

# Public Document Pack

## NOTICE OF MEETING **CABINET**

www.rbwm.gov.uk



will meet on

**THURSDAY, 26TH SEPTEMBER, 2019**

**At 8.15 pm**

in the

**COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD**

TO: MEMBERS OF THE CABINET

COPPINGER, ACTING LEADER OF THE COUNCIL, PLANNING

RAYNER, DEPUTY CHAIRMAN OF CABINET, CULTURE, COMMUNITIES AND WINDSOR (INCL. CUSTOMER AND BUSINESS SERVICES)

CARROLL, ADULTS, CHILDREN AND HEALTH

HILTON, FINANCE AND ASCOT

CLARK, SUSTAINABILITY, WASTE SERVICES AND ECONOMIC DEVELOPMENT

CANNON, PUBLIC PROTECTION

SHELM, HR, LEGAL & IT (INCLUDES PERFORMANCE MANAGEMENT)

JOHNSON, INFRASTRUCTURE, TRANSPORT POLICY, HOUSING AND PROPERTY

STIMSON, BIODIVERSITY, GREEN AND BLUE INFRASTRUCTURE

Karen Shepherd – Service Lead Governance - Issued: Wednesday, 18 September 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **David Cook** 01628 796560

**Fire Alarm** - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Do not re-enter the building until told to do so by a member of staff. **Recording of Meetings** –In line with the council's commitment to transparency the meeting will be audio recorded, and filmed and broadcast through the online application Periscope. The footage can be found through the council's main Twitter feed @RBWM or via the Periscope website. The audio recording will also be made available on the RBWM website, after the meeting. Filming, recording and photography of public Council meetings may be undertaken by any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence	-
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest	7 - 8
3.	<u>MINUTES</u>  To consider the Part I minutes of the meeting held on 29 August 2019.	9 - 12
4.	<u>APPOINTMENTS</u>	-
5.	<u>FORWARD PLAN</u>  To consider the Forward Plan for the period October 2019 to January 2020.	13 - 22
6.	<u>CABINET MEMBERS' REPORTS</u>  Adults, Children and Health  i. Request to Use the Allowable Contract Extension Period of Two Years for Drug and Alcohol Services  Deputy Chairman of Cabinet, Culture, Communities and Windsor (incl. Customer and Business Services)  ii. Windsor Town Centre Vision  Sustainability, Waste Services and Economic Development  iii. Processing of Dry Mixed Recycling  Finance and Ascot  iv. Financial Update  Infrastructure, Transport Policy, Housing and Property  v. Maidenhead Station Enhancements: Queen Street Junction Arrangements	-  23 - 28    29 - 36   37 - 42   To Follow   To Follow

7. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

To consider passing the following resolution:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 8 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"

**PRIVATE MEETING PART II**

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
	<p>i. <u>MINUTES</u></p> <p>To consider the Part II minutes of the meeting of Cabinet held on 29 August 2019.</p> <p><b><i>(Not for publication by virtue of Paragraph 1, 2, 3, 4, 5, 6, 7 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></b></p> <p>Details of representations received on reports listed above for discussion in the Private Meeting: None received</p>	43 - 44



This page is intentionally left blank

## 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.***

This page is intentionally left blank



# Agenda Item 3

## CABINET

THURSDAY, 29 AUGUST 2019

PRESENT: Councillors David Cannon, Andrew Johnson, David Coppinger, Samantha Rayner (Deputy Chairman in the Chair), Stuart Carroll, Gerry Clark and Shamsul Shelim

Also in attendance: Councillors Jones, Bateson and Sharpe.

Officers: Duncan Sharkey, Russell O'Keefe, Kevin McDaniel, Maddie Pinkham, Rob Stubbs, David Scott, Hilary Hall and David Cook.

## APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dudley and Hilton. The Deputy Chairman was acting Chairman for the meeting.

## DECLARATIONS OF INTEREST

No declarations of interest were declared.

## MINUTES

**RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 25 July 2019 were approved. Cllr Jones requested that she be referred to by name instead as the Independent Opposition Group leader.**

## APPOINTMENTS

None

## FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes made since it was last published. In addition it was noted that the September 2019 Sierra House report would now be considered by Cabinet in October 2019.

## CABINET MEMBERS' REPORTS

### A) PARKING ENFORCEMENT - CONTRACT REVIEW

The Lead Member for Public Protection introduced the report regarding the extension to the parking enforcement contract.

The Lead Member informed that in July 2017, Cabinet awarded a contract to 'NSL' for the delivery of parking enforcement services. The contract commenced on the 1st December 2017 for an initial 2-year period with options to extend for a further 2-years.

Cabinet were informed that contract performance levels had been consistently high with a majority of performance indicators regularly being achieved and in addition, 'NSL' had been a valuable external partner supporting events such as The Royal Wedding and Royal Ascot. They had also established excellent working relationships with the Community Wardens and other partners such as Thames Valley Police.

The Lead Member highlighted that the current delivery model had been a successful example of a commissioned service which had improved performance levels directly benefitting residents. However customer feedback had highlighted concerns around the visibility and presence in rural and out of town areas.

In response to the concerns raised it was recommended that, as a one year pilot, the contracted deployed hours within the contract are uplifted by 25%. This additional resource would focus on enforcement in rural and out of town areas and would be directed by resident reports through the updated report it function on the website and direct liaison with Ward Councillors and parish councils.

The Chairman agreed that NSL provided an excellent service to our residents and welcomed the extended hours that would give flexibility, residents could report issues via the RBWM website.

**Resolved unanimously: that Cabinet notes the report and:**

- i) Approves the award of a two-year contract extension for parking enforcement to NSL commencing on 1 December 2019**
- ii) Approves one-off additional funding of £69,336 to run a one year pilot scheme to address enforcement issues in rural and out of town areas by uplifting the contracted weekly deployed hours of NSL by 25%.**

**B) DESIGNATION OF THE COX GREEN NEIGHBOURHOOD AREA**

The Lead Member for Planning introduced the report that recommended the designation of the Cox Green Neighbourhood Area to cover the whole parish of Cox Green.

The Lead Member informed that at the last meeting Cabinet approved the Old Windsor Neighbourhood Plan. This was at the start of the process where under the Localism Act 2011 designated area plans could be prepared.

