air pollution is 'likely' to raise dementia risk, findings of UK government experts" *The Guardian* July 2022

Councillor Hill concluded that air pollution was deadly. Failure to monitor air pollution fully was to fail on public health grounds because the scale of the problem was not understood, and it was not known where in the borough action was needed. Failure to

vote for the motion was to condemn residents to a major health risk and potentially life-threatening medical conditions.

Councillor Davey explained that 20 years previously he had suffered a pulmonary embolism which was blamed on a flight, but he knew what it was like to worry about what was flying around in the air. He had looked at AccuWeather earlier in the day, the particulate report was '18 - excellent'. The WHO measure was 10 and the UK standard was 40. The PM₁₀ unit was 18; PM_{2.5} was 17; NO₂ was 16; O₃ was 10; SO₂ was 2; CO was 1. This aggregated to 64. It could not be right to deal with everything as 40. There was a need to reassess as the compound effect had to be destructive. Councillor Davey welcomed the proposal for three units but asked for specifics on dates.

Councillor Walters commented that the Conservative government at the present time recognised air pollution was one of the gravest sources of bad health. In the summer of 2022 Bray parish council had had a report prepared by the University of Kent on eight different sites in the parish. All eight exceeded the WHO figures. The WHO figures were guidance rather than binding. The proposed amendment would move the council much closer to the figures.

Councillor Clark commented that tackling air pollution had been in the council's plans, but the petition had helped to focus minds. It was clear more monitoring was needed, and he welcomed the amendment. Monitoring was part of a bigger, moving picture. Construction would doubtless make pollution in the construction phase. However, there were also advances in sustainable building in terms of the net environmental impact over a building's lifecycle and improvements about sustainable transport. If benefits brought drawbacks, it was important to look at the phasing and how that married in with the other sources of pollutants. The M4 corridor was an area of pollution. Numbers in open green space were better. It was the duty of the council to monitor, but also to have a plan to make sure development became sustainable and minimised pollution, and sustainable transport infrastructure was encouraged. Car use was a personal choice, and all needed to be aware of the impact of their lifestyle and choices. It was a challenge to make people understand their impact, and to influence their choices to minimise impacts.

Councillor Stimson commented that as Councillor Clark had explained, all issues were interconnected. She highlighted that the council was using the UK's first sustainability charity BioRegional to create a Supplementary Planning Document to sit over the planning framework for future development. It was important not just to measure but to follow up with the Corporate Plan to reduce pollution.

Councillor Carroll commented that it was an important debate. There was a clear case for measurement and reassurance in introducing the additional monitoring stations. The Director of Public Health had been mentioned; he had been involved in the broader discussions and he had responded directly to the lead petitioner. He had pointed out that measurement was a key element but so was modelling to look at data and trends. The Director was looking at Defra guidance on this.

Councillor Johnson thanked the lead petitioner for bringing forward the debate. The proposed amendment should not be a surprise as it was enshrined in the Corporate Plan that affirmative action would be taken to reduce emissions including particulates across the borough. The administration had also supported a proposal, albeit a year

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ago, to continue to work to address air quality improvements across the borough. Hard data should always form the basis of decision making. There was a need for additional stations to add clarity.

Councillor Price commented that the Corporate Plan stated the council achieve the national air quality objectives in all AQMAs by 2025. The government was working on legislation to reduce the objectives. The proposal before Members was just to start measuring; there was a long way to go to achieve the objective and she did not think it was feasible in the timescale proposed. Councillor Price had personally given up cycling because she had to cycle through the AQMA in Windsor to get anywhere. She also questioned how much the proposal was going to cost as that information had not been provided.

Councillor C. Da Costa commented that she supported the additional monitoring, but it was only the start of the journey. Medical evidence showed that all age groups were affected by particulates. As a retired midwife she wanted to speak on behalf of the children yet to be born. There was evidence of an increased risk of low birth weight, congenital malformations, and neo-natal morbidity. It also increased the mother's health risks including pre-eclampsia, hypertension and gestational diabetes. Elected Members needed to take the issue seriously. There was a need to act fast and now, to take the data and come up with a robust action plan to meet the national requirements that had been signed up to.

Councillor Singh commented that he had attended the protest by many concerned residents. There was a significant amount of development in his ward of St Mary's. Had appropriate measurements been in place 24 months ago perhaps some of the dense developments would not have taken place.

Councillor Luxton commented that a decision in relation to additional charging points for electric vehicle had been called in recently. Given earlier concerns raised about additional pollution from electric vehicles, she questioned whether they should be brought in.

Councillor Larcombe explained that he had lived in Datchet for 45 years. Each morning he saw oil bubbles on his windscreen from the planes flying overhead. Pollution also came from the traffic backed up in the village as vehicles waited to cross the railway line. Wraysbury was affected by pollution from Junction 13 of the M25. The council was talking about monitoring but at the same time the situation was getting worse. Another 80 houses in Datchet as a result of the Borough Local Plan squeezed in between the M4 and London Road. Another 20 houses in Coppermill road to fill out the last green space in that road. Off the Wraysbury Road a contractors' site was used during the improvements to Junction 13. The trees had been chopped down and they seem to be there permanently without any planning permission.

Councillor Cannon commented that the council had listened to the petitioners and taking action as requested to improve monitoring. He could not see how anyone could object to the proposal.

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

RESOLVED UNANIMOUSLY: That Full Council notes the Petition and:

- i) **Agrees to continue the current monitoring regime and report back to Members with 2022 results but also commits to 3 additional monitoring stations for Monitoring PM10 and PM2.5 to provide data for the council to base air quality monitoring and actions moving forward.**

107. PETITIONS

No petitions were submitted.

108. REFERRALS FROM OTHER BODIES

109. INTERIM POLLING PLACE REVIEW 2022

Members considered recommendations from the Returning Officer and the Polling District and Polling Places Review Working Group.

Councillor Johnson, Chairman of the Working Group, thanked the Members on the Working Group for the collaborative approach that had been taken and the officers who had supported the group. The report proposed a series of operational changes to encourage democratic engagement and make it easier and more practical to hold future elections.

Councillor Werner agreed that the meetings had been very good. He was disappointed that a more satisfactory location had not been found for Riverside, but the proposal was the best solution available. The overall idea of the proposal was to make it easier for voters, unfortunately the introduction of Voter ID could cause issues.

Councillor Walters commented that the polling station at Holyport School had always worked well, and it was sad the school had complaints. A lot of older people would find it harder to get to the Memorial Hall.

Councillor Johnson commented that Voter ID was being introduced to eliminate voter fraud.

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

RESOLVED UNANIMOUSLY: That full Council notes the report and:

- i) **Approves the proposed amended designation of polling places in the following wards/polling districts: Bray (MBR2), Furze Platt (MFP3), Pinkneys Green (MPG2), Riverside (MRS2), Clewer and Dedworth West (WCDW2 and WCDW3) and Clewer East (WCE2 and WCE3) as detailed in Appendix B.**
- ii) **Notes that no changes are proposed to the designation of polling places in any other ward/polling district, including Ascot & Sunninghill (WAS3) and Clewer East (WCE1), which were included in the review as a temporary polling station was designated for elections held in May 2021, but the designated polling station is to be retained.**

110. CORPORATE PARENTING FORUM ANNUAL REPORT AND STRATEGY PROGRESS REPORT

Members considered the annual report from the Corporate Parenting Forum.

Councillor Carroll, Chairman of the Forum, commented that without question, the Forum was the best meeting he and others had the privilege to be involved in. The term 'Corporate Parent' could seem vague and opaque, but all councillors had the responsibility to provide the best possible care for children and young people looked after by the authority. All councillors and officers had a legal and moral duty to provide the same level of care, support and protection as any parent would. The Forum had reviewed the effectiveness of its workings and decided to adopt five workstreams (detailed in paragraph 2.4 of the report) to take forward actions. Each workstream would have a lead officer, work with young people and an elected Member. They would provide a critical focus on this important work.

Councillor Clark commented that it was very humbling to be a Member of the Forum. Its work was driven by feedback from the children and young people themselves. The Forum listened to their wants, aspirations and opinions and responded in the best way it could.

