

Public Document Pack

COUNCIL - 24.01.23

AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber - Town Hall, Maidenhead on Tuesday 24 January 2023

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

Councillors John Story, 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, Phil Haseler, Geoff Hill, David Hilton, Maureen Hunt, Andrew Johnson, Greg Jones, Lynne Jones, Neil Knowles, Ewan Larcombe, Sayonara Luxton, Ross McWilliams, Helen Price, Samantha Rayner, Joshua Reynolds, Julian Sharpe, Shamsul Shelim, Gurch Singh, Donna Stimson, Chris Targowski, Amy Tisi, Leo Walters and Simon Werner

Officers: Emma Duncan, Tony Reeves, Kirsty Hunt and Oran Norris-Browne

116. Apologies for Absence

Councillors Karen Davies and Helen Taylor were in attendance virtually and took no part in the vote on any item.

117. Council Minutes

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 22 November be approved.

118. Declarations of Interest

There were none declared.

119. 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.

120. Public Questions

a) Ed Wilson of Clewer and Dedworth West ward asked 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?

Written Response: 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.

COUNCIL - 24.01.23

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.

By way of a supplementary question, Ed Wilson enquired how many Windsor Councillors had submitted major capital projects that directly affected Windsor for consideration in this year's budget.

Councillor Johnson explained that following the CIPFA review the role of elected members in proposing and prioritising capital funded projects had significantly changed and Councillors were now no longer able to directly propose projects. He there advised the number was zero. He commented upon the role of the Capital Review Board, which was led by officers, and advised that Capital projects were ultimately considered by Cabinet and were open to scrutiny as part of the wider budget consultation, prior to their approval by Council. He added that there was significant capital investment for the Borough the majority of which would be derived from the private sector.

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?

Written Response: Preparation work has begun, with the main bulk of the construction work provisionally booked to start week commencing 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.

By way of a supplementary question, Ed Wilson welcomed the progress that had been made over the past 2 years and commented that the Changing Places toilet in the leisure centre was a small project but would have a big impact on some of the most vulnerable residents in the Community. He enquired whether a similar scheme would be progressed in Windsor town centre in the near future.

Councillor Johnson explained that he would liaise with the relevant Councillors and Officers to scope a similar scheme for Windsor Town Centre, which would be delivered based on a solid business case.

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?

COUNCIL - 24.01.23

Written Response: *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 Supplementary Planning Document 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.

By way of a supplementary question Sunil Sharma referred to the AL24 Lilibrooke site and asked about the provisions there were being proposed.

Councillor Haseler responded by commenting upon the detailed engagement that had taken place with local groups/stakeholders. He referred to the plans being proposed to link the site to the existing residential areas through the introduction of pedestrian crossings, cycling and walking paths through the estate that would link to the wider area, improvements to the junction of Woodlands Park Avenue, improved bus stop facilities, and improved pavements and possible speed reduction along the busy Woodlands Park Road. He also encouraged residents to attend the "Get Involved Events" to be held on 8th and 10th February, the results of which will be fed back to the developers.

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?

Written Response: *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.*

By way of a supplementary question, Sian Martin commented that virtual permits had been explored and asked what the expected timeframe was for them becoming a reality for residents.

Councillor Haseler explained that the permits were being explored as part of the new parking contract and a report on the matter should be considered by Cabinet in April.

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

COUNCIL - 24.01.23

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 other services be protected and will there be no cuts to the quality of services with enough reserves for contingency plans?

Written Response: *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.*

By way of a supplementary question Hari Sharma referred to the unproductive and negative language used with regard to previous budgets. He stated that the budget for Furze Platt residents demonstrated the Council's aspiration to deliver high quality services. He asked the Lead Member to explain the plan to reduce the burden of debt to the Council.

Councillor Hilton explained that the answer to the question was detailed within the Council's Medium Term Financial Strategy which had been published in July and updated in December to reflect the proposed budget. The document outlined the capital cash flow for the Council going forward to 2035 and explained how the Council planned over that period to reduce its current debt levels.

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.

Written Response: *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.

By way of a supplementary question Hari Sharma asked what the Council's life care plan to identify the structural condition and level of safety at the car park. He asked for further information on the age of the car park, inspection regimes, repair history, accidental damage, winter maintenance, material testing and structural appraisals as that would provide a general overview on the current condition and next steps required.

Councillor Haseler explained that the Nicholson car park was in excess of 40 years old and had suffered concrete spalling. Moisture had penetrated the concrete and the metal work had expanded causing cracking, with some of the masonry becoming loose and falling off the

structure. He commented upon the work that had taken place on the ground floor to remove the loose concrete and advised that the process would continue on other floors. A structural engineer would carry out an assessment of the structure over the next few days, which may include some additional intrusive work and laboratory testing. He explained that the Council recognised that the closure was causing major inconvenience to both residents and businesses, but the car park would remain closed and would not reopen until it was considered 100% safe as the Council did not wish to face any legal proceedings should somebody be severely injured whilst using the car park. He advised that further information would be provided in a written response.

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?

Written Response: 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.

By way of a supplementary question, Will Scawn requested that the review of leaf clearance next Autumn be extended to College Avenue, College Road, St Luke's Road, Blakley Court, Lindon Avenue and Belmont Park Avenue and that the schedule be communicated to residents.

Councillor Bhangra indicated that he would ask the officers to look into the request to extend the review area and would provide a written a response to the request in due course.

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?

Written Response: Recent projects include the installation of a mini-roundabout and pedestrian crossing on St Marks Road and the installation the installation of road humps and a 20-mph speed limit on part of Courthouse Road. A further speed limit reduction is planned for Ellington Park commencing on 6th March 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

By way of a supplementary question, Will Scawn highlighted the corner of Gordon Road and Wellington Road as an area where residents had raised particular concerns about pedestrian safety and asked that measures to improve safety, visibility and parking be implemented as soon as possible.

Councillor Haseler advised that double yellow lines would be installed at the junction as soon as reasonably practical.

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?

Written Response: 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.

By way of a supplementary question, Mohammed Ilyas explained that he was pleased to read in the written response that the NHS would print a booklet providing an update on urgent care services in the local area. However, in the absence of a commitment on the facilities at St Mark's Hospital, he asked the Lead member to consider having a public meeting with the NHS to enable them to respond to residents' concerns and to consider writing to the Secretary of State for Health outlining residents' concerns.

Councillor Carroll responded in the affirmative to both requests. He explained that the NHS were dealing with enormous pressures at the moment, so it was important to deal with the issue in an appropriate and balanced way and work constructively with the NHS. He advised that he had been reassured by NHS colleagues that they were addressing the concerns and were looking to move things forward as soon as the immediate pressures had eased.

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?

Written Response: 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 - 24.01.23

council tax reductions and to help those struggling with energy and housing costs. This winter we are also distributing one off cash payment 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.