Cabinet were informed that Maidenhead and Cox Green originally looked at a joint designation, however this was too unwieldy. Cox Green parish council then applied for a separate designation that covered the parish boundaries.

The Chairman asked who would lead the plan and was informed that it would be the parish council.

**Resolved unanimously: that Cabinet notes the report and:**

- i) Approves the neighbourhood area designation for the parish of Cox Green, with the boundaries shown in Appendix B**
- ii) Gives delegated authority to the Head of Planning in consultation with the Lead Member for Planning to agree, if suggested by Cox Green Parish council, a proposal to delegate preparation of a neighbourhood plan to a steering group which is constituted with a formal delegation agreement.**

**C) FINANCIAL UPDATE**

In the absence of the Lead Member for Finance and Ascot the Chairman introduced the latest financial update report.

Cabinet were informed that the report set out the Councils financial position at period three in the financial year 2019-20 and forecasts an overspend for the year of £512,000. The council's

base budget was £92,773,000 and reserves stood at £9,770,000 (10.53% of budget) which remained in excess of the £5,810,000 (6.26% of budget) recommended minimum level set at council.

The Chairman informed that there had been an increase to the projected overspend since last reported of £153,000 due to the 12 week secure placement of a vulnerable resident and the decision to continue to support the tourism function until funding came from stakeholders.

Cllr Jones reported that the update mentioned that there were pressures in children's and adult services that were being managed within service. She asked what were the pressures and could they continued to be managed.

With regards to Children's Services the director reported that section 4.4 of the report covered the issues; due to a family bereavement it had been necessary to appoint an interim service manager, there was an expected Ofsted inspection, increased caseloads and court costs. With regards to Adult Services the interim director informed that this was due to pressures relating to placements, particularly learning disability and continuing healthcare, and domiciliary care.

**Resolved unanimously: that Cabinet notes the report and notes the council's projected outturn position for 2019-20.**

D) COMMUNICATIONS STRATEGY 2019-2023

In the absence of the Leader of Council the Chairman for this meeting introduced the updated communication strategy.

The Chairman informed Cabinet that for the next four years, the plan on the page would support the overall strategic direction of the council's communications, providing key messages for residents, staff, councillors and stakeholders follow the six key priorities of the Council Plan. There would also be an increased emphasis on sustainability and climate change.

**Resolved unanimously: that Cabinet notes the report and:**

- i) **Approves the strategic direction of communications 2019-2023 which ensures monthly comms campaigns are delivered against the six priorities within the Council Plan.**
- ii) **Approve the plan on the page, the council's commitments to residents and our key messages.**

E) RBWM PROPERTY COMPANY LTD – BUSINESS PLAN 2019-2024

The Lead Member for Infrastructure, Transport Policy, Housing and Property introduced the RBWM Property Company Ltd latest Business Plan for 2019 to 2024.

The Lead Member informed Cabinet that the property company fulfilled two main functions for the council; providing consultative work for regeneration and managing a small portfolio of properties. The business plan had been updated following a detailed review. The updated business plan assumed a growth of assets from 13 existing properties to 126 from 2019-2024 and enabled the delivery of up to 4,000 homes, 30% of which will be affordable by 2034.

Councillor Jones asked how the council would fund the increased growth it property assets and was informed that 67 had already been approved via capital bids funded by the council. Each opportunity was assessed by the property companies board and by the council on its own merit.

**Resolved unanimously: that Cabinet notes the report and:**

- i) Approves the updated Business Plan for 2019-2024.
- ii) Approves the amendments to the shareholder operating protocol.

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 7.55 pm

CHAIRMAN.....

DATE.....

## CABINET

### FORWARD PLAN - CHANGES MADE SINCE LAST PUBLISHED:

ITEM	ORIGINAL CABINET DATE	NEW CABINET DATE	REASON FOR CHANGE
Sierra House, Maidenhead	26/09/19	31/10/19	More work required.
Horton and Wraysbury Neighbourhood Plan decision to proceed to referendum	N/A	31/10/19	New Item
Award of Arboricultural Services Contract	N/A	28/11/19	New Item
Award of Borough-wide Seasonal Baskets and Planting Contract	N/A	28/11/19	New Item
New Provision for Children and Young People with Special Educational Needs	31/10/19	19/12/19	More work required with partners
Windsor Neighbourhood Plan for Business renewal of agreement to their constitution and designation of the Forum	N/A	19/12/19	New Item

## FORWARD PLAN OF CABINET DECISIONS

NB: The Cabinet is comprised of the following Members: Councillor Coppinger Acting Leader of the Council, Planning , Councillor Rayner Deputy Chairman of Cabinet, Culture, Communities and Windsor (incl. Customer and Business Services), Councillor Carroll Adults, Children and Health, Councillor Hilton Finance and Ascot, Councillor Clarke Sustainability, Waste Services and Economic Development, Councillor Cannon Public Protection, Councillor Shelim HR, Legal & IT (includes Performance Management), Councillor Johnson Infrastructure, Transport Policy, Housing and Property, Cllr Stimson, Sustainability, Councillor Stimson Biodiversity, Green and Blue Infrastructure.

The Council is comprised of all the elected Members

All enquiries, including representations, about any of the items listed below should be made in the first instance to Democratic Services, Town Hall, St Ives Road, Maidenhead. Tel (01628) 796560. Email: democratic.services@rbwm.gov.uk

### FORWARD PLAN

ITEM	Private Meeting - contains exempt/confidential information? See categories below.	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings	Date and name of meeting	Date of Council decision (if required)
14								
Sierra House, Maidenhead	Fully exempt - 3	Sale of Freehold Interest to the long leaseholder	Yes	Infrastructure, Transport Policy, Housing and Property (Councillor Johnson)	Barbara Richardson	Internal process	Cabinet 31 Oct 2019	
Award of Contract for Temporary Agency Workers	Open -	Decision to award a contract for the supply of agency workers to the council following a procurement process.	No	Lead Member for HR, Legal & IT (incl. Performance Management) (Councillor Shamsul Shelim)	Nikki Craig	internal process	Cabinet 31 Oct 2019	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**

