

**AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber -  
Town Hall, Maidenhead on Tuesday, 27th September, 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, Wisdom Da Costa, Jon Davey, Karen Davies, Geoff Hill, David Hilton, Maureen Hunt, Andrew Johnson, Greg Jones, Ewan Larcombe, Sayonara Luxton, Ross McWilliams, Helen Price, Samantha Rayner, Joshua Reynolds, Shamsul Shelim, Gurch Singh, Donna Stimson, Chris Targowski, Amy Tisi, Leo Walters and Simon Werner

Officers: Emma Duncan, Duncan Sharkey, Adele Taylor, Oran Norris-Browne, Karen Shepherd, David White and Dean Graham.

86. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Haseler, L. Jones, Knowles and Sharp.

Councillor Taylor attended virtually and took no part in the vote on any item.

87. COUNCIL MINUTES

**RESOLVED UNANIMOUSLY: That:**

- i) **The minutes of the ordinary meeting of the Council held on 26 April 2022 be approved.**
- ii) **The minutes of the Annual meeting of the Council held on 24 May 2022 be approved.**

88. DECLARATIONS OF INTEREST

In relation to Motion on Notice h) the following Councillors declared that they were landlords in the private rented sector: Councillors Baldwin, Brar, Clark, Hill, Hunt, Rayner, Shelim, Singh. Councillors Singh and Brar also stated that they were licence holders. Councillor Shelim stated that he was also involved in the Windsor Homeless Project.

In relation to item 7v Capital Budget Additions, Councillor Shelim stated that he owned a property near Cavalry Crescent. He came to the meeting with an open mind. Councillor Bowden stated that his daughter had previously lived in Cavalry Crescent.

89. ORDER OF BUSINESS

Councillor Luxton proposed a motion to amend the order of business, to debate Motions on Notice h) and b) before all other Motions on Notice. She stated that the agenda was very full, and the issues contained in these two motions were related to the interests of residents. They had already been delayed from the July meeting and should not be delayed further.

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Councillor Baldwin commented that he felt the case could be made that all the Motions on Notice were related to the interest of residents.

It was proposed by Councillor Luxton, seconded by Councillor Bhangra, and:

**RESOLVED: That the order of business as detailed in the agenda be amended to enable Members to debate Motions on Notice h) and b) before all other Motions on Notice.**

<b>Order of Business (Motion)</b>	
Councillor Christine Bateson	For
Councillor Gary Muir	For
Councillor John Story	For
Councillor John Baldwin	Against
Councillor Clive Baskerville	Against
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Against
Councillor John Bowden	For
Councillor Mandy Brar	Against
Councillor Catherine del Campo	Against
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Carole Da Costa	Against
Councillor Wisdom Da Costa	Against
Councillor Jon Davey	Against
Councillor Karen Davies	Against
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Ewan Larcombe	Abstain
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	Against
Councillor Samantha Rayner	For
Councillor Joshua Reynolds	Against
Councillor Shamsul Shelim	For
Councillor Gurch Singh	Against
Councillor Donna Stimson	For
Councillor Chris Targowski	For
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
<b>Carried</b>	

### 90. 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 placed on record her sincere thanks to the large number of council officers, volunteers, and partner organisations who worked so hard to ensure that the arrangements for all the events and activities held in the Royal

Borough to mark the sad passing of Her Majesty Queen Elizabeth II went so smoothly. For Members in particular, the arrangements for the announcement of the King and on the day of the funeral were exemplary, and were the result of many hours of hard work and planning. Although under sad circumstances, due to the hard work and dedication of those involved in the planning and delivery of the funeral plans, residents, visitors to Windsor and those watching across the world had a positive experience of a truly unique and historical event.

The Mayor then explained that this would be the last meeting attended by Duncan Sharkey as Chief Executive. He had been in the role since early 2019. The Mayor thanked him, on behalf of Members and residents, for his dedicated service to the borough over the last 3 and a half years, and wished him well in his new role, initially at Somerset County Council and from next year leading the new Somerset Council.

The Mayor invited Group Leaders to speak.

Councillor Johnson stated on behalf of the council and the administration his sincere thanks for Duncan's hard work, dedication and loyalty to the borough. He had ably steered the council through the pandemic and had worked to change the culture of the organisation for the better. Councillor Johnson commented that he had been taken aback by the feedback from staff since news of Duncan's departure; he was clearly held in very high esteem. It was with deep regret that Duncan was leaving, but he understood that it was a fantastic opportunity at Somerset that could not be turned down.

Councillor Werner echoed the comments, stating that Duncan had been an outstanding chief executive, and he would particularly like to pick out his work on reforming the governance and culture. It was Duncan who had called in CIPFA when he felt there was something not quite right. It was a brave decision and the right one. On culture he had certainly created the right environment for officers to feel they could say no to councillors when they felt something was not right. Councillor Werner recalled the interviews at which Duncan had been head and shoulders above the other candidates. Councillor Werner was deeply saddened by the move, as he had been looking forward to working with Duncan after May 2023, however he could see the clear opportunity of setting up a council from scratch that Somerset presented.

Councillor Hill spoke on behalf of Councillor L. Jones. Councillor L. Jones had asked him to say it had been a pleasure and a privilege to work alongside Duncan and to thank him for all his support and encouragement over the last three years. He had been a fair and practical Chief Executive who considered everyone's point of view. Discussions had been lively but always positive. Duncan's perseverance in changing the organisational culture had put the borough in a better place to face future challenges.

Councillor W. Da Costa thanked officers for their hard work on the Jubilee, Proclamation and state funeral. During his time at the borough, Duncan had dealt with the CIPFA report, pandemic, the death of Prince Phillip, the Proclamation and the state funeral. He would therefore be going to Somerset for a rest. Councillor W. Da Costa thanked him for all his efforts on behalf of the residents of Windsor; and also thanked his family who had borne a great burden.

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

If you have a pure electric car and live in the borough you can get a free parking permit, which is a hugely popular scheme. Can I ask the Cabinet Member how many residents have taken advantage of this and what action this council is taking to create more charging points?

*Written Response: At the end of June 2022, there were 76 permits issued for use within resident parking zones and 393 permits issued for off-street car parks. As set out in our Corporate Plan we will be developing an Electric Vehicle Implementation Plan, which we expect to consult on later this year. This will set out the plans to deliver more electric vehicle charging points to meet growing demand and our commitments to take action to tackle climate change. This will build on the pilot project of 29 new chargers delivered in Windsor and Maidenhead as well as new charging facilities being delivered within the new Vicus Way Car Park.*

*Note: Vicus Way Car Park is a long stay contract parking car park that is only open from 6am to 8pm. A parking permit will not enable you to use these charging points.*

By way of a supplementary question, Hari Sharma commented that only half a million electric cars were on the road; just 1.2% of 45million cars in the UK. He asked what measures and initiatives were being considered for carbon dioxide and nitrous oxide to improve air quality in the borough.

As Councillor Haseler was not present at the meeting, the Mayor advised that a written response would be provided.

**b) Hari Sharma of Furze Platt ward asked the following question of Councillor McWilliams, Cabinet Member for Digital Connectivity, Housing Opportunity, and Sport & Leisure:**

As I see cranes and diggers everywhere in the borough, building more homes for our children and grandchildren which is wonderful news for our residents and their children who can live close to their elderly parents, how many developments have agreed to build 30% social and affordable homes to buy or rent, or are paying Council Infrastructure Levy?

*Written Response: The Borough Local Plan was adopted on the 8th February 2022 and updated the development plan for the Borough. The objective of policy HO3 is to secure 30% affordable homes on most major residential developments (those containing more than 10 or more units). 40% is sought in some circumstances such as on greenfield sites up to 500 dwellings. The definition of affordable homes includes social rented, affordable rented and intermediate tenures (such as shared ownership or low cost home ownership). The evidence in the Strategic Housing Market Assessment shows that there is a high need (45%) for social rented homes and all qualifying schemes since February will need to provide this. The Housing Strategy 2021-26 outlines our clear ambition to give more local people the opportunity to stay in the area they grew up in.*

*Since the 8th February the Council has received major planning applications proposing a total of 817 private market homes and 429 affordable homes. On average 34.4% of all housing applied for since the adoption of the Borough Local Plan is affordable. (figures correct on 14th July 2022).*

*Prior to the 8th February applications were determined under a different policy context. The amount of affordable housing completed and secured in previous years is reported within the Authority Monitoring Reports which are available on the Council's website at: [Monitoring | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](#)*

*The Community Infrastructure Levy (CIL) is a levy which is applied to all developments specified within the Council's Charging Schedule unless the development qualified for an exemption under the Council's exemption policies. All eligible development must pay the levy. The Council reports annually on the collection and expenditure of these funds and the annual reports are available on the Council's website at: [Community Infrastructure Levy | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](#). CIL collections are reported through the citizen's portal: [Amount \(£\) of CIL receipted for the reported year \(inphase.com\)](#)*

*The CIL Charging Schedule was examined by an independent examiner before being approved. The Council keeps its Charging Schedule, which is subject to indexation each year, under constant review.*

By way of a supplementary question, Hari Sharma commented that it was excellent news that the council was increasing the supply of affordable housing. The housing strategy clearly outlined the vision of giving more people the opportunity to stay in the area. He asked what tenure of affordable housing did the council want to see prioritised.

Councillor McWilliams responded that over the time he had been in the role, it had become abundantly clear that with over 1000 people on the housing register it was critical that the borough started to increase the amount of social rented homes. He referred to a consultation in his ward that would start at the end of the week, He had been very clear with the developer that he expected them to prioritise social rented homes. It was also important to bring forward a new generation of council owned housing to right the historic wrongs of the past that saw housing stock sold off.

**c) Lars Swann of Clewer and Dedworth East ward will ask the following question of Councillor Johnson, Leader of the Council:**

Given the state of the high street in Windsor and the fact that there are now too many hospitality businesses in Windsor Town Centre, what plans do the council have to improve the town centre in particularly the area around the Windsor Yards Area in their own right, or in partnership with 3rd parties?

*Written Response: A paper was approved by RBWM Cabinet in March 2022 to bring forward a Vision for Windsor. The project, in partnership with the Princes Foundation, will bring together the views of communities, stakeholders and businesses to shape future investment. This will provide a unique opportunity to shape a compelling vision for the town. We encourage as many people as possible to engage in the project which will include a series of workshops to further understand and explore Windsor's*

*current and emerging opportunities, strengths and constraints, alongside people's priorities and aspirations for the place.*

*The pandemic has had a significant impact on the economy and town centres across the country but by working closely with our businesses through partnership such as the Windsor and Eton Town Partnership and Visit Windsor Board we have been able to support the local economy, create jobs and drive investment in the Borough. This approach has led to the recovery of visitor numbers and footfall in the town back to pre-pandemic levels and vacancy rates are at 13.7%, which is below the national average.*

*In relation to Windsor Yards, there has been a recent consultation on proposals with a recent two-day consultation in the town on 7th and 9th July with further information being provided online (<https://windsorconsultation.co.uk/>) as well as being promoted across social media. The council is investing in a number of projects across the town through its capital programme, as well as considering potential future projects in developing its investment plan for the UK Shared Prosperity Fund.*

Lars Swann was not in attendance, therefore the Mayor read out his supplementary question:

What is the council doing to revive the High Street in Windsor to ensure the town does not become one big food court?

