

# Public Document Pack

COUNCIL - 25.07.23

## **AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber - Town Hall - Maidenhead on Tuesday 25 July 2023**

**PRESENT:** The Mayor (Councillor Neil Knowles), The Deputy Mayor (Councillor Simon Bond) Councillors Clive Baskerville, Adam Bermange, David Buckley, Mandy Brar, Catherine Del Campo, Alison Carpenter, Richard Coe, Suzanne Cross, Carole Da Costa, Wisdom Da Costa, Devon Davies, Karen Davies, Jack Douglas, Genevieve Gosling, Jodie Grove, Geoff Hill, Maureen Hunt, Lynne Jones, Ewan Larcombe, Sayonara Luxton, Asghar Majeed, Siân Martin, Chris Moriarty, Helen Price, Gary Reeves, Joshua Reynolds, Julian Sharpe, George Shaw, Gurch Singh, Kashmir Singh, John Story, Helen Taylor, Amy Tisi, Julian Tisi, Simon Werner and Mark Wilson

Officers in attendance: Stephen Evans, Jane Cryer, Kirsty Hunt and Oran Norris-Browne.

13. Apologies for Absence

Apologies for absence were received from Councillors Blundell, Howard and Walters.

14. Council Minutes

**RESOLVED UNANIMOUSLY that**

- i) **the minutes of the budget meeting of the Council held on 22 February 2023 be approved, subject to the following amendment:**

**The beginning of Councillor Knowles' comments at minute 132 to read:**

***Councillor Knowles asked colleagues to note that though in opposition all independent councillors were individuals and did not all vote the same.***

- ii) **the minutes of the Annual Meeting held on 24 May 2023 and the Extraordinary Council meeting held on 26 June 2023 be approved.**

15. Declarations of Interest

There were none declared.

16. Mayor's Communications

The Mayor shared a series of images with the meeting to highlight activities he had attended since the previous Council meeting including:

- visiting Filling Good in Maidenhead town centre for Plastic Free July
- pulling the first pint at the Maidenhead Beer Festival
- supporting the Maidenhead Branch Lions International celebration of 50 years in existence by planting a tree in Kidwells Park
- joining the Green Room in Dedworth and encouraged colleagues to visit to find out more about its work
- opening the Community Land Trust conference
- listening to the Windsor and Maidenhead Symphony Orchestra
- attending Rock the Rec in Dedworth

- highlighting the local Reserve Units as part of Armed Forces Day event with Rotary Club

The Mayor advised that he had launched a new Mayor's Twitter account where a picture of him in the stocks at the Windsor Museum could be seen.

17. Public Questions

**a) Thomas Wigley of Clewer East ward asked the following question of Councillor K Davies, Lead member for Climate Change, Biodiversity and Windsor Town Council**

At the Council meeting on 22nd November last year RBWM promised to install three new air pollution monitors. Please can you provide a status update regarding their implementation and RBWM's current views regarding their intended physical location.

Written response: *Thank you very much for asking for an update on this important issue, which is a priority for the new administration. The Borough proposes to implement the additional particulates monitoring stations in two stages. For the first stage, it will install an additional five relatively low-cost units to sample air quality at locations across RBWM for a one-year period. The Borough has engaged a specialist service company, which is undertaking some basic modelling to determine the best site locations for the stage one monitoring process and will also provide the low-definition monitoring and data management. This means that data can begin to be collected relatively quickly. The data gathered will then inform the second stage, which is the targeted installation of more expensive and sensitive sensors to gather more precise data. I will be very happy to provide more updates as the work progresses.*

No supplementary question was requested.

**c) Tina Quadrino of Pinkneys Green asked the following question of Councillor Werner, Leader of the Council and Lead member for Community Partnerships, Public Protection and Maidenhead**

When you took office in May, you committed to a review of the Borough Local Plan. Please can you tell us what form this review will take and when we will hear the outcome of it?

Written response: *As many of the residents know, we opposed the current local plan in every part of the process, but were outvoted by the Conservative majority each time. We are now left with a Borough Local Plan designed for developers profits not for residents. A Borough Local Plan which has sacrificed precious green belt land adjoining Maidenhead, Windsor, Cookham and Cox Green.*

*The Borough Local Plan is now a straight jacket – a cage in which we have to operate – preventing us from achieving many of the things we would like to do.*

*Opportunities were missed by the previous administration to reduce housing numbers which they failed to take advantage of.*

*The problem is that we are where we are and that opportunity is no longer on the table.*

*Were we to submit a new Local Plan under the current rules, changes in the national methods for calculating the housing targets would actually leave us having to find even more land to deliver more homes in the plan period.*

*However, we are expecting central government to publish a new National Planning Policy Framework in the autumn, which we hope will give us more flexibility when it comes to*

*housing numbers, so when this is published and we have the details we will of course review what would be best to do with the Borough Local Plan.*

Tina Quadrino asked as a supplementary question that the administration used this opportunity to implement a moratorium on house building on Green Space where planning had not already been granted and consider what other positive and environmentally protective actions could RBWM deliver while awaiting the new National Planning Policy Framework in the Autumn.

Councillor Werner replied that he'd been a campaigner on these issues for a number of years and had complete sympathy with what had been said. He stated that opportunities had been missed in the past, that the previous administration had the opportunity to put forward evidence to justify lower housing numbers and the Conservatives replied that they did not want to, I can reassure you that we will be use everything in our arsenal to do what we can to protect open spaces. He described the open spaces as our green lung, without those green spaces and without the trees so they would do everything within the cage to pursue that objective.

**d) Andrew Hill of Boyn Hill ward asked the following question of Councillor Bermange, Lead member for Planning, Legal and Asset Management**

Given that the Planning Inspectorate found clearly that RBWM breached the Human Rights Act in the Nicholson CPO process, failing to treat legitimate concerns with even basic "respect", why did Council officers try to excuse this outrageous behaviour until the last minute, and how much do you expect the settlement of both avoidable judicial reviews to cost taxpayers?

Written response: *The decision to authorise the use of Compulsory Purchase Order powers in order to facilitate the Nicholson's regeneration scheme was taken by the previous administration.*

*Subsequently, the decision by the Planning Inspectorate to decline to confirm the CPO was challenged judicially by the Council and the separate but related matter of the decision to grant planning permission to the Nicholson's Quarter scheme was challenged judicially by the Page family as owners of Smokeys nightclub; both these legal proceedings were initiated prior to May 2023.*

*It is quite proper that the power to prosecute and defend legal proceedings, in accordance with Section 222 of the Local Government Act 1972, is delegated to officers, specifically the Monitoring Officer. I have therefore been briefed on the status of these legal matters and I summarise this below.*

*Before Sir John Dove, sitting as a Judge of the High Court, both the Settlement Agreement and Consent Order were given both the seal of the High Court and judicial approval. The terms of the Settlement Agreement largely covered the claim brought by this Council in relation to the proposed CPO required for the redevelopment. The Consent Order was drafted largely in relation to the Judicial Review of the planning decision brought against the Council. Within the Settlement Agreement and Order there are tightly drawn and binding confidentiality clauses. They restrict all parties. That includes the issues around costs. The Council is bound by the confidentiality clauses.*

*Without prejudice, in his concluding remarks of his decision letter regarding the CPO, the Inspector said;*

*"...despite the proposed development's acknowledged public benefits, it has not been demonstrated that those benefits could not equally be gained without the likely need for Smokeys to close, and without the consequential adverse impacts for both the objectors and*

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*the town. In these circumstances, the interference with [the owners'] human rights would be disproportionate."*

*However, as a matter of fact and for the avoidance of doubt, the Planning Inspectorate did not allege any breaches of the Human Rights Act, nor have any such matters been adjudicated on by the superior courts.*

By way of supplementary question Mr Hill asked that given the updated 5-year supply data still showed zero housing from the Nicholson site could he infer that the Compulsory Purchase Order (CPO) would need to be remade and lead to a sizable delay in the development.

Councillor Bermange replied that as stated in the written response there is a settlement agreement in place which had quite stringent confidentiality clauses within it so he could not comment much more on the topic. He agreed that Mr Hill could infer what he wished from the updated 5-year supply data. He noted Mr Hill's allegations relating to the Human Rights Act commenting that in relation to being deprived of possessions, the process had been followed and included the submission for examination of the proposed CPO. The inspector who examined this decided on balance to decline to confirm it. No human rights breach had been made at the time the decision was made as no possessions had been removed.