<b>ITEM</b>	<b>Private Meeting - contains exempt/confidential information? See categories below</b>	<b>Short Description</b>	<b>Key Decision, Council or other?</b>	<b>REPORTING MEMBER (to whom representations should be made)</b>	<b>REPORTING OFFICER / DIRECTOR (to whom representations should be made)</b>	<b>Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.</b>	<b>Date and name of meeting</b>	<b>Date of Council decision (if required)</b>
School places in the Royal Borough	Open -	The report sets out a forecast of likely demand for school places and the impact on choice and availability.	Yes	Lead Member for Adults, Children and Health (Councillor Stuart Carroll)	Kevin McDaniel	internal process	Cabinet 31 Oct 2019	
15 Appointment of Leisure Operator for Braywick Leisure Centre	Fully exempt - 3	The recommendation for appointment of the operator for Braywick Leisure Centre	Yes	Deputy Chairman of Cabinet, Culture, Communities and Windsor (incl. Customer and Business Services) (Councillor Samantha Rayner)	Russell O Keefe	Internal process	Cabinet 31 Oct 2019	
Biodiversity implementation programme	Open -	To agree the three year programme of works to address the motion on encouraging biodiversity across the borough	No	Lead Member Sustainability (Councillor Stimson))	Ben Smith	internal process	Cabinet 31 Oct 2019	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**

<b>ITEM</b>	<b>Private Meeting - contains exempt/confidential information? See categories below</b>	<b>Short Description</b>	<b>Key Decision, Council or other?</b>	<b>REPORTING MEMBER (to whom representations should be made)</b>	<b>REPORTING OFFICER / DIRECTOR (to whom representations should be made)</b>	<b>Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.</b>	<b>Date and name of meeting</b>	<b>Date of Council decision (if required)</b>
16 Annual Report on Commissioned services	Open -	To provide an update on the delivery and management of services provided through the council's delivery partners, including services delivered, outcomes achieved, proposals for review and internal contract management capability.	No	Lead Member for Adults, Children and Health (Councillor Stuart Carroll)	Hilary Hall	Internal process	Cabinet 31 Oct 2019	
Horton and Wraysbury Neighbourhood Plan decision to proceed to referendum	Open -	The Horton and Wraysbury NP has been examined and the Parish Councils have both resolved to submit it to RBWM to take the plan to referendum.	No	Acting Leader of the Council, Planning (Councillor Coppinger)	Russell O Keefe	Internal process for the report, but the Neighbourhood Plan has been through several stages of public consultation.	Cabinet 31 Oct 2019	
Financial Update	Open -	Latest Financial Update	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	internal process	Cabinet 31 Oct 2019	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**



<b>ITEM</b>	<b>Private Meeting - contains exempt/confidential information? See categories below</b>	<b>Short Description</b>	<b>Key Decision, Council or other?</b>	<b>REPORTING MEMBER (to whom representations should be made)</b>	<b>REPORTING OFFICER / DIRECTOR (to whom representations should be made)</b>	<b>Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.</b>	<b>Date and name of meeting</b>	<b>Date of Council decision (if required)</b>
Annual Consultation on School Admission Arrangements	Open -	The start of the annual statutory consultation on admission arrangements	Yes	Lead Member for Adults, Children and Health (Councillor Stuart Carroll)	Kevin McDaniel	Consultation with schools	Cabinet 28 Nov 2019	
Award of Arboricultural Services Contract	Open -	A Report to seek authority to tender a contract and to delegate the award of the subsequent contract for the borough-wide Arboricultural Services provider with effect from spring 2020. waiting Forward Plan Form	Yes	Deputy Chairman of Cabinet, Culture, Communities and Windsor (incl. Customer and Business Services) (Councillor Samantha Rayner)	David Scott	Internal process	Cabinet 28 Nov 2019	
Award of Borough-wide Seasonal Baskets and Planting Contract	Open -	Report to seek authority to tender a contract and to delegate the award of the subsequent contract for the borough-wide seasonal planting provider with effect from spring 2020.	Yes	Deputy Chairman of Cabinet, Culture, Communities and Windsor (incl. Customer and Business Services) (Councillor Samantha Rayner)	David Scott	Internal Process	Cabinet 28 Nov 2019	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
Financial Update	Open -	Latest financial update	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	Internal process	Cabinet 28 Nov 2019	
18 Half Yearly Performance Report 2019/20	Open -	Report detailing performance of the Council against the corporate scorecard for quarters 1 and 2.	No	Lead Member for HR, Legal & IT (incl. Performance Management) (Councillor Shamsul Shelim)	Hillary Hall	Internal process	Cabinet 28 Nov 2019	
Council Tax Base Report	Open -	To approve the Council Tax Base to be used for 2019-20 budget	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	Internal process	Cabinet 19 Dec 2019	
Children's Services Capital Programme 2020-21	Open -	Report requests approval of the 2020-21 capital programme in Children's Services	Yes	Lead Member for Adults, Children and Health (Councillor Stuart Carroll)	Rob Stubbs	internal process	Cabinet 19 Dec 2019	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
New Provision for Children and Young People with Special Educational Needs	Open -	Permission to consult on options for new facilities in the borough for children and young people with special educational needs	Yes	Lead Member for Adults, Children and Health (Councillor Stuart Carroll)	Kevin McDaniel	internal process	Cabinet 19 Dec 2019	
19 Budget 2020/21	Open -	Report which sets financial context within next year's budget is being set. The report includes a recommendation to Council of a Council Tax, it recommends a capital programme for the coming year and also confirms Financial Strategy and Treasury Management Policy.	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	Internal process	Cabinet 19 Dec 2019	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
Windsor Neighbourhood Plan for Business renewal of agreement to their constitution and designation of the Forum	Open -	The Windsor Neighbourhood Plan for Business wish to carry on with producing a Neighbourhood Plan, and need to have the Forum and it's Constitution renewed as they only have a life of 5 years.	No	Acting Leader of the Council, Planning (Councillor Coppinger)	Russell O Keefe	Internal process for report, public consultation for the process.	Cabinet 19 Dec 2019	
Financial Update	Open -	Latest Financial Update	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	internal process	Cabinet 19 Dec 2019	
Renewal of council insurances	Fully exempt - 3	Proposed external insurance arrangements for the council from 1 April 2020.	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	internal process	Cabinet 30 Jan 2020	
Financial Update	Open -	Latest financial update.	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Rob Stubbs	Internal process	Cabinet 30 Jan 2020	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
------	--	-------------------	---------------------------------	---	---	---	--------------------------	--

#### DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1	Information relating to any individual.
2	Information which is likely to reveal the identity of an individual.
3	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
<del>5</del>	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6	Information which reveals that the authority proposes  (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or  (b) to make an order or direction under any enactment.
7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