Councillor Johnson responded that the council was working with the Princes Foundation to produce a 20-year vision. Work was being undertaken through the economic and business development team to continue to attract a broad range of businesses to the town centres. The administration fundamentally believed in competition and a market economy, and all would agree a business was better than no business on the high street. He understood the concerns about saturation of certain businesses, but he was sure that through the stakeholder engagement work a satisfactory conclusion would be reached. The difficult economic times meant businesses were struggling and he did not wish to impose additional bureaucracy which would undermine viability.

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

Can you advise if Royal Borough made a bid for funding via the UK Community Renewal Fund and what was the outcome of the bid?

*Written response: The Government set out the prioritisation of the Top 100 Places (see link below) and it was felt that across Berkshire there was limited chance of success. RBWM was not in the Top 100 places likely to receive funding. A bid was therefore not made – we decided that with limited resource we target those funds we are most likely to be successful in securing.*

*[UK Community Renewal Fund: prioritisation of places methodology note - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612242/UK_Community_Renewal_Fund_prioritisation_of_places_methodology_note.pdf) ([www.gov.uk](http://www.gov.uk))*

By way of a supplementary question, Ed Wilson commented that last time he had asked about the treescape fund, and the response had been that the council had not

applied. This time he had asked about the community renewal fund and again the response was that the council had not made any application. He therefore asked for details of the government schemes the council had applied for and what were the outcomes of those applications.

Councillor Hilton responded that it was an appropriate question, and he would write to Ed Wilson with the details.

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

Can you explain the value generated by the Council's development of its former properties in St Ives Rd, Maidenhead?

*Written response: The matter remains subject to the confidentiality clause on the Development Agreement (per Propco).*

By way of a supplementary question, Ed Wilson explained that he was not just interested in the commercial value, the purpose of the question was to ask about the wider value such as social and environmental benefits that could be ascribed to such a development.

Councillor Johnson responded agreed that there was more to development than simply money. There was a great deal of social value in the joint venture including new market homes, affordable homes managed by Housing Solutions, the unlocking of new business opportunities, and significant beneficial environmental improvements along the Maidenhead waterways. The social value of creating a vibrant dynamic town centre was not to be underestimated.

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

As a teacher by profession, I have some awareness of the effect of Covid and the lockdowns on children's education over the last 2 years in particular. May I ask the Lead Member for Children's Services to share what initiatives RBWM have taken and investments made to support the life chances of our young citizens following the pandemic to date.

*Written Response: Thank you for your question Mr Ilyas. The pandemic has impacted many areas of our resident's lives and the disruption to education has been significant. The first response from schools has been fantastic. They have adapted to flexible ways of teaching, including remote learning, and stayed open for children of key workers or otherwise vulnerable children and continue to focus on helping every pupil learn. The council have supported schools with a number of interventions which are detailed below, including early years outreach for social, emotional and mental health support; support with emotionally related school avoidance (ERSA); and access to resources like Fantastic Fred.*

*We also recognise that some young people need additional support outside of school so we have increased the capacity of the early help team to provide both small group and one to one support.*

*I would be happy to provide more information should you need it.*

### **School Led Tutoring**

*School-Led Tutoring is part of the National Tutoring Programme (NTP) in 2021/22. Eligible state-funded schools receive a ring-fenced grant to source their own tutoring provision for disadvantaged and vulnerable pupils who have missed the most education due to COVID-19.*

*[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1069886/Updated\\_School-Led\\_Tutoring\\_Guidance\\_.pdf#](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1069886/Updated_School-Led_Tutoring_Guidance_.pdf#)*

### **Early Years SEMH Outreach.**

*With the evidence that the pandemic has impacted significantly on children in the formative stages of life resulting in schools and nurseries reporting that there are witnessing issues around;*

*Speech and Language development, Toileting, Sharing and playing, independence, turn taking, dexterity and mark making as well as Social emotional and mental health issues relating to self-regulation and aggressive outbursts. RBWM and AfC have joined with Manor Green School to develop an Early Years SEMH Outreach service for 2022/2023 to provide support for the most vulnerable children at this key stage and increased capacity for the setting that the children are in prior to an SEMH Hub facility being available through Capital Funding later in the year.*

### **ELSA - Emotional Literacy Support Assistants**

*ELSA is an evidence based school intervention programme which strengthens school capacity to support CYP with mild to moderate social, emotional and behavioural difficulties. As part of the quality assurance process, all new ELSAs attend the annual training programme (RBWM EPS) and are subsequently supervised by RBWM Educational Psychologists on a half termly basis. Approximately 60 schools in and just outside the borough have an ELSA/s who have been trained and receive continued supervision facilitated by RBWM EPS.*

**Mental Health Support Teams (MHSTs)** became fully operational in RBWM in September 2021.

*The teams support children and young people in 14 RBWM schools (and the virtual school) who have emerging, mild or moderate mental health difficulties which may be affecting their day to day life. Depending on the age of the child or young person, The team either work directly with them or with their parents. They also work with school staff and offer support on different levels, with the aim of developing and supporting a whole school approach to mental health.*

**The Attachment Aware Schools Award** Through whole school CPD and coaching delivered by Educational Psychologists for Designated Teachers in all RBWM schools, the programme aims to increase the academic progress and wellbeing of young people in care and c/yp with attachment needs. Attachment and trauma aware schools report less behaviour incidents and improved outcomes for vulnerable children. This programme enhances relational practice in educational settings and attachment and trauma awareness across the school to facilitate wellbeing and inclusion for all.

**RBWM Emotionally Related School Avoidance (ERSA) toolkit.** ERSA has doubled during the pandemic; this was preempted by the Educational Psychology and



*Wellbeing teams. A graduated and multi-agency pathway and toolkit guidance produced by RBWM Achieving for Children has been sent to school Attendance Officers. The guidance and webinar includes information on definitions and causal factors, a universal and intervention levels 1-3 pathway and school-based strategies. We have appointed an ERSA co-ordinator from September to consult with schools and further embed the use of the audit and toolkit to ensure early intervention and support.*

**The Link Programme** *In January 2022 RBWM education settings and partners were invited to engage in The Link Programme (in collaboration with The Anna Freud Centre). This programme improves joint working in mental health and wellbeing between NHS mental health services, Local Authorities including Public Health, and VCSE services. This consisted of an introductory session and three further targeted meetings with education leads, health professionals, early help teams in RBWM and voluntary sector organisations. An action plan has been collated as a result based upon local considerations for further enhancement of policy and practice within the health and wellbeing remit.*

### **Fantastic Fred**

*A free preventative and educational mental health resource for primary aged children delivered by a team of actors. It is specifically designed to inform, equip and build resilience. It delivers simple, practical and memorable ways in which children can look after their mental health and provides links to physical health. The performance is based on the acronym FRED - Food, Rest, Exercise and Devices. It includes follow up resources for parents and teaching staff. This programme was developed as part of the Good Health Matters Campaign and has been offered free of charge to all schools (including independent) in RBWM. A secondary programme will also be developed which will be offered on the same basis.*

### **Area SENCo/Specialist Teacher Service**

- *Continuing to support SENCos through training, clusters and networking*
- *Support school leaders with SEND reviews and Inclusion Quality Mark awards*
- *EAL cluster formed*
- *1:1 and small group SEND and EAL support*

By way of a supplementary question, Mohammed Ilyas commented that closely connected to the effects of the pandemic on education was mental health support for young people. He asked what additional provision would be in the budget for next year and ongoing for school children needing support with their mental health and would the Cabinet Member be happy to meet him to discuss the issue further.

Councillor Carroll responded that the council had placed significant priority on the issue in the last few years and work continued with the schools to identify what was needed in terms of health, especially mental health. School nurses had been introduced with NHS partners. It was key to have a strategic partnership between health and education. He would be happy to meet with Mohammed Ilyas to discuss the issue further.

## 92. PETITIONS

The Mayor submitted a petition. She explained that the petition had been arranged by Amelie Orlando, aged 7, an active member of the Sunningdale community. The petition raised the

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concern of an abandoned residential property in Sunningdale. Amelie set out to speak with local residents about her concerns regarding the 30 plus year's derelict building being both an eyesore in the village she lived in and also an opportunity for community action as a nature conservation area with managed access for the local community to learn more about local flora and fauna.

Amelie met with over 150 local residents, door to door, and secured almost 170 signatures with the support of some local businesses. She would like to gather further support in a plan of action from the council to transform the derelict land and dilapidated house into a community project.

The Mayor agreed the petition would be submitted to the relevant Head of Service.

### 93. REFERRALS FROM OTHER BODIES

#### 2021/22 ANNUAL REPORTS FROM THE OVERVIEW AND SCRUTINY PANELS

Members considered the 2021/22 annual reports from the Overview and Scrutiny Panels.

Councillor Clark, Chairman of the Corporate O&S Panel, introduced the item. The Panels were required to submit an annual report on their workings and to make recommendations for future work programmes.

Councillor Price commented that she accepted that different Chairmen would have different styles to running the panels but if the substance was looked at, as revealed in the reports, there was a wide range of what had been achieved and the work capacity. Councillor Price was concerned that the reports were noted every year but in most cases nothing changed. She asked how the learnings from the recommendations could be taken forward. She hoped this would happen under the new structure, but she felt it all depended on the style of the Chairman. She encouraged training to be provided where relevant to improve the quality of output from the panels.

Councillor Werner commented there was another year of scrutiny failing. In his view it all came down to chairmanship. At the last Corporate scrutiny meeting, one of the Conservative councillors made accusations about the origin of a leak; he was allowed to say it again and again and again and yet he was not even a member of the scrutiny panel. This demonstrated weak chairmanship. Councillor Werner commented that at most meetings of Corporate scrutiny he asked the question on an item if the panel could spend time working out what could be learnt from the mistake so it would not be repeated. Each time there was an excuse why this could not be done. Councillor Werner felt this was another example of weak chairmanship. The worst example was when the chairman forgot their role and defended the administration. There was also a situation that four months into the year the People Overview and Scrutiny Panel still did not have a work programme. Councillor Werner concluded that until Opposition councillors chaired scrutiny, or at least administration councillors who believed in scrutiny, there would not be any improvement

Councillor Davey commented that the Infrastructure report showed very little had been achieved in the last year. He hoped whoever was the chair for Place Overview and Scrutiny came with a desire to question decisions made by Cabinet. Essentially waving things through by failing to question them was not a good policy position but one that seemed favoured by the administration. It was definitely not appreciated by

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residents, as had been demonstrated at Audit and Governance Committee the previous week.

