

CABINET

THURSDAY, 22 NOVEMBER 2018

PRESENT: Councillors Simon Dudley (Chairman), David Coppinger (Vice-Chairman), Phillip Bicknell, MJ Saunders and Stuart Carroll.

Also in attendance: Councillor Malcolm Beer, Councillor Edward Wilson, Councillor Ross McWilliams, Cllr D Wilson and Councillor Lynne Jones.

Officers: Louisa Dean, Russell O'Keefe, Andy Jeffs, Kevin McDaniel, Hillary Hall, Nikki Craig, Maggie Nelson, Anna Robinson and David Cook.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors N Airey, S Rayner, Targowska, M Airey, Bateson and Hilton.

DECLARATIONS OF INTEREST

There were no declarations of interest received.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 25 October 2018 were approved.

APPOINTMENTS

The Chairman announced that Cllr Bicknell had been appointed to the Achieving For Children Joint Committee.

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 the following report going to December 2018 Cabinet; Sale of Freehold – Lock n Store.

CABINET MEMBERS' REPORTS

A) THAMES HOSPICE - RELEASE OF COVENANT

The Chairman introduced the report regarding the release of restrictive title covenants, at nil consideration, to assist the sale of the Thames Hospice site at Pine Lodge, Hatch Lane, Windsor.

The Chairman informed Cabinet that the land, approximately 1.53 acres, was sold to Thames Hospice in two land sales in 2001 and 2012.

Thames Hospice did an important role in supporting end of life care and that the proposals were an important part of the Trust's relocation strategy to enable the completion of the Trust's proposed new hospice site at Bray Lake to take place.

Restrictive covenants would be attached to the land on which the new facility will sit, to ensure that if the facility is sold at any time in the future, or redeveloped for use other than hospice care, that there is a similar covenant in place in favour of the Council.

The Chairman informed that the report proposed that the covenants would be fixed at the current land value of £2,250,000, however it was proposed to now have this indexed linked following recommendations from the Corporate Services O&S Panel. The hospice had a lot of benefactors and did wonderful work. The new site would be overlooking Bray lake.

The Lead Member for Finance and Economic Development informed that the Royal Borough had made an important investment to support the hospice. He agreed that if the land was sold that the investment should return to our residents. It, therefore, was sensible to roll over the covenants onto the new site whilst supporting the hospice in the excellent work they do.

The Lead Member for Highways, Transport and Windsor informed that the late Cllr Grey and himself had worked with the hospice over the last few years to help facilitate the move to the new site. The Chairman also mentioned his thanks to Peter Prior and Summerleaze for their support of the hospice and for making available the land for the relocation at a very good rate.

Resolved unanimously: that Cabinet:

- I. Approves the release of the Thames Valley Hospice Trust from the overage and restrictive covenants that are currently attached to the title of the land.**
- II. Delegates authority to the Executive Director to sign off the release of the existing restrictive covenants.**

B) Q 2 2018 /19 PERFORMANCE REPORT

The Chairman introduced the report that report summarised the performance in the first two quarters' of the council's 25 strategic measures in the performance management framework.

The Chairman informed that the 25 key measures aligned to the refreshed Council Plan with the six strategic priorities detailed in section 2.1 of the report. The new performance management framework would also feed into the Residents Survey report that is due to come to Cabinet in January 2019.

Out of the 25 strategic measures 18 (72%) reported in Q2 had met or exceeded the target (Green), 4 measures (16%) (Amber) were just short of the target and three measures (12%) (Red) were below target. The Chairman asked for additional information on the three measures reporting 'Red'.

The Director of Children's Services reported on the measure percentage of children with a review at 2 to 2.5 years of age. Cabinet were informed that to get a better connection with social care the authority were one of a few who had decided to undertake these review by using our health visitors. A number of authorities counted any contact with families as a review, however it had been decided locally only to include face to face contact with families. Although below target performance had been stable over the last two quarters and the service offered after work evening sessions and sessions on Saturday. Parents were reporting that they were satisfied with the high quality feedback they got from childcare providers and thus did not wish to take up reviews offered.

