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NOTICE OF MEETING

CABINET

will meet on

THURSDAY, 27TH FEBRUARY, 2020

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

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, 19 February 2020

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 or contact the Panel Administrator **David Cook** 01628 796560

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest	7 - 8
3.	<u>MINUTES</u> To consider the Part I minutes of the meeting held on 6 February 2020.	9 - 16
4.	<u>APPOINTMENTS</u>	-
5.	<u>FORWARD PLAN</u> To consider the Forward Plan for the period March 2020 to June 2020.	17 - 22
6.	<u>CABINET MEMBERS' REPORTS</u> Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health	-
	i. Contract for Nursing Care Home Placements Environmental Services, Climate Change, Sustainability, Parks and Countryside	23 - 28
	ii. Water Contract Procurement Transport and Infrastructure	29 - 32
	iii. Heathrow Strategic Planning Group (HSPG) Joint Spatial Planning Framework (JSPF) , Statement of Common Ground and Economic Development Vision and Action Plan (EDVAC) Documents Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health	33 - 40
	iv. New Provision For Children And Young People With Special Educational Needs	41 - 60

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

v. Renewal of Microsoft Licencing Agreement - award of new contract

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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 8-9 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>MINUTES</u></p> <p>To consider the Part II minutes of the meeting of Cabinet held on 6 February 2020.</p> <p><i>(Not for publication by virtue of Paragraph 1, 2, 3, 4, 5, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p>	65 - 66
9.	<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. Renewal Of Microsoft Licencing Agreement - Award Of New Contract - Appendix</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p> <p>Finance and Ascot</p> <p>ii. Renewal Of The Council's Motor Insurance Policy</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p> <p>Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property</p> <p>iii. Cultural & Community Options</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p> <p>Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property</p> <p>iv. Nicholson's Walk Shopping Centre</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p>	<p>-</p> <p>67 - 68</p> <p>69 - 72</p> <p>73 - 158</p> <p>159 - 182</p>

Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property

v. Alexandra Gardens (Coach & Car Park), Windsor

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

Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property

vi. Compulsory Purchase Order – The Landings, Maidenhead.

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

Details of representations received on reports listed above for discussion in the Private Meeting:

None received

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, 6 FEBRUARY 2020

PRESENT: Councillors David Cannon, Andrew Johnson (Chairman), David Coppinger, Samantha Rayner, David Hilton, Donna Stimson and Ross McWilliams

Also in attendance: Councillors Bateson, Bhangra, Bond, Baskerville, Brar, Del Campo, Werner, C Da Costa, W Da Costa, Jones, Knowles, Taylor and Larcombe.

Officers: Duncan Sharkey, Russell O’Keefe, Kevin McDaniel, Louisa Dean, Ruth Watkins, Nikki Craig, Peter Robinson, Terry Neavas, Hilary Hall and David Cook.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Carroll.

DECLARATIONS OF INTEREST

None received.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 30 January 2020 were approved.

APPOINTMENTS

None

CABINET MEMBERS' REPORTS

A) BUDGET 2020/21

Cabinet considered the report that report contained four annexes which contain the main budget reports to be considered by Full Council on 25th February 2020.

The Chairman informed Cabinet that this had been a difficult budget to set as the council found itself in a challenging position. Difficult decisions had to be made to get a balanced budget where the council could continue to invest in helping the most vulnerable in our society as well as being able to invest in capital and regeneration projects and meeting our commitments such as climate change and carbon zero targets.

The Lead Member for Finance and Ascot informed that Cabinet were asked to approve four reports to Council that formed the proposed budget for 2020/21. The council’s overview and scrutiny panels had considered the appropriate sections of the budget and the meetings were attended by himself and Lead Members, panel comments had been circulated to Cabinet.

The Capital Programme report set out the council’s plan for capital investment in 2020/21 and the indicative five year plan up to 2024/25. The total capital programme for 2020/21 was proposed to be £56.6m, of which the largest share,£48.598m, related to ongoing cost of existing capital schemes. New capital investment amounted to £8.062m. a number of major schemes were in the pipeline such as the Braywick Leisure Centre, Vicus Way Car Park, regeneration projects in Maidenhead and public realm in Windsor.

It had been decided that all expenditure below £20k was de minimis for capital purposes and expenditure below this amount would now be funded from within revenue budgets. This decision had the benefit of a reducing the number of capital projects, enabling more focus on larger schemes when approving and monitoring spend.

Cabinet were informed that the report contained the following appendices; the Capital Strategy, the Capital Programme for fully funded schemes, the Capital Programme for income generating schemes, the Capital Programme for borough funded schemes, the full Capital Programme 2019/20 – 2022/23, pre-approved major Schemes and capital cash flow.

Councillor Jones asked if there had been any feedback from the Chamber of Commerce and if both chambers had been consulted and was informed by the Lead Member that he had met with representatives from the Maidenhead Chamber of Commerce and Windsor CIC. It had been a productive meeting where they discussed issues such as business rates, vacancy rates and footfall.

With regards to Capital Receipts Cllr Jones was informed that there were projects that were generating income such as York House which delivered £500,000 per year after borrowing costs. There were other income generating projects due such as St Clouds Way.

Councillor Jones made reference to section 5.6 of the report regarding assets repaying borrowing and asked if it was possible to know how much income had been generated and was anticipated to be generated. The Lead Member said he would ask officers if it was possible to provide this information and that projects such as Vicus Way Car Park would generate income.

Cllr Jones asked what was the impact of having to invest in short term maintenance rather than long term capital investments and was informed that £3 million had been set aside to cover maintenance project and the council was moving towards these projects being covered by revenue in the future.

Cllr Jones questioned what impact long term borrowing was having on the budget and if this was built into the Medium Term Financial Strategy. She also asked if there would be an effective process to assess competing capital priorities. Peter Robinson, Cipfa consultant, responded that it was good business if income from assets exceeded borrowing and if they had good business cases. The Lead Member said that with regards to priorities this was already in place and each proposed project had to have an effective business case.

Cllr Jones asked if the Capital Programme Working Group would be transparent and was informed that it would be as transparent as possible but due to commercial sensitivity some information will have to be in Part II.

Cllr Larcombe addressed Cabinet regarding flooding from the River Thames and how Surrey County Council had set aside £270 million for works, he asked if we could set aside £54 million as part of the scheme. The Lead Member for Public Protection and Parking responded that there would be a contribution of £52 million but he was arguing that the lower Thames scheme should be a national scheme. This is not in the report as the funding was reliant on a change in legislation.

Cllr C Da Costa asked if it would be possible to see the business case put forward for the Dedworth Manor Community Café. The Chairman had previously thanked Cllr C Da Costa and Cllr Price for their efforts regarding the café but unfortunately it was not being funded and he said he would follow up her request.

Cllr Knowles asked when the consultation with the Chamber of Commerce took place as the report said 2019 and was informed that this was a typo error as consultation was undertaken annually and the Lead Member had met with them on Tuesday prior to this meeting.

Cabinet agreed that the recommendations regarding the Capital Programme would be put to Council.

The Lead Member for Finance and Ascot introduced the Fees and Charges report setting out the proposed increases that have been included within the 2020/21 budget proposals.

Cabinet were informed that section two of the report showed the reasons for the recommendations. Some charges are statutory with set fees whilst others are discretionary and the Council could choose to set the level charged. When setting discretionary charges the cost of providing the service and what is reasonable was considered. In determining reasonableness the Council compared the charges made for the same service by other councils and the private sector. Some charges would also be set to aid the climate change objectives.

Cllr Jones mentioned that with regards to parking permit charges and visitor parking in Windsor she felt the proposals were premature and did not compare favourably with other authorities. Parking charges were much higher and Windsor and she was in discussion with the Lead Member regarding this.

The Lead Member for Finance and Ascot said that Cabinet had listened to what O&S had said. The Lead Member for Public Protection and Parking said that there was talk about different schemes being used so he would look to see if they could produce the same outcomes with less impact for residents. The Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor said she would be happy to meet with Cllr Jones to discuss her concerns.

Cabinet agreed that the recommendations regarding Fees and Charges would be put to Council.

The Lead Member for Finance and Ascot introduced the Revenue Budget report 2020/21 that set out the council spending plans for 2020/21 and the medium term financial strategy.

Cabinet were informed that future spending plans were set against clear policy objectives under the banner of 'creating a borough of opportunity and innovation' and continuing to protect the most vulnerable in the community and investing in the future economic development and regeneration opportunities while increasingly ensuring that the council recognises its commitments with regard to climate resilience and its overall environmental impact.

There would be increased spending planned for adult and children services to protect the most vulnerable in society. There were a number of objectives behind the budget, opportunity and innovation, regeneration of Maidenhead, protecting the vulnerable, climate change and zero carbon emissions by 2050.

There was an increase of £6.9 million towards adult and children services as well as saving of £3.8 million in those areas. When setting the budget the administration had been robust about the ability to make savings but had still set aside a £3 million contingency.

The Chairman said that this was a robust, transparent, prudent budget. It planned to invest into areas that were important to residents. A balanced budget was proposed that was both legally and morally the right thing to do and thus difficult decisions had been made. It was also planned to address other policy issues such and the climate change emergency, as mentioned at O&S if a resident has a fully electric car there would be a process in place that they would not have to pay parking fees at pay and display car parks.

Cllr Jones raised concern that there had been no mention of the medium term financial priorities and the need to make an annual £7 million savings per year. If these savings can

not be met then the reserves would be reduced to a negative position. There had been talk about transformation for the last five years, there was no adequate level of reserves, forecasts say there was a need to take advantage of any opportunity to increase council tax allowances. As the current council tax was fixed at 2% there was no opportunity to increase taxation to the required level.

The Chairman said that all authorities were faced with the need to find savings, however before he went to the tax payer he would look at all saving opportunities and income generation streams. They would also seek fairer funding from central government.

The Lead Member for Finance and Ascot said that there had already been savings in 2021/22 identified due to work planned the previous year. Since 2013/13 the authority had successfully made year on year savings with an average of £5 million.

Cllr Jones said that this council was already at a low spend per capita authority and were behind other authorities. With resources so low she was concerned about there was only so much that could be taken. Other council had more time due to their higher tax base and level of reserves. There was a need for transparency and that we should only burden the tax payer as a final resort.

The Chairman reiterated that there was a need to make tough decisions to have a balanced budget and these had been taken to O&S Panels. It was planned to build up reserves. Cabinet were looking at other income streams and the council had an excellent asset base to generate income.

The Lead Member for Housing, Communications and Youth Engagement informed that as the Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health had given his apologies it was important to mention that if he was in attendance he would have mentioned the transformation work that was ongoing and planned and with the excellent support from officers the savings would be achieved.

Cllr Knowles questioned the decision to not capitalised spend below £20,000 as although it was a relatively small amount the accumulative amounts could have an adverse effect. In reply the interim S105 officer informed that spending should only be capitalised if it is of a lasting nature or enhances the value of an asset. This generally applies to significant areas of spending and it is unlikely that spending below £20,000 will meet this criteria. Spending below £20,000 should be met by revenue. The Managing Director informed that these pressures had been built into the budget.

Cabinet agreed that the recommendations regarding the Revenue Budget report would be put to Council. It was noted that the following recommendation was no longer required:

xii) Agrees that in the event of central government funding allocations being above or below the settlement levels notified and used in this report that any variation be managed by an adjustment to general reserves.