Councillor Price commented that every decision-making report included an EQIA and suggested the format be amended to include a note on the impact of the decision on children in care, as a reminder to all Members of their role.

Councillor Tisi echoed the comment that it was a privilege and a pleasure to be involved in the Forum. As Vice Chairman she enjoyed meeting young people and learning from them. The Strategy included a letter from KickBack illustrating how the young people did not hold back and challenged the council. Councillor Tisi urged all Members to attend the upcoming training session on Corporate Parenting and also to consider the Total Respect training offer.

Councillor Carroll echoed the comments in relation to training.

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

RESOLVED UNANIMOUSLY: That Full Council notes the report and:

- i) **takes note of progress and updates being made at the Corporate Parenting Forum and the new revised corporate parenting strategy attached as appendix A.**

111. AUDIT & GOVERNANCE COMMITTEE ANNUAL REPORT

Members considered the annual report of the Audit and Governance Committee.

Councillor Sharpe, Vice Chairman of the Audit and Governance Committee explained that the Committee had worked its way through a number of financial reports, scrutinising all areas of the council's activities.

Councillor Story commented that the Committee had been established to improve Member oversight of the financial governance of the Council and it was achieving that aim.

Councillor Jones commented that the Committee Members worked well together in a collaborative approach.

Councillor Hilton commented that as Cabinet Member for Finance, he welcomed the work of the Committee. Its status had grown over the year; Members had asked insightful questions and challenged appropriately, especially in terms of timescales. He thanked Councillor Jones, the Chairman of the Committee, for all the work undertaken.

Councillor Sharpe commented that the work of the Committee had obviously improved the public scrutiny of all areas of the council's work.

It was proposed by Councillor Sharpe, seconded by Councillor Story, and:

RESOLVED UNANIMOUSLY: That full Council notes the annual report of Audit and Governance Committee

i. CONSTITUTIONAL AMENDMENTS

Members considered recommendations from the Constitution Working Group.

Councillor Johnson explained that the proposals related to contract and tendering rules including when seeking tenders and awarding contracts, including concession contracts, strengthening the role of the Head of Finance and internal audit, and a direct reference to sustainability including single use plastics and electric vehicles. He thanked the Working Group for its invaluable cross-party support.

Councillor Bond commented that it was not an easy read if it was not part of your day-to-day work. He hoped that small businesses would not be deterred from putting forward bids. Although the changes were minor, it was right that they came before full Council. He found it odd that changes to the terms of reference of the Health and Wellbeing Board had been made under delegated authority as he felt some of the changes were more noteworthy than the ones being presented to Members in relation to contract rules.

Councillor Sharpe commented that the proposals were very worthwhile and important as they strengthened governance over the tender process. He highlighted the references to sustainability; as an organisation the council had a huge influence over how the market worked.

Councillor Baldwin appreciated the inclusion of concession contracts into the process.

Councillor Hilton highlighted that in accordance with good governance the constitution was regularly reviewed to ensure it was fit for purpose and reflected the latest legislation. The contracts and tendering rules provided a framework in which decisions were made. The objectives in paragraph 2.2 included the efficient use of resources and value for money.

Councillor Johnson thanked Members for their positive contributions to the debate.

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

RESOLVED UNANIMOUSLY: That full Council notes the report and approves the recommendations from the Constitution Working Group to amend Part 8A – Contract and Tendering Procedure Rules as detailed in Appendix B.

Councillor Rayner left the meeting for the duration of the debate and voting on the item.

112. CENTRAL AND EASTERN BERKS JOINT MINERALS AND WASTE PLAN

Members considered approval of the Joint Central and Eastern Berkshire Minerals and Waste Plan.

Councillor Haseler explained that the unitary authorities in Berkshire had responsibility for planning for the future production of minerals and for the management of waste disposal within the Berkshire area. Minerals and Waste was an area of planning which was strategic in nature and as such was better planned for on a larger geography than an individual unitary authority.

The Borough had been working with Bracknell Forest, Reading and Wokingham Borough Councils to produce a Joint Central and Eastern Berkshire (JCEB) Minerals and Waste Plan which would guide minerals and waste decision-making in the Plan area for the period up to 2036. Hampshire Services had been acting as a consultant to undertake this work.

Together with the individually adopted Local Plans for each Authority and any other adopted or made Plans, the Plan would form the development plan for the area. The Plan, comprising 14 objectives and 28 policies, guided the level of minerals and waste development needed within Central and Eastern Berkshire and identified where development should go. Proposals for minerals and waste developments would be considered against the policies contained in the Plan. The determination of non-minerals and waste applications by those Authorities (in terms of other matters such as housing) would also need to take the Plan into consideration.

The Plan had been prepared over several years, commencing in 2017, involving public consultations, and being submitted to the Secretary of State for examination in February 2021. Two Inspectors were appointed to carry out the independent examination on the soundness of the plan. In October 2022 the Inspectors' final report was received, concluding that with the main modifications the Plan was sound and capable of being adopted. Councillor Haseler highlighted that the Plan could only be adopted with all of the Main Modifications recommended by the Inspectors. Once the Plan was adopted, it would become part of the statutory Development Plan and have full weight in the determination of planning applications.

Adopting the Plan would ensure that the Council had an up-to-date strategic planning framework for guiding minerals and waste development, as required by law. It would also assist in the delivery of the objectives of the new Corporate Plan, supporting economic growth and sustainable waste development to enable resource efficiency and drive waste management up the waste hierarchy. The supply of minerals was also important to enable the delivery of infrastructure, buildings, energy, and goods for quality of life.

Not adopting the Plan would mean that the existing out of date adopted Minerals and Waste Plan policies dating back to 1998 and 2001 would remain.

The Council therefore would not have robust and up to date policies that were compliant with the National Planning Policy Framework and the National Planning Policy for Waste. The resources incurred to prepare the Plan would have been largely wasted. A decision not to adopt the Plan could provoke an intervention by the Secretary of State, and legal challenges by site promoters.

Councillor Baldwin raised a Point of Order. He had been told the reference in the report to a Key Decision, at the bottom of paragraph 12, had been included in error. However, the matter did rise to that of a Key Decision as defined in Part 1 12.3b of the constitution as it affected more than two wards. In the interests of openness and transparency, he requested an explanation for the grounds for ignoring the procedures laid out in Part 3 A1.2 and A2.14 and by extension a justification for denying Members their rights under Part 4 A16. He highlighted that Cabinet had considered a report on the Plan on 22 January 2022 at which time it was marked a Key Decision. A partner authority was taking the opposite approach to adopting the same Plan. Bracknell Forest's Forward Plan for Cabinet had an item identical to the report before full Council in respect of items 1 and 2, but crucially and additionally dealt with at the appropriate Executive level, the withdrawal of the policies referred to adopted in May 2002 and December 1998. The Executive had not yet taken that resolution or recommended to full Council the final report.

The Monitoring Officer explained that a decision to adopt the Plan, under Section 23 of the Planning and Compulsory Purchase Act 2004 combined with the Local Authorities Functions and Responsibilities (England) Regulations 2000, made it a Council decision rather than an Executive decision. This had been tested the previous week in the High Court via the Borough Local Plan challenge and the Court had described that ground as 'unutterably unarguable'. The reason it was not a Key Decision was that under the Local Authority Executive Arrangements (Meeting and Access to Information) Regulations 2012, Paragraph 8, any decision which was a Council decision (adoption of A Plan being a Council decision) could not be a Key Decision. Key Decisions were only Executive decisions. This meant that a decision that needed to be made by Council could not be a Key Decision. Until the point of adoption, they were Executive decisions which is why they had been to Cabinet in the past. In relation to other authorities, some chose to send reports to Cabinet for noting, which was absolutely fine in practice but was not something that was done at the borough because it was preferable not to clutter the agenda with items Members could not make decisions on.

Councillor Baldwin therefore asked where in the report did it formally revoke the 1998 and 2001 Adopted Plans? The Monitoring Officer explained that the operation of the adoption automatically revoked the earlier Plans and the council had Counsel's opinion to substantiate that opinion. Counsel's advice was confidential to the Council.

