

Public Document Pack

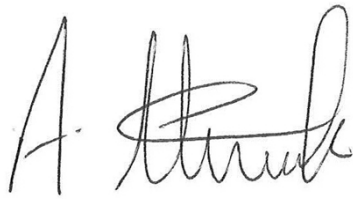
Democratic Services Manager: Karen Shepherd

Direct line: (01628) 796529

TO: EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

YOU ARE HEREBY SUMMONED TO ATTEND the Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Council Chamber - Town Hall** on **Tuesday, 13 December 2016 at 7.30 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 5 December 2016



Managing Director

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| Rev Quick will say prayers for the meeting. |
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A G E N D A

PART I

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence

2. COUNCIL MINUTES

To receive the Part I minutes of the meeting of the Council held on 27 September 2016 (Pages 7 - 20)

3. DECLARATIONS OF INTEREST

To receive any declarations of interest
(Pages 21 - 22)

4. MAYOR'S COMMUNICATIONS

To receive such communications as the Mayor may desire to place before the Council (Pages 23 - 26)

5. PUBLIC QUESTIONS

a) Bethan Osborne of Belmont ward will ask the following question of Councillor N. Airey, Lead Member for Children's Services

Can you confirm given the Leader's recent statement "*free school meal figure at (Sir) William Borlase school was a disgrace*" that RBWM will not be progressing a satellite option with them or with any other grammar school?

b) Bethan Osborne of Belmont ward will ask the following question of Councillor N. Airey, Lead Member for Children's Services

How can the council claim to be increasing Parental Choice when selective education will deliver a Grammar School for just 20% of children and, by default, a Secondary Modern to the remaining 80%?

c) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Dudley, Leader of the Council

Following RBWM's unsuccessful September challenge to the ICO ruling, do you now accept in full the finding that because it was not "necessary" to the democratic function of investigating your alleged conflict of interest, it was therefore not lawful to publish the political affiliations of members of the public who raised concerns about your actions?

d) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Dudley, Leader of the Council

In August Councillor Dudley argued that the Council must "stop complaints" that are "politically motivated". The Monitoring officer must now pre-approve public questions, throwing out those that are deemed "politically motivated". I have demonstrated dangers in the Monitoring Officer's understanding and use of this sensitive data. Please define "politically motivated" and state whether this pre-vetting will be urgently reviewed?

(A Member responding to a question shall be allowed up to five minutes to reply to the initial question and up to two minutes to reply to a supplementary question. The questioner shall be allowed up to 1 minute to put the supplementary question)

6. PETITIONS

To receive any petitions presented by Members on behalf of registered electors for the Borough under Rule C.10.

(Any Member submitting a petition has up to 2 minutes to summarise its contents)

7. CHANGE TO COUNCIL TAX EMPTY AND UNFURNISHED EXEMPTION

To consider the above report
(Pages 27 - 36)

8. INITIAL SAVINGS IN RESPECT OF 2017-18

To consider the above report
(Pages 37 - 44)

9. MEMBERS' QUESTIONS

a) Question submitted by Councillor Yong to Councillor Cox, Lead Member for Environmental Services

What byelaws are in place to prevent spitting and public urination in the Royal Borough of Windsor and Maidenhead, and does his department have plans to introduce new byelaws to prevent these problems?

b) Question submitted by Councillor E. Wilson to Councillor S. Rayner, Lead Member for Culture and Communities:

Will the Lead Member confirm community use agreements are now in place for the Dedworth Community All Weather Pitch and similar pitches across the Borough?

c) Question submitted by Councillor Lion to Councillor Bicknell, Lead Member for Highways and Transport:

Will the Lead Member explain why Streetcare sanctioned a drop kerb on Clare Road and was this decision communicated to and developed with the ward members?

d) Question submitted by Councillor Jones to Councillor Coppinger, Lead Member for Adult Services and Health:

Could the Lead Member detail the smoking cessation targets and why they are not being achieved?

e) Question submitted by Councillor Jones to Councillor D. Wilson, Lead Member for Planning:

Could the Lead Member detail the reason why the draft Borough Local Plan is putting forward approximately 105% of the housing target?

f) Question submitted by Councillor Hilton to Councillor Cox, Lead Member for Environmental Services:

Can the Lead Member for Environmental Services explain whether his Directorate is able to regulate home boarding and dog walking providers in the same way that it regulates kennels?

g) Question submitted by Councillor Carroll to Councillor Cox, Lead Member for Environmental Services:

Can the Lead Member please advise on the key principles and objectives of the forthcoming parking strategy and how residents in Boyn Hill and across the Borough can best engage with ongoing plans and raise issues about parking?

(The Member responding has up to 5 minutes to address Council. The Member asking the question has up to 1 minute to submit a supplementary question. The Member responding then has a further 2 minutes to respond.)

10. MOTIONS ON NOTICE

None received

11. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF 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 item 12 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"

PRIVATE MEETING

12. CENTRAL HOUSE, MAIDENHEAD

(Not for publication by virtue of paragraphs 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972)

To consider the above report
(Pages 45 - 96)

COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Secunder has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
- Amendment must be seconded BEFORE any debate can take place on it
(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
- Amendment debated (if required)
- Vote taken on Amendment
- If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
- If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).

- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
- At conclusion of debate on Motion, the Mayor shall call for a vote. Unless the vote is unanimous, a named vote will be undertaken, the results of which will be announced in the meeting, and recorded in the Minutes of the meeting.

(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)

**AT A MEETING OF THE BOROUGH COUNCIL held in the Council Chamber -
Town Hall on Tuesday, 27th September, 2016**

PRESENT: The Mayor (Councillor Sayonara Luxton), Councillors Michael Airey, Natasha Airey, Malcolm Alexander, Christine Bateson, Malcolm Beer, Hashim Bhatti, Phillip Bicknell, Paul Brimacombe, David Burbage, Stuart Carroll, Gerry Clark, John Collins, David Coppinger, Carwyn Cox, Judith Diment, Simon Dudley, Dr Lilly Evans, Marius Gilmore, Geoff Hill, David Hilton, Charles Hollingsworth, Maureen Hunt, Mohammed Ilyas, Richard Kellaway, Philip Love, Asghar Majeed, Ross McWilliams, Marion Mills, Nicola Pryer, Eileen Quick, Jack Rankin, Samantha Rayner, Julian Sharpe, Derek Sharp, Shamsul Shelim, Adam Smith, John Story, Claire Stretton, Lisa Targowska, Simon Werner, Derek Wilson, Edward Wilson and Lynda Yong

Officers: Alison Alexander, Simon Fletcher, Russell O'Keefe, Rob Stubbs and Karen Shepherd.

84. URGENT ITEM

The Mayor announced that in accordance with Part 2C of the constitution, paragraphs 6.2 and 13 (s), she had agreed to an additional report being added to the agenda. The item was considered urgent as the timescales meant that the extra three months between now and the next meeting in December 2016 would help support a review being completed on time for any recommendations to be implemented for the next borough elections in May 2019.

85. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bowden, Bullock, D. Evans, Grey, Jones, Lenton, Lion, Muir, C. Rayner, Richards, Saunders, Sharma and Walters

86. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 10 August 2016 be approved.

87. DECLARATIONS OF INTEREST

The Deputy Monitoring Officer advised Members that there was no requirement to declare an interest in relation to item 9, even if their property was affected by flooding.

Councillor Bicknell declared an interest in Member question A as his son was Director of Sport at Holyport college.

Councillor Smith declared an interest in Member question A as his wife was Manager of Admissions at Holyport College.

Councillor Dudley declared an interest in Member question A as he was a founder and the Chair of Governors, and his wife was a founder and governor, at Holyport College.

88. MAYOR'S COMMUNICATIONS

The Mayor submitted in writing details of engagements that she and the Deputy Mayor had undertaken since the last meeting, which were noted by the Council. The Mayor highlighted her recent trip to Kortrijk in Belgium for the Twin Town Youth Festival. She had been proud of the very well-behaved children and the excellent teachers and coaches who had accompanied them. The team had won the overall Gold trophy. In the coming months the Mayor would be holding receptions for the borough's Olympians and Paralympians, and also for the participants of the Twin Town event. The Mayor invited all councillors to two upcoming events; a concert for the Mayor's Fund on 8 October 2016 and an afternoon tea to raise money for the Household Cavalry on 26 October 2016.

89. PUBLIC QUESTIONS

Ewan Larcombe, of Datchet Ward asked the following question of Councillor Dudley, Leader of the Council:

Press reports suggest the Royal Borough of Windsor & Maidenhead and Maidenhead Golf Club (MGC) have signed a contract which will see the council buy back Maidenhead Golf Club's lease, opening up the opportunity for the site to be brought forward for development and help to make a town for everyone.