### **e) Andrew Hill of Boyn Hill ward asked the following question of Councillor Jones, Deputy Leader of the Council and Lead member for Finance**

Does RBWM accept that members of the public should never be criticised by Councillors or officers, expressly or implicitly, for exerting their annual rights to submit questions and objections under the Local Audit & Accountability Act 2014?

*Written response: This administration is keen to encourage public engagement in all aspects of the Council's work. We believe in accountability and transparency. Residents have the statutory right to submit questions and objections in relation to items in the annual accounts, and this right should not be impugned. With regards to objections submitted, Section 27(4) of the Local Audit & Accountability Act 2014 contains provisions to ensure that the auditor only considers those objections that, among other things, are not frivolous, vexatious nor disproportionately costly to investigate.*

*Having applied this filter to a series of objections submitted to items in the 2019/20 accounts, the Council's auditor, Deloitte, charged £90,228 for their costs incurred in performing the investigation of those remaining objections. None of the investigated objections led the auditor to conclude that any items of account should be declared unlawful or that a statutory public interest report was required. They did, however, make several 'control observations' regarding the relevant areas, with some resultant recommendations.*

*I would hope that, moving forward, the Council and residents could resolve issues satisfactorily and transparently, wherever possible, before reaching the stage where auditors are called upon to conduct costly and lengthy investigations. To that end, I am keen to work with the Audit and Governance Committee, our internal auditors, our finance officers, and other stakeholders to find a mechanism for achieving this.*

By way of supplementary question Mr Hill asked Councillor Jones to agree that the serious Section 27 lessons from the public objections should be expressly considered by the Audit Panel so that they could monitor progress against them and ensure that they were achieved.

Councillor Jones replied that the Council was committed to ensuring that the Council gave due regard to the observations and recommendations arising from the 2019/2020 audit to make it less likely in the future there is a cause for objections to be submitted. She believed that the Chair of Audit had considered a review since the last audit meeting and believed a review of the all the recommendations from the 2019/2020 audit would be added to the forward plan.

18. Petition for debate: Bus Service for Wraysbury

Members debated a petition requesting the council provide a bus service to all main roads in Wraysbury. The full wording of the petition was as published:

*We the undersigned petition the Royal Borough of Windsor & Maidenhead to provide a bus service to all main roads in Wraysbury keeping residents connected with vital services including Datchet Health Centre as well as our two local villages of Horton and Datchet plus Windsor Town Centre. The borough has current funding to support this inline with the Government National Bus Strategy, if not, the bus service should be funded by RBWM.*

Henry Perez of Datchet, Horton and Wraysbury Ward, lead petitioner, addressed the meeting. Mr Perez explained he and Graham Cribin represented Horton and Wraysbury residents. Their connection to the Number 10 bus went back to December 2017 and included involvement in submitting a petition, arranging two public meetings, the setting up Facebook group called 'Replacement Number 10 Bus', liaison with Courtney Buses now called Thames Valley Buses and the Borough representative Darren Gouch aimed at establishing a fit for purpose timetable and Route. He explained that before the Covid pandemic the number 10, which was funded by Heathrow, provided a reliable service with routes into Windsor, Slough and Heathrow. He said that in March 2021 they heard the disappointing news that Heathrow would stop funding the service and it stopped in April 2021. This left Wraysbury without a bus service operating via Welley Road the spine of its most populated area. Despite ongoing communications with the borough to stress the need for a regular or limited bus service, to date the village had not been provided with either. He explained that they were committed to achieving a regular bus service for the whole of Wraysbury linking their village to its neighbouring villages of Horton and Datchet. The three villages shared one doctor's surgery, one senior school, three ward Councillors and events on the village greens and other venues.

He continued that the request for a bus service was on behalf of the whole Community whatever their ages. Children living in Horton that did not qualify for school transport a bus would be a very valuable asset and anyone looking for employment would need to look beyond the three villages but would need transport to attend job interviews and work venues. Since covid many people now have to rely on offers of a lift by friends, family or charity but would prefer their independence. People wanted the opportunity to return to a near-normal life following the Covid restrictions and a bus service would help remove them from their current isolation and loneliness.

He stated that the list of reasons for a bus service were numerous and included shopping, sightseeing, attending sporting events, swimming pools, libraries, places of worship or just to have a break from the daily routines including attending the doctors. He asked that it was also an opportunity to obtain bus connections to other destinations.

He explained that they had made many suggestions in relation to Thames Valley Buses and how they could assist. They had also conducted a poll as to which days would be best if a limited bus service was offered. The lack of a bus service in Wraysbury to connect the villagers with shops and medical facilities must be considered detrimental to sustainable travel and added to already high levels of pollution in the village.

Although the Council had extended its review to 24 April they had decided to submit their petition for consideration with the full support of each Parish Council and a huge percentage of the adult population that gave 1,675 signatures for the petition.

Mr Perez wanted to mention that there was a 305 bus which ran from Staines to Colnbrook and the new number five bus which goes from Slough to Heathrow with stops in Datchet and Horton. He recognised that both these services appeared to work well for the communities they served but neither of these services were accessible for the majority of Wraysbury

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residents. Their petition was for a regular service seven days a week that operates a route from Windsor, Datchet into Wraysbury via Welley Road, Windsor Road, Staines Road then Wraysbury Highstreet, Station Road Copper Mill Road, Horton, Datchet ending back in Windsor rather than rerouting an existing route. He said this would assist passengers to pick up connections with the 305 and the number five bus mentioned previously. He concluded that reinstating the bus service meant a lot to local residents.

Councillor Hill, lead member for Highways and Transport, Customer Service Centre and Employment responded to the submission before proposing a motion. He stated that in response to the above petition, the significant number of signatures that it had attracted, officers had been taking a number of steps over recent months. He explained that prior to the covid pandemic RBWM ranked bottom of the local authorities nationally in terms of average bus trip per head of population. He expanded that the causes of this were varied and included the geographic nature of the borough, levels of affluence in parts of the borough, high car ownership and bus services that were declining in frequency over time. The Covid pandemic had a significant impact on bus service across the borough and specifically Heathrow withdrew its funding of the route 10 bus which provided some links locally and the budget pressures experienced meant that the Council was not able to step in. Since the pandemic the whole of the borough and the country had experienced substantial changes in travel habits. He noted that inflation exceeds targets and cost pressures on the bus operators had resulted in higher costs. He explained that whilst the government had provided some funding to keep services going this was not sufficient to maintain the status quo. Since October 2022 buses had been operating on interim routes.

Councillor Hill continued that in the east of the borough this funding provided an opportunity to extend the 308 route incorporating Datchet as well. From a wider perspective there has been a need to review the whole of the borough network. Whilst the Council has to tender for the support bus services there was substantial evidence that on a like for like basis the costs could increase by 40 to 60 percent. Despite additional funding being approved for the bus services within the financial year 2023-24 this was still not sufficient to cover the whole cost of all the routes. As a result some decisions need to be made.

He reported that officers recognised that the Wraysbury service was sub-optimal and had commissioned discussions with operators to investigate the feasibility of Windsor to Staines route incorporating Datchet, Horton and Wraysbury with the idea of buses operating in both directions throughout the day. The frequency and the coverage across the day would be dependent on the costs involved in setting up such a service and this detail would not be available until the tender was complete. However, it would include making the service available to students at local schools with the start time scheduled to be to allow timely arrival and collection from the schools. The request to serve all parts of Wraybury area is included in this investigation due to the generic and the geographical nature of the area there was no simple solution with either longer routes that would involve driving the same route twice or automating services being investigated. He continued that it was likely a service of this nature would replace the existing 308 route given the overlaps of the roads served.

Councillor Hill advised that improvements in services in one area could not be achieved without an impact on the rest of the network given the financial challenges the bus industry was currently facing.

He explained that the proposal was for a paper to be presented at Cabinet in September to seek approval to tender for these routes considering the viable and financial affordability. This would allow officers to formally engage with bus operators to obtain quotes for the services sought. He clarified that the paper would not include all the routes currently served. He explained that only once the tender process was complete would the Council have the information required to determine which routes could be committed to for the next five years.

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He concluded that he proposed that the petition would be taken into account along with other feedback on the bus service when the paper was discussed in September at the meeting of Cabinet. He proposed the following motion:

*Petition will be taken into account along with other feedback at the Cabinet meeting in September 2023.*

This motion was seconded by Councillor Jones who reserved her right to speak.

The Mayor invited ward Councillors for the affected areas if they wished to speak before inviting others to contribute.