By way of a supplementary question, Mohammed Ilyas enquired whether it would be possible for the Council to consider making in such areas like leisure activities further price reductions to help support the physical and mental wellbeing of residents.

Councillor Hilton explained that the Council did provide support for vulnerable people to access leisure facilities and that the support currently provided would continue. He advised that he would respond to Mr Ilyas with a written reply as to whether any price reductions would be possible following a discussion with the Lead Member for Environmental Services, Parks and Countryside.

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?

Written Response: 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) & 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

COUNCIL - 24.01.23

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?

Written Response: 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.

By way of a supplementary question, Mark Wilson noted that no action had been taken by the Council over river pollution as the responsibility did not fall to the Council. However, he referred to the Leader of the Council's tweet on 25 January 2022 in which he stated that he would raise the issue with the local MP's and the government minister responsible "at the earliest opportunity" and asked what responses had been received as a result of those approaches.

Councillor Cannon replied to indicate that he did not have details of the responses received at hand but would supply the information in writing after the meeting.

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.

Written Response: 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.

By way of a supplementary question, Devon Davies referred to local election material from the Conservatives which claimed that the Royal Borough would be bringing free electricity to St Leonard's Road, Frances Road and Albert Road but that there was no need for subsidies from the Council. He enquired whether third parties would be expected to provide free electricity or was the election material incorrect.

Councillor Haseler explained that as part of the EV implementation plan it had been outlined that third party providers would be responsible for installing the charge points and the payments would be through the users of those charge points. There would be no cost to the Council. However, he explained that a detailed response was not possible at the present time as it would depend upon what scheme was implemented.

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?

Written Response: 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.

By way of a supplementary question, Mark Loader explained that another sewer had collapsed on Shoppenhangers Road and was proving difficult to fix to the presence of other utilities in the vicinity. Due to the floodwater and sewerage leaking from the sewer Ludlow Road was currently partially blocked for both vehicular and pedestrian traffic. Mr Loader asked whether Councillor Haseler would agree that investment was required to fix the existing sewerage infrastructure and additional loads and pressure should not be added to the existing infrastructure, in particular, by building 2.600 homes on the golf course.

Councillor Haseler advised that he had recently met with Thames Water and Council officers and commented upon a plan that had been agreed to address the issue. He explained that Shoppenhangers Road would be closed for approximately three months to enable Thames Water to build a new sewer as it was considered too difficult to excavate in the vicinity of the collapse due to the presence of electricity cables. During the closure access would be maintained to Ludlow Road from one direction and the station car park and Courtlands from the other direction. The Council would press Thames Water to ensure that the road closure was kept to the minimum length of time necessary. With regard to the development of the golf course, Councillor Haseler referred to the Statement of Common Ground signed by Thames Water and the Council in 2020, when Thames Water had agreed that their sewerage infrastructure would cope with the additional capacity generated by the new development. However, he advised that Thames Water had given an assurance that it would keep the matter under constant review and that if upgrades were required, necessary upgrades would be carried out.

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?

Written Response: 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.

By way of a supplementary question, Mark Loader stated that section 7.1.27 of the adopted South-West Maidenhead Supplementary Planning Document sets out the infrastructure costs and the share to be paid from developer contributions. There would be the cost of increasing biodiversity by 10%, likely to be significant after concreting over much of the open green space and felling many mature trees. There would be additional costs for building

COUNCIL - 24.01.23

environmentally friendly and high-quality homes. There would be £16m to be paid to Maidenhead Golf Course as compensation for forcing them to give up the lease. There would be water and electricity costs, which do not appear to be costed. On top of these costs, he enquired how the Lead Member would ensure that the publicly owned land would be disposed of at the best consideration that can be reasonably obtained and asked for an assurance that there would be no reduction in land value to provide a guaranteed profit to developers.

Councillor Haseler advised that, due to the technical financial nature of the question, he would seek the advice of the council's officers and would provide a written reply.

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?

Written Response: 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 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.

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

According to an FOI request recently concerning the Desborough Development Partnership Board and the Royal Borough Development Partnership Board, it states that you Councillor Johnson was appointed to the Royal Borough Development Partnership Board in 2017. As that preceded your election as a councillor can you confirm in what capacity you were appointed to the Board in 2017 and explain how the appointment process was conducted?

Councillor Johnson responded by stating that the information was wholly inaccurate as he had not heard of either Partnership Board until he was elected a Councillor in May 2019. He questioned the source of the information claiming that he had not been appointed to the Boards in 2017 and explained that he had only been living in the Borough for a proportion of that year.

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?

Written Response: 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 masterplans – 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"?

Written Response: 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 council's 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.

By way of a supplementary question, Andrew Hill advised that he had the privilege to represent former Councillor Claire Stretton before the three judges at the first-tier tribunal. However, the written response had quoted previous decision of the ICO that the three judges overturned. He advised that he presented evidence for several hours relating to Purdah and the judges had agreed that there had been at least a credible suspicion of wrongdoing and had concluded that they accepted former Councillor Stretton's argument that it was important that elected members and officers of the Council not only complied with the rules and guidance intended to protect the fairness of the elections but that they were seen to be doing so. As the judges were speaking about the fairness of elections why did the answer to his question say or imply that this was not considered by the judges at any point in the case.

Councillor Johnson advised that he was not aware, having re-read the response, that he was inferring anything of the sort. Councillor Johnson advised that he was of the opinion that there was no threat to the integrity of the election held in 2019. He advised that the Council would be discussing the broader subject later in the meeting in response to a motion but found it rather curious that the issue was coming to light not long before the upcoming local elections.

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?

COUNCIL - 24.01.23

Written Response: *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.*

By way of a supplementary question, Andrew Hill referred to the written response which stated that suspected election offenses should be reported to the police. He stated that Councillor Johnson and a small number of officers had the full unredacted report in October 2019 and the same people were the only ones that had viewed the solicitor's conclusions for three years. He stated that the solicitor had rejected Russell O'Keefe's view that no electoral advantage had been gained by the Conservative Party and advised that former Chief Executive, Duncan Sharkey, had indicated that the Mosque contract did not have to be sent until after the election and it was obvious that it would have sounded alarm bells. He commented that no officer raised any concerns but instead redacted the report's conclusions from candidates and the public for three years. He asked Councillor Johnson whether he had read the report in 2019 and its conclusions about electoral advantage and if so to explain why he did not report any of concerns externally.

Councillor Johnson explained that concerns had been raised about his predecessor and were reported to the police at the time the speech was given. There had also been numerous code of conduct complaints submitted to the Council. He reminded those present that there was another party present when the speech was given at the Mosque and as part of his own internal investigations, he continued to ask questions but did not receive satisfactory answers. He advised that the matter would be discussed further in the debate later in the meeting.

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?

