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Service Lead Democratic Services: Karen Shepherd: (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 **Thursday, 19 July 2018 at 7.30 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Wednesday, 11 July 2018



Managing Director

Rev Drake will say prayers for the meeting.

A G E N D A

PART 1

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence

2. COUNCIL MINUTES

To receive the minutes of the meeting of the Council held on 26 June 2018.
(Pages 7 - 22)

3. DECLARATIONS OF INTEREST

To receive any declarations of interest
(Pages 23 - 24)

4. MAYOR'S COMMUNICATIONS

To receive such communications as the Mayor may desire to place before the Council
(Pages 25 - 26)

5. PUBLIC QUESTIONS

a) Carole Da Costa of Clewer North ward will ask the following question

of Councillor Grey, Lead Member for Environmental Services:

What was the total cost, including assessments, officer time and, the clean-up and repair or remediation of dealing with the unauthorised encampments on Whiteley in August 2017 and recently at Dedworth Manor?

b) Andrew Hill of Boyn Hill ward will ask the following question of Councillor Natasha Airey, Lead Member for Children's Services:

Last year Desborough and Newlands wrote to RBWM proposing relocation to a joint campus on Golf Club land. However, paragraph 2.36 of the Newlands June Cabinet paper states that co-siting would be "difficult to achieve" alongside 2000 dense dwellings, and considers Newlands could move on its own. Is RBWM therefore saying that Desborough College is unlikely to co-site there?

(Sources [Response letter](#) and [Cabinet](#))

c) Andrew Hill of Boyn Hill ward will ask the following question of Councillor McWilliams, Principal Member for Housing:

The Council's BLP states 434 additional new affordable homes are needed in the Borough every single year. However RBWM's 2017/18 Annual Report states that the Council had a target for a mere 20 affordable homes (4.6%), delivering 32 (7.4%). Why is RBWM setting itself a miserable target that is less than 5% of the known affordable housing need?

(Sources [Housing assessment](#) and RBWM Annual Report 2017/18)

d) Brian Millin of Bray ward will ask the following question of Councillor Coppinger, Lead Member for Planning:

I am a member of the Care Services Board for BEN, a charity based in Sunningdale who submitted an application in December 2016 for replacements of aging stock currently rented at social rents a total of 32 units. Frustrated by delays BEN has withdrawn the application and diverted some of the funds to other projects not in RBWM.

Is it acceptable for RBWM to lose such valuable investment in housing stock due to this long delay in determining this application?

(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. APPOINTMENT OF INDEPENDENT PERSON

To consider the above report
(Pages 27 - 30)

8. ANNUAL PERFORMANCE REPORT

To consider the above report
(Pages 31 - 36)

9. HIGHWAYS INVESTMENT

To consider the above report
(Pages 37 - 46)

10. VICUS WAY CAR PARK

To consider the above report
(Pages 47 - 66)

11. MEMBERS' QUESTIONS

a) Councillor Da Costa will ask the following question of Councillor Grey, Lead Member for Environmental Services:

Following the distress and damage caused to residents and Council property when travellers illegally accessed Dedworth Manor, can you tell me how many vulnerable sites exist across the Borough?

b) Councillor Da Costa will ask the following question of Councillor Coppinger, Lead Member for Planning and Health:

Given the criticism by the Borough Local Plan Inspector of the Council's continued failure to produce a "Gypsy and Traveller Accommodation Local Plan", can the Lead Member tell me when such a plan will be produced, as such provision should help alleviate pressures on residents and the costs of dealing with illegal camps in the Borough?

c) Councillor Brimacombe will ask the following question of Councillor S Rayner, Lead Member for Culture and Communities:

Maidenhead Library, St Ives Road, enjoyed the excellent and popular, privately run Narrative café until RBWM raised the rent so high as to price this enterprise out of the market, with no sign as yet of a competitor taking over. Is this representative of commercial decisions by RBWM and is the loss of this community facility now regretted by RBWM?

d) Councillor Bhatti will ask the following question of Councillor Grey, Lead Member for Environmental Services:

Please can the Lead Member let me know what more can be done to prevent unauthorised encampments like the one that occurred in Whiteleys and on Dedworth Manor/Sawyers Close?

e) Councillor Bhatti will ask the following question of Councillor Grey, Lead Member for Environmental Services:

Will the council publish guidance on how the Borough deals with unauthorised traveller encampments to explain the processes involved?

f) Councillor E Wilson will ask the following question of Councillor Grey, Lead Member for Environmental Services:

Following the recent unauthorised encampment in Dedworth how will the Lead Member ensure that residents in the Royal Borough are kept up to date on illegal traveller encampments?

g) Councillor Jones will ask the following question of Councillor Coppinger, Lead Member for Planning:

Could the Lead Member give us an update on the Borough Local Plan and the next steps?

h) Councillor Jones will ask the following question of Councillor Dudley, Leader of Council:

Could the Leader detail the recommendations from the Peer Review that have been implemented to date and the recommendations that will be implemented during this municipal year

(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.)

12. MOTIONS ON NOTICE

None received.

13. 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 items 14-16 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"

14. VICUS WAY CAR PARK

To consider the Part II appendices
(Pages 67 - 68)

***(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule
12A of the Local Government Act 1972)***

15. RBWM PROPERTY COMPANY - INVESTMENTS REPORT

To consider the above report
(Pages 69 - 116)

***(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule
12A of the Local Government Act 1972)***

16. MAIDENHEAD GOLF COURSE - DEVELOPMENT PARTNER PROCUREMENT

To consider the above report
(Pages 117 - 180)

***(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule
12A of the Local Government Act 1972)***

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 Desborough Suite - Town Hall on Tuesday, 26th June, 2018

PRESENT: The Mayor (Councillor Paul Lion), The Deputy Mayor (Councillor Colin Rayner)

Councillors M. Airey, Beer, Bhatti, Bicknell, Bowden, Brimacombe, Bullock, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Hill, Hollingsworth, Hunt, Ilyas, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharp, Sharpe, Shelim, Smith, Story, Stretton, Targowska, Werner, D. Wilson, E. Wilson and Yong

Officers: Mary Severin, Andy Jeffs, Alison Alexander, Karen Shepherd, Chris Anderson and Sean O'Connor

7. APOLOGIES FOR ABSENCE

Councillors N. Airey, Alexander, Bateson, Burbage, Cox, Da Costa, Diment, Gilmore, Hilton, Jones, Lenton, Majeed, Pryer, Richards and Walters submitted apologies for absence.

8. COUNCIL MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meetings held on 24 April and 22 May 2018 be approved.

9. DECLARATIONS OF INTEREST

Councillor Hill stated that, later in the agenda, he would be asking a question in relation to a proposed roundabout near Braywick. He informed Council that he owned property in the town centre, however he had been advised by the Monitoring Officer that as none of his properties were very near the proposed roundabout, that there was nothing to prevent him asking the question.

Councillor C Rayner declared a Disclosable Pecuniary Interest in motion a), as he was trustee of a trust that owned land with riparian rights in the borough. He left the meeting for the duration of the discussion at the voting on this item.

Councillor S Rayner declared a Disclosable Pecuniary Interest in motion a), as her husband was trustee of a trust that owned land with riparian rights in the borough. She left the meeting for the duration of the discussion at the voting on this item.

10. MAYOR'S COMMUNICATIONS

The Mayor had submitted in writing details of engagements that the Mayor and the Deputy Mayor had undertaken since the last meeting, which were noted by Council. The Mayor highlighted that the former Mayor, Councillor Sayonara Luxton, had worked hard on the War Horse Memorial project; he congratulated her on her successful efforts. The Royal Borough had provided funds of £100,000 for maintenance.

11. PUBLIC QUESTIONS

No public questions were received

12. PETITIONS

No petitions were received.

13. CONSTITUTIONAL REVIEW

Members considered a review of the constitution.

Councillor Targowska introduced the report. She explained that, following the Local Government Association (LGA) Peer Review and the Boundary Review, the decision had been taken to review the constitution. As Chairman of the Constitution Sub Committee she had been asked to lead the review. The Constitution Review Working Group had included members of the Constitution Sub Committee, but all Members had been able to attend and put their views forward. Briefing sessions were also held for all Members.

Councillor Beer joined the meeting at 7.35pm.

Councillor Targowska highlighted the main high-level changes proposed to take effect from May 2019:

- The number of panels and forums would be simplified. A number of bodies that were not formal council meetings would be moved out of the constitution. They would continue to be detailed on the borough website be supported by the council.
- The Working Group recommended the number of Overview and Scrutiny Panels should reduce from seven to four, with five members on each Panel. This was in light of the reduction in the number of councillors and the current duplication in effort across panels. The Working Group was of the view that the Panels should set their own agenda and not by default look at each and every Cabinet report. This would allow the panels to focus on key issues and look at policy development to support the Cabinet and Council to deliver its strategic priorities. The working Group had looked at the time and effort by the Panels over the last year and in comparison to other local authorities.
- The roles and duties of Cabinet members would be included; this was a statutory requirement.
- The definition of confidentiality was to be included in the Code of Conduct.
- The Working Group had looked at the complaints process used in other authorities and the LGA Peer Review comments. The borough was the only council in the country without any Member involvement in the process. The remit of the Employment Panel would be extended to allow a sub panel to determine breaches of the Code of Conduct.
- A Partnership Protocol had been developed in light of the major changes to the council in recent years.
- A Social Media Protocol had been developed.

Councillor Targowska explained that two proposals were for immediate implementation:

- Amendments to the Contract Procedure Rules, as recommended by the Senior Management Team, to align with the Public Contracts Regulations 2015.

- Amendments to the terms of reference for the Borough Wide Development Management Panel to clarify which applications the Panel would consider.

Councillor Targowska thanked all the officers involved in the review, including Sean O'Connor, Mary Severin and Karen Shepherd. A huge amount of work had been put in to redraft the constitution and canvass views. Councillor Targowska was aware that a number of the changes were substantive and not all would agree with everything; this was inevitable for a paper of this size. She encouraged Councillors to come forward to her with recommendations following the debate; changes could be made under delegated authority or be brought back to Council for consideration.

Councillor Stretton stated that the NTA was concerned that the Constitution Review Member Group, which was announced at Full Council would complete this work, was not allowed to bring their recommendations to Council. However the Leader and Managing Director agreed that 'minor further work' would be completed by the Constitution Sub Committee of Council. This sub-committee had not met, but further changes, some of significant importance, were being proposed with no discussion with the NTA, or, she understood, the wider Conservative Group.

The LGA Peer Group had also confirmed that they were not asked to provide a peer perspective on the proposals. It was perplexing that such a free resource was not welcomed when the reason for the paper was cited as being instigated by the LGA review in the first place

The paper was set out in two sections, two items for urgent implementation and the major changes proposed to be delayed until next May. Councillor Stretton announced that she would therefore be proposing at the end of her speech that the two distinct matters should be voted on separately, as urgent matters should be able to pass into the constitution immediately and should not be delayed. Whilst she was not entirely happy with the Borough-Wide Development Management Panel section, it was better than the cobbled together version Council voted on last.

There were, however, several concerns on the rest, the major one being scrutiny which was a main concern of the LGA Peer Group, in particular the scrutiny of the council's partnered and outsourced services. Paragraphs 2.5 and 2.6 stated that: 'effective scrutiny is more than scheduling meetings'; and the revised constitution would mean 'the cessation of the automatic reviewing and approval of every report prior to submission to Cabinet.'

The main reason for the problems in scrutiny had been the lack of any training for Scrutiny Panel Chairmen and Members, certainly since she had been elected in 2011, so they did not understand what scrutiny was for. It was not a tick box exercise, but a powerful tool to assist Cabinet members in their work of both formulating policy in the first place and then monitoring how well it was working. Evidence of this lack of understanding had been demonstrated the previous week when Councillor Charles Hollingsworth requested that a Task and Finish Group be set up by the Culture and Communities Overview and Scrutiny Panel to review the leisure centres contract, prior to any decision regarding awarding a new contract for the new Braywick Park Leisure Centre. His request was refused.

The Working Group actually recommended five, not four, scrutiny panels. The NTA also believe that putting Adult's, Children's and Health all into one panel,

when, according to the Leader, the first two alone accounted for 70% of the council's revenue budget was ill-thought through, particularly when social care was such a high agenda item and Children's Services (Education, Children in Care, Social Care, SEND) was such a high responsibility.

However, a main concern was the proposal that amendments to the Constitution should not be implemented until May 2019, after the local elections. Councillor Stretton could not see why these were not being implemented immediately, apart from those directly related to the change in councillor numbers as part of the ongoing Electoral Review, which should not be agreed until after that review had been completed.

The delayed amendments included:

- Roles and Duties of Cabinet. Councillor Stretton asked why would this not be included immediately as it was important that residents, partners, officers and Members all understood the current active roles and responsibilities of individual Cabinet Members.
- Member Code of Conduct and Complaints. Councillor Stretton questioned why this would be delayed and why the Working Group recommendation that, to aid transparency, decisions on Code of Conduct complaints should be reported to Full Council as a 'noting' report had been removed.
- Partnership Protocol . Councillor Stretton commented that given this was a key issue raised by the LGA Peers, and would assist scrutiny in their vital work, this was needed immediately.
- Social Media Protocol. Councillor Stretton asked why members would not be given clarity now, for the pre-election period?