Councillor Grove thanked Mr Perez and Mr Cribbin for their unwavering commitment to this cause, all the volunteers who helped collect signatures on this petition and everybody who signed it. She recommended that colleagues took the opportunity to visit the most easterly region of the borough as Wraysbury is a beautiful historic village with amazing community links, some beautiful places to eat and enjoy your time and some lovely attractive green spaces by the riverside. She acknowledged that being at the furthest reaches of the borough also brought its own challenges and residents of Datchet, Horton and Wraysbury had felt ignored and overlooked by the previous administration.

She continued that Mr Perez had very eloquently stated the reasons why Wraysbury needed the bus service and as one of the three ward councillors she confirmed and added her agreement to the points raised. The requirement for a regular bus service could not be ignored and was a topic which was often brought up during the election campaign. She reflected it was impossible not to grasp the importance of such a service when sat opposite a 90-year-old resident who was explaining how a bus would help her mitigate and avoid many of the detrimental effects of isolation and help restore her independence.

She added that the residents of Wraysbury had stoically accepted the realities of service reduction for, as mentioned, there is no doctor's surgery and there is no senior school within the village and no resident was asking for the introduction of these costly public services but they did ask for a means of being able to reach the places where those services were now located. She highlighted that a bus would help remove cars from the road so reducing traffic on already congested routes and helping the borough to become greener and more environmentally friendly. Being located under the flight path, very close to Heathrow, both the M4 and M25, meant that her ward desperately needed solutions to help reduce pollution and improve air quality. She concluded that she was not unaware of financial constraints that were being faced and greatly appreciated the hard work and efforts of the new administration to ensure RBWM's financial future and stability. She hoped that when assessing requirements and priorities going forward the needs of Wraysbury residents would feature because for the people in rural villages and areas it was often a lifeline rather than a luxury.

Councillor Buckley thanked the residents of Wraysbury for bringing the petition to the council. All three villages of Datchet, Horton and Wraysbury pulled together to support the petition which showed that it was a strong community pulling together when needed. He observed that residents had felt neglected, forgotten and overlooked. The new Council had been elected to stop this and give residents a voice. The fact that the petition had achieved such support to reach the full Council spoke volumes to the need of the community. He stated that even though he was facing huge budgetary restrictions caused by a decade or more of mismanagement of public finances we should not ignore the voices from Wraysbury. He continued that the Council needed to work together to find imaginative and progressive solutions to supply residents with a sustainable public transport service. He stated it was the Council's duty to start to build a local economy that would create income streams to support public services that residents need. Public transport is essential to the

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success of all our policies from environmental to business therefore this should be a priority investment. He concluded that this was an opportunity to show residents that things had changed, not just our words but our actions.

As requested by Councillor Hunt the wording of the motion proposed by Councillor Hill was shared on screen. Councillor Hunt thanked Councillor Hill for the full information provided in his response.

Councillor Moriarty started by saying that he wanted to recognise and acknowledge the effort that went into putting petitions together. He said that he was a bus fan and he used the number 7 bus within Cox Green and it was only when sitting on buses do you realise how important they are to so many different people. In considering how a decision in one part of the network would have an impact on other parts he asked that any decision like this was set against things like traffic measures that were put in place, parking strategies, pricing around parking incentives to travel in different ways, active travel as all these things were part of the behaviours that residents were part of. He concluded that buses form part of that wider picture.

Councillor Bermange commented about partnership working especially in this environment where finances were really tight. He pointed out looking at the Horton and Wraysbury Neighbourhood Plan there was a non-plan action which called upon the parish councils to work in partnership with the Borough Council to look at possibilities for new bus routes possibly a hopper bus route service. He thought it was really important to note that residents not only answered in great numbers to the petition but also voted for the neighbourhood plan. He understood there used to be a shuttle service which was operated by the community pharmacist which helped get residents to the medical facilities in Datchet. He wondered if there was an opportunity to explore this again. There is a Heathrow area Transport Forum which was quite active to discuss bus routes and surface access to the airport. Perhaps the Council needed to put some more pressure on Heathrow Airport to deliver this.

Councillor Story commented that many users of bus services in his area of Ascot, Sunninghill and Sunningdale were the elderly and people with disabilities and he was sure this would be the same for bus users in Wraysbury, Horton and Datchet. He said that Councillor Hill may be aware of government guidance published just over a year ago which encouraged local authorities to consider what is called 'demand responsive transport systems'. These systems were particularly useful for rural areas and were schemes where bus services run without a set time timetable, using smaller vehicles and where people if they want a bus they use the phone or go online to book one. He advised it was being used in several places throughout the UK today and he suggested Councillor Hill may wish to include this in the September cabinet paper.

Councillor Wisdom Da Costa applauded the residents of Datchet, Horton and Wraysbury and the parish councillors for bringing the petition before the Council. He reiterated that the key issue was that bus services are introduced or if we restore it, as seen in Windsor, if we do not have a bus service then we have a reduction in mental health, well-being and people suffering isolation. He commented that also money does not get circulated locally so there was a loss to the local economy. He stated that you also had the environmental impact from air pollution and the requirements to reduce carbon footprint of activity. He suggested that the Council should be looking at the local Enterprise Partnerships to create a wider strategy across the whole borough and organisations such as NHS integrated care system and Heathrow Airport for funding. He suggested that the Council needed to think more creatively about how funding was raised to deliver strategies such as the Climate Change Strategy.

Councillor Taylor also thanked the residents for bringing the petition forward. She observed that when she was growing up not many people had cars, so you walked or got the bus everywhere but then we've increased the use of cars so and therefore there were less people on the bus. Unfortunately services had been cut and we are trying to we get people into using



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the bus again. She welcomed Councillor Hill's comments that he would be looking at this borough wide. She compared services with those in the Lake District which had very regular, well-used services running until 10 o'clock in the evening which connected to the rural areas. She observed that it was well used because it was reliable. She asked Councillor Hill, when considering this issue borough wide, to understand that people that live in the towns will use buses slightly differently to those who live in rural areas and to not try create a one-size-fits solution.

Councillor Price commented that although she was supportive of considering this issue holistically, she asked whether it was possible to give the residents who had brought this forward an indication of some sort of time scale of when something might change or be implemented.

Councillor Sharpe commented that this was an interesting petition from the residents of Datchet, Horton and Wraysbury and he thought that if they were going to look at the climate crisis sensibility we need to look at how to move people away from car transport and onto more sustainable forms of transport such as buses and shared modes of transport. He agreed that the 'hopper buses' should be investigated not only for Datchet, Horton and Wraysbury but for other areas of the borough. He added that we also need to look at how our residents can easily move from one area such as Windsor to Maidenhead or Ascot or wherever across the borough easily by public transport. He commented that to travel to the Council offices from Sunninghill for the meeting there was no bus and it would have been a four hour return journey by train. He reflected that there was no substantive public transport mechanism for most people in the borough so needed to consider different alternatives.

Councillor Carole Da Costa commented that she thought the Council was struggling to support the most vulnerable within the people who were the least able to afford their own cars and were under totally reliable on public transport and the elderly who no longer drove either out of choice or out of physical disability. She considered that we owe it to them to look at our public transport and we make it as good as we can and in the least make sure that people can access hospital appointments, doctors surgeries and dental appointments.

Councillor Jones commented that she acknowledged the need for a better bus service for the villages of Datchet, Horton and Wraysbury. She thanked the residents for bringing forward the petition and remarked that it was regrettable that central government was not providing sufficient funding to protect bus travel within the borough. She commented that one off funding was not a viable solution to providing sustainable bus routes. She reflected that the financial situation the Council found itself in was extremely challenging and the harsh reality was that they were forecasting currently a £4.9m overspend for this financial year and a budget gap of £3.7m for the next. As lead member for Finance, she could not recommend committing additional ongoing funding at this time because the Council's reserves would not cover a forecast budget gap in the medium term and our priority was to ensure statutory services were fully funded. She continued that there was a need to obtain quotes for any proposed routes and until those figures were available it would not be financially prudent to make an assessment or decision. The paper which Council Hill referred to would review all the routes and put forward a recommendation based on how to serve residents in the best way possible within the finances available. She seconded Councillor Hill's proposal to review the proposed Datchet, Horton and Wraysbury bus routes within the cabinet paper scheduled for September.

