

**AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber -
Town Hall, Maidenhead on Tuesday, 26th April, 2022**

PRESENT: The Mayor (Councillor John Story),
Councillors John Baldwin, Clive Baskerville, Christine Bateson, Gurpreet Bhangra,
Simon Bond, John Bowden, Mandy Brar, Catherine Del Campo, David Cannon,
Stuart Carroll, Gerry Clark, David Coppinger, Carole Da Costa, Wisdom Da Costa,
Jon Davey, Karen Davies, Phil Haseler, Geoff Hill, David Hilton, Maureen Hunt,
Andrew Johnson, Greg Jones, Lynne Jones, Neil Knowles, Ewan Larcombe,
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

Officers: Andrew Durrant, Adele Taylor, Emma Duncan, Adrien Waite, Duncan Sharkey
Karen Shepherd and David Cook

70. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Luxton, McWilliams and Muir.

71. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That:

- i) **The minutes of the Extraordinary meeting of the Council held on 8 February 2022 be approved, subject to the following amendment:**

p. 54 to read: Councillor Walters explained that, in his opinion, thousands of dwellings had been submitted to the Inspector that were neither required nor needed.....

- ii) **The minutes of the Budget meeting of the Council held on 22 February 2022 be approved.**

72. DECLARATIONS OF INTEREST

In relation to the Member question he had submitted, Councillor Singh stated that he was a Trustee of the No. 22 Maidenhead Counselling Service which was located at the 4 Marlow Road Community Centre. He also knew a number of the trustees personally.

In relation to the item 'Schools Capital Allocation' Councillor Baskerville stated that he was a LA Governor at Alwyn Infants School which had a joint governing body with Courthouse Junior School.

73. 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 the council the Mayor congratulated Housing Solutions for retaining the highest possible grades for governance and financial viability following the completion of an in-depth assessment by the regulator earlier in the year.

The Mayor announced that the Garden in Bloom competition would be launched the following day.

74. PUBLIC QUESTIONS

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

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

Written response: *Work is ongoing with the service provider to ensure they have the correct resources and equipment to deliver the services outlined in the grounds maintenance contract. Regular contract monitoring is carried out, with joint inspections of sites in the borough, including cemeteries included in the contract management, to ensure that work is delivered to the correct standard and that key performance indicators are met. Additional staff have been employed on the contract to make sure that the work is completed.*

By way of a supplementary question, Ed Wilson thanked Councillor Coppinger for the response but commented that he had had heard similar things before; he would like to know what new things he was going to do to ensure cemeteries were properly looked after.

Councillor Coppinger responded that one of the key things would be to work with members of the public in helping the council to maintain graves. This was usually a person who had a concern as they had a relative buried at the site, but he knew there were many people who wished to help. He asked that volunteers work with officers to ensure coordination and also with the local ward councillors, to ensure there was no duplication of effort and no one who wanted to help got missed out.

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

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

Written response: *Thank you for your question, Mr Wilson. The council took the decision originally to acquire the property, Cedar Tree Guest House, in order to create eight individual units to enable us to discharge people from temporary accommodation into affordable homes and a planning application to that effect has been submitted.*

However, with the substantial increase in construction costs over recent months and changes to building regulations, we are currently reviewing those proposals to ensure that the plans still represent value for money. The outcome of the review will be coming before Cabinet in May 2022 for a decision.

By way of a supplementary question, Ed Wilson commented that residents had seen the development going on for over a year and they just wanted to know one way or

another what was actually happening. He asked who would communicate the outcome of the Cabinet meeting in May to residents and how would this be achieved.

Councillor Johnson, on behalf of Councillor McWilliams, responded that a report would be going to Cabinet in May which would conclude a review into the property proposal. He would work closely with Councillor McWilliams and the Cabinet Member for Windsor on engagement with concerned residents and neighbours. As much information would be put in the public domain as possible, bearing in mind that some valuation figures may need to be held back. The council was determined to ensure clarity on the issue and a satisfactory outcome for all concerned parties.

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

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

Written response: *Thank you for the question regarding the efficiency and performance of the Report it function. We agree that it would be helpful to publish data on the resolution of issues raised through the Report it system, in order to increase transparency about the effectiveness of the tool, and to give confidence to residents, that their reports will result in timely action.*

Reports submitted to the Report It system are sent to individual services for action, in line with the issue raised in the report. The responses are currently tracked by each service individually, as part of internal case record management (CRM) systems. However, as part of the new Citizen's Portal and wider Corporate Plan performance management, the council is working to collate information from services on the issues raised and their resolution, to provide overall data on the performance of the Report It system. This information will then be shared publicly on the Citizen's Portal on a regular basis going forwards.

Sarah Walker was not present at the meeting and had not submitted a supplementary question.

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

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

Written response: *Yes. The refuse collection contract is running to a high standard with a very low number of missed collections. In March there were only 19.26 missed collections per 100,000 collections, against a target of 60 per 100,000. This is now a high performing contract. Regular contract meetings are held with the contractors to*

ensure the service is running well. Discussions continue with the grounds maintenance service provider to ensure they have the correct resources and equipment to deliver the services outlined in the grounds maintenance contract. Regular contract monitoring is carried out, with joint inspections of sites in the borough included in the contract management, to ensure that work is delivered to the correct standard and that key performance indicators are met. Additional staff have been employed on the contract to make sure that the work is completed.

Sarah Walker was not present at the meeting and had not submitted a supplementary question.

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

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

Written response: Thank you, Mr Ilyas, for your question. I wholeheartedly agree that the NHS has done, and continues to do, a fantastic job in this pandemic. Of course, the pandemic has presented unique challenges in terms of site locations and delivery of some services with patient safety and infectious disease control being paramount. As the Cabinet Member and Leader of the Council, we are here to serve all residents in the borough. I am happy to meet to discuss any specific concerns relating to wider health policy. Please be assured that I regularly meet with senior NHS leaders and I have impressed upon them that St Marks remains a key site for now and for the future. I am confident that they will come forward and share their plans for the site with all residents at the appropriate time.

By way of a supplementary question, Mohammed Ilyas asked if the Lead Member would also agree to review the latest situation with GP appointments.

Councillor Carroll responded that the issue had been discussed at the Health and Wellbeing Board held a few weeks before. Dr Thomas, the Vice Chairman, had spoken in detail. Councillor Carroll therefore encouraged Mr Ilyas to look at the online recoding of the meeting which detailed what the NHS was doing and also what residents could do to help, in terms of choosing the appropriate contact point in the NHS. He would be happy to discuss the issue with Mr Ilyas further.

f) Hari Sharma of Furze Platt ward asked the following question of Councillor Johnson, Leader of the Council:

I believe that Council's budget shows a clear, strong and responsible framework, with prudent and smart management of its finances. However, the suffocating influence of inflation, supply chain disruption, Russia's invasion on Ukraine, legacy of COVID and Brexit leaving great exposure to economic shocks.

