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NOTICE OF MEETING



CABINET

will meet on

THURSDAY, 28TH JANUARY, 2016

At 7.30 pm

in the

COUNCIL CHAMBER - TOWN HALL,

TO: MEMBERS OF CABINET

COUNCILLORS DAVID BURBAGE, (INCLUDING HR & LEGAL) (CHAIRMAN)
PHILLIP BICKNELL, (EDUCATION, INCLUDING WINDSOR) (DEPUTY CHAIR)
SIMON DUDLEY, (FINANCE, INCLUDING PROPERTY / DEPUTY LEADER)
DAVID COPPINGER, (ADULT SERVICES & HEALTH INCLUDING SUSTAINABILITY)
CARWYN COX, (ENVIRONMENTAL SERVICES)
GEOFF HILL, (CUSTOMER AND BUSINESS SERVICES, INCLUDING IT)
DEREK WILSON, (PLANNING INCLUDING MAIDENHEAD)
NATASHA AIREY, (YOUTH SERVICES & SAFEGUARDING)
COLIN RAYNER, (HIGHWAYS & TRANSPORT)
CHRISTINE BATESON, (CHIEF WHIP, INCLUDING NEIGHBOURHOOD PLANNING,
ASCOT & SUNNINGS)

PRINCIPAL MEMBERS ALSO ATTENDING: COUNCILLORS CLAIRE STRETTON
(CULTURE & COMMUNITIES), PHILIP LOVE (MAIDENHEAD REGENERATION),
PAUL BRIMACOMBE (TRANSFORMATION & PERFORMANCE) AND
GEORGE BATHURST (POLICY)

Karen Shepherd - Democratic Services Manager - Issued: Tuesday, 19 January 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Karen Shepherd** 01628 796529

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence	
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest	7 - 8
3.	<u>MINUTES</u> To consider the Part I minutes of the meeting held on 17 December 2015. To note the Part I minutes of the meeting of the Cabinet Regeneration Sub Committee held on 16 December 2015. To note the Part I minutes of the meeting of the Cabinet Participatory Budget Sub Committee held on 16 December 2015.	9 - 26
4.	<u>APPOINTMENTS</u>	
5.	<u>FORWARD PLAN</u> To consider the Forward Plan for the period February to May 2016.	27 - 44
6.	<u>CABINET MEMBERS' REPORTS</u> Chairman i. The Royal Borough Shared Services Highways and Transport ii. Highway Asset Management Plan Finance/Education iii. Windsor Office Accommodation Update Planning iv. Draft Conservation Area Appraisal: Holyport Planning v. Draft Conservation Area Appraisal: Maidenhead Town Centre	45 - 56 57 - 70 71 - 80 81 - 90 91 - 98

Culture and Communities/Chief Whip

vi. Creation of Windsor UK Community Interest Company - **Item deferred**

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Finance

vii. Financial Update

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7. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

To consider passing the following resolution:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 8-9 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"

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MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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Agenda Item 3

CABINET

THURSDAY, 17 DECEMBER 2015

PRESENT: Councillors David Burbage (Chairman), Phillip Bicknell (Deputy Chair), David Coppinger, Carwyn Cox, Geoff Hill, Derek Wilson, Natasha Airey, Colin Rayner and Christine Bateson

Principal Members also in attendance: Councillors Philip Love, Claire Stretton and George Bathurst.

Officers: Alison Alexander, Andrew Brooker, Simon Fletcher, David Scott, Christabel Shawcross, Karen Shepherd, Anna Trott, Louisa Dean, Jessica Hosmer-Wright and Matthew Tucker

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brimacombe and Dudley.

DECLARATIONS OF INTEREST

None received.

MINUTES

RESOLVED UNANIMOUSLY: That:

- i) The Part I minutes of the meeting held on 26 November 2015 be approved.**
- ii) The Part I minutes of the Cabinet Local Authority Governors Appointments Sub Committee meeting held on 26 November 2015 be noted.**

APPOINTMENTS

No appointments were made.

The Chairman, on behalf of Cabinet colleagues, thanked Christabel Shawcross, the Strategic Director of Adults, Culture and Health, for her services to Cabinet over the last six years. Ms Shawcross thanked Cabinet and all councillors for their support of Adult Services. She also thanked all staff in Adult Services, Libraries, Arts, Leisure and Culture who went the extra mile to provide services to residents.

FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes that had been made to the plan since the last meeting. In addition it was noted that:

- The item 'Tender for Residential and Nursing Beds' would be presented to Cabinet in February 2016.
- The item 'St Clouds Way Opportunity Area' would be presented to Cabinet in April 2016.
- The item 'Safer Route to School Programme for Holyport' would be presented to Cabinet in May 2016.

- The item 'DAAT Review Outcome and Recommendations' would be deferred from March 2016 to May 2016 to align with the national drugs strategy.
- The item 'Future Delivery of Health Services' listed for February 2016 on page 27 of the report was a duplicate item and would be removed.
- The item 'Magnet Leisure Centre Options' would be presented to the Cabinet Regeneration Sub committee on 14 January 2015.

ORDER OF BUSINESS

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be amended.

CABINET MEMBERS' REPORTS

A) HEATHFIELD AVENUE, SUNNINGDALE: REVIEW OF HIGHWAY CONDITIONS

Cabinet considered whether or not to exercise its powers under section 205 of the Highways Act to enable road widening at Heathfield Road, Sunninghill.

The Lead Member explained that Woodlands Lodge and Boxwood House were dwellings in Heathfield Avenue, Sunninghill which had been the subject of two separate planning applications to demolish the existing pair of semi-detached houses and in each case create an apartment building with associated car parking. The first application was for 10 apartments and had been refused planning permission by the Windsor Rural Development Control Panel on 17 December 2012. The second application was for 8 apartments and was refused on 2 May 2013 following consideration by the Windsor Rural Development Control Panel.

The applicant (Millgate Homes) appealed both decisions and planning consent was granted by the Planning Inspector on 25 March 2014. The Planning Inspector, in allowing the two appeals, imposed a number of conditions including one that required the developer to widen Heathfield Avenue to a minimum of 4.8 metres for the first 15 metres from its junction with Kings Road. No development could commence until a scheme had been submitted and approved in writing by the Local Planning Authority. In order to discharge this condition and widen the road it would be necessary to convert a section of grass verge to carriageway. Ownership and use of the grass verge was disputed between the developer and residents. An amicable solution could not be reached.

Cabinet was addressed by Chris Ryder-Richardson and Peter Swift on behalf of Heathfield Avenue residents.

Mr Ryder-Richardson stated that in July 2014 the council refused a request for a section 205. In October 2015 legal advisers recommended refusal again. Since then there had been contradictory arguments from Millgate homes. For example, the vendors of the two houses imaginatively claimed that the Heatherlands verge was used as a passing place and the loss of the facility caused great inconvenience. However, even after allowing for increased traffic from the development, Millgate claimed that the widening was not needed and had applied for the condition to be removed. Millgate had said the existence of telegraph poles meant all the verges were highway, but at an earlier development in the Avenue Millgate extended the fenceline

around a verge containing exactly the same equipment. No highway right of way was registered in the title when that development was sold. Mr Morrow, the vendor of Boxwood declared the verges were not owned. However he wrote a letter in 2004 where he claimed the verges were privately owned. A gardener employed by Mr Morrow claimed he parked his equipment on the verge, 160m away from the garden in which he worked, when there was ample room on the driveway. Future use of the highway should be considered, but future use would not increase if the flats were not built. Residents had provided tangible evidence that: the verges were privately owned; no presumption of dedication had been created; owners had demonstrated contract intentions; and the council was not obliged to act and had no powers under section 205. Having read the new submissions the legal adviser, backed by a QC, had recommended refusal for a third time including that dedication could not be presumed under common law or the Highways Act and the council could not use a section 205. The residents' case was in line with the officer's report and Mr Ryder-Richardson urged Members to accept the recommendation and reject the application as having no merit.

Mr Swift referred to a map that had been added to the agenda papers on the borough website. It was indicative and not to scale. At paragraph 1.7 of the report it showed that Heathfield Avenue was not included in the definitive map. The new map showed Pinewood with no verges, reflecting a new fenceline erected by Millgate during the development to encapsulate the verge back into the primary garden. However, the land registry map clearly showed the verge at Pinewood prior to the land registry assessment, which could be taken to have thoroughly considered the status of the Pinewood verge before being fully incorporated. This indicated the land registry was satisfied that the street was only in the confines of the narrow lines and the council could do the same. Ownership of the verge was not relevant. The point in dispute was whether or not the verges had been dedicated. Consistent evidence sourced over many years from a majority of residents was that no such presumption could be made. The report supported by a QC fully supported this contention. Without the presumption the verges could not be considered to be highway and as a result the council could not impose a section 205.

Councillor Hilton commented that since the deferral on 29 October 2015 he had read and re-read the paperwork including 11 statutory declarations, submissions from residents and the applicant, and the detailed analysis by legal services. The addendum from page 31 onwards importantly related only to the question did the verges form part of the highway? The legal officer had concluded that, as stated on 29 October 2015, the verges did not form part of the highway. No additional information or evidence had been provided on the second question, whether or not the council had the powers to carry out the road widening. The recommendation remained unchanged. On page 6 of the report it stated that the applicant could refer a decision to the High Court, which would be the final arbiter, however Councillor Hilton felt the case made by the legal officer was compelling and would stand up in court. He urged Cabinet to support the recommendation. He requested that if Members agreed the recommendation, the two planning applications to remove the relevant conditions relating to road widening be formally refused.

The Chairman commented that Cabinet was not in a position to undertake the refusal of the planning applications, but he was sure that the Lead Member for Planning had noted Councillor Hilton's comments.

The Lead Member apologised to residents for the time the process had taken, but he emphasised the importance of assessing all the evidence provided from both sides. The recommendation was that as the land did not form part of the private street the council could therefore not utilise its powers under section 205. The Chairman agreed that the report clearly demonstrated at pages 49-50 that the verge failed to meet the test for dedication.

The Principal Member for Policy thanked all the attendees at the meeting; it was good to see a display of community engagement.

RESOLVED UNANIMOUSLY: That Cabinet does not exercise its powers under section 205 of the Highways Act to enable the road widening.

Councillor Hilton left the meeting at 7.48pm.

E) SCHOOLS CAPITAL PROGRAMME 2016-17

Members considered the Children's Services 2016-17 capital bids.

Cabinet was addressed by Dianne Cranmer. Ms Cranmer stated that Wraysbury Primary School had expanded in 2011 to be a double form entry with staff numbers increasing from 32 to 60, yet the adult facilities had remained the same despite an agreement with the borough to increase them. The school also had the potential to provide nursery provision but this would add another 8 staff members. The current staff room was inadequate in terms of the square footage compared to the number of staff. Ms Cranmer believed that the current facilities contravened health and safety regulations 24, 25.3b, 25.4 and 25.5. The lack of accommodation caused daily disruption to the school. A full staff meeting was not possible unless the school hall was closed off to pupils, which impacted on the classroom timetable. Staff attempted to take breaks in four separate sessions because of the lack of space but this was not always possible. The Health and Safety Executive described this type of overcrowding as hazardous to employees with an increased risk of accidents.

Ms Cranmer explained that there would be additional benefits to the community of extending the current facilities. Councillors would be aware that the school was used as a Bronze command unit during the flooding events of 2014. The cost to the borough for closure and repair had been significant. Regardless of the flood response requirements, the governing body felt that the situation contravened health and safety regulations and the council urgently needed to address this issue.

The Lead Member thanked the speaker and explained that the Cabinet had listened to the problems associated with lack of space at the school. He advised that line 20 relating to the school in the appendix was in the incorrect place; the recommendation would be amended to reflect this. He explained that:

Item 1 was the devolved formula part of the grant from the DfE which totalled £250,000 and was divided up per maintained school by total pupil number. For example, Charters would get a large amount as it had 2000 pupils.

Items 2 to 11 inclusive used the further £1.34 million of condition grant from the DfE. Items 2, 3 and 4 were monies for all maintained schools (not Academies as they applied for their grant direct from the DfE).

Items 5 to 11 were school specific and had been put in by officers as the priority schemes needed next year. The Children's Services Overview and Scrutiny Panel had seen the report and had opportunity to ask the officers any questions about prioritisation. Items 20 and 21 (Wraysbury school staff room extension and the schools participatory budget) had both been agreed with corporate funding. The participatory budget for schools was new and would allow schools next year to put bids in for up to £6000. Schools would be looking to their supporters to vote online to win the money.

Items 12 to 19 were first reserve items; if more than the expected amount of £1.59m was received then those items would be viewed as priority in the schools capital programme for 2016/17.

The recommendation included approval to bring forward £60,000 of the 2016/17 budget for feasibility studies, to enable building works to take place over the summer holidays. Getting in early with contractors rather than waiting until exact funding was known would achieve better prices.

The Lead Member for Highways and Transport commented that the facilities for Wraysbury would benefit the whole community, and would likely be needed for future flooding events.

The Principal Member for Culture and Communities commented that Participatory Budgeting had been a great success in other areas and she was pleased to see it being extended to schools.

Councillor Ed Wilson arrived at 8.00pm

RESOLVED UNANIMOUSLY: That Cabinet approves:

- i. The Children's Services 2016-17 capital bids appended to this report and includes them in the 2016-17 capital programme subject to any changes as detailed in paragraph 3.6., and subject to lines 20 and 21 being moved above the line.**
- ii. That any approved schemes listed go out to tender.**
- iii. A budget of £60k for feasibility assessments preparation work on condition schemes, to be brought forward into 2015-16 from the approved 2016-17 budget, see para 3.8**
- iv. Variations to schemes that are dependant on government grant allocations will be reported to Cabinet after the DfE grant allocations have been confirmed.**

B) UPDATE ON THE DELIVERY OF THE MULTI-AGENCY SAFEGUARDING HUB

Members considered an update on the progress made to ensure delivery of the Multi-Agency Safeguarding Hub (MASH) in the Royal Borough, effective from January 2016.

The Lead Member explained that at its meeting in March 2015, Cabinet had noted and endorsed the development of a fully operational co-located Multi-Agency Safeguarding Hub (MASH) for the Royal Borough. This was also a manifesto commitment. She was pleased to confirm that significant progress had been made in developing the MASH, particularly around workforce and accommodation and works were well on track for implementation in January 2016.

Key partners in the MASH were:

- RBWM Children's Services.
- Thames Valley Police.
- Windsor, Ascot and Maidenhead Clinical Commissioning Group.
- Berkshire Healthcare Foundation Trust.
- DASH (Domestic Abuse Stops Here) Charity.

The core component of the MASH had now been agreed, totalling 17.1 FTE. Resource was being provided by all key partners and in terms of Children's Services' contribution, the council was looking to use staff from the existing workforce with staff being re-skilled to meet the requirements of the MASH.

At this stage, additional personnel, for example from Probation, Housing and Youth Offending, were not being co-located but they would be enabled to contribute virtually to the MASH discussions. It was also proposed to explore the potential to expand the remit of the MASH to cover adult safeguarding.

Thames Valley Police required a higher level of security than the Royal Borough and its partners, including a self contained and secure space, only accessible to MASH staff, external lighting and window security. She thanked staff for their flexibility whilst works continued. In terms of the actual operation of the MASH, a workflow diagram and process had been developed. The MASH would provide a single point of access for all concerns about a child/young person, whether a safeguarding concern, early help request or information/advice. This would ensure that residents received a more timely and appropriate response to their concerns.

The Chairman commented that he was pleased to see progress as the council had been waiting a while to get all partners agencies on board. A dedicated space and equipment would ensure safeguarding was undertaken in a professional and best-in-field way. He fully endorsed the work done so far.

The Lead Member for Adult Services & Health highlighted that the council was looking to see if adult safeguarding could also be dealt with by the MASH. The Lead Member for Highways and Transport congratulated the Lead Member for overcoming the challenges to get a MASH in place. The Lead Member explained that it was hoped the MASH would be ready for test runs in January 2016, to ease the transition for staff. The Principal Member for Policy praised Thames Valley Police for their engagement and looked forward to future co-operation.

RESOLVED UNANIMOUSLY: That Cabinet:

- i) Notes the progress made to ensure delivery of the Multi-Agency Safeguarding Hub for January 2016 and request a performance report in July 2016.**
- ii) Endorses exploration of the potential to expand the remit of the MASH to include Adult Safeguarding.**

c) SAVINGS IN RESPECT OF 2016-17 BUDGET

Members considered a number of recommended savings for inclusion in 2016-17 budgets. The Deputy Lead Member introduced the report, explaining that, to respond

to the reduction in grant funding and to maintain council tax levels, the council was looking to bring forward a number of savings for 2016/17 subject to consultation. The Chairman commented that good work had been done to ensure the council was in good shape for the next year, identifying £604,000 of savings.

RESOLVED UNANIMOUSLY: That Cabinet:

- (i) **Recommends the savings listed in appendices A and B to Council for inclusion in the 2016-17 budgets, subject to consultation.**
- (ii) **Authorises Directors to implement savings plans as soon as possible.**
- (iii) **Authorises a consultation process for the proposals listed in appendix B of this report (Part II – Not for publication by virtue of paragraph 4 of Part I of schedule 12A of the Local Government Act 1972).**

D) MISSING YOUNG PEOPLE/CHILD SEXUAL EXPLOITATION STRATEGY

Members considered endorsement of the Missing Children/Young People and Child Sexual Exploitation Strategy 2015-2017.

The Lead Member explained that in March 2015 the council had reported on the outcome of the external review of statutory partners' response to addressing the risks to children and young people of child sexual exploitation. The review had confirmed that the Royal Borough was doing an appropriate job in addressing those risks.

At the same time, Cabinet reviewed the Windsor and Maidenhead Local Safeguarding Children Board's (LSCB) Missing Children/Young People and Child Sexual Exploitation Strategy and believed that it needed strengthening. The LSCB commissioned an external consultant to draft the initial revision of the Strategy.

The final Strategy was approved by the LSCB Board on 18 November 2015 the Lead Member highlighted that this was the LSCB strategy rather than the RBWM strategy. Cabinet would recognise that the majority of the council's work in relation to child sexual exploitation was focused on prevention and protection and it supported Thames Valley Police in their prosecution activities. Key elements of Children's Services' prevention and protection work included:

- Co-ordinating and driving the ongoing community awareness campaigns.
- Delivering training, usually in partnership with Thames Valley Police, to agencies and businesses, including tax drivers and licensed premises.
- Developing and implementing robust protection plans.

RESOLVED UNANIMOUSLY: That Cabinet endorse the Missing Children/Young People and Child Sexual Exploitation Strategy 2015-2017, see appendix 1, as approved by the Windsor and Maidenhead Local Safeguarding Children Board on 18 November 2015.

F) COUNCIL TAX BASE 2016-17

Members considered the statutory requirement to set the council's tax base for council tax for 2016-17. The Deputy Lead Member for Savings Implementation introduced the report. He explained that the council tax base for the whole of the borough area was to be set at 65,969.62. this was an increase of 2.5% on the previous year due to an increase in the number of properties built (900 additional) and an increased collection

rate of 99.5%. The Chairman stated that he was impressed by the number of houses that had been developed over the past year; in combination with the New Homes Bonus this helped public finances.

The Lead Member for Planning commented that 900 additional properties was a very good number and he was sure it would continue to rise over the coming years.

RESOLVED UNANIMOUSLY: That:

- (i) The council tax base for the whole of the Borough area, for the year 2015-16 is 65,696.62 as detailed in this report and appendices.**
- (ii) Parishes are awarded a grant to compensate them for the loss of taxbase due to the delivery of Council Tax Support as a discount.**

G) FINANCIAL UPDATE

Members considered the latest financial update. The Deputy Lead Member for Savings Implementation introduced the report, highlighting the anticipated net underspend of £153,000 on the General Fund. He explained that, to meet pressures in Adult Social Care, additional savings of £600,000 in Operations would be used. Strong financial management enabled the council to deal with pressures and still provide the services needed. He reported an addition of £362,000 to the development fund from the sale of Compulsory Purchase Order (CPO) properties in Sunninghill. The council was also looking to make a loan to Flexible Home Improvements Loans Ltd. In addition, £230,000 would be allocated to the capital programme for a floodlit pitch in Dedworth. The final recommendation was to request Council approval of a £3m capital budget for public realm around the Landing site.

Councillor Ed Wilson commented that an artificial pitch would be a great facility for Dedworth and would be well used, particularly for football. Dedworth was the birthplace of footballer Peter Osgood; 2016 would see a number of events to mark the 10 year anniversary of his death. He asked officers to proactively engage with Dedworth councillors over details such as the cost of the pitch, how bookings would be administered, floodlights. The Principal Member for Culture and Communities reassured Councillor Ed Wilson that proper dialogue would take place. The pitch would be of a similar size to the one at Charters. The Lead Member for Education commented that the Eton and Windsor football club, of which he was chairman, had 400 players from age 5 to under 18. The club had to travel to the pitches at Braywick Park because the ones at The Windsor Boys' School were fully booked. This new pitch would be a fantastic opportunity. Floodlights could cause concerns but mitigation measures were available.

Councillor Cox arrived at 8.17pm.

The Chief Whip commented that there were a number of properties in her ward that had been empty for some time. It was pleasing to see the council using its CPO powers.

The Lead Member for Youth Services and Safeguarding commented that it was good to see improvements at Manor Youth Centre.

RESOLVED UNANIMOUSLY: That Cabinet:

- i) Notes that Strategic Directors in consultation with Lead Members will implement proposals that mitigate the predicted overspend.
- ii) Approves that the provision (£362k) that was set up when two properties were compulsorily purchased and sold, should be transferred to the Development Fund (see paragraph 4.5).
- iii) Approves the addition of Flexible Home Improvement Loans Ltd (FHIL) as a counterparty on its lending list and delegates authority to the Lead Member for Finance and Head of Finance to agree terms on a loan to FHIL (see paragraph 4.6).
- iv) Approves the addition of a £230k, S106 funded budget to the 2015-16 capital programme for a floodlit, all weather pitch in Dedworth Manor park, Windsor (see paragraph 4.9).
- v) That Cabinet recommends to Council a £3m capital budget for Broadway public realm (see paragraph 4.10).

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion took place on items 8-9 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 7.30 pm, finished at 8.38 pm

CHAIRMAN.....

DATE.....

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CABINET REGENERATION SUB COMMITTEE

WEDNESDAY, 16 DECEMBER 2015

PRESENT: Councillors Simon Dudley (Chairman), Colin Rayner and Derek Wilson

Principal Members also in attendance: Councillors Love and Ms Stretton

Officers: Chris Hilton, Kirandeep Hunjan, Karen Shepherd, Andrew Brooker, Jessica Hosmer-Wright, Shauna Hichens, Anna Trott and Kevin Mcdaniel

APOLOGIES FOR ABSENCE

None received

DECLARATIONS OF INTEREST

Councillors Dudley, Love and Wilson declared interests in the item 'Maidenhead Waterways – Completion of York Stream and Weir' as attendees at the Waterways Board meeting.

Councillor Dudley declared an interest in the item 'Braywick Court School' as Chair of Governors at Riverside Primary.

MAIDENHEAD WATERWAYS - COMPLETION OF YORK STREAM CHANNEL WORKS AND WEIR

Members considered a budget request for Stages 2A, 2B and 2C of the scheme to complete the York Stream arm of the project and raise the water levels, allowing the western half of the 'Ring' to be landscaped. The Lead Member for Planning explained this was a key project in the town centre. The contractor (Greenfords) had been appointed in November 2014. Works already undertaken on stage 1 now required additional works, which had resulted in a budget pressure.

Members noted that Stage 2c related to the weir project and would see the water level raised to a depth of approximately 1.5m. If the works were not undertaken, the waterway would be similar to a storm ditch and would likely dry out in summer. The Lead Member for Planning explained that the Shanly Group had already begun works on Stages 1 and 2 of its waterside development. Phase 3 of the development would complete the single western stretch by December 2017. Originally Greenford had been asked to undertake the widening works on this stretch, but this had been stopped as the Shanly Group had decided to undertake the works at their own cost. If the works were not completed, the council would then need to agree financing to finish the channel at a lower specification. It was noted that that Phase 3 of the development was currently only at outline planning stage. Conditions relating to the widening on the full planning application could be considered at the appropriate time.

The Lead Member for Planning advised that there were a number of sewer diversions required as part of the project, including the relocation of a twin pump main. He had highlighted to Thames Water that Maidenhead Waterways was a charity and as such he hoped the cost estimate of £1.5m would be revisited. Further feedback was awaited.

Members noted that a raised section would be inserted along the footpath under the A4 to minimise flooding. Future new tenants of the Tor building would be approached to aid construction of a proper footpath into the town centre.

The Chairman highlighted that if the funding was agreed by the Sub Committee, the works would ensure the waterway would not dry out in summer and the water level would be raised to provide a depth of approximately 1.5m along the stretch. It was confirmed that small vessels such as skiffs and punts would then be able to navigate the waterway; on some stretches two boats could pass. The minimum width on the one-way stretches was 3.6m; the maximum on the two-way stretches was 7m.

It was confirmed that the £0.25m match funding from the Shanly Group would be received on completion of the amphitheatre, which was expected in Spring 2016. The Regeneration Project Manager explained that she was confident with the cost figures for the piling and design elements of the scheme. The biggest risk related to the sewer diversions; final confirmation of costs was awaited from Thames Water. The Regeneration Project Manager confirmed that cost estimates had been made at a high level and it was hoped they would reduce. Flexibility was also available in terms of non-essential items; the project could be value-engineered. It was anticipated that a full planning application for the Shanly development Stage 3 would be submitted to the council before Christmas 2015. The Chairman highlighted the symbiotic relationship between the two developments. He also commented that the proposals would bring forward the regeneration of Maidenhead and would likely increase the value of the council's land-holdings adjacent to the waterway.

The Principal Member for Maidenhead Regeneration commented that there had been no complaints from local residents in relation to the piling works already undertaken. The Waterways Group had already spent £2500 for 3 kilometres of work to be done to keep the reeds under control. The Chairman stated that none of the achievements would have been possible without the efforts of the volunteers and members of the Maidenhead Waterways Group.

The Head of Finance advised that the funding would require Council approval, therefore the recommendation should be amended.

RESOLVED UNANIMOUSLY: That the Sub Committee recommend to Council to approve the additional capital budget of £3m in aggregate for 16/17 (£2.3m) and 17/18 (£0.7m) to the Waterways project in order to:

- **Complete Stage 1 and commence Stages 2A and 2B of the York Stream**
- **Commence procurement and appointment of an appropriate contractor to construct the Weir (Stage 2C).**
- **To delegate the appointment of the contractor for the weir to the Lead Member for Planning, Lead Member for Finance, Principal Member for Maidenhead Regeneration and Director of Development and Regeneration.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A) 4 of the Local Government Act 1972 the public be excluded from the meeting whilst discussion took place on items 5-8 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Part I of Schedule 12A of the Act.

The meeting, which began at 2.15 pm, finished at 3.15 pm

CHAIRMAN.....

DATE.....

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CABINET PARTICIPATORY BUDGET SUB COMMITTEE

WEDNESDAY, 16 DECEMBER 2015

PRESENT: Councillors David Burbage (Chairman), Christine Bateson and Geoff Hill

Principal Member also in attendance: Claire Stretton

Officers: Andrew Brooker, David Scott, Louisa Dean, Andrew Scott, Karen Shepherd and Shilpa Manek

APOLOGIES FOR ABSENCE

There were no apologies for absence received.

DECLARATIONS OF INTEREST

There were no declarations of interest received.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting of the Sub Committee held on 21 October 2015 be approved.

NEIGHBOURHOOD PARTICIPATORY BUDGET SCHEME - DECEMBER 2015 VOTING ROUND

Members considered the results of the Neighbourhood Participatory Budget (PB) scheme for projects voted for by the public during October, November and early December 2015.

The project with highest votes was Windsor Horse Rangers, Equestrian Mirrors, with a total of 361 votes. The second highest was Volunteer Reading Mentors (ABC to read), with a total of 81 votes and the third highest was the Maidenhead Festival 2016 with 80 votes.

It was noted that 4 new projects had been submitted to the voting round and 10 projects had been carried forward from the previous voting round.

Members noted the voting figures as detailed in Appendix A, and discussed appropriate awarding of funds, including match funding.

RESOLVED UNANIMOUSLY: That:

i) Windsor Horse Rangers – equestrian mirrors be awarded £1,800.

ii) Volunteer Reading Mentors – Assisting Berkshire Children to Read (ABC to read) be awarded £1047.56.

iii) Maidenhead Festival 2016 be awarded £2,000.

iv) No Match Funding was allocated.

MEMBER PARTICIPATORY BUDGETS

It was noted that half of the Members had not allocated their funds to date. In addition to the details in the appendix, it was noted that Cllr Collins had now committed all his budget.

Local Uniformed Youth Groups were discussed and it was noted that these had generally not been successful at securing funds through the Community Grants Panel, and it might

therefore be helpful if those groups who had applied for Community Grants if unsuccessful be highlighted to the relevant local ward member. Ward Members could then consider supporting such groups. It was agreed that it would be useful for Members to be advised if uninformed youth groups had submitted applications to the Grants Panel and been unsuccessful.

In response to a suggestion at the Big Society Panel details of unsuccessful applicants for community grant funding would be forwarded to Members for them to consider supporting them from their Member Budget allocation.

The Chairman agreed that it would be good for the Sub Committee to know if Ward Members were saving their member budget for the following financial year and what they were saving for.

Officers were requested to write to Members reminding them of the funds after Christmas and Councillor Mrs Bateson was requested to write to Members after the Grants Panel in January 2016 reminding them again.

RESOLVED UNANIMOUSLY: That the Cabinet Participatory Budget Sub Committee notes the progress to date in implementing the Member budgets programme for 2015/16.

PARTICIPATORY BUDGET - TOPICS TO BE INCLUDED 2016 - INITIAL CONSULTATION RESULTS

The Sub Committee noted that an initial consultation with Ward Councillors and Parish Councils had been completed. Unfortunately there had not been a high response rate. All responses received have been included in the report. Some further work was carried out and many ideas had now been identified.

The report proposed eight borough wide topics and five for the area wide schemes in Maidenhead, Windsor, Ascot and the Sunnings.

The officer's recommendation suggested that a list be put together and then circulated to the Sub Committee. Once agreed, the survey would be sent with the Around the Royal Borough newspaper and included in the Council Tax bills to residents for them to decide where they would like their monies spent. This was the method used the previous year and had worked very well. The cost of inclusion in the council tax bills was approximately £2000.

The Chairman requested that the Committee be kept involved reaching the decision of the final list that would be sent to residents.

Councillor Stretton explained that once all votes had been received, the monies could be spread across all the selected events if events in each of the three areas were included.

