

## CABINET

THURSDAY, 28 MAY 2020

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

Also in attendance: Councillors Taylor, Jones, Hill, Price, Hewer, Baldwin, Singh, Rayner, Knowles, Davies, Bhangra, Del Campo, C Da Costa and Taylor.

Officers: Russell O'Keefe, Adele Taylor, Louisa Dean, Barbara Richardson, Kevin McDaniel, Ruth Watkins, Hillary Hall and David Cook.

### APOLOGIES FOR ABSENCE

There were no apologies received. It was noted that the Managing Director could not attend.

### DECLARATIONS OF INTEREST

There were no declarations of interest received.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meetings held on 30 April 2020 and 21 May 2020 were approved.**

### APPOINTMENTS

Lead Member responsibility for Revenue and Benefits was passed from the Leader to the Lead Member for Finance and Ascot.

The Lead Member for Public Protection and Parking informed that Cabinet that he had initiated an investigation into residents parking permits following information from Cllr Tisi this week regarding the planned introduction of charges for residents parking permits that were currently free. Legal advice had said that the Council had been in error and he therefore he apologies for the confusion caused to residents. Current parking permits would remain in force until they expire. Anyone who had already paid for a permit before their expiry date would be reimbursed and all effected residents would be contacted. The new fees would only apply for renewals or new applications. The revenue predictions will now be for two years rather than just 2020.

### FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes made since last published including the following amendments:

- Borough Wide Design Guide being added to June 2020 Cabinet.
- Arborcultural Contract award will be delayed pending the tender process.
- New Provision for Children and Young People with Special Education Needs to move to August 2020 Cabinet.

### CABINET MEMBERS' REPORTS

## A) CLIMATE STRATEGY

Cabinet considered the report seeking approval to the draft Climate Strategy and action plan to be taken forward to Full Council.

The Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside informed Cabinet that in June 2019 the Royal Borough of Windsor and Maidenhead declared an Environment and Climate Emergency. It was brought about through the urging of the RBWM's Climate Emergency Coalition, a group formed to convince the council to declare this emergency. A motion was passed at Council, and it was agreed to establish a cross party working group, undertake a review of our own carbon footprint, and together with local stakeholders and partners, to bring about a draft strategy before full council within the year.

Cabinet were informed that Theresa May, who, as Prime Minister, that same month, pledged to introduce a legally binding target forcing the UK to end its contribution to climate change by 2050. Hitting net zero, a 100% cut in emissions. This would mean an end to heating of homes with traditional gas boilers, more green electricity, and a switch from petrol and diesel cars to electric vehicles, and more provision for walking and cycling. This legislation would also create legally binding targets on biodiversity, air quality, water, resource and waste efficiency.

During the course of the past twelve months, our environment had continued to suffer and emissions had continued to rise. We recognise the possibility that, within a few decades at most, our planet could warm to an extent that would make life difficult for many and impossible for some and that could drive the life of many species up to and beyond the point of extinction.

Over the last 12 month we had sought out best practice, looked at ways of reducing our own emissions, and with four stakeholder workshops, developed a vision of a future borough to actionable next steps, and then to the groupings that led to the strategic framework of the four key themes.

The vision was to be a borough where the community collectively worked together to achieve a sustainable future, protecting and enhancing our natural environment, and achieving net zero carbon emissions by 2050.

We had structured our strategy around four key themes:

- Circular Economy, how to reduce waste, and increase repair, re-use and recycling in the borough.
- Renewable Energy, how to reduce energy consumption and decarbonise supply.
- Natural Capital, how to improve the natural environment and establish the principle of biodiversity net gain.
- Sustainable Mobility, enabling sustainable transport choices.

Against each of these areas were 44 actions and measures for the next five years.

This action plan needed to be worked into a prioritised delivery plan, with carbon reduction targets, timelines and accountabilities. It needed to be taken from the cabinet paper and turned into a document that speaks to our residents about its intent and encouraged actions such as 'provide opportunities for people to grow their own food' or 'remove barriers to walking and cycling through delivery of cycle action plan'.

It had been said that the document had not gone far enough. There had been engagement with input from over 80 individuals. The strategy included objectives and actions. Further

collaborate was required and a new Stakeholder Advisory Board would be formed to help improve the strategy prior to Council and public consultation. The Stakeholder Advisory Board would also monitor implementation.