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

Written response (from Cllr Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot): *The 2022/23 budget anticipated a large increase in inflation from the lower levels of recent years. An inflation rate of 4.8% was used in budget assumptions, with much larger increases in areas such as energy where significant increases were already expected. In addition, an inflation rate for each major contract was also calculated. Any further increases will be managed by setting aside money in a specific earmarked reserve as we close the 2021/22 accounts. Sufficient funds will be available. The 2022/23 budget also includes over £1 million of funding to offset income losses in car parking and leisure centres due to the continuing effects of Covid-19. Income in both areas is now recovering steadily and I do not expect any further funding to be required.*

By way of a supplementary question, Hari Sharma asked that, as there was a three-year underspend in the budget and low Council Tax, how would the council be helping families who were struggling to pay the Council Tax?

Councillor Hilton responded that the council had a number of funds that could be used to assist residents including the Council Tax Reduction Fund, which was means-tested, and the Council Tax Support Fund. Residents would need to apply to these funds to obtain support.

g) Hari Sharma of Furze Platt ward asked the following question of Councillor Carroll, Lead Member for Adult Social Care, Children Services, Mental Health and Transformation:

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

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

Written response: *I would like to thank Mr Sharma for his question on such a vital issue. Mental health is an essential component of health. It is more than just the absence of mental disorder or disabilities; it is fundamental to our collective and individual ability to think, handle stress, make healthy choices, socially interact with others, and enjoy life ([World Health Organisation, 2022](#)).*

The COVID-19 pandemic, particularly periods of national lockdowns and restrictions, has had a negative impact on many people's mental health ([2. Important findings - GOV.UK \(www.gov.uk\)](#)).

For these reasons, championing mental wellbeing and reducing social isolation is one of the four priority areas of focus for the RBWM [Health and Wellbeing strategy](#). This strategy sets priorities and the overall direction for the RBWM Health and Wellbeing Board which I chair and on which council officers and members sit.

Frimley Clinical Commissioning Group commissions the majority of adult and children community mental health services; these range from talking therapy services to dementia care advisors, counselling services and Getting Help Teams in our schools. A full list of services for adults can be found at: - [Mental health services \(eastberkshireccg.nhs.uk\)](#) and for children at: [Children and Young People Mental health :: Frimley HealthierTogether \(frimley-healthiertogether.nhs.uk\)](#).

Schools have been supported by the council's services to aid the return of pupils with a recovery and wellbeing programme based on the five psychological principles of sense of safety, sense of belonging, sense of control, sense of calm, and hopes and plans. This has given children and staff the tools to understand and discuss how they feel.

Mental health issues can range from common problems, such as depression, anxiety or obsessive-compulsive disorder ([NICE, 2021](#)) (which may be managed by physical activity, mindfulness, and social connection), to rarer and more severe and complex disorders such as psychosis, obsessive compulsive disorder or clinical depression, which will require clinical and psychological support.

We know that mental health is determined by many different social, psychological, and biological factors. Everyone, including the council, has a responsibility to look after and promote good mental health & wellbeing. The council plays a key role through:

- promoting access to green space and nature*
- increasing uptake of physical activity and promoting active travel*
- ensuring support for residents is based on local needs by talking with residents and analysing local/national datasets*
- providing employment support and additional signposting to mental health support (e.g., through library services)*
- working with local community groups, such as the [Maidenhead Magpies](#), who work to promote good mental health*
- championing internal workplace mental health policies and support programmes*
- promoting campaigns which support good mental health and local services*
- funding a Support Time and Recovery Service, which provides support for those with more serious and complex mental health issues including support on starting/returning to work*

We can all play a role in protecting and looking after our own mental health, whether it be getting active, drinking less, joining a social group or spending time in nature, the [Better Health – Every Mind Matters \(2022\)](#) has useful advice and guidance for looking after your mental health.

Anyone with concerns about their own, or another person's, mental health, can get access to support through the Frimley CCG webpage - [Mental health services \(eastberkshireccg.nhs.uk\)](#).

By way of a supplementary question, Hari Sharma commented that struggling in silence because of mental health affected different communities in different ways and therefore a single approach would not work for all. He asked how the council would look deeper at embedding the community response to delivering services, for example community information champions and the voluntary sector.

Councillor Carroll responded that in relation to wider community engagement the council was already looking to do it through a range of community partnerships across a range of different organisations, including faith and religious groups and charitable organisations. The issue had been discussed at the recent Health and Wellbeing Board. He would be happy to provide Mr Sharma with additional details of the initiatives.

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

The peer review stated the following portfolio is unbalanced:

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

Does Councillor Carroll believe this to be a fair assessment?

Written response: Thanks for your question. The specific recommendation following the LGA Peer Review Report was that the Leader of the Council "Review Cabinet portfolios so that they are re-balanced across people, place and corporate functions to enable more capacity to influence at a sub-regional and national level alongside local place leadership responsibilities". Following recent changes made to the composition of the cabinet, and a realignment of a number of place functions, cabinet concluded when it met on 31st March to consider the final Peer Review report, that this recommendation had already been principally met.

In terms of my own position, the role of Cabinet Member for Adult Social Services was combined with the role of Cabinet Member for Children's Services in May 2019. When the current Leader assumed office, he sought to, correctly, place a much greater emphasis on mental health, and the brief was explicitly added accordingly. Since then, there has been a very strong track record of delivering significant service improvements across these areas, of improving outcomes for the most vulnerable, and the implementation of transformation initiatives which have continued to drive major set for improvements and savings, and in turn ensure we have one of the top performing people services in the country as exemplified by independent ratings from the Care Quality Commission, Ofsted and other bodies.

Based upon this record, and having discussed the Peer Review Report, the Leader remains convinced that I am the right person to continue to lead across the people brief, and has, in fact, augmented my remit to reflect the work I have already been leading on in the area of transformation. From my perspective, I do not consider my brief to be unbalanced, but actually a huge honour and a profound privilege and an integrated brief which has enabled critical focus during the pandemic and vital people services. The peer review was a very helpful exercise and I am grateful for the many positive comments and findings about the council including across adult social care, health, mental health and children services. It is also pleasing that transformation has been identified as wider positive priority.