In summary, Councillor Stretton felt that the Member Code of Conduct, Partnership Protocol and Social Media Protocols should be implemented as soon as possible, perhaps after some minor amendments. If the Administration was going to push so many items into year 2019/20, these needed further discussion in a Member-inclusive forum, as was previously announced at Full Council.

Councillor Stretton proposed that the recommendation be split into two votes, item (i) item and (ii). Councillor Hill seconded the motion.

Councillor Dudley stated that he did not accept the amendment; it was not a sensible proposal.

Councillor Hill stated that he felt it was an eminently sensible proposal as the Borough wide DM Panel and the contractual changes were technical issues that would be easy to deal with; the rest required more debate.

Councillor Dudley responded that the proposal by Councillor Stretton would effectively bring in some issues earlier; the purpose was to draw forward more elements. His preference was for all changes to come into effect with a new administration other than the two specified in the report. Councillor Stretton commented that she was not

proposing a long discussion on the bits that might possibly, or not, be brought forward. She was only requesting a vote on the items in recommendation ii.

Councillor Dudley stated that he was clear on the purpose of the motion. Members needed to focus on serving residents, not spending excessive amounts of time discussing the issue. The brand new constitution should come into effect with a new administration in May 2019.

Councillor Hunt commented that Members were very able and willing to serve residents. The borough was known as one of the few councils which actually had active councillors. Her concern was that the proposals had not been looked at properly and she would like them deferred.

Councillor Hill commented that when considering serving residents, it was important to confirm the proposals for the contract rules and the Borough Wide DM Panel as they were easy to agree. However there were a whole raft of other issues of concern; it was a poor show to push them through.

Councillor Dudley commented that all councillors had received a marked –up copy of the constitution detailing changes; all had had a significant period of time to comment. It had been a very transparent process.

Members voted on the proposal by Councillor Stretton to split the recommendations into two votes. The motion fell.

(7 Councillors voted for the motion: Beer, Brimacombe, Bullock, Hill, Hollingsworth, Stretton and Werner. 35 Councillors voted against the motion: Councillor M. Airey, Bhatti, Bicknell, Bowden, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Hunt, Ilyas, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharp, Sharpe, Shelim, Smith, Story, Targowska, D. Wilson, E. Wilson and Yong)

Councillor Sharma commented that the council promoted vibrant local democracy and encouraged active participation by residents in the decision making process. Abraham Lincoln had said 'No man is good enough to govern another man without that other's consent'. He was very disappointed with the proposed Constitution review for the following reasons:

- The reduction in the number of Overview and Scrutiny Panels and meeting only four times in a year.
- Members could not sit on more than two Overview and Scrutiny Panels
- A Member could hold the position of Chairman or Vice Chairman of one Panel only.
- In relation to co-optees he felt that a co-optee from an ethnic minority should be included.
- Ward councillors' time to address Full Council on any issues had been reduce from five each to up to five minutes only, he felt this was unfair.
- His ward resident could not ask a supplementary question, which he felt was and attack on freedom of expression.

Councillor Sharma believed the proposals were taking away some opportunity to express opinions by reducing time and more scrutiny was needed, not less, therefore he would be voting against the revised constitution.

Councillor Brimacombe commented that a fair and democratic process had been followed to navigate the difficult subject of constitution reform. All Councillors were consulted and given plenty of time to contribute. His personal experience was that his written submission was dealt with respectfully and some points were accepted and others were declined but with an explanation. He had been very content with that. He had then attended an open meeting where the conclusions were presented and by all accepting some reasonable compromises they were agreed. He therefore sympathised with Councillor Targowska that her process was hijacked at the proverbial 'five minutes to midnight' due to the agenda of some parties who had chosen not to disclose their hand during the open process. Such actions look liked a shallow abuse of process and power.

He wished to see the adoption of the document that emerged from the original process, intact, and he did not see any point in delaying implementation. He would not be supporting the proposal.

Councillor Hill commented that the LGA had described the current constitution as not fit for purpose. The creation of the Task and Finish Group had given hope for democracy and freedom of speech. However, the result has been watered down and the document was still not fit for purpose.. The council was drifting into an autocratic style with extreme patronage held by the leadership. He had three main concerns. The number of signatories required for a petition to be debated at Full Council was proposed to increase from 1000 to 1500. This limited resident access to democratic representation. The number of signatories for a no confidence vote had been increased from five to ten when the opposition numbered nine and the overall number of councillors would be reduced. The Maidenhead Advertiser had been removed from council buildings in an attempt to curtail the free press. The real losers were democracy, free speech and above all residents. He proposed that the recommendation be amended so that the number of petition signatories for a debate at Full Council remained at 1000 and the number of signatories for a no confidence vote remained at five. Councillor Stretton seconded the motion.

Councillor Dudley commented that the proposals would reduce the patronage of the leadership as the Executive would reduce to 10. He highlighted that the Maidenhead Advertiser was available in council libraries. He did not accept the amendments proposed, the recommendations should be taken in their entirety. In relation to supplementary questions he felt they were unnecessary; if a Member wished to ask a question they should do so.

Councillor D Evans stated that he opposed the amendment. The proposals were democracy in action.

Councillor Werner commented that he could not understand why the petition signatories figure had been increased to 1500 as the council was not receiving a lot of silly petitions. If it was not broken, he did not feel it should be fixed.

Councillor Rankin commented that although he may agree with some of the changes proposed, he did not feel it was appropriate to open up every clause and draft the constitution by committee.

Councillor Targowska commented that officers had spent time looking at other authorities' petition schemes including the other Berkshire authorities; all had higher thresholds. Any petition with more than 25 signatures would be accepted by the council but it would go to the appropriate forum which was not necessarily Full Council.

Councillor Saunders commented that if a group of residents felt strongly about a particular issue they could go to one Member and ask them to put a motion on the agenda for debate. The conspiracy of autocracy that was being suggested was nonsense. It was perfectly reasonable to increase the threshold for signatures.

Councillor Werner commented that the process of putting a petition to Council led to a more intelligent debate than a motion from one councillor as officers provide technical advice. Councillor Stretton commented that some councillors had lower petition thresholds.

Members voted on the proposal by Councillor Hill to amend the recommendation to retain the threshold for a petition for debate at full council at 1000 signatories and the threshold for a no confidence vote to remain at five. The motion fell.

(7 Councillors voted for the motion: Beer, Brimacombe, Bullock, Hill, Hollingsworth, Stretton and Werner. 35 Councillors voted against the motion: Councillor M. Airey, Bhatti, Bicknell, Bowden, Carroll, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Hunt, Ilyas, Kellaway, Lion, Love, Luxton, McWilliams, Mills, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharma, Sharp, Sharpe, Shelim, Smith, Story, Targowska, D. Wilson, E. Wilson and Yong)

Councillor Werner commented that he felt that the process had been well organised. The Working Group councillors had been able to comment but some comments were ignored and a meeting had later been held between certain people which had come up with new changes that had not been debated at the Working Group. The proposal to move some meetings to outside bodies made sense but the memberships would no longer be politically balanced. He asked how it would be assured that political balance would be carried over.

Councillor Werner highlighted the achievements of the Crime and Disorder Overview and Scrutiny Panel; he commended the Chairmanship of Councillor Sharp. The Panel had a special role in the council as it brought together a number of agencies and he therefore felt it should be retained. There would be elections in May 2019 therefore he suggested it would be more appropriate for the new councillors to decide what the constitution should be and the right course of action. He therefore felt any changes should be pushed back.

Councillor E. Wilson commented that when he spoke to residents in Dedworth they were more interested in the roads and other improvements than the sort of constitution in place. The constitution only hampered professional politicians. The constitution served the Members of Council; the Members did not serve the constitution. He wanted the new council in 2019 to get on with the things that were important to residents, not talking about the 'plumbing' of the council. Councillor E. Wilson raised an issue with the description of 'independent' councillors. There were three key tests

for a description – was it clear, fair and not misleading. He hoped the Lead Member would address this issue as he felt some of the descriptions were misleading.

Councillor M. Airey agreed with Councillor E. Wilson that this was an important piece of work and he congratulated officers and the Lead Member for trying to bring it up to date. It was a live document that could be changed again in future.

Councillor Hill commented that the constitution and councillors served the public, the constitution did not serve members. He had been involved in 'plumbing' all his life in terms of IT infrastructure. People forgot how important the plumbing was until something went wrong. It was therefore important to debate in detail. Residents may not care or understand but Members should. Councillor Hill commented that he was proud to be an Independent Conservative. When he had resigned from the Conservative Group he had not left the Maidenhead Conservative Association.

Councillor Hunt commented that she appreciated the work the officers had put in however Members were accountable to residents. She was concerned about the planning element which made officers responsible for the council. She could not support the proposals as they stood.

Councillor Kellaway commented that when he had first been elected there had been only one Overview and Scrutiny Committee. Councillor Burbage, the former Leader, had increased the number of Panels and their scope in 2007.

Councillor McWilliams commented that one council could not bind the next; the new councillors from 2019 could make further changes.

Councillor Quick stated that she did not want the new councillors coming in May 2019 to have to spend the first few months trying to fill all the positions with significantly less councillors. The proposals would reduce meetings by 17% but councillors were reducing by 27%. She would prefer the new councillors spent time on case work.

Councillor Saunders referred to Article 11 and requested that the issue of consultants being considered employees should be checked in line with Tax and PAYE. He commented that he had looked through the entire document and there were some elements he was not entirely comfortable with however his judgement in the round was that it was a substantial step forward in the right direction. He had heard scandalous allegations that individual Members had hijacked issues. The Working Group had put together a detailed set of changes with good intent. Many of the Opposition had been active participants. It was then critically important for those who had not been involved in the process to review the proposals. It had been quite clear to a substantial majority that the Working Group had been hijacked by a vociferous weaselling group of Members with a back to front set of proposals which were subsequently queried and questioned. Some Members were then commissioned to review the changes and propose a more appropriate set of changes. No hijacking took place, it was for clarity and propriety and the democratic process of the active involvement of the majority of the people in the room. He encouraged his fellow councillors to take the big step forward. There would be issues such as those raised by Councillors Sharma and Hunt but these could be the subject of careful reflection going forward. In conclusion, Members should accept the majority view of those in the room and not a trumped up minority driven alternative.

Councillor Werner requested an apology for the untrue allegations made by Councillor Saunders.

Councillor Dudley commented that he had taken the time to read the entire document. He hoped it would be approved so that it would be in place when the new council came in, based on optimism and a positive message. He sat on national government entities and saw what other local authorities were doing. The scale of ambition at the borough was unprecedented, therefore high quality exceptional people were needed along with a constitution fit for purpose. He thanked officers for their work on the constitution, in particular Sean O'Connor. A document as long as 400 pages would never be perfect; it was not possible to debate a smorgasbord of changes. If a tidying up exercise was needed this would be for the next administration. The savings figure in the report did not take into account the time taken for meetings, refreshments, officer time etc. The proposals represented a significant cost reduction for the council.

Councillor Sharp commented that he had a number of concerns as Chairman of an Overview and Scrutiny Panel. He had not appreciated that the document had been available for all councillors to review for some time and should have raised them earlier. However he did not feel he could sanction a document that was not right; he saw no rush to approve the changes at this point.

Councillor Beer commented that he felt it was absurd that the Crime and Disorder Overview and Scrutiny Panel was to be deleted. It was a diabolical insult to the time and devotion of top level police officers who deserved proper recognition. He also felt that as the borough's economy was based on tourism the deletion of the Tourism Development Forum should not take place. The Cycle Forum was a highly specialised forum with external people contributing experience and knowledge. It supported many of the council priorities such as health and wellbeing and reducing congestion and pollution. Councillor Beer felt the Rural Forum should have the same status as the two Town Forums. SACRE was a mandatory body therefore he did not see how it could be moved. There were a number of niggling points that needed to be tidied up before the revised constitution could be agreed.

Councillor Targowska concluded the debate by highlighting that if the proposals were deferred to the start of the new administration then scheduling would be affected and would have to be changed half way through the year. It would also mean another year of duplicated effort. The proposals for Overview and Scrutiny Panels to be combined would not stop engagement with partners and the community. They would also increase flexibility and allow the Panels to focus on issues of their choice. A number of the forums and panels would be moved to outside bodies. These were often groups the council did not run therefore political balance could not be controlled. There had been a number of comments made about planning; all these could be fed into the Planning Task and finish Group that was currently underway. Councillor Targowska suggested the Constitution Sub Committee could look at the issue of naming of independent councillors. She would look at the issue of consultants under her delegated powers. She encouraged councillors to put forward recommendations for the constitution to her at any time.