Now that MGC has been selected for development what provision within the site is being allocated for the traveller community?

Councillor Dudley responded that he agreed that this was a fantastic opportunity. The council needed to build a town for everyone and the site would create housing for local residents in the heart of the community. It needed to be made clear that there were two separate strands of work. The Council as landowner has entered into a contract to buy back the Golf Club's lease: this was separate to the role of the Council as local planning authority. As landowner the Council had put the Maidenhead Golf Course and land to the south of Harvest Hill forward as sites available for development within the plan period in response to the planning authority's call for sites. The site had not been selected for development at this stage, it was one of around 400 sites in the Borough that the planning authority would consider through the Housing and Employment Land Availability Assessment it would shortly complete and then further assess through sustainability appraisal work to inform the Borough Local Plan.

The council commissioned a Gypsy Traveller Accommodation Assessment (GTAA) from ORS which was completed in draft just as Government changed the definition in planning of "a traveller". The Berkshire authorities would be jointly commissioning a GTAA based on the new definition which would inform a Traveller Local Plan as identified in the Council's Local Development Scheme. It was too early in the process to consider sites for allocation.

Mr Larcombe confirmed he did not have a supplementary question.

b) Andrew Hill of Boyn Hill Ward asked the following question of Councillor Dudley, Leader of the Council:

On 9th March the Monitoring Officer David Scott incorrectly interpreted statute regarding decision notice 5.15-6.15 (Councillor Dudley's alleged bias). On August 30th the ICO stated it was unlawful for RBWM to publish the political affiliations of members

of the public simply because they made a complaint against Councillors – this is "sensitive" data, and no schedule 3 criteria had been satisfied.

Why were my technical questions about the Data Protection Act not answered by the Data Protection Officer, but instead passed to the Monitoring Officer who proved to have an inadequate understanding, and what steps have now been taken following the letter from the ICO to ensure that this type of unlawful publication never happens again ?

Councillor Dudley responded that the decision of the Information Commissioner's Office, received on 30 August 2016, had been challenged by RBWM as it appeared to be incorrect. The ICO had been asked to review their decision as Officers did not believe there had been a technical breach of the Data Protection Act as indicated in the letter to the Borough dated 30 August 2016.

The council was waiting to hear back from the ICO on whether they accepted the challenge on the basis there was both a Schedule 3 criteria and an explicit agreement from the data subject to the publication of the 'sensitive personal data' to which Mr Hill referred.

Neither the Data Protection Officer nor the Monitoring Officer were in a position to give legal advice on the Data Protection Act to the public.

By way of a supplementary question, Mr Hill commented that in August 2016 councillors voted to change the Code of Conduct to include a new vetting process to dismiss politically motivated complaints. In this case it seemed it was the good character of a member of the public rather than a councillor that needed protecting. In section 4.37 of the report Councillor Dudley states that he did not know complainant B although he thought she may be a parent of a child who attended The Windsor Boys' School. How did he leap from this to the conclusion that she was politically motivated?

Councillor Dudley responded that by looking through social media you could see who someone followed and what they had said previously and this was what had led him to the conclusion.

c) Andrew Hill of Boyn Hill Ward will ask the following question of Councillor Dudley, Leader of the Council:

The Information Commissioner's Office wrote to RBWM on 18th April giving 28 days to explain alleged breaches of Data Protection policy. The ICO had no response and issued further deadlines on June 2nd and July 8th. It took four months to answer simple data protection questions, which the ICO stated was not "...as quickly as we expected".

Why did RBWM fail to co-operate with multiple requests for information from the Information Commissioner's Office and does RBWM really believe it is acceptable to simply ignore official requests over many months from statutory appointed protection agencies?

Councillor Dudley responded that although the Information Commissioners Office wrote to the Borough in April 2016, this was not apparent to the Borough until a telephone conversation between the ICO's office and the Borough on 8 July 2016,

when it became clear through a telephone discussion with the ICO and the Information Management team that the original letter which had asked for a response by 2 June 2016 had not been actioned.

A response was provided on 4 August 2016, after collecting information requested, and a further response provided following a subsequent clarification request received on 18 August 2016; this was provided on 19 August 2016.

RBWM did not fail to co-operate, the Borough worked with the ICO to provide information and responses on a timely basis for all requests received.

He agreed it was entirely unacceptable to ignore official requests from the ICO or indeed other statutory agencies, however on this occasion the original request was not received. When this became clear Officers responded and co-operated with the request.

By way of a supplementary question, Mr Hill asked whether Councillor Dudley would agree, if the ICO upheld his complaint, that it was unacceptable that three Monitoring Officers got it wrong?

Councillor Dudley responded that he could not comment on individuals, one of whom was not an employee of the borough.

d) Melanie Hill of Boyn Hill Ward asked the following question of Councillor Dudley, Leader of the Council:

Continuing to build thousands of new homes in Maidenhead will require significant increases to the infrastructure such as new schools, Doctor's surgeries and extended minor injuries hours. I have personally already suffered the consequence of being turned away from St Marks minor injuries within opening hours !!

Does the Council have representation within local clinical commissioning groups, or specific powers itself to be able to ensure that sufficient healthcare is provided as the town expands; and can the Council directly or indirectly ensure that minor injuries at St Marks Hospital similarly expands to cope with the substantial rise in resident numbers?

Councillor Dudley responded that he could confirm that the council had significant representation within local clinical commissioning groups and with the acute health provider through the Lead Member for Adult Services, Health and Sustainability and the Strategic Director Adult, Children and Health Services. Both worked proactively with health partners to benefit the residents of the Royal Borough.

The Royal Borough was very conscious that the commitment to build new houses would require increased social infrastructure. There had already been discussion with the clinical commissioning groups about how they would accommodate the requirement to grow the number of GPs in line with the rate of house growth. For example, if 10,000 houses were built over the next 10 years, the clinical commissioning group would need to increase the number of GPs by around 14.

Although the council did not have any specific powers under the planning process, it would ensure that it worked with the clinical commissioning groups to ensure that

there was sufficient healthcare provision in the borough. Ultimately, the decision rested with NHS England and the clinical commissioning groups. Councillor Dudley gave his personal assurance that this would be one of the council's priorities as it aimed to build a Royal Borough for everyone.

By way of a supplementary question, Mrs Hill commented that people moving in to the area could not necessarily afford large houses therefore there would be a need for more hotels to accommodate visitors. With regard to the Waterways project the riverside area hotels would be in demand, however according to the Advertiser they were being earmarked for housing development. Given the fantastic regeneration of Maidenhead did the council believe that the using much-needed hotels in the best locations was in the best interests of the town?

Councillor Dudley responded that the particular premises mentioned in the Advertiser were privately owned and therefore not in the control of the council. There had been an increase in budget hotel accommodation in recent years in the town and he would hoped that as the town grew, this would create more economic vibrancy and therefore attract more investment in such facilities.

90. PETITIONS

No petitions were received

91. ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT

Members considered adoption of the Statement of Community Involvement (SCI) a document setting out how the council would engage with the public and other stakeholders in the production of planning documents and when making decisions on planning applications. The Council needed to update the 2006 version of the document to comply with government guidance in the National Planning Policy Framework (NPPF) (March 2012), and relevant regulations; Town and Country Planning (Local Planning) (England) Regulations 2012.

Councillor D. Wilson highlighted that if the document was not adopted, the council would not have an up to date SCI and would therefore not comply with current legislation. The document was needed to move forward with the Borough Local Plan. Councillor D. Wilson highlighted an amendment he wished to make to paragraph 3.19 at page 43 to remove the words 'with significant impacts' as he felt it should relate to all major applications. Councillor Smith questioned whether the wording relating to Tier 1 in paragraph 3.2 should also therefore be amended. Councillor Bateson suggested that Neighbourhood Planning Delivery Groups and other similarly constituted bodies should be included on page 42 of the document.

Councillor Hilton commented that the document set out how the council would consult with residents on all aspects of the planning process. He had attended planning meetings in adjacent boroughs and believed that the Royal Borough brought more democracy into the process than others. Three DC Panels allowed time for rigorous debate and community groups in the Windsor Rural area had up to 7 minutes to address the Panel, which was more than most councils gave. When he had chaired a Local Action Group 12 years previously he had been told by the then Head of Planning that it would not be possible to discuss an imminent significant development until an application had been submitted. The SCI showed how (albeit for a fee) pre-application advice was available to developers to identify strengths and weaknesses

and increase the likelihood of first time approval. All applicants should be encouraged to engage with the local community even if this was not required by law.

Councillor E. Wilson raised a number of concerns about the complaints process. It seemed to suggest that there would be no acknowledgement of a complaint at stage 1; that a full response would be given in 10 working days from the date the complaints team agreed to specific issues; and did not say what would happen if the proposed resolution was not to the liking of the complainant.