Cabinet were informed that the council was required to approve a Treasury Management Strategy before the start of each financial year and this appendix of the report fulfilled that obligation if approved by Council. Cabinet agreed that the recommendations for the report would be put to Council.

The Chairman thanked Terry Neaves, Interim Section 151 Officer, for all his hard work over the last few months working on the budget build as he would not be at Council when the budget was approved.

Resolved unanimously: that Cabinet recommends to Council on 25th February 2020:

- (i) the Council's proposed Capital Programme for 2020/21 – 2022/23 and Capital Strategy 2020/21 – 2024/25 (annex A) noting:**
 - a. the deletion of the Dedworth Community Café from the programme as set out within the Capital Programme Report.**
 - b. the fully funded capital budget of £100,000 in 2019/20 for Ascot High Street Public Realm and Highway Improvements Design Study**
- (ii) the proposed Fees and Charges (Annex B)**
- (iii) the Revenue Budget 2020/21 (Annex C)**
- (iv) That Cabinet note the Treasury Management Strategy and Prudential Indicators (Annex D) will be considered by the Council on 25th February 2020.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public were excluded from the remainder of the meeting whilst discussion took place on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of part I of Schedule 12A of the Act.

A) COUNCIL FUNDING FOR LOCAL ORGANISATIONS 2020/21

Cabinet considered the approval of the recommendations from the Grants Panel for grants to voluntary organisations. Although the discussion took place in Part II, it was agreed that the decisions of the Grant Panel should be minuted in Part I.

BCF '3' FUND

RECOMMENDED TO CABINET: That the applications listed below for the allocation of RBWM / '3' Grassroots Funding be noted.

Organisation	£
1st South Ascot Scout Group	750
Family Friends in Windsor & Maidenhead	4,500
Learning to Work	3,000
Maidenhead Book Festival	2,000
Peer Productions	2,300
Re:Charge R&R	5,000
The Autism Group	1,000
The Baby Bank	2,825
Windsor Boys' School Boat Club	625
Windsor Festival Society Ltd	3,000
Total proposed awards	25,000

It is with regret that the following organisations were not awarded any funding:

- Rivertime Accessible Boating**
- Maidenhead Unit of Sea Cadet Corps**

CAPITAL SLIPPAGE

RESOLVED UNANIMOUSLY: That:

- i. Following a review of the Capital Slippage, a total of £6,021 was re-added to the budget for the financial year 2020/21.
- ii. Relevant Grants Officers would continue to contact organisations with funds unclaimed since March 2018 to confirm if they are in a position to claim their funds or, have justification to carry their funds forwards by 1 September 2020. If neither apply, to inform the organisation that the funds previously awarded will be released back into the grants budget and the organisations to be informed they would be able to re-apply in future if they so wished.
- iii. Delegated authority be given to the Head of Communities, in conjunction with the Chairman of the Panel, to consider grants not drawn-down within two years of award and to release funds back into the grants budget for any applicant unable to confirm imminent draw-down of funds.

COMMUNITY GRANTS

RECOMMENDED TO CABINET: That: the grants as detailed below be approved, subject to:-

- a) The approval of the budget.
- b) The organisations receiving the Community Grants for capital projects obtaining any requisite planning or building regulations consents and producing copies of audited accounts and evidence of the availability of finance for the remainder of the schemes. Organisations receiving Community Grants for Revenue costs or Service Level Agreements being required to complete an Annual Return Form which should demonstrate written evidence that the money had been spent according to their application and to identify the specific outcomes achieved as a result of the grant awarded.
- c) The organisations receiving Kidwells Trust Grants:-
 1. Providing suitable acknowledgement for the grant assistance in all publicity material.
 2. Ensuring that there is adequate insurance cover for items purchased with grant assistance.
 3. Continuing to look for other forms of sponsorship for special events.
- d) Organisations should, wherever possible, seek funding from other sources to ensure that they were not solely reliant on funding through the Royal Borough and it be noted that those organisations would not necessarily be automatically awarded funding year on year.

Organisation	£
1st Sunningdale Scout Group	1,500
4Motion Dance (Year 2 of 3 SLA)	12,191
4Motion Dance Theatre Company CIC	1,000
800 Group	1,000
Adult Dyslexia Centre	1,500
Age Concern Windsor	1,861
Age UK Berkshire	2,500
All Star Football Academy Maidenhead	1,000
Autism Berkshire – Bear With Me	2,000
Baby Bank	4,000

Organisation	£
Berkshire Community Foundation	21,500
Berkshire Multiple Sclerosis Therapy Centre	1,000
Busy Buttons CORE	2,000
Citizens Advice Bureau Bracknell & District*	5,728
Clewer Scout & Guide Group	1,000
Cox Green Carnival	300
Craft Coop**	4,000
Datchet One Stop Shop***	1,500
Driven Forward****	3,600
Elizabeth House Cookham	4,000
Eton Community CIC	1,000
Eton Wick Village Association & Waterways Group	500
Eton Wick Village Association	500
Family Action	2,000
Friends of RBWM Libraries	2,500
Greenacre Residents' Association Ltd	300
Holyport Football Club	500
Maidenhead & District Stroke Club	780
Maidenhead & Windsor CAB (Year 3 of 3 SLA)	15,300
Maidenhead Festival (Year 3 of 3 SLA)	10,000
Maidenhead Heritage Centre	6,000
Men's Matters	1,000
Norden Farm – Replacement & Renewals Plan	5,900
Old Court (The)	2,000
Old Court (The) – Grassroots Music	5,000
Old Windsor Carnival	5,000
Old Windsor District Girl Guiding	1,000
Rotary Club of Maidenhead Bridge – Easter Family Fun Day	250
Rotary Club of Maidenhead Bridge – Health Awareness Day 2020	750
Royal Free Singers	1,000
Swan Support	1,000
Windsor & Maidenhead Community Forum (WAMCF)	3,000
White Waltham Village Association	750
Willows Riverside Park Social Club	327
Windsor & Eton District Scout Council	3,000
Windsor & Maidenhead Symphony Orchestra	1,500
Windsor Festival – Young Musician of the Year	5,000
Windsor Monarchs Wheelchair Basketball Club	2,500
Windsor Old People's Welfare Association (WOPWA)	5,000
Total Recommended to Cabinet	156,537

* Citizens Advice Bureau Bracknell & District – Add a condition to request a report on how outcomes are being achieved (in particular how successful the project is in moving people from the NHS into another environment) and therefore whether the model could be promoted further.

** Craft Coop – To only grant this award as a single-year award and advise they apply for a three year SLA for 2021/22 onwards after demonstrating value added in the year 2020/21.

They should present to officers how they spent the grant and the outcomes they have achieved and demonstrate that they have sought other funding streams.

*** Datchet One Stop Shop – Grant the award of £1,500 with officers requesting they look for other funding options for future years.

**** Driven Forward – It was noted that Councillor Bowden did not support a grant award for this application. The Panel wanted to highlight to Cabinet the need to consider the potential impact on local residents where the project will be located. Cabinet needed to be confident the project will not generate any antisocial behaviour or negative impacts on local residents. The scheme also needed to form links with appropriate safeguarding teams and address the underlying issues to break the cycle that leads to homelessness and street activity.

It is with regret that the following organisations were not awarded any funding:

- **1st South Ascot Scout Group**
- **Art Beyond Belief**
- **Climate Emergency Sunnings & Ascot**
- **Eton Wick Village Association & Waterways #2**
- **Family Action #1**
- **Holyport Veterans Football Club**
- **Lions Club of Windsor**
- **OPNSpace Ltd**
- **Revitalise Respite Holidays**
- **The Redeemed Christian Church of God, Living Work, Maidenhead**
- **Windsor Theatre Guild**
- **Maidenhead Unit of the Sea Cadet Corps**

Members also noted that a second application from Family Action had been received but did not meet the criteria for grant applications.

N.B: Out of a total budget of £206,021, £156,537 was allocated which left £49,484 unallocated. The Panel agreed that this funding should be made available for allocation as interim payments under delegated authority or at future Grants Panels during 2020/21.

KIDWELLS PARK TRUST GRANTS

Organisation	£
Maidenhead Choral Society	500
Maidenhead Festival	2,000
Norden Farm – Kidwells	5,250
The Old Court	5,250

N.B: The whole budget of £13,000 for Kidwells Park Trust was allocated for the financial year 2020/21

The meeting, which began at 7.00 pm, finished at 8.30 pm

CHAIRMAN.....

DATE.....

Agenda Item 5

CABINET

FORWARD PLAN - CHANGES MADE SINCE LAST PUBLISHED:

ITEM	ORIGINAL CABINET DATE	NEW CABINET DATE	REASON FOR CHANGE
Modern Workplace – Phase 2	n/a	26 March 2020	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.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)
18 Standards and Quality of Education in Royal Borough Schools - A review of the Academic Year	Open -	The report outlines the achievements of schools and identifies areas where further development is required.	No	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	Internal process	Cabinet 26 Mar 2020	

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

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
19 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 Country side (Councillor Donna Stimson)	David Scott	Internal Process	Cabinet 26 Mar 2020	
Modern Workplace - Phase 2	Open – with Part II appendix	To seek approval to award a contract for Modern Workplace - Phase 2 hardware	Yes	Lead HR, Legal, IT, Resident and Leisure Services and Performance Management (Councillor S Rayner)	Nikki Craig	Internal process	Cabinet 26 Mar 2020	
Home to School and Post 16 Transport Policy	Open	To approve the home to school transport policy.	yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	Internal process	Cabinet 30 April 2020	
Financial Update	Open -	To report the outturn position	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Terry Neaves	internal process	Cabinet 28 May 2020	

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

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
Annual Performance Report 2018/19	Open -	Report detailing performance of the Council against the corporate scorecard for quarter 3 and 4 2020/21.	No	Councillor Shelim HR, Legal & IT (includes Performance Management),	Hilary Hall	Internal Process	N/A	Cabinet Jun 2020
20 Appointment to Outside Bodies	Open -	To make appointments of council representatives on outside and associated bodies	Yes	Chairman of Cabinet including Maidenhead Regeneration and Maidenhead (Councillor Simon Dudley)	Duncan Sharkey	Internal Process	N/A	Cabinet Jun 2020

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

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
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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.
5	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.

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

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Report Title:	Contract for Nursing Care Home Placements
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Carroll, Lead Member for Adult Social Care, Children’s Services, Health and Mental Health
Meeting and Date:	Cabinet, 27 th February 2020
Responsible Officer(s):	Hilary Hall, Director of Adults, Health and Commissioning and Lynne Lidster, Head of Commissioning – People
Wards affected:	All

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REPORT SUMMARY

This report seeks approval to award a five year contract to Healthcare Homes Group, owner of Sandown Park Care Home in Windsor that provides ‘Outstanding’ rated care by the Care Quality Commission (CQC). The contract will secure 20 beds for eligible residents over 65 with nursing and dementia needs to be cared for in the borough. The contract, if approved, will commence 1st April 2020.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Approves the award of a five year contract to Sandown Park Nursing Care home for twenty block beds commencing on 1st April 2020.**

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

Options

2.1 Table 1: Options arising from this report

Option	Comments
Option 1 Approve the award of a new five year contract for twenty block beds at Sandown Park Nursing Care Home. This is the recommended option	This would ensure certainty of provision and supply and offer good quality, value for money care to meet residents’ needs within borough.
Option 2 Do not approve the report to award the contract.	Spot placements would need to be recommissioned for all 20 existing residents in the care home. There is, therefore, no guarantee that residents could remain in home or borough for a placement. The cost of any new placement would be higher than option 1.