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

RESOLVED: That Full Council approves the amendments to the Constitution:

- i) From the first annual meeting of council in 2019/20 to numbers and terms of reference for:
 - a. Sub-committees, forums and panels of Council and Executive, see points 2.4 and Appendix 1.
 - b. Overview and Scrutiny, see points 2.5 and 2.6 and Appendix 1.
 - c. Roles and duties of Cabinet Members, see point 2.7.
 - d. Council Rules of Procedure, see points 2.8.
 - e. Member Code of Conduct and Complaints process, see points 2.9 – 2.10.
 - f. A new Partnership Protocol and Member's Social Media Protocol, see points 2.13 and Appendices 2 and 3.
- ii) From 27 June 2018:
 - a. Changes to Part 8A – Contract Procedure Rules, see points 2.14;
 - b. Changes to Borough Wide Development Management Panel Terms of Reference; see point 2.15.

(27 Councillors voted for the motion: Councillor M. Airey, Bhatti, Bicknell, Bowden, Bullock, Clark, Coppinger, Dudley, D. Evans, L. Evans, Grey, Kellaway, Lion, Love, Luxton, Muir, Quick, Rankin, C. Rayner, S. Rayner, Saunders, Sharpe, Smith, Targowska, D. Wilson, E. Wilson and Yong. 10 Councillors voted against the motion: Beer, Brimacombe, Hill, Hollingsworth, Hunt, Ilyas, Sharma, Sharp, Stretton and Werner. 5 Councillors abstained: Councillors Carroll, McWilliams, Mills, Shelim and Story.)

14. ORDER OF BUSINESS

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

15. MOTION B

Councillor McWilliams introduced his motion. He explained that he had brought the motion following a highly emotional and affecting meeting he had had with two of his residents, Mark and Alison Hollands, in their home at Cox Green. They had told him their story and it had completely broken his heart. He believed that one of the most important jobs for a representative was ensuring that residents' stories were heard in the chamber:

Bryony Hollands was studying Music at the University of Sheffield and was looking to pursue a career in music; she was an accomplished musician playing the French horn, trumpet and piano, as well as performing ballet and in local plays and pantomimes. Whilst during her time at Sheffield University, she also helped provide soup and sandwiches to the homeless and helped decorate a remote village school in India. She was loved by her friends and family and had a bright future ahead of her, bringing her own 'sunny disposition and mischievous humour' as one of her teachers described her, who 'would light up the room'.

Almost three years ago in August, Bryony was walking home when a car mounted the curb and hit Bryony and her boyfriend. Bryony was killed instantly; she was 19. Her boyfriend survived but has been left permanently deaf in one ear. The driver got out of the car and immediately proceeded to try to dispose of a syringe and other drug paraphernalia, delete data from his phone and babbled for 'no police'. It was later found that the driver had taken cocaine and was three times over the drink drive limit.

The driver was promptly arrested and in October 2015 was jailed for causing death by dangerous driving. The maximum sentence available to the judge was 14 years. The judge said that he had to reserve this maximum sentence for cases even more serious than Bryony's, he said he would have sentenced the driver to 12 years had he been found guilty after trial. However, he was sentenced to just 8 years after having pleaded guilty at the earliest possible opportunity.

Councillor McWilliams had recently discovered that an inmate was usually released after serving half of their sentence, which meant the selfish, callous and ultimately stupid individual would serve just four years for killing Bryony. In recent months there had been confusion added to the situation when the Hollands received an email suggesting that the driver would be moved to a low security prison for the final two years of his sentence. He was also being considered for overnight release on temporary licence in August, just 3 years after killing Bryony.

Councillor McWilliams stated that this just did not feel right; it felt wrong for someone to serve more time in prison for fraud than for killing another human being. He questioned how anyone could feel that justice had been served.

Following the shock of such a short sentence, the Hollands became involved in the Brake campaign, fighting for longer sentences. The Hollands had said to their sadness they realised that Bryony's killer had one of the longer sentences for death by dangerous driving.

It became apparent that this sense of injustice was prevalent throughout the UK, where in 2016/17 the police recorded 569 'causing death or serious injury by dangerous driving' offences, which was more than 10 per week. Around them were families, friends and the wider community, the whole area. Finding out that someone had been killed took a toll on everyone whether they knew them or were close to their family.

Mark Hollands had explained about having to let Bryony's housemates know why she would not be coming home. How they had already secured accommodation for the following year and so had a room sitting empty for the entire year; a constant reminder and an upsetting and all too real metaphor for loss. He had also spoken about the moments in which the family found out the news and the days, months and years that had followed that moment. No parent should have to bury their child; it was a loss that was really too great, extensive and all-consuming to fully appreciate. The ripples caused by the single act of stupidity were felt far and wide and across many years, ceaselessly expanding and affecting more people.

Eventually these ripples affected so many people that any government would feel them and so eventually the government issued a consultation, following calls to extend the sentences available and in October 2017, after 70% backed introductions of life sentences, the government said it would bring forward legislation to introduce life sentences for death by dangerous driving. However, since then no legislation had come forward.

By bringing the motion forward he hoped, given the local MP, it would put pressure on the government. He was sure the government's parliamentary draftsman were working

hard on the details. By passing the motion it would help force the government to bring forward the legislation as urgently as possible.

Councillor Dudley commented that he completely supported the motion. As a father of four he could not imagine how one would come to terms with such a tragic event. However, one must try to reduce the likelihood of such pain and suffering for other parents. More significant custodial sentences would perhaps make people more contemplative of whether or not it was wise to take drugs or have extra drinks. If one of his children killed someone else's child he would expect them to serve a lengthy sentence. He would be honoured to sign the letter, which would be copied to the Prime Minister. He would also raise the issue directly with the Prime Minister.

Councillor Smith asked for clarification if the motion was asking for mandatory life sentences or for the permissible tariff to be increased to life. Councillor McWilliams confirmed he would take legal advice before the letter was written to ensure the correct wording was used.

Councillor Carroll highlighted three principles in relation to sentencing:

- Fairness – the point of justice was to provide redress or a balance. When people saw harsher sentences for lesser crimes this undermined confidence in the system.
- Proportionality – judges needed the necessary tools and flexibility
- Prevention – more was needed in terms of education and promotion of the message that such actions were socially unacceptable.

Councillor Werner stated that he was very supportive of the motion. He trusted that Councillor McWilliams would work with the legal team to get the correct wording in the letter.

Councillor Targowska suggested that the letter should also be sent to the Sentence Advisory Council, the body which set guidelines for judges. This could help with an interim solution before primary legislation came through.

It was proposed by Councillor McWilliams, seconded by Councillor Carroll, and:

RESOLVED UNANIMOUSLY: That this Council:

- i) Requests the Leader of the Council to write to the Lord Chancellor and Secretary of State for Justice urging him to find time in this parliamentary session to bring forward legislation to introduce life sentences for those who cause death by dangerous driving, and for careless drivers who kill while under the influence of drink or drugs, as per the government's response to the Ministry of Justice's consultation in October 2017;**
- ii) Recognises the pain and suffering caused by death by dangerous driving or careless driving while under the influence of drink or drugs to family, friends and wider community;**
- iii) Believes that the current sentences for death by dangerous driving and careless driving while under the influence of drink or drugs should be strengthened.**

16. FAMILY FRIENDLY POLICY FOR ELECTED MEMBERS

Members noted that the council's Independent Remuneration Panel (IRP) would be asked to consider family friendly policies as part of the Members' Allowance Scheme.

Councillor Dudley commented that all wished for more women to be involved in the democratic process. Inevitably there were some challenges therefore the intention was to explore opportunities to make the environment more conducive to women. A number of other councils had adopted such policies.

Councillor S Rayner stated that she wholeheartedly supported the motion.

Councillor Werner supported such an important piece of work. All parties needed more women involved. He also welcomed the inclusion of support for dependent carers.

Councillor Bicknell commented that as both he and his partner were councillors it was often difficult to juggle childcare. The council would not be seen in a good light if it did not have a policy.

Councillor M. Airey explained that Councillor N. Airey, as Lead Member for Children's Services, was keen to include adoption parental leave. He believed a new policy was very much needed.

It was proposed by councillor Dudley, seconded by Councillor S Rayner, and:

RESOLVED UNANIMOUSLY: That Council notes the report.

17. MEMBERS' QUESTIONS

a) Councillor Hill asked the following question of Councillor Coppinger, Lead Member for Planning and Health:

Oldfield Ward housing growth is set to spiral from 5,500 to 9,500 dwellings, a 72% increase in 15 years under the Borough Local Plan, more than any other ward. What special provision will be made for Maidenhead Town Centre from the recently published infrastructure analysis funds to avoid gridlock, parking chaos, lack of schooling and doctors etc?

Councillor Coppinger responded that he wished to clarify some points. The question referred to growth 'spiralling'. By Councillor Coppinger's calculations the growth was 4.4% over the period, which included the 2000 dwellings on the golf course. Secondly the question stated that the growth was in Oldfield. Following the report of the Electoral Commission a new ward structure would come in to place, therefore Oldfield would not be growing. Councillor Coppinger questioned whether Councillor Hill's calculations included the dwellings he had recently approved by overturning the officer's recommendation that a site be kept for employment.

The Council had planned growth through the Borough Local Plan process and was required to demonstrate what the infrastructure capacity was currently and then calculate what may be required for the future to 2033. This was all set out in the infrastructure delivery plan (IDP) which was first produced in 2016 and had now been

updated twice, most recently at the end of 2017. It was available on the borough website. The IDP had been produced working with colleagues in highways, education, health and social care and that work continued, it was a live document to be updated continually. Sat alongside was evidence which underpinned the plan and the IDP including the recent transport modelling.

In Maidenhead the Council was also proposing 251 temporary parking places whilst redevelopment takes place which would ensure no net loss. After that development around 1,300 permanent new public parking spaces for use by residents, retail, local businesses and the Elizabeth Line would be provided with further private car parking to support individual development schemes, subject to planning permission. Further detailed transport modelling work was currently underway to ensure that the pinch points and local junction improvement works already committed, along with the missing links project for the station, were not in conflict with future development proposals from the private sector.

Councillor Coppinger stated that this was not about special provision. The development expected was planned development and the IDP responded to it; the planned development would not be able to happen if there was not supporting infrastructure; you could not have one without the other. The Council would continue to pursue funding sources to assist in bringing forward infrastructure in line with development and the capital programme in future years would align to the IDP through an infrastructure investment strategy

Councillor Hill confirmed he did not have supplementary question.

b) Councillor Hill asked the following question of Councillor Bicknell, Lead Member for Highways and Transport:

When Oldfield School was proposed on Braywick Park a roundabout was deemed necessary at the entrance on Braywick Road. Looking at the popular times of use of the existing Leisure Centre it is clear that they coincide with morning and particularly evening traffic peaks. Why is no roundabout being proposed?

Councillor Bicknell referred to the answer he had already given in writing, detailed on page 25 of the agenda.

By way of a supplementary question, Councillor Hill stated that he had read the answer but had found it to be inadequate because there was a clear peak of traffic to the leisure centre between 4.30pm-7.00pm each day, which would coincide with the rush hour. With this volume of traffic it was an accident waiting to happen. The answer was not thorough enough or analysed the traffic enough. He was asking for a second opinion and for that to be published to all Members.

Councillor Bicknell responded that each planning application was considered on its own merits. The Borough Local Plan was supported by the IDP which assessed the road network and identified improvements to be delivered to support the development.

18. MOTIONS ON NOTICE

Councillor Beer introduced his motion. He explained that at a recent Flood Forum the Environment Agency (EA) representative had said that the River Thames Scheme

was hitting problems as many local authorities could not afford to put their share of funding into the pot, this included Surrey County Council. Communities in Surrey had worse, or equally as bad, problems as in Wraysbury and Datchet. The key point was that the water came down from the entire Thames catchment area including tributaries such as the Cherwell. It was unfair and unjust that local authorities who happened to be located on the banks of the lower reaches had to pay enormous sums to safely discharge someone else's water. This was a national problem and a national injustice. The council should lobby the government to fund the scheme at the national level. Floods could be life-ruining; once a property had claimed on flood risk, the insurance companies would no longer offer cover.

Councillor Dudley commented that there had been extensive meetings on the scheme. Central government had been asked to fund the scheme but the Treasury had declined. The council would continue to bang the drum. The Royal Borough had already agreed to contribute £10m to the scheme. Surrey County Council had indicated they would make a significant contribution but there was still a funding gap.

Councillor Grey commented that, as the borough's representative on the Regional Flood and Coastal Committee, he was very close to the scheme. The Committee was working closely with the EA and other partners. The overall cost of the project was £588m. Funding for channels one and two was in place, however funding for the third channel, which would be the one to protect Datchet, Horton, Wraysbury and Old Windsor, was under threat. The government needed to facilitate a way forward.

Councillor Hill stated that he supported the motion. he had himself been flooded; insurance was possible but with a very high excess. Once such a scheme was in place, insurance excesses would reduce. The scheme would be of huge benefit to residents and business in the borough.

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

RESOLVED UNANIMOUSLY: That this Council:

- i) Notes that there is evidence that the progression of the River Thames Scheme is in doubt as several riparian Councils cannot commit to its funding.**
- ii) Urges the Government to fully fund the essential project as it is totally unjustified to burden a few communities to fund the safe disposal of water from such a vast catchment area.**

Motion b had been dealt with earlier in the meeting.

The meeting, which had begun at 7.30pm, had finished at 9.50pm.

CHAIRMAN.....

DATE.....