Councillor Burbage highlighted that South East Water was referenced twice on page 49. Councillor D. Wilson agreed this typographical error could be removed under the proposed delegation.

Councillor Beer commented that the title was misleading and should explain that it related to all planning matters, as was detailed in the report summary. He had been unable to see any reference to parish councils, other than the Parish Conference which only met four times a year, and Eton Town Council.

Councillor M. Airey endorsed removal of the words 'with significant impacts'. He also highlighted the important role ward councillors played in relation to applications that were not necessarily significant in terms of planning but were so in terms of the community.

Councillor D. Wilson referred members to paragraph 3.17 that detailed the rights of parish councils to speak at Development Control Panels, which recognised their important role. He confirmed that although he was proposing removal of wording in paragraph 3.19, there would be no need for a change to Tiers 1 and 2. Under the proposed delegation he would be able to tidy up the wording of the complaints process, in light of Councillor E. Wilson's comments.

Councillor D. Wilson proposed an additional recommendation to include Neighbourhood Delivery Groups and other similarly constituted bodies in paragraph 3.17

It was proposed by Councillor D. Wilson, seconded by Councillor Hilton, and:

RESOLVED UNANIMOUSLY: That Council:

- i. Approve the adoption of the Statement of Community Involvement (SCI) document for use in consultation on planning matters.**
- ii. Delegate authority to the Strategic Director of Corporate and Community Services in liaison with the Lead Member for Planning to make any future minor amendments**
- iii. Agree to include Neighbourhood Delivery Groups and other similarly constituted bodies in paragraph 3.17**

92. BUDGET DECISION: WINDSOR LEISURE CENTRE CHANGING ROOM REFURBISHMENT 2016/17

Members considered a request to add to the 2016/17 Capital Programme £300k to finance a refurbishment project on the poolside changing rooms at Windsor Leisure Centre. The proposal was being handled outside of the Council's annual budget

approval process as the opportunity to undertake the work in conjunction with an unplanned close down of the swimming pool had only recently been programmed.

Councillor S. Rayner commented that since she had become Lead Member in May 2016 she had become aware of resident complaints about the state of the changing rooms. It was recognised that it was difficult for Parkwood to achieve the high standards of cleanliness expected if the changing rooms were worn out. A major leak in the supply side of the pool also needed to be repaired and would result in a close-down for 4-6 weeks. December was the quietest period for the leisure centre. As the council would have to pay compensation to Parkwood for the close-down it was proposed that the changing room work take place at the same time to avoid duplication of costs. The new facilities would include 7 family size changing rooms and large lockers. New floor and wall tiles would also be fitted.

Councillor E. Wilson stated he was pleased to support the proposal as the facility was very popular. The £300,000 was in addition to the £650,000 already in the programme for the Magnet Leisure centre. He thanked the Lead Member for her personal interest in the issue. Windsor councillors often received complaints therefore action was needed. The proposals would be good for both those who lived in and those who visited the borough.

Councillor Stretton commented that she hoped the new design would enable changing rooms to be closed off in blocks for continual cleaning during the day.

Councillor Beer questioned the rental income figures in the report. Councillor Dudley confirmed that the figures related to an annual rent therefore profiling would be included.

Councillor Beer also commented that in his professional life he had been involved in pool design at Montem Sports Centre and Magnet Leisure Centre. Both had used a revolutionary design with open access. If the design of the Windsor pool was similar it may be near the end of its life. He suggested the use of melamine wall tiles which would be cheaper and quicker to install. He was concerned at the closure over the school holidays when families may want to visit; in addition many building companies closed over this period.

Councillor S. Rayner confirmed that the new design would allow mops to go under the changing room sides to improve efficiency. Parkwood had been involved in the design. She hoped the works to be undertaken would extend the life of the pool. In relation to tiles, Parkwood had preferred tiles as they would be more hygienic than melamine. December was the quietest time for the leisure centre and the contractors had agreed to the time period.

It was proposed by Councillor S Rayner, seconded by Councillor E. Wilson, and:

RESOLVED UNANIMOUSLY: That Council:

- i. **Agree the inclusion of £300k in the 2016-17 Capital Programme to fund the Windsor Leisure Centre changing rooms refurbishment programme over Christmas 2016.**

Councillor Dudley referred Members to the motion passed at Full Council in June 2016. As a result, a letter had been sent to the Environment Agency on 4 August 2016 and a response received on 15 September 2016, both were noted by Full Council. Councillor Dudley requested that the letter be available on the borough website and circulated to all members of the Development Control panels. The letter indicated the EA was nearing the end of its flood mapping work. He hoped this would result in a positive outcome for affected areas of the borough, in terms of reduced insurance costs and an easier process for planning applications.

94. CONSTITUTIONAL AMENDMENTS

Members considered a number of proposed amendments to the Constitution.

Councillor Targowska highlighted the six key changes:

- Expansion of the powers of the Cabinet Regeneration Sub Committee (CRSC) so that it could take timely and efficient decisions on behalf of the Cabinet.
- Revision of financial thresholds Council must approve for consistency, so that the figure for revenue matched that for capital (£500,000).
- Amendments to the terms of reference of the Investment Working Group to formalise arrangements relating to day to day fund management.
- Deletion of the Admissions Forum, which was no longer a statutory requirement.
- Additional levels of sign off if the council agreed a contract involving was Members or a close member of their family. This was a very rare occurrence but would improve transparency.
- Changes as a result of the joint arrangements for Adopt Berkshire

Councillor Werner stated that he was shocked to think that the council would have contracts with Members. Although he welcomed that change, he felt it should go further and no contracts be allowed. He agreed the change should be made but the issue should be referred to the Constitution Sub Committee to see if it could be strengthened. He also requested that a list of contracts with councillors over the last 12 years be passed to him or published. He referred to the discussion at the last meeting about adding reference to bullying in the code of conduct and asked why this was not included in the report.

Councillor Dudley commented that individuals should not be put off becoming a councillor if they would have to shut down their business interests. The change was proposed to ensure extra checks and balances and absolute transparency.

Councillor Beer asked whether the change to the CRSC had been considered by the Constitution Sub Committee or not. A very small group of people would be taking on decisions about large land disposals. He did not feel this was right for a Sub Committee and should remain with the Cabinet which met regularly anyway. Councillor Dudley highlighted that the CRSC consisted of a large number of the Cabinet members. He expected the Sub Committee to be making many decisions over the coming years and this would make the main Cabinet agenda more manageable. It was noted that all CRSC decisions were open to the call-in process.

Councillor Dudley stated that he would be happy for a list of contracts over the last 20 years with councillors to be put together, provided to Councillor Werner and published on the website.

Councillor Targowska commented that she was confident the changes in relation to contracts were in the best interests of residents. She had approved changes to the Code of Conduct in relation to bullying in the previous week and these would be included with the updated Constitution. The issues had not been discussed at Constitution Sub Committee as they were of such significance that they needed to come to Full Council.

It was proposed by Councillor Targowska, seconded by Councillor Bicknell , and:

RESOLVED: That Full Council:

- i. **Notes the amendment to the Cabinet Regeneration Sub Committee Terms of Reference set out in paragraph 2.4**
- ii. **Considers and approves the amendments to the Constitution set out in paragraphs 2.5 to 2.9 and Appendix 1**

(42 Councillors voted in favour of the motion – Councillors Michael Airey, Natasha Airey, Malcolm Alexander, Christine Bateson, Malcolm Beer, Hashim Bhatti, Phillip Bicknell, Paul Brimacombe, David Burbage, Stuart Carroll, Gerry Clark, John Collins, David Coppinger, Carwyn Cox, Diment, Simon Dudley, Dr Lilly Evans, Marius Gilmore, Geoff Hill, David Hilton, Charles Hollingsworth, Maureen Hunt, Mohammed Ilyas, Richard Kellaway, Philip Love, Asghar Majeed, Ross McWilliams, Marion Mills, Nicola Pryer, Eileen Quick, Jack Rankin, Samantha Rayner, Julian Sharpe, Derek Sharp, Shamsul Shelim, Adam Smith, John Story, Claire Stretton, Lisa Targowska, Simon Werner, Derek Wilson, Edward Wilson and Lynda Yong. 1 Councillor voted against the motion – Malcolm Beer; 1 Councillor abstained – Simon Werner).

95. ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD ELECTORAL REVIEW

Members considered a request for an electoral review of the Borough's wards and the overall numbers and distribution of Councillors, to the Local Government Boundary Commission for England (GBCE), in the light of recent and future borough population changes.