Commissioning of Care Home Placements

- 2.2 The Royal Borough of Windsor and Maidenhead commissions care home block bed contracts to support those residents where the local authority:
- i. Has a statutory duty of care to support those with eligible social care needs
 - ii. The resident has been assessed by Optalis as requiring a care home placement
 - iii. The resident has been financially assessed as meeting the savings threshold for local authority funding (Assets below £23,250 in 2019/20).

Background

- 2.3 Sandown Park Nursing Care Home is based in Windsor, specialising in nursing and dementia care for 95 residents. The care home was the borough's first nursing home to be awarded an Outstanding CQC rating in 2016. In November 2018, the care home manager won national recognition being awarded the Care Home Manager of the Year at the National Dementia Care Awards. In November 2019 they were finalists for Best Care Home of the Year at the same awards.
- 2.4 In 2010 the Royal Borough entered into a ten year contract with Sandown Park for 20 block beds, ten nursing and ten nursing dementia beds. Throughout the contract a very good standard of care has been provided for borough residents. The home continues to be very desirable for local residents with a very high occupancy rate of over 90% on the block beds. As at January 2020, the current block beds are all occupied.
- 2.5 The residents and families survey at the care home in October 2019 demonstrated the continued very good level of care and support:
- 95% said the overall quality of care is 'Good' or better
 - 100% said they provide care in a safe environment
 - 97% said the care home was effective in meeting the resident's needs.

Options Appraisal

- 2.6 Cabinet is asked to approve the award of a five year contract for twenty block beds at Sandown Park Nursing Care Home. The proposed negotiated rate provides good value for money as the block bed rate is more competitive than a spot placement rate.
- 2.7 Where a bed is void the council is still responsible for paying the bed rate. This risk is managed through monitoring block bed utilisation on a weekly basis. Utilisation has been consistently high at this care home. There is also the option in the contract to leaseback the bed to other local authorities, the CCG or a self-funder.

3. KEY IMPLICATIONS

3.1 Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
New Contract awarded and in place.	After 1 st April 2020	31 st March 2020	Before 31 st March 2020	18 th March 2020	1 st April 2020

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The 2019/20 budget for this contract is £760,417. The budget for 2020/21 has been increased to £938,571 to cover the new contract weekly rate of £900 per placement. The annual cost over the 5 year contractual period is shown in Table 3. These costs assume an annual inflationary increase of 3% from 2021/22 onwards.

Table 3: Financial Impact of report's recommendations

REVENUE COSTS	2020/21	2021/22	2022/23	2023/24	2024/25
Revenue Cost	£ 938,571	£ 966,728	£ 995,730	£1,025,602	£1,056,370
Additional total	£176,571	£28,157	£29,001	£29,871	£30,768
Reduction	£0	£0	£0	£0	£0
Net Impact	£176,571	£28,157	£29,001	£29,871	£30,768

- 4.2 The negotiated weekly cost from 1st April 2020 is £900 per bed inclusive of Funded Nursing Care (FNC). FNC is the contribution made by the NHS to the cost of nursing care placements, currently set at £165.56 per week. This has been benchmarked against the current nursing spot market and existing block costs as shown in Table 4. The proposed cost is very competitive and below the current nursing prices which demonstrates value for money. This price will be held for 12 months and then annually increased thereafter based on inflation indices linked to 40% Retail Price Index and 60% Average Weekly Earnings.

Table 4: Benchmarking of Nursing/Dementia Placement Weekly Costs in RBWM

Sample of Weekly Cost per nursing/dementia bed	2019/20 Weekly Cost (Including FNC)
Care home 1 (block contract)	£ 906
Care home 2 (block contract)	£ 1,000
Care home 3 (block contract)	£ 1,069
Care home 4 (highest spot contract rate)	£ 1,392
Care Home 5 (spot contract rate)	£ 1,141
Average cost of all placements (spot and block contracts) agreed in 19/20	£ 1,076

5. LEGAL IMPLICATIONS

5.1 Legal Service are supporting the drafting of the care services contract.

6. RISK MANAGEMENT

6.1 Table 5: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
Block beds have a low occupancy utilisation.	Low	The commissioning team monitor bed utilisation on a weekly basis. There is an option to leaseback beds to the care home to offset any under occupancy.	Low
CQC rating decrease to requires improvements	Low	The commissioning team hold quarterly monitoring meetings and receive performance reports. The care quality assurance is provided by Optalis.	Low

7. POTENTIAL IMPACTS

7.1 Equalities.

This contract will have a positive impact on residents, the service will provide care and support to meet the individual's support plan and tailored activities. A full EQIA is not required.

7.2 Climate change/sustainability.

There are no direct climate change/sustainability impacts of the recommendations in this report. Healthcare Homes Limited has an Environment and Sustainability Strategy and associated action plan across the group of care homes.

7.3 Data Protection/GDPR.

The Care Service Contract is compliant with the Data Protection Act 2018 and the General Data Protection Regulation.

8. CONSULTATION

8.1 All relevant officers and Members have been consulted on this paper as detailed in section 12.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: 1st April 2020. The full implementation stages are set out in table 6.

Table 6: Implementation timetable

Date	Details
10/03/2020	Contract drafted
20/03/2020	Contract signed
01/4/2020	New Contract Commencement Date

10. APPENDICES

10.1 None.

11. BACKGROUND DOCUMENTS

11.1 This report is supported by no background documents.

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Carroll	Lead Member for Adult Social Care, Children's Services, Health and Mental Health	30/01/20	30/01/20
Duncan Sharkey	Managing Director	30/01/20	30/01/20
Russell O'Keefe	Executive Director	20/01/20	
Terry Neave / Alan Abrahamson	S151 officer	17/01/20	30/01/20
Elaine Browne	Head of Law	14/01/20	30/01/20
Mary Severin / Elaine Brown	Monitoring Officer	30/01/20	30/01/20
Nikki Craig	Head of HR, Corporate Projects and ICT	30/01/20	30/01/20
Louisa Dean	Communications	30/01/20	30/01/20
Kevin McDaniel	Director of Children's Services	30/01/20	30/01/20
Hilary Hall	Director Adults, Commissioning and Health	30/01/20	30/01/20
Karen Shepherd	Head of Governance	30/01/20	30/01/20
Lynne Lidster	Head of Commissioning - People	30/01/20	30/01/20

REPORT HISTORY

Decision type:	Urgency item?	To Follow item?
Key decision requested on 2 nd December 2019	No	None
Report Author: Elizabeth Hinchy, Service Lead Commissioning, 01628 796253		

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Report Title:	Water Contract Procurement
Contains Confidential or Exempt Information?	No – Part I
Member reporting:	Councillor Donna Stimson, Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside
Meeting and Date:	27 th February 2020
Responsible Officer(s):	Tracy Hendren, Head of Housing and Environmental Health Services
Wards affected:	None

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REPORT SUMMARY

1. The Council currently purchases water from Castle Water without a formal contract in place. This is as a result of the deregulation of the commercial water market in April 2017 and follows the sale of Thames Water’s commercial water supply business to Castle Water.
2. Approval was provided by the Head of Communities to go out to the market to seek a water supplier and associated contract which met the requirements of the Council.
3. The Council participated in a water aggregation exercise run by Crown Commercial Services (CCS) who already manage the Council’s electricity and gas supplies. This process pooled the requirements of more than 20 other public sector organisations so that each could benefit from the economy of scale. This process was completed in January 2020 and Castle Water were the successful bidder.
4. The new contract ensures 30 day payment terms, a reduction in price of approximately 6%, better customer service arrangements and the provision of improved water data to help management of the resource.
5. The report seeks agreement to award a contract to Castle Water as winners of the CCS aggregation exercise for our ongoing water supplies.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Agrees to award a water contract to Castle Water who were the successful bidder in the recent water aggregation procurement exercise run by Crown Commercial Services.**

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

Table 1. Options arising from this report

Option	Comments
Do nothing Not recommended	This would continue to expose the Council to 14 day payment terms and higher costs.
Conduct our own OJEU compliant tender to procure a water supplier Not recommended	This would involve large amounts of officer time and would not provide the purchasing power the aggregation offered.
Use an alternative framework Not recommended	Alternative tender options were investigated but the CCS offer was the most comprehensive.
Appoint Castle Water through the CCS aggregation This is the recommended option	The Council benefits from increased service levels and reduced costs which come from having a contract in place with Castle Water.

- 2.1 The Council spends around £230,000 a year on water and it is therefore a significant expenditure.
- 2.2 Traditionally water was supplied by the local water company. In the Council's case, this was Thames Water for most sites. No contracts existed between the supplier and the end user.
- 2.3 In April 2017 the commercial water market was deregulated and large organisations were able to switch supplier for the first time. This was to increase competition resulting in improved service levels and reduced costs.
- 2.4 At the same time, Thames Water sold off their commercial water business to Castle Water. This resulted in the majority of Council supplies moving to Castle Water without any contract in place.
- 2.5 The Council commits to paying invoices within 28 days however as a result of the move to Castle Water, the Council has been exposed to 14 day payment terms which has caused a significant number of debt collection letters to be received.
- 2.6 Appointing a water supplier under contract was urgently required to improve service levels and reduce the administrative burden on the Council.
- 2.7 The Council assessed how best to appoint a water supply contract including running its own OJEU compliant tender or using an alternate purchasing framework. The CCS option of an aggregated tender proved to be the most appropriate so the Council could benefit from the scale it afforded from coming together with a number of other organisations as well as reducing the amount of officer time required.

2.8 The Council participated in an aggregated tender run by CCS which concluded in January 2020. This competition was won by Castle Water who provided the best return based on quality and price.

3. KEY IMPLICATIONS

3.1 The Council's water supply will remain with Castle Water but will move to the new contract arrangements on 1st May 2020.

3.2 The new contract will result in a better customer experience for the Council and its associated organisations such as schools who use the framework.

3.3 There will be a reduction in administration costs due to the standard public sector payment terms of 30 days reducing the number of debt collection letters the Council receives.

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no capital financial implications.

4.2 There will be a financial saving of around 6% by moving water supplies to the new contract which equates to approximately £13,000/year.

5. LEGAL IMPLICATIONS

5.1 The value of the contracts means an OJEU compliant tender would be required in order to award a contract(s) directly to a water supplier. By using the CCS aggregation, the Council will remain compliant with national and European procurement legislation and regulations.

6. RISK MANAGEMENT

6.1 None

7. POTENTIAL IMPACTS

7.1 Equalities

There are no staffing implications to any of the recommendations. An equality impact assessment is not required.

7.2 Climate Change/sustainability

The improved provision of data included with the new contract will allow for better management of water. This will allow for a better understanding of water consumption across the Council's estate and therefore interventions can be better planned to reduce consumption.

7.3 Data protection/GDPR

No personal data will be processed.