Cabinet were asked to note the report and approve the strategy to be taken to full Council for approval and consultation. With the additional recommendation being subject to the delegation authority to the Executive Director in liaison with the Cabinet Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside to make further refinements to the draft strategy, as required, prior to consideration by Council and public consultation.

The Leader informed that this was a landmark strategy for the local authority but it was not a static strategy and needed to be ever evolving. This was a good starting place to build upon.

Cabinet were addressed by two members of the public:

Fiona Hewer, Chair of Wild Maidenhead, addressed Cabinet and informed that she was speaking for biodiversity activists in the six community wildlife groups that now covered the whole of the borough: Wildlife in Ascot, Wild Cookham, Wild About Datchet, Wild Eton & Eton Wick, Wild Windsor and Wild Maidenhead.

Windsor and Maidenhead urgently needed a Climate Strategy to reduce carbon emissions to net zero, and increase biodiversity. As the draft climate strategy itself says, it is not yet a detailed plan and much further work was needed to develop the specific actions.

The six groups had jointly submitted constructive suggestions in writing for improving the draft, but only some of the requests had been adopted. This left them feeling that the strategy was not fit for purpose.

They felt that there were two fundamental problems, that the main biodiversity goal was to write a plan within 12 months and that the carbon reductions excluded the major emitters.

She informed Cabinet that the strategy needed practical actions to deliver its aims and questioned where were the objectives, some of which could have been taken from Wild Maidenhead's 2018 Biodiversity Action Plan such as:

- Wild About Gardens Awards scheme for the whole borough.
- Woodland management.
- Wildflower roadside verges.
- Wild areas in public parks.
- Wilder waterways and wetlands.
- Protection and management of Local Wildlife Sites.

They felt that there were plenty of examples from other authorities that the council could have used such as:

- Surrey Council had a Climate Commission of public, private and civic society groups.
- Stroud District Council had written an Implementation Plan to deliver net zero by 2030.
- Kirklees Council is using authoritative, independent carbon budgets from the Tyndall Centre.
- Leeds Council had an action plan to halve its emission by 2025.

They felt that if the constructive advice given and the examples mentioned it was possible to make amendments and deliver an interim strategy in time of June 2020 Council. Actions to increase biodiversity and reduce carbon emissions should begin immediately, and the final strategy should follow in the next few months.

Cabinet were informed that she had spoke with Cllr Johnson and Cllr Stimson yesterday evening about these concerns and hoped they would be actioned.

Cabinet were also addressed by Paul Hinton, Climate Emergency Coalition, who informed that as mentioned earlier they had met with the Leader and Lead Member yesterday to discuss their concerns.

He informed that 12 months ago the Council declared an Environment and Climate Emergency supported by all councillors. The then Lead Member introduced it as “possibly the most important motion ever put to Council” and yet today Cabinet were presented with a strategy which would not have confirmed its target path to net zero until 7 months from now, 18 months after the Emergency was declared. In the interim, the strategy proposes a straight-line trajectory, which will mean the Borough breaches its per capita carbon budget in 2028.

The strategy was a draft and subject to improvement but a key action that sets a 10% reduction in energy demand from council sources by 2023, would reduce the Borough’s annual carbon emissions by just 0.07% in 3 years.

Mr Hinton made reference to recently used phrase “Build back better” and felt that out of the current crises came opportunity. The Council now had the opportunity to be bolder, go faster and think bigger.

Constituents looked to the Council to provide leadership and to recognise the magnitude of the problem. He felt that the strategy did not currently contain a governance structure, a community engagement plan, or a vision that the community could work with. As a result, they believed that the risk to stakeholder engagement was high.

Despite their reservations they had no wish to slow the process down further. They request that Cabinet accepted the current draft of the strategy subject to a commitment in writing, to work collaboratively with current stakeholders to agree and commence key actions now and produce an interim strategy for full Council approval at the June meeting.

They recognised the difficulties of the Council’s financial position, but felt that a great plan was an investment. A world-class climate strategy would position RBWM as ‘funding ready’. Investment will inevitably flow towards areas who were ready to go. They therefore also requested that Cabinet committed to work with professionals and academia to produce a final strategy by the end of 2020.

The presenting Lead Member thanked the speakers for their comments and said that when we were challenged we produced greater results and thus the feedback was welcome. The draft strategy may not be perfect but they did not want a further delay.

The Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor informed that the groups mentioned had helped bring communities together. The Braywick Leisure Centre would use 20% less energy than the Magnet Centre and that TVAC were installing solar panels. She wished to see more walking and cycling and mentioned that the Council had switched to an electric supplier whose energy came from renewable sources.

The Deputy Chairman of Cabinet, Adult Social Care, Children’s Services, Health and Mental Health said that he agreed that the council had to continue to challenge ourselves. He mentioned the importance of youth engagement and encourage further engagement be undertaken. Both ward members had been contacted by their constituents who were keen to participate. He thanked Sarah Bowden for her continued work in his ward. This report was another step in the right direction but further work was always required.

The Lead Member for Planning and Maidenhead said that in 2011 he used to be the chairman of the Sustainability Panel and we had come a long way from trying to save money to trying to save the planet. He would be bring to Cabinet a Maidenhead Vision and Charter that would

say Maidenhead would be a green town. There were a number of strategies moving in the same direction.

The Lead Member for Transport and Infrastructure thanked the Lead Member and the working group for producing such a complex plan. There had been open dialogue and the aim was to get carbon zero as soon as possible.

The Lead Member for Housing, Communications and Youth Engagement informed that he had participated in one of the working groups about our built environment and principles within the strategy would be taken into the Housing Strategy. He gave examples of groups and activities such as keeping Cox Green Clean and Maidenhead Matters and also the importance of ongoing youth engagement. This would set a bar that future strategies could be measured against.

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property reported that we see the delivery of climate change and strategy as being fundamental to the overall process of C-19 recovery as a council and economic unit. The current awful crisis had produced a few benefits such as better air quality, reduced carbon based emissions and the opportunities that have been forced upon us such as challenging how we travel, live and work. The crisis had accelerated fundamental shifts that had been started for example about 80% of staff were broadly working from home where possible. He informed that more had to be done regarding recycling levels across the Royal Borough. We needed lessons learnt from the crisis and a flexible strategy. Cabinet were informed that who would have seen such a crisis and changes a year ago, that Heathrow expansion would be delayed by a further 18 months and people questioning the need for more air travel when modern technology could be used. He thanked the two speakers for their time and candid feedback.

Cllr C Da Costa addressed Cabinet and commented on the mention of youth engagement and recommended that the Corporate Parenting Panel could be used as there was excellent engagement with children. She asked if Cabinet would make the commitment in writing that the biodiversity plan would be made more ambitious and measurable to see if we are achieving. She reported that Cllr Da Costa could not attend this meeting but had asked Cabinet to engage with experts he had been in contact with and that that the cross party working group also be continued. She also said that Cllr W Da Costa had emailed in a number of comments and asked if they had been incorporated within the paper. The Lead Member who held responsibility for children's services said he would not only raise the issue with the Corporate Parenting Forum but he would also write to all head teacher to see if focus groups could be remotely set up so ideas and opinions could be put forward. The presenting Lead Member informed that she had contacted Cllr W Da Costa about his comments and would look at incorporating them in the Council report.

Cllr Hill reported that he was very impressed by the strategy and the residents who had spoken. He had heard a lot about the working party. With the climate strategy it was important to keep trees and wildlife and thus he raised concern about the proposed development on the Maidenhead Gold Club that contained trees important in absorbing carbon admissions. The proposed strategy and development plans were in conflict. Apart from this conflict there was also the impact of C-19 with a number of shops and offices not being required and potential being converted into dwelling reducing the need for housing development on the golf course.

The Leader responded that the point about more on line shopping was valid with regards to shops closing but this would also result in more traffic from delivery drivers. With regards to the golf course he looked forward to debating this later on the agenda but he did mention that Cllr Hill had been a cabinet member when the project started, Cllr Hill replied that his opposition was a reason why he was no longer a cabinet member. With regards to housing the Leader said that there remained a need to deliver them and the council had been set hard targets by the Government that had financial implications.

Cllr Bhangra asked if the Lead Member would be happy to meet with Boyne Hill residents over Zoom and some residents have asked how to be more 'green'.

Cllr Brar said that she felt the report needed to be reviewed and brought back taking on board the issues raised by the public speakers. There needed to be training for staff and councillors.

