

# Public Document Pack

## NOTICE OF MEETING

# CABINET

will meet on

**THURSDAY, 31ST OCTOBER, 2019**

**At 7.00 pm**

in the

**GREY ROOMS - YORK HOUSE, WINDSOR**

TO: MEMBERS OF CABINET

Councillor Johnson	Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property
Councillor Rayner	Deputy Leader of the Council, Resident & Leisure Services, HR, IT, Legal, Performance Management & Windsor
Councillor Carroll	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health
Councillor Cannon	Public Protection and Parking
Councillor Clark	Transport and Infrastructure
Councillor Coppinger	Planning and Maidenhead
Councillor Hilton	Finance and Ascot
Councillor McWilliams	Housing, Communications and Youth Engagement
Councillor Stimson	Environmental Services, Climate Change, Sustainability, Parks and Countryside

Karen Shepherd – Head of Governance - Issued: Wednesday, 23 October 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

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## **AGENDA**

### **PART I**

<b><u>ITEM</u></b>	<b><u>SUBJECT</u></b>	<b><u>PAGE NO</u></b>
1.	<b><u>APOLOGIES FOR ABSENCE</u></b>  To receive any apologies for absence	-
2.	<b><u>DECLARATIONS OF INTEREST</u></b>  To receive any declarations of interest	7 - 8
3.	<b><u>MINUTES</u></b>  To consider the minutes of the meeting held on 26 September 2019	9 - 14
4.	<b><u>APPOINTMENTS</u></b>	-
5.	<b><u>FORWARD PLAN</u></b>  To consider the Forward Plan for the period November 2019 to February 2020	15 - 22
6.	<b><u>CABINET MEMBERS' REPORTS</u></b>  Environmental Services, Climate Change, Sustainability, Parks and Countryside	-
	i. Biodiversity Implementation Programme  Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor	23 - 28
	ii. Annual Report on Commissioning 2018-2019  Planning and Maidenhead	29 - 82
	iii. Horton and Wraysbury Neighbourhood Plan Decision to Proceed to Referendum  Finance and Ascot	83 - 126
	iv. Financial Update  Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor	127 - 148
	v. Windsor Town Centre Vision	149 - 156

Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor

vi. Award of Contract to Supply Agency Workers

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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 items 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"

## PART II – PRIVATE MEETING

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
8.	<p><u>CABINET MEMBERS' REPORTS</u></p> <p>Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor</p> <p>i. Award Of Contract To Supply Agency Workers - Appendix</p> <p><b><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p> <p>Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property</p> <p>ii. Sale Of Freehold Interest In Sierra House, 22-32a High Street, Maidenhead</p> <p><b><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p> <p>Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor</p> <p>iii. Leisure Operator Appointment For Braywick Leisure Centre</p> <p><b><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p> <p>Details of representations received on reports listed above for discussion in the Private Meeting: None received</p>	<p>165 - 168</p> <p>169 - 236</p> <p>237 - 274</p>



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## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

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

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

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

### Prejudicial Interests

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

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

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

### Personal interests

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

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

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# Agenda Item 3

## CABINET

THURSDAY, 26 SEPTEMBER 2019

**PRESENT:** Councillors David Cannon, Andrew Johnson, David Coppinger (Vice-Chairman), Samantha Rayner, Stuart Carroll, David Hilton, Gerry Clark and Ross McWilliams

Also in attendance: Councillors Davey, Price, Werner, Bateson and Sharpe.

Officers: Duncan Sharkey, Russell O'Keefe, Kevin McDaniel, Louisa Dean, Ruth Watkins, Andy Jeffs, Nikki Craig, Hilary Hall and David Cook.

### APOLOGIES FOR ABSENCE

No apologies were received.

### DECLARATIONS OF INTEREST

There were no declarations of interest received.

### MINUTES

**RESOLVED UNANIMOUSLY:** That the Part I minutes of the meeting held on 29 August 2019 were approved.

### APPOINTMENTS

The Chairman mentioned that as he had announced at Council he intended to have a different approach in terms of style and vision. The new look Cabinet was announced as:

<b>Member</b>	<b>Portfolio</b>
<b>Councillor Johnson</b>	<b>Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property</b>
<b>Councillor Rayner</b>	<b>Deputy Leader of Council, HR, IT, Legal Services (Including Performance Management) and Windsor</b>
<b>Councillor Carroll</b>	<b>Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health</b>
<b>Councillor Cannon</b>	<b>Public Protection and Parking</b>
<b>Councillor Clark</b>	<b>Transport and Infrastructure</b>
<b>Councillor Coppinger</b>	<b>Planning and Maidenhead</b>
<b>Councillor Hilton</b>	<b>Finance and Ascot</b>
<b>Councillor McWilliams</b>	<b>Housing, Communications and Youth Engagement</b>
<b>Councillor Stimson</b>	<b>Environmental Services, Climate Change, Sustainability and Culture</b>

## FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes made since it was published. It was noted that the School Places in the Royal Borough was moved from October 2019 to November 2019 Cabinet.

In addition Cabinet later decided to defer the Windsor Town Centre Vision report from September 2019 to October 2019.

## CABINET MEMBERS' REPORTS

### A) REQUEST TO USE THE ALLOWABLE CONTRACT EXTENSION PERIOD OF TWO YEARS FOR DRUG AND ALCOHOL SERVICES

The Lead Member for Adult, Children and Health introduced the report requesting the contract extension for Drug and Alcohol services.

The Lead Member informed that in 2015 there had been a comprehensive and systematic review that resulted in a successful procurement process awarding contracts to Cranstoun and Claremont & Holyport starting in 2017. The services had been run extremely well and the Care Quality Commission had awarded them a rating of Good, this would have been outstanding if it were not for issues with their building.

The Lead Member wished to thank officers for their excellent work, with the leadership of Hillary Hall, that resulted in this outstanding service. As the two contracts were working well he was recommending taking up the two year extension. This was a critical part of public health as well as supporting the homeliness strategy.

The Lead Member for Finance and Ascot informed that he was on the original task and finish group that had been comprehensive and included a number of external agencies. The report showed that performance was improving year on year and he informed that they also had an outreach service going into prisons.

**Resolved unanimously 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.**

### B) WINDSOR TOWN CENTRE VISION

The Deputy Leader of Council, HR, IT, Legal Services (Including Performance Management) and Windsor informed Cabinet that the report would be deferred for one cycle of Cabinet.

### C) PROCESSING OF DRY MIXED RECYCLING

The Lead Member for Transport and Infrastructure (previously Sustainability, Waste Services and Economic Development) introduced the report regarding the processing of dry mixed recycling.

The Lead Member informed that there was statutory duty to collect and recycle and a procurement exercise had been undertaken as no tenders were received and a direct award for one year was made to the current provider, Pure Recycling.

As there was such volatility in the market place with price fluctuation a long term contract had not been viable and thus the terms had been adjusted and a new procurement exercise was recommended.

**Resolved unanimously 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.**

**D) FINANCIAL UPDATE**

Prior to the Lead Member for Finance and Ascot introducing the latest financial update report. The Chairman addressed Cabinet.

The Chairman told Cabinet that the administration were committed to delivering value for money for the residents and committed to protecting the most vulnerable in our society. The council found itself in a challenging financial position but the administration were resolute and determined to address the immediate financial challenge as well as getting the Royal Borough back on a long term sound financial footing. Cabinet were informed that there would be difficult decisions ahead of them but they would united in meeting their objectives.

The Lead Member informed that the Council had a history of clean financial audits but he had become aware of financial risks and because of these risks the administration and Managing Director felt it was prudent to call in Cipfa to review the financial position. Their findings have been circulated and work was underway in addressing identified issues.

Cabinet were informed that as there was a projected overspend of £4,179,000 measures were to be undertaken to reduce this such as there would be no more Member capital bid process. Focus would be on the current position with Members being able to report issues with officers.

The Lead Member informed that the council had not been immune to the national pressures facing adult social care and was facing a projected pressure of £1,421,000 in this area. There are currently just over 2,000 people receiving services in the borough some with physical disabilities, learning disabilities and or mental health challenges. The cost of placements and the associated complexity of need because people are living longer was creating pressure on the budget.

One of the main areas of pressure was domiciliary care and placements which had already been recognised with associated recovery plans in place. There was evidence that actions taken was having an impact with costs levelling off. Work would continue with officers and Optalis.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health informed Cabinet that the financial pressures needed to be out in the national context of people living longer, which was good, but also living longer with complex conditions and a rising cost of provision. The Government was bringing forward a prevention paper. Within the Royal Borough we had an ageing population that came with a cost to the borough, care provision was improving and the Royal Borough had a high percentage of excellent care homes when compared nationally. This was a positive challenge with people living longer but this came at a cost. The administration would continue to push the Government for a fair funding stream. Moving to Optalis had been successful and future proofed services. There

was a five year transformation programme for social services looking at prevention; there was a need to invest to save in the long term.

The Chairman reported that we had excellent children's and social services teams that were good at identifying vulnerable young people, which was excellent but we had to accept that this would come at a cost. The main priority had to be the protection of our vulnerable residents.

The Chairman also mentioned that he felt that the recent changes to the parking strategy had not been handled to the best of our ability but the Lead Member would be looking at the strategic and enforcement framework to resolve the issues. The administration would remain committed to delivering the additional car parking spaces in Maidenhead that would include electric charging points.

Cllr Price addressed Cabinet and said that the pressures identified within the report were nothing new and should have been known and included within the budget. She questioned the forecasting when the budget was set. She welcomed looking after the vulnerable in society and the excellent work done by officers.

Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health said that the forecast within the report was the worst case scenario. Forecasting was done when setting the budget but it only took a few high cost placements to impact on the budget, these could not be predicted. Investment in adult social care had been undertaken and the benefits were now coming through the system and he was confident the overspend would come down.

Cllr Davey questioned if the figures within the report were correct as they did not seem to add up and he suggested that the report could be presented better so the public could have a better understanding of the current financial system. He also asked if there were plans to introduce a congestion charge. The Chairman replied that there were no plans to introduce a congestion charge and the Lead Member for Finance said that the figures were correct but agreed they could have been presented better.

Cllr Werner addressed Cabinet and said it was important to learn from the past so we did not make the same mistakes in the future. A number of Cllrs had raised concerns about the level of budget being set and areas, such as parking revenue, being under or overestimated. The budget pressures should have been predicted but they were not included within the budget build. He asked for reassurance that lessons would be learnt and how much of the £4 million overspend would be rolled over year on year. He made comparisons to Northamptonshire County Council cash crises.

The Chairman replied that there would be no Northamptonshire County Council situation with the Royal Borough. He also mentioned that it was well known that with a small population under 25 years old it was difficult to forecast pressures and protect against their impact. Special cases had a proportional bigger impact than on councils with a larger population.

The Lead Member for Finance highlighted that the proposed virements with corporate services were not virements but budget movements and should not appear.

**Resolved unanimously that: Cabinet notes the report and endorses the actions proposed:**

- i) The council's projected outturn position for 2019-20 and the mitigations proposed**
- ii) The virements between corporate and service directorate budgets.**
- iii) The projected spend on the capital programme**
- iv) The projected cash-balances for the remainder of the financial year**

E) MAIDENHEAD STATION ENHANCEMENTS: QUEEN STREET JUNCTION ARRANGEMENTS

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property introduced the report regarding the Queen Street junction arrangements.

The Chairman informed Cabinet that approval for the project had already been through Cabinet and this was next phase of the Maidenhead Station Improvement Scheme project. Consultation on this phase had been undertaken including discussion at the Maidenhead Town Forum.

The overall project was valued at £4.5 million and was mainly funded by Thames Valley Berkshire Local Enterprise Partnership who had approved the business case for the overall scheme.

This phase would see the Queen Street / A308 junction being redesigned with the right-turn for motorists from Queen Street removed to create improved facilities for pedestrians and cyclists. A pilot had been run throughout the summer and all three statutory services had said there would be no impact upon their operations.

The consultation summary was attached to the report and the Chairman provided the following highlights, pedestrians and cyclists were overwhelmingly in support of the scheme, 70% of people believe it would improve connectivity between the town centre and the station, 67% felt it would improve public space, 66% felt it would result in better safety for pedestrians and 64% felt it would be better for cyclists. 60% of people believed it would improve the junction, however only 40% believed it would improve traffic flow. The chairman reported that he felt that this was due to the temporary traffic lights not being able to sync with the permanent lights.

The Deputy Leader of Council, HR, IT, Legal Services (Including Performance Management) and Windsor mentioned that with the Braywick leisure centre, the York Road development and this project improving the infrastructure of Maidenhead. This was part of making Maidenhead the best it could be.

The Lead Member for Finance and Ascot said he had attended a recent LGA course where all of the five leaders of councils across the country presenting said how important 'Place' was, having a place where people wanted to live and work. The Lead Member for Planning and Maidenhead reiterated these sentiments and also mentioned that building a place to live was about people as well as building.

The Lead Member for Environmental Services, Climate Change, Sustainability and Culture said she approved of the scheme but would have liked to have seen more biodiversity such as green walls.

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

- ii) **Endorses that the junction improvements at Queen Street / A308 as previously approved as part of the business case and set out in Appendix A be delivered**

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 8.15 pm, finished at 9.20 pm

CHAIRMAN.....

DATE.....

## CABINET

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

ITEM	ORIGINAL CABINET DATE	NEW CABINET DATE	REASON FOR CHANGE
Datchet Design Guide Supplementary Planning Document	n/a	28 Nov	New item
The designations of the Maidenhead Forum and the new Neighbourhood Plan Area	n/a	19 Dec	New item

## FORWARD PLAN OF CABINET DECISIONS

NB: The Cabinet is comprised of the following Members: Councillor Johnson, Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property, Councillor Rayner, Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor, Councillor Carroll, Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health, Councillor Cannon, Public Protection and Parking, Councillor Clark, Transport and Infrastructure, Councillor Coppinger, Planning and Maidenhead, Councillor Hilton, Finance and Ascot, Councillor McWilliams, Housing, Communications and Youth Engagement, Councillor Stimson, Environmental Services, Climate Change, Sustainability, Parks and Countryside

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)
16								
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	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	internal process	Cabinet 28 Nov 2019	
Annual Consultation on School Admission Arrangements	Open -	The start of the annual statutory consultation on admission arrangements	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	Consultation with schools	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)	Ruth Watkins	Internal process	Cabinet 28 Nov 2019	
17 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.	Yes	Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside (Councillor Donna Stimson)	David Scott	Internal Process	Cabinet 28 Nov 2019	
Half Yearly Performance Report 2019/20	Open -	Report detailing performance of the Council against the corporate scorecard for quarters 1 and 2.	No	Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor (Councillor Samantha Rayner)	Hilary Hall	Internal process	Cabinet 28 Nov 2019	
Datchet Design Guide Supplementary Planning Document	Open -	Design Guide for Datchet	No	Planning and Maidenhead (Councillor David Coppinger)	Russell O'Keefe	Internal process for report, public consultation for the process.	Cabinet 28 Nov 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>
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	Environmental Services, Climate Change, Sustainability, Parks and Countryside (Councillor Donna Stimson)	David Scott	Internal Process	Cabinet 28 Nov 2019	
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	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	internal process	Cabinet 19 Dec 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)	Ruth Watkins	Internal consultation	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	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Ruth Watkins	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**

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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)	Ruth Watkins	Internal process	Cabinet 19 Dec 2019	
Financial Update	Open -	Latest Financial Update	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Ruth Watkins	internal process	Cabinet 19 Dec 2019	
The designations of the Maidenhead Forum and the new Neighbourhood Plan Area	Open -	TBC	No	Planning and Maidenhead (Councillor David Coppinger)	Russell O'Keefe	Internal process for report, public consultation for the process.	Cabinet 19 Dec 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>
Windsor Neighbourhood Plan for Business renewal of agreement to their constitution and designation of the Forum	Open -	The Windsor Neighbourhood Plan for Business to carry on producing a Neighbourhood Plan, and to have the Forum and it's Constitution renewed as they only have a 5 year life	No	Planning and Maidenhead (Councillor David Coppinger)	Russell O'Keefe	Internal process for report, public consultation for the process.	Cabinet 19 Dec 2019	
Renewal of council insurances	Open -	Proposed external insurance arrangements for the council from 1 April 2020.	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Ruth Watkins	Internal process	Cabinet 30 Jan 2020	
Financial Update	Open -	Latest financial update.	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Ruth Watkins	Internal process	Cabinet 30 Jan 2020	
Council Funding for Local Organisations	Fully exempt - 3	To consider the award of grants to voluntary organisations	Yes	Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property (Councillor Andrew Johnson)	David Scott	Grants Panel	Cabinet 6 Feb 2020	
Financial Update	Open -	Latest financial update	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Ruth Watkins	Internal process	Cabinet 27 Feb 2020	

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#### 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.

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Report Title:	<b>Biodiversity Implementation Programme</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Stimson, Lead Member for Environmental Services, Climate Change, Sustainability and Culture.
Meeting and Date:	Cabinet - 31 October 2019
Responsible Officer(s):	Hilary Hall, Director of Adults, Health and Commissioning and Ben Smith, Head of Commissioning-Infrastructure
Wards affected:	All

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## REPORT SUMMARY

1. This report sets out how the Council will deliver changes to the way in which it manages highway verges, parks, and open spaces in order to increase the biodiversity value of these areas. This follows unanimous support for the biodiversity motion at the council meeting on 23 July 2019:
2. The initial implementation of the programme will result in a small number of pilot projects commencing in 2019, with a thorough review of mowing/cutting regimes for highway verges, parks and open spaces to be undertaken in advance of the 2020 growing season. The cost of the pilot projects is proposed to be met from an initial £15,000 S106 or CIL budget. It is anticipated that adjustments to mowing/cutting frequencies and specifications from 2020 onwards will lead to the programme being cost neutral.
3. Following this initial implementation, further consideration will be given to the resourcing and implementation of wider biodiversity initiatives.

## 1. DETAILS OF RECOMMENDATION(S)

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

- i) **Approves the biodiversity schemes set out in this report, including initial wildflower planting works in 2019/20, and a review of and amendments to the mowing regimes for highway verges, parks and open spaces starting from the 2020 growing season**
- ii) **Requests use of £15,000 of S106 or CIL monies for progressing with the pilot biodiversity schemes in 2019/20**

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

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

Option	Comments
Manage our highway verges, parks and open spaces in such a way as to increase their value for biodiversity.  <b>This is the recommended option</b>	This is consistent with the motion passed by Council on 23 <sup>rd</sup> July 2019, and also the Council's declaration of an environmental and climate emergency at its meeting on 25 <sup>th</sup> June 2019.
Do nothing (i.e. continue with current management arrangements for highway verges, parks and open spaces).  This is not recommended.	This would be inconsistent with the motion and declaration referred to above.

- 2.1 At its meeting on 23rd July 2019, Council unanimously passed the following motion:

*That this Council, in the interests of encouraging biodiversity, and with input from ward councillors, agrees to:*

- i) *Less frequent mowing of verges to encourage wildlife friendly grasses and flowers and of parks and open spaces to encourage biodiversity, whilst being cognisant of health and safety issues insofar as traffic is concerned*
- ii) *The introduction of wildflowers to cheer up targeted barren sites within the Borough*
- iii) *The introduction of drought resistant insect friendly plants in key roadside areas*

- 2.2 The Royal Borough already has a strong commitment to conservation and biodiversity, managing 69 parks and open spaces, Local Nature Reserves, Local Wildlife Sites, and Wildlife Areas. The total area of land actively managed for conservation is approximately 380 acres, including recently acquired land at Thriftwood/Ockwells Park, Battlemead Common, and Shurlock Road.

- 2.3 The current grounds maintenance contract for parks and open spaces with Tivoli Services already includes a number of areas which are managed as conservation grass. However, it is proposed that a thorough review of cutting frequencies and specifications is undertaken, in discussion with Tivoli, in preparation for the 2020 growing season.

- 2.4 The Council's current mowing/cutting regimes for highway verges are set out in the Highways Maintenance Management Plan (HMMP), and together with the mowing/cutting regimes for parks and open spaces, these standards are reflected in the specifications contained in the council's grounds maintenance contract with Tivoli.

- 2.5 The current verge maintenance regimes set out in the HMMP and in the grounds maintenance contract are designed to ensure that grass and other vegetation is cut for safety purposes, in order to maintain visibility for highway



users, to prevent the obstruction of sightlines and traffic signs, and to ensure that road and footway widths are not reduced by overgrowing vegetation.

- 2.6 Some areas of verge are already managed to encourage the growth and survival of local flora and fauna, and this is included within the HMMP and the grounds maintenance contract. However, it is proposed that a thorough review of cutting frequencies and specifications is undertaken, in discussion with Tivoli, in preparation for the 2020 growing season. Appropriate roadside signage will be displayed in relevant areas to explain the reasons why verges are being managed in this way.
- 2.7 Additionally, a small number of pilot sites on highway verges have been identified across the borough, where wildflower planting projects can be commenced in 2019 to be funded from a £15,000 budget set aside for 2019/20.
- 2.8 The proposals in this report represent the initial implementation of a programme to support delivery of the council's biodiversity commitment. The Royal Borough will continue to work with our contractors and partners in managing and monitoring biodiversity within the borough, including Tivoli (in relation to the grounds maintenance contract) and the Thames Valley Environmental Records Centre (TVERC), Berks, Bucks and Oxfordshire Wildlife Trust (BBOWT), Wild Maidenhead (WM), Wild Cookham (WC).

### 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>
Increase in the number of verges and parks and open spaces where biodiversity is encouraged	Less than 5 sites	5 – 10 sites	More than 10 sites	N/A	31 March 2021

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 Funding for the mowing and maintenance of highway verges and parks and open spaces is included within the grounds maintenance contract. In order to deliver the pilot projects outlined in this report, use of S106 or CIL monies of £15,000 will be required.
- 4.2

**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	£15,000	£0	£0
Reduction	£0	£0	£0
Net Impact	£15,000	£0	£0

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

## **5. LEGAL IMPLICATIONS**

- 5.1 From 2006 (under section 40 of the Natural Environment and Rural Communities Act (NERC), it became a statutory duty to consider biodiversity across public bodies functions where applicable. It is anticipated that achieving biodiversity net gain in the Borough Local Plan will become law within months.

## **6. RISK MANAGEMENT**

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

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
Some residents may find 'wild' verges or 'wild' areas within parks less visually attractive	HIGH	Appropriate on-site signage coupled with on-line information to advise reasons for the changed management approach.	LOW

## **7. POTENTIAL IMPACTS**

- 7.1 Equalities: There are no equality impacts associated with the recommendations of this report. The Royal Borough's parks and open spaces are all open access to all residents and visitors to the borough.
- 7.2 Climate change/sustainability. The recommendations set out in this report will have a positive impact on climate change/sustainability. An increase of biodiversity on the verges and in open spaces will enhance air quality and reduce pollution.
- 7.3 Data Protection/GDPR: There are no data protection impacts associated with the recommendations of this report. No personal data will be involved.

## 8. CONSULTATION

A number of workshops on this topic were held for ward members and Parish Councils in September 2019.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: The full implementation stages are set out in table 5.

**Table 5: Implementation timetable**

Date	Details
November 2019	Approval of capital budget at Council
December 2019 onwards	Implementation of pilot projects
March 2020	Review of mowing and maintenance requirements for highway verges and parks and open spaces with Tivoli.
July 2020	Development of a wider Biodiversity Action Plan

## 10. APPENDICES

None

## 11. BACKGROUND DOCUMENTS

- 11.1 There are no background documents:

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Stimson	Lead Member for Biodiversity, Green and Blue Infrastructure	19.09.19	01.10.19
Duncan Sharkey	Managing Director	03.10.19	10.10.19
Russell O'Keefe	Executive Director	03.10.19	10.10.19
Andy Jeffs	Executive Director	03.10.19	10.10.19
Ruth Watkins	Chief Accountant	03.10.19	22.10.19
Elaine Browne	Interim Head of Law and Governance	03.10.19	10.10.19
Nikki Craig	Head of HR and Corporate Projects	03.10.19	10.10.19
Louisa Dean	Communications	03.10.19	
Kevin McDaniel	Director of Children's Services	03.10.19	10.10.19
Hilary Hall	Interim Director of Adult Services and Deputy Director of Commissioning and Strategy	19.09.19	22.09.19

## REPORT HISTORY

<b>Decision type:</b> Key decision: 1 August 2019	<b>Urgency Item</b> No	<b>To Follow item?</b> No
Report Author: Anthony Hurst, Parks and Countryside Manager, 01628-796180, Anthony.hurst@rbwm.gov.uk		

Report Title:	<b>Annual report on commissioning 2018-2019</b>
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Cllr S Rayner, Deputy Leader of Council, and Lead Member for HR, IT, Legal Services (including Performance Management) and Windsor
Meeting and Date:	Cabinet – 31 October 2019
Responsible Officer(s):	Hilary Hall, Director of Adults, Health and Commissioning
Wards affected:	All

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## REPORT SUMMARY

1. The Royal Borough of Windsor and Maidenhead is committed to the delivery of high quality services that meet residents' need at the best value. Consequently the council works proactively with a wide range of public sector and private sector partners to delivery statutory and discretionary services. In October 2018, the first annual report detailing the performance of the services commissioned by the council was published.
2. This report summarises the Annual Report on Commissioned Services 2018-2019, see appendix 1 for full report, which sets out how contracted services have performed in 2018-2019, together with a review of how the arrangements are managed by the Royal Borough.
3. The report provides an overview of performance against contractual performance indicators for the main services commissioned by the council, including an overview of financial performance. It notes the remedial work undertaken by the council where performance of some contracts was not on track.

