

Responses to Public Questions for Council on 24 January 2023

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

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

The Council is investing significant amounts of capital funding within Windsor across its capital programme. In addition to smaller individual investments there are a number of larger schemes which are being developed, and subject to the outcome of public consultation, would be delivered in the next 12 months. This includes major investment at Castle Hill which forms part of a £2.4M investment supported by Government funding.

There is also significant private investment being attracted into Windsor with proposals at Windsor Yards being progressed through planning as well as the recent opening of the IHG Headquarters, demonstrating the council's ability to work with the private sector to secure investment in the Town.

Cabinet will also be considering a report in February on the longer term plans for Windsor. This will be set out in the Windsor Vision report which has been prepared in partnership with the Princes Foundation. The project has brought together a wide range of views across the local community, business and other partners. The report will provide a series of recommendations that the council will seek to take forward to ensure the long term success of Windsor and direct future investment.

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

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

Preparation work has begun, with the main bulk of the construction work provisionally booked to start w/c 17 April 2023. It is anticipated that the work will be completed by early June. Further work will be taking place around operational requirements extending the duration of the work but limiting impact on Leisure Centre operations and users.

The specific design plans were signed off from the funders following a couple of tweaks to the design in early December 2022.

In mid-December 2022 Officers (via Leisure Focus) went back to the designers/installers and asked for the addition of a shower into the design, because although it's not a requirement of a Changing Places toilet, they felt it prudent to get it added considering the location and likely usage. Revised plans were provided to the funders and we are awaiting a response confirming approval.

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

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

As part of the Borough Local Plan, an Infrastructure Delivery Plan was developed which set out the infrastructure needs of the Borough that would result from the sites identified in the plan.

This has been further developed through the recently adopted South West Maidenhead SPD which sets out what improvements would be needed and how they would be funded. This includes upgrades to several junctions across Maidenhead, improved cycling facilities and public transport as well as new schools and community facilities to support growth.

Five of the junctions identified within the Borough Local Plan as needing improvement have already been delivered through our Capital Programme, having secured the majority of the funding through the Local Enterprise Partnership to deliver the Maidenhead Housing Sites Enabling works project, bring forward infrastructure ahead of housing growth.

With regards to the AL24 allocation, the developers will, through the Community Infrastructure Levy (CIL), need to make financial contributions towards upgrading and improving the local infrastructure. They have already committed to making more localised highway improvements close to the site in order to enhance public safety. Any such additional enhancements would be funded through additional S106 contributions.

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

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

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

As part of the new Parking contract which is currently being procured, we are exploring virtual permits for all areas including visitor vouchers. This will provide more flexibility for residents wishing to purchase visitor vouchers. In the majority of roads with resident permits you are able to purchase up to 3 annual visitor permits which can be used multiple times and can be left on a vehicle for the duration of its stay.

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

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

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

The Draft Budget approved by Cabinet on 1st December 2022 contained all of the details of proposed changes to the budgets of all of the services you refer to. The impact on the services is highlighted in the Equality Impact Assessments also included as part of the draft budget report. In addition we are currently out to public consultation. You can find the consultation documents on our website at <https://rbwmtogether.rbwm.gov.uk/budget-consultation-2023-24>. I can also confirm that the budget includes a contingency budget and that our reserves position continues to improve each year.

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

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

The car park was originally earmarked for closure in 2018. It was necessary to close Nicholsons car park at short notice in the interests of health and safety, due to an area of overhead concrete that required swift assessment and remedial action. On a precautionary basis, the car park has stayed closed to undertake technical condition assessment of all levels, and the requirement for further remedial work has been identified.

The car park will remain fully closed while contractors undertake further assessment works, initially prioritising the two lowest floors to see what would be required to re-open those levels to Shopmobility users and blue badge holders. Since the closure, we have been working with People to Places to find a solution for Shopmobility services which is now located at unit 69/71 Queens Walk Mall. There is no parking provision on-site at the new location, however the Brock Street entrance to the centre can be used as a drop-off point for those unable to walk from the town's other car parks. The nearest disabled parking bays are on Queen Street. We apologise for the inconvenience of this closure, which is required in order to undertake this important work.

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

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

Leaf clearance was undertaken this Autumn in line with the normal cleansing schedule. We found this year that after a mild Autumn much of the leaf fall came during the period of windy and cooler weather that followed, which meant leaves built up in some areas. Areas which were reported to have a significant leaf fall were prioritised. We are reviewing the leaf clearance schedules ahead of next year and looking at what can be done to add additional resource at this time of year to clear leaf fall more quickly.

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

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

Recent projects include the installation of a mini-roundabout and pedestrian crossing on St Marks Road and the installation of road humps and a 2-mph speed limit on part of Courthouse Road. A further speed limit reduction is planned for Ellington Park commencing on March 6th 2023.