This page is intentionally left blank

Report Title:	<b>Request to use the allowable contract extension period of two years for Drug and Alcohol Services</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Carroll, Lead Member for Adults, Children and Health
Meeting and Date:	Cabinet – 26 September 2019
Responsible Officer(s):	Hilary Hall, Interim Director of Adult Services and Deputy Director Strategy and Commissioning
Wards affected:	All

www.rbwm.gov.uk



## REPORT SUMMARY

1. Following a comprehensive review of drug and alcohol provision in the borough in 2015-2016, two contracts were let to meet the identified need on 1 April 2017. One contract was let to Cranstoun for psychosocial intervention and support, and the other to Claremont and Holyport Surgeries for substitute prescribing, for an initial term of three years.
2. Both contracts are working well and it is recommended that the extension period of two years, allowable within the contract, is used to enable the services to continue to deliver in the borough.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Cabinet notes the report and:

- i) **Approves the award of a two-year contract extension for drug and alcohol services, comprising psychosocial intervention and support to Cranstoun, and to Claremont and Holyport surgeries, for substitute prescribing commencing on 1 April 2020.**

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

- 2.1 A comprehensive review of drug and alcohol services was undertaken in the borough in 2015-2016 involving a wide range of partners. The outcome concluded that, overall, in terms of prevalence and complexity factors, the needs of residents in the Royal Borough appear to be less than those of Slough and Reading, similar to those in West Berkshire but largely higher than those of Wokingham and Bracknell.
- 2.2 As a result of the review, Cabinet agreed the award of two contracts to meet the identified need from 1 April 2017 for an initial three year term. One contract was let to Cranstoun for psychosocial intervention and support. Under the brand Resilience, the service works out of the Reform Road offices. The second contract for substitute prescribing was let to Claremont and Holyport surgeries.

- 2.3 Performance for adults is measured through successful treatment completions, see table 1. Performance generally compares well with national and regional comparators although the relatively small numbers within cohorts can disproportionately affect overall performance. Performance in 2018 around clients returning to alcohol or opiates within six months of successful discharge is notable as is percentage of adults successfully engaging with community based treatment following release from prison.

**Table 1 Drug and alcohol key performance indicators**

Indicator	2016	2017	2018
Percentage of successful treatment completions (alcohol)	RBWM - 37.1% S East - 40.2% Eng - 38.7%	RBWM - 34.5% S East - 35.3% Eng - 38.9%	RBWM - 35.3% Eng - 38.5%
Percentage of successful treatment completions (opiates)	RBWM - 11.2% S East - 8% Eng - 6.7%	RBWM - 5.4% S East - 7.3% Eng - 6.5%	RBWM - 6.1% Eng - 6.1%
Percentage of successful treatment completions (non-opiates)	RBWM - 32.7% S East - 39.1% Eng - 37.1%	RBWM - 25% S East - 36.3% Eng - 36.9%	RBWM - 33.3% Eng - 35.7%
Percentage of clients discharged successfully who return to alcohol treatment within 6 months	RBWM - 21.9% Eng - 8.86%	RBWM - 7.4% Eng - 8.8%	RBWM - 0% Eng - 6.09%
Percentage of clients discharged successfully who return to opiate treatment within 6 months	RBWM - 0% Eng - 11.9%	RBWM - 10% Eng - 7.14%	RBWM - 10% Eng - 12%
Adults with substance misuse treatment need who successfully engage in community-based structured treatment following release from prison	Not available	RBWM - 33.3% S East - 28.9% Eng - 30.3%	RBWM - 41.4% S East - 32.1% Eng - 32.1%

- 2.4 In addition to delivery against the contractual performance indicators, the services have succeeded in developing and participating in a wide range of multi-agency networks and partnerships to support the cohort. Resilience is also concentric to, and integrated with, the council's updated homelessness strategy.
- 2.5 Whilst it is relatively unusual for there to be two separate contracts for psychosocial intervention and support, and substitute prescribing, the services are coordinating their functions and working together effectively and efficiently.
- 2.6 The proposed two-year contract extension will enable a full commissioning exercise to be undertaken to determine the best future model for drug and alcohol service delivery, building on the outcomes of the 2016 review.

## Options



**Table 2: Options arising from this report**

Option	Comments
Approve a two year extension period for both services to continue current treatment provision. <b>This is the recommended option</b>	The services are working well together, and have results which in many cases are better than national and regional averages.
Decommission the services on 31 March 2020.  This is no recommended	The Royal Borough has a responsibility under the Health and Social Care Act 2012 to improve Public Health. Although provision of drug and alcohol services is not mandated, results are monitored nationally by Public Health England.

### 3. KEY IMPLICATIONS

3.1 The key implications are set out in table 3.

**Table 3: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Contract extension in place	After 1 April 2020	1 April 2020	N/A	N/A	1 April 2020

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no financial implications arising from this report. The funding for the contract is within the Public Health Grant and no additional funding is required during the lifetime of the contract extension.

### 5. LEGAL IMPLICATIONS

- 5.1 The National Health Service Act 2006 (“the 2006 Act”) (as amended by the Health and Social Care Act 2012) imposes a statutory duty on the Council in respect of public health. Section 2B(1) of the 2006 Act imposes the core statutory duty. This provides that “*each local authority must take steps as it considers appropriate for improving the health of the people in its area*”. Therefore the Council has discretion to decide what steps it considers “appropriate” to take for improving the health of the people in their particular area. When exercising its discretion the Council must act in accordance with public law principles of rationality, i.e. it must take into account all material considerations, omit immaterial considerations, act in accordance with its legal requirements and act fairly and in accordance with requirements of natural justice. Therefore the Council must have regard to the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy.
- 5.2 The Public Health Ring-Fenced Grant Conditions 2019/20 are set out in Annex A of Local Authority Circular LAC(DH)(2018)2. The conditions make clear that

if there is a failure to comply with the grant conditions, the Secretary of State may reduce, suspend or withhold grant payments or requirement the repayment of the whole or part of the monies paid. In using the grant the Council is obliged to “have regard to the need to reduce inequalities between the people in its area” and where drug and alcohol misuse services are concerned, there is a specific condition which requires the Council to have regard to the need to improve the take up of, and outcomes from, these services. The 2020/21 Ring Fenced Grant Conditions are yet to be published but it is likely that the condition relating to uptake of drug and alcohol misuse services will remain.