Written Response: *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.*

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

The viability update referenced shows that costs to the taxpayer have gone up considerably in just 3 years! Considering that this development will not start for 3 more years - it must be assumed that the cost to the taxpayer will continue to rise before a spade has even gone into the ground. The evidence supporting the monetary equivalence of green spaces for the health and wellbeing of both people and nature becomes stronger every day. Surely, we cannot afford to take on the cost burden of this development whilst simultaneously decimating our nature and our health?

Councillor Haseler responded by explaining that it was still a viable development site and the principal of development on that site had been agreed through the Borough Local Plan process. People had the opportunity to detail their views on the site as part of the consultation phases and will also be able to comment further through the planning process.

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?

Written Response: 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.

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

Can the response be checked. Attached is an extract showing the 2019 Viability Update was £32m. Why is the S106 down from £32m to £29.7m. Are developers being released of paying £2.3m?

Councillor Haseler advised that, due to the technical financial nature of the question he would consult with of the council's officers and would provide a written reply.

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?

Written Response: 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.

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

Cala are going to build in phases and therefore it is assumed that revenue for the RBWM will also be phased. As the infrastructure costs will need to be paid earlier in the development, is the Business Case at risk due to both increases in Infrastructure costs and uncertainty about the revenue timings of the development?

Councillor Haseler advised that site was viable. However, he would arrange for a written response to be given in the light of the technical nature of the question.

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?

Written Response: 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.

By way of a supplementary question, John Hudson stated that the answer was typically opaque particularly at a time when we needed complete transparency given the state of public finances in a time of economic uncertainty. Previous town centre developments stipulated precisely 0% CIL payments by developers which had contributed to the state of the Council's purse. The continued lack of transparency by this administration along with the gaslighting of genuine concerns and considered views by members of the public had resulted in ever worsening confidence and trust in the decision-making capabilities of the Council. He asked the Leader of the Council what he intended to do to improve and restore the trust and confidence of the public in the administration with local elections only 100 days away.

Councillor Johnson responded by stating that he found the term gaslighting offensive and that, given that the Council were due to debate a motion about not engaging in mudslinging, he found it disappointing to hear the phrase being used. He referred to the recent resident's survey that highlighted 70% of local residents had trust in the Council, although they may not necessarily agree with everything the Council did politically. He stated that the Council had never been more open and transparent and that there was no conspiracy or alternative agenda. He maintained that the approach taken was the right one in terms of the Strategic Development, which had been endorsed by an independent planning inspector. He refuted the assertion that the administration was gaslighting residents and stated that there did not appear to be a trust issue more of a disagreement of views about the future direction for the Borough.

121. Petitions

There were no petitions submitted.

122. Councillors' Questions

a) Councillor Bond asked the following question of Councillor Rayner, Deputy Leader of the Council & Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor; Armed Forces Champion

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

Written Response: As part of the implementation of the Elections Act 2022 each polling station will be maintaining a record of the number of people presenting themselves at the polling station without valid photographic identification as well as noting how many of those then return and take part in the poll. This statutory report will be submitted to the Electoral

COUNCIL - 24.01.23

Commission. Although not currently a requirement to be published we will endeavour to share the statistical data as soon as is practically possible. The most recent research has estimated that 96% of the population would already have at least one form of acceptable photo ID. The new system allows many accepted forms of photo ID from passports to bus passes. Electors within the borough without valid photo ID can apply for the free Voter Authority Certificates (VAC) by visiting the government website (<https://www.gov.uk/apply-for-photo-id-voter-authority-certificate>). They may however choose instead to register to vote by post or appoint a proxy to attend the polling station on their behalf. If 4% of the borough's population applied for a VAC then 4,400 applications would be processed. Once approved the VAC is posted from a central national supplier. The changes to the Election Act 2022 have been made to improve democracy by seeking to combat voter fraud as every ballot matters.

By way of a supplementary question, Councillor Bond asked whether the new voter ID card might have a part to play in providing ID for older residents who no longer drove or went on holiday abroad. He commented upon the particular difficulties facing you people that did not have a full driving licence or a passport and questioned why some photo ID for older residents, such as the freedom bus pass for retired people and the 60+ Oyster Card, were considered acceptable but photo ID used by younger people, such as the 18+ Oyster Card or a university student ID, were not. He referred to the ID required by banks to open a bank account and explained that younger people were quite rightly questioning the suitability of particular IDs that would be considered acceptable.

Councillor Rayner commented that she welcomed the changes which aimed to improve the election procedures. She advised that, although Councillor Bond had put forward some interesting points, it is a matter for central government to stipulate the forms of ID required.

b) Councillor Brar asked the following question of Councillor Rayner, Deputy Leader of the Council & Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor; Armed Forces Champion

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

Written Response: We have started the campaign for informing residents about the change in the law which will complement the Electoral Commission's national campaign with information available at libraries, polling stations, and in Maidenhead town hall. Information will also be made available on our website, and promoted through our social media channels, e-newsletters, and other communications with key stakeholders. We will work with our partners, including parish councils, schools, and other key community groups, to support our campaign, and to ensure messaging is spread effectively throughout the borough. As part of this community engagement, we will raise awareness of the new requirements at our World Cafés which will give residents an opportunity to ask questions, remove doubt, and gain confidence in the new process.

By way of a supplementary question, Councillor Brar asked whether the Council had informed all voters about the new requirements in particular the estimated 4400 who may not have an acceptable form of ID between now and the 4th of May.

Councillor Rayner commented that it was important that the changes were communicated to all residents to encourage as many people as possible to vote in the local elections. She stated that the publicity campaign had already started and advised that voter ID requests received would be processed as quickly as possible.

c) Councillor C Da Costa asked the following question of Councillor McWilliams, Cabinet Member for Digital Connectivity, Housing Opportunity, & Sport & Leisure

COUNCIL - 24.01.23

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

Written Response: We can confirm that the support agency does submit council tax support applications with customers who have moved into their own accommodation at stage 3 of our rough sleeper pathway. When the referrals were initially set up for customers, unfortunately council tax was not one of the utilities that were supported, however, this was quickly resolved. All 6 of the original applicants who were not supported initially are now in receipt of council tax support so the situation has been resolved and BROWNS have confirmed that they will continue to ensure council tax support is applied for at the earliest opportunity for all future cases. However, it must be noted, that when Council tax support is in place the resident does still have a contribution towards their council tax to make. Even with maximum support in place a person of working age is likely to still be responsible for at least 20% of their council tax bill. As such, arrears can also be accrued this way if the residents are not paying the personal contribution.

By way of a supplementary question, Councillor C Da Costa explained that she had been in contact with Councillor McWilliams, who had offered to meet with her to clarify some of the issues that were not answered in the original response, which she had accepted. In particular she was seeking clarification on who had paid for the Council Tax arrears and would like to ensure that the support that the Royal Borough funded was of the highest level and was provided by the most appropriate organisation, which would include exploring the possibility of the service being brought in-house.