## 1. DETAILS OF RECOMMENDATION(S)

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

- i) **Endorses the progress against the commissioning function's priorities for 2018-2020.**

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

- 2.1 The Royal Borough of Windsor and Maidenhead is committed to the delivery of high quality services that residents value and has a long history of delivering services through shared arrangements with the other Berkshire authorities since 1998, together with some outsourced arrangements, including waste and leisure. In 2016, the Royal Borough challenged itself to 'deliver differently' in order to ensure the most effective services which improved outcomes for residents whilst ensuring best value for money. In March 2016, the Royal

Borough approved a refreshed transformation programme, An Agile Council and from April 2017, the council started delivering:

- All statutory and discretionary children's services with Richmond and Kingston Councils through Achieving for Children.
- All statutory and discretionary adult services with Wokingham Council through Optalis.
- Highways and transport services through VolkerHighways and Project Centre.
- Parking enforcement through NSL Ltd.

### **Annual Report**

- 2.2 The Annual Report, see appendix 1, provides a detailed overview of the scope and service and financial performance of the services delivered through the Royal Borough's principal delivery partners, managed by the Strategy and Commissioning function of the council:
- Veolia for waste collection.
  - Tivoli for grounds maintenance.
  - VolkerHighways for highways maintenance and street cleansing.
  - Project Centre for highways design.
  - NSL Ltd for parking enforcement.
  - Achieving for Children for all statutory and discretionary children's services.
  - Optalis for all statutory and discretionary adult services.
- 2.3 In addition to these main contracts, the report details the wide range of other people and place based services commissioned by the council.
- 2.4 All of the contracts have generally delivered to the performance standards identified in the contracts and where performance has dipped during the year, the commissioning function has worked extensively with the relevant delivery partner to put performance back on track. Performance has been managed through a range of contract and commissioning boards involving both officers and Lead Members.
- 2.5 Delivering services through a range of partnerships has brought added value to services received by residents; this was particularly noted during the Royal Wedding in May 2018 but on a day to day basis, all partners demonstrate a willingness to work in partnership to secure positive outcomes for residents.
- 2.6 It is proposed that future annual reports are published on the website and considered by the relevant Overview and Scrutiny Panels as part of their annual programme.

### **Options**

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

<b>Option</b>	<b>Comments</b>
Endorse the commissioning function's priorities for 2019-2020, including the production of the next annual report in October 2020. <b>This is the recommended option</b>	As this is essentially an information item, there is only one recommended option.

### 3. KEY IMPLICATIONS

3.1 The key implications are set out in table 2.

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Contracts deliver to specified targets and on budget.	Less than 90%	90-95%	95-100%	N/A	

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

There are no new financial implications arising from the report. All contracts are managed within the contract sums although there is provision within the contracts to seek additional funding from the council where there is demand. For 2018-2019, there was an overspend in children's services due to the increased number of placements for children in care and the cost of agency staff.

### 5. LEGAL IMPLICATIONS

5.1 The council has the required powers to deliver services through the range of delivery partners identified in the report.

### 6. RISK MANAGEMENT

6.1 There are no new risks identified as a result of this report. Existing risks and issues in relation to the individual contracts are managed through contract risk and issue logs.

### 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 decisions. There are no additional impacts as a result of this report.

7.2 There are no direct climate change/sustainability impacts of the recommendations in this report.

7.3 Where the council's delivery partners process personal data in discharging the requirements of the contract, their processes for doing so are fully GDPR compliant.

### 8. CONSULTATION

8.1 The report was considered by the Adults, Children and Health Overview and Scrutiny Panel in September 2019.

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediately.

## 10. APPENDICES

10.1 This report is supported by one appendix:

- Annual report on commissioned services 2018-2019

## 11. BACKGROUND DOCUMENTS

11.1 This report is not supported by any background documents:

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr S Rayner	Deputy Leader of Council, and Lead Member for HR, IT, Legal Services (including Performance Management) and Windsor	29/09/19	02/10/19
Duncan Sharkey	Managing Director	29/09/19	20/09/19
Ruth Watkins	Deputy Section 151 Officer	29/09/19	
Russell O'Keefe	Executive Director	29/09/19	
Andy Jeffs	Executive Director	29/09/19	01/10/19
Kevin McDaniel	Director of Children's Services	29/09/19	
Elaine Browne	Head of Law and Governance	29/09/19	30/09/19
Nikki Craig	Head of HR and Corporate Projects	29/09/19	30/09/19
Louisa Dean	Communications	29/09/19	

### REPORT HISTORY

<b>Decision type:</b> Key decision 30 August 2019	<b>Urgency item?</b> No	<b>To Follow item?</b> No
Report Author: Hilary Hall, Director of Adults, Health and Commissioning, 01628 683893		



# **Royal Borough Windsor and Maidenhead**

## **Annual report on commissioned services**

### **2018-2019**

**October 2019**

**“Building a borough for everyone – where residents and businesses grow, with opportunities for all”**

**Our vision is underpinned by six priorities:**

*Healthy, skilled and independent residents*

*Growing economy, affordable housing*

*Safe and vibrant communities*

*Attractive and well-connected borough*

*An excellent customer experience*

*Well-managed resources delivering value for money*

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### Frequently used acronyms

FTE	Full time equivalent
RBWM	Royal Borough of Windsor & Maidenhead

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## 1 INTRODUCTION

- 1.1 The Royal Borough of Windsor and Maidenhead is committed to the delivery of high quality services that residents value. The council puts residents first, securing best value in how it uses its resources and works with public, private and voluntary sector partners to ensure that the borough is fit for the future.
- 1.2 The Royal Borough has a long history of delivering services through shared arrangements with the other Berkshire authorities since 1998. As at April 2019, there were 26 shared services in place, including Shared Legal Service, Berkshire Records Office, Building Control and Building Services, and the Coroner Service.
- 1.3 The council has also outsourced services, including waste collection services and leisure operations, and over the last two years, has moved a significant number of its front facing people and place based services into new partnering arrangements, including highways, children's and adult services. This report sets out how these commissioned arrangements, managed by the Strategy and Commissioning function of the council, have performed in 2018-2019.

## 2 PRIORITIES FOR 2018-2020

- 2.1 In last year's annual report on commissioned services, eight priorities for 2018-2020 were identified and agreed. These continue to be delivered in 2019-2020 and progress to date has been identified, see table 1.

**Table 1: Progress against 2018-2020 priorities**

Priority	Progress 2018-2019
1 Continue to robustly manage performance across the range of council contracts, at the same time developing a consistent set of contract monitoring tools.	Performance has been achieved against all contracts as set out in this report. Contract monitoring tools continue to be developed.
2 Work with all delivery partners to identify opportunities for growth and efficiencies.	Included in the updates in Section 4 of this report.
3 Work with Lead Members to develop a five year commissioning strategy.	Draft under development for consideration by Cabinet in November 2019.
4 Continue the improvements to the JADU functionality to enable better feedback to elected Members and residents on reported incidents.	New functionality around parking now introduced. Feedback loop now operating. Requirements for this functionality being incorporated into the specification for the new customer relationship management system.
5 Continue to develop the contract dashboards and business	Range of contract dashboards developed for the council's major

Priority	Progress 2018-2019
intelligence within InPhase in order to deliver a consistent approach to performance management of all contracts.	contracts as well as other management information.
6 Adapt the Government's Contract Management Professional Standards in order to create a framework of standards for the Royal Borough.	Framework of standards drafted and will form part of the Commissioning Strategy to be considered by Cabinet in November 2019.
7 Complete annual assessment against the agreed framework.	To be completed in 2019-2020.
8 Use the areas for development from the 2018 assessment to inform the training needs analysis and development plan for 2019-2020.	Completed.

### 3 THE ROYAL BOROUGH – A COMMISSIONING COUNCIL

#### Delivering differently

- 3.1 Whilst the Royal Borough has a long history of delivering through shared arrangements, 2016 saw a significant shift in its approach. The Royal Borough challenged itself to 'deliver differently' recognising the need to continue to secure high quality services against a diminishing financial envelope. Its motivation for delivering differently was to ensure the most effective services which improved outcomes for residents whilst ensuring best value for money. In March 2016, the Royal Borough approved a refreshed transformation programme, An Agile Council.
- 3.2 Five key criteria were identified at that time to be important to the success of working differently in the Royal Borough:
- Securing quality outcomes for residents by driving improvement, placing customers first and reducing long term dependency on public services and associated cost.
  - Engaging with and empowering staff, residents and partners.
  - Opportunity for growth by improving financial stability through alternative revenue streams.
  - Achieving efficiencies through income generation and savings from integrated services.
  - Assuring accountability of our services to our residents and to regulatory bodies.

#### Definitions

- 3.3 At its simplest, commissioning is the process by which services are planned, purchased and monitored. The process itself offers a systematic way of analysing need and defining outcomes but it is not prescriptive about the way in which services are delivered and allows for the implementation of delivery mechanisms which are appropriate for the service under review.

- 3.4 Using this definition, all services are commissioned and regardless of the delivery model, the council works with a range of delivery partners to secure the outcomes identified. The term “delivery partner” is used to refer to any organisation commissioned under formal contract or Service Level Agreement to deliver services on behalf of the Royal Borough of Windsor and Maidenhead, to an agreed specification, with service and financial performance regularly monitored and managed.

### Strategy and Commissioning

- 3.5 The Strategy and Commissioning function is responsible for commissioning, procuring and contract managing people facing and place based services for residents on behalf of the Royal Borough. The purpose of the Strategy and Commissioning Service is to: *“Be advocates for our residents, understanding their current and future needs, providing or commissioning services that meet those needs, and ensuring quality, value for money and improved outcomes.”*
- 3.6 The function uses the commissioning cycle to guide its work, see diagram 1.

**Diagram 1: Commissioning cycle**



- 3.7 In delivering its purpose, the function has adopted these principles of commissioning, procurement and contract management:
- Focus on residents and the community, not services.
  - Understanding needs and the market.
  - Good communication and engagement with service providers and users.

- Delivering through partnership and collaboration.
- Focus on value for money whilst securing outcomes and improving productivity.
- Robust risk management.
- Good governance.

### **Resident and Member contact**

- 3.8 The new delivery model for place based services was designed to provide greater resilience and improved response times for residents. This is predominantly achieved through online reporting which requires specific information enabling requests to be routed directly to the appropriate supplier and actioned in line with performance standards, which are monitored through regular contract meetings.
- 3.9 Analysis of the first year of online reporting shows that there has been no reduction in the volume of reports compared to the previous year and 75% of all enquiries and 83% of potholes are reported through this channel. There has also been a 22% increase in the number of reports made on online through the “report it” function.
- 3.10 Whilst this approach has generally been successful, response timeliness to residents and Members remains a key area for improvement.

### **Governance**

- 3.11 Given the breadth of the Royal Borough’s commissioned arrangements, good governance is an essential part of the contract arrangements. This is supported by the Partnership Protocol included in the council’s constitution. In all cases:
- Regardless of the delivery model, the role of the council in setting direction and agreeing policy remains constant, as do the overview and scrutiny arrangements.
  - Lead Members for the relevant portfolios are involved in a number of ways in the management and assurance of contract delivery.
  - Where the Royal Borough is a joint owner of a delivery partner, additional arrangements are in place with Lead Members to oversee company-wide development.
  - Detailed operational contract management in all cases is undertaken through a contract monitoring board, which usually meets at least monthly, comprising representatives of the council and the partner organisation.

### **Value for money**

- 3.12 The National Audit Office states that value for money can be evaluated in three ways:
- Economy: minimising the cost of resources used or required (inputs) – spending less.
  - Efficiency: the relationship between the output from goods or services and the resources to produce them – spending well.
  - Effectiveness: the relationship between the intended and actual results of public spending (outcomes) – spending wisely.
- 3.13 In terms of **economy**, the process of commissioning the place based contracts was undertaken competitively and used a variety of benchmarks to assess the cost of services, for example, unit costs. Savings for highways maintenance, highways design and parking enforcement were removed before the contracts were let, with the expectation that the approved delivery partner would deliver within the agreed



contract value. Section 4 of this report demonstrates that this is the case, despite, in the case of Project Centre, significantly increased volumes.

- 3.14 The driver for transferring adults and children's services was not about spending less, but more about **efficiency** and **effectiveness** in terms of driving up the quality of services being delivered. Whilst demand continues to grow in children's services, there are examples of efficiency being achieved, eg the delivery of the Local Authority Designated Officer function in Achieving for Children within existing resources.
- 3.15 **Efficiency** is particularly evidenced in the securing of block bed provision (residential and nursing) in the borough. All the care homes where the Royal Borough has block beds are rated either Good or Outstanding and the cost per week of the beds is £200 less than the same placement could be purchased on a spot basis. Similarly, for the new waste collection contract, the commissioning and procurement process sought a balance of cost and quality (40 – 60), with an emphasis on quality. As this contract was derived from an open tender process in a competitive market, the Royal Borough can be assured that the new contract represents good value for money. In addition, added value services, for example, kerbside collection of small electrical items, sustainability improvements at operating bases (solar energy and grey water recycling) and trialling of electric waste vehicles have been secured at an overall reduced cost.
- 3.16 A key strand of **effectiveness** across the range of people facing and place based contracts has been to secure resilience. The Royal Borough is a relatively small local authority and the teams within it are small. In many cases, experience and knowledge is held by one or two individuals. Transferring those functions to external delivery partners has secured access to experienced resources of a wider organisation. This is particularly true of Achieving for Children, Project Centre and NSL.
- 3.17 In place based services, annual participation in the National Highways & Transport Benchmarking Survey is undertaken to monitor customer satisfaction and enable informed management decisions around areas of focus. This is used alongside the annual resident survey to manage the effectiveness of spend against outcomes.
- 3.18 The new commissioning strategy which is currently being developed ensures that value for money is a key consideration throughout the commissioning and procurement cycle.

## **4 THE ROYAL BOROUGH – DELIVERY PARTNERS’ PERFORMANCE**

4.1 This section sets out what is delivered by the Royal Borough’s people facing and place based delivery partners, together with a summary of service and financial performance in 2018-2019. This includes individual contract dashboards for the main commissioned services.

4.2 This section is structured around:

### **Main delivery partners – people:**

- Achieving for Children (children’s services) – table 2.
- Optalis (adult services) – table 3.

### **Main delivery partners – place**

- VolkerHighways (highways maintenance) – table 4.
- Veolia (waste collection) – table 5.
- Project Centre (highways design) – table 6.
- Tivoli (grounds maintenance) – table 7.
- NSL (parking enforcement) – table 8.

4.3 In addition, the council commissions a number of other services for residents, in terms of people and place services which are summarised in table 9. The details of these contracts and their performance in 2018-2019 is set out in tables 10 and 11.

4.4 Five shared service arrangements are also in place to support people and place, including winter maintenance, emergency duty service and adoption, see table 12. These shared arrangements are managed through a Management Committee or Board comprising representatives of the authorities involved. Meetings and review of performance of the shared arrangements take place at least quarterly.

**Table 2: Achieving for Children**



Information about the company:  
[www.achievingforchildren.org.uk](http://www.achievingforchildren.org.uk)

<b>Purpose:</b> To provide the full range of statutory and discretionary children's services, across education, early help and social care, to children and young people of the borough aged 0-25.				
<b>Type of entity:</b>  Community interest company	<b>Contract start date:</b> August 2017	<b>Contract length:</b>  Seven years	<b>Contract value per annum:</b> £33,728,000 Children's Services; £1.6m health visitors; £214k school nurses	<b>Sub-contracting arrangements:</b> None.
<b>Monitoring arrangements:</b> Performance is reviewed quarterly against a set of 36 performance indicators. The 0-19 Healthy Child Programme health visitor and school nurse performance is also monitored quarterly.				
<b>Service performance measures:</b> <ul style="list-style-type: none"> <li>• Education.</li> <li>• SEND.</li> <li>• School support services.</li> <li>• Children's centres and health visitors.</li> <li>• Youth services.</li> <li>• Youth Offending Service.</li> <li>• Children's social care.</li> <li>• 0-19 Healthy Child Programme –five mandated health visitor reviews.</li> </ul>		<b>Service performance 2018-2019:</b> <p>91% of pupils attending a good or outstanding school.</p> <p>Attendance at the youth service provision significantly above target at 6521 attendances.</p> <p>Increase in the proportion of 16 and 17 year olds known to be participating in education, employment or training to 93.1%.</p> <p>The number of children with child protection plans and children in care has increased over the year. Reviews of these children have, however, been completed within the statutory timescales.</p> <p>The number of families receiving a 14 day visit and a six to eight week review by a health visitor has increased. 100% of all 2-2.5 year old checks are carried out using the recommended assessment tool.</p> <p>933 children of school age have an Education, Health and Care Plan which is an increase on the previous year.</p>		

<p><b>Financial performance 2018-2019:</b></p> <p>Budget      £33,728,000</p> <p>Outturn:     £35,743,000</p>	<p><b>Reasons for over/underspend:</b></p> <p>The overspend was due to the increased number of children in care requiring placements which was not budgeted for and the continued use of interim staff to cover essential vacant social worker positions due to recruitment issues.</p> <p>The overspend on the Dedicated Schools Grant related to an increased number of school top up payments required for pupils with high needs.</p>
<p><b>Added value of arrangement:</b></p> <p>Achieving for Children operates children services across three local authorities which provides opportunity for best practice sharing, joint working and efficiencies across services, such as the Virtual School for children in care.</p>	<p><b>Issues:</b></p> <p>Managing increase in demand for social care and support for complex needs within the budget.</p> <p>Creating a stable skilled workforce.</p> <p>Limitations of the case management system to streamline ways of working.</p> <p>Capital programme agreed for a two year replacement. Impacts effectiveness of recording and reporting.</p>
<p><b>Opportunities for growth identified and delivered:</b></p> <p>The Partners in Practice arrangement with the Department for Education has enabled local delivery of an increased “think family” approach, with additional family coaches and workers supporting children in need.</p> <p>Achieving for Children has established its own Independent Fostering Agency which is beginning to demonstrate an increase in the number of fostering placements and enhanced support for those that are fostering in the borough.</p>	
<p><b>Opportunities for efficiencies identified and delivered:</b></p> <p>In January 2019, Achieving for Children started providing the Local Authority Designated Officer (LADO) service for the Royal Borough from their existing resources. This enabled the council to make a saving on the service.</p> <p>The number of young people not in education, employment or training reduced as a result of focused work. Again this was undertaken by Achieving for Children within existing resources.</p>	
<p><b>Lead Member:</b></p> <p>Cllr Carroll, Lead Member for Adult Social Care, Children’s Services, Health and Mental Health</p>	<p><b>Contract manager:</b></p> <p>Head of Commissioning – People</p>

## Summary contract performance for 2018/19:



45

(AFC\_1) Percentage children for whom there is a school place at start of Autumn Term



(AFC\_2) Percentage of schools rated Good or Outstanding



YTD is latest period value available

(AFC\_3) Percentage statutory EHCP ass'tmts completed within 20wks (inc exceptions)



(AFC\_4) Percentage under-5s in reach-area registered with their children centre



Annual measure

(AFC\_5) Percentage children receiving face-to-face visit within 14 days of birth by a Health Visitor



(AFC\_6) Percentage of children due a 6-8wk review receiving a review within 8wks of birth



(AFC\_7) Percentage of children due a review by end of Qtr who received a review by age 2.5yrs



(AFC\_8) Percentage parents offered school-entrant health questionnaire



YTD is average of all period values

(AFC\_9) Percentage of parents who returned school-entrant health questionnaire



YTD is average of all period values



(AfC\_11) Percentage of children receiving their vision screening



(AfC\_12) No. young people (8-19yrs) who access youth service provision (contact)



Cumulative data

(AfC\_13) Attendances of young people (8-19yrs) who engage in youth service provision



Cumulative data

(AfC\_14) No. families within "Strengthening Families" initiative deemed "turned around" in Phase 2



(AfC\_15) No. first-time entrants into youth justice system



(AfC\_16) No. children referred per 10,000 pop.



Cumulative data

(AfC\_17) Percentage of re-referrals to CSC within 12mths



(AfC\_18) Percentage Single Ass'ments completed within 45 working days



(AfC\_19) Percentage of Initial CPC held within timescale



(AfC\_20) Percentage of Review CPC held within timescale



(AfC\_21) Percentage children subject to a CPP for 6+ weeks visited within last 20 working days



YTD is latest period value available

(AfC\_22) Percentage of children subject to a CPP for 2+ yrs on ceasing



YTD is latest period value available

(AfC\_23) Percentage children becoming subject of a CPP for second/subsequent time within 2yrs



YTD is latest period value available

(AfC\_24) Percentage CiC placed 20+ miles from home whose needs could have been met in-borough if there was capacity



YTD is latest period value available

(AfC\_25) Percentage of CiC visited within statutory timescale (6wks)



YTD is latest period value available

(AfC\_26) Percentage of CiC statutory reviews held within timescale



(AfC\_27) Percentage CiC that contribute to their statutory review



(AfC\_28) Percentage CiC with an annual health assessment



(AfC\_29) Percentage eligible CiC with an up-to-date PEP



YTD is latest period value available

(AfC\_30) Percentage eligible CiC permanently excluded from school



(AfC\_31) Percentage of CiC with 3+ placements within 12mths



(AfC\_32) Percentage eligible young people with an up-to-date Pathway Plan



YTD is latest period value available

(AfC\_33) No. LA foster carers



YTD is latest period value available

(AfC\_34) Percentage of care-leavers living in suitable accommodation (19-21yr olds)



YTD is latest period value available

(AfC\_35) Percentage of care-leavers in education, training and employment (19-21yrs)



YTD is latest period value available



**Table 3: Optalis**



Information about the company:

[www.optalis.org](http://www.optalis.org)

<b>Purpose:</b> To deliver all statutory and discretionary adult social care and support services to the residents of the borough.				
<b>Type of entity:</b> Local authority trading company	<b>Contract start date:</b> April 2017	<b>Contract length:</b> 10 years	<b>Contract value per annum:</b> £33,164,000	<b>Sub-contracting arrangements:</b> None.
<b>Monitoring arrangements:</b> Performance is reviewed monthly against a set of 10 performance indicators.				
<b>Service performance measures:</b> <ul style="list-style-type: none"> <li>• Long term clients reviewed in the last 12 months (by team).</li> <li>• Carers reviewed in the last 12 months (by team).</li> <li>• Support plan completion (by team).</li> <li>• Delayed transfers of care.</li> <li>• Residents still at home 91 days after discharge from hospital.</li> <li>• Safeguarding concerns allocated.</li> <li>• Safeguarding concerns leading to investigation by team.</li> <li>• Safeguarding user satisfaction.</li> <li>• Number of establishments in serious concerns.</li> <li>• Percentage of Deprivation of Liberty applications completed in the last 12 months.</li> </ul>		<b>Service performance 2018-2019:</b> Delayed transfers of care attributable to social care consistently better than target throughout year.  Numbers of people aged 65+ admitted into long term care homes – significantly better than target.  Exceeded target for percentage of support plan assessments completed within target timescale.  Some performance measures did not achieve targets e.g. percentage of people reviewed in 12 months and percentage of carers reviewed within 12 months. This will be prioritised during the next year.		
<b>Financial performance 2018-2019:</b>  Budget      £33,130,654  Outturn:     £33,338,654		<b>Reasons for over/underspend:</b> Overspend in the Optalis contract of £208,000, mainly due to increased numbers of placements for nursing dementia care. This was, in part, due to the temporary closure of one floor at Queen's Court Care Home for refurbishment and re-provision in order to support people with dementia. This temporarily created higher voids than would usually be expected in block contracts, which led to additional numbers of spot placements.		

