

CABINET

THURSDAY, 27 SEPTEMBER 2018

PRESENT: Councillors Simon Dudley (Chairman), David Coppinger (Vice-Chairman) Phillip Bicknell, Natasha Airey, MJ Saunders, Samantha Rayner, Ross McWilliams, Stuart Carroll, Lisa Targowska and Jesse Grey.

Principle and Deputy Lead Members also in attendance: Christine Bateson, David Hilton and Derek Wilson.

Also in Attendance: Cllr Edward Wilson and Cllr John Bowden.

Officers: Alison Alexander, Louisa Dean, Russell O'Keefe, Andy Jeffs, Kevin McDaniel, Hillary Hall, Nikki Craig and David Cook.

APOLOGIES FOR ABSENCE

There were no apologies for absence received.

DECLARATIONS OF INTEREST

There were no declarations of interest received.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 26 July 2018 were approved.

APPOINTMENTS

The Chairman announced that Cllr Targowska had been appointed as the Lead Member for HR, Legal and IT and that Cllr McWilliams had been appointed as Lead Member for Economic Development, Property, Communications and Housing.

FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes made since the last meeting including the addition of 'Big Belly Bins' and Hatch Lane, Dedworth Road, Windsor Junction Improvements being added to November 2018 Cabinet.

CABINET MEMBERS' REPORTS

A) RBWM VACANT BUILDING CREDIT ADVISORY NOTE

The Lead Member for Planning and Health Including Sustainability introduced the report regarding the proposed methodology for applying Vacant Building Credit in the Royal Borough.

Cabinet were informed that the administration were committed to the provision of affordable housing. National policy indicated that a Vacant Building Credit may be applied against Affordable Housing requirements when bringing genuinely vacant sites back into use, although it was good to encourage development on brown field sites it was important to ensure that the credit was only applied to genuine sites. The credit would therefore exclude sites that had been abandoned for the purpose of development.

It was proposed to change the recommendation that the site be marketed from 12 months to 24 months before the credit would apply.

The Lead Member for Finance agreed that it was right to see disused buildings developed, especially for affordable housing. It was equally important to make sure that there was no ambiguity that sites taken out of use for the purpose of development would not be able to use the credit to avoid affordable housing obligations. He agreed with the proposed change to increase from 12 months to 24 months.

The Principal Member for Ascot Regeneration mentioned that a viability assessment should be in the public domain and was informed that they would be made available.

Resolved unanimously: that Cabinet notes the report and authorises the Head of Planning to use the RBWM Vacant Building Credit Advisory Note as the Council's agreed approach to the application of Vacant Building Credit when assessing and determining planning applications.

BB) RBWM PROPERTY COMPANY LTD - Q1 REPORT 2018-2019

The Lead Member for Economic Development, Property, Communications and Housing introduced the report that provided an operational update on RBWM Property Company Ltd. He thanked his predecessor, Cllr Rankin, for all the work he had undertaken leading to this report.

The report updated Cabinet on the work of the property company covering:

- Delivery plans
- Governance
- Human resources
- Value for money/added value
- Health and safety
- Property Portfolio
- Development programme update.

The Lead Member highlighted that the company was currently projecting a pre-tax profit of £248,000 for 2018/19 and was a key vehicle in the councils' ambition to provide affordable housing that had been seen in previous Cabinet reports and the investment report on this agenda. Maidenhead Planning Development Control Panel had also recently approved the York Road planning application that would contribute toward affordable housing.

The Chairman recommended that future reports should also show funding already budgeted for, future funding and the assets being proposed. The borrowing being undertaken was backed by real assets.

The Lead Member for Culture and Communities informed that the Royal Borough had recently been awarded a silver armed forces award and it was pleasing to see out armed forces being included as key workers with regards to key worker accommodation.

The Lead Member for Finance said that it was a pleasure to see the property company going from strength to strength and it was a great vehicle for the council in getting our assets developed for affordable housing. In the future there may be a need to look at the company acquiring properties as well as using our assets.

Resolved unanimously: that Cabinet notes the report and:

- i) **Considered the update report and performance to date.**

c) SUPPORT BEFORE ENFORCEMENT - A STRATEGIC APPROACH AND POLICY ENHANCEMENTS

The Lead Member for Environmental Services including Parking and Flooding introduced the report regarding the adoption of a strategic approach to issues fines arising in its town's streets and open spaces, including supporting the needs of vulnerable individuals. Safeguarding and support would always be considered before enforcement was undertaken.

Cabinet were informed that should all support be exhausted or refused, the report sets out to equip officers with the required tools to take enforcement action, where appropriate and always as a last resort. The Council would work with Thames Valley Police and the third sector in providing support and reducing anti-social behaviour.

The Chairman mentioned that there had been issues with people in cars throwing out rubbish and asked how this would be dealt with. The Lead Member replied that there had been investment in CCTV and our wardens had been trained in dealing with these situations and the use of mobile cameras.