Councillor McWilliams commented that he would meet with Councillor C Da Costa and the to address the issues raised. He advised that the Rough Sleeper pathway, which had been a tremendous improvement on what was provided previously, had helped 30 individuals into permanent accommodation solutions but it was important to keep improving the service to ensure that high quality support and services were provided to some of our most vulnerable members of the community.

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

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

Written Response: The car park is regularly inspected for any health and safety issues and any remedial work identified is completed. 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. Spalling within the car park has been occurring over the last 10 years and has been treated accordingly. However, the amount of spalling is increasing and it is not possible to treat all of the areas safely without completely closing the car park. The steel work was not open to the elements however due to the ingress of chemicals and water/salt it has started to rust within the surrounding concrete beam which then causes the spalling. 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.

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

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

Written Response: Details of the plans for this area of Kidwells Park were provided at Full Council in November. Officers had been exploring options for the pond, bridge and other features at the park to look at what would be possible to bring them back into use. Unfortunately, on this occasion the cost of repair work to the upper pond and associated streams meant that reinstatement was not feasible at this time.

Following an options appraisal for the leaking top pond, associated streams and bridge, these are in the process of being removed and will be laid back to grass. The bottom pond and fountain will remain, still giving park users a sensory water experience and providing the benefits of blue space for park users.

Kidwells Park has received considerable investment this financial year. The surface for the play area was replaced at a cost of £55,000, the largest single investment in any of our parks this year. In addition, funding has been secured from the Lawn Tennis Association to improve the tennis courts.

f) Councillor Davey asked the following question of Councillor Johnson, Leader of the Council & Cabinet Member for Growth & Opportunity

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

Written Response: Councillors make a huge difference to the quality of life of local people and how local issues are dealt with. As leader of RBWM I will be encouraging people from all backgrounds and experiences who reflect the communities we serve to put themselves forward for election. Many recognise that robust political debate is part of a healthy democracy but that this can sometimes go too far and some people have experienced harassment and intimidation. Guidance will be available on our website for prospective candidates which has been created by the National Police Chiefs Council, working with the Crown Prosecution Service and the Electoral Commission. The guide has been designed to help them understand when behaviour goes beyond political debate and may be unlawful. It also provides more detail as to the nature of possible offences, and some other sources for advice on keeping themselves safe, including online. It is important to recognise what might happen and the action they can take to protect and respect all prospective candidates.

By way of a supplementary question, Councillor Davey advised that he had read the guidance on the Government's website. He asked whether walking into somebody's place of work pretending to be a journalist for the Daily Mail and approaching their colleagues would amount to harassment.

Councillor Johnson explained that he was unable to respond on the specifics of that particular case without further information. However, he reiterated that the mental health of candidates and councillors was taken seriously, referring to the appointment of a Cabinet Member with a specific role for Mental Health, and that the issue would continue to be promoted. He advised

that he did not wish during the election campaign to see anything that would undermine anybody's mental health.

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

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

Written Response: For full transparency, I wish to note that I was a Senior Expert Policy & Strategy Adviser to the UK Vaccines Taskforce between August 2020 and January 2022 and I currently work for Moderna. This is all stated in my public Register of Interests along with other interests as required. I have taken advice from the Monitoring Officer who has advised I can answer this question in the interests of public health, but I wish to declare these personal interests for full transparency which I consider important.

The UK has an independent regulator called the Medicines Healthcare product Regulatory Agency (MHRA), which deals with all matters relating to vaccine safety, quality and effectiveness/efficacy. It is extremely thorough and robust in its approach. The similarly independent Joint Committee on Vaccination and Immunisation (JCVI), which is the expert body that provides recommendations on vaccination strategy and campaign, also looks at safety considerations pertaining to public health to ensure real world evidence is also being utilised to inform recommendation decisions.

Having worked with the MHRA closely, I can assure everyone of its world class independence, science and public health first approach, and robustness and serious diligence on all pharmacovigilance matters. Likewise the JCVI, which is seen as world leading and very methodical, expert and considered in all its recommendation decisions. As the MHRA and JCVI have continually stated, the benefits of licensed vaccines in preventing Covid-19 and serious complications associated with Covid-19, including death and hospitalisation, far outweigh any currently known side effects. As with all vaccines and medicines, the safety of Covid-19 vaccines is continuously monitored, and benefits and possible risks remain under constant review. Reports into the Yellow Card Scheme are important to ensure data are continually collected and analysed. It is worth noting a significant number of those adverse events reported pertain to minor events such as injection site reaction, or more commonly known as a sore arm, from the vaccine administration. In addition, a Yellow Card report does not automatically mean the vaccine is the cause. The Yellow Card system is an open system and any member of the public can complete a form without verification. This is to ensure openness of adverse event reporting and to encourage collection of data. Thus, some reported adverse events might actually be a correlation due to other underlying conditions, natural causes or other illnesses that are the cause for the adverse event. Or it could be a reported adverse event that has nothing to do with the vaccine, be an incorrect submission, or be from someone who has not even had a vaccine. Thus, distinguishing between causation compared to correlation and no association is vital. These are the extensive datasets the MHRA sedulously review and evaluate for safety first considerations.

On a local level, the NHS has provided assurances all the vaccination incidents, which would include those that are reported through the Yellow Card Scheme, come through to the Integrated Care Board (ICB) and are reviewed at the Vaccination Board as well as being sent to NHS England regional team. This is an additional system analysis to ensure public health is being protected.

Sadly, there remains a serious problem with dangerous misinformation regarding Covid-19 vaccines and it is vital we all play our role in ensuring such misleading and potentially devastating misinformation is not allowed to propagate and disseminate, and that the scientific

COUNCIL - 24.01.23

facts in the interests of public health are always published, made available and communicated. Vaccines have saved so many lives and prevented serious illness and disease. As someone who sadly lost a family relative to covid-19 prior to the vaccines being available, this has particular poignancy as I know it does for so many people.

By way of a supplementary question, Councillor Davey congratulated the Lead Member on his recent appointment and stated that close to 1 million people reported a range of symptoms from an itch to things more serious. Not everyone took time to report minor symptoms and there could be a few million people suffering side effects. Traditional vaccines were the antigen usually made up of dead cells which were easily disposed of by the body saving millions of lives each year. The messenger RNA vaccine worked differently getting the body to produce the antigen which had not been fully tested, simply fast tracked into human trials so we did not know the long-term effects. However, Moderna and the Government were building factories to produce millions of mRNA vaccines. For those not medically qualified, he asked if it would be fair to say that it was like comparing an electric car with an internal combustion engine, one works very well but the other brings many questions yet answered.