<p><b>Added value of arrangement:</b> Increased efficiencies and economies of scale through sharing back office functions within the Optalis company. Increased flexibility and ability to respond to market opportunities and potential service development options within adult social care, for example the shared Principal Social Worker post.</p>	<p><b>Issues:</b> As with many employers located on the periphery of Greater London, market forces and staff recruitment / turnover continue to be a challenge for the organisation.</p>
<p><b>Opportunities for growth identified and delivered:</b> Optalis, as the Borough's provider of choice for adult social care services, is able to provide and deliver value for money services to the residents of the Royal Borough across a range of adult social care (assessment / care planning and support), as well as directly providing services such as supported living and other care / residential services for people with a learning disability. For example the opening of Brill House for people with a learning disability which provided an additional five flats for people with lower level needs.</p>	
<p><b>Opportunities for efficiencies identified and delivered:</b> Efficiencies have been delivered in back office functions such as the joint procurement of energy which will save 10 – 15% compared to previous tariffs.</p>	
<p><b>Lead Member:</b> Cllr Carroll, Cllr Carroll, Lead Member for Adult Social Care, Children's Services, Health and Mental Health</p>	<p><b>Contract manager:</b> Head of Commissioning – People</p>

## Optalis summary performance 2018/19:



(Opt\_3) Percentage of long-term cases reviewed in the last 12mths



(Opt\_4) Percentage of carers assessed or reviewed in last 12mths



(Opt\_5) Percentage of support plan assessments completed within timescale



(Opt\_7) Delayed transfers of care, per 100,000 pop., attributable to RBWM



(Opt\_8) Percentage of rehabilitation clients still at home 91 days after discharge



YTD is average of all period values

(Opt\_9) Percentage of safeguarding enquiries allocated within timescale



(Opt\_10) Percentage of safeguarding enquiries progressing to investigation



(Opt\_11) Percentage safeguarding service-user satisfaction



(Opt\_12) No. establishments in Serious Concerns framework



YTD is latest period value available

(Opt\_12b) No. care homes in Care Standards framework



YTD is latest period value available

(Opt\_13) Percentage of DoLS applications not dealt with within 12mths



(Opt\_14) Percentage of tier 1 conversations ending with no further action



(Opt\_15) Percentage of Tier 2 conversations closed within 6wks



(Opt\_19) Rate of long term care home episodes aged 65+ opened



**Table 4: VolkerHighways**



Information about the company:  
[www.volkerhighways.co.uk](http://www.volkerhighways.co.uk)

<b>Purpose:</b> Management and maintenance of highway services.				
<b>Type of entity:</b>  Private sector company	<b>Contract start date:</b>  July 2017	<b>Contract length:</b>  Five years	<b>Contract value per annum:</b>  £3,867,000	<b>Sub-contracting arrangements:</b>  Urbaser for street cleansing
<b>Monitoring arrangements:</b> Performance is reviewed monthly.				
<b>Service performance measures:</b> There are 33 performance measures that are captured monthly, broken down into six themes <ul style="list-style-type: none"> <li>• Quality management</li> <li>• Contract programme</li> <li>• Financial</li> <li>• Service provision</li> <li>• Customer care</li> <li>• Added value.</li> </ul>		<b>Service performance 2018-2019:</b> Volk's delivered over 55 resurfacing schemes which reflects the original programme agreed by Cabinet together with in-year additional investment whilst also being flexible to minor programme changes and timing constraints.  A range of traffic management and road safety schemes have been implemented in line with the detailed works programmes approved by Cabinet. As an example, a trial roundabout scheme was introduced at Hatch Lane /Parsonage Lane which is now under construction as a permanent scheme following consultation  Drainage repairs across the borough.  Lining refreshment programme.  Introducing a tracking system for Eton and Windsor.  Trial of 'find and fix' initiative in high profile areas.		
<b>Financial performance 2018-2019:</b>  Budget                      £3,867,010  Outturn:                      £3,768,092		<b>Reasons for over/underspend:</b> Through a series of one-off efficiencies savings, for example, improved productivity on gully cleansing.		
<b>Added value of arrangement:</b> Volk's and Urbaser have been instrumental in installing physical measures to reduce traveller encampments in the borough during 2018-19.		<b>Issues:</b> Surface dressing treatment failed in certain areas of the borough. A review was undertaken to look at ways to reduce this happening in the future which concluded that surface dressing is a treatment type which should remain in the overall toolkit. However, use should be		

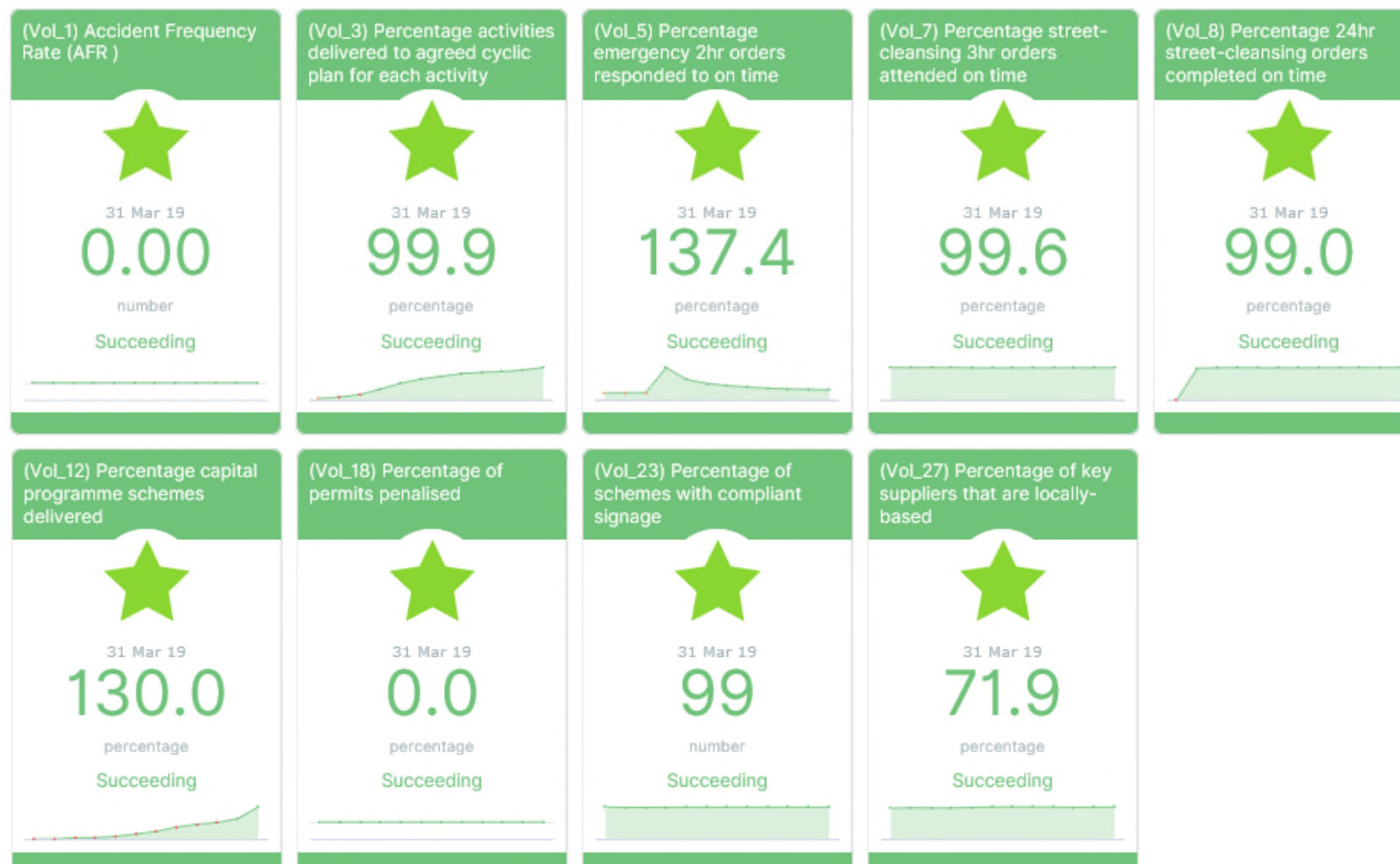
<p>Significant support with Royal Weddings including additional deep cleans before and street cleansing throughout and after the events and highways works to ensure Windsor was looking its best. Continued support with community events for example Maidenhead Festival and the freedom march.</p> <p>Assistance during the local elections.</p>	<p>limited to low-risk locations and only be implemented during optimum weather conditions.</p> <p>Fly tipping increased, in particular around 'bring sites'. The impact is additional unscheduled visits over and above the core contract together with additional waste disposal costs.</p>
<p><b>Opportunities for growth identified and delivered:</b></p> <p>Alongside the annual road maintenance programme of £1.7m for 2018-19, an additional £1.7m of council investment along with an extra Department for Transport grant funding of £965,000, allowed for a supplementary road maintenance programme to further improve the condition of roads.</p> <p>A pilot 'Find and Fix' scheme was implemented to increase responsiveness and quality by reducing response times and completing minor repairs which were non-safety defects but aesthetically poor in key high profile areas.</p>	
<p><b>Opportunities for efficiencies identified and delivered:</b></p> <p>A review has been undertaken of the New Highways Code of Practice. This led to optimising road inspection routes and bridge inspection frequencies which reduces resource levels enabling redeployment to other activities.</p>	
<p><b>Lead Member:</b> Cllr Clark, Lead Member for Transport and Infrastructure</p>	<p><b>Contract manager:</b> Principal Commissioning Officer (VolkerHighways) Principal Streetworks Officer (Urbaser)</p>



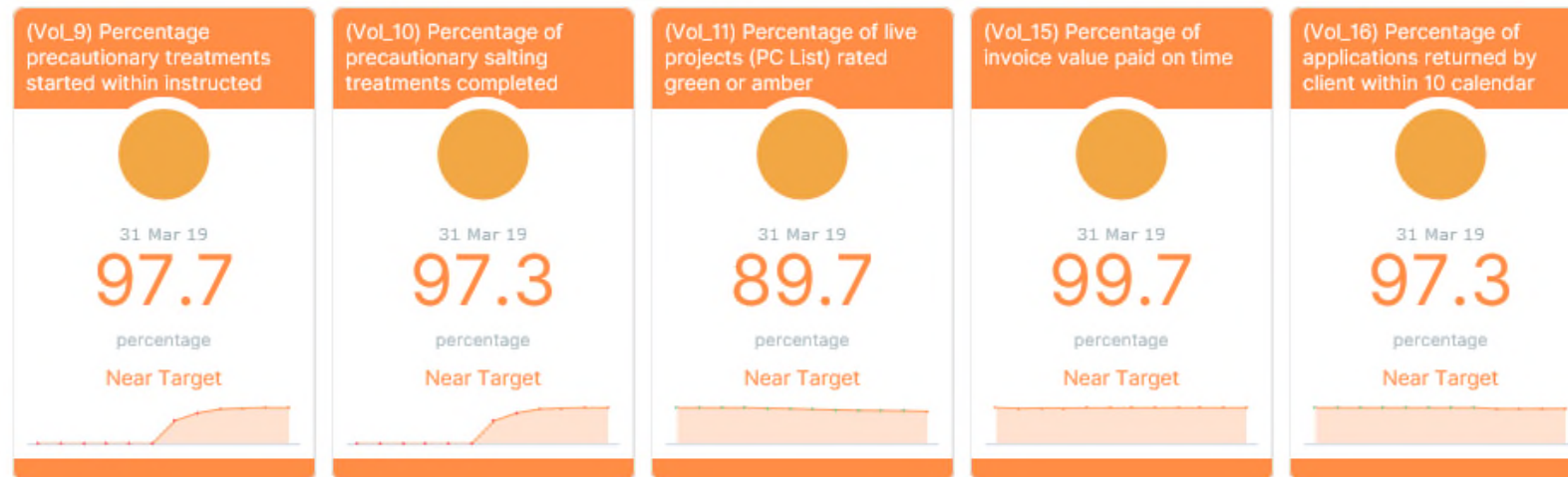
## Volker Highways summary performance 2018/19:



Succeeding



## Near Target



## Needs Improvement





**Table 5: Veolia**



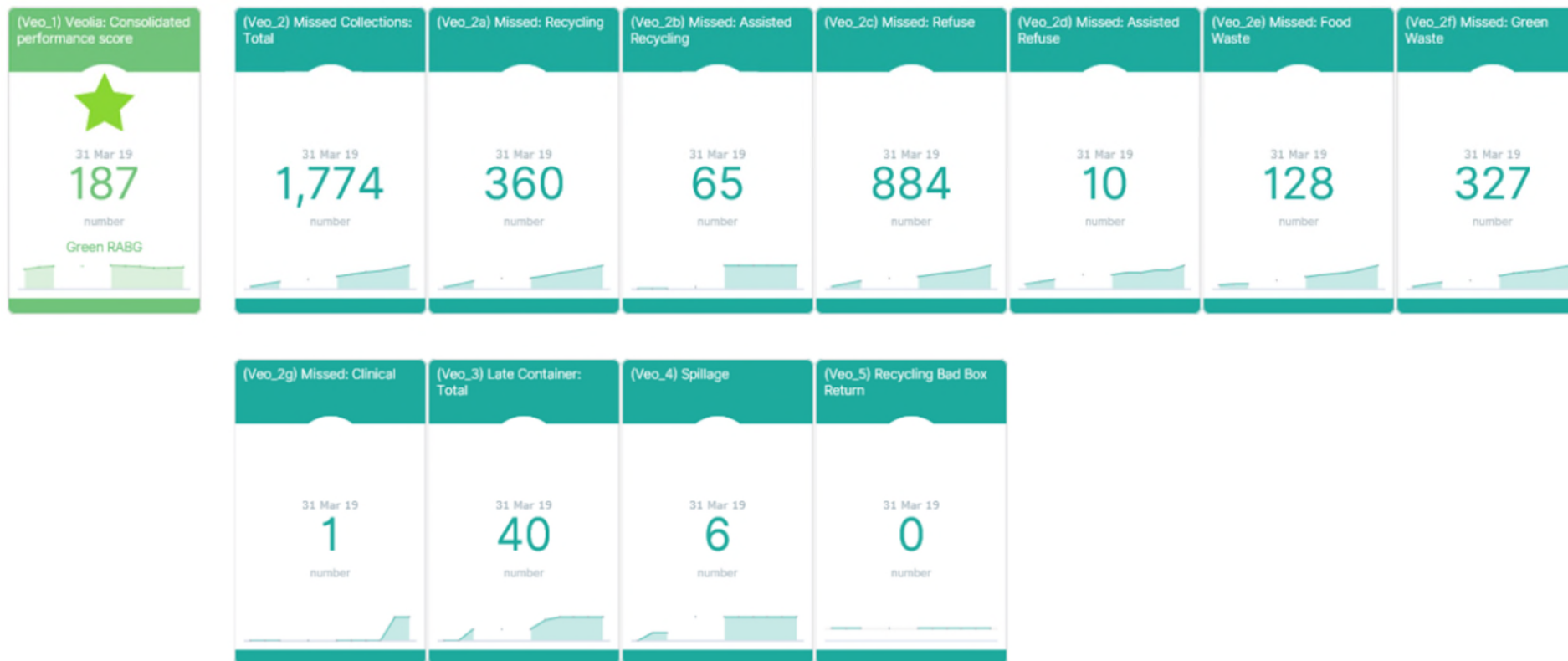
Information about the company:

[www.veolia.co.uk](http://www.veolia.co.uk)

<b>Purpose:</b> Collection of waste and recycling, management of the household waste and recycling centre and waste transfer station, reprocessing of recyclable materials.				
<b>Type of entity:</b> Private sector company	<b>Contract start date:</b> April 2005	<b>Contract length:</b> Seven plus seven years	<b>Contract value per annum:</b> Capped contract sum £5.3million plus variations of £700,000	<b>Sub-contracting arrangements:</b> Haulage with John Allchurch Haulage and the reprocessing of recyclable materials with Pure.
<b>Monitoring arrangements:</b> Performance is reviewed monthly. There are provisions within the contract for deductions to be made to monthly payments if there is under-performance based on a range of targets and measures, eg number of missed bin collections.				
<b>Service performance measures:</b> There is a monthly performance management score made up of a range of performance measures, including: <ul style="list-style-type: none"><li>• Missed collections</li><li>• Bad bin returns</li><li>• Late container deliveries</li><li>• Spillage</li><li>• Missed assisted collections</li></ul>		<b>Service performance 2018-2019:</b> The service has performed well during 2018/19 with low numbers of missed collections. 99.99% of collections took place on the correct day, with only 1774 missed collections overall during the year out of 8 million scheduled collections across rubbish, recycling, food and garden waste collections.		
<b>Financial performance 2018-2019:</b> Budget      £6,000,000  Outturn:     £6,000,000		<b>Reasons for over/underspend:</b> The contract's financial performance was as expected for the year.		
<b>Added value of arrangement:</b> Veolia provided additional support for street cleansing collections for the Royal Wedding in May 2018, allowing for a swift clear up following the event.		<b>Issues:</b> There have been problems with misuse of recycling sites and fly tipping around them, which led to some sites including sites in Eton and Ascot, being removed. This removed the problems at these sites and other sites are being monitored and are under review.		
<b>Opportunities for growth identified and delivered:</b> The Veolia contract comes to an end in September 2019, after an agreed six month extension. The contract is now in the demobilisation phase and work is being undertaken to ensure a smooth transition to the new provider.				

<b>Opportunities for efficiencies identified and delivered:</b>	
A competitive procurement exercise was undertaken during 2018/19 and a new waste and recycling collection contract will commence on 30 <sup>th</sup> September 2019. The new contractor will be Serco. Details of efficiencies delivered under the new contract will be reported in the 2019/20 report.	
<b>Lead Member:</b> Cllr Stimson, Lead Member for Environmental Services, Climate Change, Sustainability and Culture	<b>Contract manager:</b> Waste Strategy Manager

## Veolia summary performance 2018/19:



**Table 6: Project Centre**



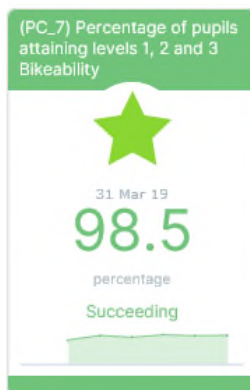
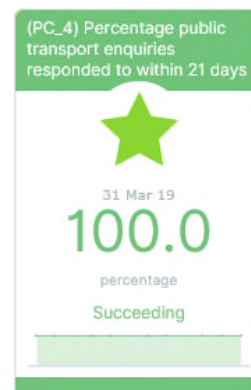
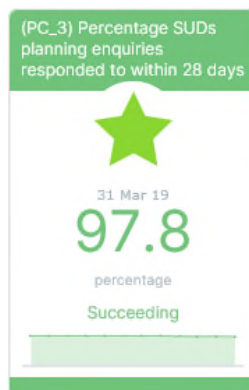
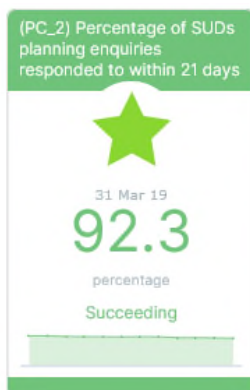
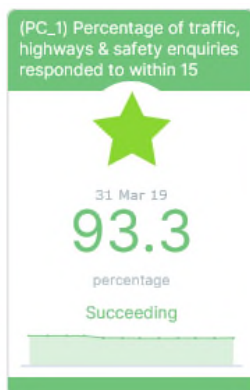
Information about the company:  
[www.projectcentre.co.uk](http://www.projectcentre.co.uk)

<b>Purpose:</b> Delivery of specialist professional services, including highways; flooding and transport planning				
<b>Type of entity:</b> Private sector company	<b>Contract start date:</b> April 2017	<b>Contract length:</b> Five years	<b>Contract value per annum:</b> £518,660	<b>Sub-contracting arrangements:</b> None
<b>Monitoring arrangements:</b> Performance is reviewed monthly using a set of 20 key performance indicators, mainly based around turnaround times.				
<b>Service performance measures:</b> A suite of measures across the professional disciplines including: <ul style="list-style-type: none"> <li>• Turnaround times for highways and sustainable drainage (SUDS) comments on planning applications.</li> <li>• Turnaround time on customer enquiries.</li> </ul>		<b>Service performance 2018-2019:</b> Despite a significant increase in number of planning applications received by RBWM, Project Centre was able to maintain overall response times: <ul style="list-style-type: none"> <li>• SUDS - 274 comments (target 250), 92% on time.</li> <li>• Highways - 126 major applications (target 50), 73% on time.</li> <li>• 985 minor applications (target 700), 92% on time.</li> </ul> 741 traffic highways and safety enquiries responded to (target 500). 982 public transport enquiries responded to (target 600). Road safety – 790 pupils attained levels 1,2 & 3 Bikeability; and road safety campaigns delivered at the roadside and in schools. Speed Indicator Devices deployed at a number of speed concern sites		
<b>Financial performance 2018-2019:</b> Budget      £518,600  Outturn:      £443,881		<b>Reasons for over/underspend:</b> The core contract secures a level of specialist resource which can be deployed annually on specific projects. The underspend in 2018/19 was a one-off saving as the volume of capital funded projects was increased and resources were funded accordingly.		

<p><b>Added value of arrangement:</b> Additional volumes accommodated within the existing contract.</p> <p>Public transport support for Royal Weddings.</p> <p>Land drainage enforcement activities.</p>	<p><b>Issues:</b> The volume and complexity of planning applications requiring highways comments has increased significantly beyond the indicative contract value. This has increased pressure on achieving consistent response times and the quality of response.</p>
<p><b>Opportunities for growth identified and delivered:</b></p> <p>Prepared business cases to secure external funding from Local Enterprise Partnership for Maidenhead Town Centre Missing Links (£2.24m) and Maidenhead: Housing Sites Enabling Works Phase 1 (£5.28m).</p> <p>Progressed delivery of Maidenhead Station Access project (£3.75m LEP funding secured in 2017-18).</p>	
<p><b>Opportunities for efficiencies identified and delivered:</b></p> <p>Increased volumes and fluctuating levels of activity are managed across the contract and drawing upon resilience within the broader pool of Project Centre resources seeking to maintain response times, quality and respond to demand. This enables a quicker, more dynamic response to changing circumstances which would not be delivered through in-house delivery.</p>	
<p><b>Lead Member:</b> Cllr Clark, Lead Member for Transport and Infrastructure</p>	<p><b>Contract manager:</b> Principal Commissioning Officer</p>

## Project Centre summary performance 2018/19:

PROJECT  
CENTRE



**Table 7: Tivoli**



Information about the company:

[www.tivoliservices.com](http://www.tivoliservices.com)

<b>Purpose:</b> Grounds maintenance covering parks, open spaces, sports pitches, play areas, cemeteries (including interments), and highway verges.				
<b>Type of entity:</b> Private sector company	<b>Contract start date:</b> April 2016	<b>Contract length:</b> 10 years and six months	<b>Contract value per annum:</b> Approx. £1.2 million	<b>Sub-contracting arrangements:</b> None.
<b>Monitoring arrangements:</b> Performance is reviewed monthly. There are provisions within the contract for deductions to be made to monthly payments if there is under-performance. The contract also allows for variations/additional works if and when required.				
<b>Service performance measures:</b> There is a monthly performance management score made up of four performance measures: <ul style="list-style-type: none"> <li>• Percentage of works undertaken in accordance with work schedule.</li> <li>• Monthly joint inspection scores based on a random selection of sites.</li> <li>• Children's play area inspections completed.</li> <li>• Number of justified complaints received.</li> </ul>		<b>Service performance 2018-2019:</b> The consolidated annual performance score is 81% against a target of 92% - performance levels have not been achieved and improvement is required. Performance score is impacted by two primary items: <ul style="list-style-type: none"> <li>(i) Lack of management data, evidence and reporting.</li> <li>(ii) Failures in terms of scheduled works completed.</li> </ul> Conversely the level of complaints is low and satisfaction with parks and open spaces, measured through the resident survey 2018/19 is 87% very, or fairly satisfied.  Positive meetings have been held with the senior management team within Tivoli and assurance and commitment to improvement and delivery of contract standards has been received. An improvement plan is now in place which is being delivered with direct reporting and into, and ownership by the Director and Head of Service responsible for this service area. These include: <ul style="list-style-type: none"> <li>• New senior management team.</li> <li>• Investment in new plant</li> <li>• Introduction of electronic management system.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Joint branding introduced on vehicles.</li> <li>• Joint communications being developed.</li> </ul> <p>Performance improvements are beginning to be realised. However, momentum must be maintained to deliver sustained improvement which is reflected through the performance management framework.</p>
<b>Financial performance 2018-2019:</b> Budget      £1,340,350  Outturn:    £1,323,101	<b>Reasons for over/underspend:</b> Financial performance includes parks and open spaces; verge maintenance; cemeteries and churchyards; allotments and car parks. A minor underspend reflects variations across these service areas
<b>Added value of arrangement:</b> Resources available to support major events and other contracts.	<b>Issues:</b> Performance of the contract has been significant issue of the last nine months, requiring escalation to senior management within Tivoli. An improvement plan is now in place and improvements are beginning to be realised.
<b>Opportunities for growth identified and delivered:</b> No specific opportunities for growth during 2018-2019 have been realised due to concerns around delivery of the core contract. However, as the parks and open spaces portfolio increases, there is opportunity for this contract to expand to manage new facilities. In addition, there is opportunity to deliver other services outside the core contract, for example: sports fields in schools; tree works and biodiversity projects.	
<b>Opportunities for efficiencies identified and delivered:</b> No specific efficiencies have been delivered in 2018-2019 due to the focus on securing delivery of the core contract.	
<b>Lead Member:</b> Cllr Stimson, Lead Member for Environmental Services, Climate Change, Sustainability and Culture	<b>Contract manager:</b> Outdoor Facilities Manager



## Tivoli summary performance 2018/19:



**Table 8: NSL**

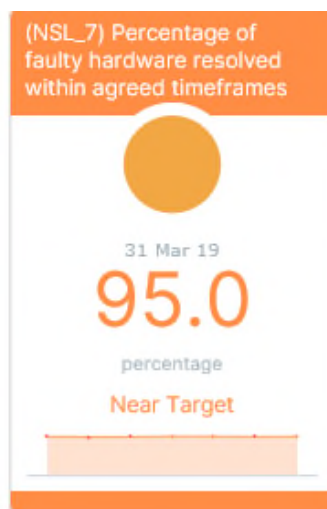
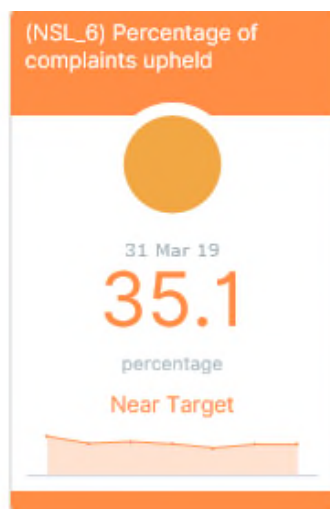
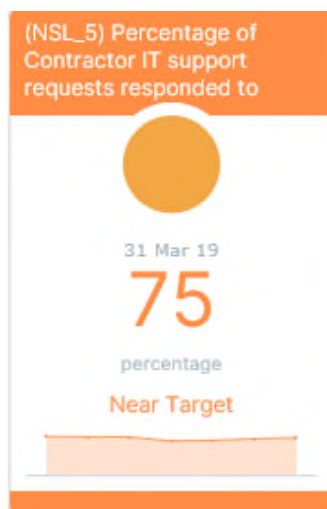
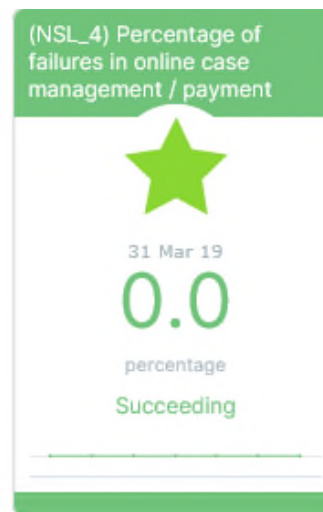
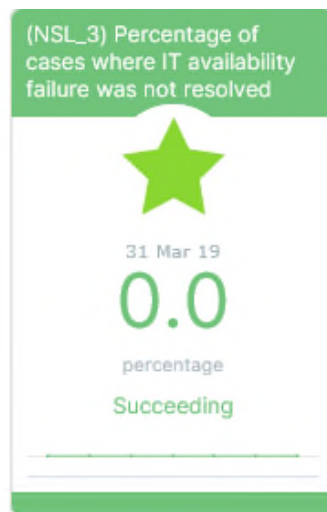
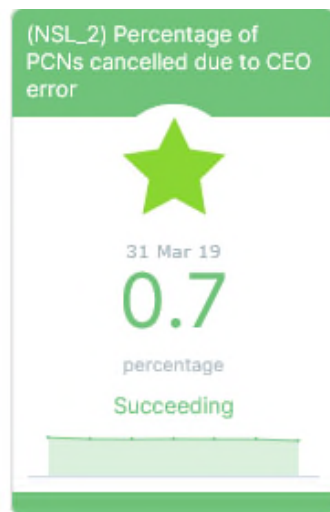
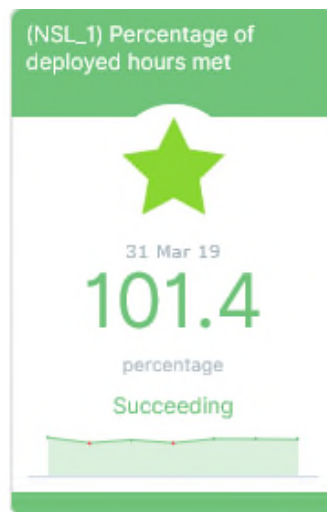