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MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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MAYOR'S COMMUNICATIONS

Since the last Council meeting the Deputy Mayor and I have carried out the engagements detailed below.

Meetings

- International Partner Towns Committee
- Met with representatives of the mayoral charities for 2018/19 – Royal British Legion and the Royal National Lifeboat Institution
- Samaritans AGM
- Spoore Merry Rixman Foundation
- Pooles and Rings Charities
- Windsor and Maidenhead Youth Counselling AGM
- Windsor and Eton Scouts AGM

Schools/Clubs/Community

- Attended the Year 11 graduation ceremony at Furze Platt Senior School
- Speech Day at Windsor Boys School
- Opened the new branch of Lodge Brothers Funeral Directors in Dedworth, Windsor
- Attended the Moat Garden Party at Windsor Castle in aid of the Alexander Devine Children's Hospice Service
- 25th anniversary gala dinner for the Maidenhead Heritage Centre
- Led the flagraising for Armed Forces Day in Windsor
- Visited the Windsor and Eton Rotary Summer Fayre
- Attended the Lady's Creative Centre International Creative Day activities
- Rotary Maidenhead Thames Mighty Mathemagical competition for Year 2
- Visited Manor Green School, Cox Green, Maidenhead
- Attended the 34th Annual Commissioning Service for Maidenhead Care
- Started the Maidenhead Rotary Inaugural Bikeathon
- Presented chains and charter to "Young Rotary", Windsor Girls School
- Citizenship Ceremony
- Visited Thames Hospice
- Attended the installation of Rev Ainsley Swift as Vicar of Bray
- 35th birthday summer garden party for Dingley's Promise
- Opened the summer fete at All Saints Church, Boyne Hill, Maidenhead
- Attended "civic mass" as part of the 150th anniversary celebrations at St Edward's Church, Windsor
- Participated in the "Work Ready Conference" Windsor Girls School
- Visited Alexander Devine Children's Hospice for a presentation by Konami
- Presented dictionaries at the Year 6 Leavers Assembly at Wessex Primary School, Maidenhead

Concerts/Show

- Riverside Players "A Fete Worse Than Death"
- Musicathon concert, Claires Court Senior Girls School

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Report Title:	Appointment of Independent Person under the Localism Act 2011
Contains Confidential or Exempt Information?	NO – Part 1
Member reporting:	Councillor Targowska Principal Member for HR, Legal and IIT
Meeting and Date:	Council 19 July 2018
Responsible Officer(s):	Alison Alexander – Managing Director Monitoring Officer
Wards affected:	None

REPORT SUMMARY

This report recommends that the Council appoints David Comben to the position of Independent Person under s28(7) of the Localism Act 2011.

1. DETAILS OF RECOMMENDATION

RECOMMENDATION: That Council notes the report and agrees that:

- i) **David Comben be appointed as an Independent Person under s28(7) of the Localism Act 2011, increasing the number of the Council's Independent Persons to two, including Mr. Peter Hills.**
- ii) **That an allowance of £1,000 per annum be paid for this position.**

2. REASONS FOR RECOMMENDATION AND OPTIONS CONSIDERED

- 2.1 A vacancy arose for an Independent Person after the death of Mr. Gary Flather QC in November 2017.
- 2.2 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, Independent Persons now have an additional formal statutory role working together as a Panel in advising the Council prior to any vote on whether to dismiss the Council's Head of Paid Service, Monitoring Officer and Chief Finance Officer, ('Protected Officers'). Under these regulations, the advisory Panel must contain at least two Independent Persons.
- 2.3 In accordance with the provisions of the Localism Act, an advertisement for the Independent Person role was placed on the Council's website in May 2018. Three candidates were interviewed in June 2018 by the Monitoring Officer and Deputy Monitoring Officer who is also Service Lead, Information Governance and Democratic Services.
- 2.4 Following this process it is recommended that Council appoint Mr David Comben as a second Independent Person to the Royal Borough. A short biography of Mr. Comben is attached as Appendix A.

Table 1: Options arising from this report

Options	Comments
To approve the appointment of Mr. David Comben as Independent Person. The recommended option	To comply with the requirements of the Constitution.
Not to approve the appointment of Mr. David Comben as Independent Person. Not the recommended option	This would not comply with the requirements of the Constitution.

3. KEY IMPLICATIONS

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Mr. David Comben appointed as an Independent person	No appointment to the position of Independent Person	Appointed by 20 July 2018	N/A	N/A	20 July 2018

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 Prior to 2018, the Council had an Independent Person who received £1,000 per annum and a Deputy Independent Person who received £500 per annum. It is now proposed to have two equal Independent Persons, each receiving £1,000 per annum, therefore an additional £500 would be required in the budget.

Table 3: Financial Impact of report's recommendations

REVENUE COSTS	2018/19	2019/20	2020/21
Additional total	£500	£0	£0
Reduction	£0	£0	£0
Net Impact	£500	£0	£0

5. LEGAL IMPLICATIONS

- 5.1 The Council is required to appoint Independent Persons under s28(7) of the Localism Act 2011.

6. RISK MANAGEMENT

6.1 Table 4 contains the impact of risk and mitigation.

Table 4: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
Only one Independent Person appointed	Medium	Appointment of a second independent Person	Low

7. POTENTIAL IMPACTS

None.

8. CONSULTATION

N/A

9. TIMETABLE FOR IMPLEMENTATION

9.1 . The full implementation stages are set out in Table 5.

Table 5: Implementation timetable

Date	Details
19 July 2018	Council considers the appointment
20 July 2018	Independent Person in post

10. APPENDICES

Appendix A - Biography of Mr David Comben

11. BACKGROUND DOCUMENTS

N/A

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Targowska	Principal Member for HR, Legal and IT		
Alison Alexander	Managing Director		10/7/18
Rob Stubbs	Section 151 Officer		
Elaine Browne	Head of Law and Governance		11/7/18
Nikki Craig	Head of HR and Corporate Projects		10/7/18
Louisa Dean	Communications		

Name of consultee	Post held	Date sent	Date returned
Russell O'Keefe	Executive Director		
Andy Jeffs	Executive Director		09/07/18
Kevin McDaniel	Director of Children's Services		
Hilary Hall	Deputy Director of Commissioning and Strategy		11/07/18
Louisa Dean	Communications and Marketing Manager		11/07/18
	Other e.g. external		
Report Author: Monitoring Officer, 0118 974 6539			

Appendix 1

Independent Persons Information

Mr. David Comben

David Comben has worked as a Trading Standards officer for 30 years and is now retired. As a chief officer of a County Council he worked closely with elected Members and understands their roles. He was a member of Wokingham Borough Council's Standards Committee from 2004, chairing it from 2009 to 2012 when the Standards regime was disbanded by the Localism Act 2011. He has extensive experience in both investigating allegations and considering reports of investigations.

He is currently an Independent Panel Member for Slough Borough Council, and an Independent Person for Royal Berkshire Fire Authority, Independent person for Reading Borough Council, and Independent Person for Wokingham Borough Council. He has been consulted on numerous occasions by the Monitoring Officers for all these authorities on Code of Conduct matters.

Report Title:	Annual Performance Report 2017/18
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Councillor Dudley, Leader of the Council and Chairman of Cabinet
Meeting and Date:	Council - 19 July 2018
Responsible Officer(s):	Hilary Hall, Deputy Director Strategy & Commissioning
Wards affected:	All

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REPORT SUMMARY

- 1 An overview of the council's performance for the 2017/18 year is summarised in this report, see the Royal Borough of Windsor and Maidenhead Annual Report 2017/18, appendix A. This includes progress against its summary indicators as well as contextual information about its resources, key projects and ambitions for 2018/19.
- 2 17 (68%) of the council's 25 key performance indicators met or exceeded target in 2017/18. Six (24%) were just short of target and two (8% were off target), see table 1 and page 30-33 appendix A.
- 3 In addition, the Royal Borough delivered a range of key projects across the breadth of its services, see point 2.5.

1 DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council notes the report and:

- i) **Notes the progress towards meeting the council's strategic objectives.**
- ii) **Endorses the Annual Report 2017/18, appendix A.**

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

- 2.1 In July 2017, the Council Plan 2017-2021 was approved. The Plan set out the six strategic priorities for delivery over the plan period:
 - Healthy, skilled and independent residents.
 - Safe and vibrant communities.
 - Growing economy, affordable housing.
 - Attractive and well-connected borough.
 - Well-managed resources delivering value for money.
 - An excellent customer experience.
- 2.2 The council's performance management framework was revised to focus on a set of key strategic indicators, moving away from operational indicators, to measure performance against delivery of the six priorities. 25 of these indicators are reported bi-annually to Cabinet, with further quarterly reports on an additional number of operational indicators to the relevant O&S panels.

2.3 The 25 key strategic measures give a top level view of progress. Given the complex and broad nature of the council, the Annual Performance Report draws together contextual information about the council's resources, as well as key projects and other milestones and challenges from the year in order to provide a holistic view of progress towards the six identified priorities. This is common and best practice in local government, providing residents with an accessible document; see the Royal Borough of Windsor and Maidenhead's Annual Report 2017/18, appendix A.

Summary of key indicator performance

2.4 Performance against the 25 strategic performance indicators is set out in Table 1 and in more detail in the new Annual Report 2017/18, Appendix A page 30-33. 17 (68%) of the council's 25 key performance indicators met or exceeded target in 2017/18. Six (24%) were just short of target and two (8% were off target).

Table 1: Performance against strategic priorities

	Green	Amber	Red	Total
Healthy, skilled and independent residents	6	0	1	7
Safe and vibrant communities	2	2	0	4
Growing economy, affordable housing	4	0	0	4
Attractive and well-connected borough	3	1	0	4
An excellent customer experience	1	2	1	4
Well-managed resources delivering value for money	1	1	0	2
Total	17 (68%)	6 (24%)	2 (8%)	25

Key projects

2.5 A number of key activities were progressed in 2017/18, see Appendix A page 15-16 for more detail, in summary they include:

- Delivering Adults' Services and Children's Services differently through Optalis and Achieving for Children, successfully transferring staff and maintaining quality service provision.
- Repairing 4,660 potholes as part of the council's annual highways management programme.
- Appointing a joint venture partner (Countryside) for the four opportunity areas in Maidenhead Town Centre and shortlisting joint venture partners for the Maidenhead Golf Club development site which together will provide in the region of 4,000 new homes.
- Phase 1 of the Maidenhead Waterways.
- Progress in the council's £30 million secondary school expansion programme across the major towns including Charters in Ascot, Windsor Boys' and Girls School and Cox Green, Furze Platt Senior and Newlands' Girls schools in Maidenhead.
- A number of expedited capital projects to prepare for the Royal Wedding in Windsor including four new Variable Messaging Signs to assist visitors with up-to-date information as well as street-scene improvements and resurfacing along the carriage route.
- Submitting the Borough Local Plan for inspection.

Ambitions for 2018/19

2.6 As part of the council's overall planning and performance cycle, information from the annual report has been used to inform and develop the service plans for the 2018/19 municipal year. This will ensure activity remains focused on the council's priorities and on the areas for continued improvement. These include:

- Delivering a new CCTV system.
- Successfully procuring the new waste contract.
- Refreshing the Joint Strategic Needs Assessment.
- Co-ordinating and delivering a number of neighbourhood planning referendums in support of local decision making.
- Implementing procedures to support residents with the roll out of Universal Credit.

Table 2: Options

Option	Comments
Endorse the Annual Report for review by the Full Council, noting the progress against the six priorities for the Council Plan 2017-21. The recommended option.	A comprehensive Annual Report 2017/18 provides residents and partners with accessible and relevant information on performance to secure continuous improvement and to strengthen quality, efficient, user-focused services for residents.
Continue with the old approach of performance reporting and management. Not the recommended option.	A narrow approach does not sufficiently measure council performance activity to achieve its strategic priorities.

3 KEY IMPLICATIONS

3.1 The key implications of the report are set out in table 3.

Table 3: Key implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
The council is on target to deliver its strategic priorities	Less than 100%	100% of strategic priorities on target	N/A	N/A	31 March 2019

4 FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no financial implications arising from this report, see table 4. Delivery of any mitigating actions in respect of performance or service improvement will be met from existing budgets.

5 LEGAL IMPLICATIONS

5.1 There are no legal implications arising from the report.

6 RISK MANAGEMENT

6.1 The risks and their control actions are set out in table 4.

Table 4: Impact of risk and mitigation

Risks	Uncontrolled Risk	Controls	Controlled Risk
Poor performance management processes in place causing a lack of progress towards achieving the council's strategic aims and objectives.	HIGH	Robust performance management within services and effective and timely reporting.	LOW

7 POTENTIAL IMPACTS

7.1 An Equality Impact Assessment is not required for this report.

8 CONSULTATION

8.1 The report has been considered by six of the Council's Overview and Scrutiny Panels and a number of comments have been incorporated such as the use of a key to assist understanding and other changes to improve accessibility to the information.