Councillor Clark commented that he was sure all councillors took overview and scrutiny seriously. He felt that Councillor Werner's comments had not been related to the recommendation under consideration. It was correct that Members had the right to fully express their opinions at Overview and Scrutiny. If debate was dogmatically or swiftly closed down, he felt that the processes would be damaged. He reminded Members of the powers set out in the constitution to have issues examined and to challenge decisions of the executive. If the panels were not working, it was because the issues had not been properly considered or presented at the Panel to elicit positive outcomes.

Councillor Hunt commented that she was disappointed at some of the comments, in particular about Chairman forgetting their role. She had chaired the former Adult, Children's and Health panel and had found it went extremely well. All Members put every effort into the meeting to bring forward the best council could do on the remit.

Councillor Werner requested a personal explanation. He stated that the problem in the meeting was that sometimes the chairman forgot they were chairing and defended the administration and were therefore not being a true scrutiny chair. It was not that they forgot they were the chairman, but they were not using their role to provide proper scrutiny. He felt this was a bad way to act and anyone doing so should be dismissed from their role.

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

**RESOLVED UNANIMOUSLY: That full Council notes the 2021-22 annual reports of the Overview and Scrutiny Panels**

### CONSTITUTIONAL AMENDMENTS

Members considered a recommendation from the Member Standards Panel to amend the Members' Code of Conduct.

Councillor Rayner introduced the report. She thanked the participants in the Member Standards Panel, who had looked at recommendations in the LGA model code. The constitution was a live document and updates were always welcome to ensure the Code of Conduct was current and clear on the disclosure of interests.

Councillor Johnson fully endorsed the recommendation. The council took standards very seriously and it was only right to continually strengthen the position.

Councillor Price commented that she supported the proposal but asked why data had been included in the EQIA that did not seem relevant.

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

**RESOLVED UNANIMOUSLY: That full Council notes the report and agrees the recommendation from the Member Standards Panel to amend the Members' Code of Conduct as detailed in Appendix B.**

(Councillors C. Da Costa and Price abstained)

## MEMBERS' ALLOWANCES SCHEME

Members considered the recommendations of the Independent Remuneration Panel (IRP) in relation to the Members' Allowances Scheme.

Councillor Johnson introduced the report. He thanked the Members of the IRP for their time and dedication in undertaking research and interviews and in completing the report. It was not a report that in anyway sought to increase Members' allowances. It was a tidy up exercise and provided much needed clarity. Council staff had been given a pay award in 2020/21 and in 2021/22; Members Allowances were index-linked. The report clarified how, if Members did not wish to accept the increase in any year, they could choose to forgo it. The IRP had also provided a useful recommendation to remove the Chairman allowance for the now defunct Boroughwide Development Management Panel.

Councillor Rayner stated that she supported the recommendations which gave clarity as to how Members could decline the indexation.

Councillor Bond commented that the intention of the allowance scheme was to ensure people were not discouraged from standing for election because there would be a hit to their family finances. Full Council had considered a report from the IRP in October 2020. Members had decided that in an environment of austerity an increase in Member allowances would be inappropriate. This new proposal was to allow people to make the decision individually. He felt it was odd that people had to say if they wanted the increase or not. He felt the report did not explain why a collective decision could not be made and he therefore felt it was a backwards step. If all Members decided to forgo the increase, but no-one was aware of this, there was no transparency. If all said publicly they did not wish to take the increase, there could be a race to the bottom for those with independent financial means. This led to working-age people being discouraged to put themselves forward. This was against a backdrop of both residents and businesses struggling with the impact of increased interest rates.

Councillor C. Da Costa commented that she supported the proposal providing councillors could continue to have the right to give a proportion of their allowances to charity or another area of council services.

Councillor Stimson commented that it was more complicated than all deciding together, but was fairer. Those who may need the extra finances could receive them; those who did not need the increase could return it or give it to charity.

Councillor Hilton commented that he had been interviewed by the IRP. He had made the point that when he had first been a candidate, he had not been aware there were any allowances. It was not on the minds of most of the people he had talked to about becoming a councillor.

Councillor Tisi commented that the number of private landlords in the room reflected the level of privilege and wealth amongst councillors and did not reflect what was going on outside. Councillor Hilton's experience was not the same as hers had been when speaking to people who were thinking of becoming a councillor. She was concerned that there would be a race to the bottom and it could be used as a political weapon for those who decided to take the full allowance to which they were entitled.

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Councillor Price asked how people with disabilities would be encouraged to stand for election.

Councillor W. Da Costa commented that the allowance scheme needed to be designed to improve democracy. It would be important to encourage younger people who were the generation who fully understood the problems they would face in the future. There was a need in future to look to increase the base level to bring in those who may be time poor or financially poor, to enable them to participate in democracy.

Councillor Johnson stated that he would not be using the subject of Member allowances for political gain. All were entitled to the allowances and it was down to individuals to consider whether to take an increase or not. This was far more palatable than trying to collectively agree, and by default naming and shaming those who disagreed. Given the financial climate, Councillor Johnson made a commitment to include a pay award in the budget for 2023/24.

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

**RESOLVED: That full Council notes the report and:**

- i) Agrees the recommendations of the Independent Remuneration Panel set out in paragraph 2.3 and detailed in Appendix B**
- ii) Where changes to the Members' Allowance Scheme are approved, delegates authority to the Monitoring Officer to amend the scheme in the council's constitution.**

The vote was taken by a show of hands. 23 Councillors voted for the motion. No councillors voted against the motion. 12 Councillors abstained.

### MEDIUM TERM FINANCIAL STRATEGY AND PLAN 2023/24 – 2027/28

Members considered the recommendation of Cabinet in relation to the Medium Term Financial Strategy and Plan.

Councillor Hilton introduced the report, which was an update on the MTFs and MTFP published with the budget in February 2022 with the update approved by Cabinet in July 2022. The most important change was that it now reflected the priorities included in the Corporate Plan 2021-2026 which guided resource allocation decisions and took into account increases in energy costs and levels of inflation.

The council had a number of risks, outlined in the report. These included low reserves although they had been strengthened in the past two years, low levels of income, growing pressure on children's and adult services and others, including the unknown longer-term impact of the pandemic. Government funding had ceased but the full economic and health effects were yet to be revealed.

The pension deficit was an issue but Members would be pleased to learn that in their annual report the Pensions & Investment Research Consultants Ltd. advised that the Royal County of Berkshire Pension Fund was ranked 5<sup>th</sup> out of approximately 100 Local Government Pensions funds with a return of 12.5% in 2021/22, which had helped to increase the funding level from 78% to 86%.

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The MTFs was about delivering a sustainable budget in line with the Corporate Plan Objectives, and six of those objectives were highlighted in the report. The MTFs showed the council needed to save £7.3m to deliver a balance budget next year, an increase of £2.4m from February but after then the numbers had little changed. Over the 4-year period 2023/24 to 2026/27 savings of £15.27m would be required rather than £12.7m reported in the 2022/23 budget papers.

Councillor Hilton referenced some of the assumptions used in developing the Medium-Term Financial Plan. Utilities were shown separately because of increased energy costs with assumed inflation of 10%. Any further increases would be mitigated by the Government's Energy Relief scheme. Contract inflation was generally linked to RPI or CPI which were set at 5.5% and 4.5% in the model for next year. Fees and charges would be brought broadly in line with RPI. It was made clear that the remaining Covid budgets would be used in 2023/24. Interest payments would decrease significantly over the plan period which meant the council would be paying down its debt. In line with the improvement in the funding level of the Royal County of Berkshire Pension Fund, pensions deficit payments did not increase from 2024/25.

Business rates or NNDR would decline over the plan period. This was as a consequence of the regeneration of Maidenhead and roughly accounted for £7m of the total savings requirement over the first four years of the plan period.

Councillor Hilton advised that Members should be aware of the potential risks around Adult Social care changes and particularly a cap on social care costs which could add £3m to Adult Social Care costs. He concluded that the revised MTFs provided the basis for developing the 2023/24 budget. That process had started and would be completed by December.

Councillor Werner commented that it was difficult at the meeting to undertake a detailed critique of such an important document, so he would focus on a few overarching comments. Firstly he found it absolutely shocking that yet again the administration had decided to ignore not only himself but also many successful councils from across the country. He saw very little focus on the four strands of the council's financial programme which would stop the continued salami slicing of the budget and actually get ahead:

- Taxing developers in Maidenhead town centre. There was a CIL rating across the borough except in Maidenhead Town centre where most of the development was. He had seen a calculation of £40 million lost to the council.
- Insourcing – Research over the last few years had demonstrated that insourcing nowadays actually both saved money and improved services. The procurement plan still contained the bias to out-sourcing.
- Selling expertise to other councils and organisations. The CCTV control room used to rent out its services, earning a good income. The Customer Service Centre received a good income doing something similar.
- Making the most of council assets, and not selling them off cheap

The council's financial performance matched that of the national government, with the pound collapsing, inflation rampant, and interest rates on the up. The three factors would devastate the council's finances and the report did not fully account for them. Paragraph 5.3 attempted to, but in no way did it reflect the new damage being done to the economy by the government.

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Councillor Werner referenced paragraph 4.10: 'Making the most effective use of resources – delivering the best value for money' is included as an underpinning principle of our approach'. He questioned if it was value for money to pay more for less of a waste collection, or, according to the MA be selling land cheap to developers. Councillor Werner felt that the borough was looking at maximum increases to council tax and constant efficiency savings over the next five years. £7m savings were needed next year. The Lead Member knew that without a change in approach, there would be an insurmountable budget gap. He felt it was time for a new approach, a new broom sweeping through the corridors, saving the council from effective bankruptcy and the slow slice to services.

Councillor Price asked for assurance that the efficiency savings detailed in the report were actually viable. She also asked if the Cabinet Member was confident that the figure of £7m required savings was the right figure and would remain for next year. She commended officers for the inclusion of the helpful scenarios in Appendix B. She commented that a double negative in relation to the New Homes bonus on page 138 gave the wrong meaning.

Councillor W. Da Costa likened RBM to a ship; the departing First Engineer had managed to stabilise the finances despite pressure on reserves and the pension fund being in deficit. The council had substantial levels of borrowing when the pound was crashing and interest rates were soaring. There were huge pressures on adult and children's services with an ageing population. The long-term effects of the pandemic had not really been dealt with. The leadership was going in the wrong direction as detailed in the Corporate Plan, heading to a volcano worse than Krakatoa with no preparation for climate change including resilience in buildings and the impact on health.

Councillor Johnson thanked the Cabinet Member and officers for their tireless work in challenging circumstances, including a global pandemic, a war in Europe and the significant effect of cost shocks to the council. However, financial stability and rigidity had been brought back and the council had worked with CIPFA to resolve a number of issues. A balanced budget had been delivered for the last three years with a modest underspend each time. Councillor Johnson commented that no credible plan had been put forward by the opposition in the last three budgets. There was also no clarity on how their spending commitments would be funded. In relation to insourcing, he referred to the return of Project Centre. Thanks to the adoption of the Borough Local Plan, the council was in a position to review CIL. The council had no plans to sell off land or other assets cheaply. The council had a clear plan but was in the same position as all other local authorities in needing to take difficult decisions.