Councillor Dudley apologised for the late circulation of the report. The Conservative Group had agreed the previous night that the report should be brought to Council. In light of this he had called the Leader of the Opposition to explain the proposal; Councillor Mrs Jones had been supportive of the idea although she had not viewed the actual report.

Councillor Dudley explained that West Berkshire, with 52 Councillors, had requested a review and it was expected the review would recommend a reduction to 40 councillors. Table 1 highlighted that the Royal Borough was the least efficient in East Berkshire. This was not right when officers were being asked to make efficiency savings, therefore he proposed a request be made to the GBCE to conduct a review of wards and councillors and the outcomes be implemented. As the town grew the

metrics would likely be breached anyway therefore it made sense to get on with the process now. The review would factor in housing increases in specific areas.

Councillor Beer stated that he was not opposed to the review, but he was concerned at the late issuing of the report and felt it could have waited until the next meeting. He had spoken to Councillor Jones who was under the impression the council had no choice but to undertake the review. Councillor Beer highlighted that Elmbridge was a district council rather than a unitary authority and therefore a direct comparison could not be made. The council had an enormous number of committees which often verged on being inquorate. This issue would need to be considered in future.

Councillor D. Wilson stated that he was supportive of the proposal, particularly given officers were being asked to make reductions. At the last review, a number of streets had been removed from the Oldfield ward area. Since then there had been significant population increases as a result of the regeneration in the town centre. The Oldfield ward had been at 23.9% at the time of the last election, close to the breach threshold. If Oldfield reached 30% this would necessitate a review across the whole borough anyway. It was therefore perfectly reasonable to undertake the review now.

Councillor Brimacombe commented that when officers reviewed services, in some instances this had resulted in an increase in resources. He was supportive of the review if it was not prejudged that it would result in a reduction in the number of councillors. He looked forward to seeing the baseline criteria that were used at the 2003 review and the changes considered for the review to come.

Councillor Dudley referred to the statement made by the Mayor at the beginning of the meeting and highlighted that the additional three months gained by not waiting until the next meeting would help ensure the review could be undertaken and changes implemented by the next local elections in 2019. He highlighted that all the authorities compared in Table 1 were unitary.

Councillor Werner commented that the last Liberal Democrat manifesto had proposed a reduction in councillor numbers, in addition to a reduction in allowances. He commented that members of the Group of Three were independent with no political whip.

It was proposed by Councillor Dudley, seconded by Councillor Bicknell, and:

RESOLVED UNANIMOUSLY: That Full Council endorses a request be made to the Local Government Boundary Commission for England to undertake a review of Member numbers and ward boundaries in RBWM, and delegates authority to the Managing Director and the Returning Officer to prepare the necessary justification to initiate a review request and implement recommendation prior to May 2019

Councillor Targowska left the meeting at 9.04pm.

96. MEMBERS' QUESTIONS

Question submitted by Councillor Jones to Councillor Bicknell, Lead Member for Highways and Transport, asked by Councillor Beer:

Cabinet has taken the decision to allow the spending of an additional £140,000, for a safer route to school, of which Holyport School is utilizing £83,000 assigned by a planning condition for a possible future junction upgrade.

Can the Lead Member explain where the budget of £83,000 will be sourced from should that junction need to be upgraded?

Councillor Bicknell highlighted that the £83,000 could be used for the safer route but the legal agreement would need to be varied by the school and the council because it was assigned to a planning condition for possible future junction upgrades. Proper budgeting approvals would apply for spending capital monies going forward.

Councillor Beer, on behalf of Councillor Jones, confirmed there was no supplementary question.

b) Question submitted by Councillor E. Wilson to Councillor Rankin, Lead Member for Economic Development and Property:

Will the Lead Member advise what marketing materials his department has in place to promote investment in areas outside of our town centres such as Dedworth?

Councillor Rankin responded that it was important to support all businesses. He encourage councillors to signpost them to the support services offered via the investwindsorandmaidenhead.co.uk website, which included links to Berkshire Business Hub and Grow Our Own. He highlighted that the annual Good Business neighbour award that was now in its second year in Dedworth provided good press coverage. He would be happy to work with ward councillors to look into potential opportunities to increase the provision of support and increase investment in areas outside the town centres.

By way of a supplementary question Councillor E. Wilson asked if the Lead Member would be willing to meet with Dedworth councillors to discuss marketing in the short and long term.

Councillor Rankin responded that he would be happy to attend a meeting.

c) Question submitted by Councillor E. Wilson to Councillor S. Rayner, Lead Member for Culture and Communities:

Will the Lead Member show her support for the Big Draw Festival by creating a borough wide drawing competition in 2017?

Councillor S Rayner responded that it was important that the council encouraged creative opportunities for residents and the council had run or supported many competitions in the past such as the Magna Carta 800 art and creative writing competitions last year, the En Plein Air event and working with the Windsor Festival who ran an annual arts competition, which received entries from every school in the Borough.

RBWM had in the past, in the museum and libraries, staged low key events around the national theme proposed by The Big Draw Festival. There would be a similar one at the Museum during the October half term. Entitled 'Full Steam Ahead' the activity

tied into local railway engineering and technology history and covered a drawing opportunity within a fun learning framework promoting STEAM (Science, Technology, Engineering, Art and Maths). It would provide opportunities for children and young people to draw some of the museum objects and create 'track art' to take home for their walls.

Now that The Big Draw scheme had grown considerably, she would be happy to meet with Councillor E. Wilson and the Head of Culture, Libraries & Registration to find a suitable partner to run a Borough wide drawing competition in 2017 and would seek an opportunity early in October to discuss this.

Councillor E. Wilson confirmed he did not have a supplementary question.

d) Question submitted by Councillor Beer to Councillor D. Wilson, Lead Member for Planning

The decision to discontinue notification of neighbours of planning applications relating to work to TPO'd trees is causing unnecessary distress to our residents. In the spirit of openness and transparency please could this optional procedure be reinstated as a core part of the planning service to residents?

Councillor D. Wilson responded that applications seeking consent for works to TPO trees were not planning applications and were not handled by the planning service. Although planning support registered the applications they were then passed to professional Arboricultural Officers to assess and determine. Neighbour notification was undertaken through the display of a site notice, which had not been changed. Details of the application were held on the council website for information. If the Arboricultural Team received objections as a result of a notice, neighbour notifications would be sent out to immediately affected residents and the item would appear on the relevant Development Control agenda.

By way of a supplementary question Councillor Beer stated that residents valued trees and they contributed to the character of the borough. He referred to a row of trees in a school grounds in Old Windsor that had been planted to give shade for pupils, but the shadow actually went across a row of houses, dominating their gardens. The policy of a written notice somewhere on the site caused distress.

Councillor D. Wilson responded this was not a planning service issue and it would take a large amount of resource to issue neighbour notification. People did wander down streets and see the notices. The council received comments about cutting and lopping of trees from all wards in the borough.

97. MOTIONS ON NOTICE

Councillor S Rayner left the meeting at 9.15pm as she had a Disclosable Pecuniary Interest in the item. She left the room for the duration of the discussion and voting on the item.

Councillor Beer introduced his motion. He stated that there was no clear-cut opinion on whether in two or three weeks time Parliament would overrule the Airports Commission's strong recommendation that there should be another Heathrow runway about a mile closer to Windsor than at present. Environmental groups and Councils such as RBWM had had a wealth of noise, air quality and health research and

statistics to make strong objections. there had been no comparable objections on housing and infrastructure implications because of a confusing lack of data to balance employment prospects against housing and infrastructure demands had resulted in a reluctance of almost everyone to commit themselves to commenting due to other immediate pressures.

The Commission seemed to have had the same problems as its first report only gave one page on housing out of 140 on each runway. Other than suggesting distribution of more housing it omitted its duty to consider its viability, only saying it would be a big challenge for local councils.

He was very grateful for Councillor Wilson's edit of his suggestions in his letter, but with respect to him as a very busy person in current and future planning, there had been a totally inadequate thorough consideration of the long term housing and infrastructure risks.

Councillor Beer had picked up a more few clues than most during many hundreds of hours spent rubbing shoulders with senior officers within and around Heathrow over 17 years and a working life involving 500 house contracts, which gave rise to his huge concern about the tsunami-like impact of a far bigger Heathrow.

He urged Members to consider the facts: The developing Local Plan anticipated 13,000 more houses on top of the present 60,000, squeezing in around 20% more somewhere; another 5,000 would approach 30%, while only 17% (one seventh) was non Green Belt. The staggering figures demand that the letter be sent and reinforced immediately as it may yet tilt the decision and save enormous legal costs, as well as avoiding the nightmare and cost of another Local Plan.

He submitted the motion and particularly asked that an accompanying letter reinforced and updated Councillor Wilson's letter, and that publicity included full page announcements in all three local newspapers and actively considered public meetings to encourage residents to write to MPs.

