

# Public Document Pack



NOTICE  
OF  
MEETING  
**CABINET**

will meet on

**THURSDAY, 16TH DECEMBER, 2021**

**At 7.00 pm**

**GREY ROOM - YORK HOUSE, ON [RBWM YOUTUBE](#)**

TO: MEMBERS OF THE CABINET

COUNCILLORS ANDREW JOHNSON (LEADER OF THE COUNCIL AND CHAIRMAN OF CABINET, BUSINESS, ECONOMIC DEVELOPMENT AND PROPERTY) (CHAIRMAN)

STUART CARROLL (DEPUTY CHAIRMAN OF CABINET, ADULT SOCIAL CARE, CHILDREN'S SERVICES, HEALTH AND MENTAL HEALTH) (VICE-CHAIRMAN)

DAVID CANNON (PUBLIC PROTECTION AND PARKING)

DAVID COPPINGER (PLANNING AND MAIDENHEAD)

SAMANTHA RAYNER (DEPUTY LEADER OF COUNCIL, HR, IT, LEGAL SERVICES (INCLUDING PERFORMANCE MANAGEMENT) AND WINDSOR)

DAVID HILTON (FINANCE AND ASCOT)

GERRY CLARK (TRANSPORT AND INFRASTRUCTURE)

DONNA STIMSON (ENVIRONMENTAL SERVICES, CLIMATE CHANGE, SUSTAINABILITY AND CULTURE)

ROSS MCWILLIAMS (HOUSING, COMMUNICATIONS AND YOUTH ENGAGEMENT)

Karen Shepherd – Head of Governance - Issued: Wednesday, 8 December 2021

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

**Recording of Meetings** – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence	-
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest	5 - 6
3.	<u>MINUTES</u>  To consider the minutes of the meeting held on 25 <sup>th</sup> November 2021.	7 - 20
4.	<u>APPOINTMENTS</u>	-
5.	<u>FORWARD PLAN</u>  To consider the Forward Plan for the period January 2021 to April 2021.	21 - 26
6.	<u>CABINET MEMBERS' REPORTS</u>  Public Protection and Parking	-
	i. Resident Parking Discount & Parking Charges 2022/23	To Follow
	Corporate & Resident Services, Culture & Heritage and Windsor	
	ii. 2021/22 Mid-Year Data & Performance Report and Proposals for Future Performance Reporting Arrangements	27 - 72
	Finance and Ascot	
	iii. CIPFA Review of Governance Action Plan - Final Closure Report	73 - 84
	Chairman	
	iv. Sale of Land at Stafferton Way	85 - 94
	Chairman	
	v. Sale of Retail/House in Cookham	95 - 104

7. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

To consider passing the following resolution:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"

PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
8.	<u>CABINET MEMBERS' REPORTS</u>	-
	Chairman	
	i. Sale of Land at Stafferton Way	105 - 126
	<b>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</b>	
	Chairman	
	ii. Sale of Retail/House in Cookham	127 - 136
	<b>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</b>	

Details of representations received on reports listed above for discussion in the Private Meeting:  
None received

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## MEMBERS' GUIDE TO DECLARING INTERESTS AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

### Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

*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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
  - a) *that body has a place of business or land in the area of the council, 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.

### Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

*Other Registerable Interests (relating to the Member or their partner):*

*You have an interest in any business of your authority where it relates to or is likely to affect:*

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) any body*
  - (i) exercising functions of a public nature*
  - (ii) directed to charitable purposes or*

*one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)*

### **Disclosure of Non- Registerable Interests**

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

**You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

### **Other declarations**

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

# Agenda Item 3

## CABINET

THURSDAY, 25 NOVEMBER 2021

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

Also in attendance: Councillor Christine Bateson, Councillor Simon Werner, Councillor Helen Price, Councillor Gurch Singh, Councillor Karen Davies, Councillor Ewan Larcombe, Councillor John Baldwin, Councillor Amy Tisi, Councillor Gurpreet Bhangra and Councillor Simon Bond

Officers: Duncan Sharkey, Emma Duncam, Adele Taylor, Andrew Valance, Hilary Hall, Andrew Durrant, Kevin McDaniels and David Cook.

### APOLOGIES FOR ABSENCE

No apologies for absence received.

### DECLARATIONS OF INTEREST

None received.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 28<sup>th</sup> October 2021 were approved.**

### APPOINTMENTS

None

### 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 addition to December 2021 Cabinet of the Cipfa Governance Review update report.

### CABINET MEMBERS' REPORTS

#### A) COUNCIL TAX BASE 2022/23

Cabinet considered the report regarding the Councils statutory requirement to set the Council's tax base for 2022/23.

The Lead Member for Finance and Ascot informed that this was a technical paper that after considering single person discounts, empty homes policy, exemption and an allowance for non-collection sets out the number of band D properties in the Borough by Parish. This information was used by the council, police, fire and rescue service and parish councils to set their precepts. The Royal Borough had amongst the highest collection rates for council tax of 99.5%. There had been an increase of 556.87 Band D properties from last year which will deliver an additional £630K of CT revenue.

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

- I. Approved the Council Tax base for the whole of the Borough area, for 2022/23 at 69,736.32 as detailed in this report and appendices. This is an increase of 556.87 over the 2021/22 base, a 0.80% increase.**
- II. Noted a Council Tax collection rate of 99.5% for 2022/23**
- III. Noted an estimated deficit on the Council Tax Collection Fund in 2021/22 of £376,176 of which the Council's share is £300,000**

**B) DEMAND FOR SCHOOL PLACES**

Cabinet considered the report regarding the projections of demand for school places within the Royal Borough.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health informed Cabinet that

the last eighteen months had seen a significant demographic change, with reduced net inward migration, in addition to lower birth rates, likely to significantly reduce future demand for school places over previous expectations. There continued to be considerable uncertainty about future demand as net inward migration could return to previous levels and boost demand again.

The Lead Member informed that the Royal Borough was nearing completion of its secondary school expansion programme, work to expand St Peter's Middle School and been completed earlier in the year and the project to expand Windsor Girls' School from September 2022 was underway, with a planning application expected to be submitted by the end of the year. He thanked officers for the level of detail within the report.

Cllr Tisi asked if there was a reason why there had been an increase in children looking to get their education outside the borough. The Director for Children's Services informed that over the last three to four years there had been an increase in the demand for grammar school places which resulted in more pupils being educated outside the Royal Borough. There was still demand for borough school places from outside the borough as standards and choice increased.

Cllr Rayner mentioned the excellent work of the headteacher of Eaton Wick School as they had recently received an improved Ofsted rating of Good. The Lead Member replied that about 97% of our schools had reached a rating of Good or Outstanding and he wanted to see this rise to 100%.

**Resolved Unanimously: that Cabinet notes the report.**

**C) NEW PRIMARY SCHOOL PLACES IN MAIDENHEAD**

Cabinet considered the report regarding the demand for primary school places in Maidenhead.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health informed Cabinet that the report followed the previous report and considered the demand for primary school places in Maidenhead. Projections indicated demand was likely to be lower than previously expected. The report also provided the outcome of a public consultation on a number of options for providing new places.

The consultation asked for views on proposals to open a new primary school on the 'Chiltern Road' site in Maidenhead; and to expand Larchfield Primary and Nursery School, Lowbrook Academy, St Luke's Church of England Primary School and St Mary's Catholic Primary



School. The report proposed a strategy to allow new primary school places to be provided quickly if demand rises more quickly than now anticipated. Consultation had also taken place with schools and the Schools Improvement Forum and Schools Forum.

The Director of Children's Services informed that with regards to recommendation 5 permission was given to start the process for a new free school on Chiltern Road if required but with regards to Larchfield Primary and Nursery School permission was only to start a consultation.

Cllr McWilliams said that he welcomed the report that agreed that now was not the time to expand Cox Green but glad that this was just put on hold until it was appropriate to undertake the works.

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

- I. gives in principle agreement to the opening of a primary free school on the Chiltern Road site.**
  - II. notes the inclusion of budget in the Royal Borough's 2022/23 capital programme for new primary school provision, which could be used to fund the wider refurbishment of the site.**
  - III. requests a report in February 2022 on options for temporary occupation of the Chiltern Road site, and its refurbishment, ahead of any new free school opening.**
  - IV. requests that demand for primary school places in Maidenhead is kept under review, and that proposals for expansion at Lowbrook Academy, St Luke's Church of England Primary School and St Mary's Catholic Primary School are brought back to Cabinet for consideration in Autumn 2022, or earlier if required.**
  - V. delegates authority to the Executive Director of Children's Services, in consultation with the Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health, to:**
    - start the free school competition process for a new primary school at Chiltern Road.**
    - carry out public consultation on a more detailed proposal for the expansion of Larchfield Primary & Nursery School.**

**In both cases decisions to proceed should take into account the target of 5% surplus places, both locally and across Maidenhead as a whole.**
  - I. requests a new report, in Autumn 2022, providing an update on school places and a review of the strategy for primary places in Maidenhead.**
- D) **DRAFT REVENUE BUDGET 2022/23**

Cabinet considered the report regarding the Council's proposed draft revenue budget for 2022/23 based on information as we currently know it.

The Lead Member for Finance and Ascot informed Cabinet that this was the third draft budget of this term he had the pleasure to present. The 2020-21 budget met, for the first time, all of the requirements of financial legislation associated with budget setting, an important step in establishing robust financial governance.

Covid 19 dominated 2020-21 and but for a robust budget and government support we and many other councils could have been in s114 territory. That year saw a step change in our financial capacity and capability that enabled us to work through Covid scarring and set a balanced and workable budget for 2021-22.

To help balance that budget and maintain a commitment to support the most vulnerable the administration made the very challenging decision to review and transform the Library Service. Following what turned out to be a very positive consultation with residents, Parish Councils and members of the opposition, opening hours were reduced but no Libraries were closed. On all measures RBWM Libraries continue to compare favourably with the best and he could

understand why the Department of Culture Media and Sport had shown an interest in our model. This Administration faced up to difficult issues.

The Council had just endorsed the 2021- 2026 Corporate Plan which was designed to set our focus on driving the change we want to see in the borough's future. It was based on evidence of the most important challenges we faced and sets out our priorities for change. The revenue and capital budgets provided the resource to enable us to deliver against those goals.

The October Comprehensive Spending Review set out the funding available to support the 2022/23 budget. This increased grant funding by £1.6 billion a year for three years and announced that all Council's core spending power would increase by around 6.2% including CT increases.

For Windsor and Maidenhead this meant additional grant funding of £3million and this had been included in the Medium-Term Financial Plan. This was a reasonable assumption to make but it was not without risk until the final settlement was announced.

If correct it lead to a balanced budget for 2022/23 with Council Tax increasing by 3% made up of 2% CT and 1% Adult Social Care precept, importantly for residents the overall increase will be 2% less than last year and well below Government's measure of inflation.

The draft budget was included at Appendix A on page 592. This showed key movements from the 2021/22 plan including inflation, demographic growth, reversing out more than £8 million of Covid costs. Importantly it included investment and growth bids and service savings and income generation proposals.

Unlike last year proposed growth is greater than savings by £2million, where savings are made much had been re-invested into the Corporate Plans re-aligned goals and priorities and not cutting our spending.