## 6. RISK MANAGEMENT

**Table 4: Impact of risk and mitigation**

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
Service model does not continue to deliver.	Medium	Close monitoring of the service to ensure that it delivers.	Low

## 7. POTENTIAL IMPACTS

- 7.1 The impacts relating to equalities and community cohesion were fully evaluated and appraised as part of the original contract award decision. The recommendation of this report is to award a contract extension based on the same terms and conditions, therefore there are no additional impacts.
- 7.2 There are no direct climate change/sustainability impacts of the recommendations in this report.
- 7.3 Cranstoun and Claremont and Holyport surgeries process personal data in discharging the requirements of the contract and their processes for doing so are fully GDPR compliant.

## 8. CONSULTATION

- 8.1 Consultation on the proposed extension has taken place with the Lead Member for Adults, Children and Health and with the two current providers.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: 1 April 2020.

**Table 5: Implementation timetable**

<b>Date</b>	<b>Details</b>
26 September 2019	Cabinet decision
October to January	Contract documentation and ongoing arrangements for contract monitoring agreed

Date	Details
1 April 2020	Commencement of contract extension.

## 10. APPENDICES

10.1 There are no appendices.

## 11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- [https://rbwm.moderngov.co.uk/documents/s6381/meetings\\_160526\\_cab\\_daad\\_full.pdf](https://rbwm.moderngov.co.uk/documents/s6381/meetings_160526_cab_daad_full.pdf)

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Carroll	Lead Member for Adults, Children and Health	15/08/19	28/08/19
Duncan Sharkey	Managing Director	15/08/19	20/08/19
Russell O'Keefe	Executive Director	15/08/19	
Andy Jeffs	Executive Director	15/08/19	16/08/19
Rob Stubbs	Section 151 Officer	15/08/19	16/08/19
Elaine Browne	Interim Head of Law and Governance	15/08/19	21/08/19
Nikki Craig	Head of HR and Corporate Projects	15/08/19	15/08/19
Louisa Dean	Communications	15/08/19	
Kevin McDaniel	Director of Children's Services	15/08/19	15/08/19
Hilary Hall	Interim Director of Adult Services and Deputy Director of Commissioning and Strategy	15/08/19	15/08/19
Tessa Lindfield	Director of Public Health Berkshire	15/08/19	

## REPORT HISTORY

<b>Decision type:</b> Key decision: 25 July 2019	<b>Urgency item?</b> No	<b>To Follow item?</b> No
Report Author: Siân Smith. Service Lead Public Health Commissioning and Contracts.		

This page is intentionally left blank

Report Title:	<b>Windsor Town Centre Vision</b>
Contains Confidential or Exempt Information?	No
Member reporting:	Councillor Rayner Lead Member for Windsor
Meeting and Date:	Cabinet - 26 <sup>th</sup> September 2019
Responsible Officer(s):	Russell O'Keefe – Executive Director - Place
Wards affected:	All

www.rbwm.gov.uk



## REPORT SUMMARY

1. The purpose of this report is to undertake a community planning process leading to a shared Town Centre Vision for Windsor Town Centre building on the overall vision in the Borough Local Plan Submission Version. This will enable the Council to develop and evolve existing relationships with the residential and business community in order to understand the requirements of the town.
2. The focus will be on creating a multi-layered vision for Windsor Town Centre which will include a strategy for the future provision of public realm and improvements to existing public realm. The work will sit within the overall vision for the borough contained in the BLP Spatial Vision and also tie in with other ongoing work including neighbourhood planning and the proposed Heritage Strategy SPD.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Cabinet notes the report and:

- i) **Recommends to Council Approval of a capital budget of £100,000 for work to be undertaken to create a Vision for Windsor Town Centre.**
- ii) **Delegate authority to the Executive Director in liaison with the lead member to appoint consultants.**

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

- 2.1 The Borough Local Plan Submission Version, the emerging business-led Windsor 2030 Neighbourhood Plan and the submitted Windsor Neighbourhood Plan all contained a vision for the future of Windsor, in whole or in part: these are not in conflict with one another, a shared Vision for Windsor Town Centre bringing all of this together and integrating with other ongoing work will assist in the promotion of future development and change within the town centre and will ultimately be recommended for adoption by the Council. It will not over-ride planning policy documents but supplement them.

- 2.2 Specifically – because it has a town centre focus based on its designated area the Windsor 2030 business led neighbourhood forum sets out a vision for what it is trying to achieve summarised into three main headings: five star Windsor, heritage and economic growth. Five star Windsor captures the ambition for the end-to-end experience that we want everybody who uses Windsor to enjoy. This includes the quality of shops, business facilities, leisure and public facilities. Windsor's heritage is one of its most important assets and the Forum wants to preserve and enhance it and economic growth is important. For Windsor this includes improving access for all, parking & transport, as well as ensuring the town is a place that businesses want to stay. The work of the forum is to develop this into a neighbourhood plan for regenerating Windsor based on evidence from the community. To date this has included community engagement: more information is on the Windsor 2030 website <https://windsor2030.org/>. It will be key to this work to collaborate with these existing community groups and with the regulatory authority in order to ensure that what comes forward is deliverable and meets the adopted and emerging planning policies for the area.
- 2.3 With reference to other relevant documents noted above and with due regard to the Spatial Vision in the Borough Local Plan, the Vision will;
- Describe and illustrate the place the Council, communities and partners wish to create
  - Sit fully within the Windsor marketing brand
  - Promote, guide and direct future change and
  - Inform investors and developers about the expectations and aspirations of the community
- 2.4 There are a number of planned and programmed future areas of work such as updated transportation strategy, parking strategy, public realm design standards which would have regard to the Vision whilst being based on adopted and emerging planning policy.
- 2.5 It is also anticipated that existing Windsor town partnerships and forums, including the visitor economy, will be involved to help inform the process and sense check proposals. In this respect there are key stakeholders who would be engaged through this process, especially to key visitor attractions in the town. This would build on work that has been done to inform the permanent solution in relation to hostile vehicle measures.
- 2.6 The process will also specifically target engagement for a range of groups including young people (through schools and clubs), young adults (millennials) and the creative business community.
- 2.7 Other services may be required as the project progress, and any costs associated to this, would be brought forward for approval when known, this could include but not limited to;
- Town planning
  - Transportation, traffic and highways
  - Civil, structural and services engineering
  - Flood risk assessment
  - Construction cost services

- Topographical, tree and site surveys
- Environment and Ecological consultants
- Ground and soil investigations
- Visual assessment
- Landscape architecture
- Principle designer

## Options

**Table 1: Options arising from this report**

Option	Comments
Approve the budget for the Vision work <b>This is the recommended option</b>	It is key to the successful delivery of the spatial vision for Windsor set out in the BLPSV and in the emerging Windsor NP and Windsor 2030 NP that these be brought together in a collaborative way and inform a single document which could be used to promote and guide future development in Windsor, maximising the benefits and allowing an understanding of the implications.
Do nothing	Whilst private individuals and companies might continue investment this would not be tied together through any shared, collaborative approach and it would therefore not maximise the benefits that could be possible in this area through partnership working and collaboration.