Councillor Dudley seconded the motion as detailed in the agenda, but stated that he could not support the other requests made in Councillor Beer's introduction. A lot of work had been undertaken by officers and the council's position was crystal clear in terms of protecting residents.

Councillor Hilton commented that Councillor Dudley had clearly set out the council's position in that if a third runway was approved, the council would take the issue to the courts. He supported the essence of the motion which reflected views of residents. A recent MORI poll had shown a strong preference for a runway at Gatwick. The letter to Brandon Lewis MP had explained the serious issue of providing housing if the runway was expanded. In terms of noise pollution, an additional runway at Heathrow would affect 550,000 people, compared to 22,000 at Gatwick. The courts had already ruled that emissions from the airport combined with the M4 breached legal limits. The costs quoted did not include the cost of diverting local roads. The Gatwick option had a far lower call on the public purse.

It was proposed by Councillor Beer, seconded by Councillor Dudley, and:

RESOLVED UNANIMOUSLY: That this Council wholeheartedly endorses and publicises the letter of the RBWM Lead Member for Planning to the Prime

Minister and Minister for Housing and Planning which opposed an additional runway at Heathrow and emphasises that this would negate a previous Government decision regarding an airport monopoly.

(Councillor S Rayner had left the room so did not take part in the discussion or vote)

On behalf of the council, Councillor Dudley wished Councillor Jack Rankin and his bride best wishes for his wedding later in the week, and their future together.

The meeting, which began at 7.30pm, finished at 9.30pm.

Signed.....

Date.....

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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MAYOR'S COMMUNICATIONS

Since the last Council meeting the Deputy Mayor, Immediate Past Mayor and I have carried out the following engagements:-

Meetings

- Spoore Merry Rixman Foundation
- Pooles and Rings Charity
- Berkshire Vision AGM
- Twinning Committee
- Opened Older People's Advisory Forum
- Charles Davis Trust service and meeting
- Prince Philip Trust Fund meeting and dinner

Schools/Clubs/Community

- Presentation of Queen's Award for Voluntary Service
- Hosted a Coffee Morning in aid of Macmillan Cancer Support
- Attended the SERFCA (South East Reserve Forces and Cadets Association) Awards Ceremony
- Attended the Inauguration of The Rt Revd Dr Steven Croft as Bishop of Oxford
- Started the Maidenhead Rotary Boundary Walk
- Duke of Edinburgh Awards Ceremony for Holyport College, Maidenhead
- Photocall for Darling Magazine with the Household Cavalry Regiment and Household Cavalry Foundation
- Attended the Open Evening at the Adult Dyslexia Centre, Maidenhead
- Attended the welcome service for the Bishop of Oxford at Reading Minster
- Ceremonial service for the opening of Crown Court, Reading
- Presented prizes at the Young Musicians competition
- Dinner with Sir James Perowne (Governor and Constable) and guests at Windsor Castle
- 150th anniversary celebrations of St Luke's Church, Maidenhead service and dinner
- 43rd Annual Charter Lunch of Maidenhead Lions
- Started the Twilight Walk for the Brain Tumour Charity
- 50th anniversary match at Desborough Bowls Club, Maidenhead
- Open the Cards for Good Causes Christmas shop, Maidenhead Library
- Windsor and Eton Rotary Club lunch
- Citizenship Ceremonies
- 15th anniversary reception for NRAS (National Rheumatoid Arthritis Society)
- 10th anniversary celebrations for Ascot Durning Library
- Maidenhead Golf Club Dinner Dance
- Judged the "Bake Off" competition at The Bel and the Dragon, Cookham
- Opened new hairdressing salon in St Leonards Road, Windsor
- Hosted Afternoon Tea in aid of the Household Cavalry Foundation
- Royal Warrant Holders Association Dinner
- Grand opening of Queen Elizabeth II Fountain, Clarence Road, Windsor
- Judged the pumpkins and fancy dress at the Pumpkin Party, Windsor
- Fireworks at Windsor Legoland Resort

- Opened new classroom and office at Holy Trinity School, Sunningdale
- Together with school children laid wreath at Broom Farm Memorial Garden, Windsor
- Opened post office at “Stop N Shop”, Furze Platt, Maidenhead
- Visited Eton House Residential Home, Datchet to celebrate their “outstanding” rating
- Fireworks at Windsor Racecourse
- Opened Maidenhead Lions Combined Charities Fair
- Interviewed by BBC Radio 1 for their “Mayor of Where?” programme
- Sport England Olympian Reception
- Windsor Contemporary Art Fair
- Led the 2 minute silence at 11 am on Friday 11 November in both Windsor and Maidenhead
- Led the Remembrance Sunday Civic Services in Maidenhead, Windsor and Sunninghill
- Hosted reception and viewing of civic insignia for Furze Platt Beavers in the Mayor’s Parlour, Town Hall, Maidenhead
- German TV interview – Christmas Tree gift from Coburg
- Windsor Christmas Lights Switch On and VIP reception with the special guests from Coburg, Germany
- WAMCF interfaith service
- Unveiled the amphitheatre, St Ives Road Maidenhead
- Hosted reception and press photocall for local youngsters that participated in Henley Regatta
- Attended reception of the 1st Battalion of the Coldstream Guards, Victoria Barracks, Windsor
- Maidenhead Thames Rotary schools poetry event
- Unveiled the WWI sign for Victoria Cross recipients, Bachelors Acre, Windsor
- Maidenhead Christmas Lights Switch On
- Led the annual toy run from Ascot Racecourse to the Broom Farm Army Estate, Windsor
- Visited the Household Cavalry Regiment recruitment event
- Sebastian’s Action Trust charity dinner
- Presented certificates at Strive Graduation Ceremony
- Attended the Horton Christmas Lights Switch On
- Visited Braywick Heath Nursery Christmas Fair
- Visited the Shopmobility/People to Places Christmas celebrations
- Hosted dinner and book signing by Dr Paul Hitchcock in aid of the Household Cavalry Foundation
- WAMCF interfaith display/dinner
- Rotary Club of Maidenhead senior citizens lunch
- Presented long service awards at St John Ambulance, Maidenhead Road, Windsor
- Recorded Christmas message for Maidenhead Talking Newspaper
- Attended the Windsor town centre carol service at Windsor Parish Church
- Judge school children’s competition, Tesco, Dedworth (and press photocall for winning school)
- Decorated Christmas Tree as part of the St Luke’s Tree Festival and attended church service
- Churches Together in Windsor “Carols on the Hill” service
- NRAS Christmas carol concert

- “Write for Rights” Amnesty International campaign
- Started the Norden Farm Centre for the Arts Lantern Parade
- Started the Alzheimers Dementia Support Santa Run
- Visited Alexander Devine Children’s Hospice Service children’s Christmas party
- Maidenhead Thames Rotary Christmas party for Manor Green School
- Windsor Girls School carol concert
- Household Cavalry Regiment carol service
- Windsor Old People’s Welfare Association Christmas lunch

Concerts/Shows

- Windsor Festival: A Military Tribute
- Gala Show in aid of the Mayor’s Benevolent Fund
- Maidenhead Musical Society “Calamity Jane”
- Windsor Theatre Guild “Scales of Justice”
- Shakespeare “As You Like It”
- Maidenhead Operatic Society “The Hired Man”
- WMSO concert
- Windsor Boys School “Singing in the Rain”
- Household Cavalry concert
- Jack and the Beanstalk, Theatre Royal, Windsor
- Riverside Players “Pinocchio”

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Report for: ACTION



| | |
|--|---|
| Contains Confidential or Exempt Information | NO - Part I |
| Title | Change to Council Tax Empty and Unfurnished Exemption |
| Responsible Officer(s) | Simon Fletcher, Strategic Director of Operations and Customer Services |
| Contact officer, job title and phone number | Andy Jeffs, Head of Revenues and Benefits and Deputy Director of Operations and Customer Services, 01628 796527 |
| Member reporting | Cllr Hill |
| For Consideration By | Council |
| Date to be Considered | 13 December 2016 |
| Implementation Date if Not Called In | 1 April 2017 |
| Affected Wards | All |

REPORT SUMMARY

1. From 1 April 2013, the council used new statutory powers to reduce the 100% empty and unfurnished exemption from six months to one month. The proposals in the report seek to refine that change.
2. The proposal in this report is to remove the discretionary one-month, 100% empty and unfurnished exemption (see Appendix A for a full list of current discounts and exemptions) in line with many other local authorities with effect from 1 April 2017. This is the last discretionary discount/exemption offered by the council.
3. The amount of collectable Council Tax will increase by £325,000, of which £267,000 would be retained by the Council, with £58,000 being retained by preceptors. The cost of Council Tax administration would also reduce by £25,000.
4. Cabinet on 24 November 2016 endorsed the principle of removing the one-month exemption for empty and unfurnished properties and recommended this to Council for a final decision.