Councillor Hill summed up the debate on the submitted petition and thanked the petitioner and Councillors for all their contributions. He reiterated that it was hard work to raise a petition. He agreed that we do need more buses in the furthest reaches of the borough because he understood that Datchet, Horton and Wraysbury do feel isolated. He had visited and canvassed in those areas. He expressed particular concern for the elderly and also for those who are disabled and for whom a bus was the only viable option. He was aware of the pollution and the air quality issues recognising that a full bus was more effective and more efficient than a bunch of cars. He considered that there was likely to actually be 3,000 people

which felt neglected, cut off and overlooked in those areas. He wanted to reassure them that they were not but the Council was finding the financial situation very difficult. He acknowledged the comments about active travel, he liked the thought of further partnership working with parish councils and he had previously investigated dial-a-bus and it may have advanced since then. It is a shame that Heathrow moved the funding for the Number 10 bus and they would lobby to get it back. In relation to government funding it was sad that the Council did not have enough money and he reflected that whilst £437k looked like a big carrot to put on another bus service but as it was a single year's funding then it would disappear and the service would then have to be shut down. He observed that there was currently only one service that was commercially viable which was the service between Maidenhead and Windsor. He advised that all the other services within the borough had 60 percent subsidies. He was not suggesting that they should not be subsidised but he asked that it be recognised that the Council would not be in a position to subsidise them indefinitely. He made a plea to the public that where buses were put on please make use of them.

Councillor Hill concluded the debate by stating that the council had listened to the petitioners and would consider the request as part of the planned report being discussed at the September Cabinet meeting.

**Proposed by Councillor Hill, lead member for Highways and Transport, Customer Service Centre and Employment and seconded by Councillor Jones it was**

**RESOLVED UNANIMOUSLY that the petition would be taken into account along with other feedback at the Cabinet meeting in September 2023.**

The Mayor thanked Mr Perez for attending the meeting and for everybody who worked on the petition.

19. Petitions

There were no petitions submitted.

20. Overview and Scrutiny Annual Report

Council considered the report highlighting the work of Overview and Scrutiny in the 2022/23 municipal year.

Councillor Martin, Chair of Place Overview and Scrutiny Panel introduced the report which covered the work undertaken during the previous administration. She noted that the new overview and scrutiny panels had only met once and were currently investigating future topics for their work programme. She advised that all panels welcomed topics from the general public for discussion and that the action points and topics for future discussion from those initial meetings could be viewed on the website. Councillor Martin reported all those involved were looking forward to working with their panels, were keen to bring in genuine scrutiny and heightened transparency and more awareness into the public forum. She concluded that Overview and Scrutiny would ensure it challenged the administration and any contracts that had not been fulfilled to the high standard expected.

Councillor Del Campo seconded the motion.

Councillor Taylor echoed that they were looking forward to more transparency, taking on discussing more subjects and more working groups as well. Overview and Scrutiny were very keen to delve a little bit deeper and within the Panel she chaired, which was People Overview and Scrutiny. She thanked the previous administration's Overview and Scrutiny Panel Chairs for their work. She thanked officers for their support and for promoting via social media that the public can give subjects for the Panels to discuss.

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Councillor Moriarty commented that, as Chair of Corporate Overview and Scrutiny, he was keen to build a collaborative but positively challenging relationship with the Executive to create positive outcomes. He would welcome the opportunity to get into the critical thinking at an earlier stage and the important thing was ensuring that the public understand what panels are for and how they can contribute to them as they are here to support residents.

Councillor Amy Tisi asked the meeting to note that on page 3 of the annual report the previous membership of People Overview and Scrutiny Panel was listed and her name had been missed off. She requested that this was amended.

Councillor Price commended the change in layout and style of the report as it made what was a dry report more attractive to read and clearly laid out what each Panel was responsible for. She observed that the report was missing a critical reflection of what could be learnt by what had been done so this could be learnt from. There was no clear connection between what Panels planned to achieve and whether this had been done. She welcomed the quantitative data but there was a lack of qualitative data. She reflected that the report was poorer for not having been considered by the Panel and noted that there had been up to six months of not achieving much due to the election. She asked that this was not repeated in four years time. She concluded by saying that the clerk that produced the report should be commended for the new design.

Councillor Reeves commented that he was an active member of Overview and Scrutiny and was genuinely looking forward to being able to take the public with the Panel on decisions and questioning the Council its decisions. He felt that this gave the public a voice to be able to actually question and understand both the decisions and the way the Council worked when they previously felt lost. He would welcome the simple terms rather than bamboozle people. He reported that contract management within the Council was something that would be considered at a future Panel as there was work to be done. He reiterated that he wanted to take the public with them and give them a further voice and insight through Overview and Scrutiny.

Councillor Gurch Singh commented that he had some reservations about the report as it appeared a bit light especially in relation to the Place Panel with the report lacking depth of scrutiny required, the length of reviews and the limited number of call ins for such a critical matters. He stated that going forward the Place Panel committed to prioritise a comprehensive analysis, meaningful call ins and transparency in decision making. The community deserved a Panel that examined issues impacting on the environment, neighbourhood and wellbeing. It was a good opportunity to strengthen the Overview and Scrutiny process, ensure the process was robust and that decision made were well informed.

Councillor Werner commented that Scrutiny should be a vital part of working within the Council but that it had not been working over the last 16 years. He stated that it had failed to be allowed to act. He wanted to see change so that Overview and Scrutiny were operating as an independent partner suggesting improvements. He noted that the Executive could not do it all and he asked all the Councillors needed to work together. Independence was vital so the Executive did not need to interfere, they would not be whipping Councillors or telling Scrutiny what it must look into. He was excited by the comments of the Chairs and saw it as a positive change. He concluded it would be a significant change and an important change with scrutiny set free.

Councillor Wisdom Da Costa commented that the Council had previously reduced the number of councillors from 62 to 41. There had been more councillors to take a share of the workload so were able to delve deeper. He considered the scope of each Panel was too big. For example he stated the Place Overview and Scrutiny Panel covered infrastructure, planning, sustainability and economic growth as well as neighbourhoods, each was such a massive area. He considered that the Council now had too few councillors to do too much work which was impossible. The areas of responsibility within each Panel had massive impact on

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residents. He observed that there was a big challenge to deliver effective scrutiny with only one or two of us to deal with a huge range of issues. He did not have the answer but the Council needed to find a way to tackle this challenge. He considered Overview and Scrutiny to be tough now, needed to work collaboratively to take residents' issues seriously.

Councillor Julian Tisi echoed the comments from Councillor Reeves about the intention to be a genuine scrutiny Panel and wearing another hat he was also the Chair of Audit and Governance. He thanked Councillor Werner for his comments and advised the meeting that Overview and Scrutiny were willing and ready to challenge. He noted that on the final page of the agenda pack it listed the number of meetings held and from 74 meetings that were held the previous year only two, two and three recommendations were made to Cabinet. He observed that seemed to be a low number so hoped these would improve, they would be constructive friends to work to improve the borough and provide scrutiny to assist Cabinet in making the right decisions.

Councillor Bermange commented that the role of Overview and Scrutiny could play in holding the authorities decision makers to account made it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the delivery of public services and drives improvement within the authority itself whilst poor scrutiny could be indicative of wider governance, leadership and service failure. He stated that it was vital for Councils to understand the value and benefits that scrutiny can bring. He was quoting the introduction to the 2019 Statutory Guidance on Overview and Scrutiny. He concluded that they were reviewing the whole constitution including how Overview and Scrutiny works. He said there would be a cross party working group to consider changes with provisions to make things more proactive and less reactive but it was how it was delivered that would make Overview and Scrutiny more effective.

Councillor Jones commented that constructive scrutiny was the foundation of transparency in a council. She stated that in her opinion scrutiny had not worked since she was elected in 2011, it was not valued and it was not listened to and that culture needs to change. She reported that she felt that it had started to and was really looking forward to working with Panels and hope to bring more transparency, more scrutiny and share earlier and draft reports to get comments before they were finalised.

Councillor Del Campo advised the meeting that she had joined the Council as an opposition Councillor in 2019 and could only echo the comments that others had made. She did not want the Overview element to be lost but agreed that scrutiny was so important. She said that as a Cabinet member they were really looking forward to working with Overview and Scrutiny as they were aware they had a job ahead of them and wanted the help of all councillors to make good and defensible decisions.