Cllr Davies reported that she had been a Liberal Democrat members representative on the working group and new how hard the Lead Member had worked and therefore was disappointed that the strategy was not yet completed and she assumed that the Lead Member would be working with stakeholders to get it to council.

Cllr Price felt that as it was due to go to Council in a couple of weeks it should be delayed to allow the amendments to be made.

The Lead Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside thanked everyone for their views and said that meetings would be set up with residents as requested and that there would be further youth engagement. There was no need to delay the report as work on issues raised had already started and this included training that was in the plan.

The Lead Member read out the amended recommendation prior to Cabinet voting on the resolution.

**Resolved that: Cabinet notes the report and approves the strategy to be taken to full council for approval, subject to the delegation authority to the Executive Director in liaison with the Cabinet Member for Environmental Services, Climate Change, Sustainability, Parks and Countryside to make further refinements to the draft strategy, as required, prior to consideration by Council and public consultation, and to present the strategy document to full council in June 2020.**

(Cllr Rayner abstained from the vote as she reported that she had lost connectivity during the part of the deliberations)

## B) OUTTURN REPORT FOR 2019-20

Cabinet considered the report that set out the final outturn position for revenue and capital expenditure against budget for the financial year 2019/20.

The Lead Member for Finance and Ascot informed Cabinet that the report before them asked Cabinet to:

- i) Note the council's projected outturn position for 2019-20.
- ii) Note the budget movements since the January 2020 reported as part of the budget setting process in February 2020.;
- iii) Approves Capital programme slippage and variances as detailed in Appendix D.

The Lead Member highlighted errors on page 73 of the report. It was planned to bring the Treasury Management paper to Cabinet in May but this is delayed to June and in the text in para 13.0 Tables 4 and 5 should read 17 and 18 respectively.

Cabinet were informed that the costs associated with C-19 were shown separately for all services so there was transparency between the outturn and the impact of the crisis. This was additional work for the Finance team but 2020/21 Finance update reports would continue with this methodology.

MHCLG required a monthly return on C-19 costs and It was important to the Administration that we delivered the budget set earlier this year and therefore considered the impact of COVID 19 separately.

He informed that as mentioned since he had become the Lead Member transparency within the reports was important and thus there were 40 pages or appendices that contain considerable detail.

The Lead Member made reference to appendix G which presented variances for services. Before he considered these he asked Cabinet to note that the approved revenue budget was overspent by £4,224,000 but £1,827,000 of this is directly related to C-19 and is paid for by the first £2,753,000 of funding from MHCLG. The balance of this and a further £4,149,000 of funding had been placed into earmarked reserves.

The budget papers presented at Council in February forecasted reserves of £6.521,000 but reserves have increase by £1.71 M and now stand at £8.231M

In January Adult Social Care forecast an overspend of just over £1M but this had been turned round and there would have been a modest surplus had we not to taken a COVID related provision of £157K for bad debt. In a challenging year this would have been a pleasing result for the Director of Adults, Health and Commissioning.

In Children's services an overspend of £1,94 M was reported some £325K higher than in January. However, Achieving for Children had recently been rated as Good by OFSTED so they are now in exactly the right place to drive their transformational programme forward.

With regards to the Managing Directors portfolio parking, the biggest income generator, saw revenues down £900K before the impact of C-19 which further reduced income by £422K. Highways declared an overspend of £617K which was made up of licensing income, subsidised bus routes, street lighting energy and planning. The impact of COVID was £140K. These costs were offset by considerable savings on Waste collection and disposal of £579K resulting in a total overspend of £1,566 K

Commissioning, Support and Central Services included concessionary fares, Management, Communications & Marketing, Human Resources, Law & Governance and Finance. The outcome was an overspend of £40K but after C-19 related costs of £305K this increased to £345K.

Communities Directorate report an overspend of £549K mostly associated with IT and Revenues and Benefits but this had increased to £1.23M by C-19 related issues including a significant loss of leisure income.

The Place Directorate delivered a balance budget but for C-19 related costs of £21k for rehousing in temporary accommodation and a provision of £68K against commercial debtors. The Housing overspend, £511K of this related to a number of debts and bad debt provisions.

Cabinet were also informed that In the past year the Finance team had been working through a number of legacy issues. Some of this work had led to the acceptance of liabilities such as in Housing but for many others the outcome had been positive.

