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Meeting Supplement

Council

Councillors Neil Knowles (Chair), Simon Bond (Vice-Chair), Clive Baskerville, Adam Bermange, George Blundell, 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, Mark Howard, 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, Leo Walters, Simon Werner and Mark Wilson

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Thursday 29 February 2024 7.00 pm

Council Chamber - Town Hall - Maidenhead & on [RBWM YouTube](#)

The following papers have been added to the meeting's agenda as they were not available for publication when the notice of meeting was issued.

Supplement

Item	Description	Page
5	<p>Public Questions</p> <p>The deadline for public questions (which must be directly related to the budget) is midday on Monday 26 February 2024. A supplement listing valid questions received will be added to the agenda after the deadline.</p> <p><i>The Council will set aside a period of 30 minutes to deal with public questions, which may be extended at the discretion of the Mayor in exceptional circumstances. The councillor who provides the initial response will do so in writing. The written response will be published as a supplement to the agenda by 5pm one working day before the meeting. The questioner shall be allowed up to one minute to put a supplementary question at the meeting. The supplementary question must arise directly out of the reply provided and shall not have the effect of introducing any new subject matter. A councillor responding to a supplementary question will have two minutes to respond.</i></p>	3 - 10

By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Kirsty Hunt, kirsty.hunt@rbwm.gov.uk, with any special requests that you may have when attending this meeting.



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Responses to Public Questions for Council on 29 February 2024

a) John Baldwin of Boyn Hill ward will ask the following question of Councillor Del Campo, Cabinet member for Adults, Health and Housing Services

What is the 2024/25 assumption for the number of residential placements required by Adult Services, broken down by type, i.e. general needs, sheltered, extra care or whatever terminology is in use?

The budget process requires the best estimates of numbers to be made in late autumn 2023. At that time, based on the people receiving care and the historical patterns of length of time people need such support we have built the budget based on 560 Full Year Effect (FYE) places. Those are split 206 for nursing, 199 for residential, 109 supported living and the rest (46) in a range of community options including Shared Lives. The FYE places is typically lower than the actual number of people on a given day.

b) John Baldwin of Boyn Hill ward will ask the following question of Councillor Jones, Deputy Leader and Cabinet member for Finance

The Spending Control Panel reviews all spending bids greater than £500. How many spending requests has it reviewed to date, to what aggregate value and how many of those requests were denied and to what value?

There have been 228 requests totalling £7.9m

There have been 16 requests declined with a value of £56k

21 requests totalling £3.5m have either been deemed not applicable due to being part of a contractual agreement or requiring further information to inform a decision.

A key reason for introducing the SCP was to drive a change in culture across the organisation in relation to budget management and we have seen a culture change within services following its introduction. Within a matter of weeks, the panel saw a reduction in requests coming forward as a result of officers taking a more vigilant approach to spending. This led to a reduction in denied requests, as those that now tend to come forward are for necessary spending which is backed up by evidence or a business case.

c) Jon Davey of Clewer & Dedworth West ward will ask the following question of Councillor Reynolds, Cabinet member for Communities and Leisure

Comparing the budget and the Windsor Wheel application 23/02104 financial projection, would indicate RBWM has opted for a 10% profit share where RBWM pay for the re-turfing of Alexander Gardens and electricity costs, netting circa £40k while the contractor enjoys £700k profit. How can that be considered a good business deal by RBWM's economic team?

The Windsor Wheel is being brought to the town by a private company, the same as any other operator who leases a space in one of our parks, so isn't the same as an RBWM

Contractor relationship. We believe we'll receive greater income from a profit share arrangement on the wheel, although the final contract is yet to be signed.

The £40k that is included in the budget is an initial figure, however obviously if the wheel is successful and generates more income then the council will receive more income. We anticipate the net figure received to RBWM will be significantly higher than this, As an Administration when setting the budget we've tried to be cautious on the figures from income generation activities as we'd rather have more income than planned for than less. This example is no different and is a prudent way of us being somewhat cautious on figures.