8. CONSULTATION

8.1 The Procurement team have been consulted throughout the process to ensure the requirements of the Council were met.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediately.

9.2 The full implementation stages are set out in table 2.

Table 2: Implementation timetable

Date	Details
8 th April 2020	Begin transfer to new contract
1 st May 2020	New contract begins

10. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Stimson	Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside	24/1/20	26/1/20
Duncan Sharkey	Managing Director	17/2/20	
Russell O'Keefe	Executive Director	17/2/20	17/2/20
Terry Neave	Section 151 Officer	17/2/20	
Elaine Browne	Head of Law	17/2/20	
Nikki Craig	Head of HR, Corporate Projects and ICT	17/2/20	17/2/20
Louisa Dean	Communications	17/2/20	18/2/20
Kevin McDaniel	Director of Children's Services	17/2/20	17/2/20
Hilary Hall	Director Adults, Commissioning and Health	17/2/20	17/2/20
Karen Shepherd	Head of Governance	17/2/20	18/2/20

REPORT HISTORY

Decision type:	Urgency item?	To Follow item?
Non-key decision	No	N/A
Report Author: James Thorpe, Energy Reduction Manager, energy.manager@rbwm.gov.uk		

Report Title:	Heathrow Strategic Planning Group (HSPG) Joint Spatial Planning Framework (JSPF) , Statement of Common Ground and Economic Development Vision and Action Plan (EDVAC)Documents
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Clark, Lead Member for Transport and Infrastructure
Meeting and Date:	Cabinet - 27 February 2020
Responsible Officer(s):	Russell O’Keefe Executive Director Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth
Wards affected:	All

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REPORT SUMMARY

1. The development consent order for the Heathrow Expansion will be submitted to the Planning Inspectorate in 2020. As part of the pre-application phase, the council has been working with neighbouring local authorities and other stakeholder organisations through the HSPG.
2. Two strategies have been developed by HSPG to express the joint aspirations of the group in regard to the spatial planning for future development in the area (JSPF) and the economic development vision and action plan (EDVAP). To accompany these strategies is a statement of Common Ground expressing the commitment of the members of HSPG to the joint strategies. All documents demonstrate effective commitment to the duty to co-operate required by the National Planning Policy Framework (NPPF). These documents will provide an effective platform to test the elements of the Heathrow expansion proposals through the DCO examination and to inform future decision making by developers, stakeholders and local authorities.
3. These documents are not development plan documents and while influential they do not bind individual authorities in undertaking their statutory planning functions. It is recommended that the Cabinet endorse the strategies and agree to sign the statement of common ground.

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet notes the report and:

- i) **Endorses the Joint Spatial Planning Framework and the Economic Development Vision and Action Plan as non-statutory strategic planning guidance for the purposes of set out in the appended documents**
- ii) **Agrees to sign the Statement of Common Ground (SoCG) and to approve for inclusion in the SoCG, the statement of specific interests for the Royal Borough as set out in the report.**

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

Options

Table 1: Options arising from this report

Option	Comments
Approve the documents as per the recommendation This is the recommended option	This will support the continued strong co-ordinated response of most of those Local Authorities closest to Heathrow to planning for future challenges and especially those posed by the proposed development of a third runway at Heathrow.
Develop an independent spatial planning and economic development This is not recommended	The council is already working through the process of adopting its own local plan. The matters covered by the documents cover a wider geographic area and are not appropriately dealt with independently.
Delay approval and signature of the documents and SoCG This is not recommended	The current timetable for the submission of the Airport expansion development consent order application by the end of 2020. It will be most advantageous to have the joint documents in place to support the collective response to the DCO application. Delay risks preparedness for the DCO.
Do Nothing This is not recommended	The Airport Expansion proposals will have both impacts and opportunities beyond the immediate area of the airport. These joint strategies will enable a comprehensive response to the proposals.

Heathrow Strategic Planning Group

- 2.1 Heathrow Strategic Planning Group was established in 2015 with the aim of providing a means of dealing efficiently with the demands that will come when Heathrow Airport Limited submit a Development Consent Order to expand the airport. The Royal Borough has been a formal member of the group since 2018
- 2.2 HSPG has been useful in establishing a dialogue between Heathrow Airport Limited (HAL), the local authorities and other agencies. The group is structured with a core team of specialists and a secretariat. It has capacity to challenge and develop coordinated responses to the evolving proposals for Heathrow Expansion on behalf of the member organisations.

- 2.3 There are a number of specialist area sub groups involving representatives from all the member authorities and agencies. These sub groups consider Heathrow proposals and strategies, hold the Heathrow teams to account and also develop joint statements of interest. These express the aspirations of the HSPG member organisations for the development of the area.
- 2.4 The governance structure for HSPG is based on a voluntary agreement, known as 'the Accord'. This acknowledges that there are a range of formal policy positions relating to the expansion of Heathrow Airport amongst the local authorities represented. The Leaders Board, provides the political leadership of the group, providing strategic direction and facilitating political discussions with Heathrow Airport and government.

Heathrow Airport Expansion Development Consent Order (DCO)

- 2.5 The Heathrow Expansion Development consent Order will be determined by the Planning Inspectorate. The final decision will be made by the Secretary of State for Transport. The DCO will consider the development within the 'red line' shown on plans and the necessary mitigation that HAL commit to delivering through s106 and other undertakings and agreements.
- 2.6 Reflecting the complexity of this long term development project, many of the impacts cross local authority boundaries. They have the potential to impact the future growth and character of all the areas surrounding the airport. HSPG has a significant voice in setting out the impact of the DCO proposals on behalf of most of the areas surrounding the airport. The views of the council are stronger when made in partnership with our neighbouring authorities.

Local Authorities and other affected parties will be required to submit a Local Impact Report as part of the DCO process. This will provide an opportunity for the Borough to set out how its communities, economy and local environment will be impacted by the development and to seek further mitigation or compensation. The Royal Borough's officers are actively engaged in bilateral discussions with the airport regarding issues that specifically impact the local authority area.

HSPG Joint Strategies

- 2.7 In order to provide an agreed basis for a co-ordinated response to the DCO , HSPG has developed a number of agreed statements that express the aspirations of its member organisations. The most significant of these are the two documents which are the subject of the current report, for which Cabinet endorsement is sought.
- 2.8 These strategies are not statutory planning documents. They will not form part of the development plan. Neither will they bind the Borough in terms of future plan making. They do have the benefit of being based on a collective evidence base and using the most up to date projections currently available and will therefore be influential.

- 2.9 Their dual purpose is to set out the collective vision and outcomes for managing and getting the best from the future growth of the area is
- a) to provide an agreed framework against which the DCO proposals can be contrasted during the DCO process and
 - b) to inform future decision making and local plan making by individual authorities
- 2.10 The Joint Spatial Planning Framework (**JSPF**) considers the impact of Heathrow Expansion outside the red line of the DCO. This includes the need to provide for businesses, the quality of places such as town centres and residential areas, the development of quality green and blue infrastructure and the means of getting people to and from the places they want to go.
- 2.11 This provides an overarching spatial framework for the sub-region. The framework includes thematic strategies for the economy, connectivity, the environment and local communities. It also outlines the strategic transport and other infrastructure that needs to be delivered in order to manage and support wider growth. It covers the period up to 2050, with actions identified for the short, medium and long term.
- 2.12 The framework is not envisaged as a static document. Rather this is seen as the first iteration with future updates and revisions being agreed as requirements and circumstances change. It may also be that follow-on documents focussing on specific tasks or specific geographic areas may be developed in the future.
- 2.13 The Economic Development Vision and Action Plan (**EDVAP**) expresses the common vision to ensure that the economic benefits of expansion of the airport will benefit the local area. The strategy considers the ways in which the current policies and delivery plans of a multitude of stakeholders could be brought together. The purpose is to ensure that: sufficient commercial space is available; business and job support programmes are developed to deliver additional jobs; and any catalytic growth from businesses whose prosperity is enhanced by the advantages of having a major international transport hub.
- 2.14 The EDVAP places these strategies in the context of retaining and enhancing the quality of place for its local communities. It contains a series of actions to 2050. For each stage of expansion, the delivery partners are identified in the action plans, including what will be expected from HAL and from other agencies including local and central government.

3. KEY IMPLICATIONS

- 3.1 The National Planning Policy Framework (NPPF 2019) sets out that local planning authorities are under a duty to co-operate with each other. In order to demonstrate effective and ongoing joint working, strategic policy making authorities should prepare and maintain statements of common ground documenting the cross boundary matters being addressed and progress in cooperating to address these. Both the JSPF and the EDVAP, are documents which will fulfil the requirements of National Policy as explained above.

3.2 By endorsing these documents and signing the statement of common ground, the Royal Borough will be demonstrating the commitment to its planning policy duty. It will also be providing a platform for an effective response to the overarching issues raised by the DCO and will strengthen its position when producing the local impact report required by national infrastructure process.

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no financial implications of the reports implications. The work in developing the JSPF and EDVAP jointly through the HSPG is met under the funding agreements with Heathrow Airport Limited under the voluntary agreement known as the Accord signed by the Royal Borough in 2018.

5. LEGAL IMPLICATIONS

5.1 Neither the JSPF nor the EDVAP form part of the ‘Development Plan’ as defined in the Planning and Compulsory Purchase Act 2004 (as amended). Both documents are therefore referred to as non-statutory. Neither have been subject to formal Sustainability Appraisal or Habitats Assessments as would be required for them to have significant status within the planning system.

5.2 The endorsement of all member authorities is being sought for the framework. It is explicitly acknowledged in the document that individual authorities will have their own policies and proposals for future development growth and responses to proposals for the expansion of Heathrow Airport. However in providing a shared vision for future planning issues based on a shared evidence base, the JSPF provides the basis for current a future joint working with our neighbouring authorities.

6. RISK MANAGEMENT

6.1

Table 2: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
Reduced capacity to respond flexibly to changes of circumstance in the future, thereby disadvantaging the Borough’s communities	MEDIUM RISK	These are non-statutory planning documents, therefore it will be possible to take account of changed circumstances.	LOW RISK The documents explicitly acknowledge that this comprises the first iteration of the JSPF. Future updates and revisions are envisaged
All members of HSPG may not endorse the document	MEDIUM RISK	The documents have been developed on the basis of a shared evidence base and through inclusive	LOW RISK The documents will continue to have weight in

Risks	Uncontrolled risk	Controls	Controlled risk
		discussions involving all member authorities and relevant such as statutory agencies and LEPs.	future discussions
The approaches taken in the documents will not be accorded appropriate weight as part of the DCO process	LOW RISK	The documents respond to duties to cooperate under the NPPF and therefore will be accorded weight in the DCO process	LOW RISK

7. POTENTIAL IMPACTS

- 7.1 **Equalities.** These documents are overarching strategic framework and vision documents. A cross cutting theme within the JSPF is Liveability and Inclusion which seeks to ensure that the broad diversity of communities within the sub-region will be taken account of in a focus on health and wellbeing of residents
- 7.2 The detailed implementation of these policies will largely occur through the local plans of individual authorities and their economic development strategies. These will be prepared in conformity with the Equalities Act 2010.
- 7.3 **Climate change/sustainability.** These documents are overarching strategic framework and vision documents. A cross cutting theme of the JSPF is sustainability and resilience. The Framework commits to minimising environmental harm and to maximise benefits for the area's communities. Actions and outcomes will seek and embody best practice in sustainable development and will contribute to achieving the UK net zero target by 2050.
- 7.4 **Data Protection/GDPR.** No personal data has been collected or processed in the preparation of these strategies..