I am totally committed to my cabinet position and continue to approach it with maximum diligence, passion and dedication, with significant time ring-fenced to enable and facilitate, working with our excellent and highly skilled team of expert officers to deliver on critical resident priorities. I do not consider that unbalanced, but a clear focal point which has been particularly important during the pandemic to enable a highly integrated and collaborative approach across key council services and with the NHS, government and other organisations. I am also pleased with the overall high performance of these services and the many improvements made since I became

responsible for the brief. Yet my focus remains on ensuring we continue to deliver the best possible services for local residents, not least given the ongoing challenges of the pandemic and its many consequences.

I am sure Councillor Johnson would be happy to address any additional questions as the Leader of the Council.

The Mayor ruled that John Affleck's supplementary question did not relate to the original question or the written response provided.

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

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

Written response: Thank you for your question, Mr Affleck. I want to make it absolutely clear that the Royal Borough is not placing Ukrainian children in private family homes.

The Government is operating the Homes for Ukraine scheme, under which visas are issued to Ukrainian applicants who have named people in the UK willing to sponsor them. Under this scheme, the matching is done by the individual sponsors and their guests – the council is not involved in this process in any way. Once the visas are issued, the council is required to carry out a check of the accommodation to ensure it is fit for purpose and to carry out DBS checks on all adults in the host household. The council is prepared and ready to undertake this requirement.

Where there are families being accommodated, children's services will carry out an initial welfare check to identify if any additional support is required and implement the appropriate support as needed. The council's normal and robust safeguarding processes will be followed immediately in the event of any safeguarding issues being raised or identified at any point. In terms of education provision, funding has been made available by the Government to support Ukrainian children placed in Royal Borough schools, including any child with additional needs.

The Mayor ruled that John Affleck's supplementary question did not relate to the original question or the written response provided.

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

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

Written response: An application for prior approval of the installation was made on behalf of Three on 16 April 2021. The application was processed by the Local Planning Authority in accordance with relevant policy and was approved on 10 June 2021.

The UK Health Security Agency (UKHSA) takes the lead on public health matters associated with electromagnetic field (EMF) emissions or radio waves and has a statutory duty to provide advice to the Government on any health effects that may be caused by exposure to EMF emissions. UKHSA's main advice is that EMF emissions should comply with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines. See:

*<https://www.gov.uk/government/publications/mobile-phone-base-stations-radio-waves-and-health/mobile-phone-base-stations-radio-waves-and-health>
and <https://www.icnirp.org/cms/upload/publications/ICNIRPemfgdl.pdf>*

Ofcom are responsible for managing the use of radio spectrum in the UK and take advice from UKHSA in their management of the radio spectrum. In 2020, Ofcom published results of a nationwide EMF measurement campaign on their website where they took measurements from areas close to mobile base stations using 5G technology. Their results suggest at all locations where they conducted measurements, the EMF levels were at small fractions of the levels identified in the ICNIRP guidelines.

As part of considering the application the Planning Authority confirmed ensured that the installation was certified to be in compliance with the ICNIRP guidelines.

Further information about such installations and health can be found at gov.uk via the link below:

[Mobile phone base stations: radio waves and health - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/mobile-phone-base-stations-radio-waves-and-health)

By way of a supplementary question, Louise Crawfoot asked why so many parents in particular were not properly advised before the 5G mast went up outside the school. The parents she had spoken to felt they had not been advised appropriately in advance.

Councillor Haseler responded that the list of those advised of the application available in the planning portal included numerous houses in the locality and also St Mary's School. He suggested it would be for the school to inform the parents, as if the parents did not live in the immediate vicinity, the council would not be aware.

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

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

Written response: *The applicant supplied information confirming that they sent letters of consultation to various parties including St. Marys Primary School prior to submitting the application. On receipt of the application the Local Planning Authority also wrote to 74 nearby premises including St Marys Catholic Primary School. All necessary consultation steps were taken by the Local Planning Authority to notify premises in the vicinity of the installation.*

Ofcom provides surveys of radiofrequency electromagnetic field (EMF) emission levels near to mobile base stations. Subject to resource availability, Ofcom may provide surveys free of charge in response to direct requests from schools and

hospitals. The school would have to arrange for such a survey with Ofcom directly as access etc. may be required and the Council has advised provided the school with information about how to request this.

By way of a supplementary question, Louise Crawfoot accepted that the school had been notified and agreed the school had a responsibility to inform parents. She asked if there had been proper readings taken from the mast given the close proximity to children learning at the site for many hours a day.

Councillor Haseler responded that he doubted any readings had been taken yet. The equipment had been certified as safe as part of the application to the local authority. Ofcom, the body responsible for such tests, had carried out many tests across the country. Findings so far were that the highest level from 5G signals was 0.039% of the maximum set out in the guidelines. He suggested that the school could contact Ofcom to arrange such measurements to take place to reassure parents and grandparents who were concerned.

75. PETITIONS

No petitions were submitted.

76. REFERRALS FROM OTHER BODIES

SCHOOLS CAPITAL ALLOCATIONS 2022-23

Members considered a referral from Cabinet to approve a number of capital budget additions.

Councillor Hilton stated he was pleased to present the report which increased spending on five borough schools. In February, Council had approved the capital budget for improvements to the school estate. The final allocation figure of £1.268m was announced after the February budget meeting which meant Council was now asked to increase the capital budget by £498,000.

Following the preparation of a bid by the Sustainability Team, Property Services and Achieving for Children, the council had been successful in a £1.567m bid for capital funding from the public sector decarbonisation fund. The grant would replace oil fired boilers with lower carbon alternatives and other sustainability improvements on site at five schools in the borough. Councillor Hilton referred Members to table 1 on page 95 which detailed the funding available. Officers would consider appropriate use of the released funds for projects at other schools. Cabinet had already delegated authority to amend the list of agreed school condition allocation schemes to the Director of Children's Services and the relevant Cabinet Member.

Councillor Werner commented that the proposals for investment in schools were obviously to be welcomed. In his 30 years on the council he had seen how well negotiated agreements with developers could add funding to under-resourced schools. S106 agreements must consistently focus on additional provision for school expansion, modernisation to increase fuel efficiency, additional cycle storage and more recreational and educational opportunities in the school playground. CIL receipts could also be used to decarbonise schools. The council should be taking advantage of both, and he requested more effort on the planning front to generate income from S106 and CIL.

Councillor L. Jones asked if up to date surveys had been undertaken to ensure that funding was directed to the places it was most needed. If that was happening, any such funding was a very good idea.

COUNCIL - 26.04.22

Councillor Knowles commented that the school condition allowance for maintained schools was ringfenced. It always came out late each year and councils had to guess, based on the previous year's formula, but it was a simple adjustment. School condition reports provided evidence in the audit process.

Councillor Singh commented that the government was bringing in legislation to bring ratings up to category C in private rented accommodation. He believed that quite a few of the schools in the borough would be below category C and he therefore asked if the same requirement would be added for schools.