Cllr E Wilson addressed Cabinet and said that residents would welcome the £100 fine for littering and that the Council were dealing with littering within our town centres. Cllr E Wilson asked how the message would get out to residents and how would we ensure enforcement. The Lead Member replied that there was a balance between education and enforcement. There would be use of Around the Royal Borough and a gradual process of prevention and help before enforcement.

The Lead Member for Finance said that if people felt education was expensive then they should see how expensive ignorance was. Education should be used first as it was cheaper than enforcement.

Resolved unanimously: that Cabinet notes the report, and:

- i. Approves the principles of adopting the strategic approach which is based upon the Support before Enforcement, to provide vulnerable individuals and the wider community with the appropriate balance to support their needs.**
- ii. Delegates authority to the Executive Director, in consultation with the Lead Member for Environmental Services (including Parking & Flooding) to implement a 'Support before Enforcement' strategy, to tackle Anti-Social Behaviour issues in partnership with stakeholders including Thames Valley Police and Third Sector support organisations.**
- iii. Approves the use of enforcement powers; including the use of standardised £100 civil and fixed penalty notices charge for offences detrimental to the community (such as a breach of a PSPO, CPN, littering, fly-posting or dog fouling), a £400 notice for fly tipping and a £300 notice for improper disposal of waste.**

d) HOSTILE VEHICLE MITIGATION - PHASE 1 INSTALLATION

The Lead Member for Windsor, Highways and Transport introduced the report that report requested a delegation to expend up to an allocated £1,192,000 gross budget to enable Phase 1A of the Windsor town centre hostile vehicle mitigation project. This would provide protection to the core 'Changing of the Guard' procession route as shown in table 1 of the report.

Cabinet were informed that at the request of the security services other sites had been added to the phased plan that would increase the budget to an estimated total of £3,200,000; an increase from the original estimate of £1,850,000. A design and consultation report would be brought back to Cabinet.

The Chairman mentioned that the Capital Programme had £1.884, 000 allocated with £942.000 from RBWM that was due to be match funded from Thames Valley Police but they could only provide £250,000. The council had been in consultation with the Home Office, Secretary of State and the Royal Collection Trust about funding towards the project. It was noted that Westminster City Council had been awarded £5,250,000 to install permanent HVM measures via a one-off special grant. RBWM would soon be hosting a second royal wedding, the wedding dress display and had recently hosted the president of the USA.

Cllr Bowden addressed Cabinet and asked when the sites 15,16 and 17 in phase three would be completed as until installed there would be a weak spot for vehicles accessing Peascod Street.

The Chairman said that the original scope was to provide enhanced protection during the change of the guard. This had been expanded to include visitors to the castle. We were waiting to hear from the Royal Collection Trust about funding but whatever the outcome the council would fund this important project especially because of the international interest of Windsor.

Resolved unanimously: that Cabinet notes the report and:

- 1. Delegates authority to the Executive Director, in consultation with the Lead Member for Windsor, Highways and Transport, to progress Phase 1a and expend up to the gross £1,192,000 project budget allocated within the 2018-19 capital programme.**

E) FINANCIAL UPDATE

The Lead Member for Finance introduced the report that confirmed the council's latest statement for 2018-19 with a projected NET overspend on service budgets of £1,426,000. The Council had General Fund Reserves of £8,682,000.

Cabinet were informed that national pressures on local government funding continued and there were pressures with child placement costs, children in care and business rate recovery. It was felt that the NET pressure could be sustained with the help of things such as the Berkshire Business Rate Pooling.

Cabinet were informed that there was also an additional recommendation for the award of a capital budget of £285,000 for Design Quality.

The Lead Member also highlighted section 4.14 of the report that showed a pressure of £2,007,000 on the dedicated schools grant that the Schools Forum was responsible for managing. It was noted that the Schools Forum consisted of education expertise and did not contain any elected Members. Resolving this deficit was the responsibility of the Schools Forum.

The Chairman drew Cabinets' attention to the letters sent to and responded from the Secretary of State appended to the report regarding education funding.

Resolved unanimously: that Cabinet:

- i) Notes the Council's projected outturn position for 2018-19 and requests work continues to identify mitigations to offset the projected variance.**

- ii) **Approves a capital budget of £285,000 for Design Quality. This grant has been awarded from the Planning Delivery Fund for use in the Borough, see para 4.18.**

F) DEMAND FOR SCHOOL PLACES

The Lead Member for Children's Services introduced the report that provided the 2018 projections for future demand for school places, with comparisons to existing / planned accommodation and commentary on whether any action was required.

Cabinet were informed that the borough had a statutory duty to ensure that there were sufficient school places to meet demand. For the September 2019, 2020 and 2021 intakes, however, no further action was currently deemed necessary. £30,000,000 had already been invested in school expansion.