8. CONSULTATION

- 8.1 The Documents have been developed as part of collaborative work programme under the umbrella of HSPG. The HSPG membership includes most local authorities lying within the area of influence of Heathrow Airport, other organisations who are full members of HSPG. In addition, observer participants include the West London Alliance and Highways England who will be signatories to the statement of common ground. Other key stakeholders have participated in the development of the documents. The table below sets out the participants.

8.2 Table 3 Signatories and participants

Local Authorities and Other members of HSPG
London Borough of Ealing
London Borough of Hounslow
Spelthorne Borough Council
Runnymede Borough Council
South Bucks District Council
Slough Borough Council
Royal Borough of Windsor and Maidenhead
Elmbridge Borough Council
Surrey County Council
Buckinghamshire County Council
Thames Valley Berkshire Local Enterprise Partnership
Buckinghamshire Thames Valley Local Enterprise: Partnership
Enterprise M3 Local Enterprise Partnership
Colne Valley Regional Park Authority
Observer participants who are signatories to the statement of Common Ground
West London Alliance
Highways England
Other Key Stakeholders in development of the documents
Heathrow Airport Limited
Department for Transport
Environment Agency

- 8.3 The London Borough of Richmond Upon Thames, London Borough of Hillingdon, and the Greater London Authority all have an open invitation to join HSPG but are not currently members.

9. TIMETABLE FOR IMPLEMENTATION

Implementation date if not called in:

Table 4: Implementation timetable

Date	Details
20 th February 2020	HSPG Leaders Board to provide sign off for the JSPF and EDVAP

10. APPENDICES

- 10.1 This report is supported by three appendices: (Available online only)
- HSPG Joint Spatial Planning Framework
 - HSPG Economic vision and Action Plan
 - Statement of Common Ground in relation to the HSPG Joint Spatial Planning framework

11. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Gerry Clark	Lead Member for Infrastructure and Transport	31/01/20	31/01/20
Cllr David Coppinger	Lead Member Planning and Maidenhead	31/01/20	03/02/20
Duncan Sharkey	Managing Director	31/01/20	31/01/20
Russell O'Keefe	Executive Director	31/01/20	
Terry Neave	S151 officer	31/01/20	
Elaine Browne	Head of Law	31/01/20	11/02/20
Mary Severin	Monitoring Officer	31/01/20	
Nikki Craig	Head of HR, Corporate Projects and ICT	31/01/20	14/02/20
Louisa Dean	Communications	31/01/20	
Kevin McDaniel	Director of Children's Services	31/01/20	
Hilary Hall	Director Adults, Commissioning and Health	31/01/20	
Karen Shepherd	Head of Governance	31/1/20	03/02/20
James Carpenter	Head of Planning (Interim)	31/01/20	

REPORT HISTORY

Decision type:	Urgency item?	To Follow item?
Key decision: Included in the forward plan 26 November 2019	No	No
Report Author: Phillipa Silcock/ Chris Joyce		

Report Title:	NEW PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS
Contains Confidential or Exempt Information?	<i>NO - Part I</i>
Member reporting:	Councillor Stuart Carroll, Lead Member for Adult Social Care, Children's Services, Health and Mental Health
Meeting and Date:	Cabinet – 27 February 2020
Responsible Officer(s):	Kevin McDaniel, Director of Children's Services
Wards affected:	All

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REPORT SUMMARY

1. This report recommends public consultation on options for new 'Resourced Provision' and 'SEN Units' at a number of schools in the Royal Borough. The new facilities will provide places for children of primary school age with complex communication difficulties who could nevertheless, with support, attend a mainstream school.
2. A number of schools have indicated they are interested in running the new facilities. Capital funding for any new buildings will come from Department for Education's £1.227m Special Provision Capital Fund grant to the local authority.
3. It is very unlikely that there will be sufficient capital to proceed with all options. Cabinet will receive a further report, therefore, in June 2020, providing an options appraisal, details on the outcome of the consultation and recommendations on which option(s) should proceed.

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet notes the report and:

- i) **Approves public consultation on options to open new Special Educational Needs Units and/or Resourced Provision for children with Education, Health and Care Plans for Autistic Spectrum Disorder and/or Social, Emotional and Mental Health from 1st September 2021.**
- ii) **Delegates approval of the final list of proposals for inclusion in the consultation to the Lead Member for Adult Social Care, Children Services, Health and Mental Health and the Director of Children's Services.**
- iii) **Requests a report in June 2020, providing details on (i) the outcome of the consultation, and (ii) an evaluation of the options, including costed proposals for the new facilities.**

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

Background

The Special Provision Capital Fund

2.1 In March 2017, the Department for Education (DfE) announced a new capital fund to:

“help local authorities create new school places and improve existing facilities for children and young people with SEN and disabilities, in consultation with parents and providers.”¹

Scope of the Special Provision Capital Fund

2.2 The funding is not ring-fenced, but the Department for Education expects that local authorities will use the funding to help manage the cost pressures on their high needs revenue budgets. As such, the funding is intended for children and young people aged 0 to 25 with Education, Health and Care Plans (EHCPs), and can be used to:

- create new facilities; and/or
- extend or improve existing facilities at ‘Good’ or ‘Outstanding’ providers.

2.3 Funding can be used to invest in provision in other local authority areas, if it can be demonstrated that this will benefit borough residents. It can also be used at any type of provider, including academy, community, controlled, free or voluntary aided schools (special or mainstream), but also independent special schools, early years providers and FE colleges.

2.4 The funding can only be used on provision that is primarily for children with an EHCP.

Need for new special educational needs provision

2.5 Although most children and young people with an EHCP can be taught in mainstream schools, some do require more specialist help. The Royal Borough already has a range of facilities for pupils with EHCPs, including two special schools and four schools with Resourced Provision, as set out in Table 1 below.

Table 1: Existing SEN provision in the Royal Borough

Provision	Type	SEND need	Age	Places
Manor Green School	School	Multiple needs	2-19	300
Forest Bridge		Autistic Spectrum Disorder	4-16	96
Charters School	Resourced Provision	Physical Disability	11-19	10
Furze Platt Senior School		Autistic Spectrum Disorder	11-19	17
Riverside Primary School		Speech/Language	3-11	14
Wessex Primary School		Hearing Impaired	3-11	14

2.6 The number of places shown in the last column is the number commissioned by the Royal Borough in the 2019/20 academic year, and may change in future years.

¹ Page 3, [Special Provision Capital Fund Guidance](#), Department for Education, January 2019.

- 2.7 Resourced Provision is for pupils who will spend more than half of their time in mainstream classes (with support), as opposed to SEN Units, where pupils spend more than half their time in special classes.
- 2.8 The range in types and severity of special educational needs means that the local authority needs to rely on educational provision in and out of borough, in the state sector and in independent providers. One specific gap identified by the borough, however, is provision for children of primary school age with complex communication difficulties who could nevertheless, with support, attend a mainstream school.
- 2.9 This gap could be closed by using the Special Provision Capital Fund to open new SEN Units or Resourced Provision at schools in the borough, for children with EHCPs for Autistic Spectrum Disorder (ASD) and Social, Emotional and Mental Health (SEMH).
- 2.10 The new units/provision would help:
- meet the needs of a growing population;
 - provide more provision for those children with an ASD EHCP who would benefit from attending a mainstream school at a location closer to their home; and
 - reduce the number of ASD and SEMH children at Manor Green, freeing up places for the school's primary purpose, which is educating children and young people with more complex, profound multiple learning difficulties.
- 2.11 Relating this to current needs, this provision could have been useful in at least three instances:
- Children who, despite moving into the borough, have remained on roll in their current school (a mainstream primary in a neighbouring local authority area with resourced provision for ASD), because the borough has no equivalent provision to offer. This has meant that the children have to travel further to school, and that the borough is paying home to school transport costs, whilst filling up places in another local authority's facility.
 - In recent EHCP Tribunals, where disputes between the local and authority and parents about the appropriate SEN provision are considered. In the 2018/19 academic year, six cases were related to ASD provision at primary school age, where local provision was not currently suitable. It is likely that the number of tribunals would fall in future if the local authority was able to offer places in mainstream schools with resourced provision attached.
 - In 2018/19 Manor Green School had 35 primary age pupils with EHCPs for ASD on roll. 17 of these were funded at a rate that matches the funding for ASD children attending provision attached to a mainstream school. As the level of funding is linked to need, this implies that, for some children attending Manor Green, attendance at provision attached to a mainstream school could be appropriate.
- 2.12 It is not proposed that any children and young people with EHCPs will be removed from their existing provision, unless it is agreed that a place in the new facility will better meet their needs.

Proposed options for consultation

- 2.13 The Royal Borough has already sought expressions of interest from borough schools on proposals to open Resourced Provision and/or SEN Units using the Special Provision Capital Fund. Officers met with nine schools who expressed an interest, and discussed a draft Terms of Reference for the new facilities. This is included as Appendix 1.
- 2.14 Five options for new provision have been proposed, with the intention to proceed to consultation:
- The Dedworth campus in Windsor (for Resourced Provision).
 - Hilltop First School in Windsor.
 - Homer First School in Windsor for Resourced Provision.
 - Wraysbury Primary School in Wraysbury.
- 2.15 The proposal for the two schools on the Dedworth site in Windsor (Dedworth Green First School and Dedworth Middle School - both part of the Windsor Learning Partnership) is for one Resourced Provision facility.
- 2.16 The fifth option, which is not listed above, is for provision at a primary school in Maidenhead. At the time of writing, the school is still considering whether it wishes to proceed to consultation. The school is expected to confirm its position in March, in time for inclusion in the consultation.
- 2.17 The opening of new Resourced Provision or SEN Units is governed by regulations. The processes are slightly different for community schools (Hilltop, Homer, Wraysbury) and academies (Dedworth Green/Dedworth Middle), but each requires public consultation before final decisions are made. Section 5 of this report sets out the legal process in more detail.
- 2.18 This report seeks approval to go out to public consultation, as outlined in Section 4.

Summary of what the new facilities would offer

- 2.19 It is proposed that the unit or provision would:
- be for children and young people with an ASD or SEMH EHCP.
 - be for up to ten pupils each.
 - be for age ranges 4 to 11, or 4 to 13 in Windsor's three tier system.
 - preferably be located in Windsor and in Maidenhead.
 - open no later than 1st September 2021 (and preferably sooner).
- 2.20 Children attending the unit or provision would be on the roll of the host school. Schools would employ additional specialist staff to develop and deliver the curriculum for the new unit or provision. This would meet the individual needs of each pupil, whilst allowing them to attend mainstream school as appropriate to meet the outcomes set in their EHCP.
- 2.21 The host school would benefit from this inclusive approach, with the skills for working with children and young people with ASD/SEMH extending to all staff through training opportunities. The pupils attending the SEN Unit or Resourced Provision would be included in the school's pupil level and school attainment data. Ofsted are currently consulting on their 2019 Education Inspection Framework, which *"rebalances inspection to look rather more*

*closely at the substance of education: what is taught and how it is taught, with test and exam outcomes looked at in that context, not in isolation*². This should mean that Ofsted will take greater account of inclusive approaches to education when inspecting schools.