Councillor Stimson commented that she was not sure if schools used the same EPC rating. The council had won some funding to undertake surveys in all schools to enable the identification of those with greatest need. Some would have heat pumps, and some would have air source; all would have improved insulation and solar panels. After the work was done, the schoolchildren would be engaged to discuss decarbonisation and encourage behaviour change. The estimated carbon saving was approximately 185 tonnes per year. The work would therefore contribute to nearly 5% of the council's reduction targets. Councillor Stimson congratulated the sustainability team on the excellent work.

Councillor Hilton thanked Councillor Stimson for the detailed explanation and commented that he was pleased that the works would also be used as a teaching aid.

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

RESOLVED UNANIMOUSLY: That Council approves:

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

77. DEVELOPMENT MANAGEMENT COMMITTEE REVIEW

Members considered a review of the Development Management Committee structure.

Adrien Waite, Head of Planning, explained that the review followed a report in June 2021 that had recommended a return to two Committees, but had also highlighted concerns about resourcing and consistency of decision-making. The Member resolution at the time requested a review back to Council by June 2022. Over the review period, there had been 18 scheduled meetings; two of which were cancelled due to a lack of business and six convened to discuss just one item. The Head of Planning therefore stated that the committee business could be handled with fewer meetings, with no detrimental impact on decision-making. This would also free up resources to be used elsewhere. A single committee also minimised risks around decision-making. The Corporate Plan highlighted the importance of the most efficient use of resources and the proposal supported other objectives in the plan as it would free up resources to work on meeting targets.

Councillor Haseler commented that, as Members had heard from Mr Waite, the Member resolution following the debate the previous year was to operate with two committees but also requested the Head of Planning to bring a report reviewing these arrangements back to Full Council.

COUNCIL - 26.04.22

Following the operation of two committees it was clear this was having a significant impact on Planning, Democratic Services and Legal Officers and was not an efficient use of Council resources. Councillor Haseler commented that during the period that he had chaired the single committee, his experience was that it had worked incredibly well. The committee comprising of Members from across the borough made defensible determinations based on material planning considerations, taking into account information gleaned from the officers' report, statutory consultees, public speakers, ward members, parish councillors, site visits, the debate during the planning meeting, planning officers present at the meeting and advice from the legal officer when appropriate. Decisions made by the single committee were consistent and defensible.

Members, when sitting on the planning committee, represented the local planning authority, not their ward, village or town. They were duty bound to make defensible decisions based on material planning considerations. There was no evidence to suggest a single committee comprising Members from across the borough were incapable of making sound planning decisions for an application outside their ward, village or town.

Councillor Haseler suggested Members consider a number of points:

- Cookham to Waltham St Lawrence was 9 miles; both locations were covered by the Maidenhead committee
- Cox Green to Clewer was 8 miles; Clewer was covered by the Windsor committee
- Ascot to Clewer was roughly the same distance and both locations were covered by the Windsor committee.

Councillor Haseler stated that he could not see the difference between a Cookham Member determining an application in Waltham St Lawrence versus a Clewer Member determining an application in Cox Green. He did recognise the optics to residents when a Member from another area was involved in the decision making of a local application. However, he did not believe that was justification for dismissing a single planning committee. It was worth remembering that when a planning application went to appeal, it was highly likely the planning inspector considering the appeal would not possess any local knowledge.

Councillor Hilton seconded the motion.

Councillor Walters stated that he could not agree with the proposal. There had always been two panels split Maidenhead/Windsor and the structure worked perfectly well. A borough-wide panel had been introduced under the previous administration which hardly ever met and on the one occasion it did, had made an enormous mistake. Councillor Walters stated that the all-important thing was knowledge of the area, potentially even knowing the individuals involved. A Member would be more 'interested' in an application in their own area because they had local knowledge. The influence of the parish council was also a factor. The amount of work for two panels was not all that much different to one panel and two panels reflected what residents wanted.

Councillor Cannon commented that he had been Chairman of the Windsor committee before the single committee had been established during Covid; he was now also the

COUNCIL - 26.04.22

Chairman of the current Windsor committee. He had also sat on the borough-wide panel. It was very difficult to explain to residents, who elected Members as their representatives, that on a Development Management Committee Members sat as the Local Planning Authority, interpreting plans and policies accordingly. Residents wanted to be able to hold their local councillors to account for their interpretation of those policies and regulations. Councillor Cannon could see no benefit to residents of moving to a single panel. He understood that the proposal would save officer time, but Members were elected to represent residents and deliver for them.

Councillor Johnson highlighted that the vast majority of Members had voted to return to a two-committee system at the debate in June 2021. The resolution had clearly asked the Head of Planning to bring back a review to assess the effectiveness of the structure by June 2022. As the April meeting was the last ordinary meeting before that deadline, it was quite right that the report had been brought before Members.

Councillor Johnson thanked the Head of Planning and his team for laying out the coherent arguments for the establishment of a single committee. Despite this, he was personally unconvinced by the logic. The two panels had worked very well since they were established, and he fully understood the merits of having two distinct panels at this time.

Councillor Davey commented that, having talked to long-standing councillors, the council had always had two, if not three, panels. He could understand the Conservatives' need to try and minimise the fall out of responsibility for decision making after a catalogue of poor decisions made recently, completely ignoring the Borough Local Plan, the Environment Agency, planning officers and requiring the Secretary of State to step in.

Councillor Davey highlighted that the Corporate Plan set out an overarching vision of 'Creating a sustainable borough of innovation and opportunity' and was framed around three key objectives:

- Thriving Communities: Where families and individuals are empowered to achieve their ambitions and fulfil their potential.
- Inspiring Places: Supporting the borough's future prosperity and sustainability.
- A Council trusted to deliver its promises.

In recent planning meetings, Borough Local Plan site-specific requirements had been washed away by offers for a few cents on the dollar. Councillor Davey did not feel this demonstrated a council trusted to deliver on its promises. What was actually needed was to make decisions more, not less, transparent. All that residents could read about a Planning Application was a summary of the decision, what was voted on and the count. No written minutes on the conversations that were had and how the decision was reached were available. There was great detail in the documents ably prepared by officers as to their thinking, but absolutely no insight into why Councillors voted a certain way. There were videos with questionable sound quality but there was nothing for a resident to read in the future about a decision today and Councillor Davey felt this meant the council was seriously lacking transparency and accountability. Any Judicial Review would be looking for how a decision was made; this information was not readily available and therefore opened the council up to challenge. He particularly found the use of the whip in planning offensive.

Councillor Davey felt that both panels were needed along with more respect for the parish council's view and residents' actual needs. The existing local planning law documents needed to be treated seriously and not brushed aside with a token financial payment that bore no relation to the profitability of any large planning application. Members needed to reflect on the Corporate Plan and put more resources into the planning process, not less.