Proposed by Councillor Martin, Chair of Place Overview and Scrutiny Panel and seconded by Councillor Del Campo it was

**RESOLVED UNANIMOUSLY that the report be noted and the work of Overview and Scrutiny in the 2022/23 municipal year be considered.**

### 21. Councillors' Questions

#### **a) Councillor Larcombe asked the following question of Councillor Coe, Lead member for Environmental Services**

It is twenty years since the 2003 flood event and nearly ten years since the two 2014 flood events. Datchet, Horton, Wraysbury and Old Windsor still have no flood alleviation scheme after Channel One was removed from the River Thames Scheme in July 2020. Why is my area knowingly left at ever-increasing risk of flooding?

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Written response: *Like you, I have vivid memories of the two more recent major flooding incidents in 2003 and 2014. In 2003 I was working and living in Old Windsor and remember well some of the properties nearer the river and some of the children in my class being flooded. In 2014 I was working in Egham and remember colleagues at work watching their homes in and around Spelthorne going under water on television whilst they were unable to get home.*

*The blame for the failure to deliver the Thames Scheme Channel 1 rests firstly with the decision of national government in 2011 to abandon national funding of flood alleviation schemes and to move to partnership funding of flood schemes with local authorities and the subsequent decision of the former administration of the Royal Borough of Windsor & Maidenhead not to fund their share of the partnership funding, despite partnership funding being their own government's policy.*

*This cut to national funding of flood schemes and abdication of responsibility by central government for adapting to and protecting local communities from the consequences of global warming was galling as it sought to secure match funding from local councils, at the very same time as central government was also cutting funding to local councils.*

*The former administration's failure to allocate the funds required of them by their own government to fund flood defences for Datchet, Horton, Wraysbury and Old Windsor, has meant the four villages have been deprived a once in a generation opportunity to be properly protected from Thames flooding.*

*During the same period the previous administration found many £millions to fund projects they were interested in, but which were of less consequence to the lives of local residents.*

*There was also at the time nothing stopping national government from funding the scheme, other than lack of will to do so.*

*The Royal Borough's failure to fund its share of Channel 1 meant that River Thames Scheme Sponsorship Group decided in July 2020 to proceed without Channel 1. With a new scheme having to be started, the project process the Environment Agency must use to develop a project and achieve funding from the Treasury requires multiple business cases. This new project required this process to start again, with the first of the business cases, the Strategic Outline Case, going through the EA assurance process earlier this year. The project is now moving forward to Outline Business Case which is forecast to take approximately 2 years.*

*The £10million which was allocated by the former administration remains available and ringfenced and the Council and Environment Agency are now looking at an Alternative Scheme, the Datchet to Hythe End flood improvement measures.*

*This much more modest project is a very poor substitute for the originally proposed scheme. The government and previous administration's failure to fund Channel 1 is a missed once in a generation opportunity to protect Datchet, Horton, Wraysbury and Old Windsor from the consequences of climate change.*

*Further information on the Datchet to Hythe End flood improvement measures can be found at Gov.uk webpage for this project: <https://www.gov.uk/government/publications/datchet-to-hythe-end-flood-improvement-measures/datchet-to-hythe-end-flood-improvement-measures>*

Councillor Larcombe thanked Councillor Coe for the answer and stated that after many years of assurances the former administration were not only unwilling and or were unable to make the mandatory partnership funding contribution. He added that some individuals were clearly and deliberately disingenuous and conspired to hide the truth until it was too late to respond. He asked as a supplementary question what action was the new administration going to take to correct three decades of discrimination and injustice.

Councillor Coe replied that the previous administration had thrown away a once in lifetime opportunity because now as the Council's financial position is significantly worse than when the Channel One was first considered. He did not want to tell people in Datchet, Horton and Wraysbury that they were suddenly going to find £50million or that the Channel One Scheme was now going to go ahead. He acknowledged that was a very distant prospect. He advised the meeting that he did have a briefing with the team regarding the Datchet High Den Scheme, which he knew Councillor Larcombe was not very impressed with. That scheme had been in development for two years with the Environment Agency which was a range of options such as improve the protection of individual properties or build a channel similar to Channel One and there are eight tiers of options. He reflected that he did not think it should have taken two years. That scheme was being another consultation and a further two-year process to build a more detailed business case. He considered that the Environment Agency's approach was to delay applications for flood relief so that they did not have to be funded. He concluded that the good news was that a channel was an option within the scheme but he advised it would still take some time.

**b) Councillor Larcombe asked the following question of Councillor Coe, Lead member for Environmental Services**

The former administration passed a motion on 27/9/2022 to request that the Environment Agency resumes dredging of the River Thames within the boundaries of RBWM. Another year has passed. What progress has been made please?

*Written response: I do not believe this motion was passed with any serious expectation of it achieving anything. It is my belief the motion was a political window dressing intended to convey action and distract from the failure to fund the Royal Borough's "match funding" contribution to the proper "Channel 1" proposal.*

*The council followed up the motion with a request to the Environment Agency to recommence dredging of the River Thames, within the Borough boundary, which had been abandoned some time ago. Whilst it is the case that dredging can increase the channel cross section and hence capacity to carry water, within its banks, any relief is short lived, as the river can redistribute silt at some pace. Consequently, for dredging to be effective it must be sustained on an ongoing basis.*

*I believe the former administration will have known the Environment Agency's view, namely that dredging was uneconomic and unproductive, before they passed their motion and consequently will have known that the Environment Agency's response would be the one the council did in due course receive.*

*If the former administration had truly intended to achieve progress on this issue more serious engagement with the Environment Agency over a much longer period would have been required. I can only assume the motion was intended for purposes other than securing dredging.*

*To answer your question succinctly, no progress has been made with regard to the specific issue of dredging the Thames. Any such progress would require a change of national policy by the Environment Agency and that would be a matter for the Borough's two members of parliament, to pursue with the relevant Secretary of State.*

*A response to the motion about dredging of the River Thames was provided to the Royal Borough by the Environment Agency in January 2023. This response is below:*

*Requests that the Environment Agency resumes dredging of the River Thames within the boundaries of RBWM (especially the undefended reach between Black Potts and Bells Weir)*

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*to both ease navigation and increase the rivers capacity to hold water and therefore alleviate flood risk to our riverside communities.*

*Response –*

*“We continue to carry out dredging or river reprofiling where it is financially and technically feasible and is required to maintain the right of navigation on the river. River reprofiling consists of redistributing shoals of sediment from the higher parts of the riverbed to lower parts of the riverbed.*

*Our maintenance of watercourses does provide flood risk benefits, although this will vary depending upon local geography and other factors. We maintain locks, weirs and other assets along the River Thames to support navigation and amenity which cannot be removed to increase conveyance. We operate these assets during times of flooding to increase the flow of water. These weirs are opened before Flood Alerts are issued, before the River Thames flows out of banks and into the flood plain.*

*The River Thames was dredged for 50 years following the 1947 floods, historically for navigation and for flood risk purposes. We stopped the widespread use of this practice over 15 years ago because it was not financially and economically feasible; it causes significant ecological damage; and in some cases, increased flood risk elsewhere. We carry out surveys of the riverbed and flood modelling to inform our management of the river and navigation. The latest bathymetric survey is dated 2021. These surveys have shown that historically, dredging could only increase channel capacity temporarily as the River Thames quickly redistributes sediment to replace any that is removed. Recent surveys and the current modelling indicate that the cessation of dredging has resulted in no clear net erosion or deposition to date, including the section between Black Potts and Bell Weir. Due to the volumes of water conveyed during floods dredging does not provide sufficient extra capacity to reduce flood flows or reduce flood risk to properties and businesses.*

*We removed a large shoal from the tail of Bell Weir lock as part of the shoal removal project. We are aware of shallow water marked on the inside of two river bends in Boveney and Romney reaches. These are clearly identified with green buoys. We are also aware of several areas of shallow water at lock cuts or areas close to the main channel.*

*We have checked with colleagues and do not believe there is currently a problem with navigation. These locations will be considered for inclusion when planning further river reprofiling. If the council is aware of any navigational issues, please would you report them to the Environment Agency incident hotline so that we can investigate and take any appropriate action, of you have any concerns feel free to contact myself in future directly.*

*You can find more information in this blog which explains in more detail the Environment Agency’s overall approach to dredging.”*

Councillor Larcombe stated that the Environment Agency does not appear to have a coherent plan, he had a plan but asked as a supplementary question what action was the new administration going to take to correct three decades of discrimination and injustice against the people of Datchet, Horton and Wraysbury.

Councillor Coe replied that he had nothing to add to his previous answer but offered to meet with Councillor Larcombe on matters which they were already discussing with regard to more minor relief of flooding in Datchet, Horton and Wraysbury.

