

CABINET

THURSDAY, 27 JULY 2017

PRESENT: Councillors Simon Dudley (Chairman), David Coppinger (Vice-Chairman), Phillip Bicknell, Carwyn Cox, Derek Wilson, Natasha Airey, MJ Saunders, Samantha Rayner, Jack Rankin, David Evans, Christine Bateson, Lisa Targowska, Stuart Carroll and David Hilton

Also in attendance: Councillor Maureen Hunt and Councillor Lynne Jones

Officers: Alison Alexander, Rob Stubbs, Louisa Dean, Russell O'Keefe, Karen Shepherd, Andy Jeffs and Kevin McDaniel

APOLOGIES FOR ABSENCE

None received.

DECLARATIONS OF INTEREST

Councillor S. Rayner declared a Disclosable Pecuniary Interest in the item 'Hurley and Walthams Neighbourhood Plan Decision to Proceed to Referendum' as her husband owned some land in the area. She left the room for the duration of the discussion and voting on the item.

Councillor Dudley explained that he had declared an interest at Council on 25 July 2017 in relation to the item 'Pension Fund Valuation 2016,' as a substitute member of the Berkshire Pension Fund Panel and a member of the Investment Working Group. However he had, earlier that day, stood down from both positions, therefore did not need to declare an interest for the item of the same name later on the agenda.

MINUTES

RESOLVED UNANIMOUSLY: That:

- i) The minutes of the meeting held on 29 June 2017 be approved**
- ii) The Part I minutes of the Cabinet Regeneration Sub Committee held on 27 June 2017 be noted**

APPOINTMENTS

None

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 'River Thames Scheme – RBWM Funding' would be presented to Cabinet in September 2017.
- The item 'Options to Meet School Place Demand from 2019 Across the

Borough' would be deferred from September to October 2017.

CABINET MEMBERS' REPORTS

A) CAPITAL PROGRAMME UPDATE - SCHOOLS

Cabinet considered approval of a number of tenders as part of the overall secondary school expansion programme approved by Cabinet in July 2016.

The Lead Member explained that the report requested approval of three tenders and the assignment of £290,000 allocated to Lowbrook expansion to the maintenance programme for schools. The scheme at Charters would provide 30 more places each year, 210 in total, and a number of complex school buildings. At Cox Green the proposal would provide 30 more places, 210 in total, and a kitchen and dining room. At Newlands Girls Academy Section 106 funding would be used to add 30 places in total, 6 in each year group. The scheme was complex as it involved infilling of existing buildings to maximise space.

The Principal Member for Ascot Regeneration commented that residents in Ascot were delighted with the proposals for Charters. He requested that when building work began, an appropriate photograph be included in *Around the Royal Borough* to ensure all were aware. The Lead Member for Culture and Communities thanked the Lead Member for the funding for boiler repairs at Eton Wick School.

The Principal Member for Public Health and Communications raised a number of questions on behalf of Cllr McWilliams:

- What investment did the scheme at Cox Green make in additional parking as this was an existing problem as raised by the Parish Council?
- Why were the terms and conditions not agreed to by the previous developer?
- Where did the borough expect future pupils to come from and had it factored in new homes in Cox Green as a result of the Borough Local Plan?

The Lead Member responded that the report detailed the last schemes in the expansion programme outside of the Borough Local Plan infrastructure requirements. A report would come to Cabinet in October 2017 to deal with future growth. It was noted that the Borough Local Plan allocated only 29 additional dwellings to the Cox Green area in the initial period. The Director explained that the lowest priced tenderer was unwilling to agree the council's standard terms and conditions of payment within 28 days, therefore it was decided to go for the second lowest tender. The proposals at Cox Green would add one classroom, therefore only increasing parking needs for a small number of staff. However, it was a shared site with the leisure centre and community centre. In the recent planning application the school had confirmed they did not require any further parking however it had been deferred due to concerns raised by the parish council.

The Lead Member for Finance commented that the council had made a clear strategic and tactical judgement to ensure it was ahead of the curve in relation to primary and secondary places. Delivering places ahead of demand gave parents a high level of choice.

The Chairman thanked officers for all their work on the proposals. He highlighted that as the tenders were within the previously agreed capital programme, there had been no requirement to go to Full Council for approval.

RESOLVED UNANIMOUSLY: That Cabinet notes the report and approves the recommendations:

- i) To accept three tenders:**
 - a. From Dawnus Construction for Charters academy in the sum of £3,343,199.**
 - b. From Dawnus Construction for Cox Green academy in the sum of £3,681,388.**
 - c. From Contract Trading Services for Newlands Girls' academy in the sum of £769,890.**
- ii) To confirm the reassignment of £290,000 allocated to the Lowbrook expansion to maintain the maintenance programme for schools, as set out in Table 7.**

B) HURLEY AND WALTHAMS NEIGHBOURHOOD PLAN DECISION TO PROCEED TO REFERENDUM

Cabinet considered approval for the Hurley and the Waltham's Neighbourhood Plan to proceed to referendum at the earliest practicable opportunity.

The Principal Member explained that this was the second of ten Neighbourhood Plans that had reached the final stage. The first stage involved community input and the development of an evidence base to support policies. The second stage involved a final consultation and submission to an independent examiner. The third stage was approval at referendum. The referendum would require a 50% majority for the plan to be adopted and used as a development plan in the consideration of planning applications. She thanked Councillor Hunt who had chaired the Neighbourhood Plan Group (NPG). Four more plans were expected in the coming months: Bray, Windsor, Eton and Eton Wick, and Horton and Wraysbury.