The Corporate Plan sets out our priorities, goals and aspirations so it was appropriate to explain a few of the budget proposals through the narrative of the plan.

Priorities in the plan include:

- Quality infrastructure that connects neighbourhoods and businesses, well we are adding £300K to the revenue budget to align ourselves to the National Bus Strategy.
- Taking action to tackle climate change, the budget includes £250K a year in support of our Climate strategy.
- Children are our future and borough schools do a great job in helping them achieve their aspirations but there is a cohort of young people who for well documented reasons have difficult lives. We propose to invest more than £10 million over the next 5 years to support young people and to meet the corporate plan's thriving communities' goals.
- This year the Council purchased Cedar Lodge in Windsor to be used as temporary accommodation and Officers were recruited to manage the apartments, adding another officer to create a team will enable us to bring in-house the management of temporary accommodation and reduce overall costs by £65K. As the Leader had said many times, when it makes good business sense, we will bring subcontracted services back in-house.
- In all comparisons he had seen we are amongst the Country's lowest cost Councils, our issue is income so I am delighted that under commercialisation it is proposed to recruit a fixed term post to review all council current fees and charges, to maximising sponsorship and advertising and identify new opportunities that will deliver revenue of £50K rising to £100K.

Cabinet were informed that the proposals contained in the report would be subject to extensive consultation in order to inform final decisions at Cabinet and Council in February 2022 next year.

The Director of Resources informed that with regards to funding it would not be until mid December 2021 that we would get a breakdown of funding into their different grant areas. This was the best estimate officers could make based on assumptions and available information.

The Chairman thanked the Lead Member and officers for all their work in putting together this administrations third draft budget. The councils financial position had been stabilised. There was a long term vision in place, increased investment, tackling climate change, investment in housing, support for the most vulnerable and decreased crime and anti social behaviour with a zero tolerance approach. He was pleased to see a decrease in increasing council tax which was below inflation and the 4<sup>th</sup> lowest in England outside of London and the lowest in Berkshire. They would continue to drive the transformation strategy.

The Chairman informed that this was the earliest a draft budget had been presented, as promised last year. This would give more time for scrutiny and fully funded alternatives to be put forward for consideration. Consultation would start early December and end in January. This administration did listen but the challenge was to put forward alternatives that were either supported by savings or increased revenue. Council Tax could be increased but this would need a consultation at significant costs, money that was best used on services.

The Lead Member for Planning, Environmental Services and Maidenhead informed that he had proposed a small but significant move toward carbon neutrality by changing the waste collection to a fortnightly cycle and removing the Saturday collections. This required the additional purchase of 6 vehicles in 2022/23 funding would partially come from S106 and CIL.

The Lead Member for Public Protection and Parking informed that within his portfolio revenue income had been identified. The enforcement and environmental crime contract had been renewed in line with their zero tolerance stance. Parking numbers have been increasing as we come out of the pandemic and there would be more enforcement to maintain compliance and availability. The Liberal Democrats has said there were plans to charge in rural parking but this was not the case, he had no plans to introduce rural parking charges. At December Cabinet he would be proposing a resident parking discount scheme.

The Lead Member for Transport and Infrastructure mentioned that there was £500,000 included for improvement schemes, support for walking and cycling, increased investment in bus services and there has been the bus service improvement plan submitted to government for improved services and supporting climate change.

The Lead Member for Climate Change, Sustainability, Parks and Countryside said she was pleased to see the £250,000 per year for three years invested in the climate change partnership that can support organisations that brought forward innovative and sustainable ideas.

Cabinet were addressed by Mr Ed Wilson who said it was a great achievement to publish this draft budget so early. Many council's struggled to produce a draft budget for consultation and he was sure the opposition would be putting forward sensible suggestions. With regards to the MTFs he said it was an important document and needed to be more prominent within the report, in five years there would be over £100 million of services each year, £70million less debt and a lot of mayor investment. In ten years there would be no short term debt. There was a lot of information within the document that residents would like to know and thus it should be more prominent. There was also a lot of infrastructure being proposed. He felt that with regards to reserves there could be more clarity.

The Lead Member for Finance said that with regards to contingencies it was said that if not used they would go into reserves. Regarding capital projects this was laid out in the Capital Programme that would be presented separately. During the Pandemic the council had control over its expenditure but not its receipts.

The Deputy Leader of Council said that she supported the draft budget and that last year library services faced a difficult challenge but this had been turned around and was now being looked at as a sustainable model. This was also the second year in a row where staff were being given a pay rise which was well deserved. She looked forward to the consultation and what our residents have to say.

Cllr Baldwin said he was pleased to see the administration following a Liberal Democrat policy of looking at insourcing of services. He had been informed that it could cost as much as £150,000 to support such schemes therefore it needed more investment within the budget. He highlighted the £220,000 for New Homes Bonus and asked what this was, is it linked to planning applications. He also made reference to the additional grant funding that had been announced by Government and asked how this would be divided between councils as there was no detail and experience showed this authority would get zero. If this was the case and grant receipts were not what were assumed what was the plan B?

The Chairman replied that with regards to insourcing or outsourcing this would be done when it was best for the council and our residents. We looked at VFM and quality of service provision. There were many implications of bringing a service back in house such as pensions. With regards to the New Homes Bonus this had been in place for 11 years and was introduced during the Lib Dem coalition.

Cllr Baldwin was also informed that this was the last year of the new homes scheme and that with regards to grants this was contained within the report and as mentioned was based on our best assumptions and calculations.

Cllr Werner mentioned the £3million grant assumptions and asked how confident was the Lead Member in this, would this be support grants and not RSG. There was no plan B, if we did not receive the grant what savings or cuts had been looked at to cover this £3million assumption. There had been a lot of cuts to the arts and this budget shows zero funding to the arts, where was the support to save the arts within the borough. With regards to fees and charges it mentions an average 4.8% increase but no detail, there could be large increases in some areas and none in others how are we to know. With regards to the purchase of new waste trucks and the removal of Saturday collections, at O&S it was said this was reverting back to the original contract pre pandemic. If this was the case why the additional costs, was the original contract not sufficient. He was pleased to see insourcing mentioned and was happy to give advice.

The Chairman thanked Cllr Werner for his comments and said there was still a long way to go in the process. He looked forward to see tangible funded suggestions to this draft budget. With regards to the arts the administration were currently in discussion with Norden Farm and now was not the appropriate time to discuss in public. There were plans for a local lottery to help support grants to organisations. He also said that with regard to waste vehicles this had been explained by the Lead Member earlier.

The Lead Member for Finance and Ascot said with regards to a plan B he had not seen a Liberal Democrat plan A. with regards to the Government grants he had faith in his officers who had considerable experience, had held plenty of meetings with Cipfa, other S151 officer and government departments.

Cllr Price mentioned that she welcomed the proposed introduction of a local lottery. With regards to consultation she mentioned that there was no mention of all O&S Panels being consulted on Corporate O&S. She also mentioned that during last years consultation a number of community groups had been missed and although she informed them it was too

late to allow them make meaningful representation with only three replying. There were also a number of residents who responded, she wanted to see the number increased and that their views were listened to. Only one recommendation (rural car parks) made last year had been implemented.

The Chairman intervened and clarified to Cllr Price that this was about this years draft budget and not last years consultation. He reassured her that he had asked the Head of Communications to include all the community group Cllr Price had raised. He also said it was for all Cllrs to help encourage residents and groups to take part in the consultation. With regards to scrutiny he said Corporate O&S would be reviewing the budget in December and other panels could in January.

The Monitoring Officer said that Corporate O&S Panel would be leading on the budget scrutiny this year and if risks were identified they could be sent to other panels to review. Members of other panel would be invited to take part in the Corporate O&S review.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health said that he was pleased to see this draft budget that had people at its heart. We wanted to consult with people, invest in people and in services. Adult Social Care was continued to be invested in and adaptation to individual needs. There would be a focus on transformation as one fit did not suit all. There would also be continued work in dealing with the pandemic and driving us out of it. With regards to Children's services he noted the £10 million investment over the next 5 years. There would be continued investment in staff and a drive to reduce agency staff so social workers had manageable workloads. There was an increase in social care and a focus on domestic abuse and helping our most vulnerable residents. There were two key words; people and investment.

The Lead Member for Housing, Sport and Leisure, and Community Engagement informed that last year there were over 800 responses to the consultation and he hoped this year would be higher, compared to other authorities this was good. He encouraged as many community groups to take part. With regards to housing there was investment in addition officers and supporting people stay in their own homes. There was capital investment in areas such as John West House and support fro increased affordable housing. There was also investment in supporting our leisure centres.

**Resolved unanimously: that Cabinet agrees the draft budget that will be consulted upon prior to final budget setting during February 2022 including:**

- I. The draft budget and revised Medium Term Financial Plan set out in Appendix A.**
- II. The proposed investment and growth proposals set out in Appendix B.**
- III. The proposed savings and income generation proposals set out in Appendix C.**

E) DRAFT CAPITAL PROGRAMME 2022/23 - 2024/25

Cabinet considered the draft Capital Programme for 2022/23 – 2024/25.

The Lead Member for Finance and Ascot informed Cabinet that the paper sets out the draft capital strategy 2022/23 to 2024/25, the draft capital programme 2023/23 to 2024/25 and the capital cash flow.

he recommend that Members read the capital strategy, the strategy had been recently reviewed by the Audit and Governance Committee and they agreed it was a very readable document that clearly sets out how the Councils manages its long-term capital investment programme and how this related to the Corporate Plan.

Cabinet were informed that we had relatively high levels of borrowing and even with what were historically low interest rates this had an impact on the revenue budget. Our Capital programme was therefore focused on fully funded schemes and unavoidable capital investment. Using this strategy, the Capital Programme was prioritised into four key areas:

- Regeneration schemes
- Major Strategic Acquisitions
- Efficiency Projects
- Operational schemes

These were funded from, capital grants, developer contributions in the form of S106 and CIL, partner contributions, capital receipts and prudential borrowing; With the latter leading to a charge on the revenue budget.

Appendix B on page 635 sets out the aggregate 3-year Capital Programme by Directorate and the following pages show detailed schemes. The programme would increase borrowing by £64.1 M of which £44.7 million related to schemes approved in previous years. He anticipated additional capital investment of £6.6 million and £5 million in 2023/24 and 2024/25 respectively. The impact of this was reflected in the Revenue Budget and MTF Plan

A number of major schemes were included in the programme that were linked to Corporate Plan priorities these were set out in appendix C on page 644 and included Affordable Housing, Broadway Car Park, Vicus Way Car Park and River Thames schemes. The total cost of these schemes over the next three years was £44,732,000. Some would enable the generation of future Capital Receipts; other schemes will generate future revenue income.

Fully funded capital bids were shown in appendix D on page 644. Constraining capital spending meant fewer capital projects for 2023/24 the most significant being:

- The completion of the Vicus Way car park.
- There is £1.5 million to deliver against the Cycle Action Plan.
- £6.6 million on highways and footway maintenance, surface water flooding and bridge repairs.
- £750K on street lighting.
- £9M the River Thames schemes.
- £8m on affordable housing and temporary accommodation.
- £400K For Leisure Centre maintenance and equipment upgrades.