With regards to the number of homelessness preventions through council advice and activity the Chairman asked the interim Head of Housing Services Manager to provide an update.

Cabinet were informed that in the past it had been difficult to help prevent homelessness but new legislation provided a legal framework and thus a wider range of initiatives were required.

The Chairman asked for clarification on the main reasons for homelessness within the Royal Borough and was informed that the three main reasons locally were also national reasons; the end of private tenancies, family breakdown resulting in a family member being asked to leave the home and domestic abuse. Within the Royal Borough the high cost of tenancies was problematic.

The Chairman asked how many families required help and that informed that there are usually about 500 approaches. Not all the families require accommodation sometimes they require advice and support, it was better to help prevent homelessness than having to find accommodation. The Chairman said that as we were talking about 500 families this could mean over 1000 residents and demonstrated the need for more housing, especially affordable housing, which planning panels needed to be mindful of.

Cllr Beer addressed Cabinet and said that agenda page 35 showed the number of affordable homes delivered was 32 at quarter two but the emerging Borough Local Plan required well over 400 affordable homes each year.

The Chairman responded that it took time to produce affordable homes and therefore realistic targets had been set. In central Maidenhead we are using our land to generate 30% affordable housing including significant social rent. The RBWM Property Company had also been established and targeted to provide 1000 affordable units. The Royal Borough had an affordability crisis that was being addressed in part by having the emerging Borough Local Plan. We were moving in the right direction but there was still a lot of work to be done, in Maidenhead alone 800 new homes had been approved.

The Lead Member for Finance and Economic Development informed that at planning meetings he mentions that for every site the council owns or has influence over we should strive to going beyond the affordable housing allocation in the emerging Borough Local Plan with a range of tenure. With regards to the target it should include private development and developers should be encouraged to build more affordable homes above other planning considerations.

The Chairman agreed that planning members were going to have to give consideration to our affordable housing policies and commitments.

The Leader of the Opposition mentioned that private rent was not affordable and asked how the council could influence affordability in the private sector. The Chairman replied that if we increased the availability of private rent on the market than the indexation of rent would soften. Although additional private rentals was important it was not the only answer additional tenures of affordable housing was also important. The Royal Borough will be seeing a number of proposed developments that will ask challenging questions to those on planning because there will be an increase emphasis on affordable housing with mixed tenures.

The Chairman asked for further information about the final 'Red' indicator the performance of the Tivoli contract. The Deputy Director Strategy and Commissioning informed Cabinet that during the first quarter ISS Landscapes was taken over and a new company Tivoli was formed a new management structure was implemented but during this period accurate performance data was not available. Officers worked with Tivoli on improving the performance of contractual obligations, the new management structure was implemented, a new operations manager was in place and front line staff recruited. Improvement trajectory was approved and as of today these were on track with continued improvement expected.

The Chairman mentioned that the recent Residents Survey showed that residents were pleased with our open spaces and parkland and this satisfaction rating would improve as the Tivoli improvements. The performance management framework provided monitoring of performance and remedial actions to be taken.

Cllr Beer asked why the dashboards on page 35 showed targets not being met but the indicators were shown as 'Green'. The Strategy and Performance Manager informed that the diagrams were a visual representation that went beyond the actual target and that performance was as reported on target.

Resolved unanimously: that Cabinet notes the report and:

- I. **Endorses the quarter 2 performance summarised in table 1 and appendix A.**
- II. **Requests relevant Members and Heads of Service to focus effort to improve performance in the areas that are below target and maintain performance in the measures meeting target.**

C) 'BIG BELLY' BINS - BOROUGH WIDE 'PILOT'

The Lead Member for Highways, Transport and Windsor introduced the report that recommended the next step on the introduction of Big Bellied Bins, following the pilot scheme, within the Royal Borough.