- 2.22 Under the School Admissions Code it is not possible to set aside places for pupils in the unit or provision, when allocating places at intake. Pupils with EHCPs naming a school are automatically admitted to that school before other applications are considered. The expectation, therefore, is that the Published Admission Number at a school with a SEN Unit or Resourced Provision would not change.
- 2.23 The revenue implications for both schools running a SEN Unit/Resourced Provision and for the Royal Borough are set out in Section 4.
- 2.24 The Special Provision Capital Fund would be used to provide additional accommodation, in accordance with Building Bulletin 104. Specific needs will be identified as proposals are developed in partnership with schools, but the initial expectation is that the accommodation would comprise:

SEN Unit

- 55m² teaching space (equivalent to one full sized classroom).
- 12m² dining, social and learning resource.
- 4m² admin and storage.
- 19m² float (space to be allocated as per the specific needs of that unit).
- 35m² toilets and circulation.
- 125m² in total.

Resourced Provision

- 16m² dining, social and learning resource.
 - 4m² admin and storage.
 - 16m² float (space to be allocated as per the specific needs of that provision).
 - 14m² toilets and circulation.
 - 50m² in total.
- 2.25 The respective sizes of the unit and the provision reflect the fact that children attending the unit will spend most of their time being taught there, whereas children in resourced provision are mainly taught in the mainstream classes. The unit is also likely to require a (small) segregated outdoor play area, particularly for the younger children who may not be able to cope with the general playground.
- 2.26 Initial estimates place the cost of an SEN unit at £495k, including a contingency of 10%. Resourced Provision has been costed at approximately £198k (including the contingency). Costs may vary, however, reflecting the specific circumstances on individual school sites and feasibility works on options for each school will proceed, so that costed proposals can be considered by Cabinet alongside the outcome of the consultation.

² Foreword, [Education inspection framework 2019: inspecting the substance of education \(consultation\)](#), Ofsted, 16 January 2019

2.27 It is proposed that the new provision would work co-operatively with existing SEN providers in the borough, e.g. Shine (at Furze Platt Senior School), Forest Bridge and Manor Green. The borough will be exploring how this might work during the consultation period.

Agreements on the provision to be offered

2.28 Although there are different approval processes in place for new units/resourced provision at community schools and academies, the local authority retains the funding for these proposals. Only schemes that are approved by Cabinet can, therefore, proceed.

2.29 It is proposed that, ahead of any final decision on funding, schools wishing to proceed must have agreed to:

- A tailored version of the draft Terms of Reference, set out in Appendix 1.
- A Memorandum of Understanding (MoU) setting out the scope of the accommodation works.

Additional proposals if needed

2.30 The estimated capital cost of the proposal varies from around £400k for two Resourced Provision buildings to £970k for two SEN Units. Two units and one Resourced Provision would cost around £1.17m which is almost equal to the available grant. Depending, therefore, on the permutations of options and actual agreed schemes there may be some remaining funds. Proposals for any remaining funding will be brought to Cabinet in June 2020.

Options

Table 4: Options arising from this report.

Option	Comments
<p>Approves public consultation on options to open new Special Educational Needs Units and/or Resourced Provision for children with Education, Health and Care Plans for Autistic Spectrum Disorder and/or Social, Emotional and Mental Health from 1st September 2021:</p> <ul style="list-style-type: none"> • Dedworth Green First School and Dedworth Middle School • Hilltop First School • Homer First School • Wraysbury Primary School <p>Recommended.</p>	<p>Starts the statutory process required to open new SEN Units or Resourced Provision. Without this, it is not possible to legally open or fund the proposed new facilities, and other uses will need to be found for the Special Provision Capital Fund. These proposals are, however, considered the best way to improve the opportunities available to children with special education needs, by addressing the current lack of in-borough provision for primary age children with complex communication difficulties who could, with support, attend mainstream school.</p>
<p>Delegates approval of the final list of proposals for inclusion in the consultation to the Lead Member for Adult Social Care, Children Services, Health and Mental Health and the Director of Children’s Services.</p> <p>Recommended.</p>	<p>This will allow the final school to be included in the consultation, if they decide to proceed.</p>
<p>Requests a report in June 2020, providing details on (i) the outcome of the consultation, and (ii) an evaluation of the options, including costed proposals for the new facilities.</p> <p>Recommended.</p>	<p>This will allow Cabinet to consider the options and the views of residents before making a decision on which proposal(s) to proceed with.</p>

3. KEY IMPLICATIONS

Table 5: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Consultation is carried out, resulting in an appropriate response rate.	<3% response rate	3% response rate	4% response rate	5% response rate	31/05/2020

4. FINANCIAL DETAILS / VALUE FOR MONEY

Table 6: Financial Impact of report's recommendations

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

This assumes that two units are opened, with 10 pupils in each, and that all the pupils are borough residents.

CAPITAL COSTS	2019/20	2020/21	2021/22
Additional total	£0	£613,500	£613,500
Reduction	£0	£613,500	£613,500
Net Impact	£0	£0	£0

- 4.1 There are no revenue or capital costs arising directly from the recommendations in this report, as the cost of carrying out consultation and initial feasibility works will come from existing budgets.

Capital funding

- 4.2 The Royal Borough's original Special Provision Capital Fund allocation was for £722,722, in three equal instalments of £240,924 in the 2018/19, 2019/20 and 2020/21 financial years. That has since been topped up with an additional £504,259, paid in summer 2019, bringing the total to £1.227m.
- 4.3 The DfE required local authorities to publish their plans for spending the grant, with the following stipulations:
- they should demonstrate how the full allocation will be spent;
 - local authorities will have consulted with parents and providers;
 - the DfE template (which requires costed proposals) must be used; and
 - it must be published on the borough's Local Offer pages.
- 4.4 The Royal Borough's draft plan has been published³, and the 2019/20 funding released. The plan will need to be updated and republished in 2020 and 2021.
- 4.5 The estimated costs of the new facilities are £200k for Resourced Provision and £485k for a SEN Unit. The overall cost of providing new facilities will on which proposals and specific schemes are approved. If consultation is approved, then feasibility works on the schemes will proceed, in order to provide better costings to Cabinet in May 2020.

³ Capital Strategy, [Local Area SEND Policies and Plans](#), AfC, May 2019.

- 4.6 It is proposed that a further £50k from the Special Provision Capital Fund is set aside for minor works to assist with the delivery of early assessment places in schools.
- 4.7 Any remaining funds will be put towards the provision of nature rooms. The projects carried out under this programme will not exceed the £1.227m grant.

Revenue funding for new SEN Units and/or Resourced Provision

Impact of the revenue funding of a school

- 4.8 Schools with an SEN Unit or Resourced Provision receive additional revenue funding to reflect the higher costs of educating children and young people with EHCPs. The funding for pupils attending a unit or provision is, therefore, comprised of a number of elements (the figures relate to the 2019/20 financial year):
- Element 1: This is the AWPU (Age Weighted Pupil Unit). All schools get funding for each pupil at the school as part of the school's delegated funding. This is currently £2,892.71 for a primary school and £4,027.90 for the KS3 years in a middle school. Schools also receive other pupil led elements in the formula (e.g. funding for pupils with free school meals, deprivation, English as an Additional Language).
 - Element 2: £6,000 for each pupil in the unit or provision, or £10,000 for each unfilled place in the unit or provision.
 - Element 3: Since September 2019, top-up funding for all new EHCP children at any academy, aided, community, or controlled school in the borough has been based on a matrix that considers the child's individual needs⁴. The top-up funding is between £2k and £16k per child, and will be reviewed annually as part of the child's annual EHCP review.
- 4.9 It is important to note that the pupils attending the unit or provision will, in general, be included within the usual number of children educated at the school. This is because the School Admissions Code does not allow for places to be set aside specifically for pupils in the unit or provision. At first entry to school (e.g. for a Reception school place), children with an EHCP naming a school with a unit or provision are given places ahead of all other applicants. For admissions outside the normal intake year, a child whose EHCP names the unit or provision will be admitted, even if the school is full in that specific year group. If the year group is an infant year group, the child is treated as an 'excepted' child for the purposes of the infant class size legislation, so that the limit of 30 children per teacher is not breached.
- 4.10 A one form entry primary school with 210 pupils, therefore, would still expect to have around 210 pupils after opening a SEN Unit or Resourced Provision. Up to ten of these would be attending the new facility. Some year groups might have additional pupils, where a child with an EHCP naming the school has been admitted.
- 4.11 The £10,000 funding for unfilled places in the unit or provision reflects the need to maintain the staffing of the facility even when it is not full. Place

⁴ Note, this change does not affect EHCP children *currently* attending Resourced Units, who will continue to be funded as per the existing top-up arrangements.

funding levels are agreed annually for each financial year, for each unit or provision.

- 4.12 The children attending an SEN Unit or Resourced Provision are excluded from the Targeted SEN in-year funding for schools.

Impact on the borough's revenue funding

- 4.13 Funding for pupils with EHCPs comes from the government via the High Needs Block (HNB). Providing new school places for children and young people with EHCPs does not, in itself, lead to additional funding from the government via the HNB. This is because the HNB is allocated on a formulaic basis, taking account of the 2-18 population and the historic number of agreed places for children with EHCPs, as well as data on deprivation, health and other measures. It is not expected that the HNB for the Royal Borough of Windsor and Maidenhead will be increased in the next few years.
- 4.14 Revenue for the new units or provision would, therefore, need to come from within the existing HNB, which is already under pressure. The proposals should, however, help manage future costs by providing places for up to 20 borough residents who, with support, could attend mainstream school in the borough, but currently can't because of lack of units or provision for primary age pupils with EHCPs for ASD or SEMH.
- 4.15 This cost avoidance could come from:
- the amount of top-up/element 3 funding paid, as, in future, borough residents who would otherwise attend more expensive placements (at Manor Green, Forest Bridge or at independent/out-borough places) could attend more appropriate local settings.
 - the associated home to school transport costs.
 - freeing up future places at Manor Green and Forest Bridge for pupils with even more complex needs, who currently have to attend more expensive independent/out-borough schools (with the associated home to school transport costs).
 - reductions in tribunal costs, as the borough would be able to provide appropriate places in local mainstream schools, which is more likely to be in line with parental wishes.
- 4.16 Whilst costs can potentially be reduced, going forward there will initially be an increased budget pressure on the High Needs Block as the facilities open with places funded, but not necessarily filled. The long lead-in period until opening does, however, mean that there is an opportunity to plan how the places will be used, minimising those initial costs. If these proposals go forward, therefore, officers will need to work with families and schools to identify pupils who would benefit from the new provision as soon as possible. Candidates for the spaces then freed up at Manor Green and Forest Bridge will also need to be identified, in order to realise the maximum benefits for families (bringing pupils and young people closer to home) and for the revenue budget (less costly provision).

5. LEGAL IMPLICATIONS

Provision of new Resourced Provision

Community, Voluntary Controlled and Voluntary Aided schools

5.1 The creation of Resourced Provision at a community, controlled or aided school requires that the local authority follows a statutory process, as set out in regulations and guidance. This process involves:

- informal consultation. This would be covered by the consultation required to access the Special Provision Capital Fund (see Section 8), and is proposed for February/March 2020.
- publication of proposals (the ‘statutory notice’).
- 4 week formal representation period.
- decision by the local authority, to be made within two months of the end of the representation period.
- implementation. This is currently proposed for 1st September 2021.