Section 2.8 showed that they were a requirement to make temporary reductions in the Windsor System as the figures showed an excess in capacity for the next three years. This had been discussed by the Children's Services O&S Pane and the Schools Forum would assess the situation.

It was noted that the government had invited interest in new free schools and that the royal borough had shown its interest. This would not be implemented for the next 6 years.

The Chairman mentioned that there was a national issue regarding school places and that he was pleased to see that we were ahead of the curve.

The Lead Member for Finance agreed that across the country councils had misjudged the need to expand school places. At the Royal Borough there had been a policy to expand above the projected numbers and this had proved to be successful.

The Chairman mentioned that this had also been supported other initiatives such as the number newly qualified teachers being employed who had access to affordable key worker housing.

The Principal Member for Ascot Regeneration said that this was an important message to get across to parents to show that there was capacity in the system.

Resolved unanimously: that Cabinet notes the report.

G) RBWM PROPERTY COMPANY - INVESTMENTS REPORTS

The Lead Member for economic Development, Property, communication and Housing, introduced the report that set out the investment cases for the redevelopment of Council owned assets to deliver up to 27 affordable homes.

The Lead Member informed that the proposal would see affordable homes with 5 homes for social rent and 22 homes for shared ownership. This report supported the earlier RBWM Property Company report and was discussed at Council earlier in the week. The Part II appendix detailed the business cases for the three proposed developments.

The Chairman mentioned that during the recent planning discussion on the York Road application he had noted the comments made by Cllr Sharpe regarding affordable housing on the site. The Chairman said that he agreed that affordable housing was important and that the proposals for St Clouds Way would create affordable housing.

The Lead Member for Culture and Communities said that this was great news for residents especially as there was a need for one to two bedroom properties. She asked how many

properties were in the company's portfolio. Cabinet were informed that there were currently 58 properties with another 82 due as well as future developments.

The Lead Member for Children's Services mentioned that newly qualified teachers earned £23,700 therefore it was important to be able to offer affordable housing to key workers. The Chairman said it was important to get the message out to schools and other employers that the Royal Borough was working in providing affordable housing.

Resolved unanimously: that Cabinet notes the report and:

- i) Approves the capital budget spend of £7,059,088 for the three redevelopment projects.**
- ii) Approves the transfer of the assets, once completed to RBWM Property Co Ltd, for use as affordable housing.**
- iii) Delegates authority to the Executive Director with the Lead Member for Economic Development and Property to progress the projects including submitting planning applications and appointing contractors.**

H) AWARD OF CONTRACT FOR THE BRAYWICK LEISURE CENTRE

The Lead Member for Culture and Communities introduced the report that sought approval to award the main construction contract to Wates Construction Ltd, to develop the Braywick Leisure Centre and complete the development of the replacement of the Magnet Leisure Centre.

Cabinet were informed that the replacement Leisure Centre was on a different site, allowing a new site to be built whilst keeping the current site open, it had been agreed to increase parking numbers from 200 to 240 spaces and it was due to open Easter 2020.

The Chairman asked for an update on progress and suggested that high capacity charging points be installed in the car park. Cabinet were informed that the hoardings had been put in place and once the contract had been awarded work would begin on the car park. There were plans for 6 electric vehicle charging points and we could look at increasing this as well as using high capacity points.

Resolved unanimously: that Cabinet notes the report and:

- i) Delegates the authority to award a contract for the sum set out in the Part II Appendix 1 to Wates Construction Ltd for the main contract for the construction of the Braywick Leisure Centre, to the Executive Director, in consultation with the Lead Member for Finance and the Lead Member for Culture & Communities (including Resident Services).**

I) BROADWAY CAR PARK

The Chairman introduced the report that set out the investment case for the redevelopment of the car park and requests approval for the budget allocation and delegated authority to progress the procurement.

Cabinet were informed that the Broadway Car Park, also known as the Nicholson's Car Park, was in need of repair and refurbishment. It had been decided to produce a replacement car park to ensure future parking demand was being met especially in light of the Maidenhead regeneration projects. A further increase in the Capital Budget by £27,163,163 to a total of £35,313,163 had been approved.

The new car park would have enhanced facilities such as additional spaces, 10% having electrical vehicle charging points, additional entrance and improved cycle racks to name a few of the improvements. The project would be phased along with the other regeneration works.

The Lead Member for Culture and Communities mentioned that this was a significant commitment that would benefit residents and local businesses. This was an important piece of work especially as we have Cross Rail being introduced.

Resolved unanimously: that Cabinet notes the report and:

- I. Approves the use of an additional capital budget of £27,163,163, making a total scheme cost of £35,313,163.
- II. Delegates authority to the Executive Director with the Leader of the Council and Cabinet Member for Maidenhead Regeneration and Maidenhead to procure a design and build contract through a two stage tender.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

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

The meeting, which began at 7.30 pm, finished at 8.40 pm

CHAIRMAN.....

DATE.....