Cllr Larcombe mentioned that with regards to the River Thames Scheme the paper refers to £10 million being spent on Datchet, Horton and Wraysbury and Old Windsor and borough wide schemes. The report later refers to £8 million on River Thames Schemes. He said that flooding was mentioned in various places throughout the report and although it was not right to have all in a single line but he asked if they could all be listed together. He asked if the £10 million was for Datchet, Horton and Wraysbury and Old Windsor only and would not be spent elsewhere and that there would be consultation before it was spent.

The Lead Member for Finance and Ascot replied that appendix C showed approved schemes and asked Cllr Larcombe to email him the flood schemes he wanted to see batched together and he would ask finance if this was possible. Cllr Cannon also mentioned that the money was ring fenced for flood liaison schemes along the Thames and there would be consultation with parish councils and stakeholders.

Cllr Werner mentioned that he was keen on an alternative budget and capital programme suggestions but this was dependent on his previous questions being answered. He also mentioned that a couple of years ago members were asked to submit capital bids for their wards but his was put on hold and he could not see any mention of it returning within the report, also some residents had asked him what had happened to the Charters Leisure Centre that had been promised.

The Chairman replied that the administration were still committed to the Charter's LC project but only when it was prudent. With regards to alternative budget proposals he said that Cllr Werner had been a councillor long enough to know how to submit and fully funded alternative proposal, such as funding eco homes.

The Lead Member for Finance and Ascot informed that with regards to the withdrawal of members capital bids this had been undertaken after consulting with officers during that years budget build, he had apologised to members at the time. Not proceeding with the scheme had allowed fund to go into projects such as the councils purchase of new laptops that had resulted in the flexibility required during the pandemic.

Cllr Rayner supported the paper and was pleased to see money going towards the Guildhall.

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

- i) **The draft Capital Strategy 2022/23 – 2024/25 as set out in Appendix A**
- ii) **The draft consolidated capital programme for 2022/23 – 2024/25 in Appendix B.**
- iii) **The capital cash flow in Appendix E**

F) **TRANSFORMATION OF DAY OPPORTUNITIES**

Cabinet considered the report regarding the recommended changes to the day opportunities model for older people and people with a learning disability.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health informed Cabinet that he sought their approval to implement the recommended changes to the day opportunities model for older people and people with a learning disability to ensure that services meet the needs and aspirations of residents.

The original proposal recommended the closure of Windsor Day Centre and Oakbridge Day Centre and retaining Boyn Grove Centre to enable a building bases service for people who needed one. This would be complemented by a service out in the community for those people who do not want or need to be building based.

Consultation was undertaken, he thanked Cllr Rayner for her work in Windsor, and needs analysis, the final recommendations are to close Windsor Day Centre and Oakbridge Day Centre, retaining Boyn Grove for older people and people with a learning disability. 102 survey responses were received: 57 people (66%) told us they were either a person who used current day services or their family carers, the remaining 45 people were either members of the public who did not currently use services or from groups representing the community.

For people with a learning disability who need a building-based service in the Windsor area, the recommendation was to create a smaller building-based day centre offer for people with a learning disability in Windsor at the Mencap building. There were already building-based day centres with sufficient vacancies for older people in the Windsor area, Spencer Denney Day Centre operated by Age Concern Windsor and The Old Windsor Day Centre run by Age Concern Slough and Berkshire East. Both day centres receive grant funding from the Council.

Should the recommendations be approved it would ensure that there were building-based day opportunities across the borough and also provided community-based services for people who either did not want or need to be in a day centre.

The Lead Member for Finance and Ascot mentioned how 14 years ago in Ascot it was decided to provide transport from those who needed support for shopping trips. Providing this support they learnt that there was a desire to be a part of the community and not just go to day

centres. These proposals allowed people to choose the type of service and support was best for them.

Cllr Davies thanked officers for mailing the consultation as it was difficult to undertake during lockdown. She mentioned that with regards to Oakbridge Day Centre there were residents who used the building and it was planned to provide alternative provision at the Mencap building in Windsor, however this was dependent on capital funding for upgrading the disabled use toilets and adaptations to the kitchen. She asked if this funding was not secured what would be done. She was informed that if capital funding was not available they would still look at meeting these needs. The Care Act meant we had a duty of care and the Lead Member had made this provision a priority in the capital build process and was confident that the funding would be available as part of the budget build.

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

- i) Notes the outcome of the consultation and the needs analysis.**
- ii) Approves the final recommendation to close Windsor and Oakbridge Day Centres, retain Boyn Grove and to create a smaller Day Centre in Windsor for people with a learning disability.**

G) 2021/22 FINANCE UPDATE REPORT - REVENUE AND CAPITAL MONTH 6

Cabinet considered the report regarding the latest financial update.

The Lead Member for Finance and Ascot informed Cabinet that as we moved further into the year the availability of transactional and operational data had created greater certainty over the year end outturn position and most services had improved. We now projected a favourable variance of £46K on the revised revenue budget which was an improvement of £389K on month 4.

Cabinet were informed that at the year-end general reserves were now projected to be £7.105M and above the minimum level of £6.7M. There had been a host of budget movements, so he highlighted those that he saw as significant.

In children's Services the picture was complicated, particularly for the deprived, Covid had been the cause of increased domestic abuse, increased levels of referrals and greater complexity of need for children needing placements. This all added to cost but it is made worse, because there was a supply shortage of care places and care providers had opportunistically increased charges. In 2019 a high-end placement cost £250K a year today the has doubled to £500K.

He was delighted to see that the tender for Home to School transport had changed a projected £254K overspend into an underspend of £50K.

Finance had legitimately used just over £500K of the Control Outbreak Management Fund to support the cost of children's placements.

With regards to the Dedicated Schools Grant, over the years the deficit had increased to £3.4M. In a recent conversation with the Director of Children's Services' there was a risk that the council might be called upon to support the deficit, rather than just the schools. The Lead Member had agreed that additional context on this risk would added to the month 8 Finance monitoring report.

Place had suffered more than any other directorate with loss of income, parking revenues in Windsor and Maidenhead were 68% of the budget but based on this data £3Million of the covid reserve allocated to parking would cover the loss.



Leisure centres, run by Leisure Focus, were having a difficult year and, although it was not clear, thanks to Sales Fees and Charges, we would have some income in the order of £500K. We had entrusted some of our most significant revenue generating assets to Leisure Focus, a presentation by Mark Camp-Overy the MD, gave him some confidence that he will improve our leisure offer to residents and sensitively add a dash of commercialism that would increase the financial return.

In Adult Social Care the reported overspend on Mental Health Services sets into sharp relief the impact that Covid has had on some people's lives. Overall ASC was forecasting an overspend of £506K or 1.2% of their £40M budget. Table 19 on page 744 showed that across all services the number of people requiring a service had increased from just over 1000 to 1153 an increase of 11.5% So he might have expected the overspend to be higher. The council have had continuing funding support from the CCG but also costs have been contained, which told us that Optalis and our in-house teams are doing some great work.

Cabinet were asked to consider two new capital projects:

Purchase of Waste Vehicles to deliver the collection model of fortnightly general waste collection, recycling and food waste weekly and green waste fortnightly the contractor required six additional waste vehicles. Two vehicles would be purchased in the current financial year with a further four vehicles to be purchased during 2022/23. Approval was sought to vire £235,000 from the Infrastructure Delivery Programme budget to purchase two waste vehicles with no additional financial impact on the capital programme in the current financial year

Datchet Barrel Arch flood mitigation scheme.

Datchet Barrel Arch was a Victorian brick-built culverted watercourse running west to east through the centre of Datchet. It discharges into the recreation ground ditch, the Penn Road culvert and ultimately into the Datchet Common Brook. Following a comprehensive CCTV structural survey, an outline scheme had been drawn up and costed to line the brick culvert to protect the structure and reduce future maintenance at an estimated works cost of £220,000. £60,000 funding was available in-year to cover survey and design fees. There was no reason to delay the barrel arch project, as it will contribute to the objectives of the River Thames Infrastructure Scheme to mitigate flood risk in Datchet, Horton and Wraysbury. Approval was sought to vire £220,000 of capital budget from the River Thames Scheme Infrastructure project for Datchet Barrel Arch repairs.

Cllr Werner mentioned that over the last four months the budget had gone from left to right, overspend to underspend. He asked if the Lean Member was confident that he now had a handle on the budget. He also asked that with regards to the need to purchase waste vehicles was this a failure of the original contract as we had reverted back to a previous position so there should be no increase costs.

The Lead Member for Finance and Ascot replied that given we had a budget of over £101 million he would not call the recent variations as varying wildly. The Chairman said that as long as there were no significant external impact they were confident in the budgets position.

The Lead Member responsible for the waste contract said that as mentioned earlier in the meeting the additional costs was due to a decision to move towards a zero carbon position and bringing back a five day collection.

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

- I. **The Council's projected revenue and capital position for 2021/22.**
- II. **Approves a capital budget virement of £235,000 to purchase two waste vehicles.**
- III. **Approved a capital budget virement of £220,000 from the River Thames Infrastructure Project to the Datchet Barrel Arch project to mitigate flood risk in Datchet, Horton and Wraysbury.**

H) ACHIEVING FOR CHILDREN RESERVED MATTER CONTRACT AWARDS  
(EXTERNAL AUDIT SERVICES)

Cabinet considered the report regarding Achieving for Children Reserved Matter Contract Awards.

The Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health informed cabinet that the appointment of Achieving for Children's independent external auditor was a matter reserved to Cabinet as part of the Local Authority governance in its role as an owner of AfC. The existing contract with Grant Thornton LLP come to an end this year and AfC requires new independent external auditors to be in place for January 2022.

The report outlined the approach to the procurement and, due to the complexity involved in requiring a procurement decision from all three of AfC's owning councils, it is requested that authority be delegated to the Royal Borough's S151 officer in consultation with himself as Lead Member to approve the new auditor alongside their equivalents in London Borough of Richmond and Royal Borough of Kingston upon Thames.

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

**Delegates to the Council's S151 Officer in consultation with the Lead Member for Adult Social Care, Health, Mental Health and Children's Services the appointment of the new independent external auditor for Achieving for Children.**

I) PROVISION OF INTERNAL AUDIT SERVICES

Cabinet considered the report regarding the provision of internal audit services.

The Lead Member for Finance and Ascot informed Cabinet that the Council entered into a shared internal audit agreement with Wokingham Borough Council which for a number of reasons had not met expectations, the council gave notice and the agreement would terminate on the 31st March 2022. An evaluation of options for internal audit established a partnership arrangement as the preferred option.

A number of partnerships were approached and only the South West Audit Partnership put forward a proposal that met the Council's needs, improves the service and saves money. The partnership included 6 county and unitary authorities, 8 districts and 11 police authorities.

The Audit and Governance Committee considered the report on the 21st October 2021, asked some challenging questions and endorsed the proposals.

**Resolved unanimously: that Cabinet considered the recommendation of Audit and Governance Committee, notes the report and agrees that:**

- I. **The Council becomes a member of South West Audit Partnership for the delivery of internal audit services from 1st April 2022.**
- II. **The Chairman of Audit and Governance Committee is appointed as the Council's representative on SWAP's Owners' Board.**

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.