Councillor Larcombe commented that there had been gravel digging in his ward all his life. It was important to consider the impact of the proposals. In the report, Horton had 75 mentions, Datchet 5 and Wraybury 12. The remaining five reserves included three in his ward because of the gravel. Extensions to the sites were proposed, which was a sensitive issue. This was not just a physical issue about moving footpaths etc, but also the impact of the gravel extraction for years afterwards. The local roads were being

destroyed by the heavy lorries. There was also the issue of ultimate use. When he was a child, he had been able to walk around the whole ward freely. Now this was not possible because of thousands of metres of six-foot fencing as the areas had been bought by recreational facilities. He asked where the accountability was, given the Plan had been produced by so many people.

Councillor Werner commented on the consultation process. No amateur member of the public would wade through such a large document to see if they would be affected. In some case councillors stepped forward to do that on their behalf, such as in relation to the Stubbings site. He had been told that residents of Cox Green had not been told there was a site in that area. A similar situation had occurred with sites in the Borough Local Plan.

Councillor McWilliams responded he and his fellow ward Member in Cox Green had made it abundantly and explicitly clear to residents about sites in the Local Plan including holding three public meetings. They had also worked hard with residents to defeat speculative applications on solid planning grounds.

Councillor Walters commented that in Bray a public consultation had been held in the village hall.

Councillor Werner requested a Personal Explanation, but this was determined as not required by the Mayor.

Councillor Brar commented that residents in her ward were very much against the Stubbings site being included therefore she was disappointed it was still in the Plan.

Councillor Johnson commented that he did not wish to see another badly botched legal challenge to a major planning policy. The Local Plan challenge had been tested by two separate judges who had agreed with the Planning Inspector and Secretary of State that the Plan was sound. The legal challenge had cost the local authority thousands of pounds.

Councillor Baldwin commented that his understanding was that the legal points raised in the challenge to the Local Plan had not been determined; what had been determined was the failure of the Borough to accept the service six days late. The legal points had been commented on but not ruled upon.

Councillor Coppinger commented that the Plan was not the Local Plan but was just as important. It did not define housing or where it would go but stated where key raw materials could come from and when. Sites still needed planning permission and full public scrutiny. The Inspector had suggested 16 main modifications, all of which had been accepted. As Councillor Larcombe had highlighted, there were a number of gravel sites in the borough due to the River Thames.

Councillor Haseler concluded by highlighting that there were 28 policies covering a variety of issues. The Plan has been in development since 2017 and had been through a rigorous planning and examination process. There had been 31 representations but none had been contentious.

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

RESOLVED: That full Council notes the report and resolves to:

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

Central and Eastern Berks Joint Minerals and Waste Plan (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	Abstain
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Carole Da Costa	For
Councillor Jon Davey	For
Councillor Karen Davies	Against
Councillor Phil Haseler	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Ewan Larcombe	Against
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	For
Councillor Samantha Rayner	Conflict Of Interests
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	For
Councillor Amy Tisi	Abstain
Councillor Leo Walters	For
Councillor Simon Werner	Against
Carried	

113. CONTINUATION OF MEETING

At this point in the meeting, and in accordance with Rule of Procedure Part 4A 23.1 of the council's constitution, the Chairman called for a vote in relation to whether or not the meeting should continue, as the time had exceeded 9.30pm. Upon being put to the vote, those present voted in favour of the meeting continuing.

114. MEMBERS' QUESTIONS

a) Councillor Singh asked the following question of Councillor Bhangra, Cabinet Member for Environmental Services, Parks and Countryside:

The pond, waterway cascade feature and wooden bridge in Kidwell's Park has been in a disgraceful state of disrepair over 2.5 years now. Previously I have been told that the money has run out to maintain these features, please can the lead member advise if and when these will be maintained, repaired and brought up to the previous high standard?

Written response: Officers have been exploring options for these features to look at what would be possible to bring them back into use. Unfortunately the cost of repairing the upper pond and associated streams is not something that can be covered. However, following options appraisal for the leaking top pond and associated streams at Kidwell's Park, we are now in a position to have the pond and streams removed. The bottom pond and fountain will remain, still giving park users a sensory water experience while the top pond/streams/bridge which have been out of repair for some time, will be removed and laid back to grass. This is a low cost solution with simpler maintenance going forward.

By way of a supplementary question, Councillor Singh commented that the issue had been ongoing for two and a half years and there were lots of complaints from residents. The answer was ridiculous as it was all about money. A huge amount of investment had gone into the pond and the surrounding infrastructure including cabling and a bridge. The investment would go to waste if the pond was backfilled. Councillor Singh asked the Lead Member if he would meet with him, Councillor Stimson, and officers to discuss options including alternative features such as rocks and plants.

Councillor Bhangra responded that officers had assessed the question, but he would be happy to meet at the park. Councillor Stimson had also raised the issue with him.

b) Councillor Singh asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

The upper floors of the Broadway car park still remain a no-go area for residents to park vehicles and continue to be closed off due to out of control ASB. Please can you explain in detail what the plan is to deal with this issue and when will the upper floors be deemed safe and reopen for public use?

Written response: *There are currently no plans to reopen the upper floors of Nicholsons ahead of the full closure of the car park due. The closure was put in place in order to protect public safety following two serious ASB incidents where a lump of masonry and more recently a door were thrown from the roof level onto public areas below. This preventative action is with the full support of the police and shopping centre management.*

There is sufficient parking capacity within Hines Meadow to cover this shortfall which will be strengthened by the opening of Vicus Way Multi Story Car Park for daily parking in mid-December 2022.

By way of a supplementary question, Councillor Singh asked what the situation was with the upper floors. He was very concerned about anti-social behaviour and asked if an investigation had taken place and any culprits caught. Broadway car park was free on Sundays. He asked if Vicus Way, which had been suggested as the alternative, would also be free.

Councillor Haseler responded that he was aware Councillor Singh had already raised the issues with officers. The question of an investigation would be a matter for the police. The agreement to close the top stairs would remain. A decision had not yet been made about Sunday parking.

c) Councillor Davey asked the following question of Councillor Rayner, Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor?

What plans do you have to make the Windsor Town Forum engaging enough for residents to want to attend?

Written response: *The terms of reference for the Town Forums set out that they provide a means whereby the council can consult with local communities including residents, businesses, Parish Councils, Chambers of Commerce, Residents' Associations, etc., any of whom may be invited to attend and contribute to the discussions. The Forum may consider local issues including policing, planning consultation, youth services, transport issues, highways, libraries and information services, leisure, heritage and arts, and environmental initiatives.*

The meetings of the Windsor Town Forum are scheduled for the municipal year; this means [dates](#) are currently available on the website up until May 2023. The terms of reference for the Forum and contact details for Members of the Forum and the clerk are readily available on the same webpage.

In advance of every meeting (which are scheduled every other month) the Communications team promote the upcoming meeting through the residents' newsletter and the council's usual social media channels. Members of the public are invited both to attend the Forum meetings and to submit suggested topics for discussion at future meetings. The suggestions are submitted to the clerk and initially discussed with me as Chairman. I will often correspond directly with the member of the public, ensuring I understand fully the issue they have suggested. I then liaise with the clerk to identify the right officer – or sometimes external partner – to provide a report or a presentation at a meeting.

As we have seen at many previous meetings, when an issue of interest comes before the Forum, members of the public and interested parties do attend, either in person or virtually. I use my discretion as Chairman to ensure those wishing to speak on an issue have the opportunity to do so, but also ensuring a good debate between Members of the Forum.

Each meeting agenda includes an item to allow attendees to consider the work programme for the Forum. Members of the Forum include ward councillors for the relevant area who will be best placed to be aware of issues of concern or interest to their constituents. The work programme item is an opportunity for all Members of the Forum to put forward suggestions that will be engaging for residents and I would encourage Members to do so. I would also suggest Members regularly promote the meetings on their own social media channels and encourage residents to put forward item suggestions and to attend future meetings.

By way of a supplementary question, Councillor Davey commented that the constitution also said that the forum covered the following wards: Clewer & Dedworth East, Clewer & Dedworth West, Clewer East, Eton and Castle and Old Windsor. The response also missed the clarifying sentence that 'Area Forums will be politically balanced wherever possible, and the Members should represent a ward within the area'. Councillor Davey felt the Forum should be made up of the existing ward councillors - six independent, two Liberal Democrats and three Conservatives, but the administration had decided to go against the intent, essence and spirit of the constitution and bring in those from outside the area. Less than 10% of items had come from residents, such was the lack of engagement. He asked when the council would review the constitution for the Windsor Town Forum and make it fit for purpose to ensure residents' opinions on topics that affected them counted.