Academy schools, including free schools

5.2 Adding Resourced Provision at an academy requires that the trust submits a full Business Case to the ESFA for approval. The process involves:

- notifying the ESFA at least three months before the proposed change.
- carrying out public consultation. This would be covered by the consultation required to access the Special Provision Capital Fund (see Section 8), and is proposed for February/March 2020.
- completing the full Business Case and submitting it to the ESFA.
- decision by the Regional Schools Commissioner (RSC).

5.3 Submission of the Business Case to the ESFA requires that planning permission for the new build has been obtained. This introduces a potential delay into the process that will need to be managed. In addition, recent experience with school expansions suggests that RSC decisions can take eight to ten months. Unlike expansions, where a school can itself agree to admit above its PAN regardless, it is not clear that Resourced Provision can be opened without RSC permission.

5.4 Planning Permission would be required for any extensions or new build.

6. RISK MANAGEMENT

Table 7: Risk Management

Risks	Uncontrolled Risk	Controls	Controlled Risk
Low response rate to the consultation.	High	The consultation will be available via both electronic and paper, and will be publicised widely.	Medium

7. POTENTIAL IMPACTS

7.1 **Equalities:** An Equalities Impact Assessment (EqIA) will be produced as part of the options appraisal to be reported to Cabinet in June 2020.

- 7.2 **Climate change/sustainability:** As far as possible, consultation will be carried out electronically, reducing paper usage. Any impacts of the proposals themselves will be reported to Cabinet in June 2020.
- 7.3 **Data protection/GDPR:** Any personal data received by the council as part of the consultation will be processed in accordance with the requirements of the Data Protection Act 2018.

8. CONSULTATION

- 8.1 The Royal Borough has already consulted with schools on which proposals to take forward, having invited expressions of interest from all state schools in the borough.
- 8.2 Consultation on the proposals is required under the terms of the Special Provision Capital Fund and statutory guidance on making significant changes to schools. It is suggested that the two consultations be combined into one, ensuring that the requirements of both sets of guidance are taken into account.
- 8.3 This consultation is proposed for March 2020, with the local authority co-ordinating the consultation for all parties, including the Windsor Learning Partnership, who are the trust for Dedworth Middle School and Dedworth Green First School.
- 8.4 The outcome of the consultation will be reported back to Cabinet in June 2020.

9. TIMETABLE FOR IMPLEMENTATION

Table 10: Timetable for implementation

Date	Details
27 February 2020	Approval to consult.
16 March 2020	Informal consultation starts.
7 May 2020	Informal consultation finishes.
26 June 2020	Cabinet consideration of outcome of consultation.
7 September 2020	Publication of proposals and start of four week representation period
5 October 2020	End of representation period.
By 23 October 2020	Council decision on whether to proceed.

- 9.1 Implementation date if not called in: 'Immediately';

10. APPENDICES

Electronic only

- Appendix 1: Draft Terms of Agreement for new facilities.

11. BACKGROUND DOCUMENTS

- [Special Provision Capital Fund Guidance](#), DfE, January 2019.
- [Special provision fund: Allocations for local authorities from 2018-19 to 2020-21](#), DfE, January 2019.

- [Making significant changes \('prescribed alterations'\) to maintained schools](#), DfE, October 2018.
- [Making significant changes to an open academy and closure by mutual agreement](#), DfE, October 2018.
- [The School Admissions \(Infant Class Sizes\) \(England\) Regulations 2012](#)

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr S Carroll	Lead Member/ Principal Member/Deputy Lead Member	10/02/20	14/02/20
Duncan Sharkey	Managing Director	17/02/20	
Kevin McDaniel	Director of Children's Services	10/02/20	14/02/20
Russell O'Keefe	Strategic Director	17/02/20	
Hilary Hall	Strategic Director	17/02/20	18/02/20
Terry Neaves	Section 151 Officer	17/02/20	
Nikki Craig	Head of HR and Corporate Projects	17/02/20	17/02/20
Louisa Dean	Communications	17/02/20	

REPORT HISTORY

Decision type: Key decision	Urgency item? No
Report Author: Ben Wright, School Places and Capital Team Leader, 01628 796572	

DRAFT

A Good Practice Guide for Resource Base Provisions (RBs) for pupils with complex social and communication needs

51
3

This guide is intended as a point of reference for schools setting up a RB for pupils with complex social and communication needs and the key areas to consider.

Resourced Provision and SEN Units

Resourced Provision is for pupils who will spend more than half of their time in mainstream classes (with support), as opposed to SEN Units, where pupils spend more than half their time in special classes. For ease of reference, unless otherwise specified, this document refers to both jointly as Resource Bases (RB).

Description of need and suitability for a Resource Base

To be eligible for a place at a RB , the pupil will have significant or complex social communication and interaction needs (generally an ASD diagnosis or on the waiting list). - This will be the primary need as stated on their Education, Health and Care Plan (EHCP). This means they will have clear and significant difficulties and/or differences in a number of the following areas: language development (expressive and receptive), social interaction and communication skills and understanding, emotional regulation and awareness, modulation of behaviour, flexibility of thought and varied interests, adaptability to changes and transitions, sensory needs. The pupil will have difficulty coping with full time inclusion within a mainstream setting, but has the potential for graduated inclusion and access to the National Curriculum (NC) through staff with knowledge of ASD with a higher level of specialist adult support and a flexible timetable. This may include withdrawal opportunities when needed and a 'safe space' when experiencing high anxiety. RB pupils may have other areas of difficulty (e.g. learning, anxiety) and may be unable to cope with certain areas of the curriculum, therefore alternatives will need to be considered. Patterns of behaviour may be

unsettling to a mainstream class and so RB pupils will need access to adults who are guided by their ASD knowledge and understanding to inform a graduated desensitisation and reintegration plan.

Focus	Recommendation
Ethos	<p>The drive and enthusiasm for including pupils with EHCPs for complex social and communication needs will be evident across the whole school, with all staff having a vested interest in supporting the RB pupils to succeed. Accordingly, a school with an RB will:</p> <ul style="list-style-type: none"> • have a strong emphasis on inclusion and diversity. All staff and pupils will understand and celebrate individual differences, and this will be supported through the Personal, Social, Health and Economic (PHSE) curriculum. • have an awareness of the strengths, needs and interests of each RB pupil (e.g. via a pupil passport) and use this to inform their teaching and daily interactions with them. • view RB pupils as part of the whole school community. Each pupil should be registered with their mainstream class or tutor group (of the same chronological age).
Staffing	<p>All staff at the school will support the work of the RB. This means that:</p> <ul style="list-style-type: none"> • the overall responsibility for the RB and its pupils will rest with a named qualified teacher. This person will be the key point of contact for the RB and mainstream staff, but will be supported by other school staff, e.g. the school SENCo. • the RB will have several dedicated Teaching Assistants (TAs) with specialist training, who will work exclusively with RB pupils. They will support those children in the RB spaces, in their mainstream classes and during break times. • class teachers will have responsibility for the inclusion of the RB children within mainstream classes when needed, and one to one adult support from the dedicated TAs may not be required at all times. Teaching staff will know the RB pupils, plan for their inclusion in lessons, liaise closely with RB staff, and will have a calm, consistent and flexible approach. • RB pupils will have, therefore, one to one adult support when needed, whilst also enjoying more independent learning within mainstream classes when appropriate. • generally, a minimum of two adults with specialist knowledge and training will support (to be determined) pupils within the designated RB space. • RB pupils will be provided with supported social opportunities at lunch-times, with non-RB pupils are encouraged to attend as well.

	<ul style="list-style-type: none"> regular casework discussions will take place for all staff (RB and mainstream) to share their successes and any concerns in a structured, supportive and collaborative way.
Environment	<p>There will be dedicated space within the school for the RB. The amount of space may vary depending on whether the RB is a SEN Unit or Resourced Provision, as set out in the government guidance on SEN space, Building Bulletin 104:</p> <p><u>SEN Unit</u></p> <ul style="list-style-type: none"> 55m² teaching space (equivalent to one full sized classroom). 12m² dining, social and learning resource. 4m² admin and storage. 19m² float (space to be allocated as per the specific needs of that unit). 35m² toilets and circulation. 125m² in total. <p><u>Resourced Provision</u></p> <ul style="list-style-type: none"> 16m² dining, social and learning resource. 4m² admin and storage. 16m² float (space to be allocated as per the specific needs of that provision). 14m² toilets and circulation. 50m² in total. <p>The exact sizes and configurations will be agreed in consultation with the school. In general:</p> <ul style="list-style-type: none"> the RB will have its own dedicated space, but this will not be completely separate to the rest of the school. This will ensure that there is an area that is always available for use by RB pupils and staff (e.g. for small group teaching, but also for RB pupils in times of stress). the dedicated space will be appropriate to the needs of pupils with complex social and communication needs, taking into consideration their needs (e.g. lighting, heating, and sound), for example cushions and soft seating areas, low level piped music). the space may have a dedicated sensory area (and it may also be appropriate for the school to have several other calming zones around the school) to assist with stress reduction at times of high anxiety. The sensory area, and

	<p>other calming zones could include some or all of the following: a sensory tent, textured cushions, weighted mats/blankets, mood lighting, bubbles tubes, and other soft furnishings.</p> <ul style="list-style-type: none"> • depending on the age and key stage of the RB pupils, the dedicated space could also include individual, personalised, workstations, taking into account their learning profiles. These could include, therefore, visual timetables, written and pictorial signs/labels, first and then routine, work trays, stress-o-meter, traffic light behaviour system etc. • the RB will have access to a dedicated outdoor area, to offer a sense of space and freedom. This could include: sand and water tables, gardening and digging areas, opportunities to explore wildlife, a place to sit quietly, playground apparatus, a shaded space away from the sun, all supported by visual aids, signage, symbols and orientation markings. The type of outdoor space will be dependent on the age/stage of the RB pupils. • toilets will be easily accessible for RB pupils, where visual prompts/reminders/token systems are clearly displayed (depending on age/stage). • whole school reward/behaviour management systems will be clearly explained to RB pupils in a way they can access (e.g. visually). <p>Where possible, the whole school, including the mainstream classrooms, will reflect the needs of the RB pupils.</p> <p>The capital funding to make these changes will be made available from the Special Provision Capital Fund, within an envelope to be agreed between the school and the local authority. The scope of the capital works will be agreed via a Memorandum of Understanding between all parties. The funding will cover the furniture and fittings for the RB.</p>
Curriculum	<p>Pupils attending the RB will be taught in line with their ability, individual needs and the provision outlined in their EHCP.</p> <p>No single approach or method will be used, but staff will consider a variety of evidence-informed teaching approaches and methods, providing the opportunity to access the whole national curriculum. To deliver this learning:</p> <ul style="list-style-type: none"> • staff will explain the purpose of learning tasks, providing clear expectations about outcomes and time frames, appreciating the importance of these measures, especially to RB pupils. • pupils may be taught in the dedicated RB base individually, in small groups (with RB staff) and in their mainstream class (supported by an RB staff member if needed).