## 22. Motions on Notice

**Motion a) relating to the number of signatures required for a petition to come to full Council.**

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Councillor Hill introduced his motion explaining that when he first joined the Council only 1,000 names were required on a petition for it to be brought to Council for debate. He was seeking to get the number reduced again. He reflected that cynically the increased number was contrived to limit democratic debate and reduce resident influence. He considered 1,000 signatures as a tough number to collect and still required significant residents' support. He asked the meeting to support the motion to have more democracy.

Councillor Bermange considered that it was important for the Council's relationship with residents to have a strong petitions process and he was supportive of the straightforward motion. He considered that it offered a degree of equity for the remote parts of the borough. He recognised debates in full Council could not occur for every petition so considered it a reasonable balance. He observed that last summer there had been a change to the way e-petitions work. Previously the process had been simply to input an email address, details and validate it. This was now changed and required signatories to have an account. He stated that since the change 76% of paper based petitions had increased to 83%. He would be exploring the process with Democratic Services.

Councillor Reynolds commented that Councillor Hill had previously brought a similar motion, seconded by the Mayor. During that debate he had suggested that residents chose the petition route because the administration would not engage and would not listen. He stated that the new administration was changing and listening. He reflected that the only other view provided in the debate was the ex-leader of the Council stating that he did not support it. A closure motion was then put forward to close the debate before a vote was held in June 2020. He would be keen to hear what the members of the Conservative Group thought now about this proposal as in 2020 everyone in the group voted against the motion but the meeting was unable to hear their reasons why. He asked whether the Conservative members present still felt the same way or if they have changed their minds.

Councillor Taylor welcomed this motion returning for consideration. She considered that it was very difficult to gain 1,500 signatures. She asked colleagues to remember that not all residents were comfortable engaging with the Council as a lot of residents feel that the Council is not approachable or understand its processes. There will be residents who might have strong feelings about things just possibly don't go down the petition route. She reflected that she personally had received more emails since the election and she was encouraged talking to other councillors who say they were receiving more emails, dealing with more casework and getting replies quicker and dealing with situations. She hoped that things that previously would have gone to petition were being dealt with quicker through collaboration between councillors as well as with officers. She was happy to support the motion as 1,000 signatures was a good number to make sure that significant issues were able to come to petition to increase democracy and give residents a voice.

Councillor Reeves commented that residents trusted him to represent their voice and give them the opportunity to have their voice heard. He believed this motion was moving closer to achieving this. If reported that if his ward, Cox Green, were to have a local ward issue brought to Council then 50% of the voting electorate would have had to sign. He concluded that even if effecting a small number of residents then it's a voice and is something we should be listening to.

Councillor Coe commented that democracy should happen more frequently than every 4 years, it was an ongoing process and if residents think an issue is important. He agreed that there was a problem with how petitions were managed through the website, that this had become a barrier to people and no registration should be required. He stated that the threshold was too high and the petition scheme should be run more efficiently.

Councillor Hunt commented that she had listened very carefully to the arguments to decrease during the debate. She stated that previously the opposition had given no valid or relevant reasons as the arguments supporting a higher threshold were better said. Having listened to



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this evenings comments she felt that a reduced number would be better for residents so would support the motion.

Councillor Shaw commented that looking through the constitution the scheme said the threshold was set to ensure the petition was a genuine concern but he did not understand why 1,000 signatures could not be considered genuine.

Councillor Jones fully supported the motion and would have loved to have put forward her reasons when it was considered previously. She was advised that she could not speak and no reasons were put forward but that was not of their doing. She stated that she completely agreed with everything else that had been said as 1,000 signatures was the right number so that villages such as Old Windsor could put forward a petition on a local issue.

Councillor Del Campo commented that as Councillor Hunt was named then she had the right of reply to the comments made regarding how she thought the opposition could put forward their coherent thoughts in the face of a closure motion.

Councillor Hunt replied that she could not speak for them.

Councillor Sharpe commented that it was important to ensure that we have petitions of genuine interest and genuine concern. He added that residents should not need petitions if we are doing our jobs properly so should not have a lot of these petitions anyway. He understood the position that was being taken by Councillor Hill but it was about getting the right balance. He considered that if the threshold was reduced then we would open the flood gates for more petitions than we need to have and would require a debate on any issue just because they decide to have a petition. He stated that issues could be brought to the Council's attention without a petition and there was no need for change.

Councillor Moriarty commented that what had been said was counter to the values that had been stated so far in the debate. He rephrased the question to Councillor Hunt regarding the closure motion but the Mayor advised it was not in the spirit of the debate and asked colleagues to move on.

Councillor Hunt confirmed she had nothing to add.

Councillor Kashmir Singh commented that it takes a lot of time and effort for residents to organise petition and bring it to the Council when they are not listening. 1,000 and 1,500 is more votes than most of the councillors who got elected. He did not think that 1,000 was too much if the Council was listening previously or they were preventing people bringing their voice to Council then that was why they felt they needed to create a petition and raising the bar so it was hard then they weren't listening so he considered this was a good compromise.

Councillor Wisdom Da Costa commented that he welcomed the clear and precise motion so would be supporting it.

Councillor Douglas commented that he, with the trustees of Maidenhead Community Centre, had previously brought two petitions to Council in 2017 and 2019. The current debate was about the current level to be sufficiently difficult for significant issues to be brought and he remembered that collecting 1,000 was very difficult and not that many petitions got to 1,000 and reaching 1,500 was highly unusual. He suspected that the threshold had been set because it was known to be impossible.

Councillor Hill summarised the debate. He highlighted that the method of obtaining signatures electronically at the moment was driving people away and was very poor. The petitioner this evening had collected 80% of the signatures on paper. He stated it was not working and he would like to see the system return to the previous approach. In the same way as the Houses of Parliament to make things easier for residents. He considered that the point had been made

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resoundingly that 1,000 is the right level. They wanted to open up residents even more and have more representation from residents. He considered that residents had been previously thwarted at the 1,500 level. He said the previous usage of closure motions had been grossly unfair and undemocratic. He did not believe that it would open the flood gates but if every time Council met it debated a petition he reflected that it would be a good thing as it was engagement with the public. He recognised that it could be a difficult conversation, for example the debate regarding the buses, but he had a very productive conversation with the people who had raised the petition and he would engage with them, as would officers, to find out what was happening in Datchet, Horton and Wraysbury so that the Council could consider their perspective

Councillor Bermange raised a point of order that as there had been a dissenting voice during the debate he understood that the motion would be considered by a show of hands.

A named vote was requested.

<b>Motion a) relating to the number of signatures required for a petition to come to full Council (Motion)</b>	
Councillor Neil Knowles	For
Councillor Simon Bond	For
Councillor Clive Baskerville	For
Councillor Adam Bermange	For
Councillor David Buckley	For
Councillor Mandy Brar	For
Councillor Catherine del Campo	For
Councillor Alison Carpenter	For
Councillor Richard Coe	For
Councillor Suzanne Cross	For
Councillor Carole Da Costa	For
Councillor Wisdom Da Costa	For
Councillor Devon Davies	For
Councillor Karen Davies	For
Councillor Jack Douglas	For
Councillor Genevieve Gosling	For
Councillor Jodie Grove	For
Councillor Geoff Hill	For
Councillor Maureen Hunt	For
Councillor Lynne Jones	For
Councillor Ewan Larcombe	For
Councillor Sayonara Luxton	For
Councillor Asghar Majeed	For
Councillor Siân Martin	For
Councillor Chris Moriarty	For
Councillor Helen Price	For
Councillor Gary Reeves	For
Councillor Joshua Reynolds	For
Councillor Julian Sharpe	Against
Councillor George Shaw	For
Councillor Gurch Singh	For
Councillor Kashmir Singh	For
Councillor John Story	For
Councillor Helen Taylor	For
Councillor Amy Tisi	For
Councillor Julian Tisi	For
Councillor Simon Werner	For
Councillor Mark Wilson	For

**Carried**

On the proposition of Councillor Hill, Lead member for Transport and Highways seconded by Councillor Bermange it was

**RESOLVED that**

**This council agrees to reduce the number of signatures required for a petition to come to full council from 1500 to 1000.**

**Motion b) relating to a Community Governance Review for Windsor**

Councillor Karen Davies introduced a slightly altered motion to that published in the agenda:

*This council agrees to undertake a community governance review examining the issue of whether a new town council for Windsor should be formed.*

She explained that Councillor Wisdom Da Costa had expressed concerns that those residents who live in the Windsor ward of Clewer & Dedworth West but in Bray parish may feel they were excluded from the process, and she had been happy to amend the motion to make it clear that all Windsor residents' views would be positively welcomed during the Community Governance Review process.