Councillor W. Da Costa contended that a move to one committee from two was unlawful or antilegal. It was also a further attack on the democratic powers of the people of Windsor. Wards had been carved up and joined with Eton; the Town Council proposal had been rejected; now there was a recommendation to take away the planning panel.

Pinsent Masons wrote that the Localism Act 2011 aimed to move land use planning away from central government decision-making by introducing new powers, control and influence at a local level. The Act introduced the NPPF, Neighbourhood Plans, the retention of Community Infrastructure Levies (CIL) and the ability for local people to use CIL to help shape the things they needed in an area. The Localism Act was not perfect, but it did improve governance for the people, by the people. Members had an obligation to comply with the law of the land, and to ensure the council had enough staff to do so.

The proposal would distance governance from the people and reduce influence at a local level and therefore it was antilegal. It would exclude local councillors with local knowledge, who understood the 'on the street' implications of decisions, and who would have a feel for their Neighbourhood Plan. The proposal would also distance the public from decision makers. It put a greater burden on fewer councillors to know more planning policies including all the seven or nine Neighbourhood Plans and understand all the areas in the wide and quite disparate borough. The proposal would create engagement difficulties and hurdles as fewer panel members would have to talk with a wider number of residents from out of their area, avoiding the local councillors or creating extra layers of correspondence leading to long email trails. It would give Councillors longer meetings and residents would have to waste more of their time listening to applications from out of their area. The report included a lot of unevidenced comments.

Councillor W. Da Costa felt that the proposal was all about cost saving. There were insufficient staff to maintain the democratic processes including those laid out in the Localism Act. The council could not afford to strengthen the teams to the staffing and skill levels needed. He urged Members to employ more officers at suitable grades and maintain two planning panels otherwise it would be an unlawful decision.

Councillor Coppinger highlighted that as the then Cabinet Member, he had brought the paper to Council in June 2021. He believed that there was a total misunderstanding on the part of some Members, parish councils and members of the public on the role of the councillor who was tasked with determining the outcome based on facts and planning law. Personal knowledge was not essential and created a conflict. Of the other Berkshire unitary authorities, all operated with one panel other than West Berkshire which covered an area three times the size of the Royal Borough. Many decisions were made by the Planning Inspector who was unlikely to even live in the locality. Councillor Coppinger therefore supported the proposal in the report. He

COUNCIL - 26.04.22

commented that the 'bad' decision referred to by Councillor Walters related to the creation of the Thames Hospice, which was valued by every person in the borough.

Councillor Walters requested a personal explanation. He stated that there was nothing wrong with the hospice, the issue was the size of the development and car parking on an already congested road.

Councillor L. Jones commented that the report did not give any additional reasons for only having one panel than had been provided a year earlier. She did not believe resourcing should be a reason to move to a single panel. Councillors had five working days prior to the meeting to completely understand each application. The comment that it was a bad thing that there were some meetings with only one item to consider was therefore a misnomer. She would prefer meetings were cancelled rather than having extra meetings being added in because there was insufficient time to understand the development. The proposal might save on staff resourcing but there was already immense pressure on councillors with jobs and family lives to cope with multiple applications in one session.

Councillor Baldwin commented on the appalling democratic deficit in planning matters for the unparished Maidenhead area. The residents did not have parish councillors with whom they could discuss concerns; there was no town council or Neighbourhood Plan. At a moment in time when there was a heightened sensitivity around planning, the proposal was to abolish what was, for many Maidenheadians, the last body that was directly accountable to them.

Much of the work outlined in Table 2 of the report would be the same if there was one or two committees. There were already different officers for the different areas of the borough. Only having one committee would suggest only one team manager post was needed; Councillor Baldwin commented that there was no recommendation to eliminate that duplication in the report. Legal officers did not always attend meetings. The only concrete monetary value in the report was the £6355 to be saved by reducing the number of Chairmen. This would however not be a saving as the Chairman was in receipt of a more generous stipend as a Cabinet Member.

The paucity of applications was not an argument for scrapping a panel but for restoring those powers that were delegated to officers during Covid, and reversing the restriction on call-ins. Councillor Baldwin suggested the technical briefing should be scrapped and the public meeting could start at 6pm. In relation to the impact on decision making, Councillor Baldwin questioned the measure of inconsistency. Paragraph 2.1.2 admitted there was no data available. The Head of Planning had stated at the meeting the previous week that this was not a concern,

Councillor Baldwin referred Members to paragraph 2.3 of the Members Planning Code of Conduct that set out Members exercised two roles in the planning system. They determined applications and they acted as representatives of public opinion. To do this, they needed to know what the public opinion was. As he wandered around Maidenhead, Councillor Baldwin talked to residents therefore he knew the strength of feeling in Maidenhead wards. He did not know this for Windsor, Ascot or Eton wards. He would not put the convenience of the unelected few before the rights of the voting many.

COUNCIL - 26.04.22

Councillor Reynolds commented that he had sat on a cross-party working group with parish council representatives. All the Members were of the same opinion that keeping two panels was important for both Members and residents. This perspective had significant support during the debate in 2021 and the current report added nothing new. The report argued that two panels increased the risk of inconsistencies yet there was no data available. For many people it was important to have local people, democratically elected, making decisions in their area. Keeping two panels might be more time consuming, cumbersome and cost a bit more but if this was the price of democracy Councillor Reynolds felt it was a price worth paying.

Councillor Bhangra commented that a single panel was understandable at the height of the pandemic when meetings were held online, but the return to two committees had worked well.

Councillor Brar stated that she represented two parish councils. All were very protective of the conservation area, the green belt, and the unique and precious landscape. She asked if any parish councils were consulted on the report. She believed the proposed changes would eradicate her voice on the panel and prevent her fulfilling her obligations to her residents. Maintaining the emergency measures around call-ins would further impact her ability to hold decision-makers to account. Councillor Brar highlighted that the Parish Charter required the council to work in partnership with parish councils.

Councillor Larcombe commented that as far as he could see the issue was about money and the cost of officers balanced against the powers of individual councillors. He had almost permanently sat on a parish council since 1986. Lots of things went on that people did not know about because they happened at an officer level. It was sensible to keep the two panels.

Councillor Knowles stated that he had been a member of the working group. The elements of the report a year ago based around resourcing were also in the current report. There were specialist officers for each area so if there was a mixture of applications both would need to attend anyway. To ensure defensible decisions a number of recommendations had been made in the 2021 report including mandatory training, which had been taking place, and standardising decision making. The sensible safeguards had worked. The parish councils on the working group had felt they would lose a link to their local representatives if there was just one panel. The council officer teams were split up into geographic areas, to allow them to build up local knowledge. Councillor Knowles questioned why this would not also apply to Members.