Councillor Carrol advised that, as he was employed by Moderna, he would answer the question based on publicly available information. He advised that it was not true to say that mRNA was a new science and technology as it was first discovered in 1957 and there have been a number of companies which have been looking at it since 2010. He explained that every single Market authorization for new health technology had to go through a very rigorous and robust process through a world class regulator that was based on safety, quality and efficacy. He commented upon how the vaccination program has saved millions of lives and had prevented serious illness and disease, including long covid and other health complications. He advised that decisions have been based on the science and commented upon the importance of people obtaining their information from independent, verified and robust sources, which was available in the UK.

123. Appointment of Chief Executive and Head of Paid Service

Council considered the recommendation of the Appointment Committee on the appointment of the Chief Executive and Head of Paid Service.

In proposing the recommendation, Councillor Johnson thanked all the members that had worked tirelessly and constructively throughout the appointment process. He commented upon the importance of ensuring that the Appointment Panel had before them the broadest possible choice of candidates to ensure that the right person was appointed. He commented upon the successful candidate's connection to the Royal Borough, his strong experience in both national government and in all tiers of local government and his great breadth of experience, knowledge and financial ability. The new Chief Executive would ensure that the new administration was best placed to deal with the major challenges facing local government and would ensure that the Council continued to deliver high quality services, driving forward economic investment and growth for the Borough.

In seconding the recommendation, Councillor Rayner also thanked the many officers that had also supported the selection and appointment process and commented upon the huge cultural shift that had been experienced under the previous Chief Executive and the positive results arising from the Residents' Survey.

Councillor Werner commented that the best candidate had been selected by the Appointment Panel and looked forward to working with him. He also referred to the successful candidate's great breadth of experience and qualities to deal with the major challenges facing the Council and also his association with the Royal Borough.

Councillor Hill and Councillor Hilton also spoke to endorse the recommendation of the Appointment Panel.

It was moved by Councillor Johnson, seconded by Councillor Rayner.

RESOLVED UNANIMOUSLY that: -

- i) Stephen Evans be appointed to the role of permanent Chief Executive and Head of Paid Service;**
- ii) The appointment be at a salary of £180,000 within the Chief Executive salary band of £145,000 to £185,000; and**
- iii) Interim Chief Executive Tony Reeves remain in post until Thursday 20 April 2023 to complete a handover.**

124. Programme of meetings 2023/24

Members considered the 2023/24 programme of meetings. It was noted that the programme was provisional as changes may be required following the local elections in May.

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

RESOLVED UNANIMOUSLY: That full Council notes the report and:

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

125. Motions on Notice

Motion a)

Councillor Hill introduced his motion and thanked the officers for publishing Richard Lingard's report, the independence solicitor who had investigated the events of the 29th of April 2019. He also put forward a couple of amendments to motion that had been published with the agenda, the revised motion to read:

This council agrees to

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

Councillor Hill explained that the motion related to good governance, transparency and security. He quoted from the tribunal papers relating to the speech given by the Leader of the Council, Councillor Dudley, at Maidenhead Mosque on the 26th of April 2019 during the Purdah period shortly before the local elections. In that speech Councillor Dudley had said

COUNCIL - 24.01.23

that the Council owned the freehold to the Ivy leaf Club site and were negotiating with them to surrender that lease. Councillor Dudley gave an undertaking that the site would not be redeveloped for housing and advised that he had sent a draft agreement to the Mosque stating that when the Council had secured control of the site it would allow the Islamic trust to acquire it to enable them to expand. Former Councillor Dudley had also expressed at the meeting that he hoped that those present would vote Conservative at the local government elections on the 2nd of May.

Councillor Hill went on to quote from the report of the independent investigator. He stated that the investigator had not been convinced by Russell O'Keefe's comment that Simon Dudley had no advantage conferred upon him by the draft agreement being sent to the Mosque and that it was Simon Dudley's intention to sway some voters to vote Conservative. However, the investigator did not believe that Mr O'Keefe had conspired in that matter. The report also stated that, although Simon Dudley had informed the audience at the Mosque that the Council were negotiating with the Ivy League Club, that was not the case as the Club had been informed seven months previously that their site had been excluded from the redevelopment scheme and that no further negotiations had taken place since that time. The investigator had concluded that there could be no argument that Simon Dudley's encouragement of the audience to vote Conservative was an electioneering speech.

Councillor Hill referred to the Judge's interim decision which accepted Miss Stretton's argument that it was important that elected members and officers of the council not only complied with the rules and guidance intended to protect the fairness of elections but were seen to be doing so. He commented upon the Judge's final decision which allowed the appeal, and which stated that Council had not been entitled to withhold the requested information.

He contended that had the Council not withheld the relevant information by-elections could have been held in a number of Wards in the final quarter of 2019 possibly resulting in the Conservatives losing power. He therefore stressed the need for Members to be made aware of all Court decisions and investigations in full for proper scrutiny and to avoid similar circumstances occurring in the future.

Councillor Johnson asserted that there was an urgent need to clarify the record and to continue to establish the truth as to what happened that day at the Mosque. He gave an assurance that such an event would never take place under his leadership and commented upon the distinct line that had been drawn by his Administration over the last three and a half years to that of the previous Administration.

He reminded Members that he had not been an elected member of this Council when the incident took place and referred to previous statements that he had made following the publication of the CIPFA report on the need for good governance, transparency and secure elections to be paramount. He contended that there was no evidence to support the premise that by-elections would have been called as a result of incident.

He stated that there were still significant questions to be answered about the event and commented upon the use of certain extracts from the speech without referencing the speech in full, which was included within the report and available on YouTube and which formed the basis of the investigation. He advised that there had been another Member of the Council present when the speech was given at the Mosque and indeed was name checked in the speech by Mr Dudley. He advised that the Councillor in question had been the subject of an internal investigation by the Conservative Group and the Councillor had subsequently left the Group due to the failure to answer questions as to why he had been present that day and what had been discussed and agreed.

Councillor Price explained that the motion was about how Councillors could try to improve the way they conduct themselves. She expressed concern that the Council did not publish the

COUNCIL - 24.01.23

Independent Investigators report despite the Judge's ruling that it should be disclosed within 35 days of the final decision. She questioned why it was only published after the motion and question was published with the agenda despite the ruling stating that to not publish would harm the reputation of the Council and would be considered as a contempt of court. She stated that the Council should comply with a court's ruling and the Council should be open and transparent with residents.

In seconding the motion, Councillor Jones stated that former Councillor Dudley had used his position to access Borough information not available to any other party and had used it in an election speech. No other person could have accessed such information and no other person used that information in a speech. She contended that the debate should not be about other people present at the speech, particular those that were not Members of the Council at the time. She referred to the Nolan Principles, which stated that holders of public office should be open about the decisions and actions that they have taken and give reasons for their decisions, only restrict information when the wider public interest demands, and should be accountable for their decisions and actions, submitting themselves to scrutiny as appropriate to their office.