CABINET MEMBERS' REPORTS

A) NEW PRIMARY SCHOOL PLACES IN MAIDENHEAD

Cabinet noted the Part II appendix.

The meeting, which began at 7.00 pm, finished at 9.45 pm

CHAIRMAN.....

DATE.....

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# Agenda Item 5

## CABINET

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

ITEM	SCHEDULED CABINET DATE	NEW CABINET DATE	REASON FOR CHANGE
Domestic Abuse Safe Accommodation Strategy	n/a	27/01/21	New item
Inclusion of Learning Disability (LD) Supportet Living Block Contract into existing RBWM/ Optalis Contract for Services dated 30th March 2017.	16/12/21	27/01/21	New item

## FORWARD PLAN OF CABINET DECISIONS

CABINET Member, Councillor Johnson Leader of the Council and Chairman of Cabinet, Business, Economic Development, and Property, Councillor Rayner Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, 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, Infrastructure, and Digital Connectivity, Councillor Coppinger Planning, Environmental Services, and Maidenhead, Councillor Hilton Finance and Ascot, Councillor McWilliams Housing, Sport & Leisure, and Community Engagement, Councillor Stimson Climate Change, Sustainability, Parks and Countryside

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

### FORWARD PLAN

ITEM	Private Meeting - contains exempt/confidential information? See categories below.	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings	Date and name of meeting	Date of Council decision (if required)
22 Annual Consultation on School Admission Arrangements	-	To consult on admission arrangements	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel		Cabinet 27 Jan 2022	
Children's Services Capital Programme	-	To approve the capital programme	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel		Cabinet 27 Jan 2022	

**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)
Finance Update	-	Latest Financial Update	Yes	Cabinet Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor		Cabinet 27 Jan 2022	
Approval of Optalis Shareholders Agreement	-	To agree updates to the Optalis shareholders agreement including changes to the board and council appointed directors	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Hilary Hall		Cabinet 27 Jan 2022	
Domestic Abuse Safe Accommodation Strategy	-	The Domestic Abuse Act 2021 brought in the requirement for local authorities to publish a Domestic Abuse Safe Accommodation Strategy	Yes	Cabinet Member for Housing, Sport & Leisure, and Community Engagement (Councillor Ross McWilliams)	Tracey Hendren		Cabinet 27 Jan 2022	
Inclusion of Learning Disability (LD) Supportet Living Block Contract into existing RBWM/ Optalis Contract for Services dated 30th March 2017.	-	This report seeks Cabinet approval to include the LD Supported Living Block contract into the existing RBWM / Optalis Contract for Services with effect from 1st April 2022 when the current contract with a third party	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Hilary Hall		Cabinet 27 Jan 2022	

**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)
		provider, expires.						
24 Budget 2022/23	-	Report which sets financial context within next year's budget is being set. The report includes a recommendation to Council of a Council Tax, it recommends a capital programme for the coming year and also confirms Financial Strategy and Treasury Management Policy.	Yes	Cabinet Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor		Cabinet 10 Feb 2022	
Capital Programme 2022/23	-	To approve the Capital Programme.	Yes	Cabinet Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor		Cabinet 10 Feb 2022	

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)
25 Award of contracts for Domiciliary (Home based) Care for adults	Fully exempt - 3	This report seeks approval to award contracts for the provision of domiciliary care following a tender exercise. The contracts will be awarded for 5 years with the option to extend for a further 2 years commencing in August 2022.	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Hilary Hall		Cabinet 31 Mar 2022	
Financial Update	-	Latest Financial Update.	Yes	Cabinet Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor		Cabinet 31 Mar 2022	
Achieving for Children Reserved Ownership Decisions	-	This report seeks approval of Achieving for Children's Business Plan, annual budget and Treasury Plan.	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel		Cabinet 31 Mar 2022	

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**

Report Title:	2021/22 Mid-Year Data & Performance Report and Proposals for future performance reporting arrangements
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Cllr Rayner, Cabinet Member for Corporate & Resident Services, Culture & Heritage and Windsor
Meeting and Date:	Cabinet, 16 December 2021
Responsible Officer(s):	Emma Duncan, Monitoring Officer and Deputy Director of Law and Strategy  Rebecca Hatch, Head of Strategy
Wards affected:	All

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## **REPORT SUMMARY**

1. *This report presents the 2021/22 Mid-Year Performance Report to Cabinet (Appendix A) which sets out the council's progress in relation to the strategic priorities of the Interim Council Strategy in the period 1 April – 30 September 2021.*
2. *This report also sets out proposals for new performance reporting arrangements, following the adoption of the new Corporate Plan (2021-2026) "Creating a sustainable borough of opportunity and innovation" by Full Council on 23 November 2021. The new performance reporting structures are proposed to take effect from Q1 2022/23, with transitional performance reporting arrangements for the remainder of the 2021/22 financial year. Key changes include the development of a new public-facing dashboard (Citizen's Portal), providing increased transparency to Members and the public.*

## **1. DETAILS OF RECOMMENDATION(S)**

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

- i) Notes the 2021/22 Mid-Year Data & Performance Report in Appendix A.**
- ii) Agrees the proposed arrangements for future performance reporting against the new Corporate Plan (detail at section 2.17 – 2.21).**
- iii) Agrees that the Corporate Overview and Scrutiny Panel should take on primary responsibility for Member Scrutiny of the council's performance.**
- iv) Agrees the proposed transitional arrangements for performance reporting for the period January – March 2022 (detail at section 2.22).**
- v) Requests relevant Cabinet Members, Directors and Heads of Service to maintain and strengthen focus on performance.**

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

**Options**

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

<b>Option</b>	<b>Comments</b>
Accept the recommendations in this report. <b>This is the recommended option</b>	This will enable the introduction of an effective new performance framework to monitor progress against the Corporate Plan and will strengthen existing reporting arrangements.
Not accept the recommendations in the report.	The failure to use relevant performance information to understand delivery against the council’s agreed priorities impedes the council’s ability to make informed decisions and seek continuous improvement.

**Background: Corporate Strategy and performance reporting**

- 2.1 From February 2021 the council progressed the development of a new Corporate Plan 2021-26 to articulate the council’s priorities and strategic direction for the next 5-year period. Its development has followed an evidenced approach with public input by way of a six-week public consultation in the Summer. The Plan as adopted also incorporates revisions in response to recommendations made by the Corporate Overview & Scrutiny Panel, as agreed by Cabinet on 28 October 2021. The Plan is designed to crystallise focus on where the council most needs to drive change over the next 5 years and sets out clear goals for achievement by 2026. The new Corporate Plan was agreed by Full Council for immediate adoption on 23 November 2021.
- 2.2 The development of the new Corporate Plan (and associated performance management framework) to succeed the former Council Plan 2017-21 was originally scheduled to start in early 2020 following the establishment of the new administration in May 2019 Borough Council Election (and subsequent change in Leadership in September 2019). This work was paused on account of the COVID-19 pandemic and an Interim Council Strategy 2020/21 was approved by Cabinet on 30 July 2020 in recognition of the significantly changed operating context that resulted from the global pandemic. In the interests of good governance and transparency, the Interim Council Strategy 2020/21 clarified the revised priorities to which the council needed to respond, acknowledging that former strategic priorities as set out in the Council Plan 2017-21 were no longer as relevant in the context of the pandemic, but where they could be delivered without affecting delivery of interim objectives then this would be supported.
- 2.3 Now that the new Corporate Plan has been agreed, the council will redesign its performance management framework (“PMF”). The new PMF will be developed to report against the Corporate Plan, and the measures and milestones within new underpinning Service Delivery Plans. This will mark a shift in the focus of performance reporting, from an emphasis on operational performance to a focus on the achievement of the agreed Corporate Plan goals. Operational performance metrics and management information will continue to be monitored internally and relevant operational metrics will remain in the performance

framework, recognising the importance of continuing transparency in relation to service-delivery performance.

- 2.4 This refresh also provides an opportunity to assess and improve the current performance reporting cycles and structures, and to take advantage of the opportunities offered by the council's performance reporting system (InPhase) to provide clearer and more timely performance information to the public. The proposals for the new performance reporting arrangements are set out at section 2.17-2.21 and, if agreed, the new framework will operate from April 2022 (Q1 2022-2023).
- 2.5 Reporting for Q1 and Q2 2021-2022 will cover the previous performance framework. Q3 and Q4 2021-2022 is a transition period, during which the new Corporate Plan PMF and related Service Delivery Plans are being developed and finalised. During this period, performance reporting will follow a transitional structure, as set out in section 2.22.

### **Mid-Year Data & Performance Report**

- 2.6 Appendix A sets out the Mid-Year Data & Performance Report. The report provides insights into progress in the period April – September 2021 against the priorities set out in the Interim Council Strategy. It details the council's ongoing response to and recovery from the COVID-19 pandemic and also provides key updates in relation to major workstreams, such as the Transformation Strategy, Environment and Climate Strategy, alongside corporate developments relating to Council Governance, the People Strategy and Medium-Term Financial Strategy.
- 2.7 With the agreement of the Interim Council Strategy 2020/21 in July 2020, all routine performance reports were refocused from Q2 2020/21 onwards to provide insights into the progression of the Interim Council Strategy's priorities. These reports have continued to include all performance metrics previously reported under the Council Plan 2017-21's PMF – now organised by lead responsible service – as a pragmatic means of providing continuing transparency and insight into service-delivery, and maintaining visibility of and accountability for performance trends, throughout the pandemic. Acknowledging the development of the new Corporate Plan, in June 2021 Cabinet agreed that performance reports would continue to be delivered in this format and with this focus until such time as the new Corporate Plan was adopted.
- 2.8 Throughout the period there has been considerable activity in relation to the council's Recovery Strategy, with a series of campaigns launched to provide reassurance to visitors returning to visit our local towns, and to promote the borough as a destination to residents and domestic tourists. Q2 saw the return of some large-scale events to the borough, including Royal Ascot as a government test event and the Royal Windsor Horse Show. The team is currently developing a Christmas campaign for the borough, and a programme of business support training is also in development for roll-out in Q3.
- 2.9 The council has otherwise made good progress throughout the period in the delivery of other priorities under the Interim Council Strategy, despite the ongoing challenges of the pandemic. Key highlights include the council securing

a further £165k of grant funding from the Low Carbon Skills fund that will enable Heat Decarbonisation Plans to be developed across the majority of the council's built estate. We have also been engaging key stakeholders on our draft Biodiversity Action Plan and launching the "Big Conversation" on walking and cycling infrastructure in the borough. In September, Cabinet approved the formation of the RBWM Climate Partnership to bring together public, private and community organisations to shape and deliver our Environment & Climate Strategy. A communication campaign was launched in preparation for the switch to fortnightly waste collections from October, a change which supports the aims of the Environment and Climate Strategy by placing greater emphasis on recycling household waste.