Councillor Bateson commented that her residents had asked for a return to two panels. Her ward was in the very south of the borough. She visited all sites which would mean a 20-mile journey if an application was on the border with Buckinghamshire.

Councillor Hill stated that he was wholeheartedly against the proposal, which had been slated by the public on social media and in private communications with him. He felt that planning decisions, particularly controversial ones, must be made by local councillors. Public trust would be lost if the proposal was voted through. One panel would be open to manipulation. Some members of the public had commented that the proposal was being made so that controversial applications could be forced through.

COUNCIL - 26.04.22

There was increasing public concern about trust, transparency and accountability in the council's decision-making processes.

Councillor Bowden explained that he lived in his ward, in a conservation area, and had previously lived in a listed building. The experience of planning officers was needed in his ward because of the unique properties in the conservation area. This also required the attention of a dedicated panel with local councillors. He had been on the Windsor Panel for seven years and there had never been whipped decisions.

Councillor Taylor commented that during Covid, all involved in the single online panel had done an exceptional job in difficult times. For many residents, local councillors were their only way into the process; they did not understand the planning portal. If there were only one panel, residents would lose sight of what was going on. One application could have hundreds of submissions on the portal which took hours of preparation. If a councillor was not local to the area, they would have to delve further to understand the pertinent aspects of the application.

Councillor Sharpe stated that localism and democracy were paramount. To him, one panel was anti-democratic. Residents expected to have two panels and decisions to be made locally.

Councillor Tisi supported the idea of the review and had been looking forward to robust recommendations and evidence to back up the arguments, for example in relation to inconsistencies. These had not been provided. There was anecdotal evidence that local knowledge had a positive impact. For example, at the debate over the redevelopment of the old Thames Hospice site, ward councillors had spoken of the local character and the application had been rejected by the panel. The Inspector had agreed. Councillor Tisi had sympathy for officers in relation to workloads but there were bigger issues that needed to be resolved if the officer core was overstretched.

Councillor Clark acknowledged that local knowledge was important, but applications were determined on the facts, the evidence and according to law. He was unhappy at some of the insinuations otherwise that had been made during the debate. There was no evidence in the report that it would be a good idea to revert back to one panel. He did not think the savings were evidenced or the advantages had been properly demonstrated.

Councillor Hilton commented that in his experience, all played a straight bat when sitting on Development Management Committees and he rejected any accusations of manipulation. Councillor Hilton highlighted that he had been the only councillor to vote against the proposal to move to one panel in June 2021. At the start of the Covid pandemic, full Council had agreed a move to a single panel and changes to the delegations to officers and call ins. He had sat on the single panel, and it had been clear that Members had sufficient knowledge and took the issues before them seriously. Members were exceptionally diligent when considering applications from outside their area. The council was sensitive to the views of parish councils and residents, and both had the opportunity, along with ward councillors, to address the committee. Planning was a quasi-judicial process guided by the NPPF, the Borough Local Plan and increasingly, Neighbourhood Plans. Committees made decisions within that context, taking account of, but not being driven by, public views. Councillor Hilton highlighted that, subsequent to the return to two committees, Members had agreed a change to the terms of reference to allow substitutes to come from any ward,

COUNCIL - 26.04.22

which had established the principle that Members from any ward could make decisions. The overriding reason for the recommendation was the efficient and effective use of the council's scarce planning resources. There was a country-wide shortage of planning officers, and the council should do all it could to retain them. The Head of Planning had taken the opportunity afforded to him by the previous report in the hope that Members would be sympathetic and supportive of his request to allow him to run a more efficient planning service.

Councillor Haseler thanked the Head of Planning and his team.

A named vote was taken. 3 Councillors voted for the motion; 35 Councillors voted against the motion. The motion therefore fell.

Development Management Committee Review (Motion)	
Councillor John Story	Against
Councillor John Baldwin	Against
Councillor Clive Baskerville	Against
Councillor Christine Bateson	Against
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	Against
Councillor John Bowden	Against
Councillor Mandy Brar	Against
Councillor Catherine del Campo	Against
Councillor David Cannon	Against
Councillor Stuart Carroll	Against
Councillor Gerry Clark	Against
Councillor David Coppinger	For
Councillor Carole Da Costa	Against
Councillor Wisdom Da Costa	Against
Councillor Jon Davey	Against
Councillor Karen Davies	Against
Councillor Phil Haseler	For
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Maureen Hunt	Against
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against
Councillor Lynne Jones	Against
Councillor Neil Knowles	Against
Councillor Ewan Larcombe	Against
Councillor Helen Price	Against
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	Against
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	Against
Councillor Donna Stimson	Against
Councillor Chris Targowski	Against
Councillor Helen Taylor	Against
Councillor Amy Tisi	Against
Councillor Leo Walters	Against
Councillor Simon Werner	Against
Rejected	

Members considered the appointment of Chairman of Maidenhead Development Committee for the remainder of the municipal year.

Councillor Johnson proposed Councillor Hunt. He hoped council would support the proposal.

Councillor Haseler commented that Councillor Hunt was a very experienced and her local knowledge was beyond question.

Councillor Baldwin commented that he believed it to be an excellent nomination.

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

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

79. MEMBERS' QUESTIONS

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

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

Written response: *The Local Planning Authority has a duty to determine applications submitted to it and is required to do so in accordance with adopted planning policy and the National Planning Policy Framework (NPPF). The NPPF sets out that installations should accord with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines and prevents authorities from setting different or alternative health safeguards.*

RBWM can do nothing to prevent the installation of telecommunications infrastructure in the vicinity of schools as there would be no issue with the principle or safety of such an installation under the planning policy framework.

By way of a supplementary question, Councillor Davey commented that the Town and Country Planning Act, which superseded policy, looked for a balance of opinion. It had been used by residents in Brighton to prevent a mast going up outside a school; the judicial review was permitted because the council had failed to address the health impacts of the proposal. ICNIRP pointed to Ofcom; Ofcom pointed to Public Health England (PHE). Nobody wanted the hot potato. PHE had recognised that some studies had shown ongoing health impacts at higher than usual levels of magnetic field exposures. Where there was a will, there was a way. In the UK, Belgium, Russia, Holland, Italy, Switzerland, California, Australia and Germany, local councils were showing caution, many adopting the 'Precautionary Principle'. There were steps that could be taken to protect young people. Councillor Davey asked if Councillor Haseler would work with him to find the first step.

Councillor Haseler responded that the erection of masts was governed by policy as detailed in the written response. He was unsure what working with Councillor Davey would achieve or what he was after. Each case was decided on its own merits based on the policy. Councillor Haseler agreed to speak to Councillor Davey outside the meeting.