Information about the company:  
[www.nsl.co.uk](http://www.nsl.co.uk)

<b>Purpose:</b> Enforcement of parking restrictions.				
<b>Type of entity:</b> Private sector company	<b>Contract start date:</b> December 2017	<b>Contract length:</b> Two years, plus two years, plus one year.	<b>Contract value per annum:</b> £840,000	<b>Sub-contracting arrangements:</b> None.
<b>Monitoring arrangements:</b> Performance is reviewed monthly against a set of seven key performance indicators. There is provision within the contract for a percentage of the monthly payment to be withheld in the event of under-performance. Additionally, there are measures in place to monitor the percentage of penalty charge notices that are cancelled, for example, appeals upheld.				
<b>Service performance measures:</b> <ul style="list-style-type: none"> <li>• Minimum deployed hours achieved.</li> <li>• Penalty charge notice cancellation rates as a result of officer error.</li> <li>• Downtime of the IT system for more than four hours.</li> <li>• Downtime of the on line case management system for more than four hours.</li> <li>• IT support response times within one working day of the request.</li> <li>• Customer complaints responded to within three working days.</li> <li>• Faulty pay-and-display, pay-on-foot and barrier equipment responded to within one hour and resolved within eight hours.</li> </ul>		<b>Service performance 2018-2019:</b> <ul style="list-style-type: none"> <li>• 28,145 hours completed against a target of 27,761.</li> <li>• Cancellation rate of 0.67% against a target of 0.9%.</li> <li>• There has been no downtime of the system in 2019/19.</li> <li>• There has been no downtime of the case management system in 2018/19.</li> <li>• 75% of requests have been responded to in one day.</li> <li>• All complaints received (18) were responded to within the timeframe.</li> <li>• Of the 193 reports of machine failures in the period, 18 were not fixed within the agreed 8 hours but all 18 were due to the requirement for parts which needed ordering in.</li> </ul>		
<b>Financial performance 2018-2019:</b> Budget      £840,000  Outturn:      £858,000		<b>Reasons for over/underspend:</b> NSL took on the standby call out requirements for parking and an inflationary increase, resulting in an increase to the core contract price.		
<b>Added value of arrangement:</b> Additional income through penalty charge notices of £73,000 compared to 2017/18.		<b>Issues:</b> Reduction of deployed hours in certain months due to sickness/absence. This continues to be addressed proactively and sustained levels of performance which achieve, or exceed, performance measures are being achieved,		

	Strengthening of the management structure and positive recruitment has addressed this issue.
<b>Opportunities for growth identified and delivered:</b>	
Significant growth in outer areas patrolling and evening patrolling through revised rostering leading to a presence when required.	
<b>Opportunities for efficiencies identified and delivered:</b>	
Savings on abandoned vehicles and the removal of persistent evaders vehicles due to use of central contract as opposed to ad-hoc arrangements	
<b>Lead Member:</b> Cllr Cannon, Lead Member for Public Protection and Parking	<b>Contract manager:</b> Parking Principal

## NSL summary performance 2018/19:



### Other contracts for people facing and place based services

- 4.5 In addition to the contracts outlined in tables 2 to 8, there are a range of other contracts in place to support residents in terms of people facing and place based services, see tables 9 for a summary. Details of performance are set out in tables 10 and 11. In summary, the council spends a further £19m on other services for adults, £1.7m on public health contracts, £154,000 on services for children and £6.3m on other place based services.

**Table 9: Breakdown of other contracts for people facing and place based services**

Activity area	£
Domiciliary care provision	£3,011,000
Block bed provision (nursing and residential)	£8,177,000
Support for people with learning disabilities (accommodation and employment)	£5,613,000
Day centre provision (older people and people with learning disabilities)	£75,000
Advocacy services for adults	£150,000
Other adult support services	£1,987,000
Public health contracts, including sexual health, drug and alcohol and smoking cessation	£1,783,000
Children's contracts	£154,000
Place based services	£6,380,000
<b>Total:</b>	<b>£27,330,000</b>

**Table 10: Contracts for people facing services**

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
<b>Domiciliary care provision</b>				
Bespoke Care at Home	Care at home for older people and people with a physical disability	£61,000	03/08/2020	Good performance. Meeting key performance indicators. CQC inspection February 2019 rated as "Good" across all five areas.
Carewatch (Windsor)	Care at home for older people and people with a physical disability	£1,400,000	03/08/2020	CQC rated as "Requires Improvement" (inspection January 2019). A range of support measures are in place to monitor, review and improve service.
Kare Plus Windsor	Care at home for older people and people with a physical disability	£610,000	03/08/2020	Good performance. Meeting key performance indicators. CQC inspection November 2017 and rated as "Good" across all five areas.
Kharis Solutions	Care at home for older people and people with a physical disability	£390,000	03/08/2020	Good performance. Meeting key performance indicators. CQC inspection January 2018 and rated as "Good" across all five areas.
Oxford House Community Care	Care at home for older people and people with a physical disability	£340,000	03/08/2020	Good performance. Meeting key performance indicators. CQC inspection January 2019 and rated as "Good" across all five areas.
Right at Home Maidenhead	Provider of care at home for older people and people with a physical disability	£210,000	03/08/2020	Good performance. Meeting key performance indicators. Recent CQC inspection rated "Outstanding" in two areas and "Good" in all other areas.
<b>Block bed provision (residential and nursing)</b>				
BUPA - St Mark's Care home	St Marks Care Home, block beds nursing	£900,000	1/10/2019	Provides nursing care for 16 residents. Good performance with an Outstanding CQC rating awarded January 2019.
Care UK	Clara Court Care Home, block beds residential and dementia	£2,000,000	04/09/2027	Provides residential and dementia care for 60 residents. Good performance, meeting all performance indicators. Received an Outstanding CQC rating in October 2018.

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
Care UK	Queens Court Care Home, block beds residential, nursing dementia and nursing	£2,500,000	01/12/2027	Provides residential, nursing and dementia care for 46 residents. Good performance achieving all contracted monthly key performance indicators. Received a good CQC rating in December 2018.
Healthcare Homes	Sandown Park Care Home, block beds nursing and nursing dementia	£847,000	31/01/2020	Providing nursing care for 20 residents. Good performance with an Outstanding CQC rating, quarterly key performance indicators being achieved.
H Plus Care	Larchfield Care Home, block beds nursing dementia	£1,600,000	13/05/2019	Providing nursing dementia care for 25 residents. Improving performance this year, Good CQC rating awarded in March 19.
The Fremantle Trust	Care services at Lady Elizabeth House	£330,000	05/06/2035	Block contract for Extra Care accommodation which provides on-site care and support for residents. Monthly occupancy rates and feedback received and monitored.
<b>Support for people with learning disabilities (accommodation and employment)</b>				
Affinity	Floating support for people with learning disabilities in five homes	£1,400,000	30/09/2019	Support for residents with learning disabilities, provided over five homes within the borough. Quarterly monitoring meetings (e.g. safeguarding, training, compliments/complaints) and key performance indicators met.
Dimensions	Floating support for people with learning disabilities.	£4,000,000	01/12/2020	Supported living services provided at various homes and in the community, for people with a learning disability. Key performance indicators being met.
Ways into Work	Support people over 18 with a disability or disadvantage into paid employment.	£213,000	31/03/2020	Supported employment service for adults with a learning disability, autism, mental health conditions. Quarterly reporting. Around 225 people supported through the service.

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
<b>Day centre provision (older people and people with learning disabilities)</b>				
Age Concern Slough & Berkshire East	Old Windsor Day Centre & St Mark's Lunch Club and Opportunity Centre	£30,000	31/03/2021	Both centres provide lunch, support, companionship, activities and transport for older and vulnerable residents. 70 people access the services. Good performance backed up by case studies.
Age Concern Windsor	Spencer Denny Day Centre	£35,000	31/03/2021	Day Care and drop in service for older people. 2018/19 survey showed 100% of respondents rated the service as either "good" or "excellent". Quarterly reports submitted. Meeting all key performance indicators.
Windsor Old Person's Welfare Association	Contribution to delivery of services	£10,000	31/03/2019	Day services at King George V1 Daycentre, Clarence Road, Windsor. Support, activity and companionship provided to a group of over 250 members.
<b>Advocacy services for adults</b>				
Age Concern Slough & Berkshire East	Information and advocacy services	£31,000	31/03/2021	Provides information, advice and advocacy for residents aged 55+. Good performance. Quarterly key performance indicators are met. Case studies are submitted showing positive impact of service for individuals.
Powher	Mental health advocacy and independent mental capacity advocates	£35,000	30/06/2019	Independent mental capacity advocacy service provided across four Berkshire Boroughs. Provider meeting all service requirements.
seAp	Advocacy – NHS Complaints	£19,000	31/06/2019	Service meeting all contractual requirements; quarterly contract meetings.
seAp	Advocacy – independent mental health advocates	£30,000	31/06/2019	Service delivers all requirements of the contract specification. Regular monitoring takes place.



Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
United Voices	Contribution to delivery of services	£35,000	31/03/2020	Independent advocacy service provided for up to 100 adults with a learning disability. Quarterly reports and case studies provided.
<b>Other adult support services</b>				
Alzheimer's Dementia Support	Contribution to delivery of services	£45,000	31/03/2021	Delivered support to 1000 individuals affected by dementia around the borough
Berkshire Vision	Contribution to delivery of services	£16,000	31/03/2020	Support and home visiting service for people with sight loss. Service performs well and meets key performance targets each quarter.
Crossroads Oxfordshire	The Swift Service	£30,000	31/03/2020	Night sitting service for carers requiring emergency respite. Successful pilot has been expanded to enable GPs to refer patients in for the service. Meeting all key performance indicators. Good performance.
NRS	Berkshire Community Equipment Service (BCES)	£1,500,000	31/03/2022	Lead Commissioner is West Berkshire Council. Contract monitored in relation to spend, performance and recycling rates. Service facilitates people to be discharged from hospital with equipment installed in the home.
People to Places	Transport to day services – five routes	£130,000	09/10/2020	Reliable daily service to transport people to borough run day centres. Quarterly performance meetings held, good performance.
People to Places	Travel assistance payments concessionary fares	£40,000	31/03/2020	Good performance.
RVS	Befriending for older people	£35,000	31/03/2020	Meeting quarterly targets for recruiting volunteers and matching to service users. Extended service into Ascot area.
Signal 4 Carers / The Ark	Carers Support Service	£80,000	31/03/2020	Service is continuing to support carers and other carer organisations across the Borough.

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
Stroke Foundation	Stroke Coordinator post	£43,000	01/09/2020	The Stroke Association support people who have recently had a stroke and their carers. The service is monitored across East Berkshire. Last year the service reported that 94% of the people and carers they supported had achieved the outcomes that matter to them e.g. improved communication skills and increased carer confidence and ability to cope.
The Ark	Healthwatch	£60,000	31/03/2020	Statutory Healthwatch provision, including "enter and view" reports into local care providers. Quarterly reports and contract monitoring meetings. Service performing well.
Windsor Mencap	Buddy Scheme	£8,000	31/03/2020	Annual grant towards provision of social opportunities, information, support and events for people with a learning disability and their carers / family.
<b>Public health contracts</b>				
Berkshire Healthcare Foundation Trust	Sexual health – GUM and Contraception	£524,000	30/06/2024	Sexual Health is a mandated service, commissioned jointly with Slough and Bracknell Forest. The focus is on moving towards more digital and online services to offer greater choice and accessibility. Key performance indicators are being met.
Berkshire Healthcare Foundation Trust	Provision of Recovery College	£115,000	31/03/2020	The virtual College offers a number of programmes and workshops for clients involved with the community mental health team, to build confidence and encourage them to move on to vocational courses. Key performance indicators are being met, and the service continues to link and collaborate with other course providers to maximise the learning offer to clients.

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
Claremont and Holyport GP Practice	Substitute Prescribing	£112,000	31/03/2022	Provides prescriptions for opiate substitution therapy for clients engaged in drug treatment. Clients with increasingly complex and chaotic lifestyles are now accessing the service.
Cranstoun	Drug and Alcohol Service	£550,000	31/03/2022	The psychosocial element of drug and alcohol services focuses on treating the whole person, not just their addiction. The service consistently meets key performance indicators for alcohol and non opioid drugs, but are less successful with opiate clients. The service has recently received a 'Good' judgement from CQC.
GP practices (19)	Provision of Health Checks	£64,000	31/03/2020	The offer of a Health Check to all residents aged 40-74 is a mandatory function. Performance is variable across practices and over the year.
GP surgeries	Sexual Health – Long Acting Reversible Contraception (LARC)	£120,000	31/03/2020	LARC is offered at GP surgeries and at local Sexual Health Services, with good uptake.
Multiple pharmacies	Supervised Consumption (24 pharmacies) Needle Exchange (six pharmacies)	£74,000	31/03/2020	Supervised consumption is for unstable opiate clients and those still using street heroin on top of their opiate substitution therapy. This generally applies to half of the clients in treatment. Needle exchange provides free needles and a waste disposal service for injecting heroin users to reduce the risk of harm to clients and the public from blood borne viruses and drug litter.
Multiple pharmacies	Sexual Health – Emergency Hormonal Contraception (EHC) (six pharmacies)	£6,000	31/03/2020	This service provides free EHC to young women under the age of 24 to prevent unwanted pregnancies.
Solutions4Health	Smoking Cessation Services	£30,000	31/03/2020	Service provides face to face and online technology to support smokers to quit or move to less harmful nicotine replacement

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
				therapy products. All key performance indicators have been met.
TVPS	Sexual Health – HIV	£13,000	31/03/2020	This service provides support for men who have sex with men and those newly diagnosed with HIV. Key performance indicators being met.
Various sexual health providers	Out of Area access to Sexual Health (GUM) and Contraception (SRH)	£175,000	31/03/2020	This is a non controllable budget as clients can access GUM and SRH anywhere in the country, with costs being recharged to RBWM.
<b>Children's contracts</b>				
DASH Charity	Domestic Abuse IDVA Support	£94,000	31/03/2020	First year of commissioned contract for this service. Good performance meeting contract quarterly key performance indicators.
Family Action	Young Carers Service	£60,000	31/03/2021	Good performance providing a range of group activities and 1-1 support for young carers up to the age of 18.

**Table 11: Contracts for place based services**

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
AA Lighting	Maintenance and support services for street lighting	£350,000	31/03/2039	Performing well – all emergency call outs attended within two hours; overall improved customer care and general understanding of faults; upgraded lights to LED and made an energy 54% saving; improved fault reported and inventory records; replaced columns damaged by road traffic accidents; RTA damaged columns and replaced in a short turn around given budget constraints.

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
Alphacity	Provision of pool cars	£48,000	31/03/2019	Currently on monthly extension pending replacement. Performing well.
Bear Bus	Provision of local bus services	£30,000	31/07/2022	Performing well.
Courtney Buses	Provision of local bus services	£420,000	31/07/2022	Performing well and responsive to challenges to service delivery from increased congestion and other operators' service changes.
InTechnology WiFi	Provision of town centre wi-fi network	Zero <sup>1</sup>	22/08/2026	A stable and high-quality service is being delivered with increasing user numbers
Leicestershire County Council (Linghall)	Recovery of mechanical street sweepings	£60,000	31/08/2018	Monthly data is provided, showing the amount of waste delivered to the plant and the materials that are produced (sand, aggregate, residual waste etc) and how these are disposed of. Service is performing well.
People to Places	Dial a ride	£67,000	31/05/2018	Contract extension in place and performing well.
People to Places	Shopmobility	£60,000	31/05/2018	Contract extension in place and performing well.
Safer Roads Partnership	Road safety advice and support	£35,000	31/07/2019	Core contract services managed by Project Centre performing well.
Siemens	Traffic Signal Maintenance	£100,000	31/03/2019	Response times and performance standards are achieved. Contract extension in place.
Severn Trent Green Electricity (formerly Agrivert)	Disposal of green waste and food waste	£580,000	31/03/2037	During 2018/19 Agrivert were bought by Severn Trent Green Energy and the contract was novated to them. The contract is performing well, with all material disposed of correctly and monthly reports provided. RBWM currently not meeting the guaranteed minimum tonnage for food waste so this is a focus for communications with residents.

<sup>1</sup> Concession contract

Provider	Contract description	Contract spend per annum and outturn 2018-2019	Contract expiry date	Service performance 2018-2019
Viridor	Disposal of residual waste (energy from waste)	£4,200,000	22/11/2030	The contract is performing well. All material is accepted and there have been no issues.
White Bus	Provision of local bus services	£280,000	31/03/2020	Performing well. Contract due for renewal in 2019-20.

**Table 12: People facing and place based shared service arrangements**

Service	Authorities involved	Purpose	Start date	Performance 2018-2019
Sensory Consortium	All six Berkshire authorities	To deliver specialist assessment, teaching, advice and support to individual young people with a sensory impairment.	April 1998	Performing well, with a good reputation maintained. Intention is to move the service into Achieving for Children so that it can be offered as a paid for service to other councils. Given its reputation, a good take up of the service is anticipated.
Winter maintenance forecasting	All six Berkshire authorities	To provide detailed weather forecasts relating to road and surface temperatures, to inform the schedule of road gritting.	April 2017	Consistent, timely and accurate advice and information is provided under the contract
Emergency Duty Service	All six Berkshire authorities	To provide out of hours social care crisis services.	February 2012	The service has been monitored regularly throughout the year and performs well against the service specification. The borough has made one complaint against the service which was responded to satisfactorily. On average, the service respond to 150 calls per month regarding borough residents. The service is currently being reviewed.
Community Learning and Skills Service	Slough and Royal Borough	To deliver adult and community learning across Slough, Windsor and Maidenhead including English language, basic skills,	August 2012	Performing well in the Royal Borough. Retention rates are high, as are achievement rates. Community learning continues to be the key focus for the service in the borough and has had considerable success in building confidence for

Service	Authorities involved	Purpose	Start date	Performance 2018-2019
		skills for work, personal development and family learning.		residents to return to the workplace. Last Ofsted inspection rated the service "Requires Improvement" with good features. Re-inspection expected in autumn 2019.
Adopt Thames Valley	Royal Borough, Bracknell, Reading, Wokingham, Swindon, Oxfordshire, West Berkshire and three voluntary adoption agencies.	As a Regional Adoption Agency, to recruit and support a range of adopters in order to find forever families for children.	December 2017	Performing well. Timeliness of placing children with approved adoptive families is good. Challenge is always to secure a sustainable pipeline of potential adopters to meet specific needs and ages of children placed for adoption.

## 5 CONCLUSIONS

### **2018-2019 performance**

- 5.1 Overall, the council's delivery partners have performed well, meeting their key performance indicators and contractual standards. Contract dashboards have been implemented in InPhase to measure and monitor performance across all major contracts. This management data is used to drive business decisions and areas of focus and are presented regularly to Overview & Scrutiny Panels and Cabinet for challenge and consideration. Monthly and quarterly contract review meetings take place across all commissioned services, with contract variations agreed and logged as required. Performance issues with Tivoli have been robustly addressed, with escalation to senior management and an improvement plan, with local changes to management, implemented.
- 5.2 Value for money is being delivered through the council's commissioning arrangements, with access to a wider pool of resources creating more resilience and a focus on quality. All but one of the council's domiciliary care providers are rated Good or Outstanding and all care homes where block beds are commissioned are rated Good or Outstanding.
- 5.3 The support of the council's place based delivery partners was key to the successful delivery of the two Royal Weddings in Windsor in 2018, working beyond their core contractual commitments in order to ensure safe and clean events.
- 5.4 Co-location of the people facing and place based commissioning teams is starting to demonstrate cross working and sharing of best practice and contract management tools.

### **Future priorities**

- 5.5 The priorities for 2018-2020 identified in the 2017-2018 annual report continue to be worked on, and are on track for delivery. Some have already been completed, see point 2.1.
- 5.6 In addition to maintaining a focus on performance and delivery, development of this annual report has identified further priorities:
- Deliver the five year commissioning strategy, once agreed.
  - Embed the contract management arrangements for the new leisure centre delivery.
  - Deliver wider promotion and reporting on contract outcomes, working with the communications and marketing team.
  - Identify specific examples where value for money has been secured across the breadth of commissioned services.



Document Name	Annual report on commissioned services 2018-2019		
Document Author	Heads of Commissioning and Director of Adults, Health and Commissioning		
Document owner	Director of Adults, Health and Commissioning		
Accessibility	This document can be made available in other formats on request.		
File location	Website / RBWM Cabinet papers		
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How this document was created	Version 1	Authors	July-August 2019
	Version 2	Overview and Scrutiny Panels	September 2019
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Circulation restrictions	None		
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Report Title:	<b>Horton and Wraysbury Neighbourhood Plan decision to proceed to referendum</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Coppinger, Lead Member for Planning & Maidenhead
Meeting and Date:	Cabinet - 31 October 2019
Responsible Officer(s):	Russell O'Keefe, Executive Director
Wards affected:	Horton and Wraysbury

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## REPORT SUMMARY

1. This report seeks approval from Cabinet for the Horton and Wraysbury Neighbourhood Plan to proceed to referendum at the earliest practicable opportunity.
2. The Neighbourhood Plan has been formally examined by an independent examiner, and a number of changes have been recommended by the examiner to ensure that the plan meets the basic conditions.
3. The cost of the referendum can be claimed back from the government up to a cap of £20,000.

## 1. DETAILS OF RECOMMENDATION(S)

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

- i) Confirms that the plan meets the Basic Conditions tests and an SEA is not required.
- ii) Accepts the proposed changes to the Neighbourhood Plan set out in Appendix B.
  - a. Gives delegated authority to the Head of Planning (or person acting as Interim Head of Planning) to issue a decision statement; and
  - b. agrees to put the modified Neighbourhood Plan to referendum. The date of the referendum to be set in accordance with the legal requirements; and
- iii) Delegates authority to the Head of Planning (or Interim Head of Planning), in consultation with the Lead Member for Planning, to make minor, non material, amendments to the Neighbourhood Plan prior to the referendum being announced.
- iv) The LPA will provide advance funding up to £20,000, if required, for the referendum; this will then be claimed back from Government.

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

- 2.1 The National Planning Policy Framework (NPPF) and the Localism Act (2011) give local communities direct power to develop their shared vision for their

neighbourhood and deliver the sustainable development they need. Neighbourhood planning provides a powerful set of tools for local people to get the right type of development for their community. The referendum is the culmination of the neighbourhood plan production process.

- 2.2 The Royal Borough has been encouraging neighbourhood planning across the Borough. There are currently 2 neighbourhood plan areas in the Borough at different stages of production, with 3 more seeking neighbourhood area designation or preparing to seek designation and another 2 in the process of being examined. Horton and Wraysbury is the fifth Neighbourhood Plan to reach this stage in the process.
- 2.3 The group producing the plan has placed community consultation at the heart of their plan, undertaking a series of consultations, public events and developing evidence to support their policies, they have also worked closely with a consultant to undertake the production of this neighbourhood plan. This process has generated a lot of interest in the local community. The plan and the policies within it have been supported by many respondents at the earlier stages.
- 2.4 Following publication, the neighbourhood plan was scrutinised by an independent examiner. The examiner was appointed by the Royal Borough, with the agreement of the Qualifying Body. This examination was carried out without a public examination, using the written representations process, and the examiner's report recommends that the plan proceeds to referendum, subject to modifications, see Appendix A.
- 2.5 These modifications are considered necessary by the independent examiner, to ensure the neighbourhood plan meets the Basic Conditions, as required by the Localism Act. The Basic Conditions for Neighbourhood Plans are:
  - Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
  - The making of the neighbourhood plan contributes to the achievement of sustainable development.
  - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
  - The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
  - Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 2.6 Officers have reviewed the plan in light of the proposed modifications and conclude that the plan will continue to meet the Basic Conditions when incorporating the Examiner's modifications. The assessment of the Examiner's modifications can be found at Appendix B. Since receiving the modifications, these have been discussed with representatives of the Qualifying Body (the parish council in this case) who have agreed that these changes are acceptable and that they wish for it to proceed to referendum at the earliest practicable opportunity.

- 2.7 If approved, the referendum will be held at the earliest practicable opportunity, in accordance with legislation. The question to be used in the referendum is set by the 'Neighbourhood Planning (Referendums) Regulations 2012', and must be "Do you want the Royal Borough of Windsor and Maidenhead to use the neighbourhood plan for Horton and Wraysbury to help it decide planning applications in the neighbourhood area?".
- 2.8 If more than 50% of those voting in the referendum answer 'yes', the plan would then form part of the Development Plan for the Royal Borough and would need to be formally 'made' (adopted) by the Royal Borough. This 'making' of the neighbourhood plan would be a decision made by full Council.