RESOLVED UNANIMOUSLY: Approve the suggested content for the borough-wide and geographic area consultation in 2016, and delegate responsibility to the Principal Member for Culture and Communities in consultation with the Members of the Cabinet Participatory Budget Sub Committee to finalise the 2016 PB consultation document with the Communications and Marketing Manager.

DATES OF FUTURE MEETINGS

The following meeting dates were noted:

- 17 February 2016
- 20 April 2016

The meeting, which began at 5.00 pm, finished at 5.25 pm

CHAIRMAN.....

DATE.....

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CABINET: 28 JANUARY 2016

FORWARD PLAN - CHANGES MADE SINCE LAST PUBLISHED:

ITEM	ORIGINAL CABINET DATE	NEW CABINET DATE	REASON FOR CHANGE
St Cloud's Opportunity Area	-	14/1/16 (Cabinet Regeneration Sub Committee)	New Item
Re-allocation of £25k Windsor Legacy Bridge Participatory Budget	-	17/2/16 (Cabinet Participatory Budge Sub Committee)	New Item
New Road and Streetworks Permit Scheme	-	25/2/16	New Item
Tender for Residential and Nursing Beds	-	25/2/16	New Item
Library Stock Purchase Contract	-	25/2/16	New Item
Dynamic Purchasing Systems - Outline Business Case	-	31/3/16	New Item
Delivering differently in Operations and Customer Services Directorate	-	31/3/16	New Item
Parking Strategy	-	31/3/16	New Item
RBWM Transformation Programme 2015-18: An Agile Council	-	31/3/16	New Item
St Cloud's Opportunity Area	-	28/4/16	New Item
New Primary School Places in Ascot	-	28/4/16	New Item
DAAT Review Outcome and Recommendations	31/3/16	26/5/16	To align with national policy

FORWARD PLAN OF CABINET AND COUNCIL DECISIONS

NB: The Cabinet is comprised of the following Members: Councillors Burbage (Leader of the Council and Chairman of Cabinet, incl. HR and Legal), Bicknell (Deputy Chairman of Cabinet and Education, including Windsor), Dudley (Finance, including Property and Deputy Leader of the Council), Coppinger (Adult Services and Health, including Sustainability), Cox (Environmental Services) Hill (Customer and Business Services, IT) , D Wilson (Planning), Mrs N Airey (Youth Services and Safeguarding), C Rayner (Highways and Transport), Mrs Bateson (Chief Whip incl. Neighbourhood Planning, Ascot & Sunnings). Also in attendance (non-Executive): Councillors Ms Stretton (Principal Member for Culture & Communities), Love (Principal Member for Maidenhead Regeneration), Brimacombe (Principal Member for Transformation and Performance) and Bathurst (Principal Member for Policy).

The Council is comprised of all the elected Members

All enquiries, including representations, about any of the items listed below should be made in the first instance to Democratic Services, Town Hall, St Ives Road, Maidenhead. Tel (01628) 796529. Email: democratic.services@rbwm.gov.uk

FORWARD PLAN

ITEM 28	Private Meeting - contains exempt/confidential information? See categories below.	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings	Date of Overview and Scrutiny Panel	Date and name of meeting	Date of Council decision (if required)
Budget 2016/17	-	Report which sets financial context within next year's budget is being set. The report includes a recommendation to Council of a Council Tax, it recommends a capital programme for the coming year and also confirms Financial Strategy and Treasury	Yes	Lead Member for Finance (Councillor Simon Dudley)	Andrew Brooker		Corporate Services 4 Feb, Adult Services & Health 2 Feb, Children's Services 27 Jan, Highways, Transport & Environment 1 Feb, Planning & Housing 26 Jan, Leisure, Culture & Libraries 25 Jan	Cabinet 11 Feb 2016	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date of Overview and Scrutiny Panel	Date and name of meeting	Date of Council decision (if required)
		Management Policy.							
Council Funding for Local Organisations 2016/17	Fully exempt - 3	To consider the award of grants to voluntary organisations	Yes	Principal Member for Culture and Communities (Councillor Claire Stretton)	David Scott	Grants Panel 12 Jan	n/a	Cabinet 11 Feb 2016	
Integrated Performance Monitoring Report Q3 2015/16	-	Report detailing performance of the Council against the corporate scorecard for quarter 3 2015/16	Yes	Lead Member for Finance (Councillor Simon Dudley), Chairman of Cabinet (Councillor David Burbage), Principal Member for Transformation and Performance (Councillor Paul Brimacombe)	David Scott		Corporate Services Overview and Scrutiny Panel 4 Feb 2016 , Culture & Communities tbc	Cabinet 25 Feb 2016	
Additional Library	Open -	Request to undertake a feasibility study or studies to inform the proposal to open at least one new library during the current	Yes	Principal Member for Culture and Communities (Councillor Claire Stretton)	Mark Taylor	Feasibility study will involve stakeholder consultation.	Culture and Communities Overview and Scrutiny Panel 25 Jan 2016	Cabinet 25 Feb 2016	

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		administration.							
30 Library Stock Purchase Contract	Part exempt - 3	This report deals with the renewal of the Central Buying Consortium (CBC) contract that the RBWM Libraries, Arts and Heritage Service (LAHS) has been part of since August 2010, for 2 years from 1 April 2016 to 31 March 2018, with the optional extension to 31/03/2020	Yes	Principal Member for Culture and Communities (Councillor Claire Stretton)	Mark Taylor	Internal process	Culture and Communities Overview and Scrutiny Panel tbc	Cabinet 25 Feb 2016	
Tender for Residential and Nursing beds	Open -	Seeking authority to Tender to test the market for Residential and Nursing Block Bed provision	Yes	Lead Member for Adult Services and Health (Councillor David Coppinger)	Hilary Hall	Internal process	Adult Services and Health Overview and Scrutiny Panel 2 Feb 2016	Cabinet 25 Feb 2016	
New Road and Streetworks Permit Scheme	Open -	A report detailing the timetable to implement a road and streetworks permit scheme, update on progress to date and approval to incur expenditure.	Yes	Lead Member for Highways and Transport (Councillor Colin Rayner)	Ben Smith	None	Highways, Transport and Environment Overview and Scrutiny Panel 1 Feb 2016	Cabinet 25 Feb 2016	

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31 Night Time Economy Enforcement Services	Open - 4	The paper will present the findings of the complete six month Night Time Economy pilot (1 July 15 – 31 Dec 15) and will recommend whether the service should be continued as a permanent arrangement and propose the configuration of any future provision	Yes	Lead Member for Environmental Services (Councillor Carwyn Cox)	Simon Fletcher, Craig Miller	n/a	Highways, Transport and Environment Overview and Scrutiny Panel 1 Feb 2016	Cabinet 25 Feb 2016	
Chobham Road, Sunningdale - Petition to Reduce Weight Limit from 18T to 7.5T (Consultation Results)	Open -	A petition was submitted to Council on 22 nd September 2015 by Councillor Mrs Bateson, which reads: <i>‘...We, the undersigned, wish the RBWM to consider reducing the recently implemented 18 tonne weight limit on the Chobham Road</i>	No	Lead Member for Highways and Transport (Councillor Colin Rayner)	Ben Smith	Public consultation including residents in the Royal Borough and Surrey; Parish Councils; Surrey County Council; Thames Valley and Surrey Police	Highways, Transport and Environment Overview and Scrutiny Panel 1 Feb 2016	Cabinet 25 Feb 2016	

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32		<p><i>railway bridge to a maximum of 7.5 tonnes. We are concerned that the large lorries pose a safety risk due to the narrow road over the bridge. Large vehicles are forced to cross the central double-white line on a bend where visibility is limited and oncoming traffic may not see them in time...'</i></p> <p>Cabinet received a report on 26th November 2015 and resolved to undertake a consultation on reducing the weight limit with the results reported to Cabinet on 25th February 2016.</p>							
Imperial Road / Clewer Hill Road / Winkfield Road, Windsor – Junction Improvements	Open -	The purpose of this report is update Cabinet on the outcome of the public consultation with respect to improvements at	No	Lead Member for Highways and Transport (Councillor Colin Rayner)	Ben Smith	Public consultation	Highways, Transport and Environment Overview and Scrutiny Panel 1 Feb 2016	Cabinet 25 Feb 2016	

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33		the Imperial Road / Clewer Hill Road / Winkfield Road junctions in Windsor. The consultation offered alternative junction arrangements seeking to reduce congestion and improve traffic conditions.							
Financial Update	-	Finance Update	Yes	Lead Member for Finance (Councillor Simon Dudley)	Andrew Brooker		Corporate Services Overview and Scrutiny Panel 4 Feb 2016	Cabinet 25 Feb 2016	
Member Participatory Budgets	-	To receive details of how Members propose to spend their PB allocation	Yes	Principal Member for Policy (Councillor George Bathurst)	David Scott		Corporate Services via email	Cabinet Participatory Budget Subcommittee 17 Feb 2016	
Neighbourhood Participatory Budget Scheme - Results of Public Vote	-	The results of the neighbourhood participatory budget scheme as voted for by the public	Yes	Principal Member for Policy (Councillor George Bathurst)	David Scott		Corporate Services via email	Cabinet Participatory Budget Subcommittee	

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								e 17 Feb 2016	
Re-allocation of £25k Windsor Legacy Bridge Participatory budget	Open -	Options to reallocate the £25k legacy bridge PB to a similar legacy project in the Windsor area	No	Principal Member for Culture and Communities (Councillor Claire Stretton)	Kevin Mist	Internal process	Corporate Services via email	Cabinet Participatory Budget Sub Committee 17 Feb 2016	
Council Manifesto Tracker	Open -	An outline of performance against the Council's manifesto Commitments	Yes	Chairman of Cabinet (Councillor David Burbage)	David Scott	n/a	Corporate Services Overview and Scrutiny Panel tbc	Cabinet 31 Mar 2016	
Standards and Quality of Education in Royal Borough schools – A Review of the Academic Year	Open -	The report outlines the achievements of schools in the Royal Borough and identifies areas where further development is req	No	Lead Member for Education (Councillor Phillip Bicknell)	Alison Alexander	n/a	Children's Services Overview and Scrutiny Panel 22 Mar 2016	Cabinet 31 Mar 2016	
Review of Whistle Blowing Procedure	Open -	A review of the whistle blowing procedure to ensure it relates to Child Sexual exploitation and also a review in March 2016 of the effectiveness of the procedure within	No	Chairman of Cabinet (Councillor David Burbage)	Terry Baldwin	n/a	Corporate Services Overview and Scrutiny Panel tbc	Cabinet 31 Mar 2016	

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		RBWM							
Ways into Work Contract - Annual Review Report 2015- 16	Open -	Update on the outcomes achieved from the supported employment contract	No	Lead Member for Adult Services and Health (Councillor David Coppinger)	Hilary Hall	n/a	Adult Services and Health Overview and Scrutiny Panel 24 Mar 2016	Cabinet 31 Mar 2016	
35 Delivery of Children's Services	Open -	Consideration of options and service areas.	Yes	Lead Member for Adult Services and Health (Councillor David Coppinger), Lead Member for Youth Services and Safeguarding (Councillor Natasha Airey), Lead Member for Education (Councillor Phillip Bicknell)	Alison Alexander	Internal process	Children's Services Overview and Scrutiny Panel 22 Mar 2016	Cabinet 31 Mar 2016	
RBWM Transformation Programme 2015-18: An Agile Council	Open -	Strategic paper setting out the principles, priorities and approach to transformation at the Royal Borough, to ensure we change ready,	Yes	Principal Member for Transformation and Performance (Councillor Paul Brimacombe)	Simon Fletcher	Internal process	All O&S Panels	Cabinet 31 Mar 2016	

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		agile and commercially focused.							
Parking Strategy	Fully exempt - 1	Strategic paper setting out the principles, priorities and approach to parking / parking enforcement across the Royal Borough.	Yes	Lead Member for Environmental Services (Councillor Carwyn Cox), Lead Member for Highways and Transport (Councillor Colin Rayner)	Simon Fletcher	Internal and external consultation	Highways, Transport and Environment Overview and Scrutiny Panel 23 Mar 2016	Cabinet 31 Mar 2016	
Delivering Differently in Operations and Customer Services Directorate	Fully exempt - 1	Strategic paper setting out the principles, priorities and approach to alternative service delivery across the directorate going forward	Yes	Lead Member for Highways and Transport (Councillor Colin Rayner), Lead Member for Customer and Business Services (Councillor Geoffrey Hill), Lead Member for Environmental Services (Councillor Carwyn Cox), Principal Member for Culture and Communities (Councillor	Simon Fletcher	Internal process	Highways, Transport and Environment Overview and Scrutiny Panel 23 Mar 2016 , Corporate Services tbc, Culture & Communities 30 March, Crime & Disorder tbc	Cabinet 31 Mar 2016	

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				Claire Stretton)					
Financial Update	Open -	Finance update	No	Lead Member for Finance (Councillor Simon Dudley)	Andrew Brooker	n/a	Corporate Services Overview and Scrutiny Panel tbc	Cabinet 31 Mar 2016	
Dynamic Purchasing Systems - Outline Business Case 37	Open -	Report to consider whether dynamic purchasing is a route the Council wishes to proceed down to procure its services, and the options available	No	Lead Member for Finance (Councillor Simon Dudley), Councillor Stuart Carroll	tbc	Internal process	Corporate Services Overview and Scrutiny Panel tbc	Cabinet 31 Mar 2016	
Appointment of Local Authority Governors	Part exempt - 1	To consider the appointment of LA Governor Representatives to Governing Bodies of Schools in the Borough	Yes	Lead Member for Education (Councillor Phillip Bicknell)	David Scott	n/a	n/a	Cabinet Local Authority Governors Appointments Subcommittee 31 Mar 2016	
Home to School Transport - Post 16 Policy (Annual)	Open -	The Council's policy on providing Home to School transport is subject to annual review.	No	Lead Member for Education (Councillor Phillip Bicknell)	Alison Alexander	n/a	Children's Services Overview and Scrutiny Panel 19 Apr 2016	Cabinet 28 Apr 2016	
St Cloud's Opportunity Area	Part exempt - 3,4	An update on the work by the DM Manger GL Hearn	Yes	Principal Member for Culture and	Chris Hilton	Proposed Stakeholder and Public	Corporate Services Overview and	Cabinet 28 Apr 2016	

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				Communities (Councillor Claire Stretton), Principal Member for Maidenhead Regeneration (Councillor Philip Love)		Consultations	Scrutiny Panel 21 Apr 2016		
Progress Report on Extending Grammar School Provision into the Royal Borough	Open -	Report on progress on investigations into opening a satellite site to Sir William Borlase's Grammar School in Maidenhead.	Yes	Lead Member for Education (Councillor Phillip Bicknell)	Alison Alexander	n/a	Children's Services Overview and Scrutiny Panel 19 Apr 2016	Cabinet 28 Apr 2016	
Financial Update	Open -	Finance update	No	Lead Member for Finance (Councillor Simon Dudley)	Andrew Brooker	n/a	Corporate Services Overview and Scrutiny Panel 21 Apr 2016	Cabinet 28 Apr 2016	
New Primary School Places in Ascot	Open -	Report setting out options for new primary school places in Ascot, and seeking permission for public consultation	No	Lead Member for Education (Councillor Phillip Bicknell)	Kevin McDaniel	Internal process	Children's Services Overview and Scrutiny Panel 19 Apr 2016	Cabinet 28 Apr 2016	
Neighbourhood Participatory Budget Scheme - Results of Public Vote	Open -	The results of the neighbourhood participatory budget scheme as	Yes	Principal Member for Culture and Communities (Councillor	David Scott	public vote	Corporate Services via email	Cabinet Participatory Budget Sub	

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		voted for by the public		Claire Stretton)				Committee 20 Apr 2016	
Member Participatory Budgets	Open -	To receive details of how Members propose to spend their PB allocation	Yes	Principal Member for Culture and Communities (Councillor Claire Stretton)	David Scott	n/a	Corporate Services via email	Cabinet Participatory Budget Sub Committee 20 Apr 2016	
DAAT Review Outcome and Recommendations	Open -	A report recommending the future DAAT model for RBWM following a Task and Finish Group and Consultation	No	Lead Member for Adult Services and Health (Councillor David Coppinger)	Hilary Hall	tbc	Adult Services and Health Overview and Scrutiny Panel 19 May 2016	Cabinet 26 May 2016	
Integrated Performance Monitoring Report Q4 2015/16	Open -	Report detailing performance of the Council against the corporate scorecard for quarter 4 2015/16	No	Chairman of Cabinet (Councillor David Burbage), Principal Member for Policy (Councillor George Bathurst)	Karen Shepherd, David Scott	Internal process	Corporate Services Overview and Scrutiny Panel tbc, Culture and Communities Overview and Scrutiny Panel 17 May 2016	Cabinet 26 May 2016	
Flood Monitoring	Open -	Provides an update on national and local developments relating to flooding.	No	Lead Member for Highways and Transport (Councillor Colin Rayner)	Ben Smith	Internal process	Highways, Transport and Environment Overview and Scrutiny Panel 18 May 2016	Cabinet 26 May 2016	

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Ofsted Improvement Plan	Open -	To provide a further update on progress against the Ofsted improvement plan and to report on the outcome of the Local Government Association safeguarding peer review	No	Lead Member for Youth Services and Safeguarding (Councillor Natasha Airey)	Hilary Hall	Internal process	Children's Services Overview and Scrutiny Panel tbc	Cabinet 26 May 2016	
Ofsted Holyport College – Safe Route to School (Petition)	Open -	Council received a petition on 15th December 2015 and resolved the following: i) The council notes the petition, and recognises the need to create and maintain safe routes to school ii) The council notes that £80,000 of highways developer contribution funding awaits a suitable scheme iii) The council recommends that a report be brought to Cabinet in Spring 2016 with	No	Lead Member for Highways and Transport (Councillor Colin Rayner)	Ben Smith	Public consultation	Highways, Transport and Environment Overview and Scrutiny Panel 18 May 2016	Cabinet 26 May 2016	

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ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date of Overview and Scrutiny Panel	Date and name of meeting	Date of Council decision (if required)
41		<p>potential options to utilise the funding and address the issues raised by the petition, including a full consultation process</p> <p>This report will respond to the Council resolution</p>							
Road Safety Improvements at School – Parking Policy & Practice	Open -	<p>Indiscriminate parking outside schools creates road safety hazards for children.</p> <p>This report will consider policies and initiatives to be introduced, or reinforced to improve road safety.</p>	No	Lead Member for Highways and Transport (Councillor Colin Rayner)	Ben Smith	Consultation with Headteachers / Ward Members and Parish Councils	Highways, Transport and Environment Overview and Scrutiny Panel 18 May 2016	Cabinet 26 May 2016	
Financial Update	Open -	Financial update	Yes	Lead Member for Finance (Councillor Simon Dudley)	Andrew Brooker	Internal process	Children's Services Overview and Scrutiny Panel tbc	Cabinet 26 May 2016	

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Appointment of Local Authority Governors	Part exempt - 1	To consider the appointment of LA Governor Representatives to Governing Bodies of Schools in the Borough	Yes	Lead Member for Education (Councillor Phillip Bicknell)	David Scott	Internal process	n/a	Cabinet Local Authority Governors Appointments Subcommittee 26 May 2016	

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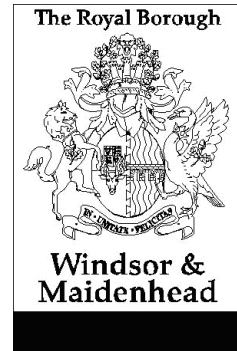
DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1	Information relating to any individual.
2	Information which is likely to reveal the identity of an individual.
3	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6	<p>Information which reveals that the authority proposes</p> <p>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) to make an order or direction under any enactment.</p>
7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

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Report for: INFORMATION



Contains Confidential or Exempt Information	NO – Part I
Title	The Royal Borough Shared Services
Responsible Officer(s)	Alison Alexander, Managing Director and Strategic Director Adults, Children and Health
Contact officer, job title and phone number	Alison Alexander, Managing Director and Strategic Director Adults, Children and Health, 01628 796673
Member reporting	Cllr David Burbage, Leader of the Council
For consideration by	Cabinet
Date to be considered	28 January 2016
Implementation date if not called in	9 February 2016
Affected wards	All

REPORT SUMMARY

1. The Royal Borough has been sharing services, with a range of partners, since its establishment in 1998. This paper details the range of existing shared service arrangements and comments on future shared service arrangements.
2. With changes in Local Authority funding, it is important that the council continues to work efficiently in its use of finances. Through 'working together' with partners to share services, the council secures 'value for money' for residents, alongside continually equipping itself for the future changes to local authorities.
3. The paper recommends Cabinet notes the current arrangements and endorses officers continuing to explore opportunities for sharing of all services with partners.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Value for money for residents through economies of scale.	Ongoing
2. Increased resilience of service provision – through larger operation.	Ongoing

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i. **Notes the level of shared service arrangements operated by the Royal Borough.**
- ii. **Delegate authority to Strategic Directors in agreement with Lead Members to continue to explore opportunities for shared services.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 Shared services enable the council to maximise its resources, secure resilience in service provision and provide for increased innovation. In 1998, the Council was formed with nine shared services arrangements:

- Landfill.
- Landfill.
- Berkshire Adoption.
- Coroner Service.
- Lord Lieutenant Service.
- Modern Records.
- Sensory Consortium Service.
- Winter Maintenance Forecasting.
- County Archivist / Berkshire Archives.

2.2 The Council, in its commitment to secure resident focused value for money has increased the number of services it shares since 1998. Currently services are delivered through shared arrangements at a cost of £4m plus BCF for 28 service areas, see table 1.

Table 1: Shared service arrangements

No	Service area and purpose	Partner(s)	Date arrangement started and end date	Why share	Value of service
1.	Landfill Site, London Road, Bracknell	Six Berkshire authorities	Since 1998 No present end date	To provide a cost effective landfill site (landfill gas and leachate)	Split of costs based on how much waste deposited from each Unitary. RBWM cost £51.7k.
2.	Landfill site, Lower Way Tip, Thatcham.	Six Berkshire authorities	Since 1998 No present end date	To provide a cost effective landfill site.	Cost is around £4K per annum.
3.	Berkshire Adoption Advisory Service – to provide advice and support to adopters, including training and consultancy.	Six Berkshire authorities – RBWM hosts the service.	April 1998 – no prescribed end date	To secure cost efficiencies and better service quality.	Overall combined cost in 2015-2016 is £303K, RBWM's share is £45K

No	Service area and purpose	Partner(s)	Date arrangement started and end date	Why share	Value of service
4.	Coroner Service	Six Berkshire authorities – Reading is the lead authority.	1 April 1998 – no end date prescribed.	To secure cost efficiencies	Overall combined cost in 2015/16 is £1.3m, RBWM's share is £201K.
5.	Lord Lieutenant – appointed by the Queen to be her personal representative in Berkshire. Assisted by the Vice Lord-Lieutenant and by Deputy Lieutenants (currently 29 in Berkshire).	Six Berkshire authorities - Bracknell Forest currently the Clerk to the Lieutenancy. The office is based at the Berkshire Records Office.	1 April 1998 - no prescribed end date.	To provide Lord Lieutenancy function for Berkshire.	Overall combined cost in 2015/16 is £61K, RBWM's share is £11K.
6.	Modern Records – to provide a Records Service to manage the records which existed prior to the dis-aggregation of Berkshire County Council and the establishment of the Archive Service.	Six Berkshire authorities – Reading is the lead authority.	1 April 1998 – no end date prescribed.	To provide a single service for records relevant to social care and personal data that has a long 'closed file' life.	Overall combined cost in 2015/16 estimated to be £146K, RBWM's share is £27K.
7.	Sensory consortium service – to provide a specialist education support service to support children and young people with a hearing and/or visual impairment from diagnosis to entry into the workplace	Six Berkshire authorities – RBWM hosts the service.	Since 1998 current agreement April 2013 – March 2016. Joint Management Group has agreed an extension to April 2017 to enable a robust review of the service starting late December 2015 and concluding by March 2016. A re-scoping exercise will follow for implementation in April 2017	To secure cost efficiencies.	Overall combined cost in 2015-2016 is £1.5m, RBWM's share is £183K.

No	Service area and purpose	Partner(s)	Date arrangement started and end date	Why share	Value of service
8.	Winter Maintenance Forecasting – to provide weather forecast for winter service.	Six Berkshire authorities	1998 original rolled over from Berkshire CC. Contract commenced in 2010, due for renewal or extension in 2016.	To secure a more cost effective service when purchased as a group and provide a consistency of service.	Overall combined cost is £47K, RBWM's share is £8K per annum.
9.	Archives – to fulfil the statutory duty for care of historic public records.	Six Berkshire Authorities – West Berkshire is designated 'Archives Authority' for Berkshire and the service is managed on behalf of West Berkshire by Reading.	Started in 1998 the joint arrangement is governed by a 15 year legal agreement – renewed in 2013 and due to expire on 31 March 2028.	To enable the Royal Borough to fulfil its statutory duty for the care of historic public records.	The costs of the service split according to Council Tax Base and are uplifted by 6% which is retained by Reading to cover corporate costs. The estimated cost for 2015-16 is £156K
10.	Berkshire Equipment Store – to purchase equipment for children and adults with disabilities.	Six Berkshire authorities and the Clinical Commissioning Groups.	Started in 2004 – current contract expires March 2017	To secure cost efficiencies.	RBWM contribution £500k
11.	Chalvey Civic Amenity Site – Slough	Slough Borough Council	At least ten years, historic arrangement – reviewed each year.	To provide a convenient civic amenity site closer to residents.	Cost is around £240k per annum
12.	Library Management System – computerised catalogue and loans record system for Borough libraries stock and customers	10 South East and London public library authorities in membership of the SELMS consortium. (Milton Keynes, Buckinghamshire, Hertfordshire, Camden, Richmond, Slough, West Berkshire, Brighton & Hove, Kent, Medway) RBWM is the lead administrative authority.	Started in 2006. Current contract due to expire in 2017 but the Consortium Board has just agreed to seek a new extension for two years (plus up to a further two years) to 2021, subject to approval under each authority's standing orders/constitution/ procurement regulations.	To provide a better and more cost effective service to residents.	Library members are given shared access to resources and the ability to borrow and return loaned items from any of the libraries in the consortium using their local ticket. Costs to RBWM are lower due to sharing being based on population. Estimated total cost for 2015/16 is £25K.

No	Service area and purpose	Partner(s)	Date arrangement started and end date	Why share	Value of service
13.	Shared health and safety manager	Slough, Reading and Oxford City	Started April 2010. No formal end date – subject to 3 months notice by either party.	To enable shared learning across four authorities; secure greater resilience by access to a wider team; provide shared policies – only need to be written/updated once.	£20,000 per annum paid to Reading
14.	Swift Lane Waste Amenity Site, Bagshot, Surrey	Surrey County Council	Since 2011 – reviewed each year.	To provide a low cost, effective, civic amenity facilities closer to Ascot & the Sunnings.	Cost is around. £15-£20k per annum
15.	Shared Legal Solutions – for the majority of non-adults/ children’s specialist legal advice to the Borough.	Wokingham Borough Council. Slough Borough Council Team also sells services to range of schools, academies and parish/town councils within RBWM, WBC and West Berkshire	1 June 2011 – 31 May 2016.	To share the overall costs and increase the critical mass of the legal team available through a shared resources to Boroughs.	Original combined cost of £2.1m prior to 2011 to £1.4m in 2014/15. Hourly rate has reduced from £68 per hour (11/12) to £56 per hour (14/15), due to increase in external income. Projected year end cost for 2015/16 for RBWM is £900K.
16.	Emergency duty team – to provide an out of hours service for adults and children’s social care services.	Six Berkshire authorities – Bracknell provides the service.	February 2012 – 31 March 2015. Contract extended to 31 March 2016 pending substantial review of the service. Negotiations ongoing.	To secure cost efficiencies.	Overall combined cost in 2015-2016 is £980K, RBWM’s share is £158K.
17.	Berkshire Public Health – to share a Director of Public Health, Contracts and Shared Service Team.	Six Berkshire authorities.	April 2012 – review 2017 or earlier by agreement. RBWM reviewed and confirmed intention to remain 2014.	To secure cost efficiencies and better value in contract monitoring.	RBWM contribution £142k

No	Service area and purpose	Partner(s)	Date arrangement started and end date	Why share	Value of service
18.	Community Learning and Skills Service – to provide adult learning courses.	Slough Borough Council	September 2012 – no prescribed end date.	To secure better local services, including more learners, more relevant learning and higher quality of teaching and learning under better management.	The service is “self funded” through funding secured from the Skills Funding Agency
19.	Trading Standards – Petroleum Licensing Services – to provide statutory inspections of petroleum stations to enable permits to be issued.	Slough Borough Council – RBWM provides the service.	Since 2013 – reviewed annually	To provide a small income generation with no impact on RBWM services	Generates an annual income of £2,000
20.	Childcare Lawyers – to provide specialist legal services for children’s and adults social care services.	Six Berkshire authorities – Reading provides the service.	July 2013 – no prescribed end date, rolling agreement. Notice given to end the agreement on 31 March 2015.	To secure cost efficiencies.	Overall combined cost in 2015-2016 is £4m, RBWM’s share is £360K.
21.	Health and Safety Advisor	Reading	January 2014. No formal end date – subject to 3 months notice	To provide a low cost health and safety service	£19,500 received from Reading
22.	Audit function – to provide audit and investigation services across both Boroughs.	Wokingham Borough Council. Team also sells services to Bracknell, Reading and Oxfordshire	October 2014 – October 2019.	To secure cost efficiencies	£457K
23.	Adopt Berkshire – to provide a specialist service for the recruitment, assessment and approval of adopters and family finding for those children needing adoption.	RBWM, Bracknell Forest, West Berkshire and Wokingham – RBWM hosts the service.	December 2014 – no prescribed end date	To secure cost efficiencies and better service quality.	Overall combined cost in 2015-2016 is £630K, RBWM’s share is £190K

No	Service area and purpose	Partner(s)	Date arrangement started and end date	Why share	Value of service
24.	Better Care Fund – pooled budgets with CCGs to improve services for older people.	Clinical Commissioning Groups.	April 2015 - to finish complete integration of health and social care in 2020.	To maximise efficiencies and secure more local integration of adult social care and health services locally	£9m between local authority and CCGs.
25.	Building Control – to provide Building Control services across both Boroughs.	Wokingham Borough Council Could become a four way partnership with two other authorities.	April 2015 – 31 March 2020. Parties may give 12 months' notice to terminate after 1 June 2019.	To secure cost efficiencies	£100k
26.	Building Services – to manage capital projects and provide building services consultancy to both authorities	Wokingham Borough Council	January 2016 - 5 years and 3 months term starting 1 January 2016, ending on 31 March 2021. Parties may give 12 months' notice to terminate on 31 March in any year.	To secure cost efficiencies	Cost dependent on value of work commissioned
27.	Waste and Minerals – to co-ordinate sub regional minerals and waste strategy	Reading, Slough, Bracknell and Wokingham	Ongoing	To ensure a coordinated approach.	£60k
28.	Schools Library Service – to provide a library service for schools	Service is run by Bracknell Forrest but Royal Borough schools can choose to buy it or not.	Service was run by Berkshire at the time of disaggregation and seeks annual or less frequent sign-up direct from schools.	This is a 'self-funding' joint arrangement	The budget for Schools Library Services was devolved to schools several decades ago. Price bands are related to age and number of pupils.