Overall I believe the wheel is going to be a great way to increase visitor dwell time and money spent locally with our fantastic businesses, as well as a great way for local residents to see their town from a different angle, and therefore income generated for the Borough for this is a fantastic bonus to have.

d) Jon Davey of Clewer & Dedworth West ward will ask the following question of Councillor Jones, Deputy Leader and Cabinet member for Finance

It was confirmed at Cabinet by the CFO that failure to put up the council tax by the maximum each year has been the major cause of RBWM's current financial position. In the interests of transparency and clarity, could a list of the actual years, the Gov recommended and RBWM actual percentage increases be published?

Actual increases compared to maximum allowed increases are set out in the table below. RBWM cut Council Tax for six years in a row from 2010. We are not aware of any other Council in the country that has cut Council Tax for such a sustained period. As a consequence, the Council's base budget is £19m lower than it would have been had Council Tax been increased by 1% a year over that period.

The Government does not specify or recommend what councils should do regarding Council Tax – it is a local decision for each council. However, when the Government refers to 'increases in spending power' to local authorities, this calculation is made on the assumption that councils are taking the maximum increase available.

	Actual change		Maximum allowable		Difference
	Base Tax	ASC	Base Tax	ASC	
2010/11	-4.00%		4.49%		8.49%
2011/12	-0.50%		3.49%		3.99%
2012/13	-1.50%		3.49%		4.99%
2013/14	-3.00%		1.99%		4.99%
2014/15	-2.00%		1.99%		3.99%
2015/16	-2.10%		1.99%		4.09%
2016/17	0.00%	2.00%	1.99%	2.00%	1.99%
2017/18	0.93%	3.00%	1.99%	3.00%	1.06%
2018/19	1.86%	3.00%	2.99%	3.00%	1.13%
2019/20	2.77%	0.00%	2.99%	0.00%	0.22%
2020/21	1.99%	2.00%	1.99%	2.00%	0.00%
2021/22	1.99%	3.00%	1.99%	3.00%	0.00%

2022/23	1.99%	1.00%	1.99%	1.00%	0.00%
2023/24	2.99%	2.00%	2.99%	2.00%	0.00%

e) Sarah Walker of Clewer East ward will ask the following question of Councillor Reynolds, Cabinet member for Communities and Leisure

Over 1100 have now signed the petition to save the Windsor and Royal Borough Museum and Tourist information Centre.

These valuable resources are in a prime location to serve Windsor and our visitors. If alternative options are being explored, please could those options be shared tonight along with the transparent cost analysis of each option?

The official RBWM petition for the Royal Borough Museum has around 70 signatures.

In the 23/24 budget that this administration inherited there was only one-off funding for the museum, that means no funding was proposed for the museum for the 24/25 years. With a significantly challenging budget situation going into 24/25 we have the think differently about services that can be provided to residents and tourists in our Borough.

We are committed to keeping a museum service within Windsor, and options for the museum are currently being explored with stakeholders. The Windsor and Royal Borough collection is a vital part of our history, and we want to ensure that residents still have access to our local heritage.

These options are being explored and worked through with the museum team, stakeholders and wider economic growth team within RBWM and we will ensure that proposals are shared widely once we are able to. If you're not already I'd encourage you to join the Friends of Windsor and Royal Borough Museum group, who we are committed to working closely with.

f) Sarah Walker of Clewer East ward will ask the following question of Councillor Hill, Cabinet member for Highways and Transport, Customer Service Centre and Employment

Parking fees have been raised across our towns by a staggering 12-17% (as well as many other cost increases to residents.) What impact assessment was carried out on the economic consequences of these hikes and why were residents and local business views in the parking consultation not heard and results not shared before prices were raised?

The council recognises that increases in parking fees and charges are never going to be popular. But in the face of a serious budget shortfall, the council has to take tough decisions.

To mitigate the impacts of increases on residents, parking charges are frozen in the two main town centre multi-storey car parks operated by the council (Hines Meadow in Maidenhead and Victoria Street in Windsor) for the first three hours.

The existing one-hour free residents' parking offer at selected council-operated car parks will remain.

As part of the consultation, Residents showed a preference to maintain the price of the first resident permit and this was agreed in the budget.

An Equality Impact Assessment was completed and published as part of the Cabinet Paper to increase fees and charges.

g) Ian Haggart of Clewer & Dedworth East ward will ask the following question of Councillor Jones, Deputy Leader and Cabinet member for Finance

The average RBWM Council Tax for 2023/24 is about £733 per resident and £1,742 per dwelling. This is increasing by 5% for 2024/25. Comparing the fifteen near neighbour Local Authorities, how many of the neighbours charge less Council Tax per resident and per household than this Council?