## Options

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

Option	Comments
1. Accept the modifications of the Examiner, issue a decision statement to this effect and approve the Neighbourhood Plan to go forward to referendum.  <b>This is the recommended option</b>	This is the next step in the Borough adopting localism in planning, to enable our communities to shape their area. It enables the community as a whole to decide if the plan should be used by the Council for determining planning applications.
2. Reject some or all of the modifications of the examiner and delegate authority to the Executive Director Place to publish the decision.  <b>This option is not recommended.</b>	Officers and the steering group producing the plan have agreed that the modifications are acceptable and that the plan is suitable to be the subject of a referendum.
3. Do not approve the neighbourhood plan to go forward to referendum.  <b>This option is not recommended.</b>	The plan has been recommended to proceed to referendum, subject to the modifications listed, by an independent examiner and it is supported by officers and the group producing the plan. This option would deny the local community the opportunity to express their formal support for the plan.

## 3. KEY IMPLICATIONS

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
An adopted neighbourhood plan that delivers the wishes of the community.	From Referendum decision.	Neighbourhood Plan receives 50-65% of voters choosing "yes".	Neighbourhood Plan receives 65-80% of voters choosing "yes".	Neighbourhood Plan receives 80%+ of voters choosing "yes"	Day of referendum

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Development in accordance with policies of the neighbourhood plan.	Panel and appeal decisions do not comply with the plan policies.	Planning applications and appeals are determined in accordance with the neighbourhood plan.	Majority of applications submitted comply with the policies of the neighbourhood plan.	All applications submitted comply with the policies of the neighbourhood plan.	

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

- 4.1 The Council has received grant payments from the former Department of Communities and Local Government in association with the progress of this particular plan (grants have also being received in association with the progress of other plans).
- 4.2 A further grant payment of £20,000 can be applied for once a date has been set for the referendum, this is only on the basis that this will fund the referendum. This will be the final grant that can be applied for in association with this plan, this grant is to cover the cost of the examination and referendum. The LPA has the revenue budget to forward fund the cost of the referendum in the event that cost is incurred before the funding is received from Government.

#### 5. LEGAL IMPLICATIONS

- 5.1 The Localism Act (2011) and The Neighbourhood Planning (General) Regulations (2012) give power to Local Planning Authorities to approve a neighbourhood plan to proceed to referendum. Under the Neighbourhood Planning Act 2017 if the referendum results in a simple majority 'Yes' vote the Neighbourhood Development Plan will immediately form part of the Development Plan for the Royal Borough. Following this Act the Council should 'have regard to a post-examination neighbourhood development plan when dealing with an application for planning permission, so far as that plan is material to the planning application'

#### 6. RISK MANAGEMENT

**Table 3: Impact of risk and mitigation**

Risks	Uncontrolled risk	Controls	Controlled risk
Community will not have an opportunity to guide development in their area.	Medium	Approve the neighbourhood plan to go to the public vote in a referendum.	Low
Risk of legal challenge if examiner's	Medium	Accept the examiner's recommendations.	Low

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
recommendations not accepted.			
If not approved, planning applications and issues in the neighbourhood area will not be dealt with in a way the communities intended	Medium	Approve plan for referendum and if successful use in planning decisions.	Low
Development in neighbourhood area may continue to receive significant levels of objection from residents and not meet some local needs.	High	Approve plan for referendum and if successful use in planning decisions.	Medium

## 7. POTENTIAL IMPACTS

- 7.1 Equalities. The examiner has confirmed that the neighbourhood plan (with modifications) meets the Basic Conditions. One of these conditions is that it must be compatible with human rights requirements. Officers agree that the plan, with modifications, meets the Basic Conditions.
- 7.2 The recommendations in this report has no identified equality impacts.
- 7.3 Climate change/sustainability. Another of the Basic Conditions is to contribute to the achievement of sustainable development. The neighbourhood plan was supported by a Strategic Environmental Assessment screening and report, that concluded that the plan would not trigger significant environmental effects. In addition to this, the Council has confirmed that it believes the plan meets the Basic Conditions, including in terms of sustainability.
- 7.4 Strategic Environmental Assessment (SEA) seeks to ensure that environmental considerations are part of the process of preparing certain plans and programmes. The objective of the SEA Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with the Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.
- 7.5 Data Protection/GDPR. A consultation has been carried out by the council prior to the examination and this was undertaken in accordance with the

GDPR regulations and the statement on the way the planning policy team in the planning department handles personal data.

## **8. CONSULTATION**

- 8.1 During the production of the Neighbourhood Plan the Steering Group undertook several consultations and engagement events with Local Stakeholders in the Neighbourhood Plan Area. After the Draft Neighbourhood Plan was submitted to the Royal Borough a formal process of consultation was undertaken by planning officers and the results of this were forwarded to the independent examiner for their consideration during the examination process. The consultation process has met the legal requirements.

## **9. TIMETABLE FOR IMPLEMENTATION**

- 9.1 Implementation date if not called in: Immediately. The full implementation stages are set out in table 5.

**Table 4: Implementation timetable**

<b>Date</b>	<b>Details</b>
Winter	Referendum
March 2020	Depending on the Outcome of the referendum formal Making of the Neighbourhood Plan

## **10. APPENDICES**

- 10.1 This report is supported by 2 appendices:
- Appendix A – Examiner’s Report - The examiner’s report is appended for consideration and should be read in conjunction with the submission version of the neighbourhood plan which is available on the Council’s website at <http://www.rbwm.gov.uk/web/>
  - Appendix B – Officer Assessment of the recommended changes to the neighbourhood plan.

## **11. BACKGROUND DOCUMENTS**

- 11.1 This report is supported by 6 background documents:
- National Planning Policy Framework (NPPF) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
  - Localism Act (2011) <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
  - Neighbourhood Planning (General) Regulations (2012) <http://www.legislation.gov.uk/uksi/2012/637/schedule/1/made>
  - Neighbourhood Planning (Referendum) Regulations (2012) <http://www.legislation.gov.uk/ukdsi/2012/9780111525050/contents>
  - Neighbourhood Planning Act 2017 <http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted>
  - Cabinet Report – Neighbourhood Planning Designations (March 2013)



## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Coppinger	Lead Member for Planning & Maidenhead	26.09.19	27.09.19
Duncan Sharkey	Managing Director	2.10.19	
Russell O'Keefe	Executive Director	26.09.19	2.10.19
Ruth Watkins	Chief Accountant	2.10.19	
Elaine Browne	Head of Law	2.10.19	
Nikki Craig	Head of HR and IT	2.10.19	
Louisa Dean	Communications Service Lead	2.10.19	
Kevin McDaniel	Director of Children's Services	2.10.19	
Hilary Hall	Director Adults, Health and Commissioning	2.10.19	

## REPORT HISTORY

<b>Decision type:</b> Non-key decision 31 October 19	<b>Urgency item?</b> No	<b>To Follow item?</b>
Report Author: Robert Paddison, Principal Planning Policy Officer (Neighbourhood Plans), 01628 796508		

# **Horton and Wraysbury Neighbourhood Development Plan 2018-2033**

**A report to the Royal Borough of Windsor and  
Maidenhead on the Horton and Wraysbury  
Neighbourhood Development Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) M.A. DMS M.R.T.P.I.**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by the Royal Borough Council in May 2019 to carry out the independent examination of the Horton and Wraysbury Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 17 May 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding the distinctive local character of the neighbourhood area in general, and the Green Belt in particular. In addition, the Plan includes a series of policies on new residential development and proposes the designation of a suite of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Horton and Wraysbury Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**12 August 2019**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Horton and Wraysbury Neighbourhood Development Plan 2018-2033 (the 'Plan').
- 1.2 The Plan has been submitted to the Royal Borough of Windsor and Maidenhead (RBWM) by Wraysbury Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan. This administrative arrangement was agreed with Horton Parish Council.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018 and 2019. The NPPF continues to be the principal element of national planning policy. This is clarified in paragraph 3.4 of this report.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a range of environmental and community issues and proposes the designation of local green spaces.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by RBWM, with the consent of the parish councils, to conduct the examination of the Plan and to prepare this report. I am independent of both RBWM and the parish councils. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

### *The Basic Conditions*

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
  - contribute to the achievement of sustainable development; and
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.10 of this report.

- 2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 2.7 In order to comply with this requirement the parish councils commissioned a screening exercise on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report (October 2018) is thorough and well-constructed. As a result of this process it was concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
- 2.8 The screening report also included a parallel Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required. The report took appropriate account of the two reservoirs of South West London Waterbodies SPA within the neighbourhood area (the Queen Mother Reservoir and the Wraysbury Reservoir) and three other reservoirs within 4kms of the boundary of the neighbourhood area.
- 2.9 The RBWM refreshed the screening report with its own work in January 2019. It reached the same conclusions as the earlier work commissioned by the parish councils. Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.10 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR

*Other examination matters*

- 2.11 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

- 2.12 Having addressed the matters identified in paragraph 2.11 of this report I am satisfied that all of the points have been met subject to the contents of this report.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Character Assessment;
- the Lepus SEA/HRA Screening report (October 2018);
- the RBWM refresh of the screening report (January 2019);
- the Parish Council's responses to the Clarification Note;
- the representations made to the Plan;
- the Windsor and Maidenhead Local Plan 1999 (with Alterations adopted in 2003);
- the South East Plan Policy NRM6 Thames Basin Heaths Special Protection Area;
- the National Planning Policy Framework (March 2012 and February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the neighbourhood area on 17 May 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised RBWM of this decision early in the examination process.

3.4 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangement to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. The further updates to the NPPF in 2019 did not affect these transitional arrangements. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.



## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the parish councils have prepared a Consultation Statement. It is well-prepared and easy to follow. This Statement is proportionate to the Plan and its policies. It includes an assessment of the consultation undertaken during the various stages of Plan production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (September to October 2016).
- 4.3 The Consultation Statement is helpfully arranged in the following format:
- Part 1 – Main Statement and Consultation Process;
  - Part 2 – Consultation responses and analysis; and
  - Part 3 – Pre-Submission Consultation;
- 4.4 Part 1 sets out details of the extensive range of consultation events that were carried out in relation to the initial stages of the Plan. It provides details about media and public relations, local surveys and face-to-face meetings. In particular it comments about:
- the initial publicity and the organisation of two initial events (April 2013);
  - the development of a neighbourhood plan website and the use of social media;
  - the household survey;
  - the engagement with stakeholders;
  - the specific engagement events with elderly and younger persons; and
  - the launch of the pre-submission consultation process at the St Andrews Church Garden Party (September 2016).
- 4.5 Part 3 of the Statement also provides specific details on the comments received as part of the consultation process that took place on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. The changes help to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process.

### *Representations Received*

4.8 Consultation on the submitted plan was undertaken by the RBWM for a six-week period that ended on 20 March 2019. This exercise generated comments from a range of organisations and private individuals. The organisations are listed below:

- Robert Mosley
- Historic England
- National Grid
- National Trust
- Ewan Larcombe
- Transport for London
- RBWM
- Highways England
- Natural England
- Thames Water
- Robert Willatts
- The Rayner Family Trust
- SSE
- Sport England

4.9 I have taken account of the various representations in preparing this report. Where it is relevant to do so I refer to individual representations in this report on a policy-by-policy basis.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area covers the parishes of Horton and Wraysbury. It was designated as a neighbourhood area in May 2013. In 2011 it had a population of 5063 persons living in 2171 homes.
- 5.2 The neighbourhood area is the most-easterly ward in the Royal Borough. It is irregularly-shaped. It is largely within the Green Belt. In this context its character is heavily affected by the various reservoirs within its boundaries including the Queen Mother Reservoir. In addition, the neighbourhood area includes several gravel pits. The neighbourhood area sits at the southern end of the Colne Valley Regional Park. Sunnymeads and Wraysbury stations offer rail transport to local residents. They are located on the Waterloo to Windsor and Eton Riverside line. It has an attractive semi-rural character that belies its location to the immediate west of the M25.
- 5.3 Horton and Wraysbury are the two principal settlements in the neighbourhood area. Horton is the smaller of the two and sits between the Wraysbury Reservoir and The Queen Mother Reservoir. Wraysbury is located to its south-west. It has an attractive range of retail and commercial uses set within an attractive village centre.

### *Development Plan Context*

- 5.4 The Royal Borough of Windsor and Maidenhead Local Plan was adopted in 1999. Alterations were incorporated into the Plan in 2003. It is this development plan context against which I am required to examine the submitted Plan.
- 5.5 The Basic Conditions Statement has very helpfully listed key policies in the adopted Local Plan and how they relate to policies in the submitted Plan. This is good practice.
- 5.6 RBWM is well-advanced within the process of preparing a new Local Plan. It will cover the period from 2013 to 2033. The Plan was submitted for examination in January 2018. The Stage 1 hearing sessions took place in June 2018. RBWM was providing the Local Plan Inspector with an update on outstanding matters whilst this examination was taking place.
- 5.7 The representation from Robert Willatts comments about the proposed housing allocations in the emerging Local Plan in the neighbourhood area. The representation suggests that the neighbourhood plan should be amended to take account of this matter. Plainly it is important that a neighbourhood plan is produced within the context of the development plan for the area. Planning Practice Guidance (41-009-20190509) comments on the relationship between an emerging neighbourhood plan, an emerging local plan and the adopted development plan. Nevertheless, given the current uncertainty about the future timetable for the emerging Local Plan I am satisfied that the submitted neighbourhood plan has taken a proportionate approach to this important matter. In any event if the emerging Local Plan includes either allocations or

general policies which conflict with the neighborhood plan (if it is made) that conflict would be resolved in favour of the policy which is contained in the last document to become part of the development plan. This approach is captured in Section 38(5) of the Planning and Compulsory Purchase Act 2004.

- 5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. It is clear that the submitted Plan seeks to add value to the strategic planning context and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

*Unaccompanied Visit*

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 17 May 2019.
- 5.10 I drove into the neighbourhood area from the M25 to the east. This gave me an initial impression of the location of the neighbourhood area. The immediate contrast between the industrial area to the immediate north of Horton Road and Stanwell Road to its east highlighted the way in which the Green Belt has been consistently safeguarded.
- 5.11 I looked initially at Horton. I saw its relationship with the Colne Brook. I saw the impressive Church of St Michael. I also saw the blue plaque celebrating the village's association with John Milton in the seventeenth century. I saw the village hall and the extensive playground/recreation ground.
- 5.12 Thereafter I drove to Wraysbury via Datchet Road and the B376 Welley Road. I saw Sunnymeads railway station as I did so. I looked initially at the village centre. I saw St Andrew's Church and The George P.H. I then took the opportunity to walk along The Green. I saw the very wide range of recreational uses and the way they contributed to the openness and attractiveness of the village. I saw the iconic windmill adjacent to the bowling green.
- 5.13 I then walked into High Street/Station Road. I walked down to the railway station. I then took the opportunity to look at the range of retail and commercial uses in High Street. The range of facilities and the ease of car parking made for an attractive and well-used high street/local centre environment.
- 5.14 I then looked at the area of Hythe End to the south of Wraysbury. I continued along the B376 under the M25 to the south eastern corner of the neighbourhood area.
- 5.15 To understand the wider setting of the neighbourhood area I drove along the A308 Windsor Road to the immediate south of its southern boundary. This part of the visit reinforced the importance of the River Thames in the wider locality.

- 5.16 I finished my visit by driving around those parts of the neighbourhood area more remote from the village centres. In particular I drove to the north of Horton towards the M4 via Colnbrook and Brands Hill. This further reinforced its strategic location.

## 6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.10 of this report have already addressed the issue of conformity with European Union legislation.

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 and 2019 versions of the NPPF.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Horton and Wraysbury Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Royal Borough of Windsor and Maidenhead Local Plan 2003;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that seek to safeguard the quality

and nature of its natural environment and designates local green spaces. It appropriately addresses its location within the Green Belt. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing mix, to safeguard existing retail uses and to support the alteration/extension/redevelopment of employment and commercial premises (Policies HOU3, BUSEC1 and BUSEC2 respectively). In the social role, it includes a policy on community facilities (BE3). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on its landscape (OE1), on its ecology (OE2), and on local green spaces (Policy OE4). The parish councils have undertaken their own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider Royal Borough Council area in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the parish councils have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It includes a series of Non-Land Use Actions which the Plan recognises cannot be delivered directly through the planning process.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. The Non-Land Use Actions are addressed thereafter.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-4)*

- 7.8 These introductory sections of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is presented in an effective and professional way. It is colourful and makes a very effective use of tables and maps. A very clear distinction is made between its policies and the supporting text. Similarly, a distinction is made between its policies and the non-land use actions.
- 7.9 Section 2 (Introduction and Purpose) provides a very clear context to the neighbourhood area and when it was designated. It identifies how the Plan was prepared, how it will fit into the wider planning system in the event that it is 'made' and what the Plan sets out to achieve.
- 7.10 Section 2 also sets out the planning policy context within which the submitted Plan has been prepared. It makes reference to the NPPF, the adopted Local Plan and the emerging Local Plan. It highlights the inherent tensions in preparing a neighbourhood plan in an uncertain context.



- 7.11 Section 3 provides a detailed analysis of the neighbourhood area. It is a key strength of the Plan. It includes the following details which helpfully set the scene for the remainder of the Plan:
- a short history of the parish;
  - a profile of the current community;
  - the challenges addressed in the Plan; and
  - the consultation processes undertaken.
- 7.12 Section 4 provides information about the Vision and Land Use Objectives of the Plan. It provides a sound and a comprehensive basis for the remainder of the Plan and a structure for both its policies and the suite of Non-Land Use Actions.
- 7.13 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### Policy SUSTDEV1 – Presumption in favour of sustainable development

- 7.14 This policy has a general effect. It establishes a presumption in favour of sustainable development. It mirrors the approach taken in the NPPF.
- 7.15 The parish councils helpfully clarified the role and purpose of the policy in its responses to the clarification note. In particular I am satisfied that the element of the policy that expects developers to submit particular details about proposals for ten or more dwellings is both appropriate and distinctive to the neighbourhood area.
- 7.16 In this wider context I recommend a series of modifications to the wording used in the policy so that it has the clarity required by the NPPF and can be applied consistently by RBWM. I also recommend the deletion of the final paragraph of the policy which requires a developer to demonstrate how they have sought the views of neighbours and the wider community. As submitted the policy provides no justification for the application of this policy. In addition, it is intended to be applied to all development proposals irrespective of their scale and impact. In this context it would have a disproportionate effect on the preparation of domestic and minor planning applications during the Plan period.
- 7.17 The policy refers to the concept of a Development Brief. The details of the requirements of a development brief are included in the Appendix to the Plan. The range of requirements are appropriate to the neighbourhood area. However, I recommend that the 'Development Brief' is replaced with 'Development Details'. A development brief is traditionally a document prepared by a local planning authority or other public body to guide the preparation of development proposals by the private sector.

#### **In the opening part of the policy**

- **replace 'Planning applications' with 'Development proposals'**
- **replace 'approved' with 'supported'**
- **replace 'Planning permission will also be granted' with 'Development proposals will also be supported'**

**In the third paragraph of the policy:**

- replace ‘applicants with proposals of’ with ‘development proposals of’
- replace ‘will be expected to’ with ‘should’
- replace ‘Development Brief’ with ‘Development Details’

**Delete the final paragraph of the policy.**

*Delete the final sentence of the reasoned justification*

*In the Appendix replace the title ‘Development Brief’ with ‘Development Details’*

*Delete the section on Statement of Community Consultation in the Appendix*

Policy SUSTDEV2 – Management of the Water Environment

- 7.18 This policy comments on the water environment in the neighbourhood area. It reflects the incidences of flooding associated with the River Colne and the Colne Brook. It seeks to add value to national policy in the NPPF and Policy F1 of the adopted Local Plan.
- 7.19 I recommend a series of recommended modifications so that it has the clarity required by the NPPF. Otherwise it meets the basic conditions.

**In the first paragraph of the policy:**

- replace ‘There will be a general presumption against all’ with ‘Development proposals for’
- after Maps add ‘will not be supported’

**In the second paragraph of the policy replace the first sentence with: ‘The design and construction of new buildings should have regard to national flood resilience guidance and other relevant policies in the development plan.’**

Policy HOU1- Good Quality Design

- 7.20 This policy sets out to ensure that new development achieves good quality design. It relates to and overlaps with the very comprehensive and effective Character Assessment. The Assessment will assist significantly in achieving good design throughout the Plan period. The policy includes the following elements:
- height, layout, scale and massing issues;
  - the site’s location;
  - landscaping;
  - car parking; and
  - sustainable drainage.
- 7.21 The policy will play a significant role in achieving the wider ambitions of the parish councils. In addition, it builds on the approach taken in the NPPF in promoting high quality design. One of the 12 core planning principles in the NPPF (paragraph 17) is ‘(always seek) to secure high-quality design and a good standard of amenity for all

existing and future occupants of land and buildings'. Furthermore, the approach adopted in the policy has regard to the more detailed design elements of the NPPF. In particular, it plans positively for high quality and inclusive design (paragraph 57), it has developed a robust and comprehensive policy (paragraph 58), it proposes outlines of design principles (paragraph 59) and does so in a locally distinctive yet non-prescriptive way (paragraph 60).

- 7.22 I recommend that the wording of the policy is modified so that it has the clarity required by the NPPF. Otherwise it meets the basic conditions.

**Replace 'will be required to' with 'should'.**

Policy HOU2- Footprint, Separation, Scale and Bulk

- 7.23 This policy continues the approach taken in Policy HOU1. It has a focus on the footprint of new developments, and their separation, scale and bulk.
- 7.24 The policy is well-considered. I recommend detailed wording to the two separate parts so that they have the clarity required by the NPPF.
- 7.25 The second part of the policy indicates that any new dwellings will have their permitted development rights removed to prevent the erection of side extensions without planning permission. I recommend that this matter is deleted from the policy and repositioned in a modified fashion in the supporting text. Any decision to remove permitted development rights will need to be considered by RBWM on a case-by-case basis. It is not a matter for a general policy approach. In any event permitted development rights are applied nationally and should not be removed as a matter of course.

**In the first part of the policy replace 'be similar in' with 'respect the' and delete 'of' later in the sentence**

**In the second part of the policy:**

- **replace 'must' with 'should'**
- **delete the final sentence of the third bullet point.**

*At the end of the supporting text on page 25 add the deleted final sentence of the policy. In doing so insert 'RBWM will consider the appropriateness or otherwise of' after 'permitted' and then replace 'will be' with 'being'*

Policy HOU3 – Smaller Properties and Housing Mix

- 7.26 This policy relates to smaller properties and the housing mix in the neighbourhood area. It has two parts. The first indicates that housing proposals of five or more dwellings should deliver 20% of the houses as one-or two-bedroom houses. The second supports the development of smaller properties suitable for older persons or as starter homes for younger people.

- 7.27 I am satisfied that both elements of the policy meet the basic conditions in general terms. In particular the first part of the policy is underpinned by information in the Berkshire Strategic Housing Market Assessment. I recommend a detailed modification to the first part of the policy so that it has the clarity required by the NPPF.

**In the first part of the policy replace ‘will be expected to’ with ‘should’**

Policy HOU4 – Derelict Buildings

- 7.28 This policy intends to bring derelict and vacant buildings into beneficial residential use.
- 7.29 Plainly its ambition is very sound in general, and given the Green Belt within the neighbourhood area. Nevertheless, in most cases this process will not constitute development. In any event the policy only intends to set a presumption in favour of bringing such properties back into beneficial use. On this basis I recommend its deletion

**Delete the policy**

*Delete the supporting text*

Policy HOU5- Redevelopment and Change of Use

- 7.30 This policy sets out a positive approach towards the redevelopment of previously developed land and commercial premises for housing purposes. The supporting text highlights the relationship between the policy and the inherent difficulties of securing new development within the Green Belt.
- 7.30 It has attracted support from landowners and an objection from RBWM.
- 7.31 The submitted policy pulls in different ways. On the one hand it has the clear ability to result in the loss of existing commercial uses within the neighbourhood area. On the other hand, it presents the opportunity to generate opportunities for residential conversions and redevelopments in a neighbourhood area which is heavily constrained by its location within the Green Belt.
- 7.32 I am satisfied that the policy has regard to national policy. NPPF 47 comments that the supply of housing land should be boosted significantly. One of the core planning principles in paragraph 17 of the NPPF is to encourage the effective use of land by reusing previously-developed land.
- 7.33 The policy position in the adopted Local Plan is set out in its Policies E2, E5 and E6. Policy E2 identifies a series of Employment Areas. They do not include any such areas in the neighbourhood area. Policy E5 effectively safeguards employment uses within the identified Employment Areas. Policy E6 comments about other sites in employment use. Its third part comments about the potential for their redevelopment or change of use to other purposes. The supporting text in paragraph 4.2.21 of the Local Plan comments:

‘Outside of identified employment areas, the Borough Council will generally support proposals for the redevelopment of sites in existing business/industrial use to

alternative uses such as housing, recreation, social or community development. This is subject to the proposals having no unacceptable adverse impact on locally available employment opportunities and their compatibility with other policies in the Local Plan’.

- 7.34 In the context of both national and existing adopted local policy I have concluded that in principle the submitted policy meets the basic conditions. I recommend a series of detailed modifications to the policy so that it has the clarity required by the NPPF and so that it could be applied clearly and consistently by RBWM. The recommended modifications also apply national policy on sites within the Green Belt.
- 7.35 RBWM has drawn my attention to the relevant policy in its emerging Local Plan on this matter. Paragraph 5.7 of this report has already commented about the circumstances which would arise in the event that there was a conflict between a Local Plan adopted after a neighbourhood plan had been made. The same circumstances apply to this particular policy.