2.3 In addition to the current shared service arrangements, exploration is taking place with a range of partners on sharing, at least 15 service areas, see table 2.

Table 2: Shared services being explored

No	Service area	Partner(s)	Date arrangement proposed to start	Value of service
1	Berkshire Finance – business case prepared by RSM Tenon. Next stage development of a detailed business case by 1 May 2016.	Possible all six Berkshire authorities	May 1 2016 if business case is approved	Still to be set

No	Service area	Partner(s)	Date arrangement proposed to start	Value of service
2	Learning Disability – to share resources and approach to commission and provide better services for high need LD people within Berkshire.	Six Berkshire authorities	April 2016 - Subject to agreement.	Tbc but will use existing funding for placements.
3	Regional Adoption Agency – to create a regional adoption agency building on the success of Adoption Berkshire.	Adopt Berkshire (Bracknell Forest, RBWM, West Berkshire and Wokingham), Reading, Oxfordshire County, Milton Keynes, Slough, The Cornerstone Partnership – a social enterprise company	The current plan is that the new Regional Adoption Agency is initially based on the current model of Adopt Berkshire and there will be phased development considering Reading and Slough during phase one. A transition plan will be in place by March 2016 but there is currently no date by which the Agency must 'go live'. The Government expects Regional Adoption Agencies to be fully implemented by 2020	Tbc
4	Children's Services	Tbc	April 2017 – currently reviewing option to establish stand alone organisation. A shared arrangement could be viable.	Tbc
5	Adult social care	Tbc	Date tbc. Exploration of further integration with Health – the two CCG's. Alternatively partnering with a provider of adult social care, with another Berkshire authority.	Tbc
6	HR functions	West Berks; Wokingham	Tbc – initial discussions taken place regarding potential in two aspects for sharing: 1. Services to schools. 2. Learning and development. 3. To review the contracts we have, and aligning these wherever and whenever practical. To be followed up with working groups in each of the 3 areas identified.	Tbc
7	IT	Tbc	Exploration to begin either elements of (user support / helpdesk functions, systems admin, management or the whole service including infrastructure costs / shared systems.	Tbc

No	Service area	Partner(s)	Date arrangement proposed to start	Value of service
8	Customer Services	Tbc	Shared contact centre (one number for Berkshire), could be viable.	Tbc
9	Revs & Bens	Tbc	Whole service covered by the Finance shared services work.	Tbc
10	Libraries	Tbc	Shared buildings on boundaries not just shared resident access, might be viable.	Tbc
11	Environmental Health and Protection Services	Tbc	April 2017 – currently reviewing option to deliver differently.	Tbc
12	Parking Enforcement	Tbc	April 2017 – currently reviewing option to deliver differently.	Tbc
13	Emergency Planning	Tbc	A shared arrangement could be viable	Tbc
14	Highways & Transport	Tbc	Management and Functions. April 2017 – currently reviewing option to deliver differently.	Tbc
15	Streetscene	Tbc	April 2017 – currently reviewing option to deliver differently.	Tbc

- 2.4 Alongside the commitment to share services, The Royal Borough is actively engaged with the other five Berkshire authorities exploring opportunities for devolution in response to the ambition of central Government. The work began in May 2015, steered from the Berkshire Leaders and Chief Executive Groups. Whilst not a formal shared service – it will influence the future exploration of shared services.
- 2.5 The work is exploring opportunities for what services might be better delivered through devolvement, either by way of a shared service approach or potentially a new Combined Authority approach. The range of the services being considered for developing currently includes strategic planning, economic development, transport, housing and skills. Other services such as adults social care might be considered at a later stage. The project cost £12K per Local Authority in the current financial year.
- 2.6 The option recommended ensures that the council continues to maximise resource and secures resilience services, see table 3.

Table 3: Options

Option	Comments
Continue exploring shared services arrangements.	Sharing services increases mileage of social services and cost to the Local Authority.
Recommended option	
Not to continue sharing services or exploring future options.	I would be inefficiency to not continue.

3. KEY IMPLICATIONS

- 3.1 Success in delivering shared service will be measured through a number of defined outcomes, see table 4.

Table 4: Defined outcomes

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Number of new shared services in place from 2014-2015 baseline of 23.	<3	3-5	6-8	>8	30 April 2017
Costs reduced from 2014-2015 baseline.	<6%	6%	6-7%	>7%	30 April 2017
Improved service delivery from 2014-2015 baseline based on % of relevant key performance indicators achieved.	<95%	95%	96-99%	100%	30 April 2017

- 3.2 There are eight specific key performance indicators that relate to the 28 shared service areas:

Public health

- Number of people taking up health checks.
- Number of residents who quit smoking for at least 4 weeks.
- Childhood immunisation - MMR2, measles, mumps and rubella.

Adopt Berkshire

- Children waiting with a placement order not yet placed with an adoptive family.
- Average time between a child entering care and moving in with their adopted family.
- Approvals of adopters made within six months of registration.

Libraries

- Library and museum income.

Waste

- Percentage of households waste sent for reuse, recycling, energy recovery and composting.

4. FINANCIAL DETAILS

Financial impact on the budget

4.1 The current value of shared services is £4m excluding the £9m BCF. There are no new financial implications of this report. All financial implications are identified in the Cabinet report seeking approval for specific shared services.

5. LEGAL IMPLICATIONS

5.1 The Council has the power to enter into shared service arrangements under s101 of the Local Government Act 1972 in relation to Council functions or Local Government Act 2000 for executive functions. Any specific restrictions, relevant legislation or other guidance will be identified in the Cabinet report seeking approval for the specific shared services.

6. VALUE FOR MONEY

6.1 Each service area that is shared by the Council is assessed separately for value for money and the implications are identified in the Cabinet report seeking approval for the specific shared services. .

7. SUSTAINABILITY IMPACT APPRAISAL

7.1 None

8. RISK MANAGEMENT

8.1 The risks associated with any shared services proposals are identified in the Cabinet report seeking approval for the specific shared services.

9. LINKS TO STRATEGIC OBJECTIVES

9.1 Shared service arrangements are in line with all the four of the council's strategic priorities: Residents First; Value for Money; Working Together and Equipping ourselves for the Future.

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 No equalities impact required.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 None.

12. PROPERTY AND ASSETS

12.1 None.

13. ANY OTHER IMPLICATIONS

13.1 None.

14. CONSULTATION

14.1 The report will be considered by Corporate Services Overview and Scrutiny Panel.

15. TIMETABLE FOR IMPLEMENTATION

15.1 The timetable for implementation of any shared services is detailed in the Cabinet report seeking approval for the specific shared services.

16. APPENDICES

16.1 None.

17. BACKGROUND INFORMATION

17.1 None

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader	30/12/15	05/01/16	Included
Simon Fletcher	Strategic Director Operations & Customers	30/12/15	05/01/16	Included
Russell O'Keefe	Strategic Director Corporate and Communities	30/12/15	05/01/16	Included
Andrew Brooker	Head of Finance	30/12/15	05/01/16	Included
Sean O'Conner	Shared Legal Solutions	30/12/15	05/01/16	Included
Michaela Rizou	Cabinet Policy Officer	30/12/15	05/01/16	Included
External				

REPORT HISTORY

Decision type:	Urgency item?
For information	No

Full name of report author	Job title	Full contact no:
Alison Alexander	Managing Director and Strategic Director Adults, Children and Health Services	01628796673

Report for: ACTION



Contains Confidential or Exempt Information	No - Part I
Title	Highway Asset Management Plan
Responsible Officer(s)	Simon Fletcher, Strategic Director of Operations, 01628 796484
Contact officer, job title and phone number	Chris Wheeler, Highways & Transport Business Manager, 01628 796723
Member reporting	Cllr Rayner, Lead Member for Highways & Transport
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediately
Affected Wards	All

REPORT SUMMARY

1. This report was presented to Highways, Transport and Environment Overview and Scrutiny Panel on 25 November 2015 to provide an update on progress relating to improved highway asset management and to present the proposed Highway Asset Management Plan (HAMP).
2. Highways, Transport and Environment Overview and Scrutiny Panel recommended that the report be added to the forward plan for Cabinet in January 2016 for formal adoption of the HAMP.
3. It recommends that the HAMP is adopted.
4. Adoption of a robust asset management strategy, policies and inspection regimes is essential for the Borough to maximise government grant funding, optimise expenditure and maintain a robust defence against claims.
5. Key headlines and trends for the Council's roads:
 - a. RBWM Road Network 375 miles (603km)
 - b. Over £9m spent on road maintenance over the past 4 years
 - c. The percentage of roads where maintenance should be considered has been cut by more than half over the past 5 years
 - d. In 2014/15 31 miles of road were resurfaced and over 11,000 potholes were fixed through the 'Pothole Challenge' initiative
 - e. Almost 100% of dangerous potholes are repaired and made safe within 24 hours of being reported

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which they can expect to notice a difference
Residents will benefit from an improved highway network, proactively inspected and maintained to optimise the securing and use of funding and minimise legal claims	With effect from formal adoption of the HAMP Grant Funding implications from April 2016

1. DETAILS OF RECOMMENDATIONS

RECOMMENDED: That Cabinet:

- i) **Endorse the strategy, policy and guidance set out in the report and documents and formally adopts the Highway Asset Management Plan.**

2. REASON FOR DECISION AND OPTIONS CONSIDERED

Introduction

- 2.1 The Department for Transport (DfT) encourages local authorities to develop an asset management approach to managing the highway network.
- 2.2 As a highway authority, the Royal Borough aims to introduce and embed asset management principles throughout the organisation to ensure that:
 1. **we optimise government grant funding based on new rules (by reaching DfT Band 2 by 2016/17) and follow DfT good practice to maximise any additional grant funding that becomes available**
 2. **spending is focussed on need and desired outcomes by using investment models (see 2.21)**
 3. **the condition of our roads improves - 2015/16 target for principal roads is 5.5% in need of maintenance. Actual 5% (1% improvement on 2014/15 actual).**
 4. **resident satisfaction increases so that we reach the top quartile of Local Authorities by March 2019 (see section 3)**
- 2.3 In simple terms, asset management is the way an organisation manages its assets to deliver its strategic priorities and service needs effectively.

RBWM Highway assets include:

- Roads Network: 603km (375 miles). See Appendix A.
- Footways: 800km
- Bridges/Structures: 300+
- Street Lights etc: 17,000+
- Traffic Signals: 57 sites
- Road Drains: 26,000+
- Public Rights of Way: 300+km
- Highway Trees: 40,000+

Highway asset management assesses the status of these assets; identifies need and indicates the level of investment required to maintain, and improve our performance.

- 2.4 Historically the RBWM planned maintenance approach has been driven by the budget level allocated and targets roads categorised as 'red' (suggested

intervention level) and roads categorised as high 'amber' (suggested early intervention) together with minor roads identified through inspections and Member requests. The asset management strategy set out in this report and in the documents within the HAMP builds on this approach by providing investment options that deliver different outcomes allowing RBWM to better align investment with Council aspirations and performance targets. With new funding rules coming into place from 2016/17 it is also essential that the Borough embraces all elements of good asset management practice and adopts a strategy to ensure the Council does not lose grant funding (set out in 2.7 and in sections 3 and 4).

Document terminology

- 2.5 The overarching name for the set of documents is the **Highway Asset Management Plan** (HAMP) - It contains the following:
- The high level document focussing on strategy for Highway Assets is the **Highway Asset Management Strategy** (HAMS). Appendix B.
 - The document setting out policies, standards and methods is the **Highway Maintenance Management Plan** (HMMP). Appendix C.
 - The document used to inspect and determine where interventions are required is the **Highway Safety Inspection Manual** (HSIM). Appendix D.

Changing Government requirements/ Grant funding

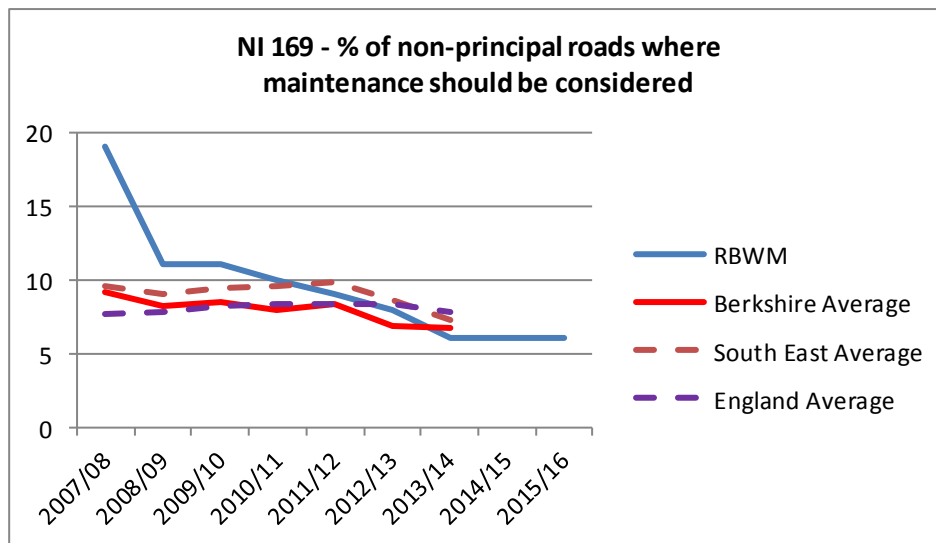
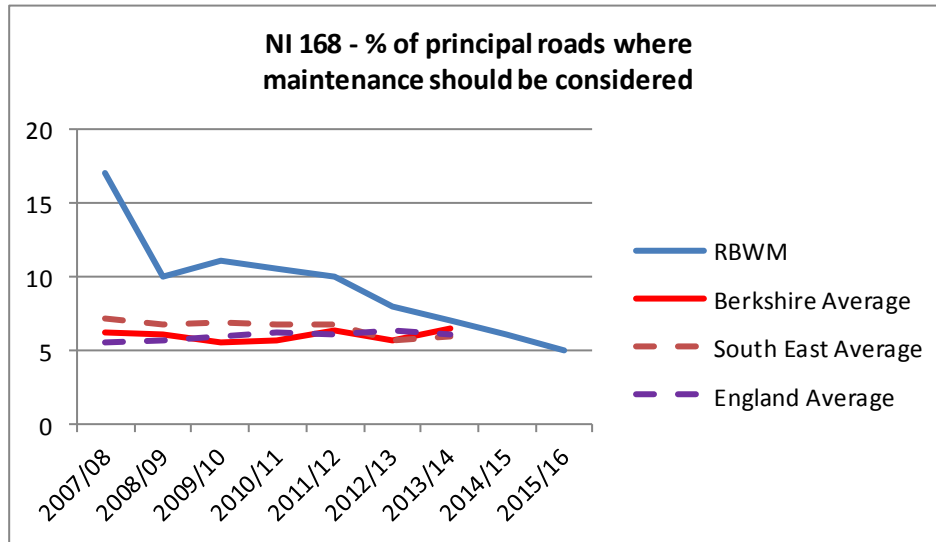
- 2.6 The DfT are currently changing the way they are capturing information and the introduction of Whole of Government Accounting will mean that the Borough will have to provide a valuation and a condition statement for the entire highway network each year. This is already being developed with the Finance Department with a view to RBWM being fully compliant by the deadline in April 2017. Failure to categorise expenditure to the agreed categories could lead to a qualified set of local authority accounts. If the accounts are not approved by external audit this in turn will impact on grants available from the DfT. This will have a detrimental effect on the authority's transport infrastructure in the long term.
- 2.7 From 2016/17 onward an increasing element of Local Transport Plan (LTP) capital grant allocated by the DfT will be based on reward for good asset management practices and less purely based on need (e.g. length of roads). As shown in sections 3 and 4, this element will be greater than £300k in four to five years' time. The current allocation based on need is £2.178m. It is very likely that any other one-off funding the DfT may make available over the coming years will be allocated on a similar basis.

Road condition, Highway inspections and safety repairs

- 2.8 Since 2007/08, the Royal Borough has cut the percentage of roads where maintenance should be considered from 17% to 5% for principal roads and from 19% to 6% for non-principal roads, while average figures across England increased slightly (see tables overleaf).

Although we only have access to national, regional and Berkshire averages up to 2013/14, we now have the 2014/15 and 2015/16 road condition percentages in need of maintenance for RBWM.

The principal road target set in the Annual Plan for 2015/16 is 5.5% - the actual, recently reported, exceeds this at 5%.



2.9 This improvement has been delivered by increasing investment in the planned maintenance with over £9m spent on RBWM roads over the past 4 years. This included over £2m of one-off additional funding from the DfT (Flood Alleviation Grant and Pothole Grant). This has been supported by ensuring that Council contracts provide good value, minimise overheads and innovative solutions are used wherever possible.

2.10 The RBWM highway inspection regime and standards are set out in the HMMP and HSIM which must account for the content of the national “Well Maintained Highways” Code of Practice. This code provides local authorities with guidance on asset management. The Council follows the vast majority of the current Code of Practice but where there are variations these are clearly justified and explained within the documents. RBWM has a good record in defending compensation claims (pothole repudiation rate for compensation claims from 2009/10 to 2013/14 is 94%. For all other highways claims the average repudiation rate over the same period is 92%). We have been able to defend claims under the statutory defences contained in the Highways Act because we have robust documents and practices. However, a successful claim can be in the hundreds of thousand pounds in value so we need to continue to review and enhance our documents and delivery methods to maintain this. The council’s meets up to the first £500K of public liability claims under the terms of its insurance arrangements.

2.11 The target set out in our Integrated Performance Management Report (IPMR) is to fix 98% of emergency potholes within 24 hours. Currently RBWM is performing at nearly 100%.

Resident satisfaction (benchmarking)

2.12 In addition to the resident’s survey, since 2013 the Royal Borough has taken part in the annual National Highways & Transport (NHT) Benchmarking Survey carried out in July/ August. This works in a similar way to the resident’s survey but drills down into a further level of detailed questions relating to these services. In addition, it provides comparison for customer satisfaction between different authorities, regionally and nationally. Overall we were ranked 31st of the 87 local authorities participating compared to 47th of 78 last year which puts us well on target to be in the top quartile by March 2019 as set out in our business plan.

2.13 Overall RBWM scores very well compared with local authorities that participated - resident satisfaction with the condition of Roads (10th of 87) and Highway Maintenance (9th of 87). These overall scores are made up from the results of a number of specific questions and Highway Maintenance particularly shows a significant improvement on previous years. We need to continue to make improvements in the way we manage our assets to reach a corresponding improvement in the RBWM resident’s survey satisfaction levels. In 2015 overall satisfaction with local road maintenance was 37%. Details of key NHT indicators are at Appendix E.

Progress

2.14 The first stage of developing our asset management approach was to look at the current RBWM position across a range of highway aspects and where we aimed to be in the short and longer term. The review was conducted in a workshop environment with the RBWM officers, discussing and scoring RBWM highway maintenance service as a whole. This set a clear set of actions for improvements including engaging with key stakeholders on the strategy, undertaking investment modelling and developing programmes of work to cover more than one year.

2.15 The 2015/16 revenue budget includes £50k for additional surveys for A, B, C, D and unclassified roads. This is above the statutory minimum requirement and will now provide 100% survey coverage for all Borough roads. These additional surveys enable us to link technical condition assessments for all roads with the planning and decision-making process for highway maintenance works and thereby improve modelling of future programmes and better targeting of resources.



2.16 In July 2015 Cabinet agreed three year programmes for highway works enabling a strategic approach over the long term.

- 2.17 We have developed the proposed HAMP by reviewing and developing our asset management approach. This includes:
- Ensuring that our core data is correct
 - Producing different models for investment which would lead to a range of outcomes going forward
 - Creating an even greater emphasis on preventative work rather than reactive repairs
 - Setting out the benefits of longer term programming
 - Working closely with public utility companies

This approach together with funding levels recommended in the investment modelling would ultimately lead to a better road network, which in turn, should lead to greater resident satisfaction.

- 2.18 A working group of officers from the Highways, Streetcare, Trees, Insurance and Risk teams worked together to review the existing RBWM HMMP. In our new set of documents these details are covered in the HMMP and the HSI which aim to simplify and clearly set our policies, standards, inspection frequencies and intervention levels.



Funding Band Target

- 2.19 In addition to our road condition and benchmarking targets, we aim to reach Band 2 for Highway Asset Management (as set out by the DfT) in 2016/17 and then Band 3 in 2018/19. This will increase the amount of Incentive Funding available to RBWM as set out in section 4. This target is set in the Operations Directorate Business Plan. In order to reach band 2 RBWM must meet a number of detailed requirements but it is essential we have a Highway Asset Strategy endorsed by our executive. In order to achieve this we recommend the HAMP is progressed to Cabinet for formal adoption in January 2016.

Proposal

- 2.20 Our approach and the proposed RBWM HAMP meet the requirements of good Highway Asset Management by:
- Setting out strategic approach over the long term
 - Engaging with key stakeholders
 - Meeting the needs of all road users, including cyclists and pedestrians
 - Taking a systematic approach and maintaining good data
 - Optimising funding opportunities
 - Managing expenditure over the asset lifecycle
 - Providing different models for investment and outcomes
 - Setting out clear and robust policies and standards
- 2.21 The investment modelling we have undertaken for our road network uses historical data regarding capital spend, reactive maintenance costs and trends in the condition of our roads to produce a range of options, including the following:
- Maintain current spend - £1.65m - this enables a broadly steady state condition over the next five years for A, B & C roads but indicates a deterioration in unclassified roads based on current distribution of expenditure

- Halve current spend - £825k - indicates a rapid decline in condition across all classification of roads
- Double current spend - £3.3m - indicates a steady state condition for unclassified roads but rapid improvement in condition for A, B & C roads based on current distribution of expenditure
- Increase spend to maintain current road condition (see 2.8) - £2.372m - **recommended** - indicates a steady state in condition across all classification of roads

The investment models will be used to inform the capital bid process which is underway and the budgets for 2016/17 will be determined in February 2016. The full investment modelling report is attached at Appendix F.

2.22 Effective delivery of the HAMP is equally important and requires us to meet performance requirements in the most efficient way by optimal allocation of resources, managing risk and ensuring effective operational delivery. Reviews of the highway inspection service and highway works contracts have also been conducted as set out in 2.23 and 2.24 below.

Options

Option	Comments
(a) Adopt a strong asset management approach as set out in the HAMP.	(a) This option is recommended . A strong asset management approach not only ensures that existing highway funding is targeted correctly through effective planning and delivery, but also will maximise access to grant reward funding (see key implications). This approach also ensures that our inspection regime is robust and fit for purpose.
(b) Adopt an alternative approach to managing and maintaining our highway assets.	(b) This option is not recommended. Not following the DfT guidance on Highway Asset Management is very likely to result in less funding being available to RBWM. It is also good practice to review and refresh highway inspection regimes and it provides support when defending claims because the application of its HMMP and HSIM is what the legal system judges the highway authority on.

Supporting work streams

Highway inspection function review

2.23 In order to ensure that the service for inspections is robust and fit for purpose in the future the Head of Neighbourhoods & Streetscene has undertaken a fundamental service review of the highway inspection function. The proposals will include the improved use of technology, systems, resources and processes in order to create efficiency improvements and align with the HSIM. Improvements will be implemented from April 2016.

Contracts

2.24 The existing highway work term contracts have been extended to May 2016 in order that a full review could take place prior to retendering. The review looked at the scope of contracts in order to ensure that they are let to provide the best delivery mechanism to deliver works and meet good practice set out by the Highway Maintenance Efficiency Programme (HMEP). HMEP is a DfT



funded and sector led transformation programme that connects networks from across the highways sector and provides the tools and resources to ignite ideas and help leaders and managers to transform delivery of roads and services through greater efficiencies.

2.25 The retendering proposals were approved by Cabinet in December 2015.

3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be deliver by
Percentage of emergency potholes fixed within 24 hours (annual average based on monthly figures)	<98%	98%	99%	100%	31 st March 2017
Percentage of highways claims repudiated (annual figure)	<91%	91%	92-95%	96-100%	31 st March 2017
Percentage of Highways schemes delivered (annual figure)	<90%	90%	91-95%	96-100%	31 st March 2017
Percentage of RBWM principal roads assessed as being in need of repair (annual figure) <i>lower = better</i>	>5%	5%	4.9-4%	<4%	31 st March 2017

4. FINANCIAL DETAILS

As the government grant funding allocation is changing, achieving the levels of asset management maturity they set (Band 1, 2 or 3) will have a direct impact on LTP capital grant as set out in the table overleaf. Similar considerations will be made by the DFT for other one off grants that become available.

	Total needs/ formula allocation	Incentive element by “band” of self-assessment ranking			Totals		
		Band 3	Band 2	Band 1	RBWM Total Band 1	RBWM Total Band 2	RBWM Total Band 3
2015/16	£2.178m				£2.178m	£2.178m	£2.178m
2016/17	£1.997m	£121k	£121k	£109k	£2.105m	£2.117m	£2.117m
2017/18	£1.936m	£181k	£163k	£109k	£2.045m	£2.099m	£2.117m
2018/19	£1.752m	£365k	£255k	£109k	£1.862m	£2.008m	£2.117m
2019/20	£1.752m	£365k	£182k	£36k	£1.789m	£1.935m	£2.117m
2020/21	£1.752m	£365k	£109k	0	£1.752m	£1.862m	£2.117m

5. LEGAL

There are no direct legal issues arising from this report. However, by reviewing and ensuring robust highway maintenance plans we will be minimising the risk of compensation payments by RBWM by providing a strong defence against claims related to highways.

6. VALUE FOR MONEY

Highway asset management is an approach that aims to optimise value for money through whole lifecycle planning and investment. This proactive approach aims to minimise need for more expensive reactive work.

7. SUSTAINABILITY IMPACT APPRAISAL

Sustainable construction and maintenance practices are set out in the HMMP (section 1.2 of the HMMP). This includes the use of recycled materials.

8. RISK MANAGEMENT

Risk	Uncontrolled Risk	Controls	Controlled Risk
<p>Highway Asset Management</p> <p>Future funding from DfT will increasingly depend on how well local authorities manage their highway assets. If we do not adopt a robust asset management approach we could fail to access the growing incentivised element of LTP grant.</p>	Medium	Adopt the Borough’s Highway Asset Management Plan and continue to develop a robust asset management approach to highway maintenance.	Low

Risk	Uncontrolled Risk	Controls	Controlled Risk
<p>Highway Inspections</p> <p>If we do not keep our inspection regime updated in line with best working practices and fit for purpose it will become harder to defend compensation claims for third party property damage or personal injury, which may result in increased pay outs and reputational damage as set out in the corporate risk register (HE0008)</p>	Medium/ High	Adopt the Borough's Highway Asset Management Plan and continue to develop a robust asset management approach to highway maintenance. Continue to review the highway inspection regimes, road categorisation and intervention levels based on the requirements of the national code of practice and implement any recommended improvements.	Low

9. LINKS TO STRATEGIC OBJECTIVES

The recommendations of this report and the anticipated outcomes are wholly consistent with the Borough's strategic objectives, in particular the following:

Residents First

- Improve the Environment, Economy and Transport
- Work for safer and stronger communities

Value for Money

- Deliver Economic Services
- Improve the use of technology
- Invest in the future

Delivering Together

- Deliver Effective Services
- Strengthen Partnerships

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

An improved highway network benefits all road users. EQIA not completed.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS:

There are no direct staffing/ workforce issues arising from this report.

12. PROPERTY AND ASSETS

The Highway Asset Management approach set out within this report seeks to improve the Highway Network and maintain the highway asset in accordance with good practice.

13. ANY OTHER IMPLICATIONS:

N/A

14. CONSULTATION

The annual RBWM Residents Survey and National Highways and Transport (NHT) Surveys gauge the views of a cross section of Borough residents on a range of highway subjects including road condition. We use these indicators and feedback to inform the development and delivery of highway services and improve resident satisfaction.

This report was presented to Highways, Transport and Environment Overview and Scrutiny Panel on 25th November 2015. Comments from the panel are included throughout the report.

Cabinet Members have requested metrics relating to non-emergency potholes. None are in place at present. These are to be developed with the Lead Member for Highways & Transport.