## 3. KEY IMPLICATIONS

- 3.1 Completion of all 8 key stages by March 2020 would see the project on track and successfully complete the community planning process.

3.2 **Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Stage 1	1 month late	Nov 2019	1 month before	N/A	Oct 2019
Stage 2	1 month late	Nov 2019	1 month before	N/A	Oct 2019
Stage 3	1 month late	Dec 2019	1 month before	N/A	Nov 2019
Stage 4	1 month late	Dec 2019	1 month before	N/A	Nov 2019
Stage 5	1 month late	Jan 2020	1 month before	N/A	Dec 2019

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Stage 6	1 month late	Jan 2020	1 month before	N/A	Dec 2019
Stage 7	1 month late	Feb 2020	1 month before	N/A	Jan 2020
Stage 8	1 month late	April 2020	1 month before	N/A	March 2020
Production of summary report for further consideration	1 month late	July 2020	1 month before	N/A	June 2020

3.3 The 8 key stages will include the following main tasks, that are clearly measurable:

- Stage 1 –
  - Initial briefing with RBWM officers, including the local planning authority
  - Initial meeting with the two neighbourhood planning forums for Windsor, including a LPA representative.
  - Discussion forum and walkabout, with RBWM members & officers
  - Agree programme & engagement strategy
  - Agree community reference group
  - Organisation & preparation of publicity and setting up of website for the community planning weekend launch.
- Stage 2 –
  - Undertake document review
  - Undertake constraints & opportunities analysis
  - Consultation with key stakeholders
  - Review of future development sites identified in adopted and emerging plans
- Stage 3 –
  - Site analysis continued
  - Community planning weekend launch at a suitable town centre venue with presentation, followed by Q&A and walkabout
  - Community animation with meetings including residential, cultural and business community and specifically focussed on young people, millennial's and business workshops, and town centre stall
- Stage 4 –
  - Vision for Windsor Town Centre community planning weekend
  - Two days of walkabouts, workshops, hands-on planning with topic groups including movement, public realm, heritage, and local economy, including a background exhibition including town centre precedent examples.
  - Analysis and summarise of outcomes and preparation of the Vision including illustrative masterplan and focus on key opportunity areas and summary broadsheet.
- Stage 5 –
  - Compile draft Vision



- Prepare draft document and review with RBWM officers, neighbourhood plan fora and statutory consultees
- Stage 6 –
  - Report back to RBWM members & officers
  - Review and finalise draft Vision
- Stage 7 –
  - Publicise community exhibition
  - Community exhibition of final draft Vision
- Stage 8 –
  - Compile and review feedback on draft Vision
  - Finalise Vision
  - Submit final Vision to RBWM
- Cabinet report for any recommendation, including any financial considerations no later than June 2020.

#### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 In order to carry out the initial due diligence for appropriate public consultation and consideration with regards to the key areas for improvement, and/or redevelopment within the Windsor Town Centre Area, it is essential to obtain some external consultancy input. The capital budget request is to cover these initial fees.
- 4.2 Once the council has identified key areas for consideration, a list of appropriate projects can be outlined, with individual investment reports, which would be brought back to Cabinet/Council for budget approval and consideration as required.
- 4.3 It is intended that any improvement plans that require a capital budget, are self-financed by way of the release of redevelopment opportunities within the Council control. In this way it will be possible to both finance identified projects, and demonstrate value for money.

**Table 3: Financial Impact of report's recommendations**

<b>REVENUE COSTS</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
Additional total	£0	£0	£0
Reduction	£0	£0	£0
Net Impact	£0	£0	£0

  

<b>CAPITAL COSTS</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
Additional total	£0	£0	£0
Reduction	£100,000	£0	£0
Net Impact	£0	£0	£0

#### 5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications for this community planning work that would be undertaken. The Vision will be required to be broadly in compliance with the

adopted Local Plan and emerging Plans covering the town centre area. The Vision document will be guidance, it will have no weight in planning policy and will not be binding on decisions of the Local Planning Authority.

## **6. RISK MANAGEMENT**

- 6.1 Appropriate risks will be identified on a project by project basis, with a collective corporate risk register established for Windsor Town Centre once the initial work has been completed.

## **7. POTENTIAL IMPACTS**

- 7.1 **Sustainability** – The Council has made a commitment for climate change to be Carbon Zero by 2050. This will include an understanding on social, economic and environment sustainability across borough, including any work undertaken in Windsor Town Centre.
- 7.2 **Equalities** – taking into account responsibilities under the Equalities Act 2010
- 7.3 **Existing Assets** – taking a strategic approach on how best to maximise the use of any existing council assets, in order to deliver improvements on public realm, parking, residential, retail and community facilities in the area.
- 7.4 **Heritage** – Windsor Castle is a prominent medieval building of international importance located in the wider floodplain of the River Thames built on an outcrop of chalk and influenced the development of the town for trade and more recently tourism. Windsor Castle is of extreme importance to the borough, not only because of its historic and cultural significance but also the role it has as a major visitor attraction. The Castle is both listed and a Scheduled Ancient Monument and the BLPSV contains a specific policy in relation to Windsor Castle and the Great Park. In addition Windsor contains many designated and non-designated heritage assets to which regard would have to be had as per the statutory tests enshrined in planning law. The Council has commissioned a Heritage Strategy Supplementary Planning Document which will include an Action Plan which will cross reference with the Vision document as well a number of conservation appraisal documents. It should be noted that the made Eton and Eton Wick Neighbourhood Plan protects key views into Windsor from across the river. The setting of Windsor Castle and Home Park sits within the wider setting of the Great Park, both Homes Park and Windsor Great Park are included on the Register of Historic Parks and Gardens and therefore benefit from added protection due to this status.
- 7.5 **Windsor Great Park Special Area of Conservation** – the SAC is a European designation which is also enshrined in domestic law. Development which might have an adverse impact on the SAC has to be assessed through an Appropriate Assessment in order for those impacts to be identified and mitigation proposed.
- 7.6 **Flooding** – due to its location on the River Thames due regard would be required to be had to any adverse impacts arising in relation to increasing flood risk or reducing flood storage capacity.
- 7.7 **Sustainable Transport** – given the level of tourist activity experienced in Windsor together with the pressure from local residents living in Victorian properties without off street parking the Vision should have an emphasis on the consideration of future provision for more sustainable modes of transport