**Replace the policy with:**

**‘Development proposals for a change of use of existing buildings including commercial sites or for their redevelopment for residential use will be supported where they comply with other relevant policies in the development plan.**

**Where the properties or sites are located within the Green Belt the developments concerned should have no greater impact on the openness of the Green Belt than that of the existing building or buildings’**

Policy HOU6 – Water Supply, Waste Water, Surface Water and Sewage Infrastructure

- 7.36 This policy addresses water supply and disposal.
- 7.37 I recommend a series of modifications so that the policy will be able to be applied clearly and consistently by RBWM. In particular I recommend the deletion of process information and supporting text from within the policy. In any event it is already adequately covered in the supporting text.

**In the first paragraph replace ‘Applicants will be expected to’ with ‘Development proposals should’**

**In the first paragraph delete the second sentence.**

**Delete the third paragraph of the policy.**

Policy BE1 – Education

- 7.38 This policy offers support for proposals to extend educational facilities and/or to establish a nursery school where that development is appropriate to its location in the Green Belt.
- 7.39 I sought clarification from the parish councils on the policy. On the one hand, it is appropriate to the well-being of the community. On the other hand, it appears to be directly promoting built development in the Green Belt. I was advised that the policy

directly refers to the Wraysbury Primary School and many of its buildings are already within the Green Belt (the boundary of which runs to the rear of the existing properties in Welley Road).

- 7.40 I recommend a modification to the policy to take account of this helpful response. It ensures that the policy is explicitly related to the Wraysbury Primary School and refers to its impact on the openness of the Green Belt.

**Replace the policy with: ‘Proposals to extend the Wraysbury Primary School and/or to provide a nursery school on the Primary School site will be supported where:**

- **the proposal is an extension or alteration of existing buildings which does not result in disproportionate additions over and above the size of the original buildings; or**
- **the proposal is a limited infilling or the partial or complete redevelopment of the existing buildings on the site which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development’**

Policy BE2 – Heritage Assets

- 7.41 This policy identifies a series of important non-designated heritage assets. Its first part identifies the heritage assets. The second part identifies how development proposals which may affect the properties concerned will be considered through the development management process. The approach has generated a supporting representation from Historic England.
- 7.42 Within this supporting context I recommend two modifications. The first is that the commercial outlets in High Street are specifically identified in the policy. As submitted the policy will not provide any clarity for RBWM as it seeks to implement the policy. I also recommend a modification to the second part of the policy. As submitted, it is rather loosely-worded in a fashion that could not be applied through the development management process.

**In the first part of the policy replace ‘High Street, Wraysbury and the sentence in brackets thereafter’ with the schedule of properties set out in the second part of the response of the parish councils to the clarification note.**

**Replace the second part of the policy with: ‘Development proposals which would directly or indirectly affect the locally important heritage assets should safeguard and where possible enhance the heritage asset. The effect of a development proposal on the significance of the identified locally important heritage assets will be taken into account in determining the relevant planning application having regard to the scale of any harm or loss and the significance of the heritage asset concerned’.**

### Policy BE3 – Community Facilities

- 7.43 This policy celebrates the importance of community facilities in the neighbourhood area. It has three parts as follows:
- offering support to proposals to sustain or extend identified community facilities;
  - clarifying the scale and nature of development proposals to be supported; and
  - resisting proposals that would result in the loss of an identified community facility.
- 7.44 I sought clarification from the parish councils on the operation of the second and third parts of the policy. They sought to understand the way in which commercial and viability issues would have a bearing on the future of several of the identified community facilities which are essentially private businesses (such as the public houses). I recommend modifications to the policy to ensure that it can be applied clearly and consistently by RBWM. In particular I recommend that the second part of the policy is incorporated into the first part.
- 7.45 I also recommend that the third part of the policy is modified so that it takes account of viability issues. This ensures that the policy would have regard to national policy on this important matter.

**In the first part of the policy after ‘supported’ and before the wording in brackets add: ‘where they complement the use or viability of the community element of the facility concerned’**

**Delete the second paragraph of the policy**

**In the third part of the policy replace ‘will be resisted.... are provided’ with ‘will not be supported unless suitable alternative facilities are provided or it can be demonstrated the existing facility is no longer viable and that an alternative community use cannot be identified for the building concerned’**

### Policy OE1- Landscape

- 7.46 This policy celebrates the landscape of the neighbourhood area. It has a clear focus on the settings of the Rivers Colne and Thames, the Colne Brook and the flooded gravel pits.
- 7.47 I recommend a detailed modification to the wording of the policy. Otherwise it meets the basic conditions.

**Replace ‘will be expected to’ with ‘should’**

### Policy OE2 – Ecology

- 7.48 This policy addresses ecological matters in the neighbourhood area. It is a very comprehensive policy. It is criteria-based and arranged in three separate parts. Its overarching approach is that proposals that would conserve and enhance biodiversity in the neighbourhood area will be supported and where they:



- would not have adverse impacts;
- where they comply with specific guidance on ecological networks; and
- where they reflect the designation hierarchy.

7.49 I sought clarification from the parish councils on the need for the third criterion. As submitted, it describes the way in which different proposals would be determined within the context of the hierarchy of designations (international/national/local sites). I was advised that the policy had been designed to reflect the advice in paragraph 113 of the NPPF. Plainly this is an important consideration. However, this part of the policy is general in its format and add no local value to national policy. In any event the parish councils commented that it would be impractical to identify every element of the ecology within the neighbourhood area into the different headings in this part of the policy. On this basis I recommend that it is deleted from the policy. This will not affect the applicability of the NPPF on development proposals in the neighbourhood area.

7.50 I also recommend the deletion of the first criterion of the policy. It adds no value to the opening element of the policy. Indeed, it is the direct opposite of that approach. However, for clarity I recommend that it appears in a modified form at the end of the policy.

**In the opening part of the policy replace ‘permitted’ with ‘supported’. Thereafter delete the remainder of the opening section.**

**Delete criteria 1.**

**Retain the second criterion of the policy as a free-standing second part of the policy.**

**Delete criteria 3.**

**Insert the following as a free-standing third part of the policy: ‘Development proposals that would have an unacceptable adverse impact on the ecological or biodiversity resources in the neighbourhood area, and which cannot be appropriately avoided or mitigated, will not be supported’.**

Policy OE3 – Public Rights of Way

- 7.51 This policy comments on rights of way. It has two parts. The first safeguards public rights and their setting from new development. The second indicates that opportunities will be sought to designate new rights of way.
- 7.52 I recommend modifications to the first part of the policy so that it has a clearer relationship to new development proposals and the development management process.
- 7.53 I recommend that the second part of the policy is deleted and repositioned into the non-land use actions. This reflects that it is an ambition of the parish councils to work with others to achieve this very appropriate objective. It will be a useful supplement to KF3- Public Footpaths and Rights of Way.



**Replace the initial sentence with: ‘Development proposals should be designed and arranged to safeguard existing public rights of way and their settings. Proposals which would involve the loss of a public right of way or where an appropriate and attractive redirection could not be achieved will not be supported’**

**Delete the second sentence.**

*Reposition the second sentence into Non-Land Use Action KF3.*

Policy OE4 – Local Green Spaces

- 7.54 This policy proposes the designation of a suite of local green spaces (LGSs). Their proposed designation follows national policy as set out in paragraphs 76-78 of the NPPF.
- 7.55 I sought clarification from the parish councils on the extent to which the various proposed LGSs met the three criteria set out in paragraph 77 of the NPPF. On the basis of the information provided I am satisfied that the majority of the green spaces have been appropriately chosen. The parish councils agreed with my view that it was unrealistic to identify a lake (Queensmead Lake) as LGS. On this basis I recommend its deletion from the schedule of LGSs.
- 7.56 The parish councils provided more detailed maps of the LGSs. I recommend that these maps are included within the Plan. They will provide the clarity required for a development plan.
- 7.57 Finally I recommend that the policy element is modified so that it takes the very matter of fact approach included in the NPPF. Whilst it is incorporated in the submitted policy it attempts to identify the very special circumstances where development may be supported within LGSs. This will be a matter for RBWM to determine on a case-by-case basis. Nevertheless, it has a place in the supporting text as guidance for such decisions.

**In the initial part of the policy replace ‘map on the next page’ with ‘the maps on pages insert number to insert number’**

**In the list of LGSs delete xi. Queensmead Lake**

**Replace the final part of the policy with: ‘Development will not be supported within local green spaces unless in very special circumstances’**

*At the end of the supporting text add: ‘Policy OE4 designates local green spaces and applies the approach in the NPPF to their long-term maintenance. The very special circumstances where development may be supported within LGSs will be a matter for RBWM to determine on a case-by-case basis. However, these circumstances may include proposals which enhance the role and function of a designated local green space and where the proposal would result in the development of appropriate community infrastructure’*

*Insert the detailed maps of the proposed local green spaces (except that of Queensmead Lake) in the Plan immediately after the map on page 38.*

#### Policy BUSEC1- Retail Businesses

- 7.58 This policy seeks to safeguard the existing shops and associated retail-related uses in the neighbourhood area. There are number of shops in Wraysbury and one in Horton. I saw their importance to the local community as part of my visit.
- 7.59 The policy is suitably flexible to take account of viability issues. In this respect it has regard to national policy.
- 7.60 I recommend a modification to the wording of the policy. As submitted, it refers in a rather loose way to there being a general presumption against the change of use from retail uses. I also recommend a modification to clarify the Use Classes addressed in the policy.

**Replace ‘There will be.... Plan area’ with ‘Proposals for the change of use of properties in retail or retail-related use (Class A1 to A5 inclusive) to other uses will not be supported’**

#### Policy BUSEC2 – Commercial Premises

- 7.61 This policy is an important component of the way in which the Plan will contribute to the delivery of the economic dimension of sustainable development. It offers support for the alteration, extension or the redevelopment of existing commercial or employment premises for commercial or employment uses.
- 7.62 I recommend a detailed modification to the policy so that it will have the clarity required by the NPPF. Otherwise it meets the basic conditions.

**Replace ‘will be generally approved’ with ‘will be supported’**

#### Non-Land use actions

- 7.63 The Plan includes a series of non-land use actions. They are acknowledged as such and to provide a focus for community action. They are:
- TM1 Traffic management
  - TM2 Parking
  - TM3 Public Transport
  - KF1 Community Facilities
  - KF2 Community Health
  - KF3 Public Footpaths and Rights of Way
  - KF4 Education
  - KF5 Assets of Value to the Community
- 7.64 The various actions are well-considered. They are also distinctive to the neighbourhood area. In several instances they carefully overlap with land use policies in the main part of the Plan.

### Other Matters - General

- 7.65 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for RBWM and the parish councils to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.
- 7.66 This report has recommended that some policies or parts of policies are either deleted or repositioned into the Non-Land Use Actions. This will have implications on policy numbering and the internal organisation of specific policies. The flexibility provided by the general recommended modification below extends to changes to the numbering sequence of the individual policies and the way in which individual policies are organised.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

### Other Matters – Specific

- 7.67 In the Introduction and Purpose element of the Plan (Section 2) the supporting text makes a series of comments about development in the Green Belt. Most correctly interpret national policy on the matter.
- 7.68 The final sentence of the fourth paragraph of c) local Planning Policy in Section 2 provides potentially misleading commentary about the promotion of brownfield development in the Plan and the Green Belt. I recommend that it is deleted to avoid any potential confusion within the Plan period. This recommended modification has no effect on the policies in the submitted Plan or my recommended modifications to those policies.

*Delete the final sentence of the fourth paragraph of Local Planning Policy in Section 2 of the Plan.*

### Monitoring and Review

- 7.69 Section 2 of the Plan highlights the importance of monitoring the effectiveness of the Plan. Its proposed annual monitoring regime will overlap with the process taken by RBWM. This is good practice.
- 7.70 The Plan is intended to be reviewed every five years. This is also good practice. Given the historic nature of the current development plan and current progress on the emerging Local Plan I recommend that the need or otherwise for any made neighbourhood plan to be reviewed once the emerging Local Plan is adopted is included within the Plan.

*At the end of the final paragraph of the supporting text in the opening part of Section 2 of the Plan add: 'Within this context the parish councils will assess the need or otherwise for any made neighbourhood plan to be reviewed once the emerging Local Plan is adopted'*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2033. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Horton and Wraysbury Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report I recommend to the Royal Borough of Windsor and Maidenhead Council that subject to the incorporation of the modifications set out in this report that the Horton and Wraysbury Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Royal Borough Council in May 2013.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**12 August 2019**

## Appendix B – Horton and Wraysbury Neighbourhood Plan

### Examiner's Recommended Changes

Location of change	Page of Plan	Proposed Change	Commentary on examiner's view	Officer recommendation
Policy SUSTDEV1: Presumption in favour of sustainable development	21	<p>In the opening part of the policy</p> <p>replace 'Planning applications' with 'Development proposals'</p> <p>replace 'approved' with 'supported'</p> <p>replace 'Planning permission will also be granted' with 'Development proposals will also be supported'</p>	The revised policy complies better with the clarity requirements of the NPPF.	Accept the change.
Policy SUSTDEV1: Presumption in favour of sustainable development	21	<p>In the third paragraph of the policy:</p> <ul style="list-style-type: none"> <li>• replace 'applicants with proposals of' with 'development proposals of'</li> <li>• replace 'will be expected to' with 'should'</li> <li>• replace 'Development Brief' with 'Development Details' Delete the final paragraph of the policy.</li> </ul>	The revised policy complies better with the clarity requirements of the NPPF.	Accept the change.
Policy SUSTDEV2 Management of the Water Environment	23	<p>In the first paragraph of the policy:</p> <ul style="list-style-type: none"> <li>• replace 'There will be a general presumption against all' with 'Development proposals for'</li> <li>• after Maps add 'will not be supported'</li> </ul>	The revised policy complies better with the clarity requirements of the NPPF.	Accept the change.

		In the second paragraph of the policy replace the first sentence with: 'The design and construction of new buildings should have regard to national flood resilience guidance and other relevant policies in the development plan.'		
Policy HOU1- Good Quality Design	23	Replace 'will be required to' with 'should'.	The revised policy complies better with the clarity requirements of the NPPF.	Accept the change.
Policy HOU2- Footprint, Separation, Scale and Bulk		In the first part of the policy replace 'be similar in' with 'respect the' and delete 'of' later in the sentence  In the second part of the policy: <ul style="list-style-type: none"> <li>• replace 'must' with 'should'</li> <li>• delete the final sentence of the third bullet point.</li> </ul>	The revised policy complies better with the clarity requirements of the NPPF.	Accept the change.
Policy HOU2- Footprint, Separation, Scale and Bulk, supporting text	25	At the end of the supporting text on page 25 add the deleted final sentence of the policy. In doing so insert 'RBWM will consider the appropriateness or otherwise of' after 'permitted' and then replace 'will be' with 'being'	The revised text complies better with the clarity requirements of the NPPF	Accept the change
Policy HOU3 – Smaller Properties and Housing Mix	Page 26	In the first part of the policy replace 'will be expected to' with 'should'	The revised policy complies better with the clarity required by the NPPF.	Accept the change

Policy HOU4 – Derelict Buildings		Delete the policy and supporting text.	Much of the work to achieve the policy aim does not require planning consent, and it only offers general support for the idea.	Accept the change
Policy HOU5- Redevelopment and Change of Use	Page 27	<p>Replace the policy with: ‘Development proposals for a change of use of existing buildings including commercial sites or for their redevelopment for residential use will be supported where they comply with other relevant policies in the development plan.</p> <p>Where the properties or sites are located within the Green Belt the developments concerned should have no greater impact on the openness of the Green Belt than that of the existing building or buildings’</p>	The revised policy complies better with the clarity required by the NPPF. It also accords better with national policy on sites in the Green Belt, as well as being clearer to apply by RBWM.	Accept the change
Policy HOU6 – Water Supply, Waste Water, Surface Water and Sewage Infrastructure	Page 28	<p>In the first paragraph replace ‘Applicants will be expected to’ with ‘Development proposals should’</p> <p>In the first paragraph delete the second sentence.</p> <p>Delete the third paragraph of the policy.</p>	To enable the policy to be applied clearly and consistently by RBWM.	Accept the change
Policy BE1 – Education	Page 29	Replace the policy with: ‘Proposals to extend the Wraysbury Primary	It ensures that the policy is explicitly related to the Wraysbury	Accept the change



		<p>School and/or to provide a nursery school on the Primary School site will be supported where:</p> <ul style="list-style-type: none"> <li>• the proposal is an extension or alteration of existing buildings which does not result in disproportionate additions over and above the size of the original buildings; or</li> <li>• the proposal is a limited infilling or the partial or complete redevelopment of the existing buildings on the site which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'</li> </ul>	Primary School and refers to its impact on the openness of the Green Belt.	
Policy BE2 – Heritage Assets	Page 30	<p>In the first part of the policy replace 'High Street, Wraysbury and the sentence in brackets thereafter' with the schedule of properties set out in the second part of the response of the parish councils to the clarification note.</p> <p>Replace the second part of the policy with: 'Development proposals which would directly or indirectly affect the locally important heritage assets should safeguard and where possible enhance the heritage asset. The effect of a development</p>	To enable the policy to be applied clearly and consistently by RBWM.	Accept the change

		proposal on the significance of the identified locally important heritage assets will be taken into account in determining the relevant planning application having regard to the scale of any harm or loss and the significance of the heritage asset concerned’.		
Policy BE3 – Community Facilities	Page 31	<p>In the first part of the policy after ‘supported’ and before the wording in brackets add: ‘where they complement the use or viability of the community element of the facility concerned’</p> <p>Delete the second paragraph of the policy</p> <p>In the third part of the policy replace ‘will be resisted.... are provided’ with ‘will not be supported unless suitable alternative facilities are provided or it can be demonstrated the existing facility is no longer viable and that an alternative community use cannot be identified for the building concerned’</p>	To ensure the policy better complies with national policy.	Accept the change
Policy OE1- Landscape	Page 33	Replace ‘will be expected to’ with ‘should’	Ensure appropriate policy wording.	Accept the change

Policy OE2 – Ecology	Page 33	<p>In the opening part of the policy replace ‘permitted’ with ‘supported’. Thereafter delete the remainder of the opening section.</p> <p>Delete criteria 1.</p> <p>Retain the second criterion of the policy as a free-standing second part of the policy.</p> <p>Delete criteria 3.</p> <p>Insert the following as a free-standing third part of the policy: ‘Development proposals that would have an unacceptable adverse impact on the ecological or biodiversity resources in the neighbourhood area, and which cannot be appropriately avoided or mitigated, will not be supported’.</p>	The revised policy complies better with the clarity required by and content of the NPPF.	Accept the change
Policy OE3 – Public Rights of Way	Page 35	<p>Replace the initial sentence with: ‘Development proposals should be designed and arranged to safeguard existing public rights of way and their settings. Proposals which would involve the loss of a public right of way or where an appropriate and attractive redirection could not be achieved will not be supported’</p> <p>Delete the second sentence.</p>	To ensure that elements of the policy are worded correctly and another part moved to a non-policy action.	Accept the change

		Reposition the second sentence into Non-Land Use Action KF3.		
Policy OE4 – Local Green Spaces	Page 37	<p>In the initial part of the policy replace ‘map on the next page’ with ‘the maps on pages insert number to insert number’</p> <p>In the list of LGSs delete xi. Queensmead Lake</p> <p>Replace the final part of the policy with: ‘Development will not be supported within local green spaces unless in very special circumstances’</p>	To ensure that the policy and overall approach better complies with the NPPF.	Accept the change
Policy OE4 – Local Green Spaces <i>Supporting Text</i>	Page 37	<i>At the end of the supporting text add: ‘Policy OE4 designates local green spaces and applies the approach in the NPPF to their long-term maintenance. The very special circumstances where development may be supported within LGSs will be a matter for RBWM to determine on a case-by-case basis. However, these circumstances may include proposals which enhance the role and function of a designated local green space and where the proposal would result in the</i>	To ensure that the policy and overall approach better complies with the NPPF.	Accept the changes.

		<p><i>development of appropriate community infrastructure'</i></p> <p><i>Insert the detailed maps of the proposed local green spaces (except that of Queensmead Lake) in the Plan immediately after the map on page 38.</i></p>		
Policy BUSEC1- Retail Businesses	Page 39	Replace 'There will be.... Plan area' with 'Proposals for the change of use of properties in retail or retail-related use (Class A1 to A5 inclusive) to other uses will not be supported'	To ensure the policy is more effective.	Accept the changes.
Policy BUSEC2 – Commercial Premises	Page 39	Replace 'will be generally approved' with 'will be supported'	To ensure that the policy and overall approach better complies with the NPPF.	Accept the changes.
		<p>'Other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for RBWM and the parish councils to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.'</p> <p><i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i></p>		

Section 2		<i>Delete the final sentence of the fourth paragraph of Local Planning Policy in Section 2 of the Plan.</i>	It provides potentially misleading commentary.	Accept the changes.
Section 2		<i>At the end of the final paragraph of the supporting text in the opening part of Section 2 of the Plan add:</i>  <i>'Within this context the parish councils will assess the need or otherwise for any made neighbourhood plan to be reviewed once the emerging Local Plan is adopted'</i>	To improve the wording.	Accept the changes.

Report Title:	<b>Financial Update</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Hilton, Lead Member for Finance and Ascot
Meeting and Date:	Cabinet – 31 October 2019
Responsible Officer(s):	Ruth Watkins, Chief Accountant
Wards affected:	All

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## REPORT SUMMARY

- 1 This report sets out the Council's forecast outturn for 2019-20 based on spending and commitments at the end of August 2019, month five of the financial year. An in-year overspend of £4,179,000 is projected, a similar position to the previous month.
- 2 If the service pressures are not addressed in 2019/20 they will continue into future years and will have an impact on the Council's medium term financial planning assumptions, requiring further savings to be identified and delivered.
- 3 The council's net budget is £92,773,000. If the overspend is not reduced general fund reserves would reduce to £5,992,000, marginally above the minimum level set at Council of £5,810,000 (6.26% of net budget) in February 2019. Any reduction below the minimum level of reserves would need to be replenished in future years.

## 1. RECOMMENDATIONS

**That Cabinet notes:**

- i) **The council's projected outturn position for 2019-20 and considers the mitigations proposed;**
- ii) **The budget movements since the previous month;**
- iii) **The projected spend on the capital programme; and**
- iv) **The projected borrowing for the remainder of the financial year.**

## 2. REASON FOR RECOMMENDATION AND OPTIONS CONSIDERED

- 2.1 Cabinet are required to note the council's financial position and consider if sufficient action is identified to mitigate the position.

### 3. KEY IMPLICATIONS

**Table 1: Key implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
General Fund Reserves Achieved	<£5,810,000	£5,810,000 to £6,000,000	£6,000,001 to £16,900,000	> 16,900,000	31 May 2020

- 3.1. Given the projected overspend, officers will be identifying further mitigations to reduce the overspend.

### 4. COUNCILS PROJECTED OUTTURN 2019/20

- 4.1. The Council is projecting an over-spend of £4,179,000 on service budgets at the end of the financial year as set out in the table below:

**Table 2: Outturn position**

Directorate	Net budget	Projected Variance
	£000	£000
<b>Managing Director</b>		
Adult Social Care	34,035	1,430
Childrens Services	21,980	1,421
Commissioning – Communities	12,348	685
Net cost of MD other services	6,576	227
<b>Sub-Total</b>	<b>74,939</b>	<b>3,763</b>
<b>Executive Director – Communities</b>	<b>7,291</b>	<b>435</b>
<b>Executive Director – Place</b>	<b>121</b>	<b>(19)</b>
<b>Total Service Expenditure</b>	<b>82,351</b>	<b>4,179</b>
Non service expenditure	12,116	0
<b>Total</b>	<b>94,467</b>	<b>4,179</b>

- 4.2. **Managing Director's Directorate Projected Variance £3,763,000 overspend**
- 4.3. The Managing Director's Directorate includes a significant number of demand led services, notably adult social care, children's services and parking. Increasing demand and rising costs associated with both adult and children's services are also being reported by authorities across the country and the need for sustainable funding regimes, particularly for adult social care, has been recognised by Government for some time.
- 4.4. Adult social care services are delivered to residents through Optalis, a jointly owned company with Wokingham Borough Council. There are currently just over 2,000 people receiving services in the borough: 1,600 older people and those with physical disabilities, 320 people with learning disabilities and difficulties and 250 people with mental health challenges. Whilst the number of older people being supported has stayed broadly similar over the last year, the cost of placements and the associated complexity of need because people are living longer is creating pressure on the budget. For people with learning disabilities and difficulties and those with mental



health challenges, the increasing cost of placements is predominantly due to the lack of suitable accommodation within the borough leading to costly spot placements.

- 4.5. The main areas of pressure – domiciliary care and placements – have already been recognised with associated recovery plans in place since July. There is evidence, particularly for domiciliary care, that the action is having an impact with costs levelling off. The recovery plan includes providing more support from Occupational Therapists, increasing the use of equipment to enable people to be more independent, ensuring that all people who have the potential to become more independent receive a reablement service and commissioning a meals on wheels service.
- 4.6. Work continues with Optalis to address all areas predicting overspends, particularly in placements. The focus is on tighter management controls and reviews, with monthly progress updates through the contract management meeting. This will also determine what impact there will be in 2020/21. The severity and urgency of the position has been highlighted to the Optalis Board, and is now an agenda item at every board meeting.