Cabinet were informed that the recommendations were built on the success of the original 'pilot' scheme and was recommending that a Borough Wide 'pilot' scheme be introduced based on leasing of 5 'Big Belly Bins' bins.

These bins were connected, solar powered waste bins with sensors that communicate real-time status enabling emptying schedules to be timed to occur when the bin is nearing capacity. In addition the bins include solar-powered compacting technology which effectively increases the capacity of the bin.

Cabinet were informed that section 2.7 of the report showed the proposed locations for the extended trial period, the locations had been chosen due to the impact the technology would have on performance. Although there would be additional costs this would be offset by efficiency savings allowing better use of resources. If the recommendations were accepted implementation would commence March 2019.

Cllr E Wilson attended the meeting and informed Cabinet that he was a bid advocate of the technology and had seen its success across the country. The trial in Windsor had been a success and not only did it save money but there was also a positive impact on anti-social behaviour and the positive impact on local businesses. He commented that this was an excellent report and that members should focus on the 112,000 bin collections that were made each year. There were instances of bins being collected when not full and in Windsor there were two bins five feet apart, the recommendations would be a way forward to improving the situation. He welcomed further expansion of the scheme.

The Leader of the Opposition asked what the criteria was for selecting the locations and when were savings expected to be realised. The reporting Lead Member explained that the locations were chosen on the frequency they were required to be emptied and the positive impact the new bins would have. The new bins impact would be a reduction in the frequency of emptying bins, the reduction in anti-social behaviour associated with overflowing bins and a relocation of resource to further improve the local environment.

Resolved unanimously: that Cabinet:

- i) **Approves the leasing of 5 'Big Belly' bins which will be installed at locations across the Royal Borough.**
- ii) **Approves the allocation of £5,000 in the 2019-20 capital programme and for four subsequent years to implement this initiative.**

D) UPDATED HOMELESSNESS STRATEGY AND HOUSING ALLOCATIONS POLICY

The Lead Member for Planning and Health introduced the report that requested approval for an updated homelessness strategy, approval to formally consult on an updated housing allocations policy and the activation of the Severe Weather Emergency Protocol (SWEP).

The Lead Member informed Cabinet that he was delighted to be presenting this paper as it contained so much good news. There was the homelessness strategy which would guide the Council's approach to the provision of homelessness and rough sleeping services in the Borough over the next five years working with partners.

There had been work and engagement with partners including voluntary organisations such as the Brett Foundation and the Windsor Homeless Project, housing providers such as Radian and Housing Solutions, health service providers and Thames Valley Police. There would be a multi-agency approach to helping the homeless with policies to help prevent homelessness, decrease the need for temporary accommodation, improve the quality of housing provision, support for families, reduced number of rough sleepers and improved services.

The Lead Member reported that if Cabinet approved the recommendations then SWEP would be immediately implemented. The Interim Housing Services Manager informed that by introducing SWEP tonight the Royal Borough would be ahead of other authorities in its implementation as the regulations only required it to be introduced when the temperature dropped to zero or below for three consecutive nights. Not only was the authority introducing it early but also it would remain in place throughout the winter which was far beyond the legislation.

The Chairman asked if any other authority had introduced SWEP and if SWEP was withdrawn when the temperature went above zero. Cabinet were informed that the Royal Borough were the only authority that had implemented SWEP and that they would keep it in place beyond the zero temperature cut of point. The Chairman said that this was a level of care that no other authorities were doing across the country.

The Lead Member also informed that the report also request approval to formally consult on an updated housing allocations policy which sets out how the council assesses applications for housing, prioritises each application and decides which applicant will be offered (allocated) housing. The council would be working with a number of suppliers who they had excellent relationships with. There would be more emphasis on support for those suffering from domestic abuse, better help for those leaving care and a policy that bed and breakfast temporary accommodation would no longer be used.