Councillor Karen Davies continued there were currently fifteen parish councils, town councils and parish meetings within the Borough, ranging from Cookham in the north to Sunningdale in the south, and Hurley in the west to Wraysbury in the east. She paid tribute to the hard work and effectiveness of the parish councillors and clerks who make such a positive contribution to their local areas, as this was often testified to by her colleagues who had parish councils in their wards.

She stated that residents in Windsor had long expressed a desire to share those benefits and four years ago 2,200 had signed a petition calling for a Windsor Town Council, although only the 600 electronic signatures were counted as the review process was started without waiting for the 1600 paper signatures to be presented.

She explained that there had consequently been much disappointment in Windsor when, despite the recommendation of the Community Governance Review being to form a town council, the recommendation was voted down by the last administration when considered at full council. She noted that otherwise a cohort of Windsor Town Councillors would have been elected in May and would already be hard at work.

She commented that as Liberal Democrats, they were committed to delegating decision-making powers to the lowest practicable level of government, and the opportunity for residents to have a Windsor Town Council had been a commitment for over a decade. She was therefore pleased to propose a community governance review into establishing a Windsor Town Council, and trusted that all members would support the motion, and that all Windsor residents would take the opportunity to participate in the process.

Councillor Carpenter was pleased to second the motion and stated that as a resident she had been part of the last campaign. She had been disappointed that the recommendations were voted down by the last administration especially as 80% of the responses were positive and voted against by councillors who areas had their own parish council. During the recent election campaign she had knocked on many doors within the unparished area of Clewer and Dedworth East ward. She said it was evident that, when speaking about parish councils, residents were unsure of benefits and the valuable work that parish and town councils do. She

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was looking forward to the governance review process being restarted as an opportunity to engage, educate and inform residents about the benefits of having an extra layer of democracy and aligning Windsor with the other 15 areas in the borough who already had a parish or Town Council. If agreed a new governance review would ensure that all Windsor residents could have their say.

Councillor Wisdom Da Costa commented that he was also involved previously instigating the earlier petition. He announced that it was exactly 50 years since Windsor residents voted for the new council at Windsor and Maidenhead so for 50 years the area had been devoid of the ability to make decisions about their own town. He stated that though small it was one of the best towns in the Country that within the last 16 years had unfortunately seen money go from their town to pay for developments in Maidenhead with decisions on what the money was spent on being made by Maidenhead Councillors not by Windsorians. Developments in Windsor such as A Vision for Windsor was not led by Windsorians and this had to stop. He suggested that a Windsor Town Council would offer a focal point for activities so the social aspect of a winter Town Council had to be looked at with great pride and as an opportunity to people together. He appreciated Councillor K Davies amending the wording of the motion so that all Windsor residents on the edge of settlement areas would get the opportunity to be represented in the debate. He hoped that he and Councillor Carole Da Costa could be on the Panel so that Windsor was represented fully. He encouraged consideration of devolving of powers such as grants and ability to comment on planning applications to the Windsor Town Forum as it would take some time before a new Town Council was formed.

Councillor Taylor was delighted to see this come back again she had been hopeful with how they had got previously and disappointed with how it had ended. She stated that councillors main role was to represent and listen to our residents and this was what they were doing with this coming back.

Councillor Julian Tisi commented that he thoroughly supported the motion observing that within his ward of Eton and Castle roughly one-third of the residents were part of Eton and Eton Wick which was covered by a Town Council. He stated that they were a passionate body of people making decisions about their own area and making a difference. With respect to Windsor Town Forum he recognised that this was a talking shop, which served a purpose in the absence of a Town Council, but there was a difference between that and a democratic body where people felt an ownership for their town.

Councillor Larcombe commented that he had to force a by-election for Datchet Parish Council that was in July 1986 and he was also on Wraysbury and Horton Parish Councils as well. He stated that when he said he knew what was going on, he meant it as there was nothing like having your feet on the ground. He would be happy to see a Windsor Town Council and did not understand why there had not been one for so long.

Councillor Coe queried whether it was possible to expedite the process and have an election with the Police and Crime Commissioner or the General Election.

Councillor Sharpe commented that he thought Parish and Town Councils were a really good idea as gave people a voice in their local communities. He said what we needed to be careful about discussing a new Windsor Town Council was what powers it actually has and what jurisdiction it would have over the issues locally as parish councils actually have relatively limited rights over what they do.

Councillor Luxton commented that she fully supported the motion and felt it was time for Windsor to take control of what they can do in their own Town Centre and spend the money in the right way. She agreed it had been neglected a lot, she had previously asked for help for that side of the borough and being a tourist area in such an important place it has to be in the best condition.

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Councillor Wilson commented that he supported the motion wholeheartedly and reiterated that he had seen the effectiveness of Eton and Castle Parsih Council operating and the strength of community within that town with some examples of the work they had done which were small but significant such as installing Memorial plaques on playgrounds, installing notice boards and providing dispensers for dog poo bags. He was very pleased to support the motion.

Councillor Cross commented that she also supported the motion especially undertaking the community governance review. She was speaking as both a borough Councillor but also a Bray Parish Councillor. She noted that Bray Parish had worked long and hard with residents of The Willows in relation to the National Heritage assets as it was important that all the stakeholders were part of the review. She said that parish boundaries needed to be taken into account to make an informed decision.

Councillor Buckley commented that as a Parish Councillor on a couple of parishes within his ward he could not express how passionate he was about Parish Councils and the benefit they were in the democratic process and how it trained Councillors to become more proficient at their jobs. He said he was co-opted in 2019, had been involved in planning and had been the Chairman of Datchet Parish Council for two years. He was passionate about forming this layer of local democracy in the parishes and town councils to support the council. He encouraged everyone to try and parish the whole of the borough and to put themselves forward on the parish Councils and work with the parish council on the work of the borough. He fully supported the motion.

Councillor Story commented that he also supported the motion but wanted to make one non-contentious suggestion that may avoid difficulties later on. He suggested that residents should be specifically asked for their views about whether, if a Windsor Town Council were to be formed, its members should receive an allowance or not like the members of Eton Parish Council and asking this early on would help a lot.

Councillor Kashmir Singh commented that he supported the motion and considered this was the closest way democracy could reach constituents and voters. He supported parishes for the whole of the borough.

Councillor Brar commented that being the Parish Councillor for Cookham it was very important to have Parish and Town Councils and fully supported the motion.

Councillor Karen Davies summed up the debate by saying that she really welcomed the support expressed across the chamber for the Community Governance Review and also for the work of Parish councils generally across the borough. She particularly welcomed the support of those conservative members present who had formally voted against the forming of the Town Council for Windsor last time around. She acknowledged that there was a lot of enthusiasm and observed that there would have been a Council up and running by now so was aware of people's frustration. She was noted sure if it was possible to get an election undertaken at the same time as the Police and Crime Commissioner. She acknowledged that a lot of hard work was done by the officers in the last review and they would be able to use some if that again although revisited again. She wasn't sure if it would be possible to complete this in time for the PCC election. In relation to the powers being delegated she stated that this would be subject to negotiation in the usual way with a new Parish and Town Councils starting small with a small number of services. The one thing she remembered from the last review was that allotments were the one statutory obligation that needed to be transferred. She appreciated the enthusiasm of members to want to do more and appreciated the suggestion about allowances.

She concluded that a Community Governance Review was a serious and legal business so would be done properly so could not be rushed. Consideration would need to be given to boundary issues and if included would be done in consultation with Bray Parish Council. She thanked everyone for their support.

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Councillor Hunt left the room at 21:29

Proposed by Councillor K Davies, lead member for Climate Change, Biodiversity and Windsor Town Council, seconded by Councillor Carpenter it was

### **RESOLVED UNANIMOUSLY that**

**This council agrees to undertake a community governance review examining the issue of whether a new town council for Windsor should be formed.**

The Mayor confirmed with everyone in attendance that they were happy to continue beyond 9.30pm.

### **Motion c) relating to social media activity**

Councillor Taylor introduced the motion with altered wording from that published in the agenda:

We, as members of the council and representatives of the Borough, agree to make a conscious effort to increase our sharing & promotion of local businesses and services, to encourage our residents to try new local services, venues as well as attend local events.