The Chairman echoed the thanks to Councillor Hunt. He asked for an explanation of the relationship between a Neighbourhood Plan and the Borough Local plan (BLP). The Lead Member for Planning explained that a Neighbourhood Plan was more localised and could determine the type of dwelling mix on sites in the area. The BLP identified strategic sites and could amend site boundaries, the only time the Green Belt could be reviewed. The site at Breadcroft Lane had been identified as local green space in the Neighbourhood Plan but had been identified in the BLP as a strategic site for 100 dwellings. The discrepancy would be discussed at the BLP examination. The Executive Director explained that when planning applications were considered the National Planning Policy Framework, the BLP and a Neighbourhood Plan (if in place) would all be material considerations. It was confirmed that the Hurley and Walthams Neighbourhood Plan would be in place by the time of the BLP examination.

Councillor Hunt provided Cabinet with some background on the area:

- Three parish councils
- 99.2% Green Belt
- Flood zoning in every village
- 11,700 acres of land
- 106 footpaths totalling 89km
- A number of conservation areas

Eight consultation events were held across the 17 villages that made up the area.

Councillor Hunt explained that the NPG had originally submitted its draft in February 2015. Council officers were aware of the inclusion of the Breadcroft Lane site as they had attended NPG meetings. The full plan had been submitted in June 2016.

The Chairman requested officers to see if there were any parish vacancies, and if so, whether elections could be held at the same time as the referendum.

The Lead Member for Maidenhead Regeneration and Maidenhead thanked Councillor Hunt for her chairmanship of the NPG. He commented that Waltham Parish Council was considering a referendum on a piece of open space at Jubilee Wood and asked officers to see if this too could be held at the same time. He highlighted that the Neighbourhood Plan included rural exception sites to allow for housing for local people at affordable prices.

The Principal Member explained that £20,000 had been allocated to each Neighbourhood Plan; any money not spent would be returned to the council. The government paid for the referendum and examination process.

The Lead Member for Environmental Services commented that Councillor Hunt had been the driving force for the Neighbourhood Plan and had put in a huge amount of effort. The community had come together as a result of her efforts.

RESOLVED UNANIMOUSLY: That Cabinet:

- i) Confirms that the plan meets the Basic Conditions tests and does not require a SA/SEA; and**
- ii) Accepts the proposed changes to the Neighbourhood Plan set out in Appendix B, and**
 - a. Gives delegated authority to the Head of Planning to issue a decision statement; and**
 - b. agrees to put the modified Neighbourhood Plan to referendum. The date of the referendum to be set in accordance with the legal requirements; and**
- iii) Delegates authority to the Executive Director, in consultation with the Principal Member for Neighbourhood Planning, to make minor, non material, amendments to the Neighbourhood Plan prior to the referendum being announced; and**
- iv) Provides advance funding, if required, for the referendum which will then be claimed back from Government.**

(Councillor S Rayner left the meeting for the duration of the discussion and voting on the item)

c) FINANCIAL UPDATE

Cabinet considered the latest financial update. The Lead Member highlighted that at this early stage in the financial year, reserves at year end were anticipated to be £7.3m, comfortably above the recommended minimum of £5.8m. A number of pressures had emerged:

- Home to School transport costs were set to increase despite the significant additional budget allocation of £300,000. The current expectation was for an overspend of £226,000 at year end. However this would be reviewed when the new academic year began.
- A £602,000 overspend was predicted in placements for young people with demanding circumstances or disabilities. The cost per placement could be very high therefore the overspend related to a relatively small number of young people.
- Legal costs related to the number of children moving into care were likely to result in an overspend of £162,000.

There continued to be a cost related to agency social workers. It was the council's intent to rebalance the situation, despite success this was taking time. By October, seven individuals would have completed their training and would become newly qualified social workers as permanent employees.

Adult social care income was showing an underspend of £484,000, mainly due to three successful continuing healthcare claims where health was now responsible for costs of the individuals. The £153,000 allocated to secure the continuation of a number of bus services that had become commercially unviable would be fully offset by income from registrars and parking charges.

The Lead Member explained that £78m would be added to the borrowing requirements in addition to the previous borrowing of £50m. This was still well below the likely capital receipts from the regeneration programme.

The Lead Member for Children's Services explained that recent reforms raising the placement age to 25 had impacted on budgets as no additional funding had been provided. A number of young people had come into care with complex needs that did not suit the typical foster care setting. Placements could cost up to £5,000 per week as the market was limited. The team was working to identify savings to bring the budget in line. From 1 August 2017 the council would be working with Achieving for Children on placements and would therefore be more competitive when approaching the market.

Councillor Jones asked if there were any other risks that might require increased borrowing above the forecast for March 2018. The Lead Member responded that all issues that affected the cash flow were on the council's radar. The item in relation to the Pension Fund situation in Part II was unlikely to have a material impact on borrowing needs in the current financial year.

The Chairman referred Councillor Jones to the Part II outline business case item in the Cabinet Regeneration Sub Committee meeting earlier in the week, that set out the payment profile for the four Joint Venture sites. There would undoubtedly be a lag in the retirement of required borrowing.

The Lead Member for Culture and Communities thanked the Superintendent Registrar for the £33,000 saving that had been identified.

The Chairman commented that this was the last meeting before the council completed its investment in Achieving for Children. He thanked all officers and the Lead Member for their work in getting to this point. It was a wonderful opportunity for staff. He also thanked the Leaders and Members of Richmond and Kingston councils, and the staff of Achieving for Children.

RESOLVED UNANIMOUSLY: That Cabinet:

- i) Notes the Council's projected outturn position for 2017-18 and mitigating actions to address service pressures.**

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 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.

The meeting, which began at 7.30 pm, finished at 8.58 pm

CHAIRMAN.....

DATE.....