Councillor Rayner responded that she believed the Forum followed the constitution and that is the way it would remain.

d) Councillor Price asked the following question of Councillor Cannon, Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection:

Back in May there was a consultation with residents from the Community Safety Partnership on safety matters, asking for their concerns. The results have not been published. One of the Corporate Plan Values is "working openly and transparently, listening to our residents, communities and partners." Why has this not been published?

Written response: *The survey that was conducted by the Community Safety team was undertaken to support work needed to create our Local Needs Assessment in relation to the Community Safety Partnership (CSP) priorities and was never intended to be published. The results of the survey will help inform where further actions or targeted activity could be identified to the CSP for consideration and/or inclusion under the most relevant CSP priorities and the delivery plan.*

We were also waiting for the resident survey results from the RBWM wide survey conducted by an independent company so we could compare the results for the safety section.

The latest resident's survey shows that:

75% of women feel safe at night (although still the gender gap compared to 89% of men)

27% of residents indicated they are concerned about anti-social behaviour in their local area, 40% are not concerned.

We would be happy to share the results of the Safety survey with anyone that requested it as there is no sensitive information within its content.

By way of a supplementary question, Councillor Price commented that the Corporate Overview and Scrutiny Panel had met the week before and it would have informed their work if the information had been available; she now had a copy. As it did not contain any sensitive information, she requested it be published so that all Members and residents could read it. Not only would this be in keeping with the Corporate Plan value of working openly and transparently, it would be a more efficient use of officer time. The statistic that 75% of women felt safe at night had been quoted in the response. She asked if that meant the remaining 25% did not.

Councillor Cannon responded that the figure came from the published survey. He did not know the makeup of the remaining 25% but he was sure that information could be provided to Councillor Price by officers.

e) Councillor Hill asked the following question of Councillor Stimson, Cabinet Member for Climate Action & Sustainability:

Has the Lead Member for Climate Action & Sustainability applied to central government for grant money to install comprehensive air pollution monitoring throughout the Borough?

Written response provided by Councillor Cannon: *Unfortunately, no application was made this year. There were internal discussions with Transport concerning a joint bid with Environmental Protection although the bid would have required a 10% match funding and use of an external consultant to carry out the air monitoring and manage the projects (estimated to cost £150K, although this may have been covered partly or entirely by the grant).*

Anecdotally, DEFRA are not keen to award grants for air quality monitoring alone. Successful bids are generally linked to awareness campaigns, usually with schools in conjunction with promoting active travel plans. The council will review future grant funding and consider an application if the eligibility criteria can be met in full.

By way of a supplementary question, Councillor Hill stated that Councillor Cannon had earlier committed to three new monitoring stations, he asked where and when they would be in place.

Councillor Cannon responded that in terms of when, this would need to wait until the budget details were published. In terms of where, he would be guided by the professional officers to ensure they provided the data that was needed.

f) Councillor Price asked the following question of Councillor McWilliams, Cabinet Member for Digital Connectivity, Housing Opportunity, & Sport & Leisure:

Please could you give an update on residents acting as hosts for Ukrainian Refugees in different parts of the Borough, including the current numbers hosted and having left hosts and the reasons why, plans to encourage hosts to continue beyond six months, and what happens to the Refugee family if a host cannot continue?

Written response: *There are currently 144 host families, with a total of 318 guests. Since the implementation of the scheme 34 households have left their original hosts*

- *18 have returned to Ukraine*
- *5 Relationships between hosts and guests have broken down. (Despite attempts to mediate and support each party)*
- *3 Households have been rematched with other hosts*
- *8 Households have been successfully supported into longer term private rented accommodation.*

The Welfare Officers have developed a very good rapport with both hosts and guests. In many cases Welfare Officers have worked with both parties to ensure support is in place to extend the relationship beyond 6 months, whilst seeking options for longer term move on accommodation. All options will be considered and discussed prior to any request for temporary accommodation including accessing the funding to support households secure accommodation in the private rented sector. The consistent point of contact for hosts and guests with our Welfare Officers is proving successful, reducing temporary accommodation placements and relationship breakdowns.

The end of a relationship between the host and the guests depends on various reasons that can be complex. The Welfare Team offer a person-centred approach dealing with individual circumstances appropriately. The following outcomes confirm the approach taken if the relationship cannot continue:

- *Rematch with an alternative host*
- *Secure private sector accommodation*
- *Seek support from alternative friends and family*
- *Place into suitable temporary accommodation*

By way of a supplementary question, Councillor Price commented that the wider community was playing its part in supporting both hosts and families. The *Around the Royal Borough* acknowledged the good work of 'Open Arms' in and around Maidenhead but in Windsor there were host families supporting Ukrainian families and she extended an invitation to the Cabinet Member to see the work undertaken by Safe Places in Windsor. In the following week there was a craft fair, host meeting and photo exhibition and a Christmas party planned. Councillor Price requested help in:

- Removing blockages preventing host families from receiving payments on time
- Establishing why the telephone helpline often remained unanswered
- Exploring the option of the borough being a guarantor for families moving to registered accommodation
- Supplementing payments to host families to tide over the winter
- Alerting all Windsor families to the support available in the community
- Establishing a data sharing agreement to provide more comprehensive support

Councillor McWilliams responded that he wished to place on record the immense thanks to families across the borough who had taken in Ukrainian refugees. He would

be more than happy to visit host families. He asked Councillor Price to write to him and he would arrange a session with officers to discuss the issues.

g) Councillor Larcombe asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

The Datchet Neighbourhood Plan is approaching the finishing line. What are the target dates for referendum and adoption please?

Written response: The Datchet Neighbourhood Plan was submitted for examination on the 10th November 2022 and is currently with the Inspector for consideration. Adoption cannot take place until after a referendum. The Council would hope to hold the referendum at the same time as the Local Elections in May 2023, however the timetable to achieve this is tight and dependent on the data of receipt of the Inspectors report.

By way of a supplementary question, Councillor Larcombe commented that Neighbourhood Plans came about under localism and decentralisation. Datchet got a plan together, it was now sitting at the council end awaiting completion. His question had been when it would be finished, particularly as there was a Local Plan site coming forward. He asked if there would be any assistance to get the Plan completed.

Councillor Haseler responded that the written response set out that the borough had submitted the Plan to the Inspector for examination, so it was out of the hands of the borough to further its progress. It was hoped that the referendum would take place at the same time as the elections in May.

h) Councillor Larcombe asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways & Transport:

How many 5G masts have been erected within the Borough without 'prior approval' permission?

Written response: The Council is not aware of any 5G masts which have been erected within the Borough without following the proper prior approval process set out within the General Permitted Development Order.

Since January 2022 there have been outcomes on 12 applications. Six were approved, five were refused and one was permitted due to the passage of time as set out within the legislation.

By way of a supplementary question, Councillor Larcombe explained that he had been walking down a village road in Datchet when he had seen some workmen putting up a mast. He checked and they did not have permission, but they had said they had a permit. It was not right that a big company could walk into a local community and stick in a 15-metre-high mast adjacent to a house.

Councillor Haseler responded that the written response gave details of the outcomes on 12 applications. If there was a fresh case going on councillor Larcombe should flag it to officers so they could look into it.

115. MOTIONS ON NOTICE

Motion a)

Councillor Haseler introduced his motion. He explained that he had brought the motion to Council as a direct result of residents asking him to do so. Animal ownership was a big responsibility; one that should be planned and well thought out. Animals often did not have their needs met before, during or after being given as a prize. Under the Animal Welfare Act 2006 it was an offence to give an animal as a prize to anyone under the age of 16 except in the family context. The RSPCA believe that this did not go far enough. It would like to see legislation introduced similar to that in the Animal Health and Welfare (Scotland) Act 2006 which stated that it was an offence to give an animal as a prize regardless of age, except within the family context.