9 TIMETABLE FOR IMPLEMENTATION

9.1 Timetable of implementation is at table 5.

Table 5: Implementation timetable

Date	Details
Ongoing	Managing Director and Executive Directors, in conjunction with Lead and Principal Members, continue to manage performance, particularly in relation to those indicators that are off target
30 June 2018	Service Plans confirmed by Heads of Service for delivery
30 November 2018	Mid-year review of progress against Service Plans by Senior Management Team

9.2 Implementation date if not called in: Immediately

10 APPENDICES

10.1 This report is supported by one appendix:

- Appendix A: The Royal Borough of Windsor and Maidenhead's Annual Report 2017/18 – Please note that the appendix is available electronically only.

11 BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- Council Plan and performance management framework, Council 25 July 2017
http://rbwm.moderngov.co.uk/documents/s14958/meetings_170725_council_strategy_full.pdf

12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date issued for comment	Date returned with comments
Cllr Dudley	Leader of the Council	01/06/18	01/06/2018
Alison Alexander	Managing Director	01/06/18	01/06/2018 and 29/6/2018
Russell O'Keefe	Executive Director	01/06/18	
Andy Jeffs	Executive Director	01/06/18	04/04/2018
Rob Stubbs	Section 151 Officer	01/06/18	
Hilary Hall	Deputy Director Strategy and Commissioning	31/05/2018	31/05/2018
Nikki Craig	Head of HR and Corporate Projects	01/06/18	03/04/2018
Louisa Dean	Communications	01/06/18	

REPORT HISTORY

Decision type: Non-key decision	Urgency item? No	To Follow item? N/A
Report Author: Anna Robinson, Strategy and Performance Manager		

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Report Title:	Highway Investment – Additional Funding 2018/19
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Cllr Bicknell, Deputy Leader and Lead Member for Highways & Transport
Meeting and Date:	Council – 19 July 2018
Responsible Officer(s):	Hilary Hall, Deputy Director Strategy & Commissioning
Wards affected:	All



REPORT SUMMARY

1. The council is committed to ensure the borough is attractive and well connected, consequently the approved capital programme for 2018/19 included significant investment, £7,700,000, in highway infrastructure. The detailed works programme covering road resurfacing; bridges; traffic, road safety and cycling schemes was approved by Cabinet on 24 May 2018 Cabinet.
2. This report seeks approval to invest a further £1,700,000 into the Royal Borough’s road network. The additional investment will cover road resurfacing, pot holes and others, see Appendix A. £200,000 of the additional resource will fund a pilot ‘Find and Fix’ scheme. The scheme will increase response times and complete minor repairs which are non-safety defects but aesthetically poor in key high profile areas.

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Council

- i. **Approves an increase to the capital programme 2018/19 by £1,700,000 to deliver the supplementary road resurfacing programme set out in Appendix A and the pilot ‘Find and Fix’ approach.**
- ii. **Delegates authority to the Deputy Director Strategy and Commissioning, in consultation with the Lead Member for Highways & Transport, to agree minor amendments to the approved schemes (within approved budgets) and implement substitute schemes should this become necessary.**

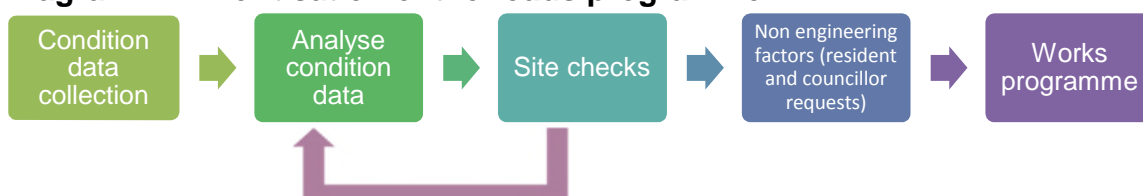
2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 In January 2016, Cabinet endorsed the Highway Maintenance Management Strategy (HMMS) which sets out the Royal Borough’s approach to the investment and prioritisation of spend across the highway network.
- 2.2 Carriageway and footway assets are the most valuable asset that the Royal Borough holds. In 2016/17, the 650km road network was valued at approximately £1.2 billion. Maintenance and improvement are essential in delivering corporate strategic priorities; achieving high levels of customer satisfaction and protecting the community from the risk of injury, loss or damage.

To ensure that funding is invested efficiently and effectively, an asset management approach to road prioritisation has been adopted.

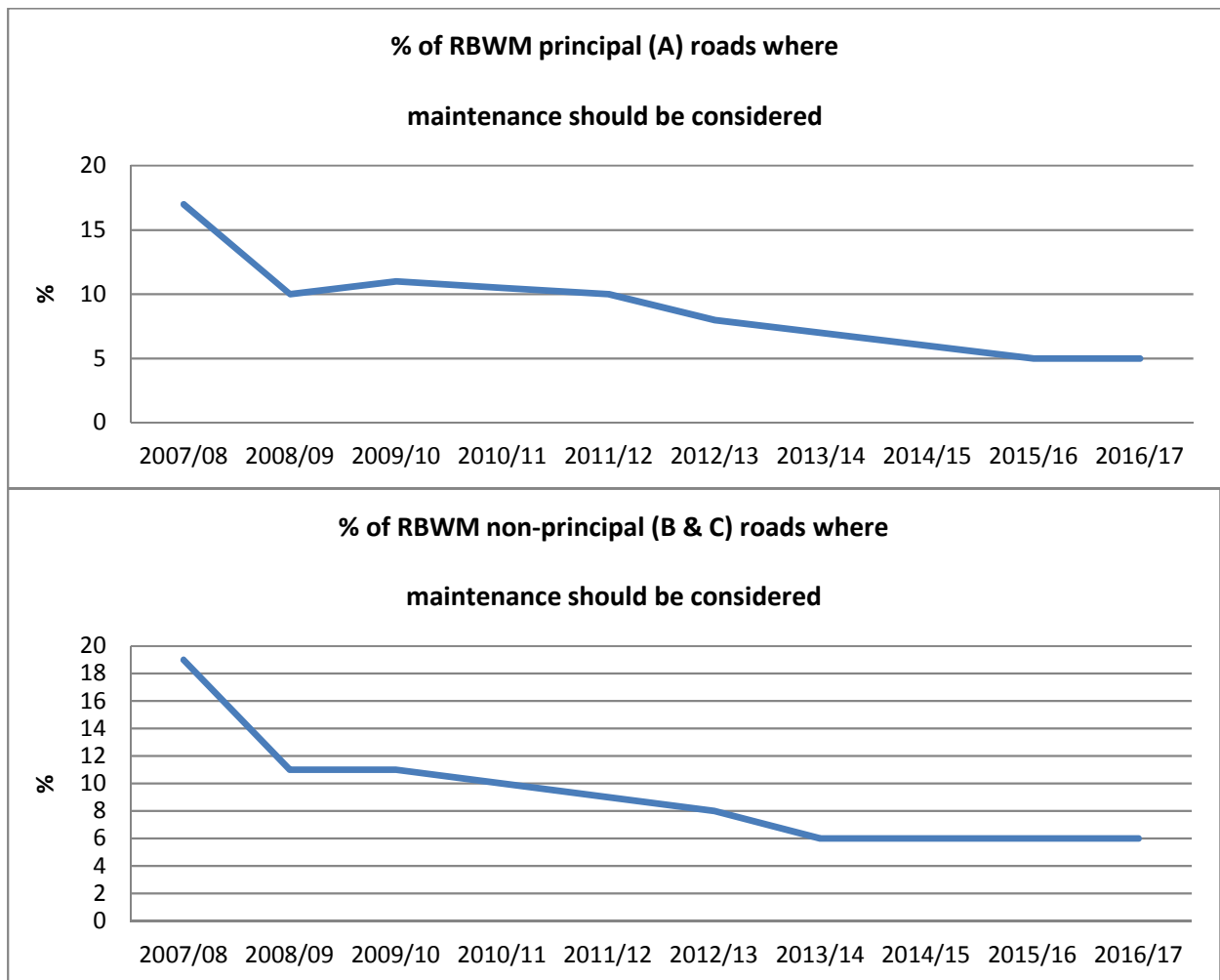
- 2.3 The existing investment plan is assessed and developed annually, with a forward looking indicative programme. This enables forward planning, budget forecasting and co-ordination of works with utility companies and other regeneration schemes to minimise disruption. The prioritisation of the roads programme is set out in diagram 1.

Diagram 1: Prioritisation of the roads programme



Data collection

- 2.4 Data on the roads is developed using vehicle mounted SCRIM and SCANNER surveys, SCRIM relating to skid resistance and SCANNER relating to condition such as profile, rutting and cracking. This technical data informs decisions and prioritisation. Surveys are completed annually on all the borough's A, B and C roads. In addition, ALL streets are subject to at least an annual visual site inspection - frequency is dependent on their category. All safety defects are recorded and actioned. If the road regularly needs attention and is beyond economic level for revenue repairs, the road will be assessed for major patching or resurfacing.
- 2.5 An annual programme, together with a reserve programme is held which is constantly evolving, as roads deteriorate at varying rates. In addition to technical assessments, non-engineering factors such as location of schools or hospitals are considered, together with requests from Members; Parish Councils; residents; business and visitors.
- 2.6 Approved levels of investment and delivery of the programme approved by Cabinet enables a broadly steady state condition for the A, B and C networks to be maintained. However, the unclassified road network (estate roads) have shown a deterioration over the last few years.



2.7 Additional investment, as recommended in this report, will enable roads on the reserve list to be treated, together with residential streets which have been a lower priority while the focus have been improving the condition of the primary road network. The additional investment is likely to show a rapid improvement in the condition of our residential, estate roads.

“Find and Fix”

2.8 In addition to delivering a supplementary resurfacing programme, the viability of improving responsiveness and quality has also been explored by providing dedicated resources to deliver an enhanced service within key areas.

2.9 A ‘fix and find’ pilot is recommended to reduce response times and complete minor repairs which are non-safety defects but aesthetically poor in high profile areas. The recommended six to nine month ‘pilot’ will include:

- Minor non urgent defect work.
- Completing any ‘find and fix’ within 10 working days, accelerated from the maximum three month timeframe currently set in the contract. This is dependent on road space and traffic management required.
- Undertake fixes on issues without the need for inspection or instruction, over and above contract conditions, such as:
 - Graffiti removal.
 - Sign fixing and cleaning.
 - Post repairs.
 - Non urgent potholes.
 - Highway vegetation removal.
 - Sweeping and siding out.

- Removal of fly posters.
- Clear gullies and other drainage.
- Iron work repairs.
- Kerb and footway repairs.
- Barrier repair.
- Remove waste/fly tip/empty bins.
- Report defects with other assets e.g. electrical, road markings.

2.10 The new 'find and fix' scheme will provide a responsive contact point for our Contact Centre; Members; Parish Councils and internal officers.

Customer satisfaction

2.11 In parallel with technical factors, it is critical to understand customer perceptions and satisfaction to deliver a high quality service. In addition to our residents' survey, the Royal Borough has participated in the annual National Highways and Transport (NHT) Benchmarking Survey, since 2013. 113 local authorities participate and detailed questions are asked of 3300 residents. This allows highways authorities to measure and compare service performance on a common and consistent basis and to learn from one another by sharing good and innovative practice.

Summary, and comparative details of our performance for 2017 against comparators referenced in our Asset Management Plan are set out in table 1. This indicates that the Royal Borough performs very well compared to other local authorities, ranked 8th out of 113 authorities.

Table 1: Summary and comparative performance 2017

	% overall Satisfaction to highway maintenance	Rank of a total of 113 Authorities
RBWM	57	8
Reading	53	54
Bracknell	61	3
Slough	No information available	No information available.
West Berkshire	55	34
Bucks CC	49	104
Surrey CC	52	68
Wokingham	55	33

Table 2: Options

Option	Comments
1. Approve the additional funding of £1,700,000; deliver the roads programme set out in Appendix A and pilot the 'find and fix' approach. The recommended option	This will enable timely delivery and directly benefit residents, businesses and visitors by maintaining and improving highway and transport infrastructure, which in turn improves facilities for pedestrians, cyclists and motorists. The recommended programme and trial responds to resident and Member requests.
2. Approve the additional funding but not progress the 'fix and find' pilot scheme.	The 'find and fix' trial will positively improve response times; enhancing quality and addressing non-safety defects
4. Do not approve any programme for implementation	The programmes and solutions proposed have been tailored to resident/member requests and feedback. The programme has taken into account technical assessments as well as non-engineering factors.

3. KEY IMPLICATIONS

3.1 The key implications are set out in table 3.

Table 3: Key implications

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Delivery of additional resurfacing schemes	Below 90%	90-93%	93-95%	Greater than 95%	31 March 2019

4. FINANCIAL DETAILS / VALUE MONEY**Financial impact on the budget**

4.1 Council is recommended to increase the approved capital programme by £1,700,000, see table 4. Planned capital investment over a longer-term period will impact positively on revenue expenditure. In order to fund the recommended supplementary roads programme, borrowing will be required. The annual borrowing costs are estimated at £110,500. The length of borrowing required will depend on the timing of receipt of capital assets from regeneration activities in the borough.