	<ul style="list-style-type: none"> • RB pupils may be withdrawn from particular areas of the national curriculum where it causes significant difficulty or stress to the pupil. This would be in consultation with the pupil and their parents. • RB pupils' Termly Support Plans will contain targets with a focus on developing social communication and interaction skills. • RB pupils will have access to teaching with a strong visual emphasis and plenty of ICT opportunities. • teaching will use the pupil's interests and skills as a lever for their motivation. • opportunities for life skills work (e.g. cooking) and community visits will be provided regularly.
Specialist training	<p>Schools with a RB will need to keep all of their staff up-to-date on training in relation to children with complex social and communication needs. This includes all non-teaching staff, both full and part-time.</p> <p><u>All staff</u></p> <ul style="list-style-type: none"> • All staff will have appropriate training, e.g. the Autism Education Trust (AET) training as offered by Shine Outreach. This covers three levels – introduction to ASD, Good Practice in Supporting ASD, Managing ASD provision in schools, and can be offered as INSET or at the Shine training base at Furze Platt Senior School. <p><u>All teaching staff, including TAs</u></p> <ul style="list-style-type: none"> • All teaching staff will have training on: <ul style="list-style-type: none"> ○ ASD teaching and learning approaches. ○ managing behaviour. ○ sensory needs. <p><u>RB teaching staff, including TAs</u></p> <ul style="list-style-type: none"> • RB teaching staff will have training in specialist areas including: <ul style="list-style-type: none"> ○ emotional regulation and the anxiety five point scale. ○ person centred planning. ○ developing expressive and receptive language skills. ○ comic strip conversations and social stories. ○ Time to Talk/Socially Speaking. ○ Lego therapy.

	In addition, tailored packages will be provided as needs arise.
Local area support	<p>Achieving for Children will provide support for the RB, with visits from an Inclusion Practitioner and link or specialist Senior Educational Psychologist. These visits will allow the local authority to provide support, monitoring and the identification of training needs (in negotiation with the Education Inclusion Service). Visits from other professionals with a role in supporting children with EHCPs will also provide support, ensuring a holistic understanding of each child's needs (in negotiation with relevant education and health services).</p> <p>The Resourced Provision or SEN Unit would be subject to annual quality assurance visits.</p>
Home, school and community links.	<p>Parents and carers will have a key worker in school who they liaise with regularly (via email, telephone or face to face). Parents/carers will also be invited for reviews regularly and as required.</p> <p>The school will strive to host yearly twilight seminars (supported by Inclusion Practitioners) for parents and the wider community to increase knowledge of ASD.</p>
Commissioning of places	The number of places at the RB would initially be ten. The commissioning of the places would be governed by a Service Level Agreement, setting out the rights and responsibilities of both the school and the local authority in relation to the new facilities.
Revenue funding	<p>Schools with an SEN Unit or Resourced Provision receive additional revenue funding to reflect the higher costs of educating children and young people with EHCPs. The funding for pupils attending a unit or provision is, therefore, comprised of a number of elements (the figures relate to the 2019/20 financial year):</p> <ul style="list-style-type: none"> • Element 1: This is the AWPU (Age Weighted Pupil Unit). All schools get funding for each pupil at the school as part of the school's delegated funding. This is currently £2,892.71 for a primary school and £4,027.90 for the KS3

	<p>years in a middle school. Schools also receive other pupil led elements in the formula (e.g. funding for pupils with free school meals, deprivation, English as an Additional Language).</p> <ul style="list-style-type: none"> • Element 2: £6,000 for each pupil in the unit or provision, or £10,000 for each unfilled place in the unit or provision. • Element 3: From September 2019, top-up funding for all new EHCP children at any academy, aided, community, or controlled school in the borough will be based on a matrix that considers the child's individual needs. The top-up funding will be between £2k and £16k per child, and will be reviewed annually as part of the child's annual EHCP review.
Admissions	<p>Children attending the RB will be on the roll of the school. Generally, places commissioned by the local authority at a RB will be for new placements.</p> <p>It is also expected that the RB pupils will be counted within your existing Published Admission Number. This is because the School Admissions Code does not allow for places to be set aside specifically for pupils in the Resourced Provision or SEN unit. At first entry to school (e.g. for a Reception school place), children with an EHCP naming a school are given places ahead of all other applicants. For admissions outside the normal intake year, a child whose EHCP names the unit or provision will be admitted, even if the school is full in that specific year group. If the year group is an infant year group, the child is treated as an 'excepted' child for the purposes of the infant class size legislation, so that the limit of 30 children per teacher is not breached. The Royal Borough will be running a consultation panel for all admissions to Resourced Provision/SEN Units, allowing schools an input into these admissions.</p>
School attainment data	<p>Children attending the Resourced Provision or SEN Unit would be included in the school's pupil level and attainment data. Ofsted has recently on their 2019 Education Inspection Framework. This "<i>rebalances inspection to look rather more closely at the substance of education: what is taught and how it is taught, with test and exam outcomes looked at in that context, not in isolation</i>" [1]. This should mean that Ofsted will take greater account of inclusive approaches to education when inspecting schools</p> <hr/>

	<p>[1] Foreword, Education inspection framework 2019: inspecting the substance of education (consultation), Ofsted, 16 January 2019.</p>
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DRAFT

Report Title:	Renewal of Microsoft Licencing Agreement – award of new contract
Contains Confidential or Exempt Information?	Yes - Part II appendix only – 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, Legal, IT, Resident and Leisure Services and Performance Management
Meeting and Date:	Cabinet - 27 February 2020
Responsible Officer(s):	Duncan Sharkey, Managing Director Nikki Craig, Head of HR, Corporate Projects and IT
Wards affected:	None

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REPORT SUMMARY

1. The Council's current three contract for Microsoft Licences expires 31 March 2020. This report is to request Cabinet delegate authority to award a new three-year contract once the procurement exercise has concluded in March 2020.
2. Changes for licence requirement leveraged by the Modern Workplace project have been taken into consideration for the procurement exercise.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Delegate authority to the Director of Resources in consultation with the Lead Member for HR, Legal, IT, Resident and Leisure Services and Performance Management to award a contract for three years providing it is within the base budget.**

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

Options

Table 1: Options arising from this report

Option	Comments
Notes the proposed procurement exercise for Microsoft Licence renewal, and delegates the award of the final contract as set out in the report recommendation.	This will enable a new contract to be awarded in a timely manner that will coordinate with conclusion of phase 1 of the modern workplace implementation.
This is the recommended option	
Not approve the report and to cease the contract.	Licences would expire on 31 March 2020, users would not be able to

Option	Comments
	access all systems as they are licenced per user.

- 2.1 The Royal Borough's IT service have enhanced the desktop management systems provided to Royal Borough staff, partners, schools, elected members and third-party suppliers. The service has leveraged the functionality from many of the market leading Microsoft technologies to achieve this. This has been possible due to previous commitment to a Microsoft Enterprise Agreement (EA) and the additional value-add benefits this provides. The renewal of the agreement provides the Royal Borough a reliable and functional platform to develop and enhance business systems for both the council and our partners.
- 2.2 One major benefit of the agreement was the adoption of a single and up to date version of Microsoft Office across all networked devices, Office 365, which provides many features including document workflow, version control, encryption of emails, and collaboration with internal and external partners in particular with the use Skype for Business and Teams.
- 2.3 A further advantage is that Office 365 can also be accessed via office.com from any web browser enabling the council to work off the council network which complements business continuity plans.
- 2.4 The roll out of the Modern Workplace Project will see staff take advantage of many more applications that the Office 365 subscription offers, as an example the use of Skype and Teams will be increased as staff will have mobile audio devices which will in turn impact on the telephony strategy as the need for the types of current telephony used will reduce.
- 2.5 Further products and benefits include:
 - Microsoft SharePoint currently being used for the corporate intranet and is to be reviewed and developed this year for improvements. It is also being used to rationalise the document management systems within the business where appropriate and it can meet needs.
 - Developing the use of Cloud technologies and maximising the functionality available to reduce costs where possible and enhance Business Continuity and Disaster Recovery
 - Microsoft professional services days (PSD) and training vouchers to develop in house skills for IT staff and business users alike. These can also be used to provide sessions to all staff to educate them on all the tools available and ensure the value of this investment is being realised

3. KEY IMPLICATIONS

Contract Term, Termination and Variation

- 3.1 The minimum contract term available for this renewal with any Microsoft Partner is a three-year period with the ability to flex the licences at the end of the annual periods i.e. March 2021, March 2022 and March 2023. This would allow us to increase or decrease licences based upon the requirements of the business and following the successful roll out of the Phase 2 Modern

Workplace project although agreement is required by the Microsoft Licensing Desk at this time.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Microsoft Licencing agreement renewed by 31 March 2020.	1 April 2020	31 March 2020			31 March 2020

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The current cost of the Microsoft Enterprise Agreement (EA) is covered within revenue base budget.
- 4.2 Indicative quotes have been gained from the current provider to give an idea of the potential renewal costs, although exact costs won't be known until the procurement is concluded. Table 5 in appendix A is the comparison of a potential like for like renewal costs, mirroring current volumes and license types of the Royal Borough compared to license types that can be leveraged as part of the investment in the Windows 10 laptops/Modern Workplace Project. Note that the licences cover all Royal Borough employees, employees of Achieving for Children and Optalis as well as other partner organisations.

5. LEGAL IMPLICATIONS

- 5.1 A new contract will be required, and the process to enable this has been started. Assistance to complete this procurement process and contract is being provided by the corporate procurement team.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
New agreement is not in place in the timescale required.	High	Work with legal and procurement timescales required are adhered to.	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities - none
- 7.2 Climate change/sustainability – none.
- 7.3 Data Protection/GDPR - There are no aspects of GDPR in this contract.

8. CONSULTATION

8.1 Consultation is not required.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediate; the implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
February 2020	Drawing up of procurement documents.
February 2020	Undertake procurement exercise
End of March 2020	Notification to provider, and award of contract.

10. APPENDICES

10.1 This report has one Part II appendix – Microsoft Licencing detail - **Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972**

11. BACKGROUND DOCUMENTS

11.1 This are no background documents for this report.

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Rayner	Lead Member for HR, Legal, ICT, Resident and Leisure Services and Performance Management	30/01/2020	30/01/2020
Duncan Sharkey	Managing Director	30/01/2020	31/01/2020
Russell O'Keefe	Executive Director	30/01/2020	
Terry Neaves	Section 151 Officer	30/01/2020	
Ruth Watkins	Deputy Section 151 Officer	30/01/2020	30/01/2020
Elaine Browne	Head of Law	30/01/2020	30/01/2020
Louisa Dean	Communications	30/01/2020	
Kevin McDaniel	Director of Children's Services	30/01/2020	30/01/2020
Hilary Hall	Director Adults, Commissioning and Health	30/01/2020	31/01/2020
Karen Shepherd	Head of Governance	30/01/2020	30/01/2020

REPORT HISTORY

Decision type:	Urgency item?	To Follow item?
Key decision	No	No
Report Author: Nikki Craig, Head of HR, Corporate Projects and IT		

Agenda Item 8

By virtue of paragraph(s) 1, 2, 3, 4, 5, 6a, 6b, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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