to be utilised to access the town for the future, including behaviour change to achieve modal shift.

- 7.8 **Visitor Economy** – visitors to Windsor and the surrounding areas make a substantial contribution to the ongoing success of the local economy.

## 8. CONSULTATION

- 8.1 Public consultation will take place as per the scope of services outlined in section 2 above.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: October 2019. The full implementation stages are set out in table 4.

**Table 4: Implementation timetable**

Date	Details
November 2019	Stage 1 & 2
December 2019	Stage 3 & 4
January 2020	Stage 5 & 6
February 2020	Stage 7
March & April 2020	Stage 8

## 10. APPENDICES

- 10.1 This report is supported by no appendices

## 11. BACKGROUND DOCUMENTS

- 11.1 This report is supported by the following background documents:
- Borough Local Plan Submission Version
  - Windsor Neighbourhood Plan Submission Version  
<http://windsorplan.org.uk/index.html>
  - Windsor 2030 draft Plan <http://windsor2030.org.uk>
  - Windsor Town Centre Conservation Area Appraisal
  - Inner Windsor Conservation Area Appraisal
  - Cabinet report on Heritage Strategy SPD
  - Eton and Eton Wick Neighbourhood Plan
  - RBWM Open Space Strategy
  - RBWM Playing Pitch Strategy
  - RBWM Built Facilities Strategy
  - RBWM Parking Strategy
  - RBWM Economic Development Strategy

## 12. CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Cllr Rayner	Lead Member for Windsor	23/08/19	23/08/19
Duncan Sharkey	Managing Director	23/08/19	
Russell O'Keefe	Executive Director	23/08/19	23/08/19
Andy Jeffs	Executive Director	23/08/19	23/08/19
Rob Stubbs	Section 151 Officer	23/08/19	23/08/19
Elaine Browne	Interim Head of Law and Governance	23/08/19	13/09/19
Jenifer Jackson	Head of Planning	23/08/19	16/09/19
Nikki Craig	Head of HR and Corporate Projects	N/A	
Louisa Dean	Communications	23/08/19	13/09/19
Kevin McDaniel	Director of Children's Services	N/A	
Angela Morris	Director of Adult Social Services	N/A	
Hilary Hall	Deputy Director of Commissioning and Strategy	N/A	
Paul Roach	Windsor Town Centre Manager		

## REPORT HISTORY

<b>Decision type:</b> Key decision – entered onto the forward plan 1 <sup>st</sup> August 2019.	<b>Urgency item?</b> No	<b>To Follow item?</b> N/A
Report Author: Barbara Richardson – Managing Director – RBWM Property Company Ltd.		

Report Title:	<b>Processing of Dry Mixed Recycling</b>
Contains confidential or exempt information?	No - Part I
Member reporting:	Councillor Clark, Lead Member for Sustainability, Waste Services and Economic Development
Meeting and Date:	Cabinet - 26 September 2019
Responsible Officer(s):	Hilary Hall, Interim Director of Adult Services and Deputy Director Strategy and Commissioning and Ben Smith, Head of Commissioning – Communities
Wards affected:	All

www.rbwm.gov.uk



## REPORT SUMMARY

1. A new contract for collection of kerbside waste and recycling was let to Serco following a competitive tender process and is due to start on 1 October 2019. Good progress is being made with mobilisation of the new contract. At the same time as tendering for the waste collection contract, a similar procurement exercise was undertaken for the processing of dry mixed recycling. No tenders were received and consequently a direct award for one year was made to the current provider, Pure Recycling.
2. This report requests approval to commence procurement of a two year contract for the processing of dry mixed recycling in December 2019. This will provide capacity for sorting recycling collected in the Royal Borough and recycling of this material. The contract will start on 1<sup>st</sup> April 2020.

## 1 DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Cabinet notes the report and

- i) Approves the commencement of procurement of a contract for the processing of dry mixed recycling in December 2019.
- ii) Delegates authority to award a contract for the processing of dry mixed recycling to the Interim Director of Adult Services and Deputy Director Strategy and Commissioning, in consultation with the Lead Member for Sustainability, Waste Services and Economic Development, following a competitive procurement.

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

- 2.1 The contract will provide processing, sorting and marketing services for the estimated 18,000 tonnes of dry mixed recyclable (DMR) material collected from Royal Borough households and schools every year. DMR materials include everyday items such as mixed paper, cardboard, plastic bottles and metal cans.
- 2.2 The processing of the Royal Borough's DMR materials is currently included within a short-term contract held by Pure Recycling (part of the Kier Group). This contract is due to

expire on 31 March 2020 and was awarded as a direct award following an unsuccessful procurement.

- 2.3 The previous procurement was carried out in 2018 at the same time as the procurement exercise for the waste collection contract. A compliant procurement process was conducted between October and November 2018, however, no bids were received.
- 2.4 The global recycling market is currently experiencing a high level of volatility. There has been a period of protracted uncertainty following new restrictions imposed by China and other Southeast Asian nations on the imports of certain classes of recyclable materials. It was therefore originally proposed to procure the contract with a shared risk and reward mechanism; one where any reductions or increases in market values - due to external market factors - are shared between the Royal Borough and the contractor.
- 2.5 Post-tender feedback from suppliers suggested concerns with the contract length and the proposed payment mechanism. Since the unsuccessful procurement soft market testing has been carried out with four main suppliers of dry mixed recycling processing. The specification, contract length and payment mechanism have been changed to reflect the feedback received.
- 2.6 The contract length has, therefore, been reduced to two years, with two optional one year extensions, which would be by mutual consent. This allows both parties to step away from the contract after the initial term. The payment mechanism has also been simplified. It will be based on a gate fee, which represents the processing costs, such as labour, energy, plant and haulage, alongside a cost per tonne per month for each material processed, which represents the market rate received for that material in the month. This cost could be positive or negative depending on the value of each material at that time and is shared on a risk and reward basis with the contractor, both sharing the positive and negative values.
- 2.7 Soft market testing indicated that there is a shortage of capacity in the current market for processing of dry mixed recycling. Changes are being made to a number of plants over the summer to increase their throughput and other large scale, county and waste authority sized procurements will be finalised. This will give more certainty to contractors about the capacity they would have available for this contract.