15. TIMETABLE FOR IMPLEMENTATION

- Immediate from formal adoption of the HAMP.
- Grant Funding implications from April 2016

16. APPENDICES

- Appendix A – RBWM Road Network Plan (attached)
The following are available electronically:
- *RBWM Highway Asset Management Plan (HAMP) documents:*
 - Appendix B – Highway Asset Management Strategy (HAMS)
 - Appendix C – Highway Maintenance Management Plan (HMMP)
 - Appendix D – Highway Safety Inspection Manual (HSIM)
- Appendix E – NHT Benchmarking (road condition and highway maintenance)
- Appendix F – Investment Modelling 2015 – Carriageways – RBWM

17. BACKGROUND INFORMATION (AVAILABLE ON REQUEST)

- Highways, Transport and Environment O&S Panel Report - 3 February 2015

18. CONSULTATION

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Ben Smith	Head of Highways & Transport	06 Nov & 04 Dec 2015	09 Nov & 05 Dec 2015	Throughout report No further comment
Dave Perkins	Head of Neighbourhoods & Streetcare	10 Nov & 04 Dec 2015	11 Nov & 04 Dec 2015	Section 2 (2.3, 2.9) No further comment
Steve Mappley	Insurance & Risk Manager	10 Nov 2015	13 Nov 2015	Sections 2 (2.9) & 8
Mark Lampard	Finance Partner	10 Nov 2015	13 Nov 2015	Sections 2, 4 & 6
Elaine Browne	Shared Legal Services	10 Nov 2015	12 Nov 2015	None
Simon Fletcher	Strategic Director of Operations	10 Nov & 04 Dec 2015	13 Nov & 04 Dec 2015	Sections 1 & 2 Section 14
Michael Llewelyn	Cabinet Policy Assistant	10 Nov & 04 Dec 2015	11 Nov & 11 Dec 2015	Report summary, Sections 1&2 (2.18)

				Section 3
Cllr C Rayner	Lead Member for Highways & Transport	10 Nov & 04 Dec 2015	12 Nov 2015 07 Dec 2015	Comments provided at meetings with Chris Wheeler
Cllr D Burbage	Leader of the Council	14 Dec 2015	05 Jan 2016	Section 3

REPORT HISTORY

Decision type:	Urgency item?
For information	No

Report author	Job title	Full contact no:
Chris Wheeler	Highways & Transport Business Manager	01628 796723

MOTORWAYS AND TRUNK ROADS

(HIGHWAYS ENGLAND)

BLUE - 29.2 Kms

RBWM Road Network

RED - A Roads
83.8 Kms

GREEN - B Roads
68.8 Kms

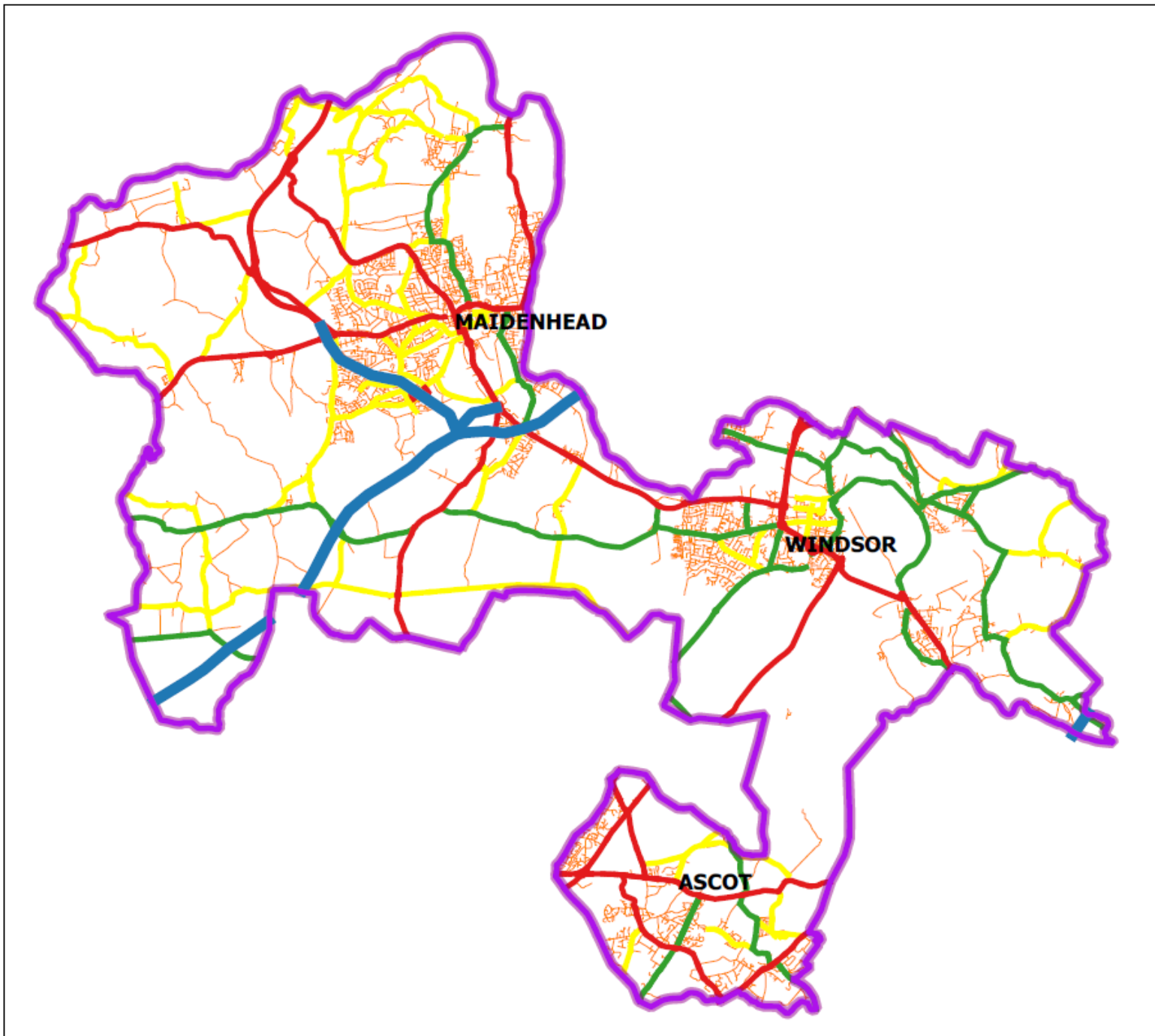
YELLOW - C Roads
102.6 Kms

ORANGE - Unclassified Roads
347.2 Kms

69

Date: 09/12/2015

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Ordnance Survey 100018817



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Report for: ACTION



Contains Confidential or Exempt Information	No – Part I with exception of Appendices B and D which are Part II (Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)
Title	Windsor Office Accommodation Update
Responsible Officer(s)	Russell O’Keefe, Strategic Director of Corporate and Community Services
Contact officer, job title and phone number	Mark Shephard, Regeneration & Property Service Lead Tel: 01628 796082
Member reporting	Cllr S Dudley, Lead Member for Finance (including Property) Cllr P Bicknell, Lead Member for Education (including Windsor)
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediate
Affected Wards	All Wards
Keywords/Index	Windsor, Accommodation, Office, Buildings, Smarter Working

REPORT SUMMARY

1. This report updates Cabinet following the completion of the joint feasibility study between Thames Valley Police (TVP) and the Royal Borough of Windsor and Maidenhead (RBWM) to consider a shared office and police station site in Windsor.
2. Further feasibility analysis undertaken on behalf of RBWM confirms that:-
 - It is not viable to demolish and redevelop the Council’s York House site.
 - The asset value is maximised by extending and refurbishing the existing building including the potential of a purpose built “wing” for TVP.
3. It recommends that a planning application be prepared and a report brought back to Cabinet prior to submission of the planning application on the financial and practical implications of the proposed works.

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. To enable increased value for money and the potential for additional income generation thereby supporting the Council's commitment to reduce the burden of Council Tax.	Further consultancy work to be undertaken in 2016 followed by a planning application and anticipated 18 month construction phase for completion in 2018.
2. To improve services to residents by providing accommodation for RBWM staff that maximises the implementation of smarter working.	
3. Potential to provide additional public car parking and a one stop Police / Council hub.	

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i) Notes the conclusion of the joint TVP/RBWM feasibility study confirming that there is sufficient synergy between the public bodies to underpin further collaborative work for the York House site.**
- ii) Agrees to negotiations being explored and concluded with third party land owners/potential tenants as detailed in Appendix D (Part II).**
- iii) Delegates authority to the Strategic Director of Corporate and Community Services in consultation with the Lead Member for Education (including Windsor) to negotiate an agreement with TVP, including terms to ensure that a counter service will be provided from the site for an agreed future period.**
- iv) Authorises the Strategic Director of Corporate and Community Services in consultation with the Lead Member for Finance (including Property) and the Lead Member for Education (including Windsor) to prepare a planning application for the extension of York House.**
- v) Authorises the extension of the existing Hunters contract to prepare a planning application for the extension of York House.**
- vi) Agrees to a report being brought back to September 2016 Cabinet (prior to the submission of the planning application) on the financial and practical implications of the proposed works.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 At its 30 January 2014 meeting, Cabinet authorised RBWM to participate in a joint feasibility study with Thames Valley Police (TVP) to explore a Windsor office accommodation strategy for both public bodies. Earlier discussions had confirmed that there was strong political support from both RBWM and TVP to a collaborative venture.
- 2.2 The purpose of the external joint feasibility study would be to establish if there was sufficient synergy between the parties to proceed with a joint redevelopment of one of their landholdings. TVP owns its existing Police Station at Alma Road and RBWM owns its York House site (Sheet Street), the Tinkers Lane Depot and its Bachelor's Acre library site.

- 2.3 Following a joint procurement exercise, Hunters (a multi-disciplinary architectural and building consultancy firm), were appointed in summer 2014. Hunters liaised closely with both TVP and RBWM to understand their accommodation requirements.
- 2.4 TVP and RBWM both require Town Centre locations with public facing front counter facilities. TVP required parking for 35 vehicles (of which 19 would need to be in a secure compound) and RBWM would not only need to re-provide the existing part time public parking at York House, Sheet Street, but emphasised a desire to increase it.
- 2.5 RBWM continues to refine its future accommodation requirements and a consultation exercise is ongoing with both the Adults, Children's & Health and Operations & Customer Services Directorates (the main users of York House). A fully smarter working environment (as demonstrated at Maidenhead Town Hall) has the potential to reduce the Council's physical accommodation requirements. Any future Windsor accommodation this might release can either be let to other public sector bodies/Council partners or offered to the commercial market place.
- 2.6 The completed feasibility study was issued on 18 December 2014 and is attached at Appendix A. Section 5 (from page 24) of the study considered each of the sites and concluded that the York House site provided the ideal location and size.

York House Site Redevelopment

- 2.7 To establish if the redevelopment of York House offers the best value option to RBWM, the existing building and all other possible redevelopment options (e.g. residential) must be considered and appraised. This work was undertaken for RBWM by Hunters (with development appraisals provided by Christopher Thomas Property Consultants).
- 2.8 It must be appreciated that the design aspect of any redevelopment proposal will need to be carefully considered in the context of the site's location within the Town Centre Conservation Area, the statutorily listed terrace of residential properties to the south of the site and Green Belt to the east. Furthermore, heritage constraints associated with the site are such (The Long Walk lies to the rear) that three storeys are considered to be an appropriate working height with the possibility of a reduced floor plate fourth storey within the roof space.
- 2.9 In view of the above constraints, redevelopment does not significantly increase the footprint of the existing building. The current York House office building comprises approximately 19,000 sq ft with an existing office use value of c£7.5m. This is high for a tired, outdated office building but reflects its attractiveness in Windsor's strong office refurbishment market. If it was sold for residential conversion, it would achieve c£6m in the current market. Consequently, for any redevelopment proposal to be financially viable to RBWM, the site value of the new scheme (known as the residual land value) would need to exceed its current office value of c£7.5m.
- 2.10 Hunters considered various redevelopment options for the York House site which all aimed to maximise its value. For completeness of the analysis, we have included schemes that do not necessarily include TVP (for example, a sale of the site for residential redevelopment). Similarly, we have included

schemes that do not include public parking in order to quantify the site's maximum value for a given use. It must be appreciated that this is a purely financial exercise and does not take account of any non financial community value that is derived from having either TVP or a public car park present at the site.

- 2.11 The initial Christopher Thomas & Co Part II confidential report is attached at Appendix B. As expected, a sale of the site for residential redevelopment provides the highest residual land value of £5.8m which is considerably below the existing building's £7.5m current value. Furthermore, a residential only scheme would have the major disadvantages of providing little, if any, public parking, no TVP presence and a loss of office employment use.
- 2.12 A maximum office only scheme would not be viable due to over development, that is, the additional cost of creating more office space is not recouped from the additional rent it would generate. As with the residential only option, the redevelopment would neither provide public parking nor a TVP presence. In comparison, a reduced office only scheme (which retains public parking) still remains unviable but to a lesser extent than the overdeveloped option.
- 2.13 Further analysis by Christopher Thomas & Co, showed that the preferred option, that is, the redevelopment of the site to include a new office building, Police Station and a car park, returned residual land values of between £1.6m and £1.9m depending on the height of the office building i.e. unviable compared to the building's existing £7.5m value.
- 2.14 The above viability analysis demonstrates that the existing York House building is too valuable to demolish; a redeveloped building is simply unable to generate enough replacement value.

Existing York House Refurbishment and Extension Options

- 2.15 With redevelopment financially unviable, Hunters were subsequently commissioned to consider options for refurbishing and potentially adding a further storey to the existing two storey building. An additional storey would release value enabling the Council to extract the maximum asset value from the existing building while providing a joint site capable of accommodating TVP.
- 2.16 Officers met with TVP colleagues on 24 June 2015 to discuss the potential for a new purpose built "wing" to be added to the existing building. TVP acknowledged the unviability of redevelopment on the site and welcomed the extension of the existing building as a practical and asset enhancing solution.
- 2.17 Tully De'Ath Structural Consultants inspected York House on 25 June 2015 and their high level report is attached at Appendix C. The report considered the existing building's capacity to support an additional roof level second storey (removing the existing pitched roof and possibly replacing it with an all glass / steel roofed structure), and the structural potential to partially infill the exposed central courtyard.
- 2.18 Further investigations by Tully De'Ath were carried out in September/October 2015 including a full measured building survey (to map structural column positions) together with a full review of available archive drawings and load calculations. Whilst opening up works within the front section of the building are required to confirm some archive drawing column positions, this is more to

establish how intrusive the structural works would need to be to support a further storey; rather than confirming if one can be added or not. In this respect, Tully De'Ath is confident that with suitable strengthening, the building is capable of supporting an additional storey as well as providing the option to partially/fully infill the courtyard.

- 2.19 An additional storey offering almost 6,000 sq ft net office accommodation has an approximate market capital value of between £3m and £3.5m (with market yields currently being between 5.75% and 6.5%). The additional storey could provide the Council with a potential rental income of approximately £200k pa (market rentals being in the range £30 - £35 per sq ft). Including an additional lift to the building, the construction cost for the new storey is approximately £1.5m. A new storey clearly offers the Council the most cost effective method to add additional asset value to the existing building.
- 2.20 If an additional storey were to be constructed, the remainder of the building would need to be refurbished and reconfigured to allow the building to be multi-let. This would cost approximately £1.8m but would enhance the building's current capital value by £2.75m (i.e. from £7.5m to £10.25m).
- 2.21 A multi-let reconfiguration would enable any office accommodation that is surplus to the Council's own requirements to be commercially let to a third party. This is of particular relevance as the Council has already been approached by an interested third party (see Part II Confidential Appendix D).
- 2.22 The alternative option to use an additional storey for residential apartments was also explored and appraised. Office rents in Windsor have risen sharply due to the reduced supply (primarily from office to residential conversions under permitted development rights). Consequently, the difference between residential and office values has narrowed significantly and is now almost at parity. While residential is clearly an option, it would reduce public parking compared to office use in which the parking provided can be used by the public outside of business hours. Furthermore, the cost of constructing a residential storey is higher than for office use due to the greater need for separate services (individual bathrooms, kitchens and toilets). In view of these factors, a preference for office use was deemed appropriate for the best interests of both Windsor and RBWM.
- 2.23 Officers met with TVP colleagues on 12 November 2015 and confirmation was provided to TVP (subject to suitable design) that the Police Station could be accommodated on the site. Financial terms were discussed and a proposal made to TVP which is detailed in Part II Confidential Appendix D. Essentially, TVP would take a long lease from RBWM (on full commercial terms) and be fully responsible for the construction costs of the Police Station. We are awaiting formal confirmation from TVP to their commitment to the site.
- 2.24 Proposals to increase the public parking provision at York House are also being explored and encouraging discussions have been held with an adjacent land owner. It is anticipated that these are brought forward for planning permission once formal agreement has been reached (detailed further in Part II Confidential Appendix D).
- 2.25 Irrespective of the outcome of TVP's final decision to relocate its Police Station to York House or not, it is recommended that negotiations continue with relevant stakeholders (i.e. the adjacent landowner for additional parking and interested third parties for commercially leased accommodation). Running

parallel to negotiations, it is recommended that a planning application be prepared for submission within the next six months.

2.26 The planning application will cover the additional office storey, internal reconfiguration to facilitate multi-tenanted occupation, the Police Station (if applicable) and any works to provide additional parking capacity.

2.27 It is recommended that a paper be brought back to Cabinet just prior to the submission of the planning application to update Cabinet on the financial and practical implications of the proposed works. This will include (as applicable) any arrangements for the temporary relocation of staff while the works are undertaken.

3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
To conclude third party discussions relating to additional parking and potential tenants.	30 June 2016	30 April 2016	31 March 2016	28 February 2016	30 April 2016
To prepare and submit a planning application to extend York House.	31 December 2016	30 September 2016	30 August 2016	31 July 2016	30 September 2016
Additional public car parking spaces agreed to be provided as part of extension.	Under 10	10-15	16-25	Above 25	31 December 2016 (subject to coordination of building works).

4. FINANCIAL DETAILS

4.1 A budget of £300k is in the current year's capital programme to fund the submission of a planning application.

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	50	250	
Reduction			

5. LEGAL IMPLICATIONS

5.1 Section 2 of the Local Authorities (Land) Act 1963 confers on the Council the specific power, for the benefit or improvement of its area, to erect any building and construct or carry out works on land. The Council is also able to rely on section 1 of the Localism Act 2011 and s.111 of the Local Government Act 1972 in taking any redevelopment actions outlined in this report. Cabinet has the power to determine the Council's accommodation requirements.

6. VALUE FOR MONEY

6.1 The Council has a duty to residents to maximise its property assets, and thereby participate in redevelopment opportunities to take advantage of any likely future increases in property values.

7. SUSTAINABILITY IMPACT APPRAISAL

7.1 Any redevelopment/refurbishment proposals will be subject to the Council's full sustainability standards.

8. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
York House not structurally suitable to extend/reconfigure	Medium/High	An assessment of archive plans and a site survey by a specialist structural consultant have returned positive.	Low/Medium
Opportunity to jointly develop / refurbish with TVP does not materialise within a realistic timeframe or at a realistic cost	Medium/High	The Council and TVP are keen to collaborate on a joint development / refurbishment and each is committed to a Windsor presence	Low/Medium
Surplus office accommodation does not let in the market place	Medium	There is a dearth of office space in Windsor due to recent office to residential conversions.	Low
Operational disruption	Medium	All disruption will be strictly project managed.	Low/Medium

9. LINKS TO STRATEGIC OBJECTIVES

Our Strategic Objectives are:

Residents First

- Support Children and Young People

- Encourage Healthy People and Lifestyles
- Improve the Environment, Economy and Transport
- Work for safer and stronger communities

Value for Money

- Deliver Economic Services
- Improve the use of technology
- Increase non-Council Tax Revenue
- Invest in the future

Delivering Together

- Enhanced Customer Services
- Deliver Effective Services
- Strengthen Partnerships

Equipping Ourselves for the Future

- Equipping Our Workforce
- Developing Our Systems and Structures
- Changing Our Culture

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 None required at this stage.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS:

11.1 As detailed in this report and previously reported to Cabinet on 30 January 2014.

12. PROPERTY AND ASSETS

12.1 The Council owns the freehold of York House, Windsor Library/car park and Tinkers Lane Depot.

13. ANY OTHER IMPLICATIONS

13.1 Any proposals would be subject to the separate granting of outline and full planning permissions.

14. CONSULTATION

- Corporate Services Overview & Scrutiny - TBC

15. TIMETABLE FOR IMPLEMENTATION

15.1 To prepare a planning application ready for submission within the next 6 months.

16. APPENDICES

- Appendix A - Hunters Feasibility Report for the Joint Venture Office and Police Station for RBWM and TVP dated 18 December 2014 (available electronically)
- Appendix B - Part II Confidential: Christopher Thomas & Co Development Appraisals Report
- Appendix C - Tully De'Ath Structural Report (available electronically)
- Appendix D - Part II Confidential: Negotiations Update

17. BACKGROUND INFORMATION

- Windsor Office Accommodation Strategy Cabinet Report 26 September 2013
- Windsor Office Accommodation Update Cabinet Report 30 January 2014

18. CONSULTATION

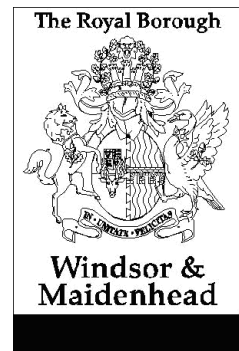
Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr D Burbage	Leader of the Council		8/1/16	
Cllr S Dudley	Lead Member for Finance (including Property)	29/12/15		
Cllr P Bicknell	Lead Member for Education (including Windsor)	29/12/15		
Chris Hilton	Planning Development & Regeneration Director	23/12/15		
Alison Alexander	Managing Director & Strategic Director for Adults, Children's & Health	23/12/15		
Simon Fletcher	Strategic Director for Operations and Customer Services	23/12/15		
Russell O'Keefe	Strategic Director of Corporate Services	23/12/15		
Sarah L Smith	Principal Planning Officer			
Sean O'Connor	Interim Head of Legal Services			
Ben Smith / Neil Walter	Strategic Manager, Highways & Transport / Parking Principal			
Andrew Brooker / Anna Stamper	Head of Finance / Finance Partner	23/12/15		
Michael Llewelyn	Cabinet Policy Assistant	23/12/15		
External				

Report History

Decision type:	Urgency item?
Key	No

Full name of report author	Job title	Full contact no:
Mark Shephard	Regeneration & Property Service Lead	01628 796082

Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Draft Conservation Area Appraisal: Holyport
Responsible Officer(s)	Russell O'Keefe, Strategic Director of Corporate & Community Services.
Contact officer, job title and phone number	Chris Hilton Director of Planning, Development and Regeneration. 01628 683811
Member reporting	Councillor Derek Wilson, Lead Member for Planning.
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediately
Affected Wards	Holyport

REPORT SUMMARY

1. This report covers the proposed process for a revised Conservation Area Appraisal (the 'Appraisal') for Holyport.
2. It recommends that Cabinet authorises public consultation and following consultation, revised conservation area proposals (including boundary changes) are brought back to cabinet for approval. This recommendation is being made because local authorities have a duty under section 71(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 (the 1990 Act) to formulate and publish proposals for the preservation and enhancement of any parts of their area which are within conservation areas and under s71(2) of the 1990 Act such proposals shall be submitted for consideration to a public meeting in the area which they relate. It is appropriate to consult publicly on the documents prior to formal adoption.
3. Boundary changes are being recommended because the National Planning Policy Framework (NPPF) (para 127) states, 'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'
4. If adopted, there would be no foreseeable financial implications arising other

than those as set out below.

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Residents in the conservation area would be able to comment upon the appraisal prior to formal adoption and to engage with the Council during the consultation period on the issues set out in the appraisals.	March/April 2016
2. Residents and stakeholders comments will be reported back to Cabinet through overview and scrutiny to seek agreement to adopt the proposals.	May 2016
3. Ultimately residents would benefit from adoption of the proposals that would strengthen the powers of the conservation areas. This will benefit residents across the Borough as the appropriate protection of the historic environment will raise the overall quality of the places in which people live, work and play.	June 2016 forward

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- (i) Notes the revised appraisal and agrees that that it should go out for public consultation**
- (ii) Delegates authority to the Strategic Director of Corporate and Community Services to launch the consultation in conjunction with the Lead Member for Planning, and following consultation, to bring revised conservation area proposals (including boundary changes) back to Cabinet for approval.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 It is a statutory duty of local planning authorities (LPAs) to formulate and publish proposals for the preservation and enhancement of parts of their area which are conservation areas. In so doing, and in line with the Government's desire to engage with local communities, it is appropriate to consult the public on the proposed revisions to the Holyport conservation area.

Option	Comments
Simply produce and adopt the appraisal with no changes to the boundary and no consultation process.	This would not engage with the community and would miss an opportunity to inform the community of the importance of their historic environment which informs the quality and character of the place in which people live and work. The current policies would be dated and not reflect

	current thinking on conservation priorities. There is a legal requirement to notify the Secretary of State of the variation.
Consult on the appraisal, and following consultation, bring revised conservation area proposals (including boundary changes) back to Cabinet for approval.	This engages with the community and ensures proper consideration of the historic and architectural qualities and challenges of the area. This is the recommended option.

3 KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Number of revised conservation area appraisals completed	<1	2	3	>3	1 May 2016

3.1 There is an existing conservation area appraisal for Holyport which was prepared in 1994. This is available on the Council website with a map of the conservation area boundary.

3.2 Section 69 (2) of the 1990 Act places a duty on local planning authorities to consider from time to time whether they should designate new conservation areas or extend existing ones. General guidance from Historic England is that appraisals should be reviewed every 5 years. Officers are seeking to ensure that all appraisals are updated. There is a target to do at least two revised appraisals per year. Two were done earlier this financial year for Inner Windsor and Clarence Road/Trinity Place.

3.3 The key changes from the existing appraisal to the revised appraisal on which consultation will be undertaken is that the information and assessment on the character and appearance of the area is updated; the objectives of the management plan have been updated and boundary changes are proposed as shown on the attached map at Appendix A.

Financial impact on the budget

- 4.1 There is a requirement under section 70(8) of the 1990 Act that notice of any designation, variation or cancellation of a conservation area including information as to the particulars of its effect is placed in the London Gazette and at least one newspaper circulating in the area of the local planning authority which can be met from existing budgets.

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

- 4.2 There are no financial implications.

5. LEGAL IMPLICATIONS

- 5.1 Under the 1990 Act the Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. Such proposals are known as conservation area appraisals and, as a reasonable part of this process, it is expected that the Council will consult when the proposals are at a draft stage in line with the 'conservation principles. Policies and Guidance' as published by English Heritage 2008.

6. VALUE FOR MONEY

- 6.1 By producing informed documents that set out the special character and significance of places the Council is providing important guidance to those seeking to make changes as well as to inform residents, owners and businesses as to the value of these special places in the most economic, efficient and effective manner.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None.

8. RISK MANAGEMENT

- 8.1

Risks	Uncontrolled Risk	Controls	Controlled Risk
That conservation areas are ill defined and insufficiently protected.	High	Completion of detailed appraisals, with consultation on these and then adoption by the Council	Low

9. LINKS TO STRATEGIC OBJECTIVES

- 9.1 Residents First: Improve the Environment, Economy and Transport
Value for Money: Invest in the future
Delivering Together: Enhanced Customer Services

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

- 10.1 EQIA is not considered to be necessary.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

- 11.1 None.

12. PROPERTY AND ASSETS

- 12.1 None.

13. ANY OTHER IMPLICATIONS

- 13.1 There may be public enquiries relating to the consultation that will involve frontline staff. Conservation Areas are registered as a local land charge.

14. CONSULTATION

- 14.1 Draft appraisals have been shared with members of Bray Parish Council (Holyport Ward) and Borough ward councillors. Drafts have also been shared with team leaders in the Planning Policy team.

- 14.2 The public consultation will include large printed boards of information on the appraisals key findings and the management plan objectives being displayed in Maidenhead Library throughout the 6 week consultation period. Printed copies of the appraisals will also be available in Windsor and Maidenhead libraries. Response forms will also be available in the library and will be either deposited in a box or can be posted/ dropped off at Town Hall, Maidenhead.

- 14.3 The appraisals will also be available online at www.rbwm.gov.uk for members of the public and interested groups to read through. Online response forms will be available.

- 14.4 Response forms will ask about the

- accuracy of the appraisal
- the information and assessment about the character and appearance of the area
- the objectives in the management plan; and
- proposed boundary changes.