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

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

Written response: *The former café building at Kidwells Park is being looked at in conjunction with the public tennis courts provided in the park to examine the best option for the area. There have been discussions with the Lawn Tennis Association to look at possible options for the tennis courts to improve the offer to users of the facilities here. This may have impacts on the building. There is also an option to do a tendering exercise to ask for expressions of interest to use the building for a café or other facility.*

By way of a supplementary question, Councillor Singh asked if the discussions were ongoing given the fact that just a hundred yards away the Summerleaze Park tennis courts had just opened.

Councillor Coppinger responded that he was unable to provide a response at the meeting but would do so afterwards via officers. He would welcome Councillor Singh's thoughts on the proposals.

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

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

Written response: *This was actioned in error, due to the information on the spreadsheet supplied to our contractors being incorrect.*

The error has now been rectified and the free parking reinstated as it was previously.

By way of a supplementary question, Councillor Singh asked if this was an impressive U-turn or a genuine error. If it were an error, would residents who had paid for car park during the two weeks the signs were wrong be reimbursed?

Councillor Haseler responded that he was privy to an email between Councillor Singh, the Parking Manager, and the Community Centre, in which it had been confirmed to Councillor Singh that an error had been made as the spreadsheet sent to the contractors had been incorrect. This had been identified by the Community Centre and was remedied straight away. Residents would need to apply for a refund of any parking payments made.

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

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

Written response: *Policy F1 (and its accompanying SPG) of the previous development plan did not serve to limit the floor area of a residential extension to 30 sq m. The actual effect of the policy was that extensions of up to 30 sq m were always deemed to be acceptable on flood risk grounds and larger extensions were required to demonstrate they did not have adverse implications relating to flooding.*

The approach now set out within policy NR1 of the BLP is that all household extensions (under 250sqm) would be assessed against the Environment Agency's advice for minor extensions. A site specific FRA is to be submitted at the planning application stage which would need to be appropriate to the scale and impacts of the development.

The approach set out within the newly adopted Borough Local Plan is actually more stringent as extensions under 30 sq m are no longer exempt from the requirements.

By way of a supplementary question, Councillor Larcombe highlighted that 2022 was the 75th anniversary of the 1947 flooding event. His ward had been flooded three times in the last 20 years. Climate change, local development including two flood alleviation schemes upstream, and a lack of land drainage and infrastructure maintenance had led to a cumulative increase in the problems of flooding in his ward. Councillor Larcombe asked Councillor Haseler if he agreed with this analysis.

Councillor Haseler responded that Councillor Larcombe lived in the area and was a specialist in flooding, whereas he was not, therefore he would take Councillor Larcombe's word for it.

80. MOTIONS ON NOTICE

Councillor Cannon introduced his motion. He explained that the government had launched a call for evidence around drug drivers completing a rehabilitation course before they returned to driving after a ban. This would bring the consequences into line with drink driving. The administration wished to reinforce its zero-tolerance stance on antisocial and dangerous offences being committed on borough roads. National statistics showed that drink drive deaths had fallen by over 80% between 1979-2015. However there had been an increase in drug-related activities. There were 12,000 convictions in 2019, of which 44% were by re-offenders. Apocryphal evidence was that the borough, as much of society, had an issue with cannabis misuse as well as other drugs. The risk to road users and others could not be tolerated in the borough. The council wished to work with the police and others to get the message out to the wider community, including those committing such offences. Councillor Cannon had proposed the motion to demonstrate that all accepted the seriousness of the issue and the council's support of the police in dealing with it.

Councillor Haseler explained that he had served as a police officer for 30 years, mainly in traffic and roads policing, dealing with these types of offences, many road deaths and acting as Family Liaison Officer to bereaved families. Drink and drug driving were incredibly serious matters, causing death and serious injury on roads each and every year. A very worrying trend was the increase of incidents involving drug drivers. Some police forces were reporting double the number of drug driving arrests to drink driving arrests. Drugs, whether they were prescribed or recreational, legal or illegal, could have a significant and varied effect on an individual's ability to drive safely. Drugs such as cannabis could result in a driver's reaction time being slowed, meaning they were less aware, they drove slowly, and were less able to respond to hazards in adequate time. Drugs such as cocaine, however, had a different and incredibly dangerous effect, leading to the driver becoming more erratic resulting in increased risk-taking behaviour and a reduction in the ability to accurately judge situations.

The council must raise the level of awareness of how serious drug and drink driving was. A joint campaign with Thames Valley Police was needed to educate drivers about the dangers

COUNCIL - 26.04.22

and consequences of driving whilst under the influence of drugs, accompanied with robust enforcement. Whilst for many years drink driving had been rightfully acknowledged as being socially unacceptable, it was clear that drug driving had not. Councillor Haseler asked how many people had been out walking, cycling or sat in a queue of traffic only to get a strong waft of cannabis from a passing vehicle. This was wholly unacceptable, anti-social and incredibly dangerous, and it must be dealt with robustly to improve safety for anyone using borough roads.

There were many other road safety matters that would benefit from being discussed at a road safety summit, including but not restricted to: collisions and their causes, drink and drug driving, excessive or inappropriate speed, driver behaviour, children, cyclists, horse riders, motorcyclists, young inexperienced drivers and the older experienced drivers who may be losing confidence and need support or experiencing health conditions that may affect their driving ability. A road safety summit would enable these road safety concerns to be discussed and to look at how roads could be made safer through a balanced approach of education, enforcement, support where appropriate, and highway engineering.

Councillor Werner stated that he was seriously concerned about levels of drink and drug driving. Punishments were light and perpetrators often reoffended. However, road safety was more than this. He was keen to see road safety schemes on the agenda of the summit. The motion also mentioned environmental crime, which was an issue close to his heart. When he had previously been Cabinet Member, he had introduced community wardens, CCTV, a graffiti task force, designing out crime and a YOT focus on preventing reoffending. Councillor Werner referred to the 'broken window' principle that if issues were not dealt with an area then looked run down, which led to more vandalism, anti-social behaviour and crime. Evidence of drug driving was on the roadside in terms of the litter that was collected by the fortnightly 'Green Team'. Councillor Werner questioned why the motion had been brought to council as he suggested it should just be got on with.

Councillor Larcombe commented on the small silver cylinders that were left as litter on the streets of his ward. Often these were used, placed back in the box and then tossed out of a car window. He could not understand how they could be bought wholesale.