Councillor Hilton concluded by commenting that over the last three years the council's finances had been put on an even keel. The delivery of a small surplus each year had been used to increase reserves. In terms of the cost of both adult and children's services, the borough was a low-cost council.

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

**RESOLVED: That Full Council approves:**

- i) **the proposed key themes of the Medium-Term Financial Strategy set out in the report; and**

**ii) the Medium-Term Financial Plan set out in Appendix A.**

The vote was taken by a show of hands. 22 Councillors voted in favour of the motion. 15 Councillors voted against the motion. 1 Councillor abstained.

CAPITAL BUDGET ADDITIONS 2022/23

Members considered recommendations from Cabinet in relation to capital budget additions for two projects.

Councillor Hilton introduced the report, which sought approval from Council to add two projects to the capital programme and budget. The first was the tennis court improvement project which was a fully externally funded capital scheme and represented a great partnership with the Lawn Tennis Association (LTA). In August Cabinet had approved the tennis court improvement scheme which would lead to the investment of approximately £110,000 in tennis courts at Maidenhead's Kidwells Park, Desborough Park, Oaken Grove and Goswell's Park and Alexandra Gardens in Windsor.

The funding was part of the UK Government and the LTA's joint investment of more than £30m to refurbish public tennis courts across Britain and support a new generation of players to get into the sport. Subject to finalising the funding agreement with the LTA, work was scheduled to start in autumn 2022. Specific works at each site would depend on the improvements that were needed and would include surface reconditioning, new nets, posts and fencing. The scheme included access-controlled entry gates with an online booking system, now standard at many other venues, which would ensure residents and groups could reserve their slots online before they turned up to play. This would benefit players at peak times, maximise court usage, increase participation and enable a simple low fee charging system which would assist in the maintenance of courts to a high standard.

Importantly, as part of the partnership with the LTA, there would also be an enhanced local tennis programme, including some free sessions.

The government and LTA investment was designed to open up the sport to people of all backgrounds, support the government's commitment to levelling up sports provision across the nation, and provide greater opportunities for children and adults to be active. In parallel the borough was re-tendering the leisure facilities contract and also developing a sport and leisure strategy with the primary objective of 'more residents, more active, more often and more healthy', which would support and inform the future role of the leisure facilities as a key strand to the overall sport and leisure delivery in RBWM.

Councillor Hilton explained that the second project was the freehold acquisition from Annington Property Limited of the fully refurbished existing 53 houses and the completed new build flats at Cavalry Crescent in Windsor. The scheme was originally considered by Cabinet on 21 July 2022 and approval was now requested for a capital expenditure budget of £22,550,202 which included interest and fees. Cavalry Crescent was a former Defence Estates property owned by Annington Property Limited, a residential asset management business. The site had been declared surplus to requirement, was vacant and Annington Homes would sell the freehold site on the open market.



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The report to July 2022 Cabinet had provided an update on the discussion and negotiations with Annington Property Limited regarding the purchase of the site. The site would provide 53 houses and 10 new apartments to rent. As an investment this would contribute to the proposed Asset Portfolio set out in the Prop Co's business plan. The strategy was to purchase the freehold of the 53 houses and two infill sites via a Purchase and Development Agreement. The contract would require Annington Property Limited to fully refurbish the properties to an agreed specification to market habitation standards and to obtain planning permission and build the 10 new residential apartments on the infill sites.

Managed by the Prop Co, the 53-market rent and 10 at affordable rent properties provided, in collaboration with the borough's housing department, the opportunity to meet a range of housing need in the borough including moving residents from temporary accommodation into permanent homes. To inform discussions with Annington Property Limited and assess the potential purchase values, independent market valuation advice had been provided. The valuation advice formed part of the wider due diligence that informed the site values, potential income values, and financing requirement.

Councillor Davey commented that the LTA would agree circa £110,000 based on a 15-year license. He believed that RBWM would be responsible for future fixes to the courts, after the cosmetic works, and asked where the budget would come from. The administration had demonstrated that they had no ability to save for a rainy day and constantly relied on handouts. He had asked for greater clarity around the finances but they were still vague, with no agreed pricing or clarity on revenue split.

In relation to Cavalry Crescent Windsor, Councillor Davey asked when would the £22m be paid over? Would this be before the agreed works were completed or before planning permission was agreed to build apartments on what appeared to be the car park areas. He questioned if planning rules would permit that in 2022. The properties had been boarded up for years probably because they were a danger to anyone in them. He asked why the council would waste money on doing them up. He suggested it would be better to just buy the land, demolish and rebuild. The land would come in at around £5m using the current formula and planning could be secured by following the rules and creating quality homes for local workers.

Councillor Price commented that she did not feel the title of the report provided residents with sufficient information as to the detail of the report. Councillor Price had concerns about the Cavalry Crescent proposal as the MOD held the freehold on the properties. She considered this to be a potential high risk if the MOD changed the rules of the games. Locals had said the quality of the existing properties was poor therefore the refurbishment costs could be high. She asked what would happen if the costs came in higher than predicted. Councillor Price did not feel there was sufficient information on costs in the report.

Councillor C. Da Costa commented that she had been inside some of the properties which were cold and draughty and not fit for purpose. She agreed that knocking them down and starting again would be a better option particularly if the council wanted to ensure that any housing it was involved in was resilient to climate change in the future.

Councillor Hill commented that the report lacked detailed information, there was no surveyor's report, and Members had not undertaken a site visit. He suggested the

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council should take heed from the response of the markets to the government's mini budget. It was a risk to take on a development project that would probably fail given the rising interest rates. He felt the proposal was too big a capital risk.

Councillor Bowden commented that his daughter had previously lived in a property in Cavalry Crescent. The properties were not unfit for purpose. He had been the ward councillor for the ward where the site was located; the majority of occupants had been army staff. The properties would be fully refurbished subject to a survey before any money was handed over. The properties were necessary to enhance the opportunities for residents on the housing waiting list.

Councillor W. Da Costa commented that houses were needed but whether the proposal would deliver truly affordable housing was a different matter. He questioned whether the proposal would ensure retrofitting to deal with climate change. The Cabinet report had contained virtually no details on the financial risks.

Councillor Singh commented that if the borough was unable to progress discussions on the tennis courts proposal, there would be further deterioration of the sites. He asked why there was no budget in place to maintain the courts. The courts were well used by residents of his ward, which included one of the most deprived areas in the borough. He highlighted that the council had switched off the floodlights during the evening which was dangerous. People also used the courts to play football and basketball which would not be possible under the new proposals.

In relation to Cavalry Crescent, Councillor Singh commented that as a local authority, councillors were not property developers. He had seen the deal for a house in Windsor that had cost £1.6m; he was unsure how much would be lost on that deal. The council had paid £1.2m for a house in Rushington Avenue that was worth £500,000. A plot of land in his ward had planning consent for 434 flats; he suggested the council keep the land and the £22m, say goodbye to the developers and build the properties itself to ensure affordable homes.

Councillor Tisi stated that she was ward councillor for Clewer East. When she had first moved to Windsor she had visited the hairdressers and had overheard some army wives moaning about the state of their accommodation. The Liberal Democrats had undertaken surveys of army housing, and in 2009 ran a campaign asking for minimum standards to be adopted. There were two different types of property on the site: older brick-built houses and 1960s properties that were the draughty ones and may not be worth saving.

Councillor Johnson commented that at the budget debate earlier in the year the opposition had suggested the council should explore every single opportunity for greater commercialisation of assets. He explained that Cavalry Crescent was a freehold acquisition. The council would not be purchasing the properties unless it was absolutely satisfied. The properties would be refurbished to a minimum EPCC standard. He understood the concern that £22m was a large amount but it would simply allow a revolving credit. If the business case did not stack up the properties would not be purchased. However, if the council did not pursue it, another developer would pick up the site and the opportunity for affordable housing would be lost. The proposal would also deliver a long-term revenue stream and provide certainty that those people nominated would go into decent, safe properties.

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Councillor Baldwin commented that he did not feel that the case being made took into account it was still a competitive process and was subject to market forces.

Councillor McWilliams commented that the LTA funding was not a done deal. Members had the choice to refuse the funding before a financing structure was developed. However, he felt it was a good opportunity to improve the quality and accessibility of the courts for residents. The 15-year licence meant the council was not selling off the courts. The lease was to ensure the courts were maintained to a certain standard. The proposal would support the objectives in the emerging Sport and Leisure strategy. He would look into the issue of floodlights that had been raised.

In relation to Cavalry Crescent, he felt it was commendable that the borough was following through on its adopted housing strategy to be more muscular in the local housing market. He was disappointed that when the opportunity was presented to deliver large scale new affordable housing on council owned stock, Members did not vote unanimously on the Borough Local Plan.

It was noted that if Members wished, the two issues could be voted on separately. The reason they were included together was that as they had been debated separately at Cabinet, the decision for full Council was whether or not to add them to the capital programme and therefore the title was accurate.

Councillor Davey requested a personal explanation. It was clear that the figure of £110,000 was based on a 15-year licence for them to run the courts, there was however no clarity about how any revenue would be split and there was no financial modelling to allow a clear decision.

Councillor Hilton concluded the debate. He felt the tennis courts proposal offered a great deal and would improve facilities for residents. In relation to Cavalry Crescent, he highlighted that there was a shortage of rented accommodation in the borough and that shortage caused problems in putting people into temporary accommodation, including the need to house people outside the borough. The Prop Co business Plan had been debated some time ago, Members would recall it included either developing or acquiring 200 homes to fill that gap. Cavalry Crescent represented 63 dwellings. The proposal would allow a credit facility that could be used only if all due diligence was undertaken and the business case stacked up. No money would change hands until all financial details were clear. The Part II documents at Cabinet had included details of the return on investment and pay-back period.