14.5 The report will be considered by Planning and Housing Overview and Scrutiny Panel on 26 January 2016'

15. TIMETABLE FOR IMPLEMENTATION

15.1

Date	Action
29/01/2016	Development of consultation packs
12/02/2016	Approval of consultation packs
29/02/2016	Consultation 'live'
11/04/2016	Consultation closes
22/04/2016	Results considered by officers/ Lead member etc
26/05/2016	Appropriate decisions to be taken by Cabinet regarding adoption or further consultation

16. APPENDICES

16.1 Appendix A – Draft Maps for Holyport Conservation Area.

17. BACKGROUND INFORMATION

17.1 The published Conservation Area Appraisal for Holyport which is available on the Council website.

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Cllr Burbage	Leader of the Council	4/1/16		
Cllr Wilson	Lead Member for Planning	23/12/15	2/1/15 & 18/1/16	Recommendation and 14.1
Alison Alexander	Managing Director	7/1/16	8/1/16	Recommendation
Sean O'Connor	Head of Shared Legal Services	7/1/16	8/1/16	
Russell O'Keefe	Strategic Director Corporate & Community Services	4/1/16	7/1/16	Recommendation 4a
Andrew Brooker	Head of Financial Services	7/1/16	8/1/16	

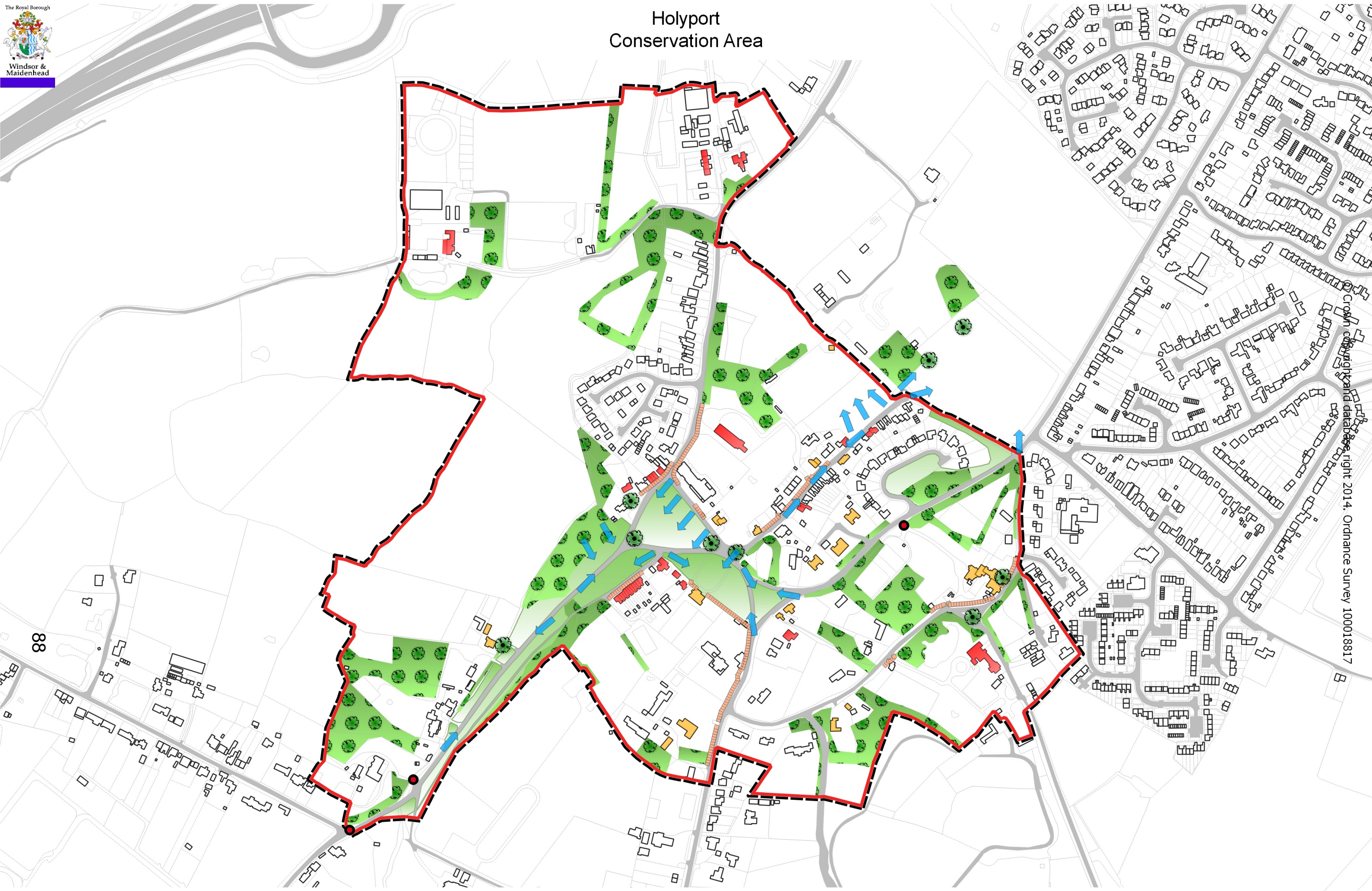
Karen Reader	Finance partner	7/1/16		
Chris Hilton	Director of Development and Regeneration	21/12/15		
Michaela Rizou	Cabinet Policy Assistant	31/12/15	4/1/16	Recommendation Financial implications

REPORT HISTORY

Decision type:	Urgency item
Non-key decision	No

Full name of report author	Job title	Full contact no:
Brian O'Callaghan	Conservation Officer	01628 685949

Holyport Conservation Area

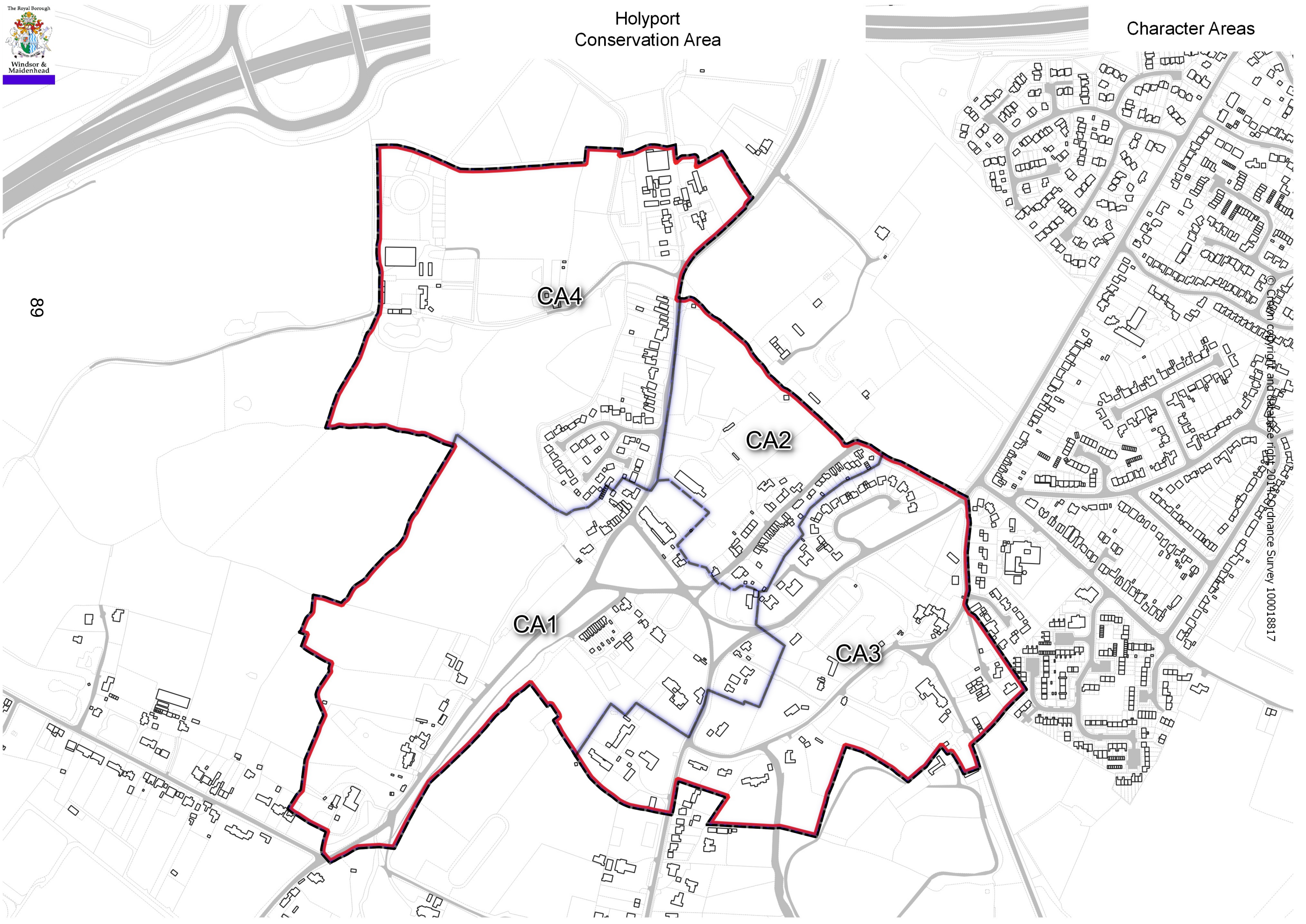


- Conservation Areas
- Important Views
- Important trees
- Important green spaces and trees
- Important non-listed buildings
- Gates
- Important boundary walls/railings
- Important hedges/green boundaries
- Listed Buildings

Holyport Conservation Area

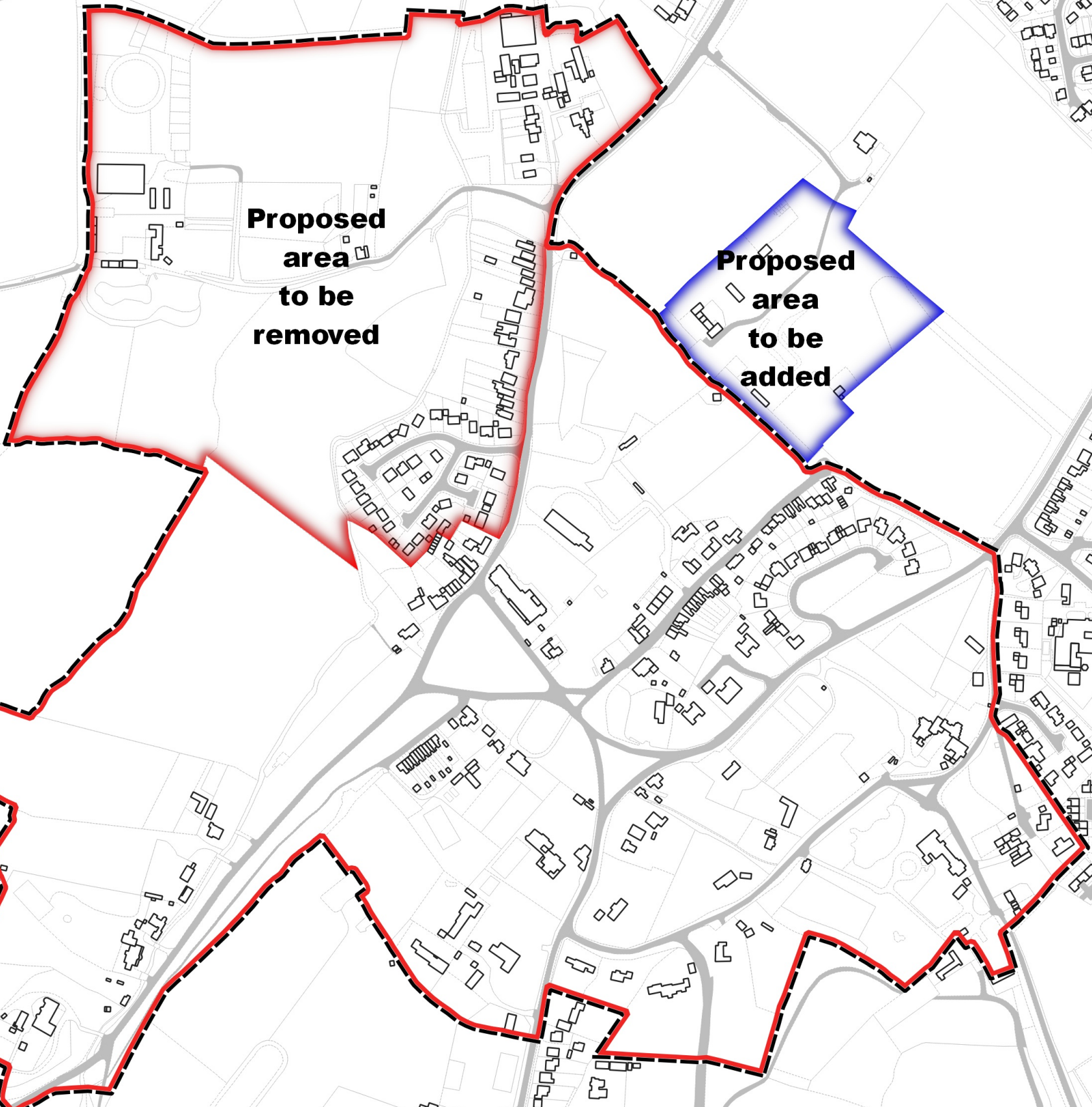
Character Areas

68



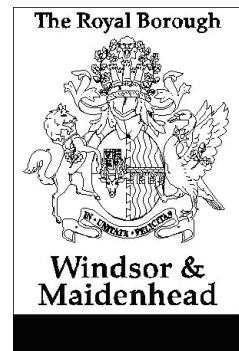
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Holyport Conservation Area



06

Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Draft Conservation Area Appraisal: Maidenhead Town Centre
Responsible Officer(s)	Russell O'Keefe, Strategic Director of Corporate & Community Services.
Contact officer, job title and phone number	Chris Hilton Director of Planning, Development and Regeneration. 01628 683811
Member reporting	Councillor Derek Wilson, Lead Member for Planning.
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediately
Affected Wards	Oldfield

REPORT SUMMARY

1. This report covers the proposed process for a reviewed Conservation Area Appraisal (the 'Appraisal') for Maidenhead Town Centre.
2. It recommends that Cabinet authorises public consultation and following consultation, a report is brought back to cabinet for approval. This recommendation is being made because local authorities have a duty under section 71(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 (the 1990 Act) to formulate and publish proposals for the preservation and enhancement of any parts of their area which are within conservation areas and under s71(2) of the 1990 Act such proposals shall be submitted for consideration to a public meeting in the area which they relate. It is appropriate to consult publicly on the documents prior to formal adoption.
3. No changes are being recommended but the appraisal has been reviewed and updated.
4. If adopted, there would be no foreseeable financial implications arising other than those as set out below.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which
---	----------------

	residents can expect to notice a difference
1. Residents in the conservation area would be able to comment upon the appraisal prior to formal adoption and to engage with the Council during the consultation period on the issues set out in the appraisals.	March/April 2016
2. Residents and stakeholders comments will be reported back to Cabinet through overview and scrutiny to seek agreement to adopt the reviewed appraisal.	May 2016
3. This will benefit residents across the Borough as the appropriate protection of the historic environment will raise the overall quality of the places in which people live, work and play.	June 2016 forward

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- (i) **Notes that the appraisal has been reviewed and updated and agrees that that it should go out for public consultation**
- (ii) **Delegates authority to the Strategic Director of Corporate and Community Services to launch the consultation in conjunction with the Lead Member for Planning, and following consultation, to bring the conservation area appraisal back to Cabinet for approval.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 It is a statutory duty of local planning authorities (LPAs) to formulate and publish proposals for the preservation and enhancement of parts of their area which are conservation areas. In so doing, and in line with the Government's desire to engage with local communities, it is appropriate to consult the public on the proposed revisions to the Holyport conservation area.

Option	Comments
Simply produce and adopt the appraisal with no consultation process.	This would not engage with the community and would miss an opportunity to inform the community of the importance of their historic environment which informs the quality and character of the place in which people live and work. The current policies would be dated and not reflect current thinking on conservation priorities.
Consult on the updated appraisal, and following consultation, bring back to Cabinet for approval.	This engages with the community and ensures proper consideration of the historic and architectural qualities and challenges of the area. 9 This is the recommended option.

3 KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Number of revised conservation area appraisals completed	<1	2	3	>3	1 May 2016

3.1 There is an existing conservation area appraisal for Maidenhead town centre which was prepared in 1995. This is available on the Council website with a map of the conservation area boundary.

3.2 Section 69 (2) of the 1990 Act places a duty on local planning authorities to consider from time to time whether they should designate new conservation areas or extend existing ones. General guidance from Historic England is that appraisals should be reviewed every 5 years. Officers are seeking to ensure that all appraisals are updated. There is a target to do at least two revised appraisals per year. Two were done earlier this financial year for Inner Windsor and Clarence Road/Trinity Place.

3.3 The key changes from the existing appraisal to the revised appraisal on which consultation will be undertaken is that the information and assessment on the character and appearance of the area is updated and the objectives of the management plan have been updated.

4. FINANCIAL DETAILS

Financial impact on the budget

4.1 There is a requirement under section 70(8) of the 1990 Act that notice of any designation, variation or cancellation of a conservation area including information as to the particulars of its effect is placed in the London Gazette and at least one newspaper circulating in the area of the local planning authority which can be met from existing budgets.

	2015/16	2016/17	2017/18
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£0	£0

	2015/16	2016/17	2017/18
Reduction	£0	£0	£0

	2015/16	2016/17	2017/18
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

4.2 There are no financial implications.

5. LEGAL IMPLICATIONS

5.1 Under the 1990 Act the Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. Such proposals are known as conservation area appraisals and, as a reasonable part of this process, it is expected that the Council will consult when the proposals are at a draft stage in line with the 'Conservation principles. Policies and Guidance' as published by English Heritage 2008.

6. VALUE FOR MONEY

6.1 By producing informed documents that set out the special character and significance of places the Council is providing important guidance to those seeking to make changes as well as to inform residents, owners and businesses as to the value of these special places in the most economic, efficient and effective manner.

7. SUSTAINABILITY IMPACT APPRAISAL

7.1 None.

8. RISK MANAGEMENT

8.1

Risks	Uncontrolled Risk	Controls	Controlled Risk
That conservation areas are ill defined and insufficiently protected.	High	Completion of detailed appraisals, with consultation on these and then adoption by the Council	Low

9. LINKS TO STRATEGIC OBJECTIVES

9.1 Residents First: Improve the Environment, Economy and Transport
Value for Money: Invest in the future **94**

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 EQIA is not considered to be necessary.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 None.

12. PROPERTY AND ASSETS

12.1 None.

13. ANY OTHER IMPLICATIONS

13.1 There may be public enquiries relating to the consultation that will involve frontline staff. Conservation Areas are registered as a local land charge.

14. CONSULTATION

14.1 Draft appraisals have been shared with members of Maidenhead Civic Society and Borough ward councillors. Drafts have also been shared with team leaders in planning policy.

14.2 The public consultation will include large printed boards of information on the appraisals key findings and the management plan objectives being displayed in Maidenhead Library throughout the 6 week consultation period. Printed copies of the appraisals will also be available in Windsor and Maidenhead libraries. Response forms will also be available in the library and will be either deposited in a box or can be posted/ dropped off at Town Hall, Maidenhead.

14.3 The appraisals will also be available online at www.rbwm.gov.uk for members of the public and interested groups to read through. Online response forms will be available.

14.4 Response forms will ask about the:

- accuracy of the appraisal
- the information and assessment about the character and appearance of the area; and
- the objectives in the management plan.

14.5 The report will be considered by Planning and Housing Overview and Scrutiny Panel on 26 January 2016'

15. TIMETABLE FOR IMPLEMENTATION

15.1

Date	Action
29/01/2016	Development of consultation packs

12/02/2016	Approval of consultation packs
29/02/2016	Consultation 'live'
11/04/2016	Consultation closes
22/04/2016	Results considered by officers/ Lead member etc
26/05/2016	Appropriate decisions to be taken by Cabinet regarding adoption or further consultation

16. APPENDICES

16.1 None.

17. BACKGROUND INFORMATION

17.1 The published Conservation Area Appraisal for Maidenhead Town Centre which is available on the Council website.

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Cllr Burbage	Leader of the Council	4/1/16		
Cllr Wilson	Lead Member for Planning	23/12/15	2/1/15	Recommendation
Alison Alexander	Managing Director	7/1/16	8/1/16	Recommendation
Sean O'Connor	Head of Shared Legal Services	7/1/16	8/1/16	
Russell O'Keefe	Strategic Director Corporate & Community Services	4/1/16	7/1/16	Recommendation 4a
Andrew Brooker	Head of Financial Services	7/1/16	8/1/16	
Karen Reader	Finance partner	7/1/16		
Chris Hilton	Director of Development and Regeneration	21/12/15		
Michaela Rizou	Cabinet Policy Assistant	31/12/15	4/1/16	Recommendation Financial implications

REPORT HISTORY

Decision type:	Urgency item
Non-key	No

decision	
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Full name of report author	Job title	Full contact no:
Brian O'Callaghan	Conservation Officer	01628 685949

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Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Creation of Windsor UK Community Interest Company
Responsible Officer(s)	Russell O'Keefe, Strategic Director of Corporate and Community Services
Contact officer, job title and phone number	Kevin Mist, Head of Community Services, 01628 796443
Member reporting	Cllr Stretton, Principal Member for Culture and Communities; and Cllr Bateson, Chief Whip and Lead Member for Neighbourhood Planning (also Ascot and the Sunnings)
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	Immediate
Affected Wards	Windsor; Eton; Ascot and Cheapside

<p>REPORT SUMMARY</p> <ol style="list-style-type: none"> 1. This report updates Cabinet on the creation of the new Windsor UK Community Interest Company (CIC) following approval from Cabinet on 26 March 2015. 2. It outlines the specification and articles of association for Windsor UK, agreed in principle by the Windsor District Chamber of Commerce (WDCC) and the Windsor and Eton Town Partnership (WETP). It also provides details on how Windsor UK will operate, what services it could provide, the funding it requires and the necessary TUPE transfers. 3. Cabinet are requested to delegate authority to approve a service level agreement with Windsor UK. 4. If approved, Windsor UK will be fully operational from 1 April 2016. It will provide services on behalf of the Council, creating a stronger, more dynamic local economy for residents, businesses and other town centre users.

If recommendations are adopted, how will residents benefit?	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
Increased community involvement and empowerment through a new social enterprise body which will deliver a range of services, events and initiatives.	1 April 2016

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i) Delegates authority to the Strategic Director of Corporate and Community Services, Principal Lead Member for Culture and Communities and Lead Member for Finance to approve; an SLA with Windsor UK CIC to deliver a range of services for the town centre and neighbouring areas with budget details as detailed in the report and approve the Articles of Association as outlined in Appendix A for Windsor UK CIC.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1.1 In March 2015, Cabinet agreed the Heads of Terms and the merging of Windsor and Eton Town Partnership and the Windsor District Chamber of Commerce. A draft service level agreement is attached in Appendix B.
- 2.1.2 This document outlines the key functions of Windsor UK CIC and the delivery of some services on behalf of the Council which were being fulfilled by the Windsor and Eton Partnership. They include (but not limited to) delivery of the towns annual events programme, Christmas Lights programme and monitoring and reporting on various economic key performance indicators such as footfall and vacancy rates.
- 2.1.3 It is intended that Windsor UK CIC will be incorporated formally by January 2016 and be fully operational from 1 April 2016.
- 2.1.4 The SLA covers a period of 5 years and over that period sets out a number of targets to be delivered for the town centres, including increasing membership to the new company by up to 30%, delivering additional events, and providing key services in the town centre such as a taxi marshalling scheme in Goswell Hill, as well as investigating the potential benefits of forming a Business Improvement District (B.I.D.) at some time in the future. A further cabinet report would then be prepared detailing these arrangements.
- 2.1.5 With the challenging economic climate, growing pressure from online shopping and budget pressures on Council services, it has become important that the Windsor UK CIC seek to secure equitable funding across a range of businesses and sources.
- 2.1.6 Once established, the CIC could take the equivalent role as the Parish in accepting a range of services to operate on behalf of the Council under the devolution agenda. These services complement the Windsor UK Aims and Objectives and would enable them to deliver a more co-ordinated and cohesive shopping and visitor experience for the Windsor and district town centre users.

2.4 OPTIONS CONSIDERED

Option	Comments
1. Cabinet agrees the SLA as shown in Appendix A of this report and associated documents. Approves the transfer of funding of the town manager and town assistants posts to Windsor UK CIC in order to fulfil the SLA reducing costs to RBWM. This is the recommended option.	This provides an opportunity for Windsor UK CIC to offer maximum benefit to businesses in Windsor and enables greater participation and support of town centre initiatives. It provides an opportunity to delivery more services for local residents which will over time reduce cost of services for the Council.
2. Cabinet does nothing and the WETP and WDCC continue to exist as two separate entities, with RBWM acting as employer for the 2 staff members. Not Recommended.	This could lead to the loss of engagement with a large number of businesses in and around the town centres. Could lead to a reduction in membership to both organisations which could lead to one or both failing.

3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Full amalgamation of the WETP and WDCC forming Windsor UK CIC	After 31 March 2016	31 March 2016	29 February 2016	31 January 2016	31 March 2016
SLA agreed with Windsor UK to operate the Town Centre Management function on behalf of RBWM	After 31 March 2016	31 March 2016	29 February 2016	31 January 2016	31 March 2016
Windsor UK achieves paid membership levels	Below 239	239-280	281-420	Above 420	31 May 2017

4. FINANCIAL DETAILS

SLA costs

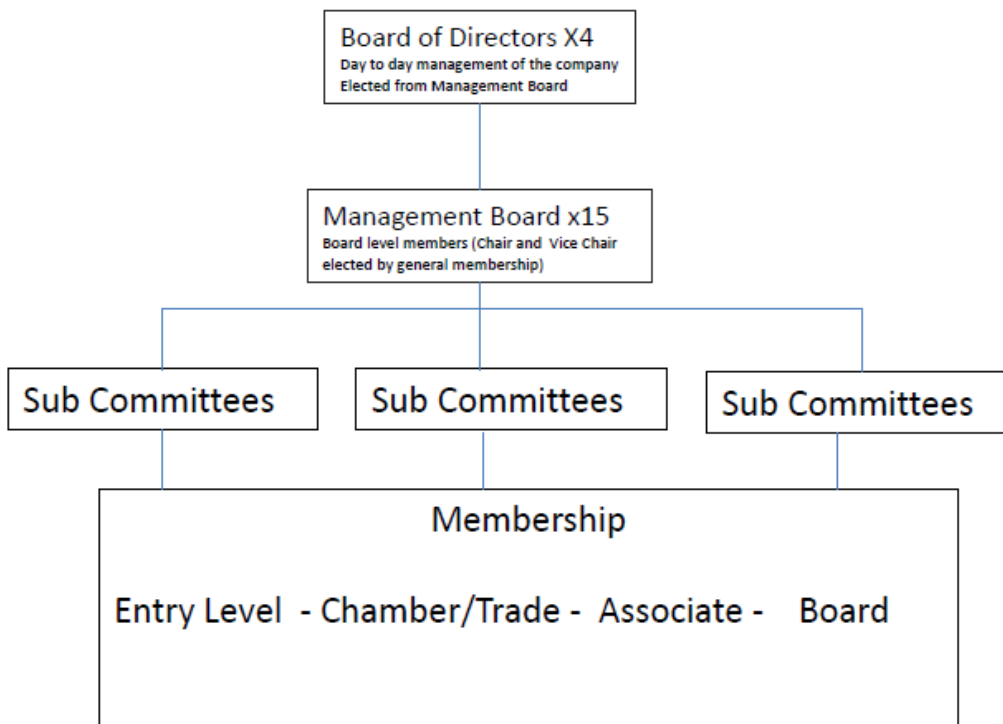
	Year 1 2016/17	Year 2 2017/18	Year 3 2018/19	Year 4 2019/20	Year 5 2020/21
	Revenue £000	Revenue £000	Revenue £000	Revenue £000	Revenue £000
Current cost of Town Centre Manager function	83	78	73	69	66
Proposed SLA fee	78	73	69	66	63
Saving to RBWM	5	5	4	3	3

The existing cost includes salaries, on costs, accommodation for two FTE, the cost of installing Christmas lights and operation of the Community Toilet Scheme which form part of the SLA.

5. LEGAL IMPLICATIONS

5.1 Operation structure of Windsor UK CIC is summarised below and membership fees.

Structure of Windsor UK CIC



Membership levels

WINDSOR UK

A Regional Community Interest Company

Members benefits

Membership Levels	Board Level	Associate Level	Chamber/Trade Association Level	Entry Level Auto Enrolment
Fees	Min. £3,000	**£500/£1000	**£99/£199	Free
Voting Rights	✓ all positions	✓ Chair and Vice Chair of Management Board and sub committees)	✓(Chair and Vice Chair of Management Board)	-
Seat on the board	✓	-	-	-
Discounted advertising in key publications.	✓	✓	-	-
*Free promotional days in town centre.	✓	✓	-	-
Exclusive corporate and social events.	✓	✓	✓	-
Yellow Advantage card discounts.	✓	-	-	-
Access to research and statistics about the town centre.	✓	✓	-	-
Provide statutory notices (road closures, civic events)	✓	✓	✓	✓
Share knowledge and information through e-communication.	✓	✓	✓	-
Trader discounts in stores	✓	✓	✓	-

Notes

*limited to 6 days for board members and 3 for associate members.

** Businesses with less than 20 employees

Any major sponsors of events/activities delivered by Windsor UK will be invited to become Associate members.

The proposed Service Level Agreement has been drawn up by Shared Legal Solutions (SLS), Matthew Tucker in SLS has approved the Articles of Association of the Windsor CIC.

SLS consider that this proposed transfer of economic entities to Windsor UK constitutes a 'relevant transfer' for the purposes of the *Transfer of Undertakings (Protection of Employment) Regulations 2006* ('TUPE' hereafter, as amended). The transfer fulfils the legal test for a relevant transfer, as there is likely to be a Service Provision Change (under Regulation 3(1)(b) for the purposes of the TUPE Regulations. This is because the 'activities' which are currently carried out by WDCC and WETP on behalf of the Council will cease to be carried out by those service providers, they will be carried out by a new provider on the Council's behalf (Windsor UK CIC). Therefore, if there is an organised grouping of employees who carry out as

their principle purpose, the ‘activities’ in question, they will transfer to the new provider if the intention is that the new provider will carry out those activities.

- 5.2 TUPE functions to protect employees whose contracts of employment are transferred to a new employer. In effect, this results in anyone who falls within the ‘organised grouping of employees’ of either WDCC and WETP (the Transferor’s) immediately before the transfer automatically becomes an employee of the new employer, Windsor UK CIC (the Transferee) on the basis of their existing terms of employment, and without a break in their employment.
- 5.3 All existing rights, powers, duties and liabilities under the employment contracts pass to the transferee. Both the transferor and transferee must inform and consult representatives of their own affected employees in relation to the transfer. However, where a company has 10 or less employees and there is neither a recognised union nor existing representatives, then the employer may directly inform and consult with the affected employees.
- 5.4 There are a number of other changes given effect by the TUPE framework. The automatic transfer of employees includes employees dismissed before the transfer, by reason of the transfer. Changes to employees’ terms will be void if the sole or principal reason for that change is the transfer. Employees may also refuse to transfer, but the effect of this is to terminate their employment, without any right to compensation. If an employee is dismissed prior to the transfer any such dismissal may be held to be automatically unfair.

6. VALUE FOR MONEY

- 6.1 The recommendations of this report support the recommendation outlined in the Cabinet report on 26 March 2015 in delivering services for local businesses and ensuring the creation of an effective business forum representing views of the business community in the town centres.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 The recommendations of this report will support the Council’s Big Society agenda in encouraging resident participation and empowerment within the Borough’s business communities.

8. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
Unsuccessful transfer of staff and WETP membership.	Windsor UK would not be sufficiently resourced and non delivery of service plan.	Agree plan with HR as to how best to arrange secondment/ transfer of resources to new enterprise.	New company is properly resourced and delivering targets.
No increase in membership	No additional finance will be attracted in to	Full marketing package produced to promote the	Additional members attracted to the company.

	Windsor UK CIC and will limit the delivery of outcome set in service specification.	benefits of membership to Windsor UK CIC.	
Non delivery of service outputs	Windsor UK CIC does not deliver programme of activities and service for the town centre.	Full Specification plan to be agreed and signed off outlining outputs required from the new Company.	Delivery of an effective programme of services which will retain and attract members.
Windsor UK CIC company failure	Failings in the company structure resulting in non delivery of SLA	Legal binding SLA monitored by contract monitoring officer with KPI attached.	Service Outputs are monitored and objectives amended and resourced accordingly

8.1 Should Windsor UK CIC be wound up the assets would be assigned to RBWM or another designated organisation and the funding from the SLA would be used to fund Town manager and Full Time Assistants role within Windsor, Eton and Ascot Town Centres.

9. LINKS TO STRATEGIC OBJECTIVES

9.1 This change in our culture in delivering this service to residents will be an investment in the future delivery of an effective and enhanced service, strengthening partnerships within the town centre and its environs whilst reducing the current costs associated with its provision.

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

N/A

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS:

11.1 As confirmed in the March 2015 Cabinet report, to deliver the service level agreement, Windsor UK will require dedicated support with use of current office accommodation at York House for an initial period of 12 months, until full transfer has taken place.

11.2 Two members of staff will TUPE transfer to the new organisation being the Town Centre Manager and the Assistant Town Centre Manager.

12. PROPERTY AND ASSETS

12.1 A full inventory list will be provided with the service level agreement identifying all assets which will come under the responsibility of Windsor UK CIC, e.g. Christmas lights, Christmas storage units.

13. ANY OTHER IMPLICATIONS

N/A

14. CONSULTATION

14.1 A formal consultation process will be undertaken with affected staff, as required by and in accordance with the provisions of the *Transfer of Undertakings (Protection of Employment) Regulations 2006* (as amended).