Table 4: Financial Impact of report's recommendations

REVENUE COSTS	2018/19	2019/20	2020/21
Additional total	£110,500	£110,500	£110,500
Reduction	£0	£0	£0
Net Impact	£110,500	£110,500	£110,500

CAPITAL COSTS	2018/19	2019/20	2020/21
Additional total	£1,700,000	£0	£0
Reduction	£0	£0	£0

Net Impact	£1,700,000	£0	£0
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5. LEGAL IMPLICATIONS

- 5.1 The council has a duty under the Highways Act 1980 to maintain the roads in good order. This duty covers all roads which the council is obliged to maintain, including public rights of way.
- 5.4 Additionally, the recommended programme effectively manages risk which seeks to reduce the likelihood of insurance claims.

6. RISK MANAGEMENT

Table 5: Impact of risk and mitigation

Risks	Uncontrolled Risk	Controls	Controlled Risk
Funds are allocated to work that cannot be completed.	Medium	The proposed programme has been subject to rigorous inspection and prioritisation including indicative programmes for future years.	Low
Funding is insufficient to deliver the approved programme	Medium	Budget estimates prepared; contractor rates confirmed; fixed prices secured where possible and robust financial governance in place.	Low
Delays in delivering works programme	Medium	Achievable programme recommended with indicative programme for future years should individual schemes be undeliverable.	Low
Inclement weather delays programme delivery	Medium	Recommended that our contractor undertakes weather sensitive elements during the summer / autumn 2018.	Low

7 POTENTIAL IMPACTS

- 7.1 None.

8. CONSULTATION

- 8.1 The recommended programme is based on feedback from residents, Ward Councillors, Parish Councils and the travelling public, as well as technical assessments. In addition, the core programme is based on the previously assessed and approved 'Reserve' programme

- 8.2 This report will be considered by the Highways, Transport and Environment Overview & Scrutiny Panel in advance of Cabinet. Comments will be published for consideration.

9. TIMETABLE FOR IMPLEMENTATION

Table 6: Implementation timetable

Date	Details
September – December 2018	Delivery of additional roads programme (Note: resources will be secured to extend the current resurfacing programme which commences in July 2018 beyond the planned completion date of September 2018 to deliver this additional programme)

10. APPENDICES

- 10.1 The appendices to the report are as follows:
- Appendix A – additional roads programme 2018-19.

11. BACKGROUND INFORMATION

- Council 21/02/18 - Budget 2018/19 [budget book 2018-19](#)
- Approved highways capital programme. [Highway investment report 2018-19](#)
- [HMMS –](#) Highway maintenance management strategy.

12. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Bicknell	Deputy Leader and Lead Member for Highways & Transport	28/06/18	02/07/18	Approved
Alison Alexander	Managing Director	26/06/18	26/06/18 and 29/06/18	Comments included
Andy Jeffs	Executive Director	28/06/18		
Russell O'Keefe	Executive Director	28/06/18		
Rob Stubbs	Section 151 Officer	28/06/18	02/07/18	Borrowing costs confirmed
Nikki Craig	Head of HR and Corporate Projects	28/06/18	29/06/18	No comments

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Elaine Browne	Head of Law and Governance	26/06/18	29/06/18	No comments
Louisa Dean	Communications	26/06/18	29/06/18	No comments

REPORT HISTORY

Decision type: Key decision. Date added to forward plan:	Urgency item? No	To Follow item? No
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Full name of report author	Job title	Full contact no:
Ben Smith	Head of Commissioning – Communities	01628 796147

(Appendix A)
Supplementary Roads Programme (not in priority order)

Road Category	Road Name	Ward	Extents of Scheme	Total Cost Estimate
A	A308 Straight Rd / Datchet Rd Roundabout	Old Windsor	Full length of roundabout	£259,000.00
C	Altwood Road	Boyn Hill	j/w Haddon Road & Boyn Valley Road	£29,000.00
B	B470 Majors Farm Rd	Datchet	Ditton Road to Borough Boundary	£58,000.00
D	Baileys Lane	Hurley & Walthams	Full Length	£25,000.00
D	Park Lane	Horton & Wraysbury	Full Length	£6,000.00
C	Dean Lane	Bisham & Cookham	Kings Lane to Warners Hill	£61,000.00
C	Moneyrow Green	Bray	Forest Green Road to 804m	£38,000.00
D	Westbrook	Bray	Full length + Tithe Barn Drive no's 103-117	£21,000.00
D	Belmont Road	Belmont	Belmont Park Avenue to College Avenue	£51,000.00
C	Terrys Lane	Bisham & Cookham	The Pound to Linnets	£24,000.00
D	Highfield Lane	Cox Green	Wessex Way to Cox Green Lane	£104,000.00
D	Cannon Court Road	Furze Platt	The Chase to Switchback Road South	£35,000.00
C	Marlow Road, Bisham	Bisham & Cookham	A404 roundabout north for 183m	£48,000.00
A	A330 Winkfield Road	Ascot & Cheapside	High Street to New Mile Road	£48,000.00
D	Farmers Way	Cox Green	Full length	£50,000.00
D	Bisley Drive/Lowbrook Drive	Cox Green	Full length(s)	£80,000.00
A	A308 Windsor Road (section 1)	Bray	From Little Paddock to Phoenix Gym	£48,000.00
A	A308 Windsor Road (section 2)	Bray	From Lamp Column No. 118 to entrance of Oakley Court Hotel	£84,000.00
A	A308 Braywick Road	Oldfield	Bell Street to Stafferton Way Roundabout (east side of carriageway only)	£48,000.00
D	Spring Close	Furze Platt	Full length	£7,000.00
A	A308 Furze Platt Rd	Furze Platt & Pinkneys	Pinkneys Drive north to Golden Ball Lane	£46,000.00
C	Fifield Road	Bray	From Oakwood lodge to Ashbury (158m)	£31,000.00
C	Ditton Park Road	Datchet	Riding Court Road north to Borough boundary	£17,000.00
D	Winter Hill Road	Bisham & Cookham	Dean Lane north for approx. 50 metres	£6,000.00
D	Maple Close	Boyn Hill	Full length	£8,000.00
D	Michel Close	Boyn Hill	Full length	£9,000.00
D	East Road	Boyn Hill	Sections	£7,000.00
D	Gallys road	Clewer North	Dedworth Road to Marbeck Cl	£73,000.00
D	Hatch Lane	Clewer East	Dedworth Rd to Carter Close	£30,000.00
D	Bridge Avenue	Oldfield	from j/w High Street south for 110m	£21,000.00
D	Briar Dene	Furze Platt	Number 7 to 34	£13,000.00
U	St. Andrews Close	Old Windsor	Full length	£29,000.00
D	Malt House Close	Old Windsor	Full length	£29,000.00
D	Hills Lane / Spring Lane	Bisham & Cookham	Dean Lane to Long Lane (sections)	£15,000.00
D	Haddon Road	Boyn Hill	Sections	£10,000.00
D	South Road	Boyn Hill	Sections	£7,000.00
D	Raymead Road	Riverside	Sections	£25,000.00
				£1,500,000.00
Find and Fix (pilot scheme)	Borough wide			£200,000
				£1,700,000

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Report Title:	Vicus Way Car Park
Contains Confidential or Exempt Information?	YES: Appendix B and C Part II. Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
Member reporting:	Councillor Evans Lead Member for Maidenhead Regeneration and Maidenhead.
Meeting and Date:	Council 19 July 2018
Responsible Officer(s):	Russell O'Keefe, Executive Director
Wards affected:	All Wards

REPORT SUMMARY

- 1 The report seeks approval for the construction of a new car park at Vicus Way, Maidenhead, creating 513 permanent car parking spaces for the use by local business, residents and commuters.
- 2 The construction of Vicus Way Car Park, will improve public parking provision in the town centre during and after the redevelopment of Broadway Car Park.

1 DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council notes the report and approves :

- i) The development of a permanent multi storey car park at Vicus Way.
- ii) Approves an additional capital budget of £3,687,249.

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

- 2.1 The regeneration of Maidenhead will improve economic vitality, housing provision, connectivity and the Borough status as a major tourism destination.
- 2.2 The redevelopment of four Council owned sites, for mixed use, residential, retail and commercial as part of the regeneration of Maidenhead results in the removal of some existing surface town centre public car parking provision.
- 2.3 The Council's parking plan will ensure there is no overall loss of parking provision during the regeneration process and that once the regeneration is completed a significant increase in public parking exists.
- 2.4 On the 26 September 2017 Council agreed a budget of £12,344,600 for the construction of new temporary and permanent parking provision across the Borough in line with the emerging parking plan. Delegated authority was provided to the executive director and lead member to finalise the parking plan and carry out procurement for temporary and permanent parking provision. During the period September 17 to date several options and locations have

been explored for the provision of car parking. Including exploration on provision of additional permanent car parking, and reduction of the expenditure on temporary car parking, which does not deliver value for money.

- 2.5 Three locations have been confirmed for the provision of temporary car parking:
- Clyde House warehouse -Reform Road - 60 spaces
 - Ten pin bowling site – St Clouds Way - 100 spaces
 - The landing site – Queen Street- 80 spaces
- 2.6 Vicus Way, known as 1&2 Stafferton Way, is a Council owned site. Vacant possession of the site recently has provided an opportunity for the provision of temporary car parking for council employees, and for longer term permanent parking.
- 2.7 Vicus Way, does have the ability to offer a potential site for mixed use retail and residential. However, due to the recently constructed ‘Loftings’ site next door, and the volume of planned redevelopment within the town centre, it has been determined that the location of this site close to the station is better suited to provision of permanent car parking. Initial feasibilities were carried out that confirmed that this use class would be appropriate.
- 2.8 The option for permanent car parking provision at Vicus Way, means the Council can significantly reduce its planned expenditure on temporary parking, which provides poor value for money, and instead invest capital in a permanent public parking solution for the long term benefit of residents, visitors, commuters and businesses, in addition to delivering a financial return to the Council.
- 2.9 The project would replace the proposal to add an additional deck of parking at Stafferton Way car park. The Council subsequently received Local Enterprise Partnership (LEP) funding to support the expansion of Stafferton Way car park. The LEP funding will be utilised towards the build cost of the car park at Vicus Way, providing a better value for money option.
- 2.10 The project delivers on the Council’s plan to maintain parking capacity during the regeneration of the Town as the temporary parking and new permanent Vicus Way Car Park would be completed and open prior to the planned redevelopment of Broadway Car park commencing.
- 2.11 In addition to the temporary parking outlined in paragraph 2.5 and Vicus Way car park project, £1,248,000 has been set aside from the original parking budget for work on additional permanent parking at River Street Windsor and £250,000 to bring forward surface public parking provision early as part of the new Braywick Leisure Centre. This means the original £12,344,600 capital budget for parking would be allocated as set out in the table below:

Table 1: Allocation of original capital budget for parking

	Schemes	Spaces	Amount
1	Temporary Surface Parking	240	£2,846,600
2	Braywick Leisure Centre	250	£250,000
3	Vicus Way Car Park	513	£8,000,000
4	River Street Car Park	145	£1,248,000

Totals	1148	£12,344,600
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2.12 The Council will also explore with the Local Pensions Partnership (LPP) the potential for a joint venture for the funding of this scheme and the planned Broadway Car Park redevelopment.

Table 2: Options

Option 1	Comments
Proceed with the delivery of a Multi-Storey split deck car park at Vicus Way, providing 513 permanent car parking spaces. Recommended	This maintains parking capacity during redevelopment of town centre regeneration sites and improved public parking provision for the long term.
Option 2	
Retain site for future redevelopment opportunities, which could include mix use, retail and residential. Not recommended	With the planned regeneration of the Town arrival of Crossrail, it is essential that we can deliver permanent car parking provision to meet current and future need and demand.

3 KEY IMPLICATIONS

- 3.1 The provision of permanent car parking at Vicus Way will increase permanent parking provision for commuters, local businesses and residents by 513 spaces.
- 3.2 The provision of Vicus Way, will ensure that during the redevelopment and regeneration of key town centre council owned sites including Broadway Car Park, parking capacity will never reduce for users below the current levels.

Table 3: Key implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Planning Submission	2 months after date of delivery	Date of Delivery	1 month before date of delivery	2 months before date of delivery	June 2018
Planning Decision	2 months after date of delivery	Date of Delivery	1 month before date of delivery	2 months before date of delivery	September 2018
Vacant Possession of Site	2 months after date of delivery	Date of Delivery	1 month before date of delivery	2 months before date of delivery	September 2018
Start on Site	2 months after date of delivery	Date of Delivery	1 month before date of delivery	2 months before date of delivery	October 2018
Practical Completion of	2 months after	Date of Delivery	1 month before	2 months before date	December 2019

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Project	date of delivery		date of delivery	of delivery	
Handover to Parking Team	2 months after date of delivery	Date of Delivery	1 month before date of delivery	2 months before date of delivery	January 2020
Demolition of Broadway Car Park.	2 months after date of delivery	Date of Delivery	1 month before date of delivery	2 months before date of delivery	January 2020

4 FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The cost of the project is £13,207,249. The project costs have been 75% market tested through the SCAPE Framework, with Balfour Beatty. An investment case showing a positive Net Present Value (NPV) is included at Appendix B.
- 4.2 The project will be funded through utilisation of £8,000,000 of the car parking budget; £1,520,000 of LEP funding and the additional capital award of £3,687,249 from the Council's capital programme.