Councillor Jones explained that she had raised a formal complaint in 2019 regarding the speech and the use of the documentation but despite being quoted in the investigation had not been provided with the report's conclusions. She acknowledged that none of the officers at the time were still employed by the council and thanked former Councillor Stretton for her persistence to ensure that the findings were published, albeit three years and two months after the original request. She contended that Members should be made aware of such decisions, the contents of reports that related to concerns around openness and accountability and should be aware of decisions that affected how the council conducted itself to ensure that Members were able to be satisfied that their principles and policies are being upheld.

Councillor Jones refuted the argument that the Council did not have publish the information and contended that the processes outlined in the motion were needed to ensure that decision that were in the public's interest were published to prevent a similar situation happening in the future. She urged all members to reflect on their fundamental democratic values that they should uphold and to vote in favour of the motion.

Councillor W Da Costa expressed support for the motion and referred to an IPPR report that found that trust in politicians was at the lowest level on record and that there was a significantly disturbing decline in satisfaction with democracy and trust in key democratic institutions. He referred to the perception that people considered politicians as only looking out for themselves and the appalling way in which Councillors and MPs treat each other and engage with one another during debates. He commented upon the need to encourage a higher level of conduct and accountability in public life.

Councillor Davey thanked the Councillors concerned for ensuring that the matter was progressed.

Councillor Rayner commented upon the chronology of the various reports and legal challenges and requested that the Monitoring Officer clarifies the point raised about the sequence of events relating to the publication of the unredacted report.

The Council's Monitoring Officer advised that FOI request had been received from former Councillor Claire Stretton and that the subsequent report had been released but redacted in 2019. Mrs Stretton had disagreed with the application of some of the redactions, but the ICO had supported the Council's view, which was appealed against and then appealed again to the ICO. The report that had been released recently was the unredacted version that was released in 2019. She advised that the council was obliged to respond to FOIs generally within 20 working days and that the Council did not do that in response to the initial request, which had been noted by the ICO.

COUNCIL - 24.01.23

Councillor McWilliams referred to the particular section of the report in which the other Member of the Council referred to in the debate had been mentioned. He expressed the need for Members to be open and transparent and commented upon possible changes to processes by this and other Councils that may emerge in the light of the Court's decision. He stated that it was important to acknowledge the changes that had taken place in this Council since the report was commissioned. He commented upon the significant changes in Council's financial management following the publication of the CIPFA report, in particular the current level of reserves which were the result of difficult decision taken by the Council and medium-term financial plan, which included a plan to pay down debts to zero. Councillor McWilliams stated that the significant positive change in the culture of the Council in terms of greater transparency and good governance should also be acknowledged. He contended that it was important to understand what the motion aimed to achieve as it was not clear what decisions were to be considered to be significant or who determined the significance of the decision. He stated that understood the political motivations for the motion but questioned whether the motion was required from a Council process point of view.

Councillor Werner expressed support for the motion and stated that a number of Cabinet Members were Councillors at the time and referred to particular Councillors that had supported the appointment of Councillor Dudley as Leader of the Council following election in 2019. Therefore, he contended that it was wrong for certain Councillor to try and distance themselves from the issue as their hands were as tainted as former Councillor Dudley's.

In response to a point of order raised by Councillor Hunt, the Mayor ruled that Councillor Werner had broken the rules relating to the conduct and standard of debate and requested Councillor Werner to desist from making similar comments. As Councillor Werner refused the Mayor excluded him from speaking further during the remainder of the debate.

Councillor Bowden explained that he had produced evidence for the Nolan Inquiry and therefore had intimate knowledge as to how the Nolan principles were drawn up. As a result, he would abstain from voting on the motion.

Councillor Knowles expressed support for the motion and explained that it related to good practice. He stated that the Council should be open and transparent and when the Council received a significant legal decision, it should be published unless there were legitimate reasons why certain information should not be published, in which case the reasons for not publishing the information should be recorded for future reference. He regretted the negative points raised during the debate and requested that the motion be supported as it sought to improve current processes to ensure greater transparency and openness.

In summing up, Councillor Hill explained that the word significant had been discussed with the Monitoring Officer and it was not difficult to understand what would be considered significant in the context of what the motion was trying to achieve. He urged all Members to vote for the motion as it was clear that what had happened over the past three to four years was appalling and that the document should have been released unredacted and put on the website. It was not acceptable that the report was only published following the submission of the motion on the 12th of January as that was not conducive to good government, was not transparent and looked appalling publicly. He referred to the upcoming local election and stated that if Members did not vote for the motion then they could not be considered to be transparent, fair, free and open.

A recorded vote was taken following a request by at least five Councillors. 16 Councillors voted for the motion; 21 Councillors voted against the motion. 1 Councillor abstained. The motion therefore fell.

Motion on Notice a)	
Councillor Clive Baskerville	For

COUNCIL - 24.01.23

Councillor Christine Bateson	Against
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	For
Councillor John Bowden	Abstained
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
Councillor Carole Da Costa	For
Councillor Wisdom Da Costa	For
Councillor Jon Davey	For
Councillor Phil Haseler	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Maureen Hunt	Against
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against
Councillor Lynne Jones	For
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	Against
Councillor Gary Muir	Against
Councillor Helen Price	For
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	For
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	For
Councillor Donna Stimson	Against
Councillor John Story	Against
Councillor Chris Targowski	Against
Councillor Amy Tisi	For
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

Motion b)

Councillor Davey introduced his motion. He submitted a slight amendment to the motion by adding the word “officer” in line 1. The amended motion to read:

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

He explained that he hoped that all existing Councillors would treat all political candidates and officers with respect during the May 2023 elections and encourage any prospective candidates to follow their lead and to agree to running a clean respectful campaign in 2023. He stated that as a trainee sales representative in the 1980s he was advised to never knock the competition as that put you in a negative light but to instead adopt a more positive approach and focus on the benefits of your product. The election campaigning had already started and there was already a certain amount of negativity, commenting that people that

COUNCIL - 24.01.23

would make good Councillors did not put their names forward because they are concerned about the effect the negativity would have on themselves and people close to them.

He commented that a more positive approach would encourage better people to stand and would provide a more life-given experience. He stated that local politics should not be about grandstanding but about helping residents solve problems that were important to them. He stated that there was a big difference between a healthy robust political debate and harassment in the workplace, advising that he had already had a prospective candidate approach him and his colleagues in his workplace asking political questions, which was unacceptable.

He stated that if he did choose to stand again, he would run a very Zen campaign and would not attack other candidates. He stated that he was a good Councillor who was able to sort issues out for residents and urged others with similar confidence in your own abilities to support the motion so that negativity could be removed from local elections and instead make it all about how candidates might add value to their communities.