It was proposed by Councillor Hilton, seconded by Councillor McWilliams, and in separate votes:

**RESOLVED: That full Council:**

- i) Approves the tennis court improvement project as a fully externally funded capital scheme.**
- ii) Approves the capital expenditure budget of £22,550,202 (inclusive of interest and fees) to acquire from Annington Homes Limited the freehold acquisition of the fully refurbished existing 53 houses and the 10 new build flats at Cavalry Crescent, Windsor**

<b>Capital Budget Additions - Tennis Courts (Motion)</b>	
Councillor Christine Bateson	For

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Councillor Gary Muir	For
Councillor John Story	For
Councillor John Baldwin	Abstain
Councillor Clive Baskerville	Abstain
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Abstain
Councillor John Bowden	For
Councillor Mandy Brar	Abstain
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	Abstain
Councillor Wisdom Da Costa	Against
Councillor Jon Davey	Abstain
Councillor Karen Davies	For
Councillor Geoffrey Hill	Against
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Ewan Larcombe	Abstain
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	Abstain
Councillor Samantha Rayner	For
Councillor Joshua Reynolds	For
Councillor Shamsul Shelim	For
Councillor Gurch Singh	Abstain
Councillor Donna Stimson	For
Councillor Chris Targowski	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Councillor Simon Werner	For
<b>Carried</b>	
<b>Capital Budget Additions - Cavalry Crescent (Motion)</b>	
Councillor Christine Bateson	For
Councillor Gary Muir	For
Councillor John Story	For
Councillor John Baldwin	Against
Councillor Clive Baskerville	Abstain
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Against
Councillor John Bowden	For
Councillor Mandy Brar	Against
Councillor Catherine del Campo	Against
Councillor David Cannon	For
Councillor Stuart Carroll	For
Councillor Gerry Clark	For
Councillor David Coppinger	For
Councillor Carole Da Costa	For
Councillor Wisdom Da Costa	For
Councillor Jon Davey	Against

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Councillor Karen Davies	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Ewan Larcombe	Abstain
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	For
Councillor Samantha Rayner	For
Councillor Joshua Reynolds	Against
Councillor Shamsul Shelim	For
Councillor Gurch Singh	Against
Councillor Donna Stimson	For
Councillor Chris Targowski	For
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Councillor Simon Werner	Against
<b>Carried</b>	

94. 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.

The meeting adjourned for 5 minutes, restarting at 9.47pm.

95. VIREMENT OF CAPITAL WITHIN THE APPROVED CAPITAL PROGRAMME

Members considered Capital expenditure required to pay an overage sum that was due to the vendor of the land at Thriftwood, Ockwells Road, Cox Green, which the Council purchased in 2016 and formed part of the contractual agreement of sale.

Councillor Hilton introduced the report. He explained that in 2016 the council purchased at auction Thriftwood Farm, Ockwells Road, Cox Green. The total cost of the project was £813,500 comprising:

- Purchase price £725,000 which was a modest £8,700 an acre
- Auction Fee £750
- Stamp Duty £25,750
- Legal / agent fees £12,000
- Initial Site Works £50,000

The agreement for sale included an overage clause that would be triggered by any planning application relating to the land. The land was designated as agricultural land, but it was purchased by the council to be added to Ockwells Park as Public Open Space. To achieve the Public Open Space status, an application for change of use was required which meant that at the time of purchase the council was aware that the overage clause would be triggered and further payments required, however, this was not included in the report to Council in August 2016.

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At that time the council could have reached an amicable agreement on the overage with the vendor and paid it up front, or it could have registered the liability in the contracts directory which was periodically reviewed. In this pre- CIPFA financial governance era, neither option had been adopted. Councillor Hilton had been informed that an application for a change of use was made in 2017 but at the time neither the vendor nor the council recognised the significance.

However, in 2021, the vendor approached the council to seek payment and an independent expert valuer was jointly appointed to complete the revised valuation and overage calculation. Throughout this process advice was sought from Legal Services to ensure the council met its contractual obligations. To avoid any further interest payments the balances due were paid as soon as the valuation work was completed, and the overage and interest payments were confirmed.

Councillor Hilton explained that urgency powers were used as it was not practicable to convene a full meeting of the Council and as there was no elected Chairman of the Place Overview and Scrutiny Panel, the Mayor was asked to give consent in accordance with the requirements of the constitution.

The purchase of the 86 hectares of land at Thriftwood matched the published shortfall in natural and semi-natural greenspace of 85 hectares in Maidenhead. Councillor Hilton emphasised that it was at the time and remained a sound strategic decision which at the time had been welcomed by all.

A sensible decision had been taken to move Part II of the report into Part I. This disclosed the value of the virement of capital funds within the approved capital programme from CC60 Hostile Vehicle Mitigations Measures to CX36 Purchase of land at Thriftwood. To cover the overall payment, interest and the council's share of the expert surveyor's fee the virement was £223,100. The issue had been raised by the Chairman of the Audit and Governance Committee and Councillor Hilton had supported an investigation into the decision making, not as a witch hunt but to confirm that the much-improved governance arrangements would have provided the safety net to prompt more appropriate action.

Councillor Davey commented that more capital funding had been agreed in a contract but not put aside based on the principle that the administration believed they could just keep borrowing forever and pick up the mere £250,000 later. He suggested, while undertaking the virement, the shortfall on the Windsor Coach Park bridge refurbishment quotes be picked up before they too were found to have doubled or trebled in cost and the work did not get commissioned. He also questioned what was happening about the Castle Hill transformation, which must now have passed its funding date.

Councillor Baldwin commented that it was a 'curate's egg' recommendation as it was good in parts. He was not against the basic proposition but was very concerned about the details. He apologised as he had had considerable discussions with officers that afternoon and had given an undertaking that he would not raise the concerns that he had, and would give them an opportunity to explain some of the holes in the paper at a later date. However, unfortunately Councillor Hilton had made a couple of comments that left him extremely concerned. Firstly, he had mentioned that back in 2017 such a matter would not have even been brought before Council. Councillor Baldwin felt this was a terrible statement given Councillor Hilton had been a Member, perhaps even a Cabinet Member, at the time. Councillor Hilton had also stated that he had been informed that an application for a change of use had been made in 2017. Councillor

Baldwin questioned who had told him that because there was no such application on the portal. If there had been no application for a change of use, then the clause in the contract would not have been triggered. If it was known at the time that the clause existed and the land was specifically bought to be transferred from agricultural land to public open space, he questioned who would have agreed the clause in the contract. Councillor Baldwin was also concerned about where the money was coming from as CC60 was about protecting the safety of residents in Windsor.

Councillor Walters commented that 86 acres of land for public open space had been bought at a reasonable price for the benefit of residents. Overage clauses were common practice in such agreements. He saw no reason not to agree the proposal; the council had kept to its contractual obligations.

The Monitoring Officer confirmed that the change of use application had been made under the reference Ockwells Park 16/03461/Full. It had been received in October 2016 and determined in March 2017.

Councillor Hilton thanked the Monitoring Officer for the clarification. He explained that the use of CC60 was appropriate as the Hostile Vehicle Mitigation measures had already been put in place in Windsor. Councillor Hilton apologised for the omission of the overage detail from the 2016 report, although he had not been Cabinet Member at the time.

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

**RESOLVED: That Council notes the report and:**

- i) Approves the virement of capital funds from the approved scheme CC60 Hostile Vehicle Mitigations Measures to CX36 Purchase of land at Thriftwood as set out in Appendix 3.**
- ii) Notes the decision taken under the Urgent Powers within the Constitution to make the payment to seek to stop further interest payments**

The vote was taken by a show of hands. 32 Councillors voted for the motion. No councillors voted against the motion. 1 Councillor abstained.

Councillor Baldwin requested to speak to apologise to Councillor Hilton. The Mayor advised this could be undertaken outside the meeting.

96. POLITICAL BALANCE

Members considered an updated political balance for the council.

Councillor Johnson proposed the motion as detailed in the report.

Councillor Larcombe highlighted that he had submitted a Motion on Notice at item 13a in relation to political balance. As an independent councillor he had been prevented by legislation from sitting on any committee for the last three years. The borough website under 'how to be a councillor' stated that most councillors were nominated to a political party, but that individuals were welcome to stand in their own right. Councillor Larcombe felt this meant independent councillors were only welcome until they won

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their seat. He felt excluded and disenfranchised and a victim of discriminatory legislation.

Councillor Davey commented that the logic said to him that if the West Windsor Residents' Association (WWRA) with two members was given two seats then a grouping of one member should be given at least one seat.

The Monitoring Officer suggested that Councillor Larcombe's motion could be proposed as an amendment to the current motion being debated, to allocate him seats within the political proportionality calculations. She advised that in order for such a motion to succeed, no Member could vote against it. Abstentions did not count as voting against a proposal.

Councillor Larcombe proposed an amendment to allocate him two seats under the political proportionality calculations.

Councillor Werner seconded the amendment.

Councillor W. Da Costa stated that he supported the proposal to allocate seats to Councillor Larcombe to enable him to represent his residents.

Councillor Werner confirmed that he had spoken to the Monitoring Officer to say he would be prepared to offer two Liberal Democrat seats as part of the arrangement. Just because someone had been elected as an individual, it did not mean they should not have the right to represent their residents on committees.

Councillor Baldwin commented that he felt the current situation was an inequity for Councillor Larcombe. He questioned why a report had been produced for this meeting when Councillor Larcombe's motion had originally been on the agenda for the cancelled July meeting.

The Monitoring Officer explained that in early September 2022 a new group had been formed (the WWRA) which had triggered a review of political balance by the council, requiring a report to the September full Council meeting. The order of business for a full Council meeting was set out in the constitution, meaning Councillor Larcombe's Motion on Notice came later in the agenda.

Councillor Reynolds commented that the discussion was about formalising an arrangement; Opposition councillors already shared seats. Common sense told him it was the right thing to do. It would have no impact on Conservative seats on any panel and Councillor Werner had made an offer of two seats already. The only reason anyone would vote against the proposal would be if they wanted to silence Councillor Larcombe.

Councillor Johnson commented it was a generous offer that had been made by Councillor Werner, but it was a shame it had not been made some time ago. His own perception was that Councillor Larcombe deserved representation.

Councillor Larcombe concluded that the legislation was discriminatory and had been used by the council very discretely to keep him off committees.

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



**RESOLVED UNANIMOUSLY: That full Council notes the report and:**

- i) **Approves the amended political balance for the council as detailed in Tables 2 and 3, subject to the allocation of two seats to Councillor Larcombe from the Liberal Democrat Group.**

The vote was taken by a show of hands. 30 councillors voted for the motion. No Councillors voted against the motion. Four councillors abstained.

97. APPOINTMENT OF STATUTORY SCRUTINY OFFICER

Members considered the appointment of the statutory Scrutiny Officer.

Councillor Johnson introduced the report. He commented that all Members valued scrutiny and it was important that the council complied with related legislative requirements.

Councillor Price welcome the proposed appointment and commented that it was important that the officer was given support, training and time to undertake the role properly.

Councillor Werner stated that he supported the proposal. He felt it was important the officer be able to focus on scrutiny only and not be dragged into other things. It was important that the role was not downgraded.

Councillor W. Da Costa commented that he hoped the officer would have the freedom to report issues to councillors.

Councillor Rayner commented that the proposed nominee was an excellent officer, and she was proud that the council gave staff the opportunity to progress through the organisation.

Councillor Baldwin welcomed the idea of promoting from within. He echoed concerns that it was not best practice to combine the Scrutiny Officer role with Democratic Services.

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

**RESOLVED UNANIMOUSLY: That full Council notes the report and appoints Mark Beeley – Democratic Services Officer, as the council’s Statutory Scrutiny Officer.**

98. APPOINTMENT OF INTERIM CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

Members considered the appointment of an Interim Chief Executive and Head of Paid Services.