15. TIMETABLE FOR IMPLEMENTATION

Date	Details
February 2015 – Completed	Approval for Windsor District Chamber to wind up and create Windsor UK
March 2015 - Completed	Approval from the Windsor and Eton Town Partnership.
April 2015 –Completed	Approval from RBWM Full Council for Windsor UK.
December 2015 – in progress	Final draft of service level agreement.
December 2015 – in progress	Winding up of existing WETP and WDCC
January 2016	Elect committee and appoint officer of the CIC
January 2016	Open new bank account
January 2016	Signing of new service level agreement
January 2016 – in progress	Register/Create new organisation
February 2016 – in progress	Agree all TUPE and employment arrangements
March 2016	Windsor UK CIC Launch

16. APPENDICES

Appendix A : Articles of Association

Appendix B : Service Level Agreement - Draft

17. BACKGROUND INFORMATION

Cabinet Report – September 2014

Cabinet Report – March 2015

18. CONSULTATION

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr David Burbage	Leader of the Council			
Michael Llewelyn	Cabinet Policy Officer	17/12/15	18/12/15	
Cllr Bateson	Lead Member Community Partnerships			
Cllr Bicknell	Lead Member for Windsor and Chair of Visitor Forum			
Cllr Stretton	Principal member for Culture and			

	Communities			
Terry Baldwin	Head of HR			
Alison Alexander	Managing Director and Strategic Director for Adults, Children's and Health			
Simon Fletcher	Strategic Director of Operations and Customer Services			
Sean O'Connor	Head of Legal Services			
Russell O'Keefe	Strategic Director of Corporate and Community Services			
Chris Hilton	Director of Development and Regeneration			
Julia White	Visitor Manager			

REPORT HISTORY

Decision type:	Urgency item?
Non-key	No

Full name of report author	Job title	Full contact no:
Kevin Mist	Head of Community Services	01628 796443

Appendix A - Articles of Association for Windsor UK CIC.

The Companies Act 2006

Community Interest Company Limited by Guarantee

Articles of Association¹

of

Windsor UK Community Interest Company

(CIC Limited by Guarantee, Schedule 1, Large Membership)

The Companies Act 2006
Community Interest Company Limited by Guarantee

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The Companies Act 2006
Articles of Association
of
Windsor UK Community Interest Company

INTERPRETATION

1. Defined Terms

The interpretation of these Articles is governed by the provisions set out in the Schedule at end of the Articles.

COMMUNITY AND INTEREST COMPANY AND ASSET LOCK

2. Community Interest Company

The Company is to be a community interest company.

3. Asset Lock²

The Company shall not transfer any of its assets other than for full consideration.

Provided the conditions in Article 3.3 are satisfied, Article 3.1 shall not apply to:

the transfer of assets to any specified asset-locked body, or (with the consent of the Regulator) to any other asset-locked body; and

the transfer of assets made for the benefit of the community other than by way of a transfer of assets into an asset-locked body.

The conditions are that the transfer of assets must comply with any restrictions on the transfer of assets for less than full consideration which may be set out elsewhere in the Memorandum and Articles of the Company.

If:

the Company is wound up under the Insolvency Act 1986; and

all its liabilities have been satisfied

any residual assets shall be given or transferred to the asset-locked body specified in Article 3.5 below.

For the purposes of this Article 3, the following asset-locked body is specified as a potential recipient of the Company's assets under Articles 3.2 and 3.4:

Name:

(Please note that a community interest company cannot nominate itself as the asset locked body. It also cannot nominate a non-asset locked body. An asset locked body is defined as a CIC or charity, a permitted industrial and provident society or non-UK based equivalent.)

Charity Registration Number (if applicable): []

Company Registration Number (if applicable): []

Registered Office: []³

4. Not for profit

The Company is not established or conducted for private gain: any surplus or assets are used principally for the benefit of the community.

OBJECTS, POWERS AND LIMITATION OF LIABILITY

5. Objects⁴

The objects of the Company are to carry on activities which benefit the community and in particular (without limitation) to:

Be the lead organisation in creating and delivering Business Improvement District (BID)/ or Tourism Business Improvement District (TBID) to Windsor and associated town centres.

Devise and undertake town centre management activities, which will promote the economic development and well-being of the people in the town centres, improving the environment for the benefit of those who live or work in the town centres and those who visit;

promote town centres as a regional centre for shopping, commercial, residential, cultural, entertainment, leisure and tourism activities;

develop an extensive and effective marketing plan to raise the profile of the area as a international and regional destination centre for retail and tourism.

assist in developing existing, and attracting, new investment to the town centres from the public and private sectors and from any other appropriate source for the furtherance of the Objects;

establish and encourage partnership and co-ordination between those in the public and private sectors having an interest in the town centres to co-ordinate and focus the efforts of such parties;

maintain and improve the quality and viability of the area and to bring benefits to the businesses in the area through collaboration where appropriate;

promote schemes to improve the environmental quality of the area;

support redevelopment of property so as to enhance the environment and where appropriate to preserve, repair and maintain (directly or indirectly) for the benefit of the general public buildings of historical, architectural, community or constructional interest in the Area;

support the conservation, protection and improvement (where appropriate) of the physical and natural environment in the Area;

participate in and contribute to any appropriate forums to study and exchange ideas for town centre management, funding, planning, marketing and general improvement;

cause to be written, printed, published or otherwise reproduced, issued and circulated, in hard copy or in electronic form or otherwise, the Objects by means of the internet, guides, journals, exhibitions, meetings, lectures, seminars and broadcasts, newspapers, periodicals, books, leaflets, reports or other documents.

improve street management in the Area and raise the standards of appearance to ensure the Area is bright, clean and welcoming;

improve safety in the Area, working with appropriate Community Safety Partnerships and agencies where appropriate;

improve all access methods to the Area and therefore make a difference to people's experience of working and visiting the area by making better use of existing facilities;

procure, promote or carry out any form of entertainment in the Area;

In furtherance of the Objects but not otherwise, the Company shall have the following powers:

to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments, to operate bank accounts in the name of the Company as well as to deposit with any local government authority capable of taking such deposits, the Company's funds or part thereof and to operate such an account held in the name of the Company;

to raise funds and invite and receive contributions and in particular, but without limitation, to propose and promote in accordance with the legislation the imposition by any competent billing authority upon non-domestic rate payers within the Area and in addition to invite voluntary contributions from any source in each case in accordance with the legislation and any relevant statutory regulations and to exercise all the Company's powers for the renewal of such funding;

subject to Article 24 below, to employ and remunerate such staff and such self employed independent contractors as are necessary for the proper pursuit of the objects

to enlist the support of and to co-operate with Local Government and other statutory authorities, voluntary and other organisations and individuals representative of any community or communities within the area or otherwise likely to be affected by the furtherance or achievement of the Objects or who may be independently operating wholly or partly in furtherance of the Objects or similar purposes and to exchange information and advice with them;

to exercise all of the powers that are from time to time granted to or available to the Company by the legislation or as may be granted to it by any delegation of authority by any statutory or public body;

to acquire assets and/or carry on any trade or business whatever which can in the opinion of the Board of Members be advantageously carried on for the furtherance of the Objects;

to purchase, lease, hire or otherwise acquire any real or personal property/equipment which the Company considers to be necessary for the furtherance of its Objects;

to purchase or by any other means acquire and take options over any property whatever and any rights or privileges of any kind over or in respect of any property; to subscribe to, become a member of, or amalgamate, or co-operate with any other organisation, institution, society or body not formed or established for purposes of profit whose objects are wholly or in part similar to those of the Company and which by its constitution prohibits the distribution of its income and property amongst its members to an extent at least as is imposed on the Company under or by virtue of Article 4 and to purchase or otherwise acquire and undertake all such part of the property, assets, liabilities and engagements as may be lawfully acquired or undertaken by the Company of any such organisation, institution, society or body; to improve, manage, construct, repair, develop, let on lease or otherwise, mortgage, charge, sell, dispose of, turn to account, grant licences, options, rights and privileges in respect of, or otherwise deal with all or any part of the property and rights of the Company;

to invest and deal with the moneys of the Company not immediately required in such manner as may from time to time be determined and to hold or otherwise deal with any investments made;

to establish and support or aid the establishment and support of any trusts, associations or institutions and to subscribe or guarantee money for purposes in any way connected with or calculated to further any of the Objects;

to borrow and raise money in any manner and to secure the repayment of any money borrowed, raised or owing by mortgage, charge, standard security, lien or other security upon the whole or any part of the Company's property or assets (whether present or future) and also by a similar mortgage, charge, standard security, lien or security to secure and guarantee the performance by the Company of any obligation or liability it may undertake or which may become binding on it; to draw, make, accept, endorse, discount, negotiate, execute and issue cheques, bills of exchange, promissory notes, bills of lading, warrants, debentures and other negotiable or transferable instruments;

to apply for promote and obtain any Act of Parliament, order or licence of the Department of Trade and Industry or other authority for enabling the Company to carry any of the Objects into effect, or for effecting any modification of the Company's constitution or for any other purpose which may seem calculated directly or indirectly to promote the Company's interests and to oppose proceedings or applications which may directly or indirectly seem prejudice the Company's interests;

to subscribe for, take, purchase or otherwise acquire, hold, sell, deal with and dispose of, place and underwrite shares, stocks, debentures, debenture stocks, bonds, obligations or securities issued or guaranteed by any other company constituted or carrying on business in any part of the world and debentures, debenture stocks, bonds, obligations, securities issued or guaranteed by any government or authority, municipal, local or otherwise, in any part of the world;

to control, manage, finance, subsidise, co-ordinate or otherwise assist any company in which the Company has a direct or indirect financial interest and whose objects are wholly or in part similar to those of the company and which, by its constitution, prohibits the distribution of its income and property amongst its members to an extent at least as great as that in Article 4, to provide secretarial, administrative, technical, commercial and other services and facilities of all kinds for any such company and to make payments by way of subvention or otherwise and any other arrangements which may seem desirable with respect to any business or operations of or generally with respect to any such company;

to sell or otherwise dispose of the whole or any part of the business or property of the Company;

to act as agents or brokers and as trustees for any persons, firm or company, and to undertake and perform sub-contracts;

to remunerate any person, firm or company rendering services to the Company either by cash payment or otherwise as may be thought expedient;

to pay all or any expenses incurred in connection with the promotion, formation and incorporation of the Company, or to contract with any person, firm or company to pay the same;

to provide indemnity insurance to cover the liability of the directors which by virtue of any rule of law would otherwise attach to them in respect of any negligence, default, breach of trust or breach of duty in relation to the Company provided that any such insurance shall not extend to any claim arising from any act or omission which the directors knew to be a breach of trust or duty or which was committed by the directors in reckless disregard of whether it was a breach of trust or a breach of duty or not and provided also that any insurance shall not extend to the costs of an unsuccessful defence to a criminal prosecution brought against the directors or any of them in their capacity as directors of the Company;

to do all such things as may be deemed conducive to or facilitate the attainment of the Objects

None of the powers in any sub-clause of this Article shall be restrictively construed but the widest interpretation shall be given to each of such powers, and none of these powers shall, except where the context expressly so requires, be in any way limited or restricted by reference to or inference from any other power or powers, or by reference to or inference from the name of the Company.

The income and property of the Company shall be applied solely towards the promotion of the Objects and no part shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise by way of profit, to members of the Company.

Nothing in these Articles shall prevent any payment in good faith by the Company: of reasonable and proper remuneration for any services rendered to the Company by any member, office or servant of the Company; of reasonable and proper rent for premises or let by any member of the Company; to any director for reasonable out-of-pocket expenses;

of the usual professional charges for business done by any director who is a solicitor, accountant or other person engaged in a profession, or by any partner of his or hers, when instructed by the Company to act in a professional capacity on its behalf, provided that at no time shall a

majority of the directors benefit under this provision and that a director shall withdraw from any meeting at which his or her appointment or remuneration, or that of his or her partner, is under discussion; or

of interest on money lent by any member of the Company or director at a reasonable and proper rate per annum not exceeding 2 per cent less than the published base lending rate of a clearing bank to be selected by the directors.

6. Powers

To further its objects the Company may do all such lawful things as may further the Company's objects and, in particular, but, without limitation, may borrow or raise and secure the payment of money for any purpose including for the purposes of investment or of raising funds.

7. Liability of members⁵

The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:

payment of the Company's debts and liabilities contracted before he or she ceases to be a member;

payment of the costs, charges and expenses of winding up; and

adjustment of the rights of the contributories among themselves.

DIRECTORS

DIRECTORS' POWERS AND RESPONSIBILITIES

8. Directors' general authority

Subject to the Articles, the Directors are responsible for the management of the Company's business, for which purpose they may exercise all the powers of the Company.

9. Members' reserve power

The members of the management board may, by special resolution, direct the Directors to take, or refrain from taking, specific action.

No such special resolution invalidates anything which the Directors have done before the passing of the resolution.

10. Directors may delegate⁶

Subject to the Articles, the Directors may delegate any of the powers which are conferred on them under the Articles:

to such person or committee;
by such means (including by power of attorney);
to such an extent;
in relation to such matters or territories; and
on such terms and conditions;
as they think fit.

If the Directors so specify, any such delegation may authorise further delegation of the Directors' powers by any person to whom they are delegated.

The Directors may revoke any delegation in whole or part, or alter its terms and conditions.

11. Committees

Committees to which the Directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the Articles which govern the taking of decisions by Directors.

The Directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

The role and decisions of the directors will be lead by the Management board who will meet quarterly.

DECISION-MAKING BY DIRECTORS

12. Directors to take decisions collectively⁷

Any decision of the Directors must be either a majority decision at a meeting or a decision taken in accordance with Article 18.

Any decision of the Directors must be taken in accordance with any direction made by the Management board.

13. Calling a Directors' meeting

Two Directors may (and the Secretary, if any, must at the request of two Directors) call a Directors' meeting.

A Directors' meeting must be called by at least seven Clear Days' notice unless either:

all the Directors agree; or

urgent circumstances require shorter notice.

Notice of Directors' meetings must be given to each Director.

Every notice calling a Directors' meeting must specify:

the place, day and time of the meeting; and

if it is anticipated that Directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.

Notice of Directors' meetings need not be in Writing.

Notice of Directors' meetings may be sent by Electronic Means to an Address provided by the Director for the purpose.

14. Participation in Directors' meetings

Subject to the Articles, Directors participate in a Directors' meeting, or part of a Directors' meeting, when:

the meeting has been called and takes place in accordance with the Articles; and

they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.

In determining whether Directors are participating in a Directors' meeting, it is irrelevant where any Director is or how they communicate with each other.⁸

If all the Directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

15. Quorum for Directors' meetings⁹

At a Directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.

The quorum for Directors' meetings will be two. However, this may be amended from time to time by a decision of the Management Board and will be agreed in advance at an Annual General Meeting.

If the total number of Directors for the time being is less than the quorum required, the Directors must not take any decision other than a decision:

to appoint further Directors; or

to call a special meeting of the management board so as to enable the members to appoint further Directors.

16. Chairing of Directors' meetings

The Chair, if any, or in his or her absence another Director nominated by the Directors present shall preside as chair of each Directors' meeting.

17. Decision making at a meeting¹⁰

Questions arising at a Directors' meeting shall be decided by a majority of votes.

In all proceedings of Directors each Director must not have more than one vote.¹¹

In case of an equality of votes, the Chair shall have a second or casting vote.

18. Decisions without a meeting¹²

The Directors may take a unanimous decision without a Directors' meeting by indicating to each other by any means, including without limitation by Electronic Means, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in Writing, copies of which have been signed by each Director or to which each Director has otherwise indicated agreement in Writing.

A decision which is made in accordance with Article 18.1 shall be as valid and effectual as if it had been passed at a meeting duly convened and held, provided the following conditions are complied with:

approval from each Director must be received by one person being either such person as all the Directors have nominated in advance for that purpose or such other person as volunteers if necessary ("the Recipient"), which person may, for the avoidance of doubt, be one of the Directors;

following receipt of responses from all of the Directors, the Recipient must communicate to all of the Directors by any means whether the resolution has been formally approved by the Directors in accordance with this Article 18.2;

the date of the decision shall be the date of the communication from the Recipient confirming formal approval;

the Recipient must prepare a minute of the decision in accordance with Article 8.

19. Conflicts of interest¹³

Whenever a Director finds himself or herself in a situation that is reasonably likely to give rise to a Conflict of Interest, he or she must declare his or her interest to the Directors unless, or except to the extent that, the other Directors are or ought reasonably to be aware of it already.

If any question arises as to whether a Director has a Conflict of Interest, the question shall be decided by a majority decision of the other Directors.

Whenever a matter is to be discussed at a meeting or decided in accordance with Article 18 and a Director has a Conflict of Interest in respect of that matter then, subject to Article 20, he or she must:

remain only for such part of the meeting as in the view of the other Directors is necessary to inform the debate;

not be counted in the quorum for that part of the meeting; and

withdraw during the vote and have no vote on the matter.

When a Director has a Conflict of Interest which he or she has declared to the Directors, he or she shall not be in breach of his or her duties to the Company by withholding confidential information from the Company if to disclose it would result in a breach of any other duty or obligation of confidence owed by him or her.

20. Directors' power to authorise a conflict of interest

The Directors have power to authorise a Director to be in a position of Conflict of Interest provided:

in relation to the decision to authorise a Conflict of Interest, the conflicted Director must comply with Article 19.3;

in authorising a Conflict of Interest, the Directors can decide the manner in which the Conflict of Interest may be dealt with and, for the avoidance of doubt, they can decide that the Director with a Conflict of Interest can participate in a vote on the matter and can be counted in the quorum;

the decision to authorise a Conflict of Interest can impose such terms as the Directors think fit and is subject always to their right to vary or terminate the authorisation; and

If a matter, or office, employment or position, has been authorised by the Directors in accordance with Article 20.1 then, even if he or she has been authorised to remain at the meeting by the other Directors, the Director may absent himself or herself from meetings of the Directors at which anything relating to that matter, or that office, employment or position, will or may be discussed.

A Director shall not be accountable to the Company for any benefit which he or she derives from any matter, or from any office, employment or position, which has been authorised by the Directors in accordance with Article 20.1 (subject to any limits or conditions to which such approval was subject).

21. Register of Directors' interests

The Directors shall cause a register of Directors' interests to be kept. A Director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Company or in any transaction or arrangement entered into by the Company which has not previously been declared.

APPOINTMENT AND RETIREMENT OF DIRECTORS¹⁴

22. Methods of appointing directors

Those persons notified to the Registrar of Companies as the first Directors of the Company shall be the first Directors.

Any person who is willing to act as a Director, and is permitted by law to do so, may be appointed to be a Director:

by ordinary resolution; or

by a decision of the Directors.

by a decision of the Management board

There will be no more than 4 Directors appointed to run the company. Directors will be appointed from members of the Management board.

In any case where, as a result of death, the Company has no members and no Directors, the personal representatives of the last member to have died have the right, by notice in writing, to appoint a person to be a member.

For the purposes of Article 22.3, where two or more members die in circumstances rendering it uncertain who was the last to die, a younger member is deemed to have survived an older member.

If agreed by the management board the Windsor Town manager and or equivalent post(s) shall be permitted to become an executive director of the company.

23. Termination of Director's appointment¹⁵

A person ceases to be a Director as soon as:

that person ceases to be a Director by virtue of any provision of the Companies Acts, or is prohibited from being a Director by law;

a bankruptcy order is made against that person, or an order is made against that person in individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;

a composition is made with that person's creditors generally in satisfaction of that person's debts;

notification is received by the Company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms (but only if at least two Directors will remain in office when such resignation has taken effect);

the Director fails to attend three consecutive meetings of the Directors and the Directors resolve that the Director be removed for this reason; or

at a special general meeting of the Company, a resolution is passed that the Director be removed from office, provided the meeting has invited the views of the Director concerned and considered the matter in the light of such views.

Directors shall serve a minimum term of three years as a Director of the company after which point they can stand for re election at AGM. Directors will not be able to serve more than 9 years as a Director.

24. Directors' expenses

The Company may pay any reasonable expenses which the Directors properly incur in connection with their duties in delivering the objectives of the company.

MANAGEMENT BOARD'S POWERS AND RESPONSIBILITIES

25. Management Board general authority

Subject to the Articles, the Management Board are responsible for the overall strategic direction that Directors of the Company take. They will oversee and ensure that the company is managed for the benefit of its members at all times and the overall improvement of the local economy.

Management Board will have authority to create sub committees and groups to deliver the objectives of the company. These groups will be operated in line with the general meetings and will have appointed chairs who will be appointed at Annual General Meetings.

DECISION-MAKING BY MANAGEMENT BOARD

26. Management board to take decisions collectively

Any decision of the Management board must be by a majority decision at a meeting.

27. Management board

Management board members will be those businesses who have paid the relevant executive board members fees or have been given special dispensation to attend management board meetings by members of the management board (such as trade associations). The minimum number of members required to constitute the management board is 15.

Unless they have been appointed as a director of the company members of the Management board are not directors.

The Management board shall permit up to 2 councillors (Cabinet Members of the Royal Borough of Windsor and Maidenhead) seats at management board meetings.

Management board members can appoint and remove directors of the company.

The Management board shall meet quarterly.

The Management board will be able to co-opt any members and or third parties as it sees necessary in order to deliver the activities of the group. This may include council officials.

28. Appointments Of Chair and Vice Chair to the Management board

All fee paying members of the company will be able to vote at the Annual General Meeting for the appointment of Chair and Vice Chair of the Management Board at an Annual General Meeting. These posts can not be filled by a council representative

29. Calling a Management board meeting

A Management board meeting must be called by at least seven Clear Days' notice unless either:

all members of the Management board agree; or

urgent circumstances require shorter notice.

Notice of Management board meetings must be given to each Director.

Every notice calling a Management board meeting must specify:

the place, day and time of the meeting; and

Notice of Management board meetings need not be in Writing.

Notice of Management board meetings may be sent by Electronic Means to an Address provided by the Director for the purpose.

30. Participation in Management board meetings

Subject to the Articles, Management board members participate in a Management board meeting, when:

the meeting has been called and takes place in accordance with the Articles; and

they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.

In determining whether Management board members are participating in a Management board meeting, it is irrelevant where any Management board member is or how they communicate with each other.

If all the Management board members participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

31. Quorum for Management board meetings¹⁶

At a Management board meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.

The quorum for Management board meetings may be fixed from time to time by a decision of the Management board members, but it must never be less than 10.

If the total number of Management board members for the time being is less than the quorum required, the Directors must not take any decision other than a decision:

to appoint further Directors; or

to call a general meeting so as to enable the members to appoint further Directors.

32. Chairing of Management board meetings

The Chair, if any, or in his or her absence another Management board member nominated by the members present shall preside as chair of each Management board meeting.

33. Decision making at a meeting

Questions arising at an Management board meeting shall be decided by a majority of votes.

In all proceedings of the Management board each member must not have more than one vote, excepting that in case of an equality of votes, the Chair shall have a second or casting vote.

34. Decisions without a meeting

The Management board members may take a unanimous decision without a Management board meeting by indicating to each other by any means, including without limitation by Electronic Means, that they share a common view on a matter. Such a decision may, but need not, take the form of a resolution in Writing, copies of which have been signed by each Management board member or to which each Management board member has otherwise indicated agreement in Writing.

A decision which is made in accordance with Article 34.1 shall be as valid and effectual as if it had been passed at a meeting duly convened and held, provided the following conditions are complied with:

approval from each Management board member must be received by one person being either such person as all of the Management board members have nominated in advance for that purpose or such other person as volunteers if necessary (“the Recipient”), which person may, for the avoidance of doubt, be one of the Management board members;

following receipt of responses from all of the Management board members, the Recipient must communicate to all of the Management board members by any means whether the resolution has been formally approved by the Management board members in accordance with this Article 34;

the date of the decision shall be the date of the communication from the Recipient confirming formal approval;

the Recipient must prepare a minute of the decision in accordance with Article 8.

35. Conflicts of interest¹⁷

Whenever a Management board member finds himself or herself in a situation that is reasonably likely to give rise to a Conflict of Interest, he or she must declare his or her interest to the Management board unless, or except to the extent that, the other Management board members are or ought reasonably to be aware of it already.

If any question arises as to whether a Director has a Conflict of Interest, the question shall be decided by a majority decision of the other Management board members.

Whenever a matter is to be discussed at a meeting or decided in accordance with Article 33 and a Director has a Conflict of Interest in respect of that matter then, subject to Article 36, he or she must:

remain only for such part of the meeting as in the view of the other Management board members is necessary to inform the debate;

not be counted in the quorum for that part of the meeting; and

withdraw during the vote and have no vote on the matter.

When a Management board member has a Conflict of Interest which he or she has declared to the Management board members, he or she shall not be in breach of his or her duties to the Company by withholding confidential information from the Company if to disclose it would result in a breach of any other duty or obligation of confidence owed by him or her.

36. Management board members power to authorise a conflict of interest

The Management board members have power to authorise a Management board members to be in a position of Conflict of Interest provided:

in relation to the decision to authorise a Conflict of Interest, the conflicted Management board member must comply with Article 20.3;

in authorising a Conflict of Interest, the Management board members can decide the manner in which the Conflict of Interest may be dealt with and, for the avoidance of doubt, they can decide that the Management board member with a Conflict of Interest can participate in a vote on the matter and can be counted in the quorum;

the decision to authorise a Conflict of Interest can impose such terms as the Management board members think fit and is subject always to their right to vary or terminate the authorisation; and

If a matter, or office, employment or position, has been authorised by the Management board members in accordance with Article 36.1 then, even if he or she has been authorised to remain at the meeting by the other Management board members, the Management board member may absent himself or herself from meetings of the Management board at which anything relating to that matter, or that office, employment or position, will or may be discussed.

A Management board shall not be accountable to the Company for any benefit which he or she derives from any matter, or from any office, employment or position, which has been authorised by the

Management board in accordance with Article 36 (subject to any limits or conditions to which such approval was subject).

37. Register of Management board members interests

The Directors shall cause a register of Management board members' interests to be kept. A Management board member must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Company or in any transaction or arrangement entered into by the Company which has not previously been declared.

APPOINTMENT AND RETIREMENT OF MANAGEMENT BOARD MEMBERS

38. Methods of appointing Management board members

Any business completing the relevant forms and paying the approved Management board membership fees will be permitted to apply for membership to the company; and or

by a decision of Directors and

by a decision of the Management board

39. Termination of Management board members appointment

A person/organisation ceases to be a Management board member as soon as:

notification is received by the Company from the Management board member that they/company are resigning from the membership, and such resignation has taken effect in accordance with its terms (but only if at least 12 Management board members will remain in office when such resignation has taken effect);

the Management board member fails to attend three consecutive meetings of the Management board and the resolve that the Management board member be removed for this reason; or

at a special general meeting, a resolution is passed that the Management board member be removed from membership list, provided the meeting has invited the views of the Management board member concerned and considered the matter in the light of such views.

No membership fees have been paid for the preceding 12 months.

MEMBERS¹⁸

BECOMING AND CEASING TO BE A MEMBER¹⁹

40. Becoming a member²⁰

The subscribers to the Memorandum are the first members of the Company and will be the Directors of the Company

“Entry Level” Membership is free of charge and open to any registered business in the defined area that pay business rates and is operating from a commercial address.

There will be different levels of membership which will require a corresponding fee to be paid in order to complete qualification. Membership levels include Executive, Associate and Chamber/Trade. All membership fees will be paid on an annual basis.

Sole traders, unincorporated partnerships, businesses working from a residential address or businesses from outside the area can be accepted at the discretion of the Directors.

Such other persons as are admitted to membership in accordance with the Articles shall be members of the Company.

No person shall be admitted a member of the Company unless he or she is approved by the Directors.

Every person who wishes to become a member shall deliver to the Company an application for membership in such form (and containing such information) as the Directors require and executed by him or her.

41. Termination of membership²¹

Membership is not transferable to anyone else.

Membership is terminated if:

the member dies or ceases to exist;

otherwise in accordance with the Articles; or

at a meeting of the Management Board a resolution is passed resolving that the member be expelled on the grounds that his or her continued membership is harmful to or is likely to become harmful to the interests of the Company. Such a resolution may not be passed unless the member has been given at least 14 Clear Days’ notice that the resolution is to be proposed, specifying the circumstances alleged to justify expulsion, and has been afforded a reasonable opportunity of being heard by or of making written representations to the Directors. A member expelled by such a resolution will nevertheless remain liable to

pay to the Company any subscription or other sums owed by him or her.

ORGANISATION OF ANNUAL GENERAL MEETINGS²¹

42. AGM meetings

The Directors will call a general meeting on or within fourteen days of 1 March every year.

At the AGM an annual report of work done by the company in the previous year will be presented by the Chair of the Management Board; the accounts for the company; where necessary, a review of any of the rules and policies of the company and any other business announced in the AGM agenda.

43. Length of notice

All annual general meetings must be called by either:

at least 28 Clear Days' notice; or

shorter notice if it is so agreed by a majority of the members having a right to attend and vote at that meeting. Any such majority must together represent at least 90% of the total voting rights at that meeting of all the members.

44. Contents of notice

Every notice calling an AGM must specify the place, day and time of the meeting, whether it is a general or an annual general meeting, and the general nature of the business to be transacted.

If a special resolution is to be proposed, the notice must include the proposed resolution and specify that it is proposed as a special resolution.

In every notice calling a meeting of the Company there must appear with reasonable prominence a statement informing the member of his or her rights to appoint another person as his or her proxy at a general meeting.

Members attending the AGM will be able to vote on the following positions:

Chair of Management Board – non council position

Vice Chair of the Management Board - non council position

Chair of any sub committees of the company.

Director of the Company (every three years) – Management Board members only

45. Service of notice

Notice of an AGM must be given to every member, to the Directors and to the auditors of the Company.

46. Attendance and speaking at AGM

All fee paying members are able to exercise the right to speak at an Annual General meeting when that person is in a position to communicate to all those attending the meeting, during the meeting, any information or opinions which that person has on the business of the meeting.

A person is able to exercise the right to vote at a general meeting when:

that person is able to vote, during the meeting, on resolutions put to the vote at the meeting; and

that person's vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other persons attending the meeting.

The Directors may make whatever arrangements they consider appropriate to enable those attending an Annual General Meeting to exercise their rights to speak or vote at it.

In determining attendance at a general meeting, it is immaterial whether any two or more members attending it are in the same place as each other.

Two or more persons who are not in the same place as each other attend an Annual General meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

47. Quorum for AGM

No business (other than the appointment of the chair of the meeting) may be transacted at any AGM unless a quorum is present.

Two persons entitled to vote on the business to be transacted (each being a member, a proxy for a member or a duly Authorised Representative of a member); or 20% of the total membership or 20 members (represented in person or by proxy), whichever is lower, shall be a quorum.

If a quorum is not present within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to the same day in

the next week at the same time and place, or to such time and place as the Directors may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting those present and entitled to vote shall be a quorum.

48. Chairing AGM

The Chair (if any) or in his or her absence some other Management Board member nominated by the Directors will preside as chair of the Annual General Meeting.