The Interim Housing Services Manager informed that with regards to care leavers the new policy would allow those placed outside the authority to access housing services if they wish to return to the Royal Borough. During the last 6 month the use of temporary accommodation and use of bed and breakfasts had been reduced as it was felt these were not suitable for families with children.

The Chairman reiterated that this change in policy demonstrated the need to build more houses within the Royal Borough.

Cllr McWilliams addressed Cabinet and said he wished to thank the Interim Managing Director and Interim Head of Housing Services for the support they had provided him and that a lot of work had been undertaken to get to this position. A range of policies had been introduced and work was underway in mitigating the impact of high rent in the area.

Cllr McWilliams said that it was important that the policy framework did not just sit on a shelf gathering dust and that it was important to act upon the commitments and work undertaken. Cllr McWilliams mentioned that there had been consultation with our stakeholders and asked why there had not been wider public consultation. He also asked why a cash lease policy was

not included. The Chairman said that the Lead Member responsible for housing would reply in writing.*

Cllr McWilliams asked what would happen to those helped by SWEP but were from other authorities when SWEP ended and it was good to see an updated allocation policy but shared ownership policy was not clear. The Interim Housing Services Manager replied that help and support was provide to those individuals picked up by SWEP during the period and it was not left until the protocol came to an end, this included contacting home authorities. We worked with housing providers regarding shared ownership.

The Lead Member for Adult Social Care and Public Health said that this was an excellent paper covering a number of important issues. This showed that we cared for every resident and that vulnerable people deserved our help. He thanked the Interim Housing Services Manager for the help and support given to him regarding his ward. He had worked towards informing the Prime Minister and Secretary of State the need to have joined up policies to help our vulnerable residents. The Chairman mentioned that there would be significant housing developments with the Lead Members ward that would provide affordable housing.

The Opposition Leader said it was excellent approach to SWEP but asked if there was sufficient local accommodation available and di we proactively help to seek out the hidden homeless. In response Cabinet were informed that accommodation, based on historical need, had already been booked. This was as local as possible but it was difficult if people did not wish to relocate with regards to the hidden homeless support and advice was provided, including a GP service available to all homelessness individuals.

Cllr Beer questioned the consultation process and if there would be sufficient funding in place to support the policies. The Chairman suggested he contact the head of service directly regarding the consultation and that there would always be sufficient funding to support the vulnerable in our society.

Cabinet notes the report and:

- i) Approves the updated homelessness strategy.**
- ii) Delegates authority to the Executive Director with the Cabinet Member for Environmental Services (including Parking, Flooding, Housing and Performance Management) to engage with registered providers and other key stakeholders on the updated housing allocations policy and approve the final version taking into account comments received.**
- iii) Approves that the Severe Weather Emergency Protocol commences from the date of the meeting or as soon as the temperature drops below the necessary level (whichever comes first).**

E) APPROPRIATION OF LAND

The Chairman introduced the report that sought approval for the appropriation of a selection of key council owned sites which have already been approved for redevelopment.

Following the planning approval for the Landings site the Chairman also requested that an additional recommendation be added giving delegated authority for the Acting Managing Director and Leader of Council to include the appropriate red line site for the Landings. The recommendations were an appropriate approach for the development of sites that would also provide additional affordable housing.

The Lead Member for Finance and Economic Development informed that the proposals did not override people's rights of representation regarding future developments. What the proposals did was introduce appropriate filters on potential negativity when authorities bring forward important projects.

The Leader of the Opposition asked for an explanation of easement of rights and was informed that the developer (in this case the council) could take out insurance against compensation claims for issues such as the loss of light. The proposals did not prevent such objections.

The Chairman mentioned that this was a procedural paper but important as part of the development process.