## Options

**Table 1: Options**

Option	Comments
Approve the commencement of procurement and delegate authority to award a contract for DMR processing.  <b>This is the recommended option.</b>	This ensures no loss of service from 1 April 2020.
Do not approve the commencement of procurement and do not delegate authority to award a contract.  This is not recommended.	Not awarding a contract for the processing of dry mixed recycling will leave the Royal Borough with no outlet for processing dry mixed recycling and will lead to service disruption and the failure to recycle materials collected within the area.

### 3 KEY IMPLICATIONS

3.1 The key implications are set out in table 2.

**Table 2: Key implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Contract for processing of dry mixed recycling is in place	No contract in place to commence on 1 April 2020	Contract in place and commences on 1 April 2020	N/A	N/A	1 April 2020

### 4 FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The current cost of processing dry missed recycling is projected to be £876,000 this year (2019/20). The cost of the interim contract is closely monitored and is currently projected to come in on budget. It is anticipated that the cost will be similar under the new contract.
- 4.2 The cost of the processing of dry mixed recycling will be subject to change, as it is associated with the cost of the materials in the market. The contract will have a set processing fee (a gate fee) and each material will then have a cost per tonne per month, which may be positive or negative depending on market conditions.
- 4.3 An example material split for recent material would be as follows:

**Table 3: Recent material split and material volatility**

<b>Material</b>	<b>Percentage</b>	<b>Volatility of material value</b>
Mixed paper	40%	High
Cardboard	19%	High
Aluminium	0.8%	Low
Steel	1.4%	Low
Mixed plastics	7%	High
Glass	20%	Low
Total target material	88.2%	
Non target material- made up of 10.9% waste and a mixture of rigid plastics, small electrical items, scrap metal and wood which are sent for recycling.	11.8%	Low

If the material exceeds a contamination rate of 15% there is a risk of the whole load being rejected and not processed as recycling. In this event the whole load would be charged as waste disposal.

### 5 LEGAL IMPLICATIONS

- 5.1 There is a statutory duty to provide waste collections and to separately collect recycling. The procurement of a contract for the processing of dry mixed recycling will ensure that this statutory duty is met.
- 5.2 A full OJEU procurement process will be followed for this procurement and all legal obligations will be met.

## 6 RISK MANAGEMENT

**Table 4: Impact of risk and mitigation**

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
Cost of processing of dry mixed recycling varies significantly as a result of the volatility in the market.	High	This risk will be managed by close monitoring of the contract and any changes to the market costs will be flagged as soon as they are known.	Medium
Risk of no bids being received for contract	High	This risk has been managed by significant soft market testing having been undertaken. The contract specification and the timing of the procurement have been planned taking into account the feedback received from the market.	Low
Risk of market price becoming unaffordable	Medium	The changing costs of recycling will be monitored. In the event that costs are exceeding the costs of disposing of the material as waste, options including alternative disposal options, short term stockpiling of	Medium



Risks	Uncontrolled risk	Controls	Controlled risk
		material will be considered.	

## 7 POTENTIAL IMPACTS

7.1 There are no other impacts.

## 8 CONSULTATION

8.1 Soft market testing has been undertaken with suppliers in order to revise the contract length and payment mechanism.

## 9 TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: 1 December 2019

**Table 5: Implementation timetable**

Date	Details
December 2019	Procurement of contract for processing of dry mixed recycling commences.
February 2020	Award of contract for processing of dry mixed recycling commences.
1 April 2020	New contract for processing of dry mixed recycling commences.

## 10 APPENDICES

- None.

## 11 BACKGROUND DOCUMENTS

Cabinet paper: Contract Award - Waste and Recycling Collection and Associated Services was presented to Cabinet on February 28th 2019.

[https://rbwm.moderngov.co.uk/documents/s25073/meetings\\_190228\\_Waste%20Contract%20-%20Contract%20Award.pdf](https://rbwm.moderngov.co.uk/documents/s25073/meetings_190228_Waste%20Contract%20-%20Contract%20Award.pdf)

Cabinet Paper, Weekly Waste Collection Contract, Authority to Commence Procurement, was presented to April 2018 Cabinet.

[https://rbwm.moderngov.co.uk/documents/s19194/meetings\\_180426\\_cabinet\\_Procurement%20of%20Weekly%20Waste%20and%20Recycling%20Collection%20Co...pdf](https://rbwm.moderngov.co.uk/documents/s19194/meetings_180426_cabinet_Procurement%20of%20Weekly%20Waste%20and%20Recycling%20Collection%20Co...pdf)

## 12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Gerry Clark	Lead Member for Sustainability, Waste Services and Economic Development.	28/8/19	29/8/19
Duncan Sharkey	Managing Director	28/8/19	29/8/19
Russell O'Keefe	Executive Director	28/8/19	
Andy Jeffs	Executive Director	28/8/19	28/8/19

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Rob Stubbs	Section 151 Officer	28/8/19	
Elaine Browne	Interim Head of Law and Governance	28/8/19	
Nikki Craig	Head of HR and Corporate Projects	28/8/19	
Louisa Dean	Communications	28/8/19	
Kevin McDaniel	Director of Children's Services	28/8/19	28/8/19
Hilary Hall	Interim Director of Adult Services and Deputy Director of Commissioning and Strategy	16/8/19	21/8/19

### 13 REPORT HISTORY

<b>Decision type:</b> Key decision – 25 July 2019	<b>Urgency item?</b> No	<b>To Follow item?</b> No
<b>Report Author:</b> Naomi Markham, Waste Strategy Manager, 01628 682972		

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

Document is Restricted

This page is intentionally left blank