Table 4: Financial impact of report's recommendations

REVENUE	2018/19	2019/2020	2020/2021
Addition	£0	£0	0
Reduction	£0	£0	£615,600
Net impact	£0	£0	£0

CAPITAL			
Addition	£0	£3,687,249	£0
Reduction	0	0	£0
Net impact	£0	£0	£0

5 LEGAL IMPLICATIONS

- 5.1 The Council are the freeholder of this site, and the site is currently being used for the provision of temporary surface car parking for staff. The Council has the power to allocate capital spend, and deliver projects its own land, for the benefit of providing infrastructure requirements for the Borough.

6 RISK MANAGEMENT

- 6.1 Please see attached at appendix D, a full risk register for this project.

Risks	Uncontrolled Risk	Controls	Controlled Risk
The contractors do not have the necessary skills to progress the project	High	Robust specification and procurement process	Low
The projects exceed the cost envelope or planned timescales	High	Effective development management processes	Low

7 POTENTIAL IMPACTS

- 7.1 It is essential that Vicus Way Car Park is delivered before Broadway Car Park, can be demolished, and re-provided, in order to maintain parking provision numbers.

8 CONSULTATION

- 8.1 The proposal has been discussed with local stakeholders through the Partnership for the Rejuvenation of Maidenhead (PROM).
- 8.2 The report will be considered by the Overview and Scrutiny Panel, comments will be reported to Cabinet.
- 8.3 Additional consultation is planned with local residents and businesses as part of the planning process.

9 TIMETABLE FOR IMPLEMENTATION

- 9.1 The following table gives the planned programme for the delivery of this project, which is subject to planning, further site due diligence and investigation.

Table 5: Implementation timetable

Date	Details
June 2018	Submit Planning Application
September 2018	Resolution to Grant Planning
October 2018	Start on site
December 2019	Practical Completion
January 2020	Handover of project to Council's Parking Services

- 9.2 Implementation date if not called in: Immediately

10 APPENDICES

- 10.1 The Appendices that support this report are:
- Project Brief – Appendix A
 - Investment Case – Appendix B – Part II – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
 - Budget Analysis – Appendix C – Part II – Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
 - Project Risk Register – Appendix D

- Project Governance Arrangements – Appendix E

11 BACKGROUND DOCUMENTS

12.1 None

12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr Evans	Lead Member	29/5/18	
Alison Alexander	Managing Director	29/5/18	30/05/18
Russell O'Keefe	Executive Director	29/5/18	
Andy Jeffs	Executive Director	29/5/18	
Rob Stubbs	Section 151 Officer	29/5/18	30/05/18
Nikki Craig	Head of HR and Corporate Projects	29/5/18	30/05/18
Louisa Dean	Communications and Marketing Manager	29/5/18	30/05/18
	Other e.g. external		



Project Brief

RBWM Car Park Regeneration – Vicus Way MSCP



THE ROYAL BOROUGH OF
WINDSOR AND
MAIDENHEAD

Balfour Beatty

Document Status

Rev No	Prepared By	Reviewed By	Approved By	Status	Date
1	Liam O'Donovan (Balfour Beatty)	Farakh Bungish & James Cuckow	Tim Heather	Feasibility Draft	25/04/18
2	Liam O'Donovan (Balfour Beatty)	Farakh Bungish & James Cuckow	Tim Heather	Updated Pre- Construction	27/04/18

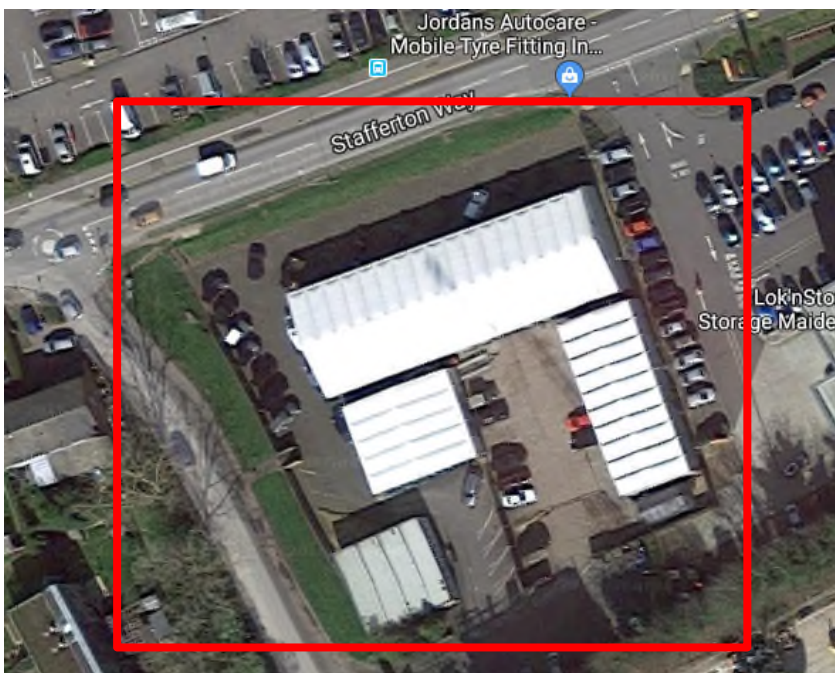
For Client's Approval:
Client's Signature
Date

Scheme Background

The Royal Borough of Windsor and Maidenhead (RBWM) wish to undertake a feasibility study for the potential delivery of additional car parking spaces to support the overall Maidenhead Regeneration Programme.

With the new Broadway Car Park acting as the catalyst for this development, Vicus Way has been identified as an opportunity to provide additional spaces for the Borough during, and also after completion of the Broadway scheme.

Vicus Way Multi-Storey Car Park



Currently a level site on the corner of Stafferton Way and Vicus Way to the south of the town centre. The area shown in red on the plan above shows the site as a storage facility, however this has now been demolished since and the extent of the enabling works is to remove the existing structures in preparation to begin the main works.

Project Brief

Key Requirements:

- c513 Total number of new spaces
- Car parking bay size 2.5x5m
- Proposed as a 4 upper floors in split deck arrangement and ground level surface parking
- Minimum 2.2m clear head height with 3.2m storey height
- 5% target DDA spaces at Ground Floor
- Assumed piled foundations required
- Assumed car park to be traditional construction with steel frame
- Proximity sensors required for deck lighting
- 2nr. lifts required with BT lines to each lift also required
- Entrance / exit barriers required
- Ticket machines to be pay on return with 1nr. required p/core + 1 additional on GF level
- CCTV required to stair cores & decks
- ANPR not required
- 5nr. electric charging points required with requirement for a future 5nr. – charging points to be 7-11k/w 3/4hr charge time
- Sprinkler system not required
- Full fire alarm system required
- Landlord's meter enclosure required
- Anti-graffiti paint required to stair cores
- Cladding required to main car park, allowed for hit & miss, and cladding to cores required
- No suicide protection measures required
- Disabled refuge points required at each level of each core

Programme Requirements

The anticipated programme for the delivery will be;

Feasibility Report submission	23 February 2018 (Actual)
Appointment for Pre-Construction Work	30 April 2018
RIBA Stage 1-3 commence	16 April 2018 – 29 June 2018
Planning Submission / Approval	25 June 2018 – 24 September 2018
Subcontractor Design and Mobilisation	4 September 2018 – 12 November 2018
Onsite works complete by	January 2020 (Approximate)

The forecast project budget is £13,207,249 inclusive of Contractor's pre-construction services, all planning fees, demolition costs, and project contingencies.

Vicous Way Car Park – Risk Register

		Date of Update:			May 2018			Days to End Date		575	
		Provided by:			Shared Building Services			Overall Programme RAG Status			
Ref:	Programme Area	Likelihood 1 = Rare 2 = Unlikely 3 = Possible 4 = Likely 5 = Very Likely	Impact 1 = Insignificant 2 = Minor 3 = Moderate 4 = Major 5 = Catastrophic	Risk	Sub Risks	Controls Currently in Place	Assurance External or Internal	Quarterly Update	Improvements to be made	Lead	
Legals											
L01	Ownership & Title (MSCP)	3	3	9	- Satisfactory Title	- Report On Title Completed (SLS)	- Most title issues should be able to be resolved, but could add to costs.	- Revie of costs added to project contingency.	-	RL	
L02	Right of Way (Adjoining Property)	3	3	9	- Satisfactory Title during Construction and Post-Construction Phases	- Report on Title Completed (SLS) - Make an additional allowance during construction phase	- Discussion with relevant Parties required	- Contingency for costs needs to be clear on any costs associated with provision of right of way during construction	- Check Construction Phase Plan – location of contractors area and access	RL	
L03	Existing users within the land ownership, or development area of MSCP.	3	3	9	- Continuation of provision of adequate parking for RBWM Staff	- Staff parking to be relocated prior to site hand over	- Confirmation of site possession date - to agree	- Working date of Site Possession is 01 October 2018	- Firm up the date	RH/NW	

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Planning										
PO1	Design upto planning stage (RIBA Stage 3)	3	3	9	- Pre-Application imminent	- Discussions with LPA ongoing.	- Professional team to consider LPA comments and solutions.	-	-	RH/AB
PO2	Planning Submission Target Date – June 2018	3	3	9	- Increased bay sizes this will require a reduction in number of spaces.	- Review once design layout is firmed up.	-	- 513 spaces now available as evolving design.	-	RH/AB
PO3	Location & Relationship to neighbouring buildings.	3	3	9	- Effect of height & massing on neighbouring buildings.	-	- Coordinate with LPA	-	- Consultation with Key Stakeholders and local residents.	RH/AB
P04	Proposed Highways Works	3	3	9	- Access and egress to coordinate with the proposed design	- Review once design is firmed up	- Coordinate with LPA	-	-	RH/AB
P05	LPA requirements	3	4	12	- Specific LPA requirements such as FRA and AQA may have an impact on overall cost and	- Review once planning decision is secured	- Coordinate with LPA	-	-	RH/AB

P06	Off site Highways Works	3	4	12	time - Traffic modelling may require some off site Highways improvement which may increase the overall cost	- Review once planning decision is secured	- Coordinate with LPA	-	-	RH/AB
P07	Planning conditions	4	3	12	- Number of conditions and time taken to discharge	- Pre-application meetings with the planning team	-	- Seek to minimise amount of pre commencement conditions.	-	AM/BB
P08	Planning permission denied	2	4	8	- Significant delay to project which will impact other projects in the Borough	- Pre-application meetings with the planning team	-	- Ongoing discussions with planners, currently supportive of concept.	-	AB/AM
P09	20% electrical charging points	5	3	15	- Loss of car parking spaces	- Currently reviewing the option to issue annual permits which may help free up charging bays.	- Client internal coordination	-	-	AM

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Construction										
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CO1	Procurement of Professional Team	2	2	4	- OJEU Compliance required.	- Crown Commercial Services Framework	- Procurement Team Sign off - Shared Legal Services Team sign off.	-	-	RH
CO2	Procurement of Contractor	2	3	6	- OJEU Compliance required.	- SCAPE Framework is available to call off, however, this may be more expensive. - OJEU tender process will push the delivery timescale beyond the RBWM requirement date	- Pre-construction Agreement agreed with Balfour Beatty - Construction Agreement will be agreed in November/December 2018	-	-	RH/AB
CO3	Contract Type	3	3	9	- Selection of the appropriate contract to mitigate cost over-runs is essential	- SCAPE Framework uses NEC Option A (LumpSum) Form of Contract	-	-	-	RH/AB
CO4	Risk of contamination (existing land)	3	4	12	- LQA can not be undertaken until the existing slab is removed	- Establish if the slab can be removed before agreeing the Construction Price	- Target October 2018	-	-	RH/AB

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CO5	Disruption and management of site and impact on existing retail and residents	3	3	9	- Shut downs of local business and noise and dust to neighbours.	- Full construction plan to be developed with stage 3 report and design.	-	-	-	AM/BB
CO6	Asbestos located	3	3	9	- Delays to demolition impact on design.	- Full R&D Survey to be carried out	-	-	-	AM
CO7	Construction Period & Process	3	3	9	- Impact on users and Broadway project	- Programme to be monitored against key milestones	-	-	-	AM/BB
C08	Noise	3	2	6	- Complaints from residence and adjacent businesses	- As part of the design development the contractor will advise noise mitigation measures	-	-	-	BB
C09	Design sign off	2	2	4	- Unavailability of client staff delays sign off	- Schedule of design sign off meetings to be established so client can plan resources	-	-	-	AM
C10	Agreement and sign off of PSA	3	3	9	- If internal sign off is prolonged it could cause extension to programme.	- Project order raised for initial engagement of resources	-	-	-	F+G / BB / AM
C11	Weather	4	3	12	- Contractor risk unless abnormal	- Project Management team to monitor any significant weather events	-	-	-	AM
C12	Ground obstructions	3	3	9	- Obstructions could delay piling which will impact the programme	- Ground penetration radar to be undertaken once ground slab removed	-	-	-	AM / F+G
C13	Utility connections/supplies	3	3	9	- Local supplier may not be adequate for power demand of car park	- Early assessment of demand and early engagement with supplier	-	-	-	AM / F+G
C14	Flooding of site	3	3	9	- Flood risk zone 1 site. Flooding of site will delay works	- Construction to avoid winter months	-	-	-	AM
C15	Unknown Services beneath slab	5	3	15	- Service will need diverting or building over both of which will require agreement from utility providers	- Ground penetration radar to be undertaken once slab removed - Early engagement with utilities provider	-	-	-	BB