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. Additional Council Tax revenue of £325,000, of which, the | 31 March 2018 |

| | |
|---|---------------|
| council would retain £267,000 providing the council with additional income to fund council services | |
| 2. Reduction in cost of administering Council Tax by £25,000 | 31 March 2018 |

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Council:

- i. **Approves removing the one-month Council Tax exemption for empty and unfurnished properties (previously known as Class C discount), with effect from 1 April 2017.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 As part of delivering differently a review of all Council Tax discounts and exemptions currently offered by the council was completed, including comparing them to those offered by other councils.
- 2.2 A large number of other councils have already decided to remove the exemption and the table below provides the position with regard to a number of neighbouring or close authorities:

| Council | Empty and Unfurnished Exemption |
|------------------------|--|
| Chiltern & South Bucks | 100% 3 months |
| Wokingham | 100% 1 month (reviewing) |
| South & Vale | 100% 1 month |
| West Berks | 0% |
| Northampton | 0% |
| Reading | 0% |
| Oxford | 100% 1 month |
| Slough | 0% |
| Bracknell | 0% |

- 2.3 The government introduced new discretion for local authorities around certain categories of property exemptions for Council Tax, with effect from 1 April 2013.
- 2.4 The council determined that it would utilise the new powers in order to make changes to empty property exemptions. Before 1 April 2013, an empty and unfurnished property could be totally exempt from Council Tax for up to six months. The period of exemption was reduced to a maximum of 1 month, during which a 100% exemption (e.g. nothing to pay) could be applied.
- 2.5 A full list of the current discounts and exemptions can be found in Appendix A.
- 2.6 In 2015-16 the value of exemptions in Council Tax for the one-month empty and unfurnished exemption totalled £325,000 of which, £267,000 was the direct cost (loss of Council Tax revenue) to the council, and £58,000 was direct cost to other preceptors. In addition, it is estimated that the annual cost of administering the exemption is £25,000 per annum.

2.7 Removing the exemption would provide the council with an estimated £267,000 in additional Council Tax in 2017-18 and beyond, other preceptors £58,000 and the council savings of £25,000.

2.8 The following options have been considered:

| Option | Comments |
|---|--|
| The current 1-month empty and unfurnished exemption could be left in place – This is not the recommended option. | The estimated additional £325,000 in Council Tax, of which £267,000k would be retained by the council and £58,000 by other preceptors, along with the reduction of £25,000 in the cost of administering collection would not be achieved. |
| The 1-month empty and unfurnished exemption could be reduced to a nominal figure of up to seven days – This is not the recommended option. | Only £81,000 in estimated additional Council Tax, of which, £67,000 would be retained by the council and £14,000 by other preceptors would be achieved, and there would be no reduction in the cost of administering Council Tax. |
| Remove the 1-month empty and unfurnished exemption from 1 April 2017- This is the recommended option. | This would provide an estimated additional £325,000 in Council Tax in 2017-18 and beyond, of which, the council would receive £267,000, and other preceptors £58,000. In addition the cost of administering Council Tax would reduce by £25,000. |

3. KEY IMPLICATIONS

3.1 The defined outcomes are:

| Defined Outcomes | Unmet | Met | Exceeded | Significantly Exceeded | Date they should be delivered by |
|---|-----------|----------|------------------------|------------------------|----------------------------------|
| Increase in RBWM Council Tax by | <£267,000 | £267,000 | >£267,000 <£280,000 | >£280,000 | 31 March 2018 |
| Reduction in cost of Council Tax processing | <£25,000 | £25,000 | >£25,000 <£30,000 | >£30,000 | 31 March 2018 |

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 An estimated additional amount of £325,000 in 2017-18 and ongoing should be paid into the Council Tax collection fund. Of this £267,000 will be the council's share, and £58,000 would be the other preceptors share.
- 4.2 The resource required to administer Council Tax would reduce by 0.5 FTE, and this in addition to reduced print and postage charges will generate the following saving:

| | 2017/18 | 2018/19 | 2019/20 |
|-----------|---------|---------|---------|
| | Revenue | Revenue | Revenue |
| Addition | £0 | £0 | £0 |
| Reduction | £25,000 | £0 | £0 |

5. LEGAL IMPLICATIONS

- 5.1 The council's power to amend the level of Council Tax discount payable in respect of certain classes of property derives from section 11A of the Local Government Finance Act 1992.
- 5.2 In accordance with section 67 of the Local Government Finance Act 1992, only full Council has authority to agree the recommendations in paragraph 1 of this report. The power is not delegable to a committee, sub-committee or officer.
- 5.3 If the recommendation is agreed by full Council it shall be published in at least one newspaper circulating in its area within 21 days of the agreement.

6. VALUE FOR MONEY

- 6.1 There is no additional cost associated with this recommendation. The council will increase Council Tax collection by an estimated £325,000 of which £267,000 will be retained by the Royal Borough, and £58,000 by other preceptors. The cost of administering Council Tax will reduce by £25,000 per annum as described above.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None.

8. RISK MANAGEMENT

- 8.1 The following risk has been identified:

| Risks | Uncontrolled Risk | Controls | Controlled Risk |
|--|-------------------|--|-----------------|
| The council may not collect this amount in full from council tax | £267,000 | The Council Collects 99.5% of Council Tax by utilising the | £13,000 |

| Risks | Uncontrolled Risk | Controls | Controlled Risk |
|--------------|--------------------------|---|------------------------|
| payers | | recovery powers it has fairly and appropriately | |

9. LINKS TO STRATEGIC OBJECTIVES

9.1 Putting Residents First

The council will have more Council Tax income so will be able to invest this in strategic priorities aligned to Putting Residents First such as major infrastructure investments, investment in council services, or improving the boroughs roads.

9.2 Value for Money

The removal of the 1-month empty and unfurnished exemption will reduce the cost of administering Council Tax by £25,000 per annum linking directly to the “all services, that we deliver for our residents, will be run cost effectively” strategic priority.

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 The recommendation if agreed will have a financial impact on the persons owning premises as they will no longer receive a up to 1-month empty and unfurnished exemption. However, it is not possible to demonstrate that this impact bares any relevance to the Equality Duty, or that persons affected are impacted to any disproportionate degree on the basis of having protected characteristics. The proposals pertain to the time bound circumstances of residencies in the Royal Borough, rather than its residents.

10.2 The assessment therefore concludes that the recommendation to remove the empty and unfurnished exemption cannot be shown to affect people with protected characteristics or the Equality Duty, they are assessed as equality-neutral and a further Equality Impact Assessment is not required at this time.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 If the 1-month empty and unoccupied exemption is removed this will lead to a reduction of 0.5 FTE in the Business Services team. This can be achieved without redundancy.

12. PROPERTY AND ASSETS

12.1 None.

13. ANY OTHER IMPLICATIONS

13.1 The Customer Service Centre will receive less telephone calls as a result of the recommendations in the paper being agreed.

14. CONSULTATION

14.1 No external consultation has been carried out.

15. TIMETABLE FOR IMPLEMENTATION

15.1 The following table shows the stages and deadlines for implementing the recommendation:

| Date | Details |
|-------------|---|
| 24/11/2016 | Recommendation to Cabinet for approval |
| 13/12/2016 | Recommendation to Council for approval |
| 02/01/2017 | Publish decision in local newspaper and web-site |
| 01/04/2017 | Removal of 1 month unoccupied and unfurnished exemption |

16. APPENDICES

16.1 Appendix A – Discounts and Exemptions

17. BACKGROUND INFORMATION

17.1 This is a statutory requirement

18. CONSULTATION (MANDATORY)

| Name of consultee | Post held and Department | Date sent | Date received | See comments in paragraph: |
|--------------------------|---|------------------|----------------------|-----------------------------------|
| Internal | | | | |
| Cllr Hill | Lead Member | 29/11/16 | | |
| Cllr Saunders | Lead Member Finance | 29/11/16 | 29/11/16 | |
| Simon Fletcher | Strategic Director Operations and Customer Services | 29/11/16 | | |
| Alison Alexander | Managing Director & Strategic Director of Adult, Children and Health Services | 29/11/16 | 01/12/16 | Comments |
| Russell O'Keefe | Strategic Director of Corporate and Community Services | 29/11/16 | | |
| Rob Stubbs | Head of Finance and Deputy Director of | 29/11/16 | | |

| Name of consultee | Post held and Department | Date sent | Date received | See comments in paragraph: |
|--------------------------|----------------------------------|------------------|----------------------|-----------------------------------|
| | Corporate and Community Services | | | |
| Terry Baldwin | Head of HR | 29/11/16 | 29/11/16 | Comments |

REPORT HISTORY

| | | |
|----------------------------|---|------------------|
| Decision type: | Urgency item? | |
| Key decision | No | |
| Full name of report author | Job title | Full contact no: |
| Andy Jeffs | Head of Revenues & Benefits and Deputy Director of Operations and Customer Services | 01628 796527 |

Appendix A - Discounts and Exemptions

Single person discount – Statutory

If you are the only adult (over 18 years) in your property you may be entitled to a 25% discount.