Councillor Taylor explained that the different wording was intended to be more encompassing and had been brought to the meeting to encourage colleagues to make a conscious effort to encourage residents to get involved. She considered it each Councillors duty in the current economic climate to try to get business within the borough and ask people to shop more local and try local businesses. She concluded that all councillors should make an effort as representatives to promote local festivals and events.

Councillor Hunt returned to the meeting at 21:32

Councillor Jones seconded the altered motion stating that local business and services were a lifeline to borough residents, that councillors should be doing all they could and was pleased to be seconding the motion which she hoped everyone present would be happy to support.

Councillor Carole Da Costa commented that she was great supporter of local business and used her influence where possible but did not want to bring herself into disrepute, so would be careful and concluded she was a great believer in shopping locally.

Councillor Amy Tisi advised the meeting that there was a really good website, #myroyalborough which helped people to find local information, small interest support groups and monthly meetings, a dog friendly interactive map and encouraged everyone to take a look.

Councillor Buckley commented that he really supported the motion and asked everyone to engage and support the proposal as local businesses and services were the lifeblood of the community.

Councillor Price stated that she agreed with Councillor A Tisi and reiterated the Mayor's mantra of 'Buy Borough' to promote local businesses and services.

Councillor Reeves commented that he appreciated the change in wording as felt it should not only be for promotion via social media. In preparation for the world café in Cox Green he had used printed material to get a wider reach. He encouraged the use of other platforms, not just social media, to be able to promote and support local activities.

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Councillor Wisdom Da Costa repeated the concerns raised regarding the code of conduct for example the perception of promoting one business chain over another. He supported the principles of buying locally as seen by his support for free parking scheme but was worried there would be issues is pushing things themselves.

The Mayor reflected that the terminology was endorsement rather than publicity.

Councillor Wilson commented that attending local events was not just about supporting business but also art related events such as the show run by Windsor artists and held in Warfield. He was keen that councillors helped to promote a diverse range of events.

Councillor Hunt commented that although she initially thought she had no conflict in relation to the motion having listened to the discussion she declared that she would abstain from voting on the motion as her husband owned a business.

Councillor Devon Davies supported the motion and asked that ?? follow us on social media and encouraged them to nudge us to take action.

Councillor Sharpe commented that he was a passionate believer in making sure local businesses, services and events were promoted but he did not think the wording of the motion was very good as who was measuring, who was guiding councillors and if it was not done would there be a penalty.

Councillor Brar declared that because she owned a business she would also abstain from voting on the motion.

Councillor Martin declared that as she ran a networking group she would also abstain from voting on the motion.

Councillor Reynolds commented that he thought the motion was really clear that it was encouraging everyone to make a conscious effort to promote local activities and he did not understand why anyone would not want to support that intention.

Councillor Gurch Singh considered it was a really important message.

In response to the request for advice whether councillors with local business interest should abstain from the vote the Deputy Monitoring Officer advised that councillors could vote or abstain as they wished on the motion.

Councillor Luxton declared that due to her charity work she would abstain from voting on the motion.

On the proposition of Councillor Taylor, Chair of People Overview and Scrutiny Panel, seconded by Councillor Jones it was

### **RESOLVED UNANIMOUSLY that**

**We, as members of the council and representatives of the Borough, agree to make a conscious effort to increase our sharing & promotion of local businesses and services, to encourage our residents to try new local services, venues as well as attend local events.**

**Motion d) relating to the Council's approach to restricted information**

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Councillor Price introduced her motion explaining that in order to achieve the values of respect and openness changes needed to be made on how Part 2 information was managed. She explained that for those unfamiliar with the terminology Part 1 referred to information available for all to see and was the vast majority of what was discussed at meetings. Part 2 was commercially sensitive information, for example, which must not be revealed to the public. She welcomed at the last Council and Cabinet meetings a move towards being more transparent in relation to Part 2 matters. The motion was to formalise this for all meetings. It had been created in consultation with the Head of Legal Services, Democratic Services and the Chief Executive with the wording having to be precise due to legalities being involved. To simplify the approach in relation to Part 2 matters there was moving forwards and looking back.

Councillors Luxton and Grove left the meeting at 21:48

Councillor Price continued that abbreviated minutes would be created and published to capture the discussions held in the closed part of the meeting. The motion was requesting that the reason why information was restricted was also shared and that a review took place with the aim of releasing the information if appropriate when the reason no longer applied. Looking back, a review would take place of past Part 2 information with the view to releasing information, where appropriate.

Councillor Werner seconded the motion but reserved the right to speak later in the debate.

Councillor Wisdom Da Costa agreed with principles to have more clarity but his concern was whether the motion was acceptable in legal terms.

Jane Cryer, Legal Advisor confirmed that extensive legal advice had already been provided by the Monitoring Officer on the wording of the motion.

Councillor Coe commented that he welcomed motion as he and other colleagues in the room had been trying to get hold of documents for a long time. He considered that it showed real leadership from Councillor Werner to promote a minimum amount shared in Part 2 and every single word that could be in Part 1 was.

Councillor Carole Da Costa commented that any motion that brought openness and transparency to an organisation had to be supported.

Councillor Larcombe agreed that anything that improved the honesty, the openness and transparency of the new Council could only be a good thing and he would be voting for the motion.

Councillor Sharpe agreed that he supported being as open as we can be and he had promoted a similar approach when he was the Chair of the Pension Fund and limited the amount of the information provided in Part 2.

Councillor Luxton rejoined the meeting at 21:52

Councillor Bermange fully supported the motion which he considered an excellent step forward to formalise this. He commented that they had seen the process emerging and it had been positively received. He thanked Councillor Price for bringing the motion forward and engaging with officers to get the wording right noting that a compromise had been made to have the wording that could be delivered within the statutory environment. He advised that if Councillors wanted to talk about genuinely confidential information then they could ask to go into Part 2 so that debate would not be stifled. He stated that it was important that no one should feel they were barred from talking about things.

Councillor Grove rejoined the meeting at 21:55



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Councillor Reeves commended Councillor Price on the thoroughness of engaging with Monitoring Officer and other officer input. He commented that he was currently undertaking a legal qualification so understood some of the legal requirements needed, such as confidentiality, and appreciated the inclusion of the references to GDPR to respect people's rights to data privacy as well. He reiterated thanks for those involved in developing a more transparent approach within the Council.

Councillor Jones thanked Councillor Price for proposing the motion and for the officers and councillors that had supported it being brought forward. She reflected that it had been a long time coming.

Councillor Douglas commented that this motion was in tune with things he had heard from the new administration long before the election, the intention had been there but he thought it was a great idea to formalise this.

Councillor Werner commented that the new administration was very keen to increase transparency and had already asked that the policy was changed in relation to Part 2 items, so only the restricted details are kept to a Part 2 appendix. This should not stop Councillors talking about Part 2 appendices if necessary. He explained that he was keen to strengthen Overview and Scrutiny and reducing the limit for petitions then this is the next part of that plan, further changes to embed this approach more. He expanded that it was important as gave confidence to residents and prevented a vacuum of knowledge. He considered it important that elected officials made this information available and provided evidence to support these decisions, being transparent and do more and more.

Councillor Price summed up that she was delighted to have the full support of councillors. She wanted to place on record that the motion could not have been brought unless the officers had not worked diligently to help create a workable motion. She stated that officers had been supportive and given guidance. She also thanked Councillor Werner for supporting the proposal.

On the proposition of Councillor Price, Corporate Social Responsibility Champion, seconded by Councillor Werner it was

### **RESOLVED UNANIMOUSLY that**

- i) From this date onwards all Cabinet and Full Council meetings that have to move into Part 2 have abbreviated minutes published after the meeting attached to the Part 1 minutes to reflect the decision made subsequent to voting. This will not reveal the detail or report at this stage;**
- ii) a full explanation of the conditions that cause the information or report to be placed in part 2 is made at that time;**
- iii) if and when those conditions no longer apply – and at the discretion of the Monitoring Officer - the part two reports or information is then published in the minutes of the original meeting and a note made during the next Council or Cabinet meeting following this publication; these same rules are applied to historic Part 2 meetings, and that a periodic review takes place – subject to officer capacity and resource availability. The decision of the Monitoring Officer – in consultation with the Chief Executive - will be final in terms of any historical reports being released in this way;**
- iv) and this rule does not override GDPR, commercial or personal confidentiality and any other legal consideration that would prevent release at any time.**

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The meeting, which started at 7.00 pm, ended at 10.00 pm.