4.7. **Adult Social Care £1,430,000 overspend**

**Adults**

	£000	£000
Placements for adults with a learning disability	827	
Support costs for adults with mental health problems	495	
Nursing placements	771	
Provider price rises above that assumed.	175	
supporting an additional 44 older people at home.	656	
Additional people receiving care contribute to the cost	<u>(1,659)</u>	

**Provision of adult social care** **1,265**

Staff agency costs, subscription, unachieved savings	86	
Potential additional Costs	<u>750</u>	
<b>Other Overspends</b>		<b>836</b>

Reductions in staffing costs and savings on contracts.	(315)	
Increased BCF allocation and Disabled Facilities Grant	(216)	
New contract for people with a learning disability	(50)	
Equipment and reablement service savings	<u>(90)</u>	
<b>Mitigations</b>		<b>(671)</b>
<b>Net Overspend</b>		<b>1,430</b>

The forecast overspend on adult social care is £1,430,000, due to the following factors:

### **Provision of adult social care £1,265,000**

- An increase in the number of placements for adults with a learning disability, together with an associated increased costs, has resulted in additional expenditure. This is largely due to the lack of supported living accommodation within the borough resulting in increased use of out of borough placements. Taking into account estimated future demand the projected costs to the end of the year are £827,000.
- Increased support costs for adults with mental health problems has resulted in additional costs. Again, this is largely due to lack of appropriate accommodation provision within the borough resulting in costly spot placements out of borough. The forecast overspend to year end is £495,000.
- Nursing placements, particularly for nursing dementia, are increasing significantly as people are living longer but with greater frailty and complexity of need. The forecast overspend to year end is £771,000.
- £175,000 has resulted from additional costs of care due to provider price rises above that assumed.
- There is a £656,000 pressure due to supporting an additional 44 older people at home.
- A number of the additional people receiving care contribute to the cost. This is projected to achieve an additional £1,659,000 of income which will be used to offset the costs of care identified above.

### **Continuing Healthcare and Other Overspends £836,000**

- Staff agency costs, subscription to RIPFA, unachieved savings targets and supplies and services totalling £86,000.
- The NHS, via the CCG, is responsible for paying the element of care costs relating to continuing healthcare (CHC). Following reviews of existing cases, some cases have been assessed as no longer eligible for CHC funding with the cost of care, therefore, falling on the council. Work is ongoing with the CCG to assess the financial implications for the council and this will be confirmed at the beginning of October. The total amount currently paid by the CCG and for which there is no budgetary provision in the council is £1,500,000 and therefore, the forecast includes a provision for £750,000 pending clarification of the financial implications and outstanding disputes.

### **Mitigations £671,000:**

- A total of £315,000 from reductions in staffing costs and savings on contracts.

- The council will receive an additional £166,000 from the Better Care Fund due to an increased allocation from the NHS and is anticipating an additional contribution of £50,000 to the Disabled Facilities Grant, total £216,000.
- A new contractual arrangement for providing some additional services to people with a learning disability in supported living accommodation will reduce costs by an estimated £50,000.
- There is a saving of £30,000 from the equipment contract and £60,000 from the reablement service provided by Optalis, £90,000 in total.

#### 4.8. **Children's Services £1,421,000 overspend**

- 4.9. The £300,000 for demographic growth for Children's Services approved as part of the 2019/20 Commissioning budget has now been added to the AfC contract to cover the additional costs. The variances below represent growth beyond this amount.

	£000	£000
Increased costs for placements	133	
Cost of interim staff for operational management	165	
Under achieved youth service income	50	
Increased central AfC Business Support	117	
Legal costs arising from complex court cases	90	
Risks relating to the ongoing funding from Continuing Health Care	50	
<b>Identified Pressures</b>		<b>605</b>
Transformation of Early Years and Youth Services delayed	320	
Shortfall in planned saving in the placement budget	360	
<b>Non-Delivery of Savings Plans</b>		<b>680</b>
Reduction in the Intensive Family Support Grant	78	
In-house Fostering Backdated payment	30	
Joint Legal Team	28	
<b>Retained Services</b>		<b><u>136</u></b>
<b>Net Overspend</b>		<b>1,421</b>

The forecast overspend on children's services is £1,421,000, due to the following factors:

#### **Identified Pressures £605,000**

- Increased costs for placements, in particular relating to the requirement to place one young person in secure accommodation at a weekly cost of £7,400. Based on the latest indicative timescales the projected incremental cost for 2019/20 being £92,000; total pressure on the placements budget is £133,000.

- The incremental cost of interim staff employed for operational management to deal with increased caseloads and OFSTED readiness for the inspection anticipated this autumn is £165,000.
- Under achieved youth service income due to reduced opportunities for rental of 4 Marlow road, £50,000.
- Increased central AfC Business Support and overhead costs to deliver the contract with the Council, £117,000.
- Legal costs arising from complex court cases which was expected to reduce after quarter one. However, the latest indication is that activity levels have remained constant leading to a forecast £90,000 overspend for the year.
- There are potential risks relating to the ongoing funding from Continuing Health Care the impact is an estimated reduction in funding for 2019/20 of £50,000.

#### **Non-Delivery of Savings Plans £680,000**

- The planned transformation of Early Years and Youth Services to provide a first 1,000 days service and youth offer has been delayed. The implementation of a new delivery model is now being planned for full delivery in 2020/21 this has led to not achieving budgeted savings of £320,000 in 2019/20.
- Commissioning - improved financial management of placements, planned saving £460,000, 6% of the total placement budget. The ability to deliver improved management of existing care placements to reduce the cost and scale of packages for young people already in the care of the Borough has been limited; projected saving to be delivered £100,000, resulting in a projected savings shortfall of £360,000.

#### **Children's Services – Retained £136,000**

Material variances are set out below:

- Reduction in the Intensive Family Support Grant due to lower numbers of eligible families being identified as “turned around” than the full, 100%, national target, £78,000.
- In-house Fostering backdated payment £30,000.
- Joint Legal Team materially higher cost in final period of 2018/19 not assumed in providing for 2018/19 liabilities, £28,000.

#### **4.10. AfC Contract – Dedicated Schools Grant - £26,000 underspend**

There are no material variances.

#### **4.11. Dedicated Schools Grant – Retained - £5,000 overspend**

Material variances are set out below:

- Early Years Block Private, Voluntary & Independent Nurseries clawback settlement 2018/19 (£435,000)
- High Needs Block £426,000 including Top Up funding £300,000, Outreach Services £76,000 and additional place funding of £40,000 reflecting indicative pupil numbers
- Others net £14,000.

#### 4.12. Dedicated Schools Grant Risks

There are potential risks relating to the Dedicated Schools Grant including those set out below:

- High Needs Block savings target of £700,000 is built into the budget. In previous years cost saving strategies towards delivering against this target included: holding 0% inflation increases on providers, successful negotiation of rates for new high cost placements, developing a more robust tribunal process and the continuous implementation of a more collaborative and inclusive approach within schools to retain pupils with special educational needs. These strategies will continue into 2019/20 and currently are expected to deliver similar savings to previous years. Potential risk identified £200,000.
- From 2019/20 onwards, funding for special free school places is included in local authorities' high needs allocations. Funding for these places is deducted from local authorities' high needs allocations by the Education Skills and Funding Agency and paid directly to schools. The Education Skills and Funding Agency through the import/export adjustment and further adjustments in the national funding formula ensures that this change will not result in an unfunded cost for local authorities. The latest High Needs Block formula allocation suggests a potential funding shortfall of £300,000. The updated guidance is expected in due course. Potential risk identified £300,000.

The expectation is these risks will be mitigated within the Dedicated Schools Grant.

#### 4.13. Grant Income

The grant income has reduced by £21,000 to match the favourable movement within the AfC Contract - Dedicated Schools Grant & Dedicated Schools Grant Retained. The net underspend will be a credit against the Dedicated Schools Grant reserve.

The Council will be working with Achieving for Children to help them to put their savings plans back on track and identifying mitigating savings. Progress will be reported to Cabinet as part of the monthly financial update.

#### 4.14. Commissioning - Communities £685,000

	£000	£000
Under achievement of parking fees and penalty charge income	400	
Property costs for Hines Meadow car park	76	
Operational costs across the parking estate	14	
Reduction in burial income	60	
Increased energy costs	213	
One-off savings in the waste budget	(78)	
<b>Net Overspend</b>		<b>685</b>

4.15. The remit for this service area includes a wide range of customer facing services, namely highways; waste; parking; flooding; transport; parks and countryside. In addition to operational delivery, the service is responsible for the delivery contracts with VolkerHighways (highways maintenance), Project Centre (highways design), Tivoli (grounds maintenance) and NSL (parking enforcement). The forecast overspends in this area relate to:

- Parking £400,000 relating to under achievement of parking fees and penalty charge notice income,
- £76,000 relates to property costs for Hines Meadow car park which were not forecast
- £14,000 for operational costs across the parking estate.
- Parks & Open spaces. There has been a recent trend towards people preferring cremation options over burials resulting in a potential reduction in income of £60,000.
- Although the LED programme for street lighting has been delivered, the overall saving expected has not yet been achieved due to changes in fixed and variable costs applied by the energy market resulting in an estimated £213,000 of budget pressure at year end.
- In terms of mitigations, one-off savings of £78,000 in the waste budget will reduce the overall pressure back to £685,000. Additional efficiencies across all contracts are being sought with partners.

#### 4.16. Other MD Services £227,000

	£000	£000
Non-achievement of the tourism saving	61	
Communications and Marketing	127	
Shortfall in Land Charges income	50	
Audit fees	23	
Minor variances totalling	(34)	

Material variances are set out below:

- £61,000 has already been declared in terms of overspend relating to the non-achievement of the tourism saving assumed in the budget.
- There is a further £127,000 pressure in Communications and Marketing as a result of correcting the historical treatment of accruals in tourism, the potential underachievement of income for the Guildhall and non-achievement of staffing reductions in the communications team. Actions are in place to mitigate the pressure, particularly in relation to the Guildhall and tourism; however, these actions are unlikely to mitigate the full amount.
- A shortfall of £50,000 in Land Charges income is being reported due to an increase in personal searches in place of official searches, and the decrease in volume of property sales within the borough.
- £23,000 overspend on audit fees due to the auditors carrying out more work than initially planned.
- Other minor variances totalling (£34,000).

#### 4.17. Communities Directorate projected overspend £435,000

	£000	£000
Revenues and Benefits	150	
Communities, Enforcement and Partnerships	167	
Library & Resident Services	8	
IT	<u>110</u>	
<b>Net Overspend</b>		<b>435</b>

4.18. The estimated overspend of £435,000 is an increase of £126,000 on that previously reported to Cabinet in August. A breakdown of the projected overspends are detailed below:

4.19. Revenues and Benefits – an estimated overspend of £150,000 is being reported as a result of a reduction in outstanding Housing Benefit Overpayments, and therefore Housing Benefit Overpayment debtors. This is an improvement of £50,000 on what was previously reported and is due to continued work by the Benefits team on minimise the remaining overspend.

4.20. Communities, Enforcement and Partnerships – An estimated net overspend of £167,000 is being reported, a net of £338,000 of pressures and £171,000 of mitigations. This is an increase of £8,000 on what was previously reported to Cabinet.

4.21. This includes the following pressures:

	£000	£000
Annual cost of BT networks for CCTV, and control room	85	

staffing cost,	
Historic savings targets which cannot be met and which were not written out in the 2019/20 budget build,	126
Staffing costs relating to implementation of structural changes	17
Community Safety Partnership	28
Unachievable fixed penalty income	5
Reduced income from taxi licensing	30
Costs of burial of the dead under our statutory duty	10
Income from reduced levels of printing re-charges	15
One-off additional cost for the secure disposal of confidential waste	8
Unachievable income for Licensing	12
Fees on Flexible Home Improvement Loans	<u>2</u>
<b>Total Pressures</b>	<b>338</b>

4.22. These pressures are mitigated by the following underspends:

	£000	£000
Environmental Protection Salaries	(13)	
Community Safety salaries	(31)	
Community Warden salaries	(17)	
Spend relating to contaminated land	(5)	
Lower out of hours professional fees	(2)	
Lower salaries for Trading Standards	(17)	
Lower salaries for Commercial & Residential Services	(55)	
Recovery of Housing Standards legal fees	(19)	
Recharges for Energy & Efficiency	(4)	
Reduced spend in Food & Hygiene safety	(3)	
Reduced spend in Head of Communities, Enforcement & Partnerships	<u>(5)</u>	
<b>Total Mitigations</b>		<b>(171)</b>
<b>Net Overspend</b>		<b>167</b>

4.23. Library & Resident Services – An estimated overspend of £8,000 is now being reported. This is made up of a net £3,000 pressure in libraries, a £5,000 underspend in Museums, Arts and Local Studies, and an estimated overspend in Registrars of £10,000 due to unachievable income due to a change in legislation.

4.24. IT – An estimated overspend of £110,000 is now being reported. This is made up of £40,000 due to increased software charges and £70,000 due to a proposed telephony saving now not being deliverable in 2019/20.

#### **Place Directorate projected underspend £19,000**

4.25. This underspend relates to a number of minor underspends but does not take account of the potential cost of a planning appeal that has been upgraded from a hearing to



an inquiry and dates imposed on us by the Inspectorate for October 2019. The pressure will be confirmed when the total costs are known.

### **Council Tax and Business rates Collection Performance**

- 4.26. The majority of Council spending relies on collecting Council Tax and Business Rates, the Council's budgeted share of these two precepts is £88m in 2019/20. Collection rates are therefore closely monitored and are both above the targets set for this point in the year.
- 4.27. At the end of August 2019 49.13% of Council Tax had been collected compared with 48.92% at the same point in 2018 and the target collection of 48.90%. Business rate collection was 49.39% compared to 49.77% against a target of 49.00%. The overall target for 2019/20 is 98.3%.

### **Revenue budget movements**

- 4.28. Any virements to the revenue budget are monitored and reported to Cabinet each month, a full analysis is set out in appendix B of this report, changes since the last report are set out in table 3 below:

**Table 3: Revenue budget movements**

	<b>Net Service Budget</b>
	<b>£000</b>
<b>Budget at September 2019</b>	<b>82,319</b>
MAKE MAIDENHEAD marketing strategy	32
<b>Updated budget</b>	<b>82,351</b>

- 4.29. Since the budget was approved the total movements are £1,196,000, some of which are ongoing, £600,000 has been transferred from the General Fund Reserve.

### **Revenue Reserve**

- 4.30. At 31.03.19 the Council had general reserves of £7,778,000 and earmarked reserves of £5,825,000 those set aside for a specific purpose. Together, as a proportion of the Council's net revenue budget these are a measure of the Council's financial resilience. Its ability to withstand unforeseen events. In comparison to other Unitary Council's the Royal Borough's overall level of reserves is one of the lowest.
- 4.31. Given the level of uncertainty over future funding and increasing pressures other Councils have been increasing reserve levels and this Council was planning to do this in 2019/20 by increasing its reserves by £3,458,000 to £11,236,000 using the estimated surplus from business rates in 2018/19 c/fwd.
- 4.32. If the current £4,179,000 overspend is not addressed, together with £568,000 transfers agreed by Cabinet for one-off items in-year and a £460,000 provision for redundancy it is projected the general fund reserve will reduce to £5,992,000 only marginally above the minimum level approved by Council.

## General Fund Reserve Projection at 31.03.20

	£000
Opening Balance 01.04.19	7,778
Projected One-Off contribution from 75% business rates pilot and c/fwd surplus from 2018/19	<u>3,458</u>
	11,236
Approved transfers from General Reserve in year	(605)
Projected Year-End Deficit at Month Four	(4,179)
Year-End Redundancy Provision	<u>(460)</u>
Current Projected Balance at 31.03.20	<u>5,992</u>

## Medium Term Financial Strategy

- 4.33. The Council has a medium term financial strategy (MTFP) to 2022/23 when it had assumed that if £4,155,000 of savings required in 2020/21 were achieved no further reductions would be required in the period if Council tax increased by 2.99% each year.
- 4.34. The MTFP assumptions will be reviewed over the next few months but given the pressures identified in this report it is likely that additional, ongoing savings, will be required in 2020/21. It is planned that Cabinet will be presented with a draft budget for 2020/21 at its meeting in December 2019 that will clarify this position.

## Borrowing projection

- 4.35. Throughout the year the Council's borrowing levels are updated based on cash-flow and spending on the capital programme. Currently the Council is borrowing temporarily pending anticipated capital receipts in future years and short-term interest rates remaining low. Currently total borrowing is anticipated to increase to £175,374,000 in August 2020, the increased borrowing costs have been factored into the MTFP. A full breakdown of the estimated is set out in Appendix C.

## Capital Programme

- 4.36. The approved 2019-20 capital budget is £82,876,000, summarised in table 4 below. Changes to the original budget since the start of the financial year is set out in appendix D, including unspent budget b/fwd from previous financial years and approved schemes where additional budget is now required in year. Appendix G shows the movement in capital budget during the year on a scheme by scheme basis.
- 4.37. The projected outturn for the financial year is £77,443,000. The majority of the £5,113,000 slippage to 2020-21 relates to commencing works on Affordable Key Worker Housing approved at Council in July 2018.
- 4.38. Additional budget of £1,956,000 has been added to the capital programme this month which relates to a separate Affordable Housing Scheme. The full budget of £7,059,000 was approved at Council in September 2018 and works are planned to complete in 2021/22. Further detail on slippage and variances is set out in Appendix E.

4.39.

**Table 4: Capital outturn**

	<b>Exp.</b>	<b>Inc.</b>	<b>Net</b>
	£000	£000	£000
<b>Approved budget</b>	82,876	(17,306)	65,570
Variances identified	(120)	80	(40)
Slippage to 2020-21	(5,313)	200	5,113
<b>Projected Outturn 2019-20</b>	77,443	(17,026)	60,417

4.40. Table 5 sets out the capital programme status, with further information in appendix F. It should be noted that significant slippage on capital programmes has been seen in previous years despite not being forecast until late in the year. Improved Capital Project monitoring will improve forecasts going forward.

**Table 5: Capital programme status**

	<b>September 2019</b>
<b>Number of schemes in programme</b>	<b>291</b>
Yet to start	15%
In progress	48%
Completed	15%
Ongoing programmes e.g. Disabled Facilities Grant	22%
Devolved formula capital grant schemes budgets devolved to schools	0%

## **5 LEGAL IMPLICATIONS**

5.1. In producing and reviewing this report the council is meeting its legal obligations to monitor its financial position.

## **6 RISK MANAGEMENT**

6.1. The increase in projected variance will require additional mitigation to reduce it during the financial year.

## **7 POTENTIAL IMPACTS**

7.1. Equalities – none

7.2. Climate change/sustainability – none

7.3. Data Protection/GDPR -none

## **8 CONSULTATION**

8.1 None.

## **9 TIMETABLE FOR IMPLEMENTATION**

9.1 Implementation date if not called in: immediately.

## 10 APPENDICES

10.1 This report is supported by six appendices:

- Appendix A Revenue Monitoring Statement
- Appendix B Revenue movement statement
- Appendix C Borrowing forecast
- Appendix D Capital budget summary
- Appendix E Capital monitoring report
- Appendix F Major capital scheme progress
- Appendix G Capital budget movements

## 11 BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- Budget Report to Council February 2019.

## 12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date issued for comment	Date returned with comments
Cllr Hilton	Lead Member for Finance and Ascot		
Duncan Sharkey	Managing Director	2/10/2019	03/10/2019
Russell O'Keefe	Executive Director	2/10/2019	03/10/2019
Andy Jeffs	Executive Director	2/10/2019	03/10/2019
Ruth Watkins	Deputy Section 151 Officer	N/A	
Kevin McDaniel	Director of Children's services	2/10/2019	
Nikki Craig	Head of HR and Corporate Projects	2/10/2019	
Louisa Dean	Communications	2/10/2019	
Hilary Hall	Deputy Director of Commissioning and Strategy(DASS)	2/10/2019	03/10/2019

## REPORT HISTORY

<b>Decision type:</b> For information	<b>Urgency item?</b> No	<b>To Follow item?</b> No
Report Author: Ruth Watkins, Chief Accountant and Deputy s151 officer.		

## Revenue Monitoring Statement 2019/20 for October 2019 Cabinet

Original Budget	SUMMARY	Revised Budget	Projected Variance
£000		£000	£000
398	Management	675	(11)
466	Communications & Marketing	475	188
1,293	Human Resources	1,221	0
1,898	Law & Governance	1,907	50
2,101	Commissioning & Support	2,016	(23)
9,826	Commissioning - Communities	10,332	685
24,526	AfC Contract - Children's Services	24,526	1,285
11,140	AfC Contract - Dedicated Schools Grant	11,140	(26)
(2,546)	Children's Services - Retained	(2,546)	136
53,293	Dedicated Schools Grant - Retained	52,717	5
29,199	Adult Social Care - Optalis Contract	29,247	2,576
16,335	Adult Social Care - Spend	16,470	393
(11,725)	Adult Social Care - Income	(11,792)	(1,539)
12,728	Better Care Fund	12,944	0
4,659	Public Health	4,659	0
(80,585)	Grant Income	(80,227)	21
1,143	Finance	1,175	23
<b>74,149</b>	<b>Total Managing Director's Directorate</b>	<b>74,939</b>	<b>3,763</b>
141	Executive Director of Communities	187	0
830	Revenues & Benefits	902	150
1,327	Communities, Enforcement & Partnerships	1,682	167
3,150	Library & Resident Services	3,200	8
1,351	ICT	1,320	110
<b>6,799</b>	<b>Total Communities Directorate</b>	<b>7,291</b>	<b>435</b>
365	Executive Director of Place	275	11
1,086	Housing	1,087	122
1,302	Planning Service	1,332	(120)
(2,546)	Property Service	(2,573)	(32)
<b>207</b>	<b>Total Place Directorate</b>	<b>121</b>	<b>(19)</b>
<b>81,155</b>	<b>TOTAL EXPENDITURE</b>	<b>82,351</b>	<b>4,179</b>

# Revenue Monitoring Statement 2019/20 for October 2019 Cabinet

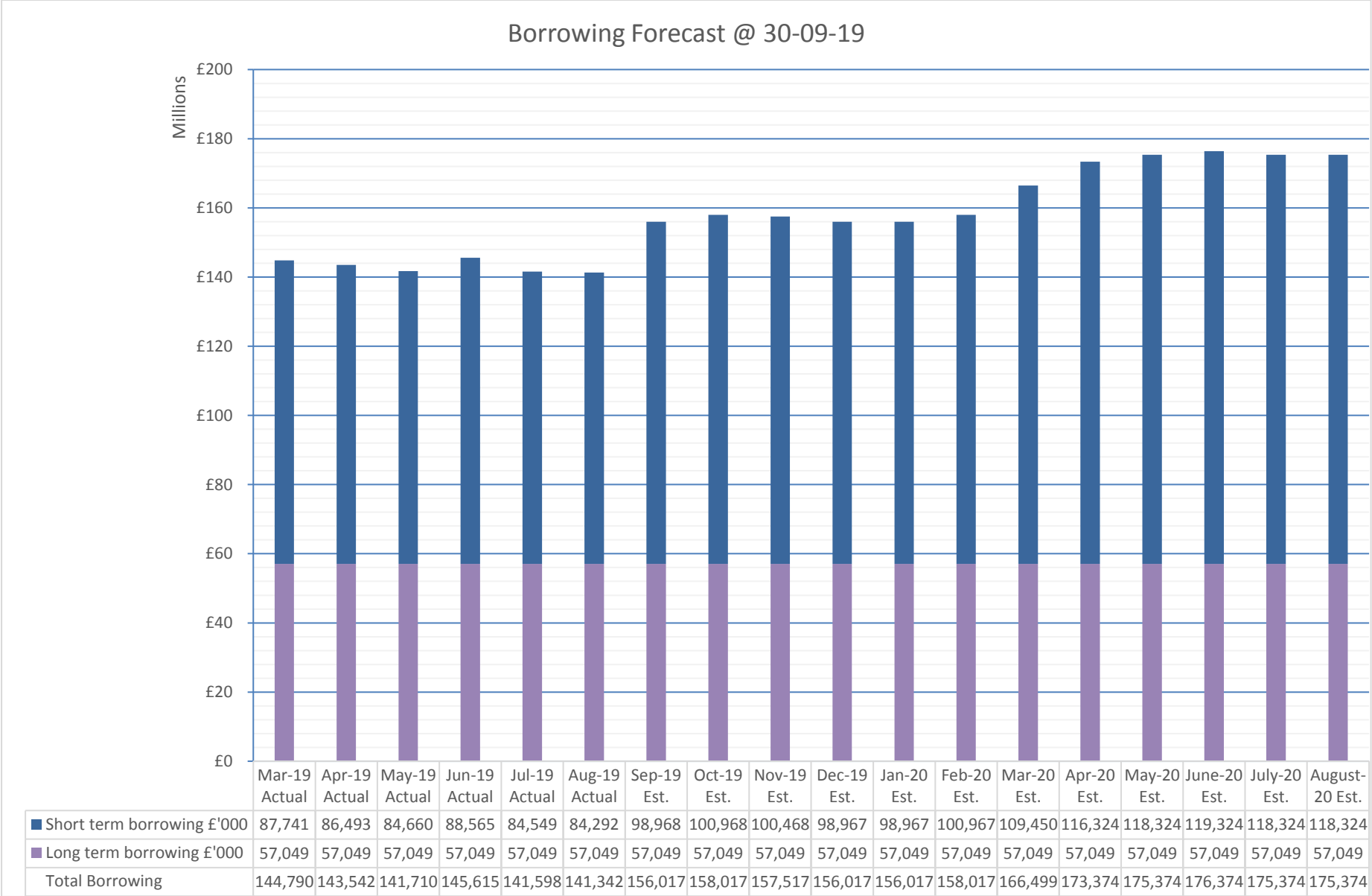
Original Budget	SUMMARY	Revised Budget	Projected Variance
£000		£000	£000
<b>81,155</b>	<b>Total Service Expenditure</b>	<b>82,351</b>	<b>4,179</b>
3,458	Contribution to / (from) Reserves	3,458	0
4,017	Pensions deficit recovery	4,017	0
300	Pay reward	5	0
	Transfer from Provision for Redundancy	(296)	0
159	Environment Agency levy	159	0
	Variance on Business Rates income	0	0
4,778	Capital Financing inc Interest Receipts	4,778	0
<b>93,867</b>	<b>NET REQUIREMENTS</b>	<b>94,472</b>	<b>4,179</b>
(1,094)	Less - Special Expenses	(1,094)	0
0	Transfer to / (from) balances	(605)	(4,179)
<b>92,773</b>	<b>GROSS COUNCIL TAX REQUIREMENT</b>	<b>92,773</b>	<b>0</b>
	<b>General Fund</b>		
	Opening Balance	7,778	10,631
	Contribution to / (from) Reserves	3,458	
	Transfers to / (from) balances	(605)	(4,179)
		<u>10,631</u>	<u>6,452</u>
	Estimated year end redundancy provision		(460)
	Projected General Fund outturn		<u>5,992</u>

## Appendix B

Revenue Monitoring Statement 2019/20					
		Funded by the General Fund (1)	Funded by Provision (2)	Included in the original budget (3)	Approval
		£'000	£'000	£'000	£'000
	<b>Original Budget</b>				<b>81,155</b>
1	Advantage card updates	17			17 CLT 6th March 2019
2	Reading development officer	17			17 CLT 6th March 2019
3	Waste mobilisation	100			100 Feb 2019 Cabinet
4	Pay Reward			298	298 Feb 2019 Cabinet
5	Severance		203		203 March 2019 Cabinet
6	24 hour pot holes	365			365 May 2019 Cabinet
7	Heathrow Judicial Review	74			74 July 2019 Cabinet
8	Severance		90		90 March 2019 Cabinet
9	Make Maidenhead marketing strategy	32			32 June 2019 Cabinet
	<b>Changes Approved</b>	<b>605</b>	<b>293</b>	<b>298</b>	<b>1,196</b>
	<b>Approved Estimate Oct 2019 Cabinet</b>				<b>82,351</b>

## NOTES

- 1 If additional budget is approved but no funding is specified, the transaction would, by default, be funded from the General Fund Reserve.  
Transactions in column 1 are funded by the General Fund.
- 2 A provision for future redundancy costs is created every year and this is used to fund additional budget in services for the costs of redundancy they incur during the year. Transactions in column 2 are redundancy costs funded by the provision for redundancy.
- 3 Transactions in column 3 are amounts approved in the annual budget which for various reasons need to be allocated to service budgets in-year.  
An example would be the pay reward budget. Pay reward payments are not approved until June. The budget therefore has to be re-allocated.