Councillor Johnson introduced the report. He explained that the recommendation was the culmination of a detailed recruitment process. He thanked the cross-party panel of Members that had reached a unanimous decision to recommend the appointment of Tony Reeves to full Council. He had been the strongest candidate and had a solid background in local government.

Councillor Werner commented that Tony Reeves had been an outstanding candidate. He had faith that he would carry on the cultural changes started by the former Chief Executive.

Councillor Price commented that she had not been on the Appointment Committee so had little detail on the candidates. She felt it would have been useful for both Members and residents to have received some biographical details.

Councillor Baldwin highlighted that the day rate was inclusive of fees to the recruitment agency. He asked if there was any merit in them being settled in whole rather than as part of a daily rate.

It was confirmed that because of the way both the interim and permanent Chief Executive recruitment had been procured, there had already been a significant reduction in fees.

Councillor Rayner supported the appointment and celebrated the fact that the borough could attract high quality applicants.

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

**RESOLVED UNANIMOUSLY: That Council notes the report and approves the recommendation from Appointment Committee that:**

- i) Tony Reeves be appointed to the position of Interim Chief Executive and Head of Paid Service**
- ii) The appointment to commence from 3 October 2022 for three days per week**
- iii) The appointment be at a day rate of £1,392 per day including fees**

99. MEMBERS' QUESTIONS

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

Apparently a further £13k of public money has recently been spent on maintaining a riparian owned ancient ordinary watercourse in Wraysbury. Can you please confirm that this money has been or will be recovered from the riparian owner?

*Written Response:*

*The works at the Wraysbury Drain were undertaken upstream of the Wraysbury Dive Centre in order restore some flow of water to the watercourse. This was done by removing woody debris such as tree branches and other vegetation and fallen trees which were causing an obstruction to the flow of water. RBWM is a Lead Local Flood Authority (LLFA) pursuant to Section 6(7) of The Flood and Water Management Act 2010.*

*As a Lead Local Flood Authority, the Council is given powers through the Land Drainage Act 1991 and the works at the Wraysbury Drain were undertaken using our powers under the section 6(7) of the Land Drainage Act 1991, allowing us to carry out works to manage local flood risk in the borough. As a result of this work, a small flow*

*of water has been re-established in the channel where there previously had not been any flow.*

*The Council has additional powers under sections 24 and 25 of the Land Drainage Act 1991 where it can enforce removal of unconsented structures and enforcement of maintenance work by landowners. Further tasks at the Wraysbury Drain are being planned over the next year which will include enforcement where landowners have deliberately obstructed the watercourse. This programme of work will be compiled over the next couple of months.*

By way of a supplementary question, Councillor Larcombe commented that he imagined that the long-term failure of RBWM to ensure maintenance of the land drainage infrastructure was simply due to legislative shortcomings. After the 2007 floods, the Pitt Review, and the Floods and Water Management Act 2010, which clearly identified the newly created Lead Local Flood Authority (LLFA) as the body responsible for ordinary watercourse and groundwater and appropriate permissive and enforcement powers, he had looked forward to improvement. Unfortunately, there was no legal duty on the authority to monitor the condition of ordinary watercourses or to use the available powers. An ancient watercourse, 220 years old, had ceased to flow properly. The borough had failed for years despite hundreds of thousands of pounds. It was still not fixed. He therefore asked when it would be fit for purpose.

Councillor Cannon responded that the answer had been given in the original response which explained that the Wraysbury Drain was subject to a scheme of works and would be progressed as officers had already advised.

b) Councillor Larcombe asked the following question of Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation:

What percentage of RBWM primary school children are taught to swim at school?

*Written Response:*

*Thank you for your question Councillor Larcombe. All primary schools offer swimming or water safety lessons at some point in the years 1-6 of school. However we cannot confirm the number of children who have taken up the offer. The teaching is designed to enable a pupil to: swim competently, confidently and proficiently over a distance of at least 25 metres and perform safe self-rescue in different water based situations. The full guidance for schools can be found at:*

<https://www.gov.uk/government/publications/national-curriculum-in-england-physical-education-programmes-of-study/national-curriculum-in-england-physical-education-programmes-of-study>

Councillor Larcombe stated he did not wish to ask a supplementary question given it was a sensitive issue at the moment in Datchet.

**b) Councillor Brar asked the following question of Councillor Haseler, Cabinet Member for Planning, Parking, Highways and Transport:**

Despite a petition, signed by over 2000 residents, and two years of engagement with officers and lead members we have still taken no action to provide a pedestrian refuge

at the site of a fatality. Why has this obvious and necessary measure not been approved?

*Written Response:*

*I recognise and understand the strength of feeling in the community demonstrated by the support for the petition. The tragic loss of life was caused by the driver of the vehicle who was driving under the influence of drugs at excessive speed, reported as being in the region of 70mph.*

*The petition itself reproduced below, does not ask for a crossing at the site of the accident and the road widening required to deliver it is likely to reduce the width of footway for those walking alongside the main road:*

*We the undersigned petition the Royal Borough of Windsor and Maidenhead to urgently introduce traffic calming measures and upgrade existing crossing point to a controlled crossing at Maidenhead Road near the railway bridge, introduce a new controlled crossing point on Switchback Road adjacent to the shops and reduce speed limit and install cameras/calming measures.*

*In response to the petition a new zebra crossing has been installed at the shops as requested and the 40mph limit has been reviewed by officers. The professional view of the road safety team is that the setting and rural nature of the road mean that a further reduction in speed limit are not appropriate but proposals are being developed to reinforce the existing 40mph with new traffic calming measures as well as looking at developing the design for an enhanced crossing between Maidenhead Road and Whiteladies Lane.*

By way of a supplementary question, Councillor Brar commented that some councils might take the view that it was right to mitigate the impact of dangerous driving with physical measures rather than a reminder of the speed limit which a driver who was impaired might well ignore. A refuge island would require the highway to be widened by around 4-5 feet. At the site discussed, there was 14 feet of verge on one side and 4 on the other, and the owner of the larger verge had told Councillor Brar he was open to the idea of cooperating with RBWM. She asked what discussion had been had with the landowners, and what was the outcome?

As Councillor Haseler was not present, the Mayor agreed that a written response would be provided.

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

Why does it feel like all council meetings are moving to Maidenhead and what are the reasons for the change?

*Written Response:*

*It is not correct that all council meetings will take place in Maidenhead. Meetings will be held in either Windsor or Maidenhead; the council is pleased to have two great venues in the two major towns and looks forward to both being used for meetings.*

*A new audio-visual system has recently been installed in the Council Chamber in the Town Hall, Maidenhead. This followed feedback from Members, officers, and residents about the visual and sound quality of in-person meetings that were live-streamed to the council's YouTube page from this venue. This welcome investment and additional functionality will improve the meeting experience for those attending in person in the Council Chamber, virtual participants, and those watching the livestream on YouTube. Meetings will continue to be held in Windsor including Cabinet and those that are Windsor-focussed such as the Windsor Town Forum and the Windsor and Ascot Development Management Committee.*

Councillor Davey stated he did not wish to ask a supplementary question.

**e) Councillor Davey asked the following question of Councillor Johnson, Leader of the Council:**

Why wasn't Councillor Price given a role on an outside body and instead a resident was put forward by the administration, and is this constitutionally sound?

*Written Response:*

*Under the constitution, Cabinet has the power to both make and revoke appointments to outside bodies. Unless the outside body's constitution states the council representative must be an elected Member, then Cabinet can choose to appoint a non-councillor if it believes this to be a more appropriate appointment, based on the skills and knowledge of the individual.*

By way of a supplementary question, Councillor Davey stated that the key concern he had was that if the roles were given to residents, but they were not accountable to the electorate, they had no official mandate from the people. There was something wrong with the policy and it needed revision. He asked how the Cabinet appraised Councillor Price's skills and knowledge, for example was there a written test; did the Cabinet consult with CIPFA to see if they had any concerns over appointments; and how were the opportunities promoted to the wider public to ensure the best candidates were found.

Councillor Johnson responded that appointments were made on merit. He meant no disrespect to Councillor Price, but Cabinet had felt the incumbent was more suitable for the role. However, he took on board the points raised by Councillor Davey and suggested they could be considered when appointments were next refreshed.

**f) Councillor Bond asked the following question of Councillor Coppinger, Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead:**

Could we have a progress update on establishing the Maidenhead Town Team to take forward the Maidenhead Vision & Charter and the consultation with the existing Town Partnership please?

*Written Response:*

*Following extensive consultation with the already existing Town Partnership, the Town Team is moving forward with the desire to involve a broader range of people to deliver*

*the Vision and Charter. The Maidenhead Town Partnership will continue alongside the Maidenhead Town Team, which will benefit from MTP's already existing structure and direction.*

*There will be a brainstorming session at the MTP October meeting to agree the details of how the Town Team and MTP will work together moving forward.*

*As laid out in the Town Team paper (June 22) we will now move to relaunch the Maidenhead Vision and Charter and begin the advertisement for the new town team roles. The newly appointed Town Team community representatives will, alongside the MTP, enhance the work of the existing partnership and provide wider view and opinions.*

*Following the successful appointment of our community representatives the inaugural Maidenhead Town Team meeting will take place. From the relaunch of the Vision and Charter we expect the process to take around 3 months, with the first Town Team meeting taking place in the new year.*

Councillor Bond stated that he did not wish to ask a supplementary question.

100. MOTIONS ON NOTICE

Motion a

The motion had been considered as part of the earlier item 'Political Balance'.

Motion h

Councillor McWilliams introduced his motion. He explained that when he had taken on responsibility for housing, the borough had been in challenging position. The key issue to tackle at the time was support for roughsleepers. Significant work had been undertaken by officers and partners and progress had been made. The focus now was how to fix the housing market to ensure no resident had to sleep rough through necessity; this objective was included in the Corporate Plan. The Housing Strategy codified the council's strong preference for social housing to be delivered and for more council owned housing in the borough. The motion was an opportunity for all to articulate the strong preference for the expansion of socially rented homes in the borough. With thousands on the housing register, many of whom faced unsustainable housing situations, the council needed to seize the opportunities the Borough Local Plan offered.

The White Paper 'For a Fairer Private Rented Sector' set out a huge range of proposals particularly relating to local councils including transparency and enforcement. There was a specific proposal that would require licences on a property basis which would ensure all homes were kept up to standard. Good landlords should not be punished for the behaviour of bad ones. Increasingly local authorities had relied on private landlords to plug the gap where insufficient socially rented homes had been delivered. It was not fair on the residents or the landlords. The borough should have a housing market with housing stock that met the needs of residents. The PropCo provided an obvious vehicle for increasing the volume of council owned stock, particularly on council owned land.