With regards to Capital Cabinet were informed that in December slippage in the capital programme had been £7.2M of the nett £57.7 m. budget. The outturn report now shows slippages to be £32m. £14M of this slippage related to a number of significant projects that were delayed related to COVID issues. Due to these issues a review of the capital programme had been instigated.

The Leader thanked the Lead Member and all those associated with producing such a comprehensive report. There had been a lot of work being undertaken to close down the

overspend , there had been savings produced and excellent transformation initiatives. C-19 has had a huge impact on all authorities. He welcomed the detail and transparency of the report.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health reiterated that there had been excellent work under his portfolio and if it was not for the current crisis performance against the pressures had been well met. There had been excellent work with NHS colleagues especially with adult social care. He acknowledged the good work undertaken by children's services that resulted in the rating mentioned. There had been good progress around high cost placements and he reminded that they had been rated in the top 15 across the country for adult social care.

Cllr Jones mentioned that she welcomed the increased transparency contained within the report and the cipfa concerns. She reported that there were a number of concerns that she would discuss off line but she was concerned about the budget modelling as there were large variances outside C-19. She questioned if the public health funding had already been allocated, if the savings for children's survives in 2020 could be achieved and if high needs block savings should be built within the budget rather than being a challenge.

Cllr Baldwin questioned if the level of reserves were adequate as they had been set pre C-19 and he also questioned the level of reserves set for business rates as this seemed very low. In response he was informed that the level set for business rates was set on the previous year so the current situation would form next years level.

The Leader informed that they continued to lobby government and C-19 continued to have a major impact on the councils finances.

Cllr Tisi asked for further information on the impact of parking revenue but was happy to discuss this off line.

**Resolved unanimously: That Cabinet:**

- i) Notes the council's projected outturn position for 2019-20.**
- ii) Notes the budget movements since the January 2020 reported as part of the budget setting process in February 2020.;**
- iii) Approves Capital programme slippage and variances as detailed in Appendix D.**

**C) HIGHWAYS AND TRANSPORT INVESTMENT PROGRAMME 2020-21**

Cabinet considered the report that recommends the implementation of the highways capital works programme.

The Lead Member for Transport and Infrastructure informed Cabinet that the budget for 2020 / 2021 was £5.5 million, £400k for one off schemes and £1.3 million for bridge works. £3.22 million was set aside for the annual works programme contained within the report. The local transport plan set out our objectives and this was supported by the works programme that had been development by taking into account comments from residents, local businesses and parish councils. £2.697 million had been secured from the Department of Transport and £1.076 million from corporate commitments. It was anticipated that there would be £1.5 million being awarded for pot hole repairs.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health welcomed the excellent resurfacing work that had been undertaken within his ward.

The Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor reported that she disappointed that there were no works scheduled for her ward in Windsor, especially given the importance of tourism. She



also asked what would be done regarding cycling and walking. In response the Lead Member reported that here were works planned for Old Windsor and technical assessments help determine what areas were on the list. He acknowledged the importance of cycling and walking and was awaiting details from government on additional support in this area. Funds would be used to support the cycling action plan.

The Lead Member for Housing, Communications and Youth Engagement informed of the need to resurface Cox Green lane.

Cllr Knowles raised the poor legacy of some road treatments in the past and that there had been mention of a trial of a new surface in Bray but he had not heard anything about this progressing. He was also concerned about the practice of continuing to add new road surfaces upon one another rather than dealing with the underlying problem with the road. This also impacted on the safety for cyclists. The Lead Member informed that we did tell our contractors not to do quick fixes and that the level of work matched requirements. Temporary resurfacing can be put in place pending more comprehensive works.

Cllr Hill requested that that Fane Way and Larchfield Road be looked at as they were on a main bus route and residents had reported damage to their cars. The Lead Member requested that Cllr Hill send him the locations so he can get them inspected.

Cllr Jones reported that she was pleased to see that the report's recommendations had been based on robust technical information and supported adopted policy.

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

- i. **Endorses the implementation of the programme of work set out in Appendix A and Appendix B**
- ii. **Delegates authority to the Director of Adults, Health and Commissioning, (in consultation with the Lead Member for Transport and Infrastructure) to agree amendments to the approved schemes.(within approved budgets) and to implement reserve or alternative schemes should this become necessary.**

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.**

The meeting, which began at 6.15 pm, finished at 9.15 pm

CHAIRMAN.....

DATE.....