Local authorities had the opportunity to introduce bans on council owned land as well as raising public awareness in ending the outdated practice. Whilst a range of animals were given as prizes every year, the most popular, goldfish, often suffered from shock, oxygen starvation or die from changes in water temperature. Those who won them as prizes did not often have an aquarium set up so may keep them in an unsuitable environment or illegally dump them in a local waterway. Nine local authorities in Wales and 28 in England had supported a similar motion.

Councillor Taylor stated that she 100% supported the motion but was concerned how it would be policed, for example at travelling fairs.

Councillor Davey commented that he supported the motion, but he would have liked it if the proposer had spoken to private landowners that hosted the fairs to get their support.

Councillor Davies commented that the welfare of animals was something very close to her heart. Members would remember this from a previous debate on a RSPCA motion, to reduce the noise level of fireworks sold in the borough. She had been disappointed that the administration had not supported that motion, she was going to support this one.

She had spoken to the Licensing team to find out if there were any known instances of live animals being given as prizes on borough land. They were not aware of any examples but advised that the event holders would not at present be required to notify the local authority and that it was not illegal unless the person receiving the prize was under 16. They suggested that the council might therefore need to introduce a byelaw for this to take effect. She therefore asked how the council would ensure its good intentions were enacted.

Councillor Cannon commented that it was a no-brainer. Animals should not be given as a prize. The motion was about what the council could easily do on its land; he was sure Councillor Haseler would speak to other councils to see how they were managing enforcement. He would take up the challenge to write to the government.

Councillor Haseler commented that other local authorities were restricting the giving of pets through their licensing structure. In relation to private land, he felt this would be best looked at once legislation was in place.

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

RESOLVED UNANIMOUSLY: That this Council:

- i) **Agrees to ban outright the giving of live animals as prizes, in any form, on Royal Borough of Windsor & Maidenhead Council land.**
- ii) **Requests the Cabinet Member for Anti-Social Behaviour, Crime, and Public Protection to write to the UK Government, urging an outright ban on the giving of live animals as prizes on both public and private land.**

Motion b)

Councillor Tisi introduced her motion. She explained that the Children's Society found on average that parents were spending around £315 on uniform for a child at primary school, and £337 each for a child at secondary school.

At The Baby Bank charity, school uniforms were provided for families who were struggling with the cost of living. Pre-loved generic uniform such as grey school trousers had always been given, but increasingly it was being asked to purchase expensive new branded items such as dry-clean only jumpers and logo PE kits with personalised vinyl initials that could not be removed. These items were way beyond budget, especially when buying for multiple children. This caused parents personal embarrassment and distress.

As a teacher, she had seen that the consequences of not having the right kit could be severe. Children may stay off school to avoid certain lessons. Bullying could occur and, in some schools, children were even excluded from lessons for not wearing the prescribed items. The cost of school uniforms could also be a barrier for families even applying to certain schools, as they realised the branded items for all kinds of school activities, were just a stretch too far.

In 2021, the then School Standards Minister, Nick Gibb acknowledged the role that school uniforms had in establishing an ethos of a school and fostering a sense of belonging and identity but stated that they must be affordable for parents. The case for the legislation was well-made by ministers from across all parties and passed into law in April 2021. After a period for preparation, from September 2022, schools had been required to review their uniform policies, with an extension to September 2023 where contract issues needed to be ironed out.

Schools would now have to carefully consider cost when developing their school uniform policies. Rather than requiring parents to buy lots of unusual and expensive items from one supplier, schools must look at whether generic high-street providers were more appropriate for most items. The legislation now formalised the requirement for access to second-hand uniform that many canny PTAs had always used as a source of income for the school. There should be no stigma in making use of pre-loved items.

As a local authority the council had a role in the process to ensure that the borough's excellent schools were following the letter of the law, just as it would with other important legislation. Councillor Tisi explained that she had spoken with officers and knew that the council had ensured that schools had been informed of the change in

law, so her motion was a natural progression. It was not a punitive measure, rather the council should be providing school governors and senior leaders with support to make changes, by directing them to best practice guidance on how to design inclusive and sustainable uniform policies.

In consultation with headteachers and parents, the council could be a trailblazing authority and formulate borough guidance or even a school uniform charter for borough schools to sign up to. This could give schools the confidence to go further with their policies, knowing that other schools were doing the same.

School uniform sometimes changed with a change in leadership, so it was important to regularly check-in with schools to ensure that they were continuing to comply. It did not need to be a time-consuming or expensive process as schools must now display their current uniform policy on their websites and contacting those who had not would not be too onerous in terms of officer time, but could have a big impact.

Passing the motion alongside the legislation would also empower parents to speak up where they felt a school's policy could be even more accessible to families. Councillor Tisi concluded that failure to do anything would be a dereliction of duty to borough schools and also residents, many of whom were finding the cost of living a huge burden.

Councillor Del Campo commented that Councillor Tisi had already addressed one urgent crisis, that of the cost of living. However, at the same time, there was another crisis that was fast approaching a tipping point, and that was the climate emergency.

A report from the National Confederation of School Trusts stated that the "ongoing quest for environmental sustainability is clearly gathering momentum..." with over half currently developing an environmental strategy while just under a fifth already had a strategy to become carbon neutral.

An investigation by My Nametags had thrown up some interesting and concerning statistics: 1.4 million wearable school uniforms were thrown away each year, and most parents preferred to buy new uniform for their children. At the same time, research by Wrap showed that if the average life of clothes was extended by just three months of active use, it could reduce the carbon, water and waste footprints of those clothes by 5–10%.

The success of online vintage clothing sales, particularly amongst younger consumers, showed that the cultural change needed could be easier to achieve than thought. Under the new Act, schools were encouraged to embrace the use of iron-on and sew-on badges. This meant that not only could uniform be bought from a wider range of retailers, but also that they could be recycled more widely. Parents could choose environmentally friendly options, if they were able to do so including shirts made from responsibly sourced cotton, ties made from recycled plastic, and viscose sourced from wood pulp, for example. They were no longer tied to a single supplier and a single manufacturing method.

Setting up a uniform exchange or sale could help parents cut costs and reduce wastage and raise funds. Many schools did this already, often through over-stretched PTFAs, and the council needed to encourage more to follow suit.

Tracking which schools were doing what would help the council to understand where the gaps were and what additional support was needed. Supporting the motion would

cost a negligible amount of officer time but could make a tangible difference to residents' finances and to the planet.

Councillor Stimson explained for the last year and a half she had been working with someone who ran a schools PTA network reaching 15,000 schools in the UK, including a few hundred in Berkshire. The mission was to set up an education bank so schools could collect and redistribute not just uniforms but other items. The problem this gentleman encountered working with schools in the state sector and officers was the lack of officer time for it to work properly. There was a huge waste in the sector and if that was saved it could support the set-up of a network. He was keen to visit The Baby Bank and already had a commitment from the Children's Society and Save the Children. Councillor Stimson would be happy to work on a project similar to that proposed.

Councillor Carroll stated that he agreed with the spirit of the proposal, however having sought officer advice, the motion as written was not congruent with the council's powers. It was the Governing Body of schools that decided on the guidance. He therefore proposed an amendment so that the motion read:

The Council will:

- i) Audit School websites to ensure they comply with the Act and challenge if they are not compliant*
- ii) Make auditing of school websites a yearly task for uniform*

Through the Schools Forum or School Improvement Forum, he would also be happy to write to all schools to request the imperative be prioritised.

Councillor Stimson seconded the amendment.

Councillor Tisi stated that she would be happy that the first word of recommendation i) be changed from 'Require' to 'Request'. Councillor Carroll's second suggestion was a suggested mechanism so she would be prepared to add this to her original motion. The motion would therefore read:

That this Council will:

- i) Request all schools governed by the Act to demonstrate evidence of its implementation*
- ii) Create a mechanism to ensure continued compliance; make auditing of school websites a yearly task for uniform*

Councillor Carroll requested an adjournment to enable him to discuss the proposal with officers.

The meeting adjourned at 10.35pm; reconvening at 10.40pm.

Councillor Tisi confirmed that agreement had been reached. The meeting indicated its consent to the amendment as proposed by Councillor Tisi.