- 2.10 Following on from the successful pilot project in Clewer and Dedworth, the next phase of "Embedding Community Response" was launched in Maidenhead as part of the Transformation Strategy. The Maidenhead project has started to develop partnerships to address some of the health inequalities affecting disadvantaged communities. The period also saw the launch of the EngagementHQ platform, a new digital and integrated tool supporting community engagement and empowerment. Alongside this work, successful engagement with local BAME groups has seen the establishment of a series of Health and Wellbeing workshops at the Friday prayers with the Mosque, and monthly radio campaigns with Asian Star have been established to engage key communities across the Royal Borough.
- 2.11 Considerable work has also been undertaken in the period in relation to testing the council's governance environment against the Centre for Governance and Scrutiny's new Risk and Resilience Framework, which builds on the CIPFA's "Delivering Good Governance". Key areas of work have been identified and incorporated into the plan for the current year Annual Governance Statement. An evaluation of meeting arrangements was also undertaken, with a hybrid model of physical and virtual meeting arrangements agreed by Full Council in September for the remainder of the municipal year. The new arrangements ensure the council's legal requirement to hold decision-making meetings in person are met, but acknowledges the key benefits of virtual meetings as experienced throughout the pandemic – including greater transparency and increased public engagement – by retaining the option to continue non-decision-making meetings in a virtual format.
- 2.12 Q2 also saw the launch of a public consultation to invite feedback in relation to the draft Corporate Plan framework. This feedback helped shape the final Plan which went before the Corporate Overview and Scrutiny Panel in October 2021 as part of a formal "challenge session", before going to Full Council in November 2021 where it was approved for adoption.
- 2.13 Other key highlights in the period include the completion of works to extend the life of the Queen Elizabeth Bridge in Windsor, the launch of a new Family Hub Service to re-focus support on the most vulnerable children, young people and families, and the first official meeting of the Youth Council, a new forum helping to give a stronger voice to children and young people in the borough.
- 2.14 It is acknowledged that this reporting period has also seen the formal end of the Clinically Extremely Vulnerable (CEV) Programme (sometimes known as

Shielding) by central government. For 18 months the Royal Borough delivered, at peak, support to 8,000 residents, by 143 staff, via 80 community organisations and using a network of over 1,000 volunteers. COVID-19 data leads now continue to work with other services to ensure that sensitive data held to support the CEV Programme is now sensitively cleansed or deleted, in line with agreements with relevant central government departments. RBWM is revisiting its Outbreak Control Plan to ensure its continuing relevance, and updates on progress will be presented to the Local Outbreak Engagement Board. The council continues to support local contact tracing.

- 2.15 The impact of COVID-19 continues to be reflected in a number the council's performance indicators. For example, within adult social care people being discharged from hospital typically have more complex needs, particularly as a result of COVID-19, which is impacting on performance in relation to admissions to care homes and reablement. Collection rates for Non Domestic Rates (NDR) is currently showing as behind target and outside tolerance. However, the measures are significantly affected by a number of national relief schemes that were announced in March 2021 after measures had been agreed that in some cases required businesses to be rebilled part way through the financial year to comply with national requirements. This means comparative performance to prior years and the anticipated profile of business rate collection will be different this year. For some businesses, this will have meant that they had not had to make any payments towards business rates since April 2020 but will be expected to now make payments from 1 July, albeit at a lower rate than pre-pandemic. They are now expected to make payments whilst still recovering from the impacts of lockdown restrictions. The Revenues team will assist wherever possible with individual businesses around payment arrangements but our focus still needs to be balanced with securing funds due, particularly given we don't retain a significant proportion of the funds ourselves. Available benchmarking data shows that the non-domestic collection rates for Windsor and Maidenhead are higher than England and Unitary authorities for the last two years 2019/20 and 2020/21.
- 2.16 Furthermore, despite the hard work and commitment of officers to reduce homelessness, the ongoing impact of COVID-19 is reflected in the slow decrease in the number of homeless households in temporary accommodation. It is, however, encouraging to note that, with only 2 exceptions, all performance indicators are on or near target at the close of Q2 (see Table 2). Of particular note is the continuing strong performance in relation to care leavers in education, employment or training following a challenging year in which the impact of the pandemic on the economy was felt very quickly by this cohort of young people, with losses of part-time or zero contracted hours jobs in key sectors and the cancellation of training opportunities.

**Table 2: Summary KPI 2021/22 Q2 Position**

	<b>Green (Succeeding or achieved)</b>	<b>Amber (Near target)</b>	<b>Red (Needs improvement)</b>	<b>Non- targeted performance</b>
Percentage emergency 2hr orders responded to on time (Highways)	X			
Parks and open spaces: Consolidated Performance Score		X		
Percentage household waste sent for reuse, recycling	X			
Percentage safeguarding service-user satisfaction	X			
No. permanent admissions to care for those aged 65+yrs			X	
Percentage rehabilitation clients still at home after 91 days		X		
Percentage care-leavers in education, training and employment (19-21yr olds)	X			
Percentage of re-referrals to Children's Social Care (within 12mths)		X		
Percentage children subject to a Child Protection Plan for 2+yrs on ceasing	X			
Percentage eligible children receiving a 6-8wk review within 8wks	X			
No. homeless households in temporary accommodation				X
No. households where prevention duty has been ended successfully	X			



	<b>Green (Succeeding or achieved)</b>	<b>Amber (Near target)</b>	<b>Red (Needs improvement)</b>	<b>Non- targeted performance</b>
Percentage of Major planning applications processed in time	X			
Percentage of Minor planning applications processed in time	X			
Percentage of Council Tax collected		X		
Percentage of Non-Domestic Rates (Business Rates) collected			X	
Percentage of calls answered within 2mins	X			
Percentage of calls abandoned after 5 seconds		X		
Average no. days to process new claims (Housing Benefits)	X			
Average no. days to process changes in circumstances (Housing Benefits)	X			
<b>TOTAL (20)</b>	<b>12</b>	<b>5</b>	<b>2</b>	<b>1</b>

### **Proposed new performance reporting arrangements (April 2022 onwards)**

- 2.17 The new Corporate Plan, as adopted by Full Council on 23 November 2021, sets out the council's new strategic priorities for the period 2021-26. The Plan provides clear goals for achievement over this 5-year period. Officers are now working to develop a new and robust Performance Management Framework to measure performance and progress against the new Plan.
- 2.18 The establishment of a new Corporate Plan brings an opportunity to reflect on current reporting structures and how they may be refined and evolved. The objectives of the new proposed performance reporting arrangements are as follows:
- 2.18.1 **Improve transparency and accountability** to Elected Members, the public and stakeholders on delivery against the Corporate Plan goals, ongoing service delivery performance and delivery of major programmes.

- 2.18.2 **Strengthen Member scrutiny of council performance** in order to provide stronger challenge and insight, and to strengthen democratic governance.
- 2.18.3 **Strengthen the collective ownership and oversight of council performance** among the Executive and Corporate Leadership, embedding the use of performance data to identify and resolve performance issues.
- 2.18.4 **Improve the use of performance data and programme management within services**, so that services are using performance information routinely to monitor and improve performance and to address emerging issues.

2.19 In order to achieve these objectives, the proposed reporting arrangements are set out at Table 3:

**Table 3: Proposed reporting arrangements**

<b>Objective</b>	<b>Proposal</b>
<p><b>Improve transparency and accountability</b> to Elected Members, the public and stakeholders on delivery against the Corporate Plan goals, ongoing service delivery performance and delivery of major programmes</p>	<p>Develop a new <b>Citizen’s Portal</b> using the InPhase application. This will take the form of a public-facing online dashboard, which will show progress against</p> <ul style="list-style-type: none"> <li>- all Corporate Plan goals</li> <li>- major infrastructure and transformation programmes</li> <li>- key operational performance measures.</li> </ul> <p>In addition, we will produce and publish an <b>Annual Report</b> on the council’s performance, highlighting key achievements and issues.</p>
<p><b>Strengthen Member scrutiny of council performance</b> in order to provide stronger challenge and insight, and to strengthen democratic governance.</p>	<p><b>Corporate Overview and Scrutiny Panel</b> to take on overarching responsibility for scrutinising progress on delivery of the Corporate Plan and wider council performance, to provide a stronger external challenge function.</p> <ul style="list-style-type: none"> <li>- Corporate Overview &amp; Scrutiny to receive a quarterly performance report focusing on areas of concern, or where there has been significant progress.</li> <li>- Corporate Overview &amp; Scrutiny Panel will refer issues requiring further investigation to the relevant other Overview and Scrutiny Panels, and make recommendations to Cabinet to drive performance improvements, as appropriate.</li> <li>- Scrutiny Panels will investigate issues tailored to their interests and remit. Additional context and data will be provided where a Panel chooses to delve into an issue in more depth. The work programme of all Panels will therefore be Member-led and guided by data</li> </ul>

	on where there are challenges with performance, leading to increased impact.
<b>Strengthen the collective ownership and oversight of council performance</b> among the Executive and Corporate Leadership, embedding the use of performance data to identify and resolve performance issues.	<b>Regular performance and risk meetings and performance updates through Lead Member briefings.</b> These will report by exception and embed a stronger focus on providing challenge and problem-solving. This is in line with the council's Corporate Values, and the "empowered to improve" value in particular.
<b>Improve the use of performance data and programme management within services</b> , so that services are using performance information routinely, to monitor their own performance and to address emerging issues	A programme of <b>capacity building</b> will be delivered to strengthen our performance culture and use of performance information to drive improved progress and performance as part of routine internal management, and to identify emerging issues early. All Service Delivery Plans and related performance data will be uploaded on to the <b>InPhase system</b> .

2.20 The proposed reporting arrangements shown at Table 3 would replace the current performance reporting arrangements. Under the current arrangements, the council routinely reports its performance publicly against a suite of metrics aligned to its previous strategic priorities. A Performance Management Framework ("PMF") was developed in 2017/18 which set out a suite of metrics aligned to the strategic priorities of the Council Plan 2017-21, with the PMF reviewed and refreshed annually. The current performance reporting arrangements are as follows:

- **Quarterly reports** delivered to each of the four Overview and Scrutiny Panels, tailored to their interests. It is noted that at present, there may be a considerable time lag between the period covered by the report and the public meeting at which the report is considered, due to the scheduling of meetings. Each Panel's final quarterly report is presented as an "End of Year Data & Performance Report", reflecting on both Q4 and the financial year as a whole.
- **Bi-annual reports** (Mid-Year and End of Year) delivered to and discussed in public Cabinet meetings. These reports focus on a selection of metrics from the PMF which were identified as being of particular importance to the strategic priorities of the Council Plan 2017-21.
- **Routine internal performance discussions** at staff-level and with Cabinet Members.

2.21 The new proposed arrangements will streamline performance reporting arrangements, and enable the Strategy, Policy and Performance Team to spend more time on analysing performance information and identifying and exploring

performance issues. Table 4 provides a summary of the proposed arrangements.