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Councillor Johnson commented that the majority of landlords in the borough were exceptionally good however there were always a few rotten apples that did not pay attention to the welfare of their tenants. They would be targeted as part of the initiative. The fundamental point was to give residents in rented accommodation greater choice and stability. This was not to interfere in the market but to show leadership. The adopted Borough Local Plan (BLP) had included a bold policy statement on the delivery of affordable housing especially on strategic sites. Councillor Johnson referred to a written response to an earlier public question:

*Since the 8th February the Council has received major planning applications proposing a total of 817 private market homes and 429 affordable homes. On average 34.4% of all housing applied for since the adoption of the Borough Local Plan is affordable.*

The figure of 34.4% put the council ahead of its target of 30%. He would obviously like to go further but circumstances were difficult. The council intended to hold developers' feet to the fire to meet the target. The centrepiece of the proposal was a local lettings plan. Those on the existing housing waiting list would be given additional priority for new affordable housing in their vicinity.

Councillor Reynolds commented that it was important to understand the way the council as Local Planning Authority (LPA) had to consider planning policy. The local planning policy already stated a minimum of 30% in the BLP. This motion did not supersede the policy therefore the issue was already covered. It was also important to understand that viability statements meant affordable housing was not always included. The local authority could not influence viability set by the national government. If an application came forward with 20% and a viability statement, there was nothing the council could do. He asked if the motion was therefore proposing to go against national planning policy? He had been given advice that the motion could be seen as predetermination. He felt the most constructive way to get the motion through would be to split it into three separate votes.

Councillor Davey quoted from the constitution that 'Motions must be about matters for which the council has a responsibility and are not offensive or frivolous.' Policies listed in the BLP currently carried weight so telling officers their job could be considered offensive and frivolous. Committing to a Government White Paper was probably not the council's responsibility. He asked if the RBWM HomeBuy Scheme was in play or was it simply a plan to use an extensive slush fund, or one generated by the generosity of those residents gifting their 5% budget savings to help residents who only earned £100,000 a year buy their first affordable home.

Councillor W. Da Costa commented that the proposal seemed to be to build unaffordable houses on the green belt in Windsor, then to give some of them away rather than retaining them for future residents. Many times, Members had sat in planning meetings and been told that the 30% affordability clause was being waived because it was economically unviable. Councillor W. Da Costa therefore felt it would be predetermination. He agreed with the sentiment and supporting the White Paper, but he had serious concerns about points i) and iii).

Councillor Johnson requested a personal explanation. He had not been talking about unaffordable homes. He had been explaining that under a local lettings plan, affordable housing was delivered by tenure type in a policy compliant mix of affordable

rent, social rent and shared ownership. He was simply saying that as part of that mix, the council would look to give preference where possible to local people.

The Monitoring Officer confirmed that approving the motion would not amount to pre-determination.

Councillor McWilliams explained that the HomeBuy scheme would be explored in more detail including consultation. He would be happy to discuss it further with Councillor Davey and if the motion was approved, more information would be brought forward. The motion explicitly stated that the council wanted social housing delivered. He felt that could never be overstated. Viability was a different issue on council owned land as the council had a choice to decide how much affordable housing would be delivered.

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

**RESOLVED: That: This Council:**

- i) Will ensure that developers deliver the promised hundreds of new affordable homes, particularly for social rent, as part of the Borough Local Plan, including a minimum of 30% across the south-west Maidenhead development, to support this the RBWM allocation policy is being updated to ensure appropriate priority is given to those in greatest need, those within the reasonable preference categories and those with a local connection, where there are additional requirements for specific sites local lettings plans will also be considered.**
- ii) Commits to the outcomes of The White Paper – A Fairer Private Rented Sector which seeks to improve standards within the private rented sector, including tackling rogue landlords.**
- iii) Will continue to expand the council's own portfolio of housing stock, through the RBWM Property Company, including social rent, discount market rent, and low-cost homeownership properties through the introduction of a new RBWM HomeBuy scheme.**

<b>Motion on Notice h) (Motion)</b>	
Councillor Christine Bateson	For
Councillor Gary Muir	For
Councillor John Story	For
Councillor John Baldwin	Abstain
Councillor Clive Baskerville	Abstain
Councillor Gurpreet Bhangra	For
Councillor Simon Bond	Abstain
Councillor John Bowden	For
Councillor Mandy Brar	Abstain
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 Wisdom Da Costa	For
Councillor Jon Davey	Abstain
Councillor Karen Davies	Abstain
Councillor Geoffrey Hill	For



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Councillor David Hilton	For
Councillor Maureen Hunt	For
Councillor Andrew Johnson	For
Councillor Greg Jones	For
Councillor Ewan Larcombe	Abstain
Councillor Sayonara Luxton	For
Councillor Ross McWilliams	For
Councillor Helen Price	For
Councillor Samantha Rayner	For
Councillor Joshua Reynolds	Abstain
Councillor Shamsul Shelim	For
Councillor Gurch Singh	Abstain
Councillor Donna Stimson	For
Councillor Chris Targowski	For
Councillor Amy Tisi	Abstain
Councillor Leo Walters	For
Councillor Simon Werner	Abstain
<b>Carried</b>	

Councillors C. Da Costa and W. Da Costa left the meeting.

### Motion b

Councillor Cannon introduced his motion. He highlighted typographical error in the second point of the motion; the date should have been July 2020. Since the Environment Agency (EA) took responsibility for managing the River Thames, it had ceased river dredging which had taken place for the previous 50 years. It was believed by many river users, and riverside residents and people in the floodplains that this had led to a decrease in capacity due to the unmanaged silting up.

The motion was due to come to the cancelled July meeting. The publicity had already made it a success as the EA had already committed to consider dredging in the undefended reach. The council needed to support residents by approving the second part of the motion.

Councillor Coppinger commented that he was delighted that Councillor Cannon had managed to get the EA to do what was their basic duty.

Councillor Larcombe commented that after the Jubilee River had been built at a cost of £100m all flood water was diverted to his ward of Datchet, Horton and Wraysbury. This happened in 2003, twice in 2014 and nearly again on many other occasions. The rules changed in 2010 as the council gained some powers and introduced partnership funding. This council agreed to put money into the River Thames scheme back in 2014/15 but when it came to the crunch and the EA wanted £53m as part of their £650m scheme, somebody at the council said no. Councillor Larcombe did not believe that the council was told how much was actually needed. In the 2019 elections the claim was made that the council was putting in £10m to the scheme, when the required figure was £53m. Councillor Larcombe had never been invited to the sponsorship group even though at the time he was on the Regional Flood and Coastal Committee, a position which was suddenly removed from him when he started asking questions about funding. When his fellow councillor attended a meeting in July 2020 it was stated that Channel One had been removed. He had copies of all the minutes which referred to a lack of funding for two or three years, yet nobody had said

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anything. Winter was now on its way. The council would no doubt send sandbags. It has not looked after the watercourses it was responsible for. The EA had no duty to dredge the River Thames, only to maintain the navigation channel.

Councillor Hill highlighted the importance of riparian obligations on all water courses, some of which had not been cleared for decades. When the River Thames rose, there was nowhere for the water to go. He suggested Councillor Cannon should put pressure on the EA in this area.

Councillor Davey commented that Councillor Cannon had had ample opportunity to address this issue of dredging with the EA. The failure of the administration to keep their promise to the residents of Wraysbury, Old Windsor and Datchet that they would support the River Thames Scheme could not be solved with, what amounted to a sticking plaster.

Councillor Cannon stated that the EA was responsible for the River Thames. He took the point that small watercourses were mainly the responsibility of riparian owners. He hoped that members had reported any clogged watercourses.

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

### **RESOLVED UNANIMOUSLY: That: This Council:**

**i) Requests that the Environment Agency resumes dredging of the River Thames within the boundaries of RBWM (especially the undefended reach between Black Potts and Bells Weir) to both ease navigation and increase the rivers capacity to hold water and therefore alleviate flood risk to our riverside communities.**

**ii) Requests that the Environment Agency expedites its efforts (in working with RBWM) to bring forward its alternative plans for flood alleviation for the Black Potts to Bells Weir reach of the River Thames following the EA removal of Channel One from the River Thames Scheme in July 2020.**

### Motion c

Councillor Bhangra introduced his motion. He explained that in the past months, the Royal Borough's Trading Standards team had:

- successfully prosecuted a rogue trader for pressurising victims into accepting poor quality and overpriced emergency repairs to windows and doors
- provided 30 call blockers to vulnerable Royal Borough residents to protect them from scam telephone callers, and 20 video doorbells to protect others from doorstep scammers
- dealt with an outbreak of avian influenza in the Borough, working with government departments and other agencies to minimise the effects of the disease and protect domestic poultry
- carried out hundreds of inspections at high profile events such as Royal Ascot, the Royal Windsor Horse Show and Cookham Rock the Moor to ensure that visitors were getting the quantity and quality of food and drink and other goods and services that they were entitled to
- investigated the sale of counterfeited designer goods

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- carried out regular test purchase operations to ensure retailers were not selling alcohol, tobacco or knives to people under 18 including counterfeit alcohol.
- implemented a wide range of ever-changing coronavirus rules and regulations setting out which businesses could be open and how they should operate

Councillor Bhangra felt this demonstrated the very wide range of activities that Trading Standards carried out to protect residents and support businesses, despite being such a small team.

Councillor Davey stated that he agreed Trading Standards had done a great job but so had the libraries, the housing team and all employees, not forgetting all the volunteers that helped with the many events hosted in RBWM, most recently the funeral of Her Majesty. He thanked all RBWM officers and community volunteers.

Councillor Cannon commented that the team had done a great deal of work, going above and beyond. As the service fell in his portfolio area, he was grateful the actions had been recognised.

Councillor Bhangra commented that the team worked with businesses to ensure they understood what was expected of them. There were also rare events such as dealing with avian influenza.

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

### **RESOLVED UNANIMOUSLY: That: This Council:**

- i) commends the excellent work of the Trading Standards team;**
- ii) thanks the officers in the team for their commitment to the Borough's residents, and;**
- iii) supports the team's continued efforts to provide an environment in which residents can buy goods and services without fear of being cheated, and honest businesses can be supported to thrive and grow.**

### Motion d

Councillor Davey introduced his motion. He explained that currently any local authority (LA) representatives who were put forward by Cabinet to an outside board were not accountable to the local residents in any way.

They did not need to comply with the Code of Conduct rules which any resident asked to sit on a LA board would have to agree to. They could push out posts on social media denigrating the work of local councillors and be rewarded with a role of representing the administration on an outside board. They could put in Code of Conduct complaints by the bucket load, wasting officers time but could not have them laid at their door, even though they were representing the borough. Failure to recognise the flaw in the current situation would reinforce the feelings of the electorate, that the administration was only interested in their own ends and not in the democratic process.

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Councillor Werner seconded the motion. He commented that the motion was not saying non-councillors could not sit as council representatives, but that they should sign up to a Code of Conduct.

Councillor McWilliams commented that he presumed all outside bodies would have their own code of conduct.

Councillor Davey concluded that the reality was that an organisation could have its own rules and regulations but if an individual's involvement was as a council representative, they should be accountable to the electorate and the council.