Disabled person reduction – Statutory

If your home has one of the following you may qualify for a reduction in your council tax bill.

- a room which is used and required for meeting the needs of a disabled resident or
- an extra bathroom or kitchen for the disabled person or
- space to allow the use of a wheelchair.

Other council tax discounts – Statutory

You may qualify for a discount if you or another adult living in the property are:

- full-time students
- youth trainees
- apprentices and student nurses
- patients resident in hospital
- home/nursing home residents
- severely mentally-impaired people
- people staying in certain hostels or night shelters
- 18 and 19 year olds who are at, or just left, school
- care workers usually employed by charities
- people caring for someone with a disability (except their partner or child under 18)
- members of visiting forces and some international organisations.
- members of religious communities
- prisoners.

Empty properties – Statutory and Discretionary

Properties that are unoccupied and unfurnished will receive a 100% exemption for a maximum period of one month – **Discretionary** and proposed to remove from 1 April 2017.

Properties that are unoccupied and unfurnished for two years or more will be charged an additional 50% on top of the full council tax - **Statutory**

Statutory - You do not have to pay council tax if your property is unoccupied and is:

- Owned by a charity
- Left empty by a prisoner

- Left empty by someone who has permanently left to go into a care home/residential care
- Left empty by a deceased person
- Cannot be occupied by law
- Held for a minister of religion
- Left empty by someone who has moved to receive or give personal care
- Left empty by a student
- An annexe that cannot be let separately
- An unoccupied caravan pitch or mooring
- Has been repossessed by a mortgage lender
- Left empty where the responsible person is a trustee in bankruptcy
- Owned by the Ministry of Defence
- A student hall of residence.

Occupied properties - Statutory

If all occupiers in the property are one of the following you may qualify for an exemption.

- Full time students
- Members of the Armed Forces
- Members of visiting forces
- Under 18 years of age
- Severely mentally impaired
- Have diplomatic immunity
- Elderly relatives living in an annexe.

Local exemptions - Discretionary

From Thursday 1 April 2004 there is a 100% exemption from council tax for up to 12 months for any property which has become uninhabitable because of a natural disaster and which needs major building or remedial repairs to make it livable again.

Second homes - Discretionary

There is no discount for furnished properties that are no-one's sole or main residence.

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| | |
|---|---|
| Report title: | Initial Savings in respect of 2017-18 |
| Contains confidential or exempt information: | NO – Part I |
| Member reporting: | Councillor Saunders, Lead Member for Finance |
| Meeting and date: | Council 13 December 2016 |
| Responsible officer: | Russell O’Keefe, Strategic Director of Corporate and Community Services |
| Wards affected: | All |

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REPORT SUMMARY

1. The Medium Term Financial Plan (MTFP) presented to Council in February 2016 identified the need to reduce council expenditure by £5,600,000 in 2017-18. As the economic climate and other factors change, the Council's expenditure level and savings requirement are adjusted during the budget process. For this reason savings of £6,107,000 are presented for approval.
2. In March 2016 Cabinet approved a refreshed Transformation Programme with the aim to create a leaner and more agile organisation, focused on the customers, services and the communities the Council serves. Through this programme it has been identified how the council's expenditure could be reduced by £6,107,000 in 2017-18. The details are included in this report.
3. Most of the proposals were discussed by O&SPs and Cabinet in September 2016. Cabinet requested savings for 2017/18 be reported to Council in December 2016 and February 2017 alongside the main budget report.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council notes the report and:

- i) Authorises Strategic Directors in agreement with Lead Members to develop the proposals and carry out implementation.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 Over the last few years the Council has delivered efficiency savings whilst at the same time improving services for residents and keeping council tax at one of the lowest levels in the country.
- 2.2 The MTFP presented to Council in February 2016 identified the need to reduce council expenditure by a further £5,600,000 in 2017-18. Demand pressures on key services, such as social care, means reducing expenditure is never easy but the Council has approached this in line with its overall priority to always put residents first. As the economic climate and other factors change, the Council's

expenditure level and savings requirement are adjusted during the budget process. For this reason savings of £6,107,000 are presented for approval.

- 2.3 Reducing overall expenditure, either through reducing costs or increasing income, has been supported through the council's transformation programme which is designed to ensure that the Council will be:
- More self reliant: less dependent on central government funding and increasing our income generation.
 - Equipped to work in new ways: regularly commissioning the services we need based on outcomes for residents, and making evidence based decisions on those services we change.
 - Quicker to respond: more able to adapt to changing circumstances and residents' needs, including improving our digital offer to customers.
 - Providing a mixed economy of service provision: taking different approaches to delivering services, utilising ideas from all sectors.
- 2.4 As part of this transformation the Council is proactively using its property assets and land holdings to improve the area for residents and businesses; create a borough for everyone and generate income.
- 2.5 The focus on transformation, learning from good practice across the sectors, means that the Council's proposals look different to previous proposals and those being adopted by other local authorities. The focus over the next three years is on ensuring the Council can deliver a broad range of quality services that are either maintained at the existing level for the current costs or for less direct cost to the council. The council's 'Delivering differently' programme sets out an ambition to create a 'mixed economy' approach to service provision in the future. All proposals for 'delivering differently' are tested against the same criteria:
- Ability to preserve and enhance services for the benefit of The Royal Borough and its residents.
 - The greatest opportunity for reducing cost.
 - The opportunity for community and volunteer involvement.
 - The ability to access private finance, charitable funds and sponsorship.
 - The opportunity for a strategic partnership with RBWM.
 - The best interests of staff.
- 2.6 The proposals in this report have been developed in close collaboration with Lead Members, explored with Directorate Management Teams and the wider workforce. If implemented they will enable the Council to operate within budget, deliver the services needed by residents in the most efficient and effective way, including to the most vulnerable, whilst continuing to maintain Council Tax at affordable levels for all residents.

Table 1: Options for Council

| Option | Comments |
|---|---|
| Council to approve the proposals Recommended option | The savings in appendix A have been assessed as achievable by Lead Members and Directors. The savings are in line with the savings requirement of the MTFP. |
| Council to amend the proposals Not recommended | This may result in further savings being required and / or some savings being unachievable. |

3. KEY IMPLICATIONS

3.1 The implications of delivering the proposals are set out in table 2.

Table 2: Key implications of delivering proposals

| Outcome | Unmet | Met | Exceeded | Significantly Exceeded | Date of delivery |
|------------------------------|--------------|--------------------------|--------------------------|-------------------------------|-------------------------|
| Savings delivered in 2017-18 | <£6,100,000 | £6,100,000 to £6,200,000 | £6,200,000 to £6,300,000 | >£6,300,000 | 31 March 2018 |

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1. Table 3 provides the three year total reduction in spend across the council, see appendix A for full details. Proposals for 2018-19 and 2019-20 are subject to change, so whilst a total figure is captured in table 3 the details will be submitted to Council for approval in future reports.

Table 3: Three year plan

| | 2017/18 | 2018/19 | 2019/20 |
|------------|----------------|----------------|----------------|
| | Revenue | Revenue | Revenue |
| Addition | £0 | £0 | £0 |
| Reduction | £6,107,000 | £4,119,000* | £3,271,000* |
| Net impact | £6,107,000 | £4,119,000 | £3,271,000 |

| | 2017/18 | 2018/19 | 2019/20 |
|------------|----------------|----------------|----------------|
| | Capital | Capital | Capital |
| Addition | £0 | £0 | £0 |
| Reduction | £0 | £0 | £0 |
| Net impact | £0 | £0 | £0 |

* Not submitted to Council at this time see paragraph 4.1.

5. LEGAL IMPLICATIONS

- 5.1 This report is part of the process required for the Council to meet its legal obligations to set a balanced annual budget.