Table 4

Frequency	Internal		External	
	Audience	Meeting	Audience	Meeting
Monthly	Service Review of performance	Service Management Team Meetings	-	-
Quarterly	Corporate Leadership Team	Business Monitoring Meeting	Online Public Facing Dashboard – Citizen’s Portal	-
	Cabinet Members	Lead Member briefings and business monitoring meetings		
			Corporate Overview and Scrutiny Panel	Corporate Overview and Scrutiny Panel Public Meeting
Annual Report			Cabinet	Cabinet;  Corporate Overview and Scrutiny Panel Public Meeting

**Proposed transitional arrangements for performance reporting for the period (23 November 2021 – 31 March 2022)**

2.22 Whilst work to develop Service Delivery Plans and a new PMF is underway, it is acknowledged that continuing visibility of performance is essential in the interests of good governance and transparency. It is therefore proposed that the following reporting arrangements are agreed for the remainder of the 2021/22 financial year:

2.22.1 **Q2 Data & Performance Reports:** covering the period Jul-Sep 2021 under the Interim Council Strategy. It is acknowledged that there should be no impact on the delivery of these reports to each of the four Overview and Scrutiny Panels. These reports will be considered by the Panels in their January 2022 meetings as already scheduled on each Panel’s respective Forward Plans.

2.22.2 **Q3 Data & Performance Report:** covering the period Oct-Dec 2021. It is acknowledged that Q3 marks the Council’s formal transition from agreed strategic priorities set out in the Interim Council Strategy to those set out in the new Corporate Plan and the new PMF will not be in place until 1 April 2022. It is therefore proposed that a single “Interim Q3 Data & Performance Report” is prepared for circulation to all Overview and Scrutiny Panels for each Panel’s consideration. The format of this Interim Q3 Report will be developed by Officers.

2.22.3 **Annual Report:** it is proposed that a single Annual Report is produced to reflect on 2021/22 as a whole.

### 3. KEY IMPLICATIONS

3.1 The key implications of this report are set out in Table 5.

**Table 5: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
The council is on target to deliver its priorities	< 100% priorities on target	100% priorities on target			From 31 March 2022
The council uses performance and management information effectively to identify and resolve issues.	PMF not utilised effectively.	PMF used by services, leadership and Members to identify and resolve issues.			From 31 March 2022

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no direct financial implications arising from the recommendations.

### 5. LEGAL IMPLICATIONS

5.1 There are no legal implications arising from the recommendations.

### 6. RISK MANAGEMENT

6.1 The risks and their control are set out in Table 6.

**Table 6: Impact of risk and mitigation**

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Poor performance management practices resulting in lack of progress towards the council's agreed priorities.	HIGH	Robust performance management within services to embed a performance management culture and effective and timely reporting.	LOW

## 7. POTENTIAL IMPACTS

- 7.1 There are no Equality Impact Assessments or Data Protection Impact Assessments required for this report. There are no climate change or data protection impacts as a result of this report.

## 8. CONSULTATION

- 8.1 Performance against the strategic priorities is regularly reported to the council's four Overview and Scrutiny Panels. Comments from the Panels are reported to Cabinet Members, Directors and Heads of Service as part of an ongoing performance dialogue.
- 8.2 The proposals in relation to the new and interim performance reporting arrangements have been discussed with Directors, Statutory Officers, the Corporate Leadership Team, the Cabinet Member for Corporate & Resident Services, Culture & Heritage and Windsor, the Leader of the Council and the Chairs of each Overview and Scrutiny Panel.

## 9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The full implementation stages are set out in Table 7.

**Table 7: Implementation timetable**

<b>Date</b>	<b>Details</b>
December 2021	Cabinet considers the Mid-Year Performance Report covering the period 1 April – 30 September 2021 and proposed new performance management arrangements.
December 2021 – January 2022	Q2 Data & Performance Reports delivered to each Overview and Scrutiny Panel. Corporate Overview & Scrutiny discuss new performance reporting arrangements.
January – March 2022	New Service Delivery Plans and PMF developed by Services, in close collaboration with the Strategy, Policy and Performance team.  Q3 Interim Data & Performance Report delivered to all Overview and Scrutiny Panels.
April 2022	All Service Plans agreed and uploaded into InPhase. Formal start of new performance management arrangements.  Target start date for Citizens Portal to go-live.

## 10. APPENDICES

- 10.1 This report is supported by one appendix:

- **Appendix A:** Mid-Year Data & Performance Report 2021/22

## 11. BACKGROUND DOCUMENTS

11.1 This report is supported by two background documents:

- Interim Council Strategy 2020/21:  
<https://rbwm.moderngov.co.uk/ieListDocuments.aspx?CId=132&MId=7763&Ver=4>
- RBWM Corporate Plan 2021-26:  
<https://rbwm.moderngov.co.uk/ieListDocuments.aspx?CId=134&MId=7914&Ver=4>

## 12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	12.11.21	23.11.21
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	12.11.21	23.11.21
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)		
Elaine Browne	Head of Law (Deputy Monitoring Officer)		
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)		
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	12.11.21	
Andrew Durrant	Executive Director of Place	12.11.21	24.11.21
Kevin McDaniel	Executive Director of Children's Services	12.11.21	
Hilary Hall	Executive Director of Adults, Health and Housing	12.11.21	23.11.21
<i>Heads of Service (where relevant)</i>			
<i>Insert as appropriate</i>	Head of .....		
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	<b>Councillor Rayner</b>	Cabinet Member for Corporate & Resident Services, Culture & Heritage and Windsor	Yes
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## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Non-key decision	No	No

Report Author: Rachel Kinniburgh, Service Lead – Strategic Policy, Performance and Insights
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# 2021-22 Mid-Year Data & Performance Report

April 2021 – September 2021

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## 1. Executive Summary

- 1.1 This report provides insights into progress against the priorities set out in the Interim Council Strategy in the period April – September 2021. The Interim Council Strategy 2020/21 was approved by Cabinet on 30 July 2020 in recognition of the significantly changed operating context that resulted from the global pandemic. The priorities are:
- **Covid-19 objectives:** focusing on the immediate response, long-term recovery, and new service requirements.
  - **Interim Focus Objectives 2020-21:** focusing on revised service operating plans, development of the Transformation Strategy, Climate Strategy, Governance, and People Plan.
  - **Revised Medium Term Financial Strategy:** focusing on the impact of Covid-19, economic downturn, and government policy.
- 1.3 This report is structured to provide insight into the delivery of the Interim Strategy's priorities (section 2). Performance of measures previously reported to the Cabinet are also included on the basis that these measures provide some insights into service delivery. These measures are grouped in this report by the lead service.
- 1.4 The council has recently agreed a new Corporate Plan 2021-26 to articulate the council's priorities and strategic direction for the next 5-year period. A new performance management framework is now being developed to report against the Corporate Plan.

## 2. Interim Council Strategy: Delivery of priorities

2.1 This section provides a brief overview of key activities and milestones achieved by the council in 2021/22 to date.

PRIORITY:	COVID-19 OBJECTIVES
Item	Achievements and key milestones
<p><b>Response (immediate)</b></p>	<p><b>Community response and Clinically Extremely Vulnerable (CEV) Residents:</b> Local Authority COVID-19 Data Leads have now been asked by the Department for Levelling Up, Housing and Communities, NHS Digital and DHSC to formally conclude operations under the Clinically Extremely Vulnerable (CEV) programme (sometimes known as Shielding) although they still need to be careful.</p> <p>For 18 months the Royal Borough delivered, at peak, support to 8,000 residents, by 143 staff, via 80 community organisations and using a network of over 1,000 volunteers. The Amazon Connect telephony system was delivered at pace to support this and continues to provide services in Adult Social Care and for thousands of ongoing Test and Trace contacts. The Lyon 2.0 community management system was built, tested and deployed in response to this. Further work to the platform is now a key component of corporate transformation given its pandemic success and utility.</p> <p>COVID-19 data leads continue to work with other services to ensure that this sensitive data is now sensitively cleansed or deleted, in line with agreements with the departments outlined above. Continued use of some of this data (as appropriate) may be used in future Health and Social Care prevention work. Learnings in this area continue to support the development of a Data Strategy, in line with future corporate aspirations.</p>
<p><b>Response (immediate)</b></p>	<p><b>Outbreak Control Plan and Local Outbreak Engagement Board:</b> The <a href="#">Outbreak Control Plan Summary</a> was published on the RBWM website on 30 June 2020 in line with national instruction from the Department of Health and Social Care. The plan was produced in collaboration with the NHS and Local Authority to guide our response to the ongoing Covid-19 pandemic, to put in place measures to identify and contain outbreaks and to protect the public’s health.</p> <p>The Local Outbreak Engagement Board is a subgroup of the Health and Wellbeing Board, established to provide public-facing engagement and communication in relation to Covid-19. The Board meets monthly in public. On 6 October 2021 the Government published an updated Contain Framework: <a href="#">COVID-19 contain framework: a guide for local decision-makers</a>. In this document the Government highlights that “the country is learning to live with COVID-19, and the main line of defence is now vaccination rather than lockdown”. In light of this publication, we are revisiting our Outbreak Control Plan to update it and ensure it remains relevant. Updates on the progress of this work will be presented to the Local Outbreak Engagement Board.</p>
<p><b>Response (immediate)</b></p>	<p><b>Community Influencers and Community Information Champions:</b> In October 2020 a new “community influencers” group was established with representatives from various RBWM departments, including Achieving for Children, Libraries and Environmental Health. The group’s aim is to communicate key Covid-19 messages to the wider community, whilst</p>

	<p>targeting messaging to specific demographic groups based on analysis of key datasets. The group launched its “Community Information Champion” scheme in November 2020, through which members of the community can volunteer themselves to receive regular information from the council regarding Covid-19 and then share this information with their family, friends, and other contacts. This approach ensures greater transmission of key Covid-19 messages across the community where other council communication methods may not have reached. Champions can also feedback to the council any questions or requests for clarity from the community. This two-way relationship helps the council to refine its Covid-19 messages and to also dispel any myths that may be circulating regarding the virus. To date, a network of 150 Champions has been established.</p> <p>A new Covid Engagement Officer was recruited, jointly funded by Public Health and the council, to support a wide range of COVID related engagement activities. There has also been the opportunity to vaccinate residents within their localities, with vaccinations being offered on the mobile testing unit.</p> <p>Engagement with communities to mitigate the rise in infections and cases remains a key priority for the council and its partners.</p>
<p><b>Recovery (long-term)</b></p>	<p>The <a href="#">RBWM Recovery Strategy</a> sets out the council’s approach to supporting residents and businesses, empowering communities to thrive and building lasting partnerships with businesses.</p> <p>During Q1 2021-22 activity was focussed on supporting businesses and residents through the government roadmap to reopening which continued through Q2. The campaign “Don’t Let Your Guard Down” was launched to provide reassurance to visitors returning to visit our local towns and the messaging was continued in Q2. Social media channels were used to promote the borough as a destination to residents and domestic tourists. Businesses were offered promotional opportunities through My Royal Borough, Make Maidenhead and Visit Windsor with “shop local” campaigns being run across all channels. Innovative “Tech For Good” tools were used in the form of “Hello Lamp Post”, which lets people talk to street objects and share their thoughts on the high streets and what they want to see in their town centres. All comments are then considered as part of the local recovery plan. This initiative has been rolled out in Windsor with over 4,500 responses to date and there are plans to introduce it in Maidenhead in Q3 to help raise awareness of the regeneration of the town centre and what is happening across the different sites.</p> <p>Q2 saw the return of some large-scale events to the borough including Royal Ascot as a government test event and the Royal Windsor Horse Show.</p> <p>RBWM have been working in partnership with the DWP and other partners to launch a Youth Employment Hub in Maidenhead library which will provide targeted support to young people aged 18-24 in receipt of Universal Credit. Further work is being done to work with employers, education providers and other partners to ensure those looking for employment have the right skills to match the current vacancies. The</p>