C16	Blocked drains	3	3	9	- May require relay of existing drains	- CCTV survey drains during the design phase	-	-	-	AM
C17	Unforeseen ground conditions	3	3	9	- Impact of foundation design which could impact programme and cost	-	- Project Contingency £250k	-	-	AM
C18	Car park displacement	2	2	4	- Existing users of the car park need alternative parking location	- Client currently reviewing potential locations	- Staff car parking can return to Hines Meadow, prior to handover of site.	-	-	AM
C19	Relocating meter housing	3	2	6	- Time taken for utility supplier to move services	- Early engagement with the utilities provider	-	-	-	BB
C20	Right of access	5	3	15	- Temporary site compound needs to be constructed on this road	- Client to engage with tenant to agree temporary use of road as compound	-	-	-	F+G / AM
C21	Services crossing site - build over agreements	5	3	15	- Time taken for utility supplier to agree diversion/build-over agreement	- Early engagement with utility supplier	-	-	-	F+G /AM
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Strategic										
SO1	Stakeholder Engagement	3	3	9	- Poor Communication	- Presentation to be made to: PRoM, Friends of Maidenhead, Maidenhead Town Forum, Maidenhead Developers Forum. - Public Consultation as part of planning application. - Communication with Lead Member & Deputy Lead Member for Regeneration. - Communication with wider Cllrs	- Regular update briefings with PR & Communications Team in Royal Borough. - Regular update at Parking Project Board Meetings.	- Arranged for Presentation to PRoM, 12 th June 2018. - Arranged initial public consultation for 7 th June 2018.	-	RH/S J
SO2	Relocation of Temporary Car Parking	3	4	12	- All users to be relocated by September 2018	-	-	-	-	RH/N W
SO3	Ultimate number of new car parking spaces provided for the retail offer in the Town Centre.	2	3	6	- Assumes G+4, for 500 spaces.	- Professional team appointed to deal with any questions raised by planners.	- Project Brief required 500-520 spaces, LPA requires wider bays and 20% future proofing of EV charging bays	- Design delivery currently 513 spaces.	-	RH/F +G

S04	Client changes	2	3	6	- Client change could impact programme and cost	- Freeze design brief early in the design phase	-	-	-	AM
S05	Change in personnel	2	2	4	- Disruption that could lead to delay	- Early commitment from the contractor through a resource plan	-	-	-	BB
S06	Public relations	4	2	8	- Complaints from residence due to works	- Engagement via residence meeting and contractor to operate under CCS	-	-	-	BB / F+G
S07	Timely response to BB queries/design submissions	2	2	4	- Any delay responding to submissions could impact programme	- Single point of contact to be identified by client to coordinate response from key personnel	-	-	-	F+G / AM
S08	Bird nesting season	4	3	12	- Works on site to commence on site prior to nesting season	- Early advice from specialist to mitigate any impact	-	-	-	AM / BB
S09	Client clarification on MEP requirements	3	3	9	- Timely advice from client to avoid delay	- Early design freeze by client	-	-	-	AM
S10	Daylight and sunlight impact on residents	3	3	9	- Unacceptable impact on residence	- Undertake assessment with a view to minimising impact	-	-	-	AM / F+G
S11	Air quality/acoustic impact on residents	2	2	4	- Potential planning issues	- Assessments to be undertaken which will inform mitigating measures	-	-	-	F+G

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Financial										
FO1	Budget of TSC to stay within £13.8m, in order to achieve appropriate financial returns, and cost effective car parking provision.	3	4	12	<ul style="list-style-type: none"> - Any unknown costs associated with contamination - Any unknown costs associated with re-provision of users - Contingency for build - Funds already committed of £200k to get to RIBA Stage 2 (planning) and £650K (pre-construction) 	<ul style="list-style-type: none"> - Monitor risks and changes 	<ul style="list-style-type: none"> - Faithful & Gould appointed as Quantity Surveyor and Employers Agents. - Project Board to oversee and receive regular updates on financial spend, and commitment. 	-	-	RH/F & G
FO2	Construction cost changes	3	4	12	<ul style="list-style-type: none"> - SCAPE is a 2 stage process so the construction cost will be firmed up in November/December 18 based on the current BB programme, fluctuations in market and material prices remain a risk 	<ul style="list-style-type: none"> - Monitor Construction cost build up 	<ul style="list-style-type: none"> - Faithful & Gould appointed as Quantity Surveyor and Employers Agents. - Project Board to oversee and receive regular updates on financial spend, and commitment. 	-	-	RH/F & G

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					-	-	-	-	-	
					-	-	-	-	-	

Quantum of Risk (May 2018)

Extrem

5. Catastrophic					
4. Major		P08	P05,P06,P07,C04,S02,F01,F02		
3. Moderate		C02,S03,S04	L01,L02,L03,P01,P02,P03,P04,C03,C05,C06,C07,C10,C12,C13,C14,C16,C17,S01,S09,S10	C11,S08	P09,C15,C20,C21
2. Minor		C01,C09,C18,S05,S07,S11	C,08,C19	S06	
1. Insignificant					
<i>Insignificant</i>	1. Rare	2. Unlikely	3. Possible	4. Likely	5. Very Likely

LIKELIHOOD

Significant/Extreme Risks:	
P09	20% Electrical Charging Points - due to the size allocation of bays for this provision, it may not be possible to delivery full compliance without reducing overall car parking spaces.
C15	Unknow Services Beneath Slab - early engagement with utilities, and ground penetration radar to be undertaken - this could increase project costs.
C20	Right of Access - negotiations and consultation with adjoining tenant required.
C21	Build over licences may be required - early engagement with utility suppliers required.

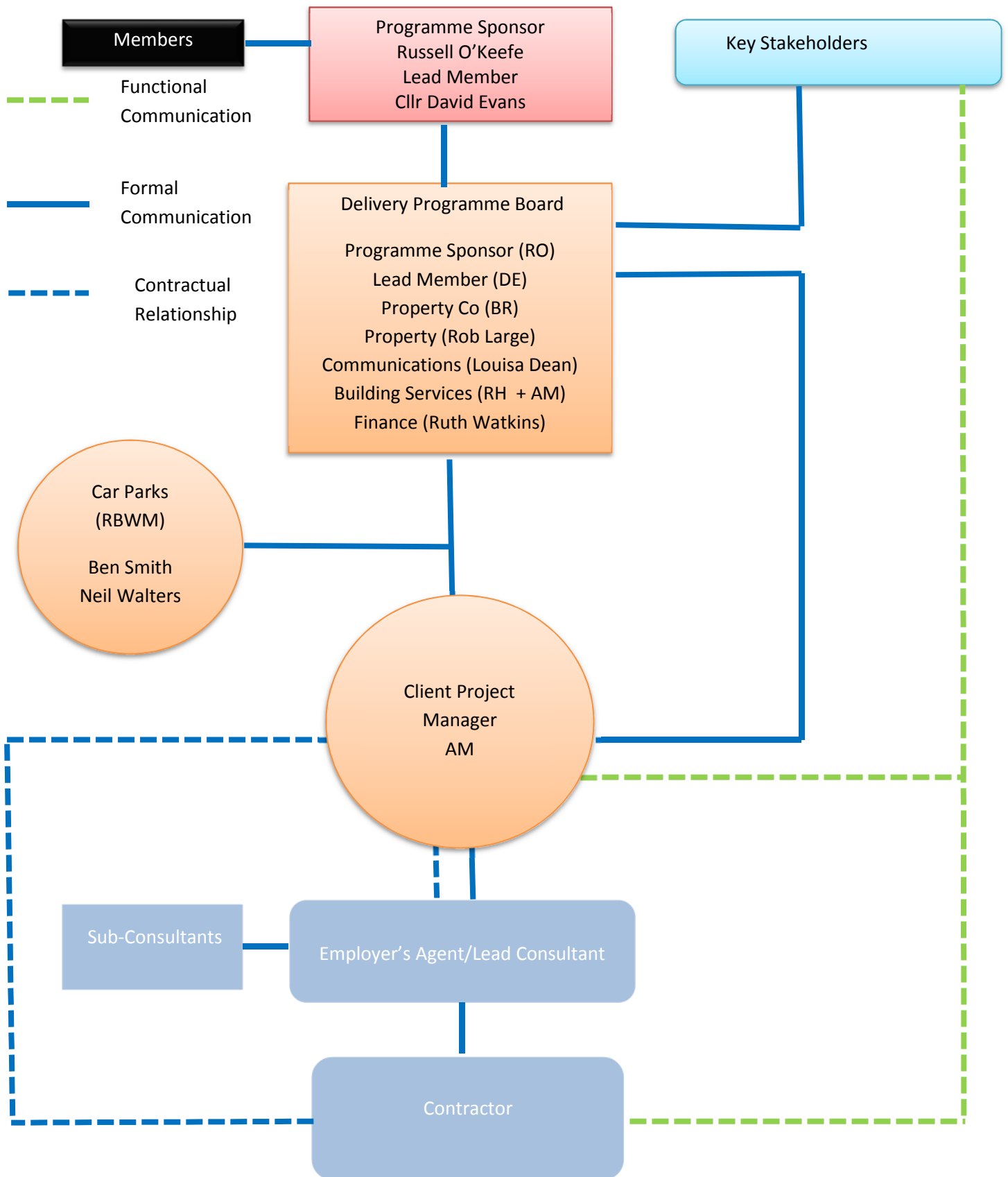
Key to Risk Ref Codes:
Risk ref starts with L = Legal' s Risk ref starts with P = Planning Risk ref starts with C = Construction Risk ref starts with S = Strategic risk Risk ref starts with F = Financial risk

Risk Definitions & Action

1-2 Insignificant	3-6 Low	8-12 Moderate	15-20 Significant	25 Extreme
Control measures are in place. Risk is monitored however considered insignificant to day to day work and the ongoing future of the function	The majority of control measures are in place. Risk subject to regular review and should be reduced as part of directorate long term goals	There is moderate probability of major harm or high probability of minor harm, if control measures are not implemented. Prioritised action plan required with timescales. To be monitored and reviewed six-monthly	Significant probability that major harm will occur if control measures are not implemented. Urgent action is required. Consider stopping procedures. Actions to be monitored until in control. Review monthly	Where appropriate stop all action IMMEDIATELY. Controls to be implemented immediately and monitored until risk score reduced. Review weekly

Vicus Way New MSCP

Governance Arrangements - Communication Lines



Vicus Way New MSCP

Roles

Project Sponsor (Russell O’Keefe), Lead Member (Cllr David Evans)

- Setting strategic vision and direction, ensuring organisational fit
- Releasing required resources
- Ensuring project stability
- Representing Member interests

Commissioning Service RBWM Property Company Ltd (Barbara Richardson)

- Representing Commissioning Service
- Coordinating transformation between existing facilities and proposed facilities
- Ensuring adequacy and sufficiency of deliverables
- Acting as the “business change” manager

Car Parks (Ben Smith/Neil Walters)

- Facilitating project interdependencies with existing provisions
- Sourcing and managing operator provisions
- Facilitating shut down of existing provisions and switch to new provisions

Property (Rob Large)

- Acting as Corporate Landlord
- Dealing with Land/Asset requisition, tenancy, CPO etc.
- Dealing with all aspects of Vacant Possession

Communications (Louisa Dean)

- Acting as the corporate focal point for all external and Member comms
- Leading public consultation events
- Formulate and management of Comms Plan

Building Services (RH/AM)

- Acting as the Delivery Manager, taking instructions from the Board
- Reporting progress, issues and risks to the Board
- Overall risk management
- Managing the key parameters of change, time and cost

Finance (Ruth Watkins)

- Ensuring funding release

Vicus Way New MSCP

- Internal cost monitoring and reporting directly to Board and internal systems

Client Project Manager (AM)

- Undertake the Duties of Client as defined under the CDM 2015 Regulations and ensure obligations of the legislation are met
- Liaison with the key stakeholders and professional team to develop Employer's Requirements and the tender documentation
- Instigate, lead and manage the tendering process for the selection of main Contractor including the OJEU process
- Appoint Contractor ensuring legal and statutory obligations are met
- Lead and manage the delivery process including coordination and liaison with the key stakeholders
- Control the change process
- Ensure reporting mechanisms are met for internal governance including preparing Project Board reports
- Oversee the payment mechanisms for the professional team and the Contractor including ensuring audit requirements are satisfied
- Lead and manage the two key risks of cost and time.
- Accept the completed development once the practical completion certification and other completion documentation is in place.
- Manage the Defects period
- Ensure BIM compliance requirements as required under the current legislations are satisfied

Next steps

1. Form and initiate Project Board
2. Review and Sign off Budget, Delivery Brief and outline programme by the Board
3. Review and Sign off delivery strategy by the Board
4. Stakeholder – mapping and management
5. Continue to proceed with planning submission preparation

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