Further projects are being considered as part of the Borough's Local Walking and Cycling Infrastructure Plan.

There are currently plans to make changes to parking restrictions on St Marks Road, Gordon Road and Wellington Road. If there are any other junctions within Belmont Ward that need looking at please either speak directly to Ward Councillors or contact parking@rbwm.gov.uk

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

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

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

Thank you for your question. The NHS are preparing a "Health and Care Services in Maidenhead" booklet for public information going out in January 2023. This should provide an update on the urgent care services following advice from me and other councillors. To support the delivery of these NHS services recruitment and location of additional clinical space has been underway and we are advised that they are moving forward positively. Lead councillors and Healthwatch have been engaged in this approach to date and our Executive Director of People services continues to work with NHS colleagues to ensure there are good services for RBWM residents.

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

Unprecedented levels of inflation and the rising cost of living are a challenge for many people living in my local area of Belmont as it is for many in the country. What is the Council doing to keep costs low for residents, and what measures will they take to support people through this time?

Thank you for your question Mr Ilyas. The Council reviews its use of resources on an annual basis to try to keep costs for residents at a reasonable level. In determining its council tax levels, proposals for 2023/24 budget which have been out for consultation during December and January include a rise in Council Tax of 4.99%, the maximum allowable under the current legislation. This is, however, less than half of the current levels of inflation. In addition, our Council Tax levels are significantly below the national average, in fact well over £500 per annum less than the average. The council also has in place schemes to assist those who may need additional support through the Council Tax Reduction scheme, backed up by hardship funds.

Further, the council has taken a proactive approach to supporting residents with cost of living rises. In May, we launched our Here to Help campaign, which brings together information on support available through the council, central government and our community partners to help with energy, housing, council tax and wider costs. The council is working in close partnership with our local partners to support residents in need. Please see <https://www.rbwm.gov.uk/home/community-and-living/community-support/here-help>. We have distributed three tranches of the DWP Household Support Fund, to families in receipt of Free School Meals to support with meal costs in the school holidays, to older people in receipt of council tax reductions and to help those struggling with energy and housing costs. This winter we are also distributing one off cash payments of £145 to residents who are struggling financially, through a partnership with nine voluntary sector, health and housing partners. We are also coordinating a network of over 20 safe, warm spaces across the borough, including our libraries. This is in addition to delivery of central government support schemes including council tax and energy rebates.

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

The A308 Corridor Study states ‘... although air quality was identified as an objective, the study has not been able to source any data to evidence option development based on this’. The A308 runs through three AQMAs and 43 pollution data points were recorded for 2019. Why did you accept a report based on such an obvious misrepresentation?

Air Quality Monitoring results from sites on or close to the A308 corridor in Old Windsor, Windsor, Bray and Maidenhead indicate that since 2018 the air quality objective for NO₂ (nitrogen dioxide) and PM₁₀ (particulate matter) have been met. Within the development of the Local Borough Plan, the Council has undertaken a detailed air quality assessment across the borough. The dispersion modelling study shows low level concentrations for PM₁₀ and PM_{2.5} within the five AQMAs. The predicted levels show full compliance with the air quality objectives and there is currently no identified risk the objective may be exceeded in the future.

Paragraph 5.2.3 of the A308 Corridor Study - Option Development Report states: It should be noted that the proposed improvements have been developed as high-level concept designs and have not been subject to strategic appraisal. Any options that are progressed for further development by RBWM are dependent on a deliverability assessment which covers several factors:

- *Cost of the potential scheme*
- *Infrastructure feasibility*
- *Operational feasibility*
- *Land requirements*
- *Complexity of delivery*
- *Environmental impact*
- *Stakeholder acceptance/support and*
- *Timescales for delivery.*

This could include a site specific detailed air quality assessment where the chosen option would lead to significant changes in traffic flow.

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

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

The responsibilities for river water quality lie outside the remit of the Royal Borough of Windsor and Maidenhead. The Environment Agency (EA) carries out water quality assessments of the waterbodies across England including its rivers and regulates discharge licenses of wastewater to those waterbodies. It works closely with water companies to ensure that they are closely monitoring and reporting back on their discharge activity. Water quality measurements are regularly carried out within the EA sampling regime and the data published, with chemical or biological results above the thresholds of the discharge permits investigated.

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

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

As set out in the draft EV Charging Point Implementation Plan, the new infrastructure will be delivered in partnership with private sector providers and will not require revenue funding support to subsidise energy costs.

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

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

Thames Water are the statutory sewerage undertaker for the Borough. They operate and maintain the waste water treatment works (STWs) and sewerage infrastructure.