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	<p>tourism and hospitality sector are currently finding recruitment particularly difficult.</p> <p>The team is currently developing a Christmas campaign for the borough which will include a programme of events and marketing to attract visitors to our town and villages. A programme of business support training is also being developed which will be rolled out in Q3.</p>
<p><b>Recovery (long-term)</b></p>	<p><b>Local Contact Tracing Service:</b> The council set up a local contact tracing service which started operating in November 2020 to complement the national NHS Test and Trace service. Operating 7 days a week, the service reaches out to residents who have tested positive for Covid-19 but who have not been successfully contacted by the national NHS Test and Trace system. The service introduced a text messaging service in June 2021.</p> <p>RBWM switched to “Local 0” at the end of June 2021. The “Local 0” resulted in RBWM residents that have tested and recorded positive being contacted by a local tracer rather than a tracer working nationally. The purpose of this shift is to:</p> <ul style="list-style-type: none"> <li>• reduce the time before the resident is contacted, and hence further potential cases identified.</li> <li>• allow for a better understanding of types of cases in our borough.</li> <li>• provide a more efficient and proactive approach to identifying trends and taking appropriate action</li> </ul> <p>The opening hours were extended from 10am – 4pm to 9am – 5pm, 7 days a week to support the increased volumes of tracing calls being handled by the RBWM tracing service. This adoption of the Local 0 option reflects the national ambition to have more calls ‘handled’ locally to increase the overall effectiveness of contact tracing. This change dramatically increased the number of cases RBWM handled and a recruitment drive was put in place in order to support the extended service and increased level of capacity necessary. In broad terms the switch to Local 0 resulted in a doubling of the numbers of calls being undertaken by the RBWM tracing team. This increased volume was further extended when the schools returned and a revised arrangement with the national service was implemented whereby half of the borough was reverted to the national service whilst the other half remained with the Local 0 arrangements. This set up is being actively reviewed in Q3, although the steady increase in overall rates in October suggest the current half way alternative may need to remain in place, further details will be provided in Q3 reports. The overall volumes of local contact tracing cases in Q2 completed by the team was 2,593 cases/4,954 calls (in Q1 the volume was 301 cases/526 calls). This significant increase in volumes is due to the Local 0 approach.</p>
<p><b>Recovery (long-term)</b></p>	<p><b>Lateral Flow Device Tests:</b> In February 2021 rapid Covid-19 test centres were opened in RBWM at Braywick Leisure Centre and Windsor Leisure Centre, offering 30-minute Lateral Flow Device Tests (LFDTs). These test-sites were initially aimed at people working in public-facing roles who do not have Covid-19 symptoms and were not able to work from home. The purpose of the tests was to identify asymptomatic carriers of the virus. This limited service was extended in April 2021 so that anyone was able</p>

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	<p>to access the LFDT at the centres, or to pick up a home-testing kit or get a rapid Covid-19 test at Braywick or Windsor Leisure Centre as lockdown restrictions were eased. In addition to the leisure centre test-sites, a mobile testing offer was started at Ascot Racecourse and deployed at a number of other locations to seek to encourage more people to take regular tests.</p> <p>As the availability of test-kits was extended to other options, including the Pharmacy collect and the online home delivery service, the operating hours were adjusted at both leisure centres to reflect ongoing demand. This saw the Lateral Flow Test (LFT) sites reduced to 2 booths at each site and moved to revised delivery areas to allow the leisure centres to reuse the original spaces for leisure income generating activities. The revised operation, implemented in Q1 May 2021, was still able to deliver the service to meet the ongoing demands.</p> <p>The mobile unit visited a number of outlying locations to seek to increase overall testing and offered assisted testing as well as distributing Community Collect kits. The mobile unit was also used to support “pop up” vaccination opportunities at locations being agreed with the NHS.</p> <p>During Q2, 2,938 LFTs were completed (Q1: 6,329); these were carried out at Windsor Leisure Centre, Braywick Leisure Centre and via the mobile unit. 3,262 Community Collect kits have been distributed (Q1: 5,823) via 9 channels including the mobile unit, Windsor Information Centre, and the 5 leisure centre reception areas.</p>
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PRIORITY:	INTERIM FOCUS OBJECTIVES 2020-21
Item	Achievements and key milestones
<b>Revised Service Operating Plans</b>	<p>As part of the organisational recovery strategy, services have made changes to existing operating models where necessary to continue to deliver services with customers being at the centre of it. One example has been the <a href="#">Library Transformation Strategy</a>. This strategy is the outcome of the public library consultation and focuses on facilitating and coordinating, via community groups and other partners, a range of services for everyday life to meet community needs. One such example is the select and deliver service supported by volunteers to ensure all residents are able to access library services regardless of mobility, disability or distance from a static library or any other barrier.</p>
<b>Transformation Strategy</b>	<p>The <a href="#">Transformation Strategy 2020-2025</a> was unanimously approved by the Cabinet Transformation Sub-Committee on 22 September 2020. The strategy’s development responds to key challenges surrounding the council’s financial position and builds upon the strong foundations of innovation and community-empowerment that quickly developed in response to the Covid-19 pandemic. The Strategy aims to deliver radical changes to the way in which the council operates and identifies 6 key areas for transformation (culture, environment, prevention, digital, process redesign and finance).</p> <p>Action plans by which to deliver the Strategy are at sign-off stage with quarterly Cabinet Transformation Sub-Committee meetings being added to the corporate diary. Whilst Covid-19 has impacted progress, a number of projects have been implemented, proving that design and innovation</p>

	<p>can be done quickly and in an agile fashion. Asset Based Community Development methods have been used to deliver the Embedding Community Response (ECR) project in Clewer and Dedworth. This project has created a blueprint for the council to work with communities to co-produce and co-design ways of delivering community projects.</p> <p>In April 2021, the next phase of 'Embedding Community Response', was launched in Maidenhead, with the creation of five subgroups working directly with communities and partners.</p> <p>The RBWM Together Engagement site has launched and this will be used as an integrated tool for community engagement and empowerment.</p> <p>The ECR pilot in Clewer and Dedworth will start to establish a partnership with libraries to extend the concept across the rest of Windsor. The Maidenhead project has started to develop partnerships to address some of the health inequalities affecting disadvantaged communities.</p> <p>A successful bid to the NHS Charities fund has given us the opportunity to innovate a joined-up health, social care, and community initiative called 'Wellbeing Circles'. The programme refers individuals in need, for wrap-around support led by the community (Maidenhead Magpies) but backed up by the council and NHS in a unified approach. Whilst needs differ across the individuals, the support being offered is similar. Supporting the vision of enabling people to remain independent for longer, this project will also test some of the technology enabled care systems available on the market to embed digital solutions as part of the personalised care.</p> <p>The Wellbeing Circles has successfully been extended with additional funding to continue this beyond the pilot project.</p> <p>Successful engagement with the BAME groups has enabled us to create a series of Health and Wellbeing workshops at the Friday prayers with the Mosque. This is a real breakthrough for RBWM as we have not only included our mobile test unit as a partner, going forward Social Prescribing and Public Health will be joining us. A joint bid will be put forward to Berks Get Active together with the Mosque and The Maidenhead Rowing club. Engagement with the Mosque will also enable us to work with the BAME Carers support groups at the Mosque. We will be extending these engagement sessions with the South Indian community going forward. Monthly radio campaigns with Asian Star have been established to engage key communities across RBWM.</p> <p>The new digital platform EngagementHQ platform has been launched successfully and over 70 projects are now being developed across council services. This will improve engagement with surveys, consultations, service design and development, both externally and internally with staff. Work to structure and formalise the RBWMTtogether page is ongoing, as the platform continues to expand to new areas.</p> <p>Development of the Lyon 2.0 community engagement platform continues, having been used by over 100 staff to support 8,000 vulnerable individuals in the community during the pandemic. Further funding bids have been written and interviewed for (awaiting result), to be able to develop this platform for further corporate uses. In conjunction with Health and Voluntary and Community Sector partners, the platform is being</p>
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	<p>developed following its success during the pandemic to aid transformation towards a prevention model in key service areas.</p> <p>Continued research and analysis into the corporate use of data continues, as the Borough aspires to producing its first Corporate Data Strategy. A proof of concept delivered by Amazon AWS has now been agreed in principle, to demonstrate the data potential that RBWM currently holds. As this is a new type of project for the Royal Borough, it cuts across traditional service boundaries, with quicker, more agile working relationships being developed to deliver this to maximum effect.</p>
<p><b>Environment and Climate Strategy</b></p>	<p>The Council has made good progress against the action plan. Key achievements have included securing a further £165k of grant funding from the Low Carbon Skills fund that will enable Heat Decarbonisation Plans to be developed across the majority of the Council’s built estate including 19 schools, 10 libraries, the Town Hall and the Guildhall.</p> <p>We have also been engaging key stakeholders on our draft Biodiversity Action Plan and launching the “Big Conversation” on walking and cycling infrastructure in the borough.</p> <p>Cabinet approved the formation of the RBWM Climate Partnership in September which will bring together public, private and community organisations to shape and deliver our Environment and Climate Strategy for the borough.</p> <p>A communication campaign was launched in preparation for the switch to fortnightly waste collections from October, a change which supports the aims of the Environment and Climate Strategy by placing greater emphasis on recycling household waste.</p>
<p><b>Governance</b></p>	<p>A new full-time Monitoring Officer and Deputy Director of Law and Strategy joined the Council in February 2021 to lead a new Governance, Law and Strategy Directorate and to bolster the council’s governance capability.</p> <p>The focus of the Directorate since February 2021 has been to develop robust processes and systems to enhance decision-making and performance and to develop a culture to support this.</p> <p>Key areas of focus in Q1 and Q2 have been as follows:</p> <p>Identifying and responding to key governance issues: The Statutory Officers Group consisting of the Head of Paid Service, S151 Officer, Monitoring Officer and deputies oversee the governance framework and meet regularly to discuss issues of concern and monitor the progress and actions contained in the Annual Governance Action Plan.</p> <p>In Q1 the Council’s governance environment has been tested against the Centre for Governance and Scrutiny’s new Risk and Resilience Framework, which builds on the CIPFA’s “Delivering Good Governance”. Key areas of work have been identified and incorporated into the plan for the current year Annual Governance Statement (AGS).</p> <p>The AGS itself has been revised to reflect best practice, and an Action Plan identifying key governance themes is in place. The items identified for action are being progressed and monitored through the Statutory Governance Officer Group and will be reviewed quarterly by the Audit and Governance Committee.</p>