The vote was taken by a show of hands. 14 Councillors voted for the motion. 20 Councillors voted against the motion. The motion therefore fell.

### Motion e

Councillor Coppinger had withdrawn his motion in advance of the meeting.

### Motion f

Councillor Reynolds introduced his motion. He referred to the council's declaration of a climate emergency some years previously. At that time all agreed on the need to act decisively and promptly. The Climate and Ecology Bill had stalled in Parliament. The BLP stated that the council was due to adopt the biodiversity policy by the end of 2021; it had been delayed not once but twice. The motion he proposed was a good way to put in place key items that all had agreed upon back in 2019. It would act as a key point of reference in reinstating trust and confidence in the matter. There were many people outside the council who felt the council had missed the mark and not made sufficient progress.

Councillor Davies seconded the motion.

Councillor Davey quoted Charles Davey, sustainability champion and entrepreneur:

“One of the best solutions to the climate crisis is to teach sustainability philosophy to future generations. Replace the prolific desire for excess and arrogance with a passion for environmental custodianship and appreciation. The next generation of adults on this planet must be capable of safeguarding the future for humanity and understand that the existential threat of the climate crisis should not be ignored or understated. It is imperative that the contemporary generation of educators and guardians provide the youth, our future, with appropriate sustainability knowledge and wisdom.”

Councillor Stimson commented that she would not be able to support the motion as it was simply rhetoric. It wanted x, y and z to happen, and it would be handed over to an officer who was already extremely busy working to meet targets agreed in the Corporate Plan. The Biodiversity Action Plan had not been stalled but was being further developed with the farming community so it would be stronger. The sustainability team was delivering quietly on its ongoing work, The team had grown

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from 2 to 8 staff members. Mentoring programmes to educate young people were taking place.

Councillor Johnson endorsed the comments made by Councillor Stimson. The Biodiversity Action Plan had only been delayed to allow for more consultation. The council's main priority over the last two years had been fighting a global pandemic yet an innovative Climate Partnership had still been established.

Councillor Baldwin commented that another meeting of the Rural Forum was scheduled for 29 November, with Cabinet on 24 November; he had been watching the dates carefully. Biodiversity gains did not work in islands or through minor initiatives. The consultation with landowners and their willingness to co-operate was essential. The suspicion that was referred to was that the Rural Forum had exercised a de facto veto on two occasions.

Councillor Davies explained that Councillor Reynolds' motion was due to come to full Council at the July meeting, which was cancelled due to record-breaking high temperatures. This was an illustration if one was needed of the impact of climate change. Yet it sadly seemed even more necessary for this motion to be passed by Council now. Within the last week there had been news that the government was going to scrap the Environment Land Management Scheme before it had even been implemented; and news of the creation of 38 investment zones in which planning rules would be liberalised, an announcement which caused the RSPB to say that 'this government has today launched an attack on nature'. In the light of this, it seemed to Councillor Davies that the council needed to re-affirm its own commitment to reversing the current severe decline in biodiversity in Windsor and Maidenhead and put into place actions which would ensure that nature was visibly and measurably on the path to recovery by 2030. She urged members to vote for the motion and in so doing to demonstrate the borough's continued commitment to protecting nature and increasing biodiversity.

Councillor Reynolds commented that a previous motion that evening had been about the council reinstating its commitment, so he did not see why this motion was any different. It was an important topic that should be raised. He would be glad to know if the biodiversity team had grown from two to eight members of staff. In the budget biodiversity training for officers had been removed; this said a lot about the council position.

<b>Motion on Notice f (Motion)</b>	
Councillor Christine Bateson	Against
Councillor Gary Muir	Against
Councillor John Story	Against
Councillor John Baldwin	For
Councillor Clive Baskerville	For
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	For
Councillor John Bowden	Against
Councillor Mandy Brar	For
Councillor Catherine del Campo	For
Councillor David Cannon	Against
Councillor Stuart Carroll	Against
Councillor Gerry Clark	Against
Councillor David Coppinger	Against

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Councillor Carole Da Costa	No vote recorded
Councillor Wisdom Da Costa	No vote recorded
Councillor Jon Davey	For
Councillor Karen Davies	For
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Maureen Hunt	No vote recorded
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	Against
Councillor Helen Price	For
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	For
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	For
Councillor Donna Stimson	Against
Councillor Chris Targowski	Against
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
<b>Rejected</b>	

### Motion g

Councillor Singh introduced his motion. He explained that Green Flag status was a must-have for visitors to parks in the borough. Previously the council had 7 Green Flag parks, but today there were none. The borough was missing out on a significant boost to the local tourism and hospitality sectors. Green Flag status would improve the borough and the environment. It would mean parks were of the highest possible standard, had excellent facilities and were well-maintained all year round. The award was given by the environmental charity Keep Britain Tidy. It also recognised the work undertaken by volunteers across the borough. The scheme was in its 25<sup>th</sup> year.

Councillor Del Campo seconded the motion. She suggested that Green Flag accreditation was a kind of biennial MOT for parks; a friendly critic, to use local government parlance. That was really important as a climate emergency was faced, alongside a cost-of-living crisis and the relentless march of development in town centres.

Green Flag had around 600 expert assessors in England. They were all volunteers who were passionate about public open space. The first visit would be by two assessors who would produce a report for RBWM officers. When a park achieved the Green Flag Award, and it could be on the first visit, it was re-assessed every second year against an agreed management plan. On the in-between years, parks were visited by mystery shoppers.

The goals of the Green Flag scheme broadly aligned with RBWM policy:

- A welcoming place which was healthy, safe and secure, and that was well maintained and clean
- A place that was managed with the environment, biodiversity, landscape and heritage in mind

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- Well-marketed and advertised open spaces, bringing in visitors from outside the borough.
- And vitally, community involvement parks and open spaces were delivered that residents wanted and need.

Councillor Del Campo fully expected someone to say if the council already had these goals, why did it need to enter a scheme? No doubt budgets and officer time would get a mention too. The answer was accountability. Borough parks have been sadly neglected of late. A child had been injured on play equipment; there were reports of damaged equipment or dodgy repairs with tape; six-foot hedges sprouting 12-foot trees right next to houses and threatening to undermine foundations; shrubs given 80s-style flat-top haircuts; and, apart from the notable efforts made by residents, scant attention to the introduction of drought-resistant and pollinator-friendly planting.

Up to now, the council had left it to contractors to mark their own work and, unsurprisingly, the outcome had not been entirely satisfactory. Inviting Green Flag assessors in would not only hold the council to account but also give access to a wealth of expertise for just over £500 including VAT for a park like Oaken Grove.

Councillor Coppinger highlighted that the manual for Green Flag accreditation was 80 pages long and was designed to generate funds for the charity. The council recognised the benefits of parks and open spaces which was why they were included in the Corporate Plan under 'Inspiring Places' and 'Climate Change'. He wondered how many residents had heard of the scheme and saw it as a must-have. In total the borough had 70 parks and open spaces. They were not on the local tourism and hospitality scene, other than the Great Park which was owned by the Crown Estate. Several had successful local events during the year. Residents did not go to a park because it had a Green Flag but because it was local, well maintained and had the right facilities. He accepted that there were many good ideas and standard in the manual, many of which were already adopted. Councillor Coppinger felt it was most important that officer time was used making sure the council met the needs of residents rather than filling out forms. It was a pity that the motion did not set out the costs involved, or the number of additional officers needed. The cost would be more than £500; he believed it would be £42,000 for all parks and open spaces in the borough. To receive a Green Flag a fully involved community group on site was needed. The council had the opportunity with Deerswood to create such a community.

Councillor Hill felt it was an excellent motion as parks needed to be brought up to the highest standard.

Councillor Davey commented that he felt it was a great idea. Part iii was probably a bit ambitious based on what Councillor Coppinger had said but he supported parts i and ii.

Councillor Reynolds commented that it was a hugely important motion. The borough previously had a number of Green Flag parks. The importance of open spaces had been discussed earlier in the meeting.

Councillor McWilliams asked what problem the motion was trying to solve. It suggested the borough parks were in a state of disrepair, which was not true. He knew Thriftwood and Ockwells Park very well; thousands of trees had been planted and new play equipment had recently been installed. Regular litter picks were also held. He did not feel that Green Flag status would change any of this. The model of Thriftwood

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demonstrated if a community came together to make plans it could create a great asset.

Councillor Werner that the problem was that play parks were starting to fall apart and were showing their age. They used to have daily checks, but this no longer happened. His daughter pointed out faults to him and he reported them to the borough. All parents were concerned for their child's safety.

Councillor Baldwin commented that his experience of parks in north Maidenhead was that they were in desperate need for external accreditation that was internationally recognised. Parks week had been promoted on the RBWM Twitter feed. He had visited Grenfell at the time and met the contractor who was litter picking, but only in areas around the play park. Councillor Baldwin had subsequently collected 12 kilos from other areas of the park. If the council aspired to places it was proud of, it should aspire to external accreditation.

Councillor Cannon asked how the £42,000 cost would be funded.

Councillor Tisi suggested the administration's reluctance to support the motion was simply an admittance that none of the borough parks would make the grade.

Councillor Johnson commented that of course the administration was committed to improving standards in parks and expanding provision of open spaces. This was why a new consultation on the future of Deerswood meadow was about to start.

Councillor Singh agreed to remove part iii) of his motion. He felt that in reality the proposal would save money. For example, there was a council determined to build a sensory park for the visually impaired. Following the Green Flag protocols a targeted consultation was undertaken which revealed what was really wanted was a roped walkway around a lake, saving £200,000. Page 154 of the agenda stated that if the borough did not progress the tennis court proposal, there would be further deterioration therefore there was clearly an issue. Councillor Singh had raised the issue of dangerous facilities in a park at an earlier Council meeting. Issues were clearly being missed. In 2006 there were 7 Green Flags in the borough following a £2m investment. Now there were none in the borough. It was possible, but the council needed the appetite and the ambition.

Councillor Del Campo agreed that part ii of the recommendation should be removed. The meeting consented to the change as the debate had already started.

A vote was undertaken on the first two elements of the motion.

<b>Motion on Notice g (Motion)</b>	
Councillor Christine Bateson	Against
Councillor Gary Muir	Against
Councillor John Story	Against
Councillor John Baldwin	For
Councillor Clive Baskerville	For
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	For
Councillor John Bowden	Against
Councillor Mandy Brar	For
Councillor Catherine del Campo	For



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Councillor David Cannon	Against
Councillor Stuart Carroll	Against
Councillor Gerry Clark	Against
Councillor David Coppinger	Against
Councillor Carole Da Costa	No vote recorded
Councillor Wisdom Da Costa	No vote recorded
Councillor Jon Davey	For
Councillor Karen Davies	For
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Maureen Hunt	Against
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	Against
Councillor Helen Price	For
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	For
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	For
Councillor Donna Stimson	Against
Councillor Chris Targowski	Against
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
<b>Rejected</b>	

Motion i

Councillor Haseler had withdrawn his motion in advance of the meeting.