Using data from CIPFA Statistical Information Service and the Office for National Statistics the population aged 18 and over from 2022 is 120,696 and the council tax requirement from 23/24 is £87.2m. I calculate the council tax requirement per resident to be £722.66. At this figure, of the CIPFA 'near neighbour' councils, 3 charge less per resident (Milton Keynes, Bath and North East Somerset and West Northamptonshire). Using data from the Department of Levelling Up and Communities the council tax charge per dwelling 23/24 is £1742.26. 6 councils from our 15 'CIPFA near neighbour councils' charge less per dwelling.

Council tax can be measured in 'Band D' or in 'per dwelling' terms. Band D has historically been used as the standard for comparing council tax levels between and across local authorities, and this definition is widely regarded as a benchmark when comparing council tax levels in different areas or over time. This is the council tax payable on a Band D dwelling occupied as a main residence by two adults, before any reductions due to discounts, exemptions or council tax benefit. This measure is not affected by the varying distribution of properties in bands that can be found across authorities.

In 2023/24 average Band D council tax in RBWM was £1,604, the lowest rate compared to all of its 15 CIPFA neighbours. This is £285 less than the next lowest, Solihull and £505 lower than the average (mean of its CIPFA neighbours). We would need to increase our Council Tax by 18% to be equal to our nearest neighbour and by 31% to be equal to the mean of our CIPFA neighbours.

I believe the most valid way of comparing how much RBWM is estimated to spend on its different services is with the 'Net current expenditure per head of population', taken from the Revenue Accounts Budget which councils submit to the Department for Levelling Up, Housing and Communities. The net current expenditure per head of population in RBWM is £1,219 compared to £1,541 for the mean average of its CIPFA neighbours, a difference of £322 per resident. RBWM spend has decreased by 5% compared to 12 years ago where the mean average of its CIPFA neighbours has increased 20%.

h) Ian Haggart of Clewer & Dedworth East ward will ask the following question of Councillor Jones, Deputy Leader and Cabinet member for Finance

The budget includes £40,000 income from the Ferris Wheel that will be operated in Alexander Gardens for six months. Why is the Council's profit share just 10% of the estimated £810,000 operator profit and why is the budget amount less than half of the expected £81,000?

Response from Cllr Reynolds - The Windsor Wheel is being brought to the town by a private company, the same as any other operator who leases a space in one of our parks, so isn't the same as an RBWM Contractor relationship. We believe we'll receive greater income from a profit share arrangement on the wheel, although the final contract is yet to be signed.

The £40k that is included in the budget is an initial figure, however obviously if the wheel is successful and generates more income then the council will receive more income. We anticipate the net figure received to RBWM will be significantly higher than this, As an Administration when setting the budget we've tried to be cautious on the figures from income generation activities as we'd rather have more income than planned for than less. This example is no different and is a prudent way of us being somewhat cautious on figures.

Overall I believe the wheel is going to be a great way to increase visitor dwell time and money spent locally with our fantastic businesses, as well as a great way for local residents to see their town from a different angle, and therefore income generated for the Borough for this is a fantastic bonus to have.

i) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Jones, Deputy Leader and Cabinet member for Finance

Given that senior officers clearly hold the view that it was financially reckless to enter into £200m of "unfunded" debt, can the Council confirm whether it had a policy or practice ensuring that all auditors and professional advisors had in place professional indemnity insurance covering negligent advice/opinions over the period in which this massive unfunded debt was incurred?

I am not here to speak for officers but RBWM has required all contractors to have in place a minimum of £2 million professional indemnity insurance over this period. External audit contracts have been let by Public Sector Audit Appointments. They required £10 million professional indemnity insurance for their contracts during this period.

The Council has spent £200m on "unfunded" capital. That means capital expenditure that wasn't funded by grants or by the revenue budget, therefore it was funded by borrowing.