	<p>Member Code of Conduct: A new Code of Conduct has been adopted and Members trained. Training has also been provided to Parish Councils. Members have also been given training on social media usage.</p> <p>Corporate Plan: The Corporate Plan is a key document in terms of delivering outcomes for our residents and communities and measuring performance. The development of the plan is following an evidence-based approach and has been through public consultation. The draft plan was considered by the Corporate Overview and Scrutiny Panel in October in a “challenge session” and was approved by Cabinet for referral to Full Council in November.</p> <p>Communications and engagement: Consultation best practice guidance has been developed and circulated and builds on a more rigorous process that has been introduced on Equality Impact Assessments (EQIAs). A new Communication Protocol and Engagement Strategy is in the process of being developed. An e-newsletter is being produced for Parishes to foster closer working and better outcomes for residents. A Communication Team Protocol has been developed and will be considered by the Constitution Working Group at their next meeting in October.</p> <p>Constitution: The Constitution has been reviewed and updated during the year. There is a greater focus on using the rules of debate to support effective decision-making. The Constitution Working Party is due to meet to consider proposed changes to the Constitution.</p> <p>Following the CIPFA financial governance reviews, detailed action plans were developed in relation to finance and pension fund governance and these have continued to be monitored and reviewed throughout the year. All actions for the finance governance review have been started and almost all actions completed in year. For the pensions action plan, these are reported to the Pensions Fund Committee and over half have already been completed and the rest are expected to be completed to the timelines agreed.</p> <p>Council meeting arrangements: An evaluation of meeting arrangements was also undertaken, with a hybrid model of physical and virtual meeting arrangements agreed by Full Council in September for the remainder of the municipal year. The new arrangements ensure the council’s legal requirement to hold decision-making meetings in person are met, but acknowledges the key benefits of virtual meetings as experienced throughout the pandemic – including greater transparency and increased public engagement – by retaining the option to continue non-decision-making meetings in a virtual format.</p>
<p><b>People Plan</b></p>	<p>The council’s appraisal process was relaunched in June 2021. Now called “Connect”, forms have been updated that support the scoring of objectives as well as the review of how work is undertaken in line with our values of:</p> <ul style="list-style-type: none"> <li>• Invest in strong foundations</li> <li>• Empowered to improve</li> <li>• One team and vision</li> <li>• Respect and openness.</li> </ul>

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	<p>The new format has been used by the Chief Executive and Directors in their recent end of year reviews and across all levels in the organisation. The next stage will be to move the process online and into the HR Information System “iTrent”.</p> <p>The updated People Strategy and People Activity Plan have now been finalised following feedback from Corporate Leadership Team, Ambassador group and Equality, Diversity and Inclusion network and are due to be shared with all employees in October.</p>
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PRIORITY:	REVISED MEDIUM TERM FINANCIAL STRATEGY
Item	Achievements and key milestones
<b>Revised Medium Term Financial Strategy</b>	<p>The Medium-Term financial strategy was refreshed and approved during 2020/21 and was approved at Full Council on 23 February 2021 as part of setting the budget for 2021/22.</p> <p>At Cabinet in July, an update on the medium-term financial plan was considered that set the financial criteria necessary to commence the development of the 2022/23 budget, according to the agreed strategy.</p> <p>Any revisions to the strategy will be considered throughout the budget setting process for 2022/23.</p>

### 3. Service Performance Summary Report (YTD)

- 3.1 Performance of measures previously reported to Cabinet as part of the former PMF are set out here on the basis that these measures provide some insights into service delivery (priority 2).

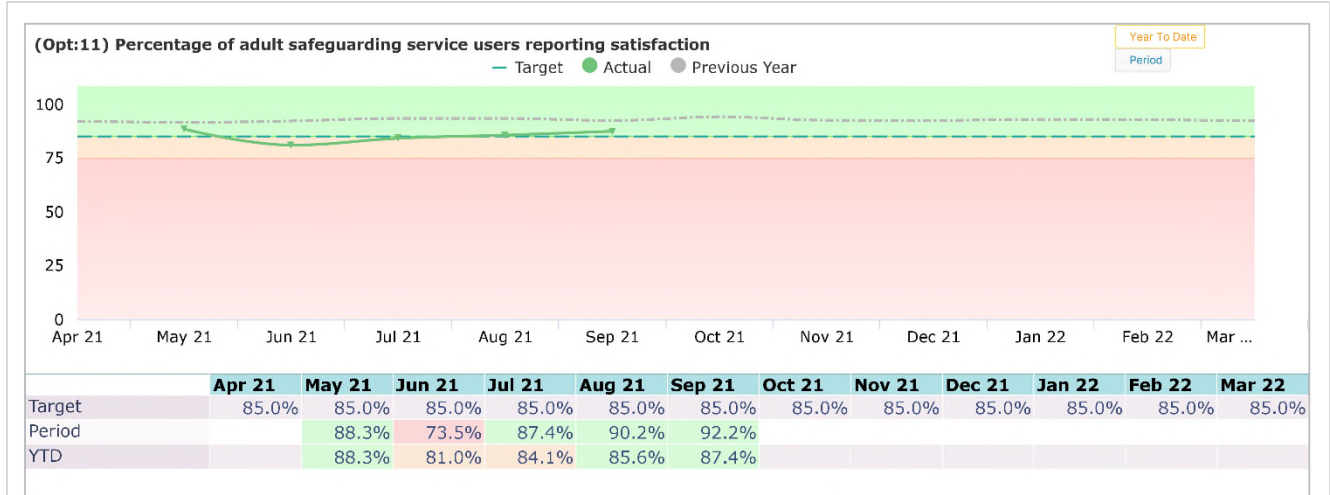
	Green (Succeeding or achieved)	Amber (Near target)	Red (Needs improvement)	Non-targeted performance
Percentage emergency 2hr orders responded to on time (Highways)	X			
Parks and open spaces: Consolidated Performance Score		X		
Percentage household waste sent for reuse, recycling	X			
Percentage safeguarding service-user satisfaction	X			
No. permanent admissions to care for those aged 65+yrs			X	
Percentage rehabilitation clients still at home after 91 days		X		
Percentage care-leavers in education, training and	X			

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	<b>Green (Succeeding or achieved)</b>	<b>Amber (Near target)</b>	<b>Red (Needs improvement)</b>	<b>Non-targeted performance</b>
employment (19-21yr olds)				
Percentage of re-referrals to Children's Social Care (within 12mths)		X		
Percentage children subject to a Child Protection Plan for 2+yrs on ceasing	X			
Percentage eligible children receiving a 6-8wk review within 8wks	X			
No. homeless households in temporary accommodation				X
No. households where prevention duty has been ended successfully	X			
Percentage of Major planning applications processed in time	X			
Percentage of Minor planning applications processed in time	X			
Percentage of Council Tax collected		X		
Percentage of Non-Domestic Rates (Business Rates) collected			X	
Percentage of calls answered within 2mins	X			
Percentage of calls abandoned after 5 seconds		X		
Average no. days to process new claims (Housing Benefits)	X			
Average no. days to process changes in circumstances (Housing Benefits)	X			
<b>TOTAL (20)</b>	<b>12</b>	<b>5</b>	<b>2</b>	<b>1</b>

## 5. Adult Social Care: Performance Trends

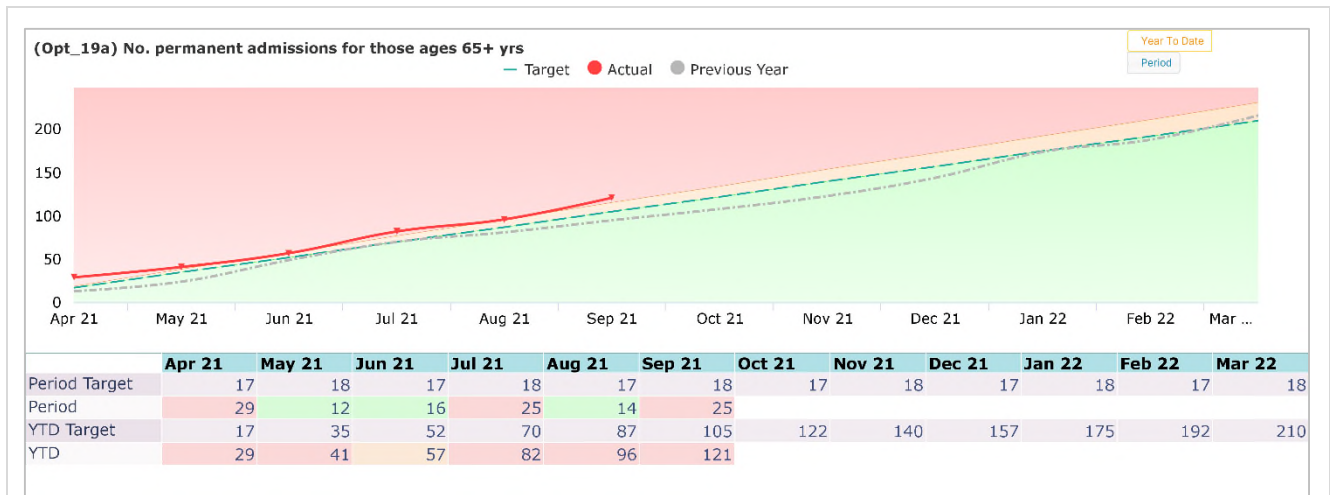
### 5.1 Adult safeguarding



#### Q2 Commentary

The target for this measure is 85% with red flag raised if performance is equal to/below 75%. Monitoring safeguarding service-user satisfaction is important to provide assurance that processes are sound and that outcomes sought from the safeguarding investigation have been achieved. The downward trend in performance in June was robustly interrogated by the service and revealed some inaccuracies in how answers to questions on the survey were recorded. This was corrected for Q2 and performance has returned to existing levels which is an encouraging indication that existing processes are sound.

### 5.2 Permanent admissions to care



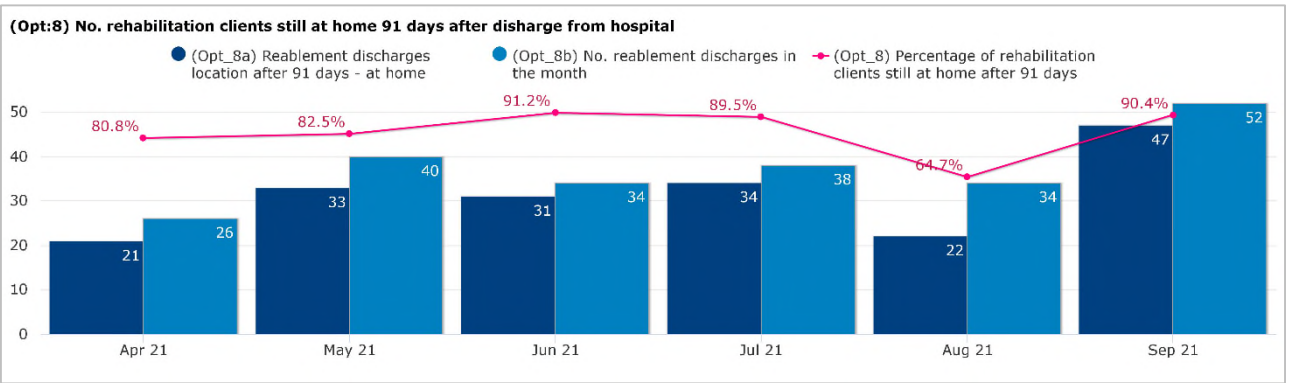