It was proposed by Councillor Tisi, seconded by Councillor Del Campo, and:

RESOLVED UNANIMOUSLY: That this Council will:

- i) Request all schools governed by the Act to demonstrate evidence of its implementation**
- ii) Create a mechanism to ensure continued compliance; make auditing of school websites a yearly task for uniform**

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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:

- a) *any unpaid directorships*
 - b) *any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority*
 - c) *any body*
 - (i) *exercising functions of a public nature*
 - (ii) *directed to charitable purposes or*
 - (iii) *one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)*
- of which you are a member or in a position of general control or management*

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, or a body included under Other Registerable Interests in Table 2 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 financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in 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 (referred to in the paragraph above) **affects** the 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 meeting the Mayor and Deputy Mayor have carried out the following engagements:-

- Attended the primary schools "Shakespeare As You Like It" event at Norden Farm
- Attended the Windsor Boys School production of "Oliver!"
- Attended the Christmas Light Switch On in Maidenhead
- Started the ADS (Alzheimers Dementia Support) Santa Fun Run
- Attended the funeral of Honorary Freeman and former Chief Executive, David Lunn
- Officially opened the butchers in Ascot
- Attended the children's Christmas carol concert at Ascot Grange
- Attended the Royal Berks Charity "Christmas at Reading Minster" event
- Attended the Riverside Players' pantomime "Merlin – the Spellbinding Panto" in Old Windsor
- Hosted a charity Christmas event in the Windsor Guildhall in aid of Thames Hospice
- Guest speaker at the Windsor and Eton Rotary Club lunch
- Presented cheques to Thames Hospice and Windsor Foodshare as the proceeds from the recent fundraising event at The Viceroy, Windsor
- Participated in the "Glitz, Pomp and Christmas event" for Aktiveyes, Berkshire Vision
- Attended the opening of the Thames Hospice ebay and home store at Kings Grove Industrial Estate, Maidenhead
- Participated in St Luke's Church Christmas Tree Festival, Maidenhead and attended the Sunday evening service
- Attended the funeral of former Mayor Mrs Dorothy Kemp
- Introduced the charities at "Carols on the Hill", Churches Together in Windsor outdoor Christmas carol service
- Been a panellist on the Windsor Lions Club "Den"
- Attended citizenship ceremonies and hosted receptions afterwards
- Christmas visit to Ascot District Day Centre
- Joined members of the King George VI Day Centre for their Christmas celebrations
- Joined members of Maidenhead Stroke Club for their Christmas lunch and celebrations
- Attended the "Carols by Candlelight" service at the Holy Trinity Garrison Church, Windsor
- Attended the Sunday morning carol service at St Mary's Borough Church, Maidenhead
- Attended meetings of the Spoore Merry Rixman Foundation and Pooles and Rings charity
- Attended the opening of the global head office for IHG Hotels and Resorts in Windsor
- Attended the "farewell" lunch with Trustees of the Royal Albert Institute Fund
- Attended meeting of the Royal Borough's Twinning Committee
- Attended Quince Players production of "Wizard of Oz" in Sunninghill
- Attended the Windsor and Eton Choral Society concert in Eton College Chapel
- Watched the Mayor's swimming team participate in the Maidenhead Lions Swimathon, Braywick Leisure Centre
- Welcomed representatives of the Baha'i faith to the Mayor's Parlour, Town Hall, Maidenhead
- Attended the official opening of the new Heatherwood Hospital, Ascot.

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Report Title:	Appointment of Chief Executive and Head of Paid Service
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Cllr Andrew Johnson, Leader of the Council and Cabinet Member for Growth & Opportunity
Meeting and Date:	23 January 2023
Responsible Officer(s):	Nikki Craig, Head of HR, Corporate Projects and IT
Wards affected:	All

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REPORT SUMMARY

This report requests approval to appoint the candidate recommended by Appointment Committee as the Council's Chief Executive and Head of Paid Service.

Processes and negotiations are ongoing at the time of publication of this report 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.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council notes the report and approves the recommendation from Appointment Committee that :

- i) That the recommended candidate be appointed to the role of permanent Chief Executive and Head of Paid Service.
- ii) The appointment be at the salary recommended by Appointment Committee within the Chief Executive salary band of £145,000 to £185,000.

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

Options

Table 1: Options arising from this report

Option	Comments
Approves the recommendation from Appointment Committee that the recommended candidate be appointed to the role of permanent Chief Executive and Head of Paid Service and that the appointment be at the salary recommended by Appointment Committee within the Chief Executive salary band of £145,000 to £185,000.	There is a risk that Council do not approve the recommendation from Appointment Committee to appoint the recommended candidate because they are not satisfied that they are suitable which could result in no Chief Executive being appointed. Not appointing a Chief Executive would

Option	Comments
This is the recommended option	be a breach of the Council's statutory responsibilities and there is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.
Do Nothing	<p>There is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.</p> <p>There is a risk that Council do not approve the recommendation from Appointment Committee to appoint the recommended candidate because they are not satisfied that they are suitable which could result in no Chief Executive being appointed. Not appointing a Chief Executive would be a breach of the Council's statutory responsibilities and there is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.</p>

- 2.1 The Council must appoint a Head of Paid Service in accordance with Section 4 of the Local Government Act and the Council's Constitution. Appointment Committee met on 12 August 2022 and agreed the arrangements for the recruitment of a new permanent Chief Executive and Head of Paid Service. Subsequently, Penna were appointed to carry out an executive search and test potential candidates. The post was also advertised nationally.
- 2.2 Following extensive advertising, search, longlisting and shortlisting processes four candidates were selected to take part in the final assessment day. By this point the following assessments had been carried out:
1. Written application and supporting statement assessment
 2. Technical and competency interview testing – 'can they do this job' with Penna and a technical assessor. Technical assessments are normally undertaken by serving or former experienced Chief Executives and on this

occasion Tony Reeves, RBWM Interim Chief Executive performed the technical assessor role with Penna.

2.3 Those invited to the final assessment day participated in 6 panels:

- Partner panel
- Networking with CLT
- Employee Panel
- Elected Member Panel
- Young People Panel (held on the evening of 12 January 2023)
- Final Interview with members of Appointment Committee - a panel of administration and opposition Elected Members,

2.4 Having undertaken a thorough final interview with each of the candidates and taken into consideration the feedback of the various panels, Appointment Committee have decided upon a recommended candidate for appointment to the role of CE and Head of Paid Service together with a recommended salary within the Chief Executive salary band of £145,000 to £185,000. Processes and negotiations are ongoing at the time of publication of this report 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.

Part 8B paragraph 3b of the Council's constitution states that 'The full Council may only make or approve the appointment of the Head of Paid Service where no substantial and justified objection has been made to the appointment by any Member of the Cabinet'. Once negotiations are concluded Cabinet will be informed of the recommendation from Appointment Committee to appoint the candidate and the outcome included in the forthcoming supplementary appendix.

3. KEY IMPLICATIONS

3.1 Table 2 shows the key implications.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Appointment to the post of Managing Director and Head of Paid Service	Vacancy not filled	Vacancy filled	N/A	N/A	January 2023

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The post costs are accounted for in the revenue budget.

5. LEGAL IMPLICATIONS

- 5.1 Section 4 of the Local Government and Housing Act 1989 provides that it is the duty of every local authority to designate one of their officers as its Head of Paid Service.
- 5.2 The Council is required to ensure that its recruitment and selection practices are compliant with equal opportunities legislation and our own policies. In accordance with Section 7 of the Local Authority & Housing Act 1989, all local authority staff must be appointed on merit.

6. RISK MANAGEMENT

- 6.1 Table 3 shows the impact of risk and mitigation.

Table 3: Impact of risk and mitigation

Threat or risk	Impact with no mitigations in place or if all mitigations fail	Likelihood of risk occurring with no mitigations in place.	Mitigations currently in place	Mitigations proposed	Impact of risk once all mitigations in place and working	Likelihood of risk occurring with all mitigations in place.
There is a risk that Council do not approve the recommendation from Appointment Committee to appoint the recommended candidate because they are not satisfied that they are suitable which could result in no Chief Executive being appointed. Not appointing a Chief Executive would be a breach of the Council's statutory responsibilities and there is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be	Major 3	Medium	Executive search agency engaged to support attraction of suitable candidates. Comprehensive assessment process undertaken involving a wide range of stakeholders culminating in thorough final interview process with Appointment Committee members.	Nothing required	Major 3	Low

incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.						
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7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as an Appendix to the original Appointment Committee report of 12 August 2022.
- 7.2 Climate change/sustainability. There are no impacts in this report.
- 7.3 Data Protection/GDPR. There are no impacts in this report.