## Revised Capital Programme 2019/20 at 30 September 2019

Portfolio Summary**Communities Directorate**

Revenues & Benefits	170	0	170
Communities, Enforcement & Partnerships	3,649	(1,255)	2,394
ICT	506	0	506
Library & Resident Services	435	0	435

**Total Communities Directorate****Place Directorate**

Property	1,425	0	1,425
Housing	0	0	0
Planning	947	0	947

**Total Place Directorate****Managing Director**

Human Resources	0	0	0
Adult Social Care	220	(200)	20
Commissioning – Communities	17,224	(8,109)	9,115
Law and Governance	46	0	46
Green Spaces & Parks	425	(85)	340
Non Schools	787	0	787
Schools – Non Devolved	4,334	(973)	3,361
Schools – Devolved Capital	195	(195)	0

**Total Managing Director****Total Committed Schemes**

2019/20 Original Budget Approved at Council February 2019 A			Unspent budget from Schemes Approved in Prior Years per May 2019 cabinet B			Approved schemes where additional budget added in-year C			Revised Budget 2019/20 A+B+C		
Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net
£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
170	0	170	69	0	69	0	0	0	239	0	239
3,649	(1,255)	2,394	3,825	(1,211)	2,614	10,292	(110)	10,182	17,766	(2,576)	15,190
506	0	506	139	0	139	0	0	0	645	0	645
435	0	435	834	(104)	730	0	0	0	1,269	(104)	1,165
<b>4,760</b>	<b>(1,255)</b>	<b>3,505</b>	<b>4,867</b>	<b>(1,315)</b>	<b>3,552</b>	<b>10,292</b>	<b>(110)</b>	<b>10,182</b>	<b>19,919</b>	<b>(2,680)</b>	<b>17,239</b>
1,425	0	1,425	14,001	(159)	13,842	7,148	0	7,148	22,574	(159)	22,415
0	0	0	381	(356)	25	35	(35)	0	416	(391)	25
947	0	947	1,673	(729)	944	0	0	0	2,620	(729)	1,891
<b>2,372</b>	<b>0</b>	<b>2,372</b>	<b>16,055</b>	<b>(1,244)</b>	<b>14,811</b>	<b>7,183</b>	<b>(35)</b>	<b>7,148</b>	<b>25,610</b>	<b>(1,279)</b>	<b>24,331</b>
0	0	0	15	0	15	0	0	0	15	0	15
220	(200)	20	0	0	0	0	0	0	220	(200)	20
17,224	(8,109)	9,115	2,391	(1,086)	1,305	1,086	(121)	965	20,701	(9,316)	11,385
46	0	46	10	0	10	31	0	31	87	0	87
425	(85)	340	213	(114)	99	74	(74)	0	712	(273)	439
787	0	787	271	(162)	109	0	0	0	1,058	(162)	896
4,334	(973)	3,361	9,284	(1,487)	7,797	0	0	0	13,618	(2,460)	11,158
195	(195)	0	740	(740)	0	1	(1)	0	936	(936)	0
<b>23,231</b>	<b>(9,562)</b>	<b>13,669</b>	<b>12,924</b>	<b>(3,589)</b>	<b>9,335</b>	<b>1,192</b>	<b>(196)</b>	<b>996</b>	<b>37,347</b>	<b>(13,347)</b>	<b>24,000</b>
<b>30,363</b>	<b>(10,817)</b>	<b>19,546</b>	<b>33,846</b>	<b>(6,148)</b>	<b>27,698</b>	<b>18,667</b>	<b>(341)</b>	<b>18,326</b>	<b>82,876</b>	<b>(17,306)</b>	<b>65,570</b>

	(£'000)	
<b>Portfolio Total</b>	<b>30,363</b>	
<b>External Funding</b>		
Government Grants	(9,686)	
Developers' Contributions	(846)	
Other Contributions	(285)	
<b>Total External Funding Sources</b>	<b>(10,817)</b>	
<b>Total Corporate Funding</b>	<b>19,546</b>	

(£'000)	
<b>82,876</b>	
(12,946)	
(1,898)	
(2,462)	
<b>(17,306)</b>	
<b>65,570</b>	

**Capital Monitoring Report - Projected Outturn 2019/20**

At 30 September 2019, the approved estimate stood at £82.876m

	<b>Exp</b>	<b>Inc</b>	<b>Net</b>
	£'000	£'000	£'000
Revised Budget	82,876	(17,306)	65,570
Variances identified	(120)	80	(40)
Slippage to 2020/21	(5,313)	200	(5,113)
Projected Outturn 2019/20	77,443	(17,026)	60,417

**Overall Projected Expenditure and Slippage**

Projected outturn for the financial year is £77.443m

Variances to report this month are as follows.

Communities, Enforcement & Partnerships

CT52 Disabled Facilities Grant (80) 80 0 Adult social care waiting lists and staff shortages has caused a lack of work to be processed by panel and housing team.

Commissioning - Communities

CD78 PAVE Dedworth (40) 0 (40) Slippage no longer required.  
(120) 80 (40)

Slippage is reported as follows

Communities, Enforcement & Partnerships

CV42 Braywick Park-New 3G Pitch to Compliment L.C. (100) 100 0 Delay in Design Specification  
CV43 Braywick Park-Sports Pitch Improvements (100) 100 0 Delay in Design Specification

Property

CX43 Affordable Housing schemes (5,113) 0 (5,113) Programme of works now scheduled 2020-21 & 2021-22  
(5,313) 200 (5,113)

**Overall Programme Status**

The project statistics show the following position:

<b>Scheme progress</b>	<b>No.</b>	<b>%</b>
Yet to Start	44	15%
In Progress	139	48%
Completed	43	15%
Ongoing Programmes e.g.. Disabled Facilities Grant	64	22%
Devolved Formula Capital Grant schemes budgets devolved to schools	1	0%
<b>Total Schemes</b>	<b>291</b>	<b>100%</b>

Major Capital Scheme Progress																		
	CAPITAL SCHEME	Total Scheme  Cost	2019/20			Approved Slippage			Revised Budget			PROJECTIONS		PROJECT STATUS				
Project			Original Budget			from prior years			2019/20			2019/20 Projected Variance (Underspend as negative)	2020/21 Slippage Projected	Yet To Start	Preliminary / Feasibility Work	Work On- site	Ongoing Annual Programme	Expected Completion
		Gross	Gross	Income	Estimate	Gross	Income	Estimate	Gross	Income	Estimate							
		£'000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000					
Communities Directorate																		
	Communities, Enforcement & Partnerships																	
CT52	Disabled Facilities Grant	600	600	(600)	0	0	0	0	600	(600)	0	0	0					
CZ18	Braywick Leisure Centre	36,386	10,000	0	10,000	(325)	0	(325)	9,675	0	9,675	0	0					
Place Directorate																		
	Property																	
CI29	Broadway Car Park & Central House Scheme	35,313	4,664	0	4,664	0	0	0	4,664	0	4,664	0	0					
	Non Schools																	
CT61	AfC Case Management System	460	460	0	460	0	0	0	460	0	460	0	0					
	Schools – Non Devolved																	
CSJX	St Peters Middle	2,700	2,700	(39)	2,661	0	0	0	2,700	(39)	2,661	0	0					
CSJR	Works to explore expansions for all Schools	500	500	0	500	475	0	475	975	0	975	0	0					
	Commissioning – Communities																	
CF05	Waste Vehicles	4,500	4,500	0	4,500	0	0	0	4,500	0	4,500	0	0					
CD42	Maidenhead Station Interchange & Car Park	4,500	3,050	(2,442)	608	280	0	280	3,330	(2,442)	888	0	0					
CF09	Maidenhead Local Plan Site Works	2,165	2,165	(1,765)	400	(60)	0	(60)	2,105	(1,765)	340	0	0					
CD12	Roads Resurfacing-Transport Asset & Safety	1,900	1,900	(1,750)	150	0	0	0	1,900	(1,750)	150	0	0					
CC62	Maidenhead Missing Links (LEP Match Funded)	2,151	1,418	(891)	527	610	(510)	100	2,028	(1,401)	627	0	0					
CC89	Elizabeth Bridge	850	850	(50)	800	0	0	0	850	(50)	800	0	0					

**Capital Programme Movements 2019/20**

	<b>Expenditure £'000</b>	<b>Income £'000</b>	<b>Net £'000</b>
<b>Original Budget 2019/20</b>	30,363	(10,817)	19,546
<b>Budget changes - June Financial Update</b>			-
Slippage in from 2018/19	33,777	(6,136)	27,641
Local Highways Fund. Cabinet 31 January 2019	965	-	965
Tinkers Lane Depot - Site management updates CLT 6 March 2019	125	-	125
Victoria Street MSCP Measures to reduce incidents of overnight ASB CLT 6 March 2019	12	-	12
Brill House Additional Costs CLT 2 April 2019	35	(35)	-
<b>Budget changes - July Financial Update</b>			-
Braywick Leisure Centre budget drawdown - Council September 2017	10,000	-	10,000
Ascot United Football Pitch project release of S106 funds 3G Floodlit All Weather Pitch. CLT 9 April 2019	90	(90)	-
Pocket parks grant - Cabinet 27 June 2019	75	(75)	-
Pothole Action Fund - DfT Grant - Cabinet 27 June 2019	121	(121)	-
<b>Budget changes - August Financial Update</b>			-
Reprovision of Squash in Windsor - TVAC. CLT 19 December 2018	20	(20)	-
Additional parking for Windsor grant reconciliation adjustment	7	(7)	-
<b>Budget changes - September Financial Update</b>			-
Supplementary budget - Members Participatory Budgets for Local Projects (£750 each) Cabinet 25 July 2019	31	-	31
Final budget drawdown - Broadway Car Park £8.15m Council approval 23 September 2014	4,726	-	4,726
Supplementary budget Oaks Leisure Centre - Cabinet 27 June 2019	100	-	100
<b>Budget changes - October Financial Update</b>			-
Fire Compartmentalisation Maintained Schools - Cabinet 27 June 2019	465	-	465
Make Maidenhead Website Build - Cabinet 27 June 2019	10	-	10
Affordable Key Worker Housing - Budget Drawdown of £7.059m - Council 25 September 2018	1,955	-	1,955
Roundings	(1)	(5)	(6)
<b>Revised Budget 2019/20</b>	<b>82,876</b>	<b>(17,306)</b>	<b>65,570</b>

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
Responsible Officer(s):	Russell O'Keefe – Executive Director - Place
Wards affected:	All

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## 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 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) To progress the work to create a Vision for Windsor Town Centre subject to funding being secured from an external partner.
- 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 work on a Vision subject to securing external funding. <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 January 2021 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	April 2020	1 month before	N/A	April 2020
Stage 2	1 month late	May 2020	1 month before	N/A	May 2020
Stage 3	1 month late	June 2020	1 month before	N/A	June 2020

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Stage 4	1 month late	July 2020	1 month before	N/A	July 2020
Stage 5	1 month late	September 2020	1 month before	N/A	August 2020
Stage 6	1 month late	October 2020	1 month before	N/A	September 2020
Stage 7	1 month late	November 2020	1 month before	N/A	November 2020
Stage 8	1 month late	December 2020	1 month before	N/A	December 2020
Production of summary report for further consideration	1 month late	January 2021	1 month before	N/A	January 2021

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

#### 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. It is believed that this work can be funded by an external partner, this relates to a procurement process which will be brought to Cabinet separately for approval in December.
- 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	£0	£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: The full implementation stages are set out in table 4.

**Table 4: Implementation timetable**

Date	Details
May 2020	Stage 1 & 2
July 2020	Stage 3 & 4
September 2020	Stage 5 & 6
November 2020	Stage 7
December 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)

Name of consultee	Post held	Date sent	Date returned
ClIr 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>Award of contract to supply agency workers</b>
Contains Confidential or Exempt Information?	Part I, except: Tables 3 and 4 Part II 'Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.'
Member reporting:	Councillor Rayner, Lead Member for HR, IT, Legal (including Performance Management) and Windsor.
Meeting and Date:	Cabinet - 31 October 2019
Responsible Officer(s):	Duncan Sharkey, Managing Director and Nikki Craig, Head of HR and Corporate Projects
Wards affected:	None

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## REPORT SUMMARY

1. This report sets out the proposal to award a contract to Alexander Mann Solutions (AMS), via the Crown Commercial Services Public Sector Resourcing Framework to supply the Council's agency workers from 23 March 2020 (estimated and based upon available implementation dates from 2019) until 15 January 2024, plus a potential 18 month extension.
2. The framework is a single provider arrangement and allows the Council to make a direct award. This represents the best value for money on the grounds that AMS has been selected to deliver agency services following a full procurement process, the framework is designed to meet the needs of the public sector including local government and the Council's requirements for agency workers have reduced since the transfer to partners of a range of services including adult social care and children's services. The estimated expenditure for the full term of the contract including the extension period is £6.7 million. This approach supports the Council's priority of – 'Well managed resources delivering value for money'

## 1. DETAILS OF RECOMMENDATION(S)

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

- i) **Awards a contract for the supply of the Council's agency workers to Alexander Mann Solutions, via the Crown Commercial Services Public Sector Resourcing Framework, effective March 2020 to January 2024.**
- ii) **Authorises the Managing Director, in consultation with the Lead Member, to extend the contract for a further 18 months, to July 2025, subject to satisfactory performance.**

- iii) **Approve the continued use of the existing service via Geometric Results International Limited (GRI) until the start of the new contract with AMS.**

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

### Options

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

Option	Comments
Award the contract for the supply of agency workers to Alexander Mann Solutions. <b>This is the recommended option</b>	This represents the most cost effective option, which secures the Council a long term contract that the Council can terminate on written notice if necessary. .
Undertake a procurement exercise to identify a suitable provider.	The low value of the anticipated spend indicates that the contract is likely to be of little interest to providers due to the resources required to submit a bid and the potential income it would generate.
Decide not to have a contract for the supply of agency workers and allow managers to use any agency of their choice.	This would result in the Council paying higher costs to use agency workers and due to the collective value of spend would be in breach of the EU Public Procurement Directives and the UK Public Contract Regulations 2015.

- 2.1 The Council has a current contract with GRI to supply its agency workers. The contract, which was for a period of two years, with an option to extend for two years, commenced on 1 March 2016. The Council exercised the extension option and the contract is due to end on 29 February 2020.
- 2.2 The use of a preferred supplier ensures that the agency fees associated with the use of agency workers are fixed via a contract and that economies of scale were achieved. The ad-hoc use of agencies to supply workers means that the Council has no control over the fees that agencies charge. In addition given the value of Council spend annually a compliantly sourced contract is required to comply with the Public Contract Regulations 2015.
- 2.3 Since the contract has been in place the needs of the Council have changed considerably as a number of services have been transferred to partner organisations. Much of the requirement for agency workers was for social care staff, which represented 63% of the annual spend at the start of the contract. These workers have not been a requirement for the Council since August 2017. Achieving for Children has been using GRI to source agency workers

since that time. They are currently reviewing their needs and how they will source workers from March 2020.

- 2.4 In the past 18 months or so the Council's needs have mainly been around hard to fill or professional/specialist roles such as Planning, Property, Environmental Health and Housing roles. In these professional areas it is not unusual for workers to prefer the flexibility of interim assignments, particularly as there are national skill shortages and high demand. The Council has also recently required highly specialist support in Planning, which is generally only available via the interim worker market. These professional skills tend to be supplied via specialist agencies, who resisted becoming a second tier supplier to GRI as their fees are less generous. Therefore, the majority of these assignments have had to be sourced and fulfilled off contract.
- 2.5 When the current provider was awarded the contract in 2016, the Council's spend was in excess of £5.5 million per year on agency workers. In 2018 the expenditure on agency workers by the Council was £1.3 million, of this £1 million related to those specialist professional roles referred to in 2.4. Between April and July 2019, the Council has used 33 agency workers and the expenditure has been £423,000, the majority of this spend was off contract. This includes cover for some roles that have now been filled. If it is assumed that this level of spend continues then this projects to £1,269,000 for the year 2019/20. Although given the recruitment to a number of permanent roles, it is anticipated that this level of spend would reduce.
- 2.6 The volume of activity for this type of contract is difficult to predict and the size of the Council now means that the overall estimated annual value of spend is relatively small in comparison to other agency worker contracts. Especially those containing requirements for social care roles.
- 2.7 Due to the reduced scale of requirements and anticipated level of spend, consideration was given to the most appropriate procurement process for the new contract, especially as the predicted level of spend will most likely not be seen as attractive to suppliers. Procurement processes are very time consuming and require significant resources from both providers and the Council.
- 2.8 In 2018, following a fully compliant procurement process, the Crown Commercial Service let a single supplier framework for the sourcing of agency workers for the public sector. The successful provider was Alexander Mann Solutions. Public sector organisations can access the contract via a call off process in the knowledge that all the due diligence processes required of a procurement exercise have already been undertaken and that the chosen provider was assessed as the best in terms of meeting the service delivery and cost effectiveness criteria.
- 2.9 HR in conjunction with Procurement, reviewed the service available and the terms of the contract to determine if it would be suitable for the Council. The following advantages were identified:

#### **Advantages**

- The service is designed specifically for the public sector.
- It is accessible to all organisations regardless of anticipated spend.

- The agency fees are fixed across the framework regardless of volume of activity.
- The online system is simple to use and designed specifically for the needs of the public sector
- The online system offers improvements in the areas of system reporting on the agency workforce, including fulfilment rates, length of placement, average hourly rates etc.
- Alexander Mann Solutions anticipate supplying the majority of workers themselves.
- As a national government procured contract Alexander Mann Solutions has already signed up many of the agencies which supply to the public sector.

2.10 In reviewing the contract terms and provision the following disadvantages were identified:

#### **Disadvantages**

- There are fixed contract start dates.
- As with most frameworks, there is no flexibility regarding contract terms.
- Invoices will be processed weekly, rather than monthly as under the current contract.
- If the Council wishes to employ an agency worker 'temp to perm transfer fees' are payable if the worker has been on assignment for less than six months, rather than three months as under the current contract.
- As yet there are no Local Authorities using the framework. In part due to the fact that social care roles are not included in the scope of the framework.

2.11 The issue of access to specialist agencies via a framework is problematic, given their reluctance to sign up to the GRI framework. However the terms of this framework for second tier agencies are more generous than the current contract and therefore it is anticipated that where second tier agencies are needed, AMS have set their sourcing fees at a level where specialist agencies will sign up due to the improved terms and the framework has a national public sector focus. A number of off contract suppliers used in the past by the Council are already part of the AMS supply chain.

2.12 On balance it is felt that overall the benefits of using a single supplier framework outweigh the disadvantages.

2.13 The service start dates for 2020 are due to be published in the autumn and are expected to be similar to those that have been published for 2019. In 2019 the first start date was at the end of March. This would fit in well with the end of the current contract. It would be necessary to continue with the service provided by GRI for a short period until the new contract starts.

### **3. KEY IMPLICATIONS**

3.1 Table 2 identifies the key implications.



**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>
Fulfilment* rate standard assignments 90%	<90%	90%	95%	100%	Within 6 months of start date and ongoing during lifetime of contract
Fulfilment rate hard to fill assignments** 75%	<75%	75%	80%	90%	Within 6 months of start date and ongoing during lifetime of contract
<p>* Fulfilment rate is the percentage of assignments that have been filled out of those actually required.</p> <p>**As set out in 2.4 and as determined from time to time by HR</p>					

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

- 4.1 The costs associated with agency workers is funded by the hiring service area from their salary budget. The contract will apply fixed agency fees, so managers will know up front what the charges are. In the case of off contract spend, agencies are generally in the driving seat and managers have very little control or influence over the fees they are charged.
- 4.2 As part of the current contract, there is a 2% HR admin fee, which is credited to the HR service budget. For 2019/20 the income projection is £26,000. The application of this fee is not possible under the terms of the AMS contract.
- 4.3 Based on the projected spend for 2019/20, the estimated total value of the contract is £6.7 million, including the extension period.
- 4.4 The fees associated with the contract are set out in Table 3. This is Part II information as it is commercially sensitive.

#### **Table 3: Agency fees – See Part II**

- 4.5 AMS is incentivised to supply workers themselves, as their income is limited to the Managed Service Provider (MSP) fee where second tier agencies supply workers. The terms of this contract for second tier agencies are more generous than the current contract with GRI and therefore it is anticipated that where second tier agencies are needed, AMS have set their sourcing fees at a level where specialist agencies will sign up to be a part of the AMS supply chain due to the improved terms and the national spread of the framework. Overall it is anticipated that there will be a reduction in the amount of off

contract spend, meaning that services will benefit from better and controlled agency rates.

- 4.6 Table 4 sets out some examples of the charges associated with using agency workers via AMS. This is Part II as it is commercially sensitive information.

**Table 4: Examples of the charges for agency workers - See Part II**

## **5. LEGAL IMPLICATIONS**

- 5.1 The use of this single provider framework in the manner set out in the framework documentation allows the Council to let a compliant contract, without the resources that would be required to undertake a full procurement exercise. The Council has to accept the terms of the framework with no variation. The terms are set by the framework operator, are designed to balance the interests of purchasers and the supplier and have been reviewed by HR and Procurement. It is believed that the terms are acceptable.

## **6. RISK MANAGEMENT**

- 6.1 Table 5 details the risk and mitigations.

**Table 5: Impact of risk and mitigation**

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
Off contract spend results in higher costs for the use of agency workers	High	Approval is required from HR for all agency workers. Off contract sourcing is only approved where AMS cannot source a worker.	Low

## **7. POTENTIAL IMPACTS**

### **Equalities**

- 7.1 An EQIA was not completed. The framework selection process included appropriate equalities assessments.

### **Climate change/sustainability**

- 7.2 The service operates remotely with managers and workers managing the assignment, timesheet processing etc. on line. This reduces the need for travel and hard copy documentation, thus reducing carbon emissions.

### **Data Protection/GDPR**

- 7.3 Personal data will be processed as part of this service, however a Privacy Impact Assessment was not undertaken. The contract terms contain detailed provision regarding the processing of personal data. They have been reviewed by the Council's DPO, who confirmed they are acceptable.

## **8. CONSULTATION**

- 8.1 None.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: Envisaged to be 23 March 2020 subject to actual 2020 implementation dates once published. The full implementation stages are set out in table 6.

**Table 6: Implementation timetable**

Date	Details
Week 1 January 2020	Project start date
Weeks 2 - 10	System preparation
Weeks 11 - 12	Training and final data preparation
Week 13 - 23 March 2020	Go live
23 March 2020	GRI extended period of use ends

## 10. APPENDICES

- 10.1 Tables 3 and 4 Part II

## 11. BACKGROUND DOCUMENTS

- 11.1 There are no background documents.

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Rayner	Lead Member for HR, Legal and IT (including Performance Management)	02/10/19	02/10/19
Duncan Sharkey	Managing Director	13/9/19	18/09/19
Russell O'Keefe	Executive Director	13/9/19	18/09/19
Andy Jeffs	Executive Director	13/9/19	18/09/19
Rob Stubbs	Section 151 Officer	13/9/19	18/09/19
Nikki Craig	Head of HR, Corporate Projects and ICT	13/9/19	23/09/19
Kevin McDaniel	Director of Children's Services	13/9/19	18/09/19
Hilary Hall	Deputy Director of Commissioning and Strategy and Interim DASS	13/9/19	15/9/19
Elaine Browne	Interim Head of Law and Governance	13/9/19	18/09/19
Louisa Dean	Communications	13/9/19	18/09/19

## REPORT HISTORY

<b>Decision type:</b> Key decision June 2019	<b>Urgency item?</b> No	<b>To Follow item?</b> N/a
Report Author: Karin Zussman-Ward, Lead HR Consultant 01628 796211		

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