A second Statement of Common Ground was signed between the Royal Borough and Thames Water in October 2020 with regards to water resources and supply and waste water treatment and collection. In this SoCG, Thames Water confirmed that the levels of growth proposed in the Borough Local Plan could be accommodated and that should upgrades be necessary they will be put in place in time to support the scale of development planned, including in Maidenhead.

As no development has yet been delivered from the AL13 allocation, any isolated sewage incidents in the area would not be directly related to this, and they would be the responsibility of Thames Water as statutory sewerage undertaker to investigate and resolve. The Environment Agency rather than RBWM are the relevant authority in relation to enforcement.

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

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

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

The adopted SPD updates these costs and sets out how developers are expected to deliver the infrastructure through financial contributions. These will then be secured through Section 106 legal agreements at the planning application stage and through the Community Infrastructure Levy. The adopted SPD includes land costs for community uses. Paragraphs 7.1.20 – 7.1.22 of the SPD explain the approach further and the costs included in the overall infrastructure assessment.

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

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

The Desborough Development Partnership board structure is defined in the overall Development agreement and acts as an information sharing and discussion forum. As such it operates as a sounding board for progressing matters. The minutes as such are action note on matters that do contain significant sensitive or commercial items which mean that means that information is restricted on that basis. Any formal decisions required would have to go through the usual council committee system and this would be the opportunity to elected members to scrutinise those decisions based on the relevant information contained in reports presented to the committee.

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

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

The answer at the Overview and Scrutiny Panel referred to Figure 4 of the SPD and indicated that the illustrative framework plan is a high-level masterplan. It was explained that there are different types of masterplan – a continuum in terms of the level of detail. Figure 4 is not a detailed masterplan. The SPD sets out guidance on the provision of more detailed masterplans to accompany planning applications and this was explained at the meeting.

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

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

Court Case EA/2021/0092 relates to the release of information pertaining to a former Councillor and former Officer of the Council and at no point the integrity and safety of the local elections being compromised.

The council complied and adhered to the correct process which is part of the governance of the councils responsibility it in no way showed lack of transparency as this is a legal and governance matter. All FOI's are treated the same way.

The council has hundreds of FOI's which it places a high priority on and resources to deal in the most appropriate way.

Court Case EA/2021/0092 concerned a claim against the Information Commissioner whom by their Decision Notice IC – 40928, decided that RBWM correctly applied section 41(1) and Section 40(2) of the Freedom of Information Act 2000 in relation to withholding information relating to a request for an unredacted copy of a report into complaints about a former Councillor and former Council Officer. The Information Commissioner held that RBWM breached section 10(1) of the Freedom of Information Act 2000 in providing the final response to the complaint outside of statutory time periods.

The report in question related to complaints about a former Councillor and former Council Officer and was at no point a report into the safety and integrity of local elections.

RBWM was not a party to court case EA/2021/0092 and therefore there was no need to report the decision to all members. However, the Council has provided the report redacted in accordance with the court order and it has been published on the Council's website.

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

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

The report in question related to complaints about a former Councillor and former Council Officer. Any reports of electoral offences should be made to the Police (via the police designated single point of contact officer for electoral law) in accordance with the electoral commission guidance. The Returning Officer and Electoral Registration Officer will work with the police and adhere to electoral commission guidance. Complaints relating to the conduct of a currently elected Councillor should be made via the Councillors Code of Conduct Process.

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

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

The 2022 Viability update reviewed the viability of the AL13 housing allocation based on up-to-date values and costs and concluded that it is still a viable housing development.

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

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

These figures are not comparing the same thing. The 2019 viability assessment included an allowance in the assessment of £32m for section 106 contributions from developers. The equivalent figure in the 2022 Updated Viability Assessment is £29.7m. Contributions from section 106 agreements are only one element of the total infrastructure funding package. The 10% risk allowance in the draft SPD (July 2022) was replaced with an approach that indexed the estimated infrastructure costs up to the adoption date of the SPD (December 2022) to ensure the costs were kept up to date. It was also replaced because the final infrastructure costs included land costs for the community uses, so this uncertainty was removed.

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

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

The increase in costs related mainly to updated costs of providing the primary school and secondary school on the site, not highway junction costs. The viability assessment was based on £110m infrastructure costs, not £100m (see paragraph 5.6 of the October 2022 Viability Update report). It also included a range of sensitivity testing, including in relation to section 106 infrastructure contributions to test the impact of different levels of section 106 contributions. Such an approach means that if the level of section 106 contributions change, you can still see the impact on viability.

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

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

The Council would prefer the “simple” approach and states this in the adopted SPD. Developers are encouraged to adopt this approach. However, for reasons relating to national planning policy and guidance, the Council cannot insist on this approach and so an alternative is provided. Both options are designed to provide for the necessary infrastructure to support development in the South West Maidenhead area. The Council will not insist that the majority choice prevails but has outlined the benefits of adopting the “simple” approach.