8. CONSULTATION

- 8.1 The summary views of all those involved in the recruitment process including Councillors, senior managers, partners, employees and young people have been considered by Appointment Committee.

9. TIMETABLE FOR IMPLEMENTATION

A start date will be agreed with the recommended candidate, this will depend on relevant notice periods.

10. APPENDICES

This report is supported by a supplementary appendix to be published prior to the meeting detailing the name of the recommended candidate, the recommended salary and the outcome of the notification to Cabinet process.

11. BACKGROUND DOCUMENTS

- 11.1 None.

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>	<i>Statutory Officer (or deputy)</i>		
<i>Deputies:</i>			

Andrew Vallance	Head of Finance (Deputy S151 Officer)	12/01/23	12/01/23
Elaine Browne	Head of Law (Deputy Monitoring Officer)	12/01/23	14/01/23
<i>Other consultees:</i>			
Kirsty Hunt	Service Lead Electoral and Democratic Services	12/01/23	12/01/23
<i>Heads of Service (where relevant)</i>			
Nikki Craig	Head of HR, IT and Corporate Projects	11/01/23	12/01/23

Confirmation relevant Cabinet Member(s) consulted	Cllr Andrew Johnson, Leader of the Council and Cabinet Member for Growth & Opportunity	Yes
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REPORT HISTORY

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

Report Author: Kathy Hook, Service Lead, HR Business Partnering

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact equality@rbwm.gov.uk

1. Background Information

Title of policy/strategy/plan:	<u>Chief Executive recruitment</u>
Service area:	<u>HR, Corporate Projects and IT</u>
Directorate:	<u>Resources</u>

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

The report requests approval of the proposal to appoint the candidate recommended by Appointment Committee as the Council's Chief Executive and Head of Paid Service.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

No – An EQIA for the process of recruitment was completed at the start of the process in August 2022.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal? For example, users of a particular service, residents of a geographical area, staff
Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented? For example, compared to the general population do a higher proportion have disabilities?
What engagement/consultation has been undertaken or planned? <ul style="list-style-type: none">• How has/will equality considerations be taken into account?• Where known, what were the outcomes of this engagement?
What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.

4. Equality Analysis

Please detail, **using supporting evidence**:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age			
Disability			
Sex			
Race, ethnicity and religion			
Sexual orientation and gender reassignment			
Pregnancy and maternity			
Marriage and civil partnership			
Armed forces community			
Socio-economic considerations e.g. low income, poverty			
Children in care/Care leavers			

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group

<p>Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?</p> <ul style="list-style-type: none"> • For planned future actions, provide the name of the responsible individual and the target date for implementation.
<p>How will the equality impacts identified here be monitored and reviewed in the future? See guidance document for examples of appropriate stages to review an EQIA.</p>

6. Sign Off

Completed by: Nikki Craig	Date: 12/01/2023
Approved by: Nikki Craig	Date: 12/01/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:
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Report Title:	2023/24 Programme of Meetings
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Johnson, Leader of the Council
Meeting and Date:	Full Council – 24 January 2023
Responsible Officer(s):	Emma Duncan, Director of Law, Governance and Public Health & Monitoring Officer Elaine Browne, Head of Law and Governance
Wards affected:	All

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REPORT SUMMARY

This report sets out the programme of meetings for the Council, Cabinet and the various panels, forums and other bodies administered by Democratic Services for the 2023/24 Municipal Year, for Council approval.

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

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Full Council notes the report and:

- i) Approves the programme of meetings for the 2023/24 Municipal Year, attached as Appendix A**
- ii) Agrees to continue with the split of virtual meetings/in-person meetings agreed at Full Council in September 2021 for the 2023/24 municipal year.**
- iii) Notes that a further review of in-person/virtual meetings would take place if and when legislation is enacted to allow decision making meetings to take place virtually.**

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

Options

Table 1: Options arising from this report

Option	Comments
Approve the programme of meetings for 2023/24 and continued associated split of virtual/in-person meetings This is the recommended option	It is considered that the proposed schedule best reflects the operation of the Council from May 2023 onwards.
A number of variances to the 2023/24 meeting dates could be developed if Council wishes.	Although a number of variances to the meeting dates could be developed, it is considered that the proposed schedule best

Option	Comments
	Reflects the operation of the Council as detailed in the constitution.

The proposed Council programme of meetings for 2023/24 (attached as Appendix A) has been developed to align with the committee, panel and forum structure set out in the council constitution.

- 2.2 A number of panels, sub committees and forums meet on an ad hoc basis. Dates for such meetings will be publicised as and when arranged, in consultation with the relevant officers and Chairman.
- 2.3 Meeting dates for a number of forums considered as outside or associated bodies but administered by Democratic Services and supported by Council officers from the relevant service area, have been included in the schedule to ensure alignment with the corporate calendar. They are therefore included in Appendix A, but under a separate section.
- 2.4 The terms of reference for the three Overview and Scrutiny Panels state 'Each Overview and Scrutiny Panel shall ordinarily meet four times a year and the first meeting being held within 30 days of Annual Council meeting'. The programme therefore includes four scheduled meetings for each Overview and Scrutiny Panel. Each Overview and Scrutiny Panel can agree to call additional meetings to enable it to undertake its Work Programme. A further two meetings have been proposed for the Corporate Overview and Scrutiny Panel, to enable it to undertake budget monitoring on a regular basis.
- 2.5 In September 2021 Full Council considered the appropriate split of virtual and in-person meetings for the remainder of the municipal year, in light of the benefits realised through virtual meetings held during the Covid-19 pandemic. As of December 2022, the government has not announced any proposals to allow Councils to again hold decision-making meetings in a virtual capacity. It is therefore proposed that the current split of in-person and virtual meetings continues for 2023/24. A further review would be undertaken if and when legislation is enacted to allow decision making meetings to take place virtually.

3. KEY IMPLICATIONS

3.1

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Full programme of Council meetings approved for the start 2023/24	Programme of meetings not approved	Programme of meetings approved.	n/a	n/a	Meetings to take place from 23 May 2023 onwards

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
municipal year.					

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1

The costs of holding the meetings detailed in Appendix B are contained within revenue budgets

5. LEGAL IMPLICATIONS

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

Table 3: Impact of risk and mitigation

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

6. POTENTIAL IMPACTS

6.1 Equalities. An EQIA screening has been undertaken (attached as Appendix B) a full EQIA is not considered to be required.

.2 Climate change/sustainability. Virtual and hybrid meetings have reduced the need for Councillors, officers, and members of the public to travel to venues around the borough. The virtual format has also enabled increased use of electronic agendas, thereby reducing printing requirements and paper usage.

7.3 Data Protection/GDPR. The council undertook a Data Protection Impact Assessment and published a Privacy Notice in May 2020 when virtual meetings first took place; the principles still apply for meeting participants attending meetings in a virtual capacity, whether or not the meeting itself is held fully virtually, or in a hybrid format.

7. CONSULTATION

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

8. TIMETABLE FOR IMPLEMENTATION

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

Table 4: Implementation timetable

Date	Details
23 May 2023 onwards	Meetings to take place following Annual Council on 23 May 2023

9. APPENDICES

9.1 This report is supported by two appendices:

- Appendix A – EQIA
- Appendix B - draft programme of meetings 2023/24

10. BACKGROUND DOCUMENTS

10.1 This report is supported by one background document:

- The [council constitution](#)

11. 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	14/12/22	14/12/22
Emma Duncan	Director of Law, Governance & Public Health/ Monitoring Officer	14/12/22	14/12/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)		
Elaine Browne	Head of Law and Governance (Deputy Monitoring Officer)	15/12/22	15/12/22
<i>Mandatory: Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract</i>			
Lyn Hitchinson	Procurement Manager		
<i>Mandatory: Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA</i>			
	Data Protection Officer		
<i>Mandatory: Equalities Officer – to advise on EQiA, or agree an EQiA is not required</i>			
Ellen McManus-Fry	Equalities & Engagement Officer	15/12/22	16/12/22
<i>Other consultees:</i>			

<i>Directors (where relevant)</i>			
<i>Heads of Service (where relevant)</i>			
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Leader of the Council & Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage and Windsor	Yes
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REPORT HISTORY

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

Report Author: Report Author: Oran Norris-Browne, Democratic Services Officer, 01628796251
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APPENDIX A - EQUALITY IMPACT ASSESSMENT

Essential information

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

Strategy		Policy		Plan		Project		Service/Procedure	X
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Responsible officer	Elaine Browne, Head of Law and Governance	Service area	Governance	Directorate	Law & Strategy
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Stage 1: EqIA Screening (mandatory)	Date created: 14/12/2022	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): E. Browne

Dated: 14/12/2022

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.