This historic expenditure was entirely the Council's decision, proposed to the Council and approved by the Council. The CIPFA review in 2019 highlighted costs, that were not capital, were being inappropriately charged to capital; at which point the practice was curtailed but it was a council decision. Auditors would flag if they had concerns about us being a going concern and being financially sustainable in the future. They would also pick up technical mis-categorisations. It's worth noting though that auditors sample check transactions to provide a view, they do not review every transaction.

The decisions were made by council at that time, and we now live with consequences.

j) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Bermange, Cabinet member for Planning, Legal and Asset Management

Given the report says "the only meaningful way of reducing the existing debt levels" is the disposal of the golf club, and the site is now subject to a holding objection from Sport

England impacting this assumption, why did the Council choose not to publish any version of the golf needs assessment it produced during the plan making period?

The large amounts of unfunded capital spend by the previous administration, over the last decade, have left the Authority with close to £200m of external debt that we now need to service out of our revenue account. It is simply a statement of fact that Maidenhead Golf Course is the one Council-owned asset with a financial value high enough to have a meaningful impact on the level of this debt should we be forced, by agreements we inherited, into disposing it but that should not be interpreted to mean that this administration is now committed to nor reliant upon its sale. It is also very clear that any disposal would fall well short of clearing the accrued debt and, in any case, meaningful capital receipts would not be received until after the current Medium Term Financial Plan period.

The Borough Local Plan was examined and adopted under the previous administration so it is difficult for me to speculate on the circumstances and possible motivations of the members of that administration that led to the golf needs assessment (GNA) not be published at that time. However, I understand that there were several draft versions of the GNA and a version that was considered finalised was not produced within the window of the examination period. Officers were open about the fact that a GNA was being produced and referred to this in the MIQ response (Matter 11, Issue 4, Question 17) which was submitted to the BLP Inspector in September 2020 so the Inspector was fully aware that this was being produced yet, whilst the Council considered the GNA to be in draft form so didn't release it, neither did the Inspector request to see a draft version.

Regarding the current planning application 24/00091/OUT, Sport England are not considered a statutory consultee in this particular instance, since the proposals do not technically involve the loss of any playing fields, which they acknowledge in their letter. It is correct to note that they maintain a 'holding objection' on the grounds that the proposal is contrary to para 103 of the NPPF, which states that, "...existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the buildings or land to be surplus to requirements." I understand that Sport England have asked for additional evidence from the applicant in that regard so expect that this will be provided but I am mindful that this is a live application so it would be inappropriate to comment further.

k) Shay Bottomley of Oldfield ward will ask the following question of Councillor Werner, Leader of the Council and Cabinet member for Community Partnerships, Public Protection and Maidenhead

There are multiple references throughout the Budget papers on how the sale of Maidenhead Golf Course is 'vital' to reducing the council's debt. By passing this paper tonight, is this council now fully committed to the sale of the golf course for development?

No not at all – there are usually alternatives in most situations and we are still searching for them. If we cannot stop it – we will do what we can to ameliorate the effect of it – we have already used our influence with CALA to increase the amount of open space, reduced the number of dwellings, increased the protection of Rushington Copse, replace some flats with town houses, and lowered the height of other flats. There is much more to do even if we can't get out of it – even less flats, even more open space and more trees saved.

l) Shay Bottomley of Oldfield ward will ask the following question of Councillor Reynolds, Cabinet member for Communities and Leisure

It was said at Cabinet last week that the consultation on fees and charges for football, rugby, cricket and lawn tennis was not completed to the administration's satisfaction. Can you please elaborate on the issues with the original consultation, and explain how the new consultation will be different?

For 2024 the process for Fees and Charges was altered to allow us an early increase to many fees to help our 23/24 in year budget position. The increase for the above fees was not included in this early increase as, depending on the sport, the change wouldn't take place until either April or September 2024. We were informed by groups that a number of groups didn't receive full communication about the changes, and the information that was received didn't have the appropriate level of detail as a lot the explanation around why we're increasing fees and our methodology for doing so was published for the November Cabinet meeting and not as part of the main budget consultation.

I've been involved fully in the new consultation, where we have written directly to all groups who hire pitches this year, and given them more details on what the proposed fees are, and why we're looking at the increase. As well as asked for feedback around what level of fee they feel is appropriate and what impact the changes would have on 'subs' paid by members.

The Executive Director and I will go through all consultation responses at the end of March before agreeing a fee having taking into account the feedback we receive.

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