6. RISK MANAGEMENT

Table 4: Risk analysis

| Risks | Uncontrolled Risk | Controls | Controlled Risk |
|--|--------------------------|--|------------------------|
| Risk of non-achievement of balanced budget | MEDIUM | Early approval maximises time available for implementation. | LOW |
| Risk to service delivery | MEDIUM | Consideration at management teams to minimise impact on front line services. | LOW |
| Risk of negative payback | MEDIUM | Consideration of proposals at management teams focussed on whether proposals reduce controls that might increase costs in the longer term. | LOW |

7. POTENTIAL IMPACTS

- 7.1 Equality Impact Assessments will be carried out, where necessary, prior to implementation and published on the Council's intranet.
- 7.2 If the proposal listed in appendix A are approved, there is the potential for staff reductions through either TUPE transfer or redundancy. Based on current information, which could be subject to change, it is estimated that 627 members of staff could be affected in 2017-18.
- Transfer to joint ventures under TUPE contracts (604).
 - Redundancy (23). All efforts will be made to prevent compulsory redundancies including the use of redeployment.
- 7.3 Following the transfer of services to joint ventures there may be a reduced need for office accommodation in 2018/19. A full property review will be undertaken at this point and proposals made to cabinet.

8. CONSULTATION

- 8.1 Most of the proposals contained in this report were discussed at Overview & Scrutiny Panel's prior to a report being approved by Cabinet in September 2016.

9. TIMETABLE FOR IMPLEMENTATION

Table 5: Timetable for implementing savings proposals

| Date | Details |
|------------------|---|
| 13 December 2016 | Implement proposals subject to Council approval |
| 21 February 2017 | Final approval of 2017-18 by Council |

10. APPENDICES

10.1 Appendix A: Savings proposals for 2017-18

11. BACKGROUND DOCUMENTS

11.1 Budget Report to Council February 2016.

11.2 Savings Report to Cabinet September 2016

12. CONSULTATION (MANDATORY)

| Name of consultee | Post held | Date sent | Commented & returned |
|-------------------|---|-----------|----------------------|
| Cllr. Saunders | Lead Member for Finance | | |
| Cllr. Rankin | Deputy Lead Member for Finance | | |
| Alison Alexander | Managing Director | 3/12/16 | Comments |
| Russell O'Keefe | Strategic Director Corporate and Community Services | 29/11/16 | Comments included |
| Simon Fletcher | Strategic Director Operations and Customer Services | | |
| Rob Stubbs | Section 151 Officer | | |

REPORT HISTORY

| | |
|---|-------------------------|
| Decision type: Key decision, first entered into the Forward Plan September 2016. | Urgency item? No |
| Report Author: Richard Bunn, Chief Accountant, 01628 796510 | |

APPENDIX A

| CORPORATE & COMMUNITY SERVICES - SAVINGS OPTIONS | | | |
|--|---|----------------------------|----------------------------|
| No. | Description / Budget | Income or saving for 17/18 | Equality Impact Assessment |
| | | £000 | Y / N |
| FINANCE | | | |
| | Finance Operations / Finance Strategic | | |
| 1 | Reshape senior finance structure | 100 | N |
| | Finance Operations | | |
| 2 | Charge capital programme for project management work carried out within Finance | 40 | N |
| 3 | Rationalisation of business services when it transfers to financial control | 25 | N |
| 4 | Review financial control processes post system upgrade | 30 | N |
| 5 | Increasing apprentices in finance | 20 | N |
| | Systems Accountancy | | |
| 6 | Relocate Agresso Helpdesk to Finance Systems Team to provide resilience and complete customer experience. | 15 | N |
| | Insurance and Risk | | |
| 7 | Increased self insured exposure to £750k per claim (currently 500k) | 70 | N |
| GOVERNANCE, PARTNERSHIP, PERFORMANCE and POLICY | | | |
| | Shared Legal Services | | |
| 8 | Review of legal services | 250 | N |
| | Democratic Services | | |
| 9 | Reduction in democratic services printing and postage costs | 10 | N |
| | GPPP Management structure | | |
| 10 | Review of management structure and team structure in GPPP and implementation of a new performance mgt approach and system | 235 | N |
| COMMUNITIES and ECONOMIC DEVELOPMENT | | | |
| | Communications | | |
| 11 | Move to 3 ATRB from 4 a year | 20 | N |
| | Leisure Contract | | |
| 12 | Leisure service contract savings (agreed previously) | 250 | N |
| CROSS CUTTING | | | |
| | RBWM Property Co Rental income | 75 | N |
| | | 1,140 | |

| ADULT CHILDREN & HEALTH DIRECTORATE - SAVINGS OPTIONS | | | |
|---|--|----------------------------|----------------------------|
| No. | Description / Budget | Income or saving for 17/18 | Equality Impact Assessment |
| | | £000 | Y / N |
| COMMISSIONING | | | |
| | Commissioning £4.7m net budget | | |
| 1 | Cessation of Family Nurse Partnership contract | 110 | Y |
| | Public Health Commissioning £7.0m gross budget | | |
| 2 | Re-allocation of Better Care Fund support budget to deliver “Direct Payment” efficiencies. | 46 | N |
| 3 | DAAT - implementation of Task and Finish Group recommendations as agreed by cabinet in November 2016 | 150 | N |
| 4 | Savings to the pan-Berkshire Chlamydia screening contract - full year effect of 2015/16 saving | 31 | N |
| 5 | Integration of HV service & Children’s Centres | 100 | N |
| | Housing £1.4m net budget | | |
| 6 | Targeted sheltered housing offer with the Clinical Commissioning Group and housing associations. | 155 | |
| | Other Commissioning services £1.2m net budget | | |
| 7 | Commissioning efficiencies | 75 | N |
| 8 | Reduction of posts in Operational Commissioning Team | 28 | N |
| 9 | Self financing of homeshare service | 50 | N |
| | | | |
| ADULT SOCIAL CARE | | | |
| | Management & all ASC £0.7m net budget | | |
| 10 | Additional income to support placements in registered nursing homes. | 277 | |
| 11 | Additional income from financial assessment following Care Act guidance | 335 | Y |
| | Older People £14.4m net budget | | |
| 12 | Homecare outcome based contract set at fixed price | 80 | N |
| 13 | Homecare/Direct Payment reduction in demand | 297 | |
| 14 | Homecare outcome based contract re-ablement of care recipients | 50 | |
| | | | |
| SCHOOLS AND EDUCATIONAL SERVICES | | | |
| | School Improvement & Leadership £0.3m net budget | | |
| 15 | Review of price and scope of buy-back Governor Services | 30 | N |
| | Early Years Education £0.221m net budget | | |
| 16 | Efficiencies in payment process. Focus service on quality as measured by Ofsted Judgement. | 60 | Y |
| | | | |
| HEALTH, EARLY HELP & SAFEGUARDING | | | |
| | Safeguarding and Children in Care £5.6m net budget | | |
| 17 | Productivity and efficiency in Pods | 104 | N |
| 18 | Review in 'universal' Youth Service offer. | 25 | Y |
| 19 | Reduction in number of children in care requiring support | 108 | N |
| 20 | Integration of YOT & Youth Services | 50 | N |
| | Children & Young People Disability £2.1m net budget | | |
| 21 | Placement cost savings | 100 | N |
| | | | |
| HUMAN RESOURCES | | | |
| | Human Resources £1.2m net budget | | |
| 22 | Supplementary pension - reduction in requirement | 23 | N |
| 23 | HR efficiency saving from delivering differently | 15 | N |
| 24 | Training, move to e-learning | 25 | N |
| | | 2,324 | |

| OPERATIONS & CUSTOMER SERVICES - SAVINGS OPTIONS | | | |
|--|---|----------------------------|----------------------------|
| No. | Description / Budget | Income or saving for 17/18 | Equality Impact Assessment |
| | | £000 | Y / N |
| REVENUES & BENEFITS £1.8m | | | |
| 1 | New Debt recovery and Enforcement vehicle; additional HB overpayment and court cost recovery, admin efficiencies. | 350 | N |
| HIGHWAYS & TRANSPORT | | | |
| Parking Provision £1.8m | | | |
| 2 | Income from targetted tariff increases | 200 | N |
| Highways & Streetcare £7.1m | | | |
| 3 | Highways & Streetcare - Outsource term contract. | 400 | N |
| 4 | Highways & Streetcare - Implement new permitting scheme for works on the Highway and trade. | 100 | N |
| LIBRARIES & CUSTOMER SERVICES - Combined £6.24m | | | |
| 5 | Optimisation & Merger of the service areas . | 286 | Y |
| COMMUNITY PROTECTION & ENFORCEMENT SERVICES | | | |
| CCTV | | | |
| 6 | Reduce the cost of providing CCTV and Control Room Services. | 188 | N |
| Community wardens & parking enforcement £1.5m | | | |
| 7 | Third party provision of parking enforcement services. | 375 | N |
| Waste Collection £5.8m | | | |
| 8 | Reductions in waste yields for processing and disposal, and from permit scheme at Stafferton Way HWRC | 344 | N |
| INFORMATION TECHNOLOGY SERVICES - £2.8m | | | |
| 9 | Resource optimisation and infrastructure contract savings. | 400 | N |
| | | 2,643 | |

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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