Councillor Stimpson expressed support for the motion and explained that, as somebody who suffered from mental health issues, she found negative political debates overwhelming, similar to the debate on the previous motion. She urged everyone to respect each other as that way people that work with you adopted a similar approach, which made for a good working relationship.

Councillor Johnson advised that he broadly supported the motion, which he stated should also extend to all political candidates and activists. He stated that everyone agreed that people should treat each other with respect during the election campaign but advised that it should not be confused with accountability. Mudslinging and the spreading of misinformation was wrong, but it was important that candidates were held to account for their previous record, statements or actions. He commented, from his own experience, upon the problem of anonymous fake social media accounts that were established with the sole intent of spreading hate, division and misinformation within the community with the intent to either cause political disruption or something slightly more sinister. He stated all Councillors were accountable and acted in accordance with certain set of guiding principles but sadly of late some of those principles had been eroded. The onus was therefore on all Councillors to make sure that they acted in accordance with those principles but to not to lose sight of the fact that they would be held accountable for everything they did. Respect was paramount but only where it was due. He concluded by stating that he looked forward to a clean election campaign based upon records, citing the current Administration's strong track record.

Councillor Carroll stated that it was important that Councillors not only showed respect to each other but also respect to officers. He commented upon the need for a zero-tolerance approach to be taken by all, but particularly leaders, and the need to ensure that dealing with mental health was a priority. He commented upon his own experience about false and defamatory comments made by a Councillor about his own mental, for which he had not received an apology, at a time when his uncle was dying in a hospital bed. He congratulated the Leader of the Conservative Group for the making positive changes to the culture of the group and his zero tolerant approach. During the debate, Councillor Carroll questioned why Councillor Reynolds had laughed when he was talking about serious matters relating to mental health. Councillor Carroll reiterated the need for those to be held accountable and challenged if they failed to adhere and uphold the standards expected of them.

As a point to personal explanation, Councillor Reynolds stated that he had laughed at the specific comments raised by Councillor Carroll about the change in the culture of the Conservative Group, particularly in the light of their conduct in the earlier debate, and not about his comments on mental health.

COUNCIL - 24.01.23

Councillor W Da Costa asked what processes would be put in place to implement the motion if it was passed and what action would be taken if a person breached the rules. He was also of the opinion that it should go further and challenged leaders of all political groups to commit to call out publicly any members, activists or candidates of their group that were found to be engaging in inappropriate activity. He referred to inappropriate activity that had occurred in the past, such as bogus candidates being put forward, candidates being defamed and the production of false election material, which he hoped would not be repeated going forward.

In response to Councillor W Da Costa's request, Councillor Johnson supported the core premise of the request and gave his commitment that action would be taken if any bad behaviour was reported to him, commenting upon his record of dealing with such behaviour by members of his group.

Councillor McWilliams commented that Members should not reflect too much on the difficult job they were elected to do as being scrutinised and held to account was an integral part of being a Councillor. He commented upon the need to ensure that public discourse generally in any organisation should not contribute to the spreading of lies and fake news or create fear, anger, hate and despair. He commented upon the implications of heated and angry public debate, referring to the murders of Jo Cox MP, PC Palmer and Sir David Amos MP. He commented upon the need to be honest and to endeavour to do ones best without cynicism and, quoting Jo Cox, stated there was more that unites us than divides us. He reiterated the point that it was important that people were scrutinised and held accountable for their actions and decisions and that they should avoid alienating each other and create conspiracy theories for political gain. The spreading of lies simply to win was not the right action to take and should be avoided. He commented upon the need to have a good standard of public debate to ensure that it does not spill out into violence as experienced in other places. He referred to the hate that was generated by social media in response to people simply taking policy decisions that they disagreed with. He commented upon the need for people to call out such inappropriate behaviour as all Councillors were working to try to make their communities better and by allowing it to continue only lead to negative public discourse, which if left unchecked could have tragic consequences.

In seconding the Motion, Councillor Clark explained that it was sad that the motion was required as he hoped that everyone would abide by fairness, truth and respect. He commented upon the need for arguments to be presented to residents truthfully without the need for personal comments and criticism or the spreading of misinformation. He stated the motion related to respect but stressed the need for people to be honest. He also stressed the need for people to be called out if they fell short of the standards expected and hoped that people would engage in reasoned arguments to win the debate not the mudslinging.

Councillor Waters referred to the era in which he was brought up and stated that he found acting respectful and courteous to others quite natural.

Councillor Werner welcomed this motion and concurred that elections should not be about personal attacks and that fellow candidates should be respected whatever the party. He stated that the need for personal attacks was not necessary although it was appropriate to identify and criticise the failings of the Administration, in particular the failed governance, financial chaos and destruction of the green belt in Cox green and in Cookham. The election was the opportunity for his party to put forward proposals that would make a difference and that matter to residents, such as promoting openness and transparency, addressing the financial chaos, clearing up the streets and supporting our community rather than trying to destroy it. He contended that residents wanted a party in power that would give them a vision of how the Borough could be better, which would be delivered by the Liberal Democrats and The Independents. He urged Members to support the motion, show respect for all candidates of whatever party and not to get involved in personal attacks, particularly Councillor Johnson.

COUNCIL - 24.01.23

By way of personal explanation, Councillor Johnson commented that he did not recall at any point in the meeting, or more broadly, engaging in what the Leader of the Opposition had referred to as personal attacks. He believed that he had delivered a dignified and balanced speech on the subject and only reiterated that people should be held accountable for that they have done or were proposing.

In summing up, Councillor Davey explained that it had been an easy choice to ask Councillor Clark to second the motion in the light of his excellent work on the Corporate Overview and Scrutiny Committee. He concluded by stating that, after four years on the Council, he welcomed the prospect of finally having a motion agreed.

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

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

Motion c)

Councillor W Da Costa introduced his motion and explained that, at this critical time, it was an issue of ambition and achievement that was vital for our children. He referred to the role of Members to set the ambition and aspirations to be implemented by officers and commented upon the Council's responsibilities as a planning authority to define development and land use policies. He stated that over the next few years, billions of pounds worth of new development would be approved, for both large and small developers, that would exist for over 50 years.

He outlined how development and land use policies could either positively or negatively influence carbon emission for the next 50 years, meet Paris's 1.5 degree centigrade standards, stimulate the economy, protect residents from the impact of extreme temperatures and stimulate a recover in ecosystems and protect food production in the UK. The planning process therefore had an immense power to achieve success or have a significant failure for future generations.

He referred to a simplified biodiversity hierarchy, which was similar to Maslov's Hierarchy of needs, and explained how each lower level needed to be 1000's time bigger to sustain the level above. He stated that limiting the habitat limited the availability of food and reduced the prospects and wellbeing for future generations.