Resolved unanimously: that notes the report and:

- i) Approves the appropriation of the following sites (see appendix A red line plans);**
 - a. St Clouds Way, Maidenhead**
 - b. West Street, Maidenhead**
 - c. York Road, Maidenhead**
 - d. Reform Road, Maidenhead**
 - e. Maidenhead Golf Course**
 - f. Ray Mill Road East, Maidenhead**
 - g. Riverside Caretakers House, Maidenhead**
 - h. Mokattam, Maidenhead**
 - i. Brocket, Maidenhead**
 - j. St Edmunds, Maidenhead**
 - k. Vicus Way (Car Park), Maidenhead**
 - l. Broadway (Car Park), Maidenhead.**

- ii) Delegates authority for the Acting Managing Director and Leader of Council to include the appropriate red line site for the Landings site.**

F) FINANCIAL UPDATE

The Lead Member for Finance and Economic Development introduced the latest Financial Update report.

The Lead Member informed that he had presented the latest financial update and the associated background to the report to Members from all parties and to the appropriate scrutiny panels.

Cabinet were informed that the financial update reports had shown that since July 2018 there had been early pressures on the budget mainly due to the increased demand and cost of children in care, pressure on parking income and recovery of . debt from revenues and benefits. It was reported that there would be a NET pressure of around £1.5 million.

The budget position was being driven by national pressures. The current pressures were being partially mitigated resulting in a net service pressure of £3,044,000 along with an additional £1,500,000 from the Business Rates Pilot, leaving a financial pressure across the Council of £1,544,000 as detailed in appendix A.

The Lead Member informed that at the Corporate Services O&S Panel Cllr Brimacombe had used the analogy of a graceful swan swimming across the lake whilst paddling frantically below the water. The report provided additional appendices detailed what had occurred 'bellow the water' and actions taken to get to the current financial outturn position.

With regards to children in Care the Lead Member for Finance and Economic Development informed that an additional child entering the system could cost between £50,000 t over £150,000 per year. In forecasting the year end position it had been assumed that the national and local increase in demand and cost would continue.

The Lead Member also informed that the other major area of pressure was the projected income from parking. When setting the budget the Lead Member had informed that there had been a policy decision not to increase parking provision for local residents but ,after benchmarking, to increase parking charges proportionally for visitor parking. What had not been expected was that there would be a shift in an increase of resident parking and thus a corresponding drop in projected income due to increased use of the vantage card.

Officers were asked to provide a range of realistic mitigating actions which had also been appended with a matrix of delivery risk. There were also additional funding opportunities such as higher than expected revenue from Business Rates Pooling.

The Council's aggregated usable reserves remained in a healthy position at £8,545,000 (10% of budget) which was in excess of the £5,860,000 (6.87% of budget) recommended minimum level set at Council in February 2018. The Lead Member reiterated the report's recommendations and informed that the projected trends would be taken into account when setting next year's budget.

The Chairman informed that there would be an additional £1.29 million Adult Social Care funding allocated to next year's budget.

The Leader of the Opposition reported that back in 2015 she had raised concern about the rising costs of adult social care, children social care and the increased demand. Yet the budget remained stagnant and council tax was reduced going against the national trend. There was a national trend that budget planners should have been aware of and taken into account when setting the budget. The Leader of the Opposition raised concern about next year's budget, especially as a number of the mitigating actions were one off savings.

The Chairman replied that it was for Members to set policy and for officers to manage the budget, accountability and budget management will be an important consideration when selecting the new Managing Director.

The Lead Member for Finance and Economic Development informed that there had been two large budget variances during the year that had to be dealt with. With regards to the pressure from children in care the report contained an additional appendix that showed that officers felt that there was a decline in demand as forecasted by using three years of data. When setting the budget they were looking at a downward trend and did not budget for the increased demand.

The Chairman mentioned that when setting the 2018/19 budget there was an increase in council tax of 1.9% and the adult social care levee of 3%. If the data that there was going to be an increase in demand had been made available at the time of setting the budget then council tax could have been set at a higher rate with a 2.9% increase. If the right information had been put before Members than a different budget would have been approved.