Councillor W. Da Costa commented this was a 'wicked' problem that was not easy to solve. It was good to hear resources would be provided to help reduce the infrastructure that enabled crime. Councillor W. Da Costa asked what statistics were available to show what percentage of crimes these issues represented. The previous PCC had a policy and a plan but that had eased off. He asked what discussions had already been had with the current PCC and Thames Valley Police, and what was their approach to the issue.

Councillor Del Campo welcomed the two new crossings in her ward however it had been her experience that it was not always straight forward to get safety improvements in place. The second of the two crossings was part of a package of improvements to Switchback Road North requested in a petition signed by 2,205 people in light of the death of a 13-year-old boy in December 2019. Councillor Del Campo had lost count of the number of meetings that had been held with officers and the lead petitioner, but progress had been painfully slow in between. Councillor Del Campo called on the new lead Member to leverage his experience to quickly implement a streamlined way for Members to request road improvement schemes. Councillor Del Campo supported recommendation i), and could be persuaded to support recommendation ii) if she could be reassured it would not divert funding from road safety budgets. If the motion were approved, she would like to see an update to Council in 6 months' time.

Councillor Taylor commented that drink and drug driving was a big problem everywhere; all knew someone who had been affected. Drink driving now had more of a stigma following huge campaigns. In comparison, not enough attention had been given to drug driving. Many users were unaware of the limitations. She would like to see more collaboration between the council

COUNCIL - 26.04.22

and Thames Valley Police. She asked Councillor Cannon to identify a better way for residents to report drug-related issues as they often dropped through the gaps.

Councillor Price suggested that the issue should first be raised with the Community Safety Partnership as the existing partnership arrangements may result in a speedier response. She also requested that the issue of parking on pavements be considered.

Councillor C. Da Costa strongly agreed with any campaign that educated the public on the issue. It went without saying that illegal drug use was anti-social and dangerous. However, she sought reassurance that the campaign included the effects of prescribed drug use.

Councillor Baldwin commented that, following Councillor Larcombe's reference to issues in his ward, he wished to highlight that the 'Green Team' was finding commercial size canisters, often in car parks. Councillor Baldwin felt the term 'summit' was not appropriate as a summit was usually between Presidents or leaders, and a distant concept people found hard to access. Any conversations would need to include a sufficiently diverse group of people. He realised it was a sensitive issue when politicians sought to discuss police matters but the intelligence of local residents would go a long way to identify areas to concentrate on.

Councillor Johnson stated that he fully supported the motion. The issue of drug driving was increasingly prevalent in society as demonstrated by both anecdotal and hard evidence from the police and the ONS. There was an argument that it was more dangerous and prevalent than drink driving given how hard it was to detect, the level of resources the police had, and the peculiarities of funding and reclaiming of fines. The council would be raising these issues with the Home Office. The proposed summit was intended to be broader; it was not a summit of individual parties. It was envisaged as a comprehensive and all-inclusive event that would bring together all interested parties to hear their views and to identify solutions to tackle the wider issues of road safety.

Councillor Davey stated that he agreed with the intent of the motion but questioned how it would be implemented. He had asked local police for the statistics:

- Windsor in 20/21: 45 arrested for drink driving, 41 for drug driving. Maidenhead: 64 arrested for drink driving, 50 for drug driving.
- Windsor in 21/22: 61 drink driving, 33 for drug driving. Maidenhead: drink driving 80 and 36 for drug driving.

The statistics showed that drink driving was up, but drug driving had dropped by a third.

Matthew Barber, the Thames Valley Police & Crime Commissioner had posted a video to Councillor Davey's Facebook Group at the weekend. Councillor Davey had therefore asked him a question:

I attended a licensing meeting last week where a number of options for taxing publicans were reflected on. The aim being to raise money for policing our towns at night. Wasn't there talk of the police precept being raised to pay for more community policing? Why does it feel like we pay more for less? Could part of future precept increases be ring-fenced for town centre policing? And for tonight's motion, could you advise on how many drink driving arrests / fatalities RBWM have had in the last year compared to other areas in the Thames Valley and by comparison how many pedestrians and cyclists have been hospitalised / killed on our roads in the same time frame?

COUNCIL - 26.04.22

Matthew Barber had responded that he was not aware of the motion and did not have the statistics to hand, but he would be taking a much closer look at such matters at the Road Safety Summit he was holding next month.

As the summit was already happening, Councillor Davey stated that the intent was good, but the execution left him speechless. For this reason, he would be abstaining.

Councillor Carroll highlighted tough action was needed on drug dealers who preyed on children and vulnerable people. The PCC had been promoting the issue but was also open to seeing what more could be done and to raise the profile of the issue. There was also a need to get the broader Public Health message out, so people were aware of the risks and dangers.

Councillor Clark had looked at the statistics for the Thames Valley which showed a 110% increase over the period 2019-21. It was a growing problem. It was devastating when an accident happened and unthinkable when a death occurred. He was obviously fully aware of the death of the 13-year-old boy in his ward. Evidence was given that due to drugs in the defendant's system an accident was 27 times more likely. Anything that could be done to deter people must be pursued.

Councillor L. Jones commented that she was minded to support the intent of the motion, but given the PCC had said a summit was already happening, she invited the Lead Member to remove recommendation ii) from his motion.

Councillor Cannon concluded that this was a very important and serious issue. A zero-tolerance policy was needed as a vehicle became a dangerous weapon when someone was drunk or high. He had been sad to see some political grandstanding on the issue. Councillor Cannon explained that it was not currently illegal to be in possession of the silver canisters referenced earlier. The council was however looking to put a PSPO in place to give police more powers. In relation to statistics, it was only possible to report what was detected. There was also lots of anecdotal evidence. The summit on road safety being held by Matthew Barber was in Milton Keynes. If local councillors wanted a local voice, an RBWM summit was needed to address RBWM issues rather than force-wide ones.

There were systems to report drug related issues including 999. If there was a regular issue, Crimestoppers was also available. A summit could be used to get the message out locally. The summit was not the only route; Councillor Cannon confirmed that the Community Safety Partnership would also be used to progress the issue and to give everyone a voice. Prescribed drugs would be covered as mentioned by Councillor Haseler.

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

RESOLVED: That this Council:

- i) Requests that Cabinet write to the Police and Crime Commissioner (PCC) and Thames Valley Police (TVP) seeking support in creating a joint RBWM campaign highlighting the issue of Drink/Drug Driving, supporting our zero-tolerance environment, to enhance road safety for our residents.**
- ii) Requests Cabinet to invite TVP and the PCC to work with us in holding a Roads Safety Summit on these and other RBWM Road Safety issues.**

The vote was taken by a show of hands: 36 Councillors voted in favour; 2 Councillors abstained.

The meeting, which began at 7.03pm, ended at 9.38pm.

COUNCIL - 26.04.22

CHAIRMAN.....

DATE.....