If neither the Chair nor such other Director nominated in accordance with Article 48.1 (if any) is present within fifteen minutes after the time appointed for holding the meeting and willing to act, the Directors and Management board members present shall elect one of their number to chair the meeting and, if there is only one Director or Management Board member present and willing to act, he or she shall be chair of the meeting.

If no Director or Management Board Member is willing to act as chair of the meeting, or if no Director or Management board member is present within fifteen minutes after the time appointed for holding the meeting, the members present in person or by proxy and entitled to vote must choose one of their number to be chair of the meeting, save that a proxy holder who is not a member entitled to vote shall not be entitled to be appointed chair of the meeting.

49. Attendance and speaking by Directors and non-members

A Director may attend and speak at any AGM.

The chair of the meeting may permit other persons who are not members of the Company to attend and speak at a general meeting.

50. Adjournment

The chair of the meeting may adjourn an AGM at which a quorum is present if:

the meeting consents to an adjournment; or

it appears to the chair of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.

The chair of the meeting must adjourn an AGM if directed to do so by the meeting.

When adjourning an AGM, the chair of the meeting must:

either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the Directors; and

have regard to any directions as to the time and place of any adjournment which have been given by the meeting.

If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least seven Clear Days' notice of it:

to the same persons to whom notice of the Company's AGM is required to be given; and

containing the same information which such notice is required to contain.

No business may be transacted at an adjourned AGM which could not properly have been transacted at the meeting if the adjournment had not taken place.

51. VOTING AT AGM

52. Voting

A resolution put to the vote of an AGM must be decided on a show of hands unless a poll is duly demanded in accordance with the Articles.

A person who is not a member of the Company shall not have any right to vote at a AGM of the Company; but this is without prejudice to any right to vote on a resolution affecting the rights attached to a class of the Company's debentures.²²

Article 52 shall not prevent a person who is a proxy for a member or a duly Authorised Representative from voting at an AGM of the Company.

53. Votes

On a vote on a resolution on a show of hands at a meeting every person present in person (whether a member, proxy or Authorised Representative of a member) and entitled to vote shall have a maximum of one vote.

On a vote on a resolution on a poll at a meeting every member present in person or by proxy or Authorised Representative shall have one vote.

In the case of an equality of votes, whether on a show of hands or on a poll, the chair of the meeting shall not be entitled to a casting vote in addition to any other vote he or she may have.

No member shall be entitled to vote at any general meeting unless all monies presently payable by him, her or it to the Company have been paid.

The following provisions apply to any organisation that is a member (“a Member Organisation”):

a Member Organisation may nominate any individual to act as its representative (“an Authorised Representative”) at any meeting of the Company;

the Member Organisation must give notice in Writing to the Company of the name of its Authorised Representative. The Authorised Representative will not be entitled to represent the Member Organisation at any meeting of the Company unless such notice has been received by the Company. The Authorised Representative may continue to represent the Member Organisation until notice in Writing is received by the Company to the contrary;

a Member Organisation may appoint an Authorised Representative to represent it at a particular meeting of the Company or at all meetings of the Company until notice in Writing to the contrary is received by the Company;

any notice in Writing received by the Company shall be conclusive evidence of the Authorised Representative’s authority to represent the Member Organisation or that his or her authority has been revoked. The Company shall not be required to consider whether the Authorised Representative has been properly appointed by the Member Organisation;

an individual appointed by a Member Organisation to act as its Authorised Representative is entitled to exercise (on behalf of the Member Organisation) the same powers as the Member Organisation could exercise if it were an individual member;

on a vote on a resolution at a meeting of the Company, the Authorised Representative has the same voting rights as the Member Organisation would be entitled to if it was an individual member present in person at the meeting; and

the power to appoint an Authorised Representative under this Article 0 is without prejudice to any rights which the Member Organisation has under the Companies Acts and the Articles to appoint a proxy or a corporate representative.

54. Poll votes

A poll on a resolution may be demanded:

in advance of the general meeting where it is to be put to the vote; or

at a general meeting, either before a show of hands on that resolution or immediately after the result of a show of hands on that resolution is declared.

A poll may be demanded by:

the chair of the meeting;

the Directors;

two or more persons having the right to vote on the resolution;

any person, who, by virtue of being appointed proxy for one or more members having the right to vote at the meeting, holds two or more votes; or

a person or persons representing not less than one tenth of the total voting rights of all the members having the right to vote on the resolution.

A demand for a poll may be withdrawn if:

the poll has not yet been taken; and

the chair of the meeting consents to the withdrawal.

Polls must be taken immediately and in such manner as the chair of the meeting directs.

55. Errors and disputes

No objection may be raised to the qualification of any person voting at a general meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.

Any such objection must be referred to the chair of the meeting whose decision is final.

56. Content of proxy notices

Proxies may only validly be appointed by a notice in writing (a "Proxy Notice") which:

states the name and address of the member appointing the proxy;

identifies the person appointed to be that member's proxy and the general meeting in relation to which that person is appointed;

is signed by or on behalf of the member appointing the proxy, or is authenticated in such manner as the directors may determine; and

is delivered to the Company in accordance with the Articles and any instructions contained in the notice of the general meeting to which they relate.

The Company may require Proxy Notices to be delivered in a particular form, and may specify different forms for different purposes.

Proxy Notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.

Unless a Proxy Notice indicates otherwise, it must be treated as:

allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting; and

appointing that person as a proxy in relation to any adjournment of the AGM to which it relates as well as the meeting itself.

57. Delivery of proxy notices

A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at an AGM remains so entitled in respect of that meeting or any adjournment of it, even though a valid Proxy Notice has been delivered to the Company by or on behalf of that person.

An appointment under a Proxy Notice may be revoked by delivering to the Company a notice in Writing given by or on behalf of the person by whom or on whose behalf the Proxy Notice was given.

A notice revoking the appointment of a proxy only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.

58. Amendments to resolutions

An ordinary resolution to be proposed at an AGM may be amended by ordinary resolution if:

notice of the proposed amendment is given to the Company in Writing by a person entitled to vote at the general meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chair of the meeting may determine); and

the proposed amendment does not, in the reasonable opinion of the chair of the meeting, materially alter the scope of the resolution.

A special resolution to be proposed at an AGM may be amended by ordinary resolution, if:

the chair of the meeting proposes the amendment at the AGM at which the resolution is to be proposed; and

the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.

If the chair of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chair's error does not invalidate the vote on that resolution.

WRITTEN RESOLUTIONS

59. Written resolutions

Subject to Article 59.3, a written resolution of the Company passed in accordance with this Article 59 shall have effect as if passed by the Company in general meeting:

A written resolution is passed as an ordinary resolution if it is passed by a simple majority of the total voting rights of eligible members.

A written resolution is passed as a special resolution if it is passed by members representing not less than 75% of the total voting rights of eligible members. A written resolution is not a special resolution unless it states that it was proposed as a special resolution.

In relation to a resolution proposed as a written resolution of the Company the eligible members are the members who would have been entitled to vote on the resolution on the circulation date of the resolution.

A members' resolution under the Companies Acts removing a Director or an auditor before the expiration of his or her term of office may not be passed as a written resolution.

A copy of the written resolution must be sent to every member together with a statement informing the member how to signify their agreement to the resolution and the date by which the resolution must be passed if it is not to lapse. Communications in relation to written notices shall be sent to the Company's auditors in accordance with the Companies Acts.

A member signifies their agreement to a proposed written resolution when the Company receives from him or her an authenticated Document identifying the resolution to which it relates and indicating his or her agreement to the resolution.

If the Document is sent to the Company in Hard Copy Form, it is authenticated if it bears the member's signature.

If the Document is sent to the Company by Electronic Means, it is authenticated [if it bears the member's signature] or [if the identity of the member is confirmed in a manner agreed by the Directors] or [if it is accompanied by a statement of the identity of the member and the Company has no reason to doubt the truth of that statement] or [if it is from an email Address notified by the member to the Company for the purposes of receiving Documents or information by Electronic Means].

A written resolution is passed when the required majority of eligible members have signified their agreement to it.

A proposed written resolution lapses if it is not passed within 28 days beginning with the circulation date.

ADMINISTRATIVE ARRANGEMENTS AND MISCELLANEOUS

60. Means of communication to be used

Subject to the Articles, anything sent or supplied by or to the Company under the Articles may be sent or supplied in any way in which the Companies Act 2006 provides for Documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the Company.

Subject to the Articles, any notice or Document to be sent or supplied to a Director in connection with the taking of decisions by Directors may also be sent or supplied by the means by which that Director has asked to be sent or supplied with such notices or Documents for the time being.

A Director may agree with the Company that notices or Documents sent to that Director in a particular way are to be deemed to have been received within an agreed time of their being sent, and for the agreed time to be less than 48 hours.

61. Irregularities

The proceedings at any meeting or on the taking of any poll or the passing of a written resolution or the making of any decision shall not be invalidated by reason of any accidental informality or irregularity (including any accidental omission to give or any non-receipt of notice) or any want of qualification in any of the persons present or voting or by reason of any business being considered which is not referred to in the notice unless a provision of the Companies Acts specifies that such informality, irregularity or want of qualification shall invalidate it.

62. Minutes

The Directors must cause minutes to be made in books kept for the purpose:

of all appointments of officers made by the Directors;

of all resolutions of the Company and of the Directors; and

of all proceedings at meetings of the Company and of the Directors, and of committees of Directors, including the names of the Directors present at each such meeting;

and any such minute, if purported to be signed (or in the case of minutes of Directors' meetings signed or authenticated) by the chair of the meeting at which the proceedings were had, or by the chair of the next succeeding meeting, shall, as against any member or Director of the Company, be sufficient evidence of the proceedings.

The minutes must be kept for at least ten years from the date of the meeting, resolution or decision.

63. Records and accounts²³

The Directors shall comply with the requirements of the Companies Acts as to maintaining a members' register, keeping financial records, the audit or examination of accounts and the preparation and transmission to the Registrar of Companies and the Regulator of:

annual reports;

annual returns; and

annual statements of account.

64. Indemnity

Subject to Article 0, a relevant Director of the Company or an associated company may be indemnified out of the Company's assets against:

any liability incurred by that Director in connection with any negligence, default, breach of duty or breach of trust in relation to the Company or an associated company;

any liability incurred by that Director in connection with the activities of the Company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act 2006); and

any other liability incurred by that Director as an officer of the Company or an associated company.

This Article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.

In this Article:

companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and

a "relevant Director" means any Director or former Director of the Company or an associated company.

65. Insurance

The Directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant Director in respect of any relevant loss.

In this Article:

a “relevant Director” means any Director or former Director of the Company or an associated company;

a “relevant loss” means any loss or liability which has been or may be incurred by a relevant Director in connection with that Director’s duties or powers in relation to the Company, any associated company or any pension fund or employees’ share scheme of the company or associated company; and

companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

66. Exclusion of model articles

The relevant model articles for a company limited by guarantee are hereby expressly excluded.

SCHEDULE
INTERPRETATION

Defined terms

In the Articles, unless the context requires otherwise, the following terms shall have the following meanings:

Term	Meaning
“Address”	includes a number or address used for the purposes of sending or receiving Documents by Electronic Means;
“Articles”	the Company’s articles of association;
“Authorised Representative”	means any individual nominated by a Member Organisation to act as its representative at any meeting of the Company in accordance with Article 53;
“asset-locked body”	means (i) a community interest company, a charity ²⁴ or a Permitted Industrial and Provident Society; or (ii) a body established outside the United Kingdom that is equivalent to any of those;
“bankruptcy”	includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
“Chair”	has the meaning given in Article Error! Reference source not found. ;
“chairman of the meeting”	has the meaning given in Article 48;
“Circulation Date”	in relation to a written resolution, has the meaning given to it in the Companies Acts;
“Clear Days”	in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect;
“community”	is to be construed in accordance with accordance with Section 35(5) of the Company’s (Audit) Investigations and Community Enterprise) Act 2004;
“Companies Acts”	means the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Company;

“Company”	[] [Community Interest Company/C.I.C.];
“Conflict of Interest”	any direct or indirect interest of a Director (whether personal, by virtue of a duty of loyalty to another organisation or otherwise) that conflicts, or might conflict with the interests of the Company;
“Director”	a director of the Company, and includes any person occupying the position of director, by whatever name called;
“Document”	includes, unless otherwise indicated, any Document sent or supplied in Electronic Form;
“Electronic Form” and “Electronic Means”	have the meanings respectively given to them in Section 1168 of the Companies Act 2006;
“Hard Copy Form”	has the meaning given to it in the Companies Act 2006;
“Memorandum”	the Company’s memorandum of association;
“paid”	means paid or credited as paid;
“participate”	in relation to a Directors’ meeting, has the meaning given in Article 15;
“Permitted Industrial Provident Society”	and an industrial and provident society which has a restriction on the use of its assets in accordance with Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations 2006 or Regulation 4 of the Community Benefit Societies (Restriction on Use of Assets) Regulations (Northern Ireland) 2006;
“Proxy Notice”	has the meaning given in Article 56;
“the Regulator”	means the Regulator of Community Interest Companies;
“Secretary”	the secretary of the Company (if any);
“specified”	means specified in the memorandum and articles of association of the Company for the purposes of this paragraph;
“subsidiary”	has the meaning given in section 1159 of the Companies Act 2006;
“transfer”	includes every description of disposition, payment, release or distribution, and the creation or extinction of an estate or interest

in, or right over, any property; and

“Writing”

the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in Electronic Form or otherwise.

Subject to clause 0 of this Schedule, any reference in the Articles to an enactment includes a reference to that enactment as re-enacted or amended from time to time and to any subordinate legislation made under it.

Unless the context otherwise requires, other words or expressions contained in these Articles bear the same meaning as in the Companies Act 2006 as in force on the date when the Articles become binding on the Company.

Explanatory Notes : CIC Limited by Guarantee, Schedule 1, Large Membership

¹ On articles of association generally, see [Part 5] of the Regulator’s information and guidance notes. If you are an existing company wishing to become a community interest company, there is no need to adopt completely new articles, but you must comply with the requirements of the Community Interest Company Regulations 2005 (as amended) (“the Regulations”) by including the provisions set out in Schedule 1 to the Regulations in the articles of your company.

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¹ On the specification of the company’s objects, see [Part 5] of the Regulator’s information and guidance notes.

¹ On limited liability, see [Part 3] of the Regulator’s information and guidance notes. On guarantees generally see [Chapter 3.2] of the Regulator’s information and guidance notes.

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¹ Article 13 states that the Directors must make decisions by majority at a meeting in accordance with article 15; or unanimously if taken in accordance with article 19.

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¹ Inclusion of the provisions of article 28.1 and 28.2.1 – 28.2.2 (reflecting sub-paragraphs (5) and (6) of paragraph 2 of Schedule 1 to the Regulations), is mandatory.

¹ Inclusion of article 38.2 (reflecting paragraph 3(1) of Schedule 1 to the Regulations) is mandatory.

¹ See the Companies House guidance booklet, “Accounts and Accounting Reference Dates” (available online at <http://www.companies-house.gov.uk/about/gbhtml/gba3.shtml>).] On the annual community interest company report, see [Part 8] of the Regulator’s information and guidance notes.

¹ Section 1(1) of the Charities Act 2006 defines “charity” as an institution which “is established for charitable purposes only, and falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.”.

Appendix B - DRAFT Service Level Agreement Windsor UK CIC



SERVICE LEVEL AGREEMENT FOR THE
PROVISION OF TOWN CENTRE SERVICES
IN THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

By Windsor UK Community Interest Company

Document Created: October 2015

Document Review:

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Reasons for change
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Background

- 1.1. Windsor UK Community Interest Company (Windsor UK CIC) is an amalgamation of the Windsor and District Chamber of Commerce WDCC and Windsor and Eton Town Partnership, which jointly deliver an extensive and successful range of events, activities and initiatives for the town centres including Windsor, Eton, Ascot, Sunninghill and Sunningdale.
- 1.2. Windsor UK CIC will provide services for large and small sized businesses and organisations located across the town centre and its districts
- 1.3. RBWM believes that supporting the creation of Windsor UK CIC will provide an opportunity to enhance the services to the town centre and provide greater opportunities to improve the local economy.
- 1.4. This document outlines the service specification for Windsor UK CIC.
- 1.5. The proposal is to have a single award to the new Windsor UK CIC. A five year contract will be awarded to enable the service to develop a range of business services for the town centre, and exploring the potential development and delivery of a Business Improvement District for the Town and districts.

Reason for Change

- 1.6. WETP and WDCC is limited by the number of staff available to engage businesses, and staff to provide a complete town centre service. Windsor UK CIC are seeking to expand their current services to encompass a range of Town Centre users who would benefit from its offer including:
 - a) All residents in and around the town centres.
 - b) All businesses operating in and around the town centres.
 - c) All Landlords and agents operating in the and around the town centres.
 - d) All visitors to the town centres.
- 1.7. Currently there are a number of different business groups/ forums operating in the town centre representing the views of businesses. All of the forums discuss very similar topics. Many set up additional smaller working groups/meetings to tackle the same issues. Some businesses are not clear which forum is the correct one to raise business concerns, or who takes the lead on them to ensure they are dealt with.
- 1.8. Relatively few contribute financially to support WETP or WDCC activities but will benefit from those activities. This undermines the work and benefits of those members.
- 1.9. WETP cannot currently respond to demand and or secure significant external charitable/grant funding linked so closely to the local authority.
- 1.10. As an independent body, Windsor UK CIC will have greater freedom to respond to a very dynamic and challenging market, meeting increased demands, recruiting more support staff and delivering more for the town centres.
- 1.11. A Community Interest Company is eligible for other grants and funding streams that it cannot presently access under the current support of the Local Authority.

RBWM's Role in Town Centre

Service Scope

The development plan must meet the needs of all town centre users.

The development plan will be up-dated regularly, and there will be clear milestones with progress clearly documented, ensuring all goals follow the SMART principle.

1.12. Outcomes

Delivery of:

1.13. Windsor Neighbourhood Plan for Business

- I. Providing full administration and marketing support to the W2030 Steering group and maintain and recruit forum members. Provide opportunities through annual events programme to promote the aims and objectives of W2030 in order to deliver Planning document for referendum in 2016.

1.14. Marketing plan for the town centre activities, events and inward investment.

- I. Agree to market Windsor, Eton and Ascot town centres as leading retail and business destinations, able to deliver a mixed and integrated offer. The marketing plan for the CIC will seek to attract and retain new members to the CIC inline with targets set out in table in section 1.31 below.
- II. The marketing plan will Identify the town centres key market segments, it will identify and support the delivery of Inward investment programmes. Delivery of retail led events programmes (see table in 1.31 or targets), provide an effective communications strategy. The development and management of the evening and night time economy, Support strategies for reducing crime and disorder in the town centre and delivering a stronger online presence.
- III. RBWM will extend the following benefits to Executive Committee members on page 8 of the Article of Association below, inline with those currently received as members for the former Windsor and Eton Town Partnership and include:

Yellow Advantage membership for one board member per company
Discounted rates in RBWM publications

1.15. A range of business support services.

- I. Provide no less than 4 business focused events/meetings aimed at providing support for SMEs and large businesses in the town centres including but not limited to, legal and financial advice, recruitment and management of staff, marketing and business continuity and incident planning.

1.16. Annual town centre events programme.

- I. RBWM will allow Windsor CIC exclusive rights to manage and promote all activities on the main public highways in the main trading areas of Windsor, Eton and Ascot town centres. This will include booking and promoting a range cultural events/promotions in the town centre. All bookings for these spaces will be managed by Windsor UK.
- II. RBWM will be permitted to book spaces on the highway at no extra cost on completion of agreed booking forms. If as a result of an RBWM booking there are any additional costs these will be met in full by RBWM (this includes the cost of removing or rescheduling pre existing bookings from the highway). All bookings will be subject to special terms and conditions in the event of a major incident or state/civic event.
- III. As part of the benefit to the community element Windsor UK CIC will work with RBWM to manage and deliver a range of events/activities in the green spaces in and around the town centres. Including but not limited to:
 - a. Spring, summer and winter attractions for Alexandra Gardens.
 - b. Baths Island programme of events.
 - c. Bandstand programme in Alexandra Gardens.

1.17. Annual Christmas lights Installation programme (Windsor, Eton, Ascot, Sunninghill and Sunningdale).

- I. Arrange in consultation with RBWM Lighting team the installation of lights in Windsor, Eton and Ascot (Sunninghill and Sunningdale).
- II. Windsor UK CIC will take responsibility for the maintenance and storage of all Christmas lights and cinema projector.
- III. Maintenance and infrastructure of the support points, electricity and power will be retained by RBWM.

1.18. Annual Christmas events programme.

- I. RBWM will cover all application costs for the provision of traffic management road for the following Christmas events:
 - i. Delivery directly and with partners the Official Christmas light switch on events for Windsor, Eton, Ascot, Sunninghill and Sunningdale.
 - ii. Official town centre parades and Christmas Markets including but not limited to: Windsor Reindeer Parade, Sunninghill Christmas Fair, Eton Christmas Market.
 - iii. All other activity that can and will be created from time to time linked to official Christmas programmes designed to increase footfall and spend in the town centre.

(All official Christmas events requiring traffic management support will require prior approval from the Head of Highways at RBWM.)

1.19. Community Toilet Scheme.

- I. Windsor UK CIC manage and promote RBWM community toilet scheme in Windsor, Eton and Ascot Town centre. See table on section 1.32 for targets. Windsor UK will

inspect and manage in line with RBWM approved criteria all partners involved within the scheme.

1.20. Commercial and high street promotions and contracts programme in the town centre.

- I. RBWM will allow Windsor UK CIC exclusive rights to manage and promote on the main public highways and in the main trading areas of Windsor, Eton and Ascot town centres to book and promote all commercial events and promotions in the town centre. All bookings for these spaces will be managed by Windsor UK CIC.
- II. All bookings on the highway will be entered on the RBWM "Confirm" system (all fees and access rights to Confirm will be paid for by RBWM).
- III. Delivery and management of Duck Tours contract in Windsor Town centre

1.21. Street entertainer's scheme.

- I. Windsor UK will take responsibility for the approval and a management of the town centres street entertainment scheme. Including arranging open auditions and judges and issuing/renewing of permits for approved performers.

1.22. Premises licences requirements for the town centres.

- i. Windsor UK CIC will maintain Premises Licence 06/00168/LAPRE ensuring that the annual fees are paid and designated officers are in place to operate the licence when required.
- ii. Additional licences maybe required for other public areas in Ascot, Sunning Hill and Sunning dale which Windsor UK CIC will arrange as and when required.
- iii. RBWM licencing team shall agree all licence fees for events required in the town centre. If these events and activities are at the request of RBWM those fees will not apply.
- iv. Delivery and management of contract for taxi marshalling programme in Goswell Hill.

1.23. Enhanced operational duties in the town centre.

- I. Central and coordinating role of works in the town centre including
 - i. Coordinating role in consultation with businesses on all permission, permits and planning applications connected to the town centres.
 - ii. Coordinating role in key projects affecting the town centre and businesses
 - iii. Effective communication strategy for businesses and office workers in the town centres.

1.24. Strategic programmes for the Town centre*,

- I. Co-ordinating the management of the town, between council departments, town businesses and other third parties for the effective operation of the town centre including
 - I. Develop and deliver a 5 year business plan for Windsor and Eton Town Centre.
 - II. Assist with the delivery of Ascot regeneration programme.
 - III. Management and maintenance of wayfinding signs in the town centres
 - IV. Identifying and delivering key public realm improvements in the town centres
 - V. Provision of regular trading markets and other commercial activity in and around the town centres.

- 1.25. **RBWM shall ensure that the Windsor UK CIC are included into the council constitutions and will be a designated consultee on all planning applications, permits, transport and any other major policy changes connected to or effecting the town centres.**
- 1.26. **Civic events programme (when required) in the town centre*.**
I. Assist in the delivery of civic events in the town centre when required.
- 1.27. **Windsor UK CIC will ensure all Health and Safety policy is developed and kept up to date in line with the events and activities delivered in the Town Centre.**
- 1.28. ***Regular independent research on town centre issues.**
I. Event customer surveys for all main events delivered
II. Operator surveys - annual
- 1.29. ***Regular monitoring programme on town centre including; *footfall, vacancy and office accommodation.**
- 1.30. **Key operational, business and sector meetings include retailers, crime reduction, Christmas planning and project planning meetings.**

**Additional charges may apply for the delivery of these outcomes outside of this specification and will need to be costed separately.*

Outcomes that should be experienced by members of the company should include:

- a) Voting rights at AGM and executive meetings
- b) Range of benefits listed in the menu of benefits for members.

Windsor UK CIC will in the long term seek to deliver an enhanced range of Council services linked directly to the town centre which will increase the vitality and vibrancy of the town centre.

As a result all equipment hired or purchased in the line of work to deliver the activities of the town partnership will transfer's over to Windsor UK CIC. These will be protected like all other assets acquired for Windsor UK CIC. A list of these items can be found in Appendix A – Inventory of items transferring to Windsor UK CIC

1.31. **Service Targets & Outputs**

Windsor UK CIC is expected to deliver the following service targets and outputs:

Target / Output	Baseline (2014/15)	Year 1 (2016/17)	Year 2 (2017/18)	Year 3 (2018/19)	Year 4 (2019/20)	Year 5 (2020/21)
a) Increased number of event days delivered in the town centres	75	+2	+2	+3	+3	+3

b) Increase the number of members to the company	239	250	260	275	290	310
c) Increase users of Taxi Marshalling scheme in Goswell Hill	10,000 pa	+200	+200	+200	+300	+300
d) Increase income to Windsor UK CIC	94,000	+3000	+3000	+4000	+4000	+4000
e) Increase number of community toilet partners in the town centre	10	11	12	13	14	15

Payment by Results (PbR)

Monies withheld and linked to PbR will be calculated on the combined sum average % of the performance measures:

- b) Increased number of events.**
- e) Increased number of members per year.**
- f) Increase in users of the taxi marshalling scheme.**

Each of the individual measures will carry an equal weighting in the calculation of the average % achieved. Each of the measures identified will need to have achieved a minimum service level of 70%. If any of the individual measures used in the combined sum average % (used to calculate the performance) do not meet the 70% then the Windsor UK CIC will not be entitled to any of the payment linked to performance within that contractual year.

Performance of the combined sum average % (where all individually linked measures ('b', 'e' and 'f') achieve at least 70%), will be linked to payment as follows:

Combined sum average % of targets achieved	<70%	70-79%	80-89%	90-100%	>101%
Payment due	£0	£1,000	£2,000	£3,000	£4,000

*(This comprises of the full **£4k** withheld)

2. Staffing

All staff engaged with the delivery of the service will be suitably qualified and have the experience and skills to provide the service outputs as described.

2.1. TUPE

There are 2 full-time posts covered by 2 staff. There will be a transfer of staff to Windsor UK CIC with their current terms and conditions protected under TUPE.

2.2. Pensions

Membership of the LGPS (Berkshire Pension Fund) will be maintained through Windsor UK CIC gaining admitted body status, with a closed scheme.

RBWM will self-insure, acting as guarantor, for the accrued liabilities under the pension scheme, providing a guarantee in respect of potential future liabilities arising from an early termination of agreement.

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3. Operating Policies

Windsor UK CIC shall ensure that there are written operational policies for the guidance of all staff involved in the Service for the members. The policies need to be in accordance with the Service aims and objectives and current national guidance and legislation.

Windsor UK CIC will provide copies of the Policies to RBWM upon request.

Windsor UK CIC will review policies at least annually to take into account any legislative updates/changes, or service changes.

Specific Policies to include but are not limited to the following:

a) Policy on Management of Unacceptable Behaviour

The Windsor UK CIC's written policy on management of unacceptable behaviour may be used where a member or user's behaviour puts at risk, themselves, staff or other member or users. If action is taken using this policy, then the reason(s) and action(s) taken are to be recorded

b) Policy on Speaking out about Poor Practice

A key principle of Windsor UK CIC is that members' interest shall be paramount and that there is a common law 'duty of care' incumbent upon all employees to observe this.

Additional policies and procedures could include, but not limited to the following:

- a) Quality Assurance
- b) Complaints and Merits
- c) Equality and Diversity
- d) Health and Safety
- e) Recruitment and Selection
- f) Induction and Training

- g) Supervision and Appraisal
- h) Emergency Procedures/Business Continuity Plans

3.1. Record Keeping

Windsor UK CIC will maintain accurate, up-to-date, authorised and accessible records relating to the safe management of the service, including but not limited to the following:

- a) Decision to give or withdraw consent to capture / share information
- b) Accidents and Incidents
- c) Risk Assessments
- d) Quality Monitoring and Reporting
- e) Complaints
- f) Staff recruitment, induction and training
- g) Staff supervision and appraisal
- h) Sickness and Absence
- i) Working Time Directive
- j) Evidence of the amount of support delivered in accordance with agreements made.

Windsor UK CIC will make records available on request from any member at no charge within 10 working days of the request, subject to the Data Protection Act 1998 and other legal responsibilities placed upon both Windsor UK CIC and its members. Windsor UK CIC will maintain a retention schedule and dispose of records appropriately in accordance with that schedule.

Each member or their representative will have access to information that is held on him/her.

3.2. Registration(s)

Windsor UK CIC shall at all times be registered with any relevant Registration Authority to provide services (e.g. Companies House). Windsor UK CIC shall notify the Council of any changes to its registration status.

Windsor UK CIC shall at all times comply with the Relevant Registration Authority's standards and best practice guidance.

3.3. Electronic Monitoring

During the term of the contract the Council intends to evaluate the use of electronic recording systems that assist the compilation of data for more effective monitoring purposes and that streamline the invoicing and payment process.

Should it be decided to use electronic monitoring for Town Centre management services, Windsor UK CIC shall be expected to work in conjunction with the Council and have a commitment to develop, implement and use any chosen electronic recording system as required, at no extra cost to the Windsor UK CIC. Any expenses incurred in the use of this system for Private Individuals /businesses will not be funded by the Council and will be the responsibility of Windsor UK CIC or the private individual/business requiring that information (provided that this does not contravene Data Protection 1998).

4. Quality Assurance & Service Performance

Outlined below are the key performance indicators for the supported employment service:

At a minimum, Windsor UK CIC will collect the following data on its members:

- a) Name of company
- b) Name of directors/owners
- c) Full postal address
- d) Telephone number
- e) Email addresses
- f) Web site and social media details
- g) Number of employees

In addition Windsor UK CIC will collect the following information on its users

- a) Name
- b) Age
- c) Address
- d) Email and social media contacts
- e) Phone number

There will be close monitoring through this service specification against the Service Targets & Outputs with an annual review. Should Windsor UK CIC appear not to be able to succeed then the Town management service will return in-house.

5. Complaints

Windsor UK CIC will have in place a robust complaints policy and procedure and ensure that its staff fully understand and adhere to this.