The Lead Member for Adult Social Care and Public Health informed that with regards to demands in adult social care all avenues at his disposal had been used to help meet demand. He had contacted central government about the need for additional funding and mentioned that by increasing council tax puts more pressure on our residents with low incomes.

The Chairman mentioned that over 70% of revenue was spent supporting venerable members of our society. The Royal Borough had a vibrant economy and a high tax base and this provided use some resilience. There were both local and national issues impacting the budget and we could solve the local issues.

The Leader of the Opposition requested and it was agreed to take mitigating action in children's services to the Children's Services O&S Panel. She also mentioned that she had comparative data with other authorities that showed that although we above other in regards to maintained reserves we were also low down with regards to spend.

The Chairman said that the administration did not wish to increase council tax when there was no evidence that it was required, he would rather leave money with the tax payer rather than sitting in the council's bank account.

The Lead Member for Finance and Economic Development mentioned that the local press had asked him why the administration did not continue to increase council tax over the last ten years, when was it reduced when it could have been increased and added to reserves. This was a view mirrored by the opposition. Cabinet were informed that the council was a revenue based organisation that had a reliable income base so there was no need to steal from our residents to protect ourselves. We tax residents when it is required and maintain a healthy level of reserves.

The Leader of the Opposition said that they had had never said that council tax should be increased but that it should be maintained at was then the current level rather than having it reduced.

The Chairman said that the Residents Satisfaction Survey showed that we had a 65% value for money satisfaction rating compared to a 45% rating nationally. The Royal Borough had the lowest council tax rates outside of London, the administration ran a tight ship as it was our residents money.

The Lead Member for Highways, Transport and Windsor mentioned that the Royal Borough was in an excellent financial position when compared to many other authorities across the country, yet we still provided what our residents expected such as weekly waste collection. Other authorities were looking at £20 million to £30 million pressures whilst we had a £1.5 million pressure. We were transparent with our residents and doing a good job. The Chairman said that 88% of our residents were happy with waste collection.

The Lead Member for Finance and Economic Development replied to the Leader of the Opposition that if Council Tax had been maintained over the past few years and not reduced than our tax payer would have paid 5-10% more. At least £25 million of addition tax would have been collected from our residents that was not required.

The Leader of the Opposition said that there was a £7.4million overspend that had been mitigated. We were looking at the same pressures next year. She felt that the administration could have done better. The Chairman replied that in certain areas thing could have been done better, however this administration delivered value for money and did not squander council tax payers money.

Resolve unanimously: that Cabinet:

- i) Notes the Council's projected outturn position for 2018-19 and notes work undertaken to identify mitigations to deal with pressures.**
- ii) Approves a capital budget of £50,000 to fund the Eton Brook and Barnes Pool restoration project. See paragraph 3.2.**
- iii) Approves an additional grant funded budget of £476,500 for Adult Social Care Winter Funding 2018-19. This grant has been awarded from the Department of Health and Social Care to the Council to alleviate winter pressures on the NHS, getting patients home quicker and freeing up hospital beds. See paragraph 5.18.**

G) 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.

Financial Update - Resolved unanimously: that Cabinet noted the Part II appendix.

The meeting, which began at 7.30 pm, finished at 9.40 pm

CHAIRMAN.....

DATE.....

*Addendum to minutes of Cabinet 22/11/18:

Councillor M. Airey responded to the question from Councillor McWilliams about consultation on the housing policy at Full Council on 11 December 2018. Please see the link below for details:

<https://rbwm.moderngov.co.uk/mgAi.aspx?ID=11122>

Councillor M. Airey responded to the question from Councillor McWilliams about a cash lease policy with a verbal response directly to Councillor McWilliams; a summary is provided below:

The cash lease policy was not included in the homelessness strategy due to the fact that this piece of work will form part of a different strategy which involves the MEAM coordinator. The cash lease policy is absolutely still part of our strategy to support the homeless.