Stage 1: Screening (Mandatory)

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

The overall aim of the proposal is to set the Council's programme of meetings for the 23/24 municipal year.

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".

Protected characteristics	Relevance	Level	Positive/negative	Evidence
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Age				<p>The setting of the programme of meetings does not affect persons with this protected characteristic, but in determining meeting venues issues of accessibility will be taken into account.</p> <p>People with this protected characteristic may experience difficulties using technology to access fully virtual meetings, although use of online meetings has increased across all age groups as a result of the pandemic.</p> <p>The ability to attend virtually or watch online both in-person and virtual meetings is a positive impact for those who may experience difficulties travelling to formal meeting venues.</p> <p>The virtual meeting technology used by the Council (Zoom) allows individuals to join the meeting via a telephone line rather than requiring a computer. The democratic right of residents to ask any questions/address Councillors is therefore maintained. Ensuring each speaker identifies themselves before speaking will help those joining by audio only.</p> <p>If an individual is not able to access either a computer or telephone, they would be permitted to nominate a spokesperson to speak on their behalf or submit a question or statement to Democratic Services in advance to be read out at the meeting.</p>
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				<p>Those unable to access technology to enable them to watch a meeting at home would be able to use borough libraries to view the livestream or video after the meeting date.</p> <p>Minutes summarising the debate and setting out any decisions will be drafted after the meeting and can be provided, upon request, to anyone without a facility to watch the live broadcast or view the minutes on the council website.</p> <p>There may be some positive impact for younger people or working age people who find it harder to attend committee meetings (particularly those held during the day) due to work, education or caring commitments but they will be able to observe the meetings live or via recordings.</p> <p>Positive for all age groups who would have previously had to travel to council offices in order to attend meetings particularly if they did not drive, have access to a car or had to rely on public transport.</p>
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<p>Disability</p>				<p>The setting of the programme of meetings does not affect persons with this protected characteristic, but in determining meeting venues issues of accessibility will be taken into account.</p> <p>People with this protected characteristic may find it more difficult to access fully virtual meetings.</p> <p>The virtual meeting technology used by the council (Zoom) allows individuals to join the meeting via a telephone line rather than requiring a computer. The democratic right of residents to ask any questions/address Councillors is therefore maintained. Ensuring each speaker identifies themselves before speaking will help those with a visual impairment of joining by audio only.</p> <p>If an individual is not able to access either a computer or telephone, they would be permitted to nominate a spokesperson to speak on their behalf or submit a question or statement to Democratic Services in advance to be read out at the meeting.</p> <p>Those unable to access technology to enable them to watch a meeting at home would be able to use borough libraries to view the livestream or video after the meeting date.</p> <p>Minutes summarising the debate and setting out any decisions will be drafted after the meeting and can be provided, upon request, to anyone without a facility to</p>
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				<p>watch the live broadcast or view the minutes on the council website.</p> <p>A transcript of the meeting will always be available via YouTube, which also allows for closed captioning to be enabled too.</p> <p>However, some users have found that audio and picture quality has improved in fully virtual meetings, having a positive impact.</p> <p>The ability to attend virtually or watch online both in person and virtual meetings is a positive impact for those who may experience difficulties travelling to formal meeting venues.</p> <p>The introduction of a new AV system in the Council Chamber, Town Hall in July 2022 has improved both audio and picture quality for hybrid meetings. A hearing loop is also a feature within this venue.</p> <p>For meetings that are not formal Council committees, such as the Disability and Inclusion Forum, the views of non-Councillor Members on the split between virtual and in-person meetings have been taken into consideration.</p>
Gender re-assignment				The proposals do not affect persons with this protected characteristic

Marriage/civil partnership				The proposals do not affect persons with this protected characteristic
Pregnancy and maternity				<p>People with this protected characteristic may find it more difficult to access in-person meetings.</p> <p>The ability to attend virtually or watch online both in person and virtual meetings is a positive impact for those who may experience difficulties travelling to formal meeting venues.</p> <p>The introduction of a new AV system in the Council Chamber, Town Hall in July 2022 has improved both audio and picture quality for hybrid meetings.</p>
Race				The proposals do not affect persons with this protected characteristic
Religion and belief				The proposals do not affect persons with this protected characteristic
Sex				The proposals do not affect persons with this protected characteristic
Sexual orientation				The proposals do not affect persons with this protected characteristic

Outcome, action and public reporting

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

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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).

Stage 2: Full assessment

2.1: Scope and define

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.

2.2 : Information gathering/evidence

2.2.1 What secondary data have you used in this assessment? Common sources of secondary data include: censuses, organisational records.

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Advance equality of opportunity

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Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PROGRAMME OF MEETINGS 2023/2024													
MEETING	May	June	July	August	September	October	November	December	January	February	March	April	May
Council (7.00pm)	23 (annual)		25		26		28		23	27 (budget)		23	21 (annual)
Cabinet (7.00pm)	25	29	27	24	28	26	30	14	25	8 (budget) 29	28	25	23
Cabinet Transformation Sub-Committee (7.00pm)		19		7			20			5		8	
Corporate Overview and Scrutiny Panel (7.00pm)*		5	31		5			19	29			11	
People Overview & Scrutiny Panel (7.00pm)*		6			4				31			2	
Place Overview & Scrutiny Panel (7.00pm)*		12			14				30			10	
Audit and Governance Committee (7.00pm)	30		20		21		16			22			
Windsor & Ascot Development Management Committee (7.00pm)		7	5	2	6	4	1	6	3	7	6	3	1
Maidenhead Development Management Committee (7.00pm)		21	19	16	20	18	15	20	17	21	20	17	15
Licensing Panel (6.00pm)			12			16				13		15	
Berkshire Pension Fund Committee (4.00pm)		19			18			18			18		
Windsor Town Forum (6.30pm)	31		18		19		8		11		12		8
Maidenhead Town Forum (6.30pm)		1	17		12		13		15		13		9
Corporate Parenting Forum (5.30pm)					13	17		5		20		16	
School Improvement Forum (5.00pm)		22				19				6			
Health and Wellbeing Board (3.00pm)			11				7		16		26		
* Overview and Scrutiny Panels set their own work programme and confirm the schedule of meetings at their first meeting of the municipal year, held within 30 days of Annual Council. Meeting dates other than June 2023 may therefore be amended or added to. Additional Corporate O&S Panel dates have been scheduled to align with the council's budget monitoring process.													
N.B. Council meetings programmed on an ad hoc basis: Aviation Forum, Appeals Panel, Licensing and PSPO Sub Committee, Employment Appeals Sub Committee, Member Standards Panel and Sub Committee, Appointment Committee, Rights of Way and Highway Licensing Panel, Independent Remuneration Panel, Statutory Officer Panel, Grants Panel.													
OUTSIDE/ASSOCIATED BODY ADMINISTERED BY RBWM													
One Borough (11.00am) - 2024 dates tbc		13			12			5					
Rural Forum (5.30pm)							14				19		
Flood Liaison Group (6.00pm)		14				11			16			29	
Standing Advisory Council on Religious Education (5.00pm)		13			11			4			4		
Local Access Forum (6.30pm)		20					21						
Schools Forum (2.00pm)			13				16	14	18				16
Disability and Inclusion Forum (11.00am)		12			11			4			11		
Berkshire Pension Board (times TBC)		1		31			30			29			

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