Windsor UK CIC will be expected to have their own accessible complaints procedure for use by members which also complies with the requirements of any Regulatory body to which Windsor UK CIC is subject, including any change in such requirements.

Windsor UK CIC will also be responsible for informing members and users that a complaint can be made via RBWM own complaints service.

The response must be prompt to members and users and the initial response should be no later than 48 hours following the complaint. The response needs to be in an accessible written form.

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Inventory of Equipment that will fall to the responsibility of Windsor UK CIC

Bunting

Union Flag Bunting x 3 boxes rectangle
Union Flag Bunting x 3 boxes triangle

Electrical

Floor Stand and Flood Light 240v blue
Tea Urn Marco 20 Litre
Loud hailers - x2 large hailers x4 mini hailers
Christmas Box – hats, signs,
Pumpkin Box – decorations, apron, cutters, posters
Willow x3 bundles
Wet Tissue Paper for Lantern making workshops

Road Closure Equipment

Diversion Signs Right – 2, Left - 2, Straight ahead - 2
Road Closed - 4
Ahead Road Closed - 4
No Right Hand turn - 2
No left hand Turn - 2
Orange Road Closure Barriers x 9

Pop Up Gazeboes

4 white pop up gazeboes with covers (Gala tents)
4 black bags with white side panels (Gala tents)
2 white pop up gazeboes with roller bag covers (caravan tents)
6 blue pop up gazeboes (Gala Tents)
24 metal weights
3 sets of panels, x6 roller bags
1 bag with green side panels
X2 Mobile flood light (1x blue stand 240 volt and x1 green floor battery operated)
Mic Stand
3x extension leads
1x Tool Box
Christmas Lighting Schemes in Windsor, Eton and Ascot.
Cinema Projector
Storage container units in Priors Way (3 x 20ft and 2x 40ft) and Windsor Cemetery.

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⁷ Article 13 states that the Directors must make decisions by majority at a meeting in accordance with article 15; or unanimously if taken in accordance with article 19.

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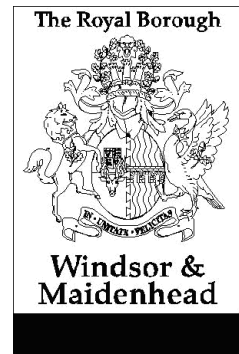
²¹ Inclusion of the provisions of article 28.1 and 28.2.1 – 28.2.2 (reflecting sub-paragraphs (5) and (6) of paragraph 2 of Schedule 1 to the Regulations), is mandatory.

²² Inclusion of article 38.2 (reflecting paragraph 3(1) of Schedule 1 to the Regulations) is mandatory.

²³ See the Companies House guidance booklet, “Accounts and Accounting Reference Dates” (available online at <http://www.companies-house.gov.uk/about/gbhtml/gba3.shtml>).] On the annual community interest company report, see [Part 8] of the Regulator’s information and guidance notes.

²⁴ Section 1(1) of the Charities Act 2006 defines “charity” as an institution which “is established for charitable purposes only, and falls to be subject to the control of the High Court in the exercise of its jurisdiction with respect to charities.”.

Report for: ACTION



Contains Confidential or Exempt Information	No - Part I
Title	Financial Update
Responsible Officer(s)	Andrew Brooker, Head of Finance, 01628 796341
Contact officer, job title and phone number	Richard Bunn, Chief Accountant, 01628 796510
Member reporting	Councillor Dudley, Lead Member for Finance
For Consideration By	Cabinet
Date to be Considered	28 January 2016
Implementation Date if Not Called In	28 January 2016
Affected Wards	All

REPORT SUMMARY

1. This report provides an update to members on the Council's financial performance. Services are currently projecting a £192k underspend. However due to four non-service variances totalling £262k there is a net underspend of £454k on the General Fund.
2. Council agreed in December that a number of budget movements to fund the Adult Social Care pressure should be implemented. The changes have been included in this report.
3. The Council remains in a strong financial position with healthy reserves. The Council's Development Fund currently has a balance of £1.030m. Overall our combined General Fund Reserves sit at £6.836m in excess of the £5.43m recommended minimum level set at Council in February 2015.
4. This report details the relief granted to businesses that occupy empty shops under the Business Rate relief scheme (Appendix E). This information will be updated and included in future reports.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which they can expect to notice a difference
Assurance that the Council is making effective use of its resources.	28 January 2016
Assurance that budgets are being reviewed regularly.	28 January 2016

1. Details of Recommendations

RECOMMENDED: That Cabinet:

- i) Notes the report and the projected outturn position.
- ii) Approves the addition of a £250k S106 funded budget to the capital programme in respect of the Devenish Road / Bagshot Road roundabout (see paragraph 4.9).
- iii) Approves the addition of an £80k corporately funded capital budget in respect of replacement Wi-Fi infrastructure (see paragraph 4.10).
- iv) Approves the addition of additional capital budget funded by the Development Fund in respect of the following development projects (see paragraph 4.11):
 - St Cloud Way £220k
 - Nicholson Centre / Multi Storey Car Park £50k
 - Brownfield Sites Analysis £25k
 - Golf Club £150k
- v) Approves the addition of a £116k revenue budget funded by the Development Fund for additional staff resources to facilitate the timely preparation of the Borough Local Plan (see paragraph 4.5).
- vi) That a consultation is carried out in respect of the treatment of higher rate disability living allowance and higher rate attendance allowance within the Council's Adult Social Care financial Contribution Policy (see paragraph 4.3).
- vii) That authority is delegated to the Lead Member for Finance and the Lead Member for Adult Social Care, Health and Sustainability in consultation with the Managing Director to update the Council's Adult Social Care financial Contribution Policy following the above consultation (see paragraph 4.3).

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 As this is a monitoring report decisions are normally not necessary but may be required for some budget movements. Requests for budget changes are included in this report in the recommendations above.

3. KEY IMPLICATIONS

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered
General Fund Reserves Achieved	Below £5.4m	£5.4m-£5.49m	£5.5m-£5.7m	Above £5.7m	31 May 2016

The General Fund Reserve is £5.806m and the balance on the Development Fund is £1.030m. The combined General Fund and Development Fund reserves now sit at £6.836m. The 2015-16 budget report recommended a reserve level of £5.43m or more to cover known risks for 18 months. For a complete breakdown of the balance on the Development Fund see appendix E.

4. FINANCIAL DETAILS

- 4.1. **Children's Services Directorate.** The Strategic Director of Adult, Children and Health Services reports a projected year-end underspend of £11k against the net

controllable budget of £17.894m. The net budget now reflects the transfer of the Elections service budget (£352k) from Children's Services into Corporate Services.

The projected outturn remains broadly the same as the £16k underspend reported to Cabinet in December. At individual service level there have been some changes, with cost pressures on the home to school transport budget further increasing in the last month, but offset by a reduction in the use of agency staff in the pods.

A number of recent changes in high cost children in care placements has resulted in the outturn projection in those areas remaining largely cost neutral compared with last month, although it is difficult to predict the impact of changes in future demand for places.

2015-16 outturn projections also take account of the part-year effect of 2016-17 savings where it has been possible to implement these early. These savings will not be available in the new financial year.

- 4.2. **Adults Culture & Health Directorate.** The Strategic Director of Adult, Children and Health Services reports a projected £52k underspend for the year. Most of this underspend arises from a successful award of continuing healthcare funding for a high cost placement for a person with learning disabilities.

The above budget position takes into account the additional budget allocation of £2.084m agreed by Council in December 2015.

- 4.3. **Adult Social Care Financial contribution policy.** The Care Act 2014 provided revised guidance for councils in respect of the treatment of higher rates of the Disability Living Allowance (DLA) and Attendance Allowance (AA). This guidance allows councils to include these higher rate payments, which residents receive, within financial assessments for establishing how much a resident can afford to contribute towards the costs of their non-residential social care. It is proposed that amendments to the Council's Adult Social Care financial Contribution Policy to cover both these changes is consulted upon and authority is delegated to the Managing Director in consultation with the Lead Member for Finance and the Lead Member for Adult Social Care, Health and Sustainability to update the Council's Adult Social Care financial Contribution Policy following this consultation.
- 4.4. **Drug and Alcohol Team (DAAT) contracts.** The borough currently has contracts with two adult drug and alcohol treatment providers. The recovery service is provided by SMART, Claremont GP Practice provide the opiate substitute prescribing clinics. Currently, both contracts end on September 30th 2016. The current contracts will be extended until 31st March 2017 with a waiver to contract rules. This will allow future contracts to be informed by the review of the drug and alcohol service that will be reported to Cabinet in May 2016 and the new National Drug Strategy. It will also mean the contracts will be coterminous with other Berkshire Authorities.
- 4.5. **Corporate Services Directorate.** The Interim Strategic Director of Corporate Services reports a 29k overspend which is a £15k increase on last month due to lower than estimated land charges income and increased agency costs in Finance.

The Director of Planning and Regeneration requests a £116k budget for additional temporary staff resources to speed up the delivery of the Borough Local Plan. The aim is to carry out the necessary work including, completion of site assessments, collating the evidence base and writing the plan document in time for public consultation in April. The staff needed are one part-time Policy Manager and two full time Policy Planners. The budget would be funded by the Development Fund if approved.

- 4.6. **Operations Directorate.** The Strategic Director of Operations and Customer Services reports a year end underspend of £158k on the directorate 2015-16 approved budget of £18.4m. The £525k movement since last month comes from a £600k in-year budget transfer to the Adults directorate, reduced by several minor changes to budget positions, notably a £50k improvement in waste outturn due to lower residual tonnages.

4.7. **Revenue budget movements this month:**

	£000
Approved Budget as at 30 November	80,978
Redundancy Cost	7
Minerals & Waste Strategy – Dev Fund	61
Transport Model – Dev Fund	125
Adult Social Care budget funded by the Development Fund	1,484
Service Expenditure Budget this Month	82,655

4.8. **Capital Programme**

A summary of the capital programme is summarised below and in Appendices B and C.

The approved 2015-16 capital estimate is £41.201m; the projected outturn for the financial year is £38.995m.

	Exp	Inc	Net
	£'000	£'000	£'000
Approved Estimate	41,201	(26,596)	14,605
Variances identified	(95)	63	(32)
Slippage to 2016-17	(2,111)	375	(1,736)
Projected Outturn 2015-16	38,995	(26,158)	12,837

Overall capital programme status

	Report to January 2016 Cabinet
Number of Schemes in Programme	396
Yet to Start	13%
In Progress	47%
Completed	30%
Ongoing Programmes e.g. Disabled Facilities Grant	10%
Devolved Formula Capital Grant schemes budgets devolved to schools	0%

4.9. Capital Addition - Devenish Road / Bagshot Road roundabout

The Borough is provisionally aiming to start work on site in May on the construction of a roundabout, aimed at addressing long standing local concerns over safety and congestion at the existing staggered crossroads at the junction of the A330 with the B3020 Bagshot Road. The scheme will also see improvements to pedestrian facilities, including the installation of a zebra crossing on the northern arm of Bagshot Road, to make walking a safer and more attractive option for local journeys; in particular to and from Charters School.

The detailed design will be completed by the end of March, prior to agreeing a works programme with the contractor. A £250k S106 funded budget is requested to be added to the existing £120k corporately funded budget. This would bring the total budget for the scheme to £370k.

4.10. Capital Addition – Wi-Fi in Council Offices

The council Wi-Fi system was originally procured in May 2012. It was implemented on a scale to support a small number of Wi-Fi enabled laptop users. In mid 2013 the mobile phone estate migrated to Windows-based smartphones and each of these phones connects to a wireless network if one is available. As a consequence the traffic levels through the wireless access points have put an untenable strain on the wireless infrastructure. Many members of staff have a personal mobile phone which will additionally use the wireless network if possible, and in recent months there has been an increase in the number of staff using tablets for work.

This increase in devices using the Wi-Fi has caused the current infrastructure to become overloaded and unstable.

It is proposed that a corporate Wi-Fi infrastructure is installed that allows staff, shared service partners, and visitors to the Town Hall in Maidenhead and York House in Windsor to work effectively using their wireless devices. The approximate number of users will be 1500. However the infrastructure would allow the council to scale requirements.

An £80k corporately funded capital budget is requested to cover:

- Replacement Corporate Wi-Fi in the Town Hall and St Mary's Maidenhead
- Replacement Corporate Wi-Fi in York House Windsor
- Upgrade or increase the number of access points
- Replacement of Libraries BT OpenZone public wireless solution
- Installation of monitoring software
- Additional support and logging
- Additional cabling i.e. to ceiling voids

4.11. Capital Addition – Development projects

A number of key development sites have progressed and Development Managers appointed to work up feasibility studies and development frameworks. Additional capital budget, funded by the Development Fund is now required to take the following work forward:

- St Cloud Way - Studies are being conducted following a competition to appoint a development manager to understand and develop the options available for the site. The work will be reported to Cabinet in April 2016. **Additional budget request for this is £220k.**
- Nicholsons Centre / Multi-Storey Car Park - Discussions are progressing to maximise the value of the Council's property assets with adjacent land / property owners. Consultancy work is necessary to provide the Council with an appraisal of the options available. **Additional budget request for this is £50k.**
- Brownfield Sites Analysis – a study to be commissioned to understand the potential for brownfield site regeneration on land outside of the Council's ownership. **Additional budget request for this is £25k.**
- Golf Club – Master planning work is being undertaken on the golf club site to establish development potential. **Additional budget request for this is £150k.**

5. LEGAL IMPLICATIONS

- 5.1 In producing and reviewing this report the Council is meeting legal obligations to monitor its financial position.

6. VALUE FOR MONEY

- 6.1 Service monitoring ensures a constant review of budgets for economy, efficiency and effectiveness.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 N/A

8. Risk Management

Risks	Uncontrolled Risk	Controls	Controlled Risk
None			

9. LINKS TO STRATEGIC OBJECTIVES

- 9.1 Residents can be assured that the Council is providing value for money by delivering economic services.

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

- 10.1 This is a monitoring report with no actions related to staff or service provision. An Equality Impact Assessment (EQIA) has not, therefore, been completed for the production of this report. An EQIA would be required should this report generate any changes to policy.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

- 11.1 None.

12. PROPERTY AND ASSETS

- 12.1 None.

13. ANY OTHER IMPLICATIONS

13.1 None.

14. CONSULTATION

14.1 Overview & Scrutiny meetings are scheduled prior to this Cabinet. Any comments from those meetings will be reported verbally to Cabinet.

15. TIMETABLE FOR IMPLEMENTATION

15.1 N/A.

16. APPENDICES

- 16.1 Appendix A Revenue budget summary
- Appendix B Capital budget summary
- Appendix C Capital variances
- Appendix D Development Fund analysis
- Appendix E Business Rates Discount Scheme

17. BACKGROUND INFORMATION

17.1 Budget Report to Council February 2015.

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Corporate Management Team (CMT)	Managing Director and Strategic Directors	4/1/2016	4/1/2016	Changes included in final report.
Cllr Dudley	Lead Member for Finance	4/1/2016	4/1/2016	Changes included in final report.
Cllr Burbage	Leader of the Council	4/1/2016	5/1/2016	
Michaela Rizou	Cabinet Policy Assistant	4/1/2016	4/1/2016	Changes included in final report.
External None				

REPORT HISTORY

Decision type:	Urgency item?
For information	No

Full name of report author	Job title	Full contact no:
Richard Bunn	Chief Accountant	01628 796510

SUMMARY	2015/16		
	Budget	Approved Estimate	Projected Variance
	£000	£000	£000
Maintained Schools	53,544	48,610	0
Early Years Provision	7,351	6,119	30
De Delegated Schools Budget	548	563	0
Admissions and Services for Schools and Early Years	1,460	1,232	0
High Needs and Alternative Provision	12,671	12,869	0
Dedicated Schools Grant	(75,982)	(69,803)	(30)
Total Children's Services - Schools Budget	(408)	(410)	0
Education Central Costs	151	151	0
Educations Standards	699	706	(92)
Sufficiency and Access	2,003	2,008	523
Strategy, Commissioning & Performance	1,503	1,526	39
Early Help & Safeguarding Central Costs	501	501	0
Early Help and First Response	1,708	1,748	189
Early Help-Youth Support	1,090	1,146	32
Safeguarding and Children in Care	2,110	2,117	48
Children and Young People Disabilities Service	2,153	2,164	(291)
Resources and Placements	5,589	5,611	(497)
Berkshire Adoption Service	72	74	0
Children's Services Management	522	552	38
Total Children's Services - Non Schools Budget	18,101	18,304	(11)
Total Children's Services	17,693	17,894	(11)
Better Care Fund	1,384	1,401	0
Adult Social Care	31,606	33,745	(123)
Public Health	0	0	0
Housing	2,021	2,015	34
Library Information	2,266	2,284	0
Heritage & Arts	308	309	0
Adult Management	337	323	37
Total Adults Culture & Health	37,922	40,077	(52)
Director of Operations	66	111	30
Operational Transformation	161	146	(5)
Benefits & Business Services	808	634	(245)
Highways & Transport	(1,776)	(1,684)	(150)
Commissioning & Contracts	543	222	0
Neighbourhood & Streetscene Delivery Services	2,615	2,723	(50)
Community, Protection & Enforcement Services	12,199	11,919	232
Customer Services	1,329	1,405	15
Technology & Change Delivery	2,836	2,886	15
Total Operations	18,781	18,362	(158)
Director of Corporate Services	(28)	188	(72)
Development and Regeneration Service	(850)	(673)	(66)
Corporate Management	446	469	(117)
Communications	257	279	30
Policy and Performance	428	389	0
Democratic Services	1,702	1,780	15
Elections	351	352	0
HR	1,182	1,253	(45)
Legal	(2)	(46)	95
Finance	2,420	2,389	19
Building Services	41	18	0
Leisure Services	2,090	2,106	160
Leisure Centres	(2,182)	(2,182)	10
Total Corporate Services	5,855	6,322	29
TOTAL EXPENDITURE	80,251	82,655	(192)

SUMMARY	2015/16		
	Budget	Approved Estimate	Projected Variance
	£000	£000	£000
Total Service Expenditure	80,251	82,655	(192)
Contribution to / (from) Development Fund	(41)	538	0
Estimated net NNDR income		(1,864)	0
Drawdown of provision for compulsory purchase payment		(362)	0
Pensions deficit recovery	1,830	1,830	0
Pay reward	605	112	(112)
Transfer to/(from) Provision for Redundancy		(72)	0
Environment Agency levy	147	147	0
Capital Financing inc Interest Receipts	<u>6,471</u>	<u>5,533</u>	<u>(50)</u>
NET REQUIREMENTS	89,263	88,517	(354)
Less - Special Expenses	(956)	(956)	0
Variance on budgeted Education Services grant			(55)
Variance on Revenue Support Grant			(45)
Transfer to / (from) balances	<u>0</u>	<u>746</u>	<u>454</u>
GROSS COUNCIL TAX REQUIREMENT	<u>88,307</u>	<u>88,307</u>	<u>0</u>
General Fund			
Opening Balance	4,751	4,606	5,352
Transfers to / (from) balances	<u>0</u>	<u>746</u>	<u>454</u>
	<u><u>4,751</u></u>	<u><u>5,352</u></u>	<u><u>5,806</u></u>

NOTE Service variances that are negative represent an underspend, positive represents an overspend.

Memorandum Item	
Current balance on the Development Fund	
	£000
Opening Balance	1,263
Transfer (to) / from other reserves	(771)
Transfer from General Fund - sweep	0
Transfer (to) / from General Fund - other initiatives	<u>538</u>
	<u><u>1,030</u></u>

Portfolio Summary	2015/16 Original Budget			New Schemes – 2015/16 Approved Estimate			Schemes Approved in Prior Years			Projections – Gross Expenditure				
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	2015/16 Projected	2015/16 SLIPPAGE Projected	TOTAL Projected	VARIANCE Projected	VARIANCE Projected
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	(£'000)	(£'000)	(£'000)	(£'000)	(%)
Corporate Services														
Human Resources	0	0	0	23	0	23	0	0	0	23	0	23	0	
Leisure Centres	800	(400)	400	1,450	(600)	850	(83)	88	5	1,367	0	1,367	0	0%
Outdoor Facilities	680	(265)	415	1,243	(600)	643	481	(135)	346	1,724	0	1,724	0	0%
Property Management	254	0	254	474	0	474	328	0	328	802	0	802	0	0%
Policy & Performance	673	0	673	662	0	662	441	0	441	1,103	0	1,103	0	0%
Regeneration & Economic Development	1,445	(890)	555	2,933	(951)	1,982	2,994	(846)	2,148	5,031	896	5,927	0	0%
Total Corporate Services	3,852	(1,555)	2,297	6,785	(2,151)	4,634	4,161	(893)	3,268	10,050	896	10,946	0	0
Operations														
Technology & Change Delivery	415	0	415	420	0	420	128	(8)	120	589	0	589	41	10%
Benefits & Business Services	0	0	0	21	0	21	93	0	93	114	0	114	0	
Customer Services	18	0	18	216	0	216	205	0	205	421	0	421	0	0%
Neighbourhood & Streetscene Delivery Services	30	0	30	30	0	30	14	0	14	44	0	44	0	0%
Highways & Transport	6,345	(3,230)	3,115	7,578	(4,038)	3,540	4,379	(3,558)	821	11,016	840	11,856	(101)	-2%
Community, Protection & Enforcement Services	893	(682)	211	951	(736)	215	263	(114)	149	1,214	0	1,214	0	0%
Commissioning & Contracts	0	0	0	0	0	0	5	0	5	5	0	5	0	
Total Operations	7,701	(3,912)	3,789	9,216	(4,774)	4,442	5,087	(3,680)	1,407	13,403	840	14,243	(60)	0
Children's														
Non Schools	205	(130)	75	160	(70)	90	346	(338)	8	484	25	509	3	1%
Schools – Non Devolved	3,952	(3,952)	0	4,483	(4,483)	0	6,041	(6,041)	0	10,136	350	10,486	(38)	-1%
Schools – Devolved Capital	302	(302)	0	386	(386)	0	423	(423)	0	809	0	809	0	0%
Total Children's	4,459	(4,384)	75	5,029	(4,939)	90	6,810	(6,802)	8	11,429	375	11,804	(35)	0
Adult														
Adult Social Care	256	(256)	0	256	(256)	0	480	(448)	32	736	0	736	0	0%
Housing	1,000	(1,000)	0	1,000	(1,000)	0	1,532	(1,152)	380	2,532	0	2,532	0	0%
Library & Information Service	385	(371)	14	487	(388)	99	358	(113)	245	845	0	845	0	0%
Total Adult	1,641	(1,627)	14	1,743	(1,644)	99	2,370	(1,713)	657	4,113	0	4,113	0	0
Total Committed Schemes	17,653	(11,478)	6,175	22,773	(13,508)	9,265	18,428	(13,088)	5,340	38,995	2,111	41,106	(95)	0

Portfolio Total	(£'000)	17,653	(£'000)	41,201	(£'000)	38,995
External Funding						
Government Grants	(7,535)		(16,771)		(16,333)	
Developers' Contributions	(2,149)		(8,283)		(8,283)	
Other Contributions	(1,794)		(1,542)		(1,542)	
Total External Funding Sources	(11,478)		(26,596)		(26,158)	
Total Corporate Funding		6,175		14,605		12,837

Capital Monitoring Report - December 2015-16

At 31 December 2015, the approved estimate stood at £41.201m

	Exp	Inc	Net
	£'000	£'000	£'000
Approved Estimate	41,201	(26,596)	14,605
Variances identified	(95)	63	(32)
Slippage to 2016/17	(2,111)	375	(1,736)
Projected Outturn 2015/16	38,995	(26,158)	12,837

Overall Projected Expenditure and Slippage

Projected outturn for the financial year is £38.995m

Variances are reported as follows.

	Exp	Inc	Net	
	£'000	£'000	£'000	
Highways & Transport				
CB84 Road Safety (School Speed Limits) 2014/15	(20)	20	0	Scheme completed-offer up of savings
CD05 B4447 Cookham / Ray Mill Rd West-Mini-R'bout 15-16	(6)	0	(6)	Scheme completed-offer up of savings
CD09 Speed Limit Reviews 2015-16	(15)	5	(10)	Revised Estimate
CD31 Thames Street Paving Improvements 2015-16	(60)	0	(60)	Revised scheme costs.
Technology & Change Delivery				
CN58 Smarter Working	41	0	41	Final invoice for construction costs
Non Schools				
CKVQ St Edmunds House Conversion of Offices	3	0	3	Unforeseen Costs
Schools - Non Devolved				
CSDZ Manor Green Res-chge of use Respite to Sch2013-14	30	(30)	0	Overspend on hoists and mechanical & engineering works.
CSFQ Eton Wick kitchen 2015-16	(50)	50	0	Lower than estimated final tender
CSFR Dedworth Middle School water supply 2015-16	2	(2)	0	Final cost
CSFZ Newlands School rewire-2015-16	152	(152)	0	Newlands school works combined into one contract
CSGA Newlands Girls' School water services-2015-16	(152)	152	0	
CSGJ Braywood School Roof-2015-16	(20)	20	0	budget no longer required
	<u>(95)</u>	<u>63</u>	<u>(32)</u>	

Slippage is reported as follows.

Regeneration & Economic Development

CB39 A4 Mhd Bridge-Ray Pk Av Gateway Feature 2013/2014	(80)	0	(80)	Project on hold due to change in spec.
CN64 Purchase of Land Allens Field	(11)	0	(11)	Required in 2016/17 for potential path link
CX29 Windsor Coach Park Bridge-Canopy, Resurfacing 14/5	(150)	0	(150)	Being coordinated with tenant businesses
CI21 Windsor Office Accomodation	(200)	0	(200)	In consultation with Windsor Members & January 2016 Cabinet
CI27 W'sor High / Thames St-Replace St Lamp Heads 15-16	(25)	0	(25)	In consultation with Windsor Public Realm Board on specification.
CI37 Ascot High Street Rejuvenation	(50)	0	(50)	In consultation with Ascot Members to agree scheme
CM57 Theatre Royal-Auditorium / Maintenance Works 15-16	(35)	0	(35)	Work to be coordinated with Theatre Royal
CX31 Coach Park Windsor-Lift Improvements 2015-16	(45)	0	(45)	Dependent on Nicholson's car park works which is being coordinated with tenants
CI33 Clyde House	(300)	0	(300)	Required for ongoing business rates and security.

Highways & Transport			
CD03	A308 (Bray) Road Widening scheme 2015-16	(80)	0 (80) Scheme delivery programmed to follow completion of Moorbride Gateway Scheme (CB99), potential slippage to early 2016/17.
CD16	Traffic Signal Removal 2015-16	(150)	0 (150) consultation extending timescales for delivery
CD42	Maidenhead Station Interchange & Car Park 2015-16	(100)	0 (100) Money to be spent in 16/17
CE64	Additional Parking Provision for Windsor	(510)	0 (510) To be spent in 16/17
CSFC	Ascot Primaries Feasibilities-2015-16	(200)	200 0 Funds required in 2016/17
CSGK	Alexander First school Roof-2015-16	(150)	150 0 Works planned for summer holidays
CKUA	Aiming High for Disabled Children (AHDC)	(25)	25 0 Slippage is for NRS equipment cost in 2016-17
		<u>(2,111)</u>	<u>375 (1,736)</u>

Overall Programme Status

The project statistics show the following position:

Scheme progress	No.	%
Yet to Start	51	13%
In Progress	186	47%
Completed	119	30%
Ongoing Programmes e.g.. Disabled Facilities Grant	39	10%
Devolved Formula Capital Grant schemes budgets devolved to schools	1	0%
Total Schemes	396	100%

Corporate Development Fund (AE35) £000		
Balance B/F from 2014/15		1,263
Transacted amounts in 2015/16		
To/From Capital Fund		
Sunninghill Christmas Lights (May Cabinet)	-10	
Feasibility work on development sites in Maidenhead (July Cabinet)	-190	
To fund the work of regeneration staff in the capital programme (July Cabinet)	-126	
Leisure Centre dilapidation capital budget (July Council)	-445	-771
To/From General Fund		
Contribution from General Fund (Budgeted)	229	
Business Rate discount (Budgeted)	-150	
Economic Development post (Budgeted)	-120	
Business rate income contribution (July Cabinet)	1,040	
Budget to resist Heathrow expansion (August Cabinet)	-25	
Contribution resulting from MRP policy change (September Cabinet)	900	
Contribution to the restructure of the Development and Regeneration service	-28	
Transfer to General Fund (November Cabinet)	-500	
Transfer of compulsory purchase provision (December Cabinet)	362	
Update to Transport Model (September Cabinet)	-125	
Transfer to General Fund (December Council)	-984	
Minerals and Waste Strategy (October CMT)	-61	538
		<u>1,030</u>

Reoccupation Relief 2015/16

Address	Ward	Government Relief 50%	Council Relief	Total
76 Queen Street, Maidenhead, SL6 1HY	Oldfield	£3,840.00	£1,920.00	£5,760.00
5 Colonnade, High Street, Maidenhead, SL6 1QL	Oldfield	£4,375.38	£2,187.68	£6,563.06
7 High Street, Sunninghill, SL5 9NQ	Sunninghill & South Ascot	£3,977.85	£1,988.92	£5,966.77
31 Nicholsons Walk, Maidenhead, SL6 1LL	Oldfield	£11,993.64	£11,993.64	£23,987.28
59 King Street, Maidenhead, SL6 1DU	Oldfield	£4,745.13	£2,372.56	£7,117.69
14 Queen Street, Maidenhead, SL6 1HZ	Oldfield	£6,593.88	£3,296.93	£9,890.81
5 St Leonards Road, Windsor, SL4 3BN	Castle Without	£2,880.00	£2,880.00	£5,760.00
96 Peascod Street, Windsor, SL4 1DH	Castle Without	£9,681.18	£4,840.59	£14,521.77
23 Nicholsons Walk, Maidenhead, SL6 1LB	Oldfield	£4,008.66	£2,006.32	£6,014.98
The Bridge House, Paley Street, Maidenhead, SL6 3JS	Hurley & Walthams	£3,016.52	£3,016.52	£6,033.04
96 Dedworth Road, Windsor, SL4 5AY	Clewer North	£2,757.97	£2,757.97	£5,515.94
109 Peascod Street, Windsor, SL4 1DN	Castle Without	£26,137.08	£13,068.54	£39,205.62
14 High Street, Windsor, Berks, SL4 1LD	Castle Without	£4,180	£4,180.00	£8,360.00
75 Nicholsons Walk, Maidenhead, SL6 1LB	Oldfield	£7,008.41	£3,504.21	£10,512.62
		£95,195.70	£60,013.88	£155,209.58

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