He hoped that Members would see biodiversity net gain in a new light and stressed the need to set the ambition for success, not for failure. It was important that Members recognised the future that the current generation was making for future generations and as a result should commit to the setting of ambitions for success by radically improving the Council's planning processes, to include biodiversity assessments, climate change mitigation assessments, the adoption of best practice available and the targeting of the highest level of mitigation. He concluded by commenting upon the clear benefits of the motion in terms of constructing buildings that were fit for purpose, with zero carbon emissions and that protect residents from additional suffering, death and poverty.

Councillor Werner commented that the effect of development on biodiversity and on climate change was massive and stated that the Council was not taking the matter seriously enough. He agreed with the sentiment behind the motion, which put forward suggestions as to how the Council could improve the planning processes. He commented upon a number of policies within the Borough Local Plan (BLP) that provided the necessary framework but suggested that there was a need to improve the processes in planning, in particular the need for the swift implementation of the Sustainable Design and Construction SPD. He recognised that advice from the planning officers was required to confirm whether what was being proposed was

COUNCIL - 24.01.23

possible but stated that in the past motions had been passed on the basis that the spirit of the motion was right even if the detail required more work.

Councillor Johnson welcomed the support shown for the BLP policies and the associated supplementary documents which laid down the policy framework for addressing such issues that were the subject of the debate.

Councillor Del Campo expressed support for the motion and commented upon the need for the Council to pick up the pace. However, she asked how the proposal would affect the typical small development that proposed minor works or small extensions without imposing huge amounts of additional paperwork.

Councillor Larcombe commented upon the need to ensure that everything was done to mitigate the effects for future generations, as they were not responsible for the current situation. He stated that a lot of damage had been done in the past and it would take a great deal of effort to redress the balance.

Councillor Stimpson disagreed with the comment that the Council had not been taking the matter seriously. She commented upon her role as Cabinet Lead for Climate Change and sustainability and outlined how the Council had been really creative in addressing the issue. She commented upon the eightfold increase in the number of climate officers employed by the Council and the creation of the interim sustainability and Energy Efficiency statement and the sustainability SPD, which was being worked on at the moment. She also commented upon the Council's involvement with Bio Regional, which she claimed was the most sustainable charity in the world and advised that the Council had agreed to set aside 30% of the borough land for nature by 2030 and was working with local farmers to improve land use and crop production. She argued that the Council was busy progressing with a number of initiatives and just because they were not being highlighted did not mean that action was not being taken.

Councillor Haseler stated that the motion appeared to set information requirements for planning applications. He explained that a local authority could only do this by adopting a 'Local List', which had to be the subject of formal consultation and would have to meet certain statutory requirements. He stated that they would have to be reasonable having regard to the nature and scale of the proposed development and had to be about a matter which it was reasonable to believe would be a material consideration in the determination of the application. He advised that the planning team were currently looking to prepare a local list, which would be the subject of public consultation later in the year, therefore it would not be appropriate for the Council to approve a motion that appeared to impose such requirements, or pre-judge what they might be, without having followed due process. He gave an assurance biodiversity and climate change would be considered in the preparation of the Council's local list.

Councillor Haseler referred to the purpose of the Taskforce on Nature Related Financial Disclosures Framework, which he argued was not designed for the assessment of development impacts or could be adapted to use for that purpose. He advised that Scope 3 emissions went beyond what would generally be assessed and also went beyond the requirements of the Environment and Climate Strategy. He stated that, although there would be circumstances where appropriate and relevant assessments outlined in the motion would be required, it would not be possible or appropriate for many applicants of minor residential extension to commission and fund such reports. The motion was therefore unreasonable and would not meet the statutory requirements with regard to the nature and scale of development.

In seconding the motion, Councillor C Da Costa commented that she felt that the Council had been tardy in getting some of the supplementary plans to the table. Whilst recognising that they were being worked on she stated that the Council needed to speed up the process and

COUNCIL - 24.01.23

be more cognisant of their responsibility towards future generations and the need to protect the environment, the ecosystem and biodiversity.

In summing up, Councillor W Da Costa reiterated that the motion was about ambition, about setting an agenda and targets to be achieved and then allowing the offices get on with implementing them. Although more resources would be required to employ ecologists and climate specialists to help deal with the implementation of the policy it would not be of the scale mentioned during the debate. The motion aimed to radically improve the Council's processes and to require assessments that measured what was relevant. He stated that by referencing TCND and best practice available meant that the Council did not have to be tied down to any specific legislation. He commented upon the serious implications and impacts that not doing anything would have on future generations. He stated that the Scope 3 emissions were an example of putting our net out as widely as possible and contended that they were meaningful and relevant to achieving the climate ambitions of net zero. He explained that as the Environment and Climate Strategy was not a core policy document none of the Council's decisions were measured as to how much carbon would be emitted.

With regard to the implementation of the motion, Councillor W Da Costa explained that within planning it was reasonable to create parameters and guidelines for developers to consider when undertaking their assessment. He advised that more robust criteria would be required for larger developments but for smaller developers there would be checklists detailing those that were relevant to make the process a lot simpler.

He advised that he had sought the advice of Officers but had yet to receive a reply. He stressed the urgent need to address the problems now and to set standards for buildings to be built today and which would last for over 50 years to make sure that that people could survive and thrive and that businesses were able to grow and achieve high productivity. He concluded by explaining how extreme temperatures would have a detrimental effect on people and therefore urged Members to support the motion.

A recorded vote was taken following a request by at least five Councillors. 16 Councillors voted for the motion; 21 Councillors voted against the motion. 1 Councillor abstained. The motion therefore fell.

MOTION C	
Councillor Clive Baskerville	For
Councillor Christine Bateson	Against
Councillor Gurpreet Bhangra	Against
Councillor Simon Bond	For
Councillor John Bowden	Against
Councillor Mandy Brar	For
Councillor Catherine del Campo	Abstained
Councillor David Cannon	Against
Councillor Stuart Carroll	Against
Councillor Gerry Clark	Against
Councillor David Coppinger	Against
Councillor Carole Da Costa	For
Councillor Wisdom Da Costa	For
Councillor Jon Davey	Abstained
Councillor Phil Haseler	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	Against
Councillor Maureen Hunt	Against
Councillor Andrew Johnson	Against
Councillor Greg Jones	Against

COUNCIL - 24.01.23

Councillor Lynne Jones	For
Councillor Neil Knowles	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	Against
Councillor Ross McWilliams	Against
Councillor Gary Muir	Against
Councillor Helen Price	Abstained
Councillor Samantha Rayner	Against
Councillor Joshua Reynolds	For
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	Against
Councillor Gurch Singh	For
Councillor Donna Stimson	Against
Councillor John Story	Against
Councillor Chris Targowski	Against
Councillor Amy Tisi	Abstained
Councillor Leo Walters	Against
Councillor Simon Werner	For
Rejected	

The meeting, which started at 7.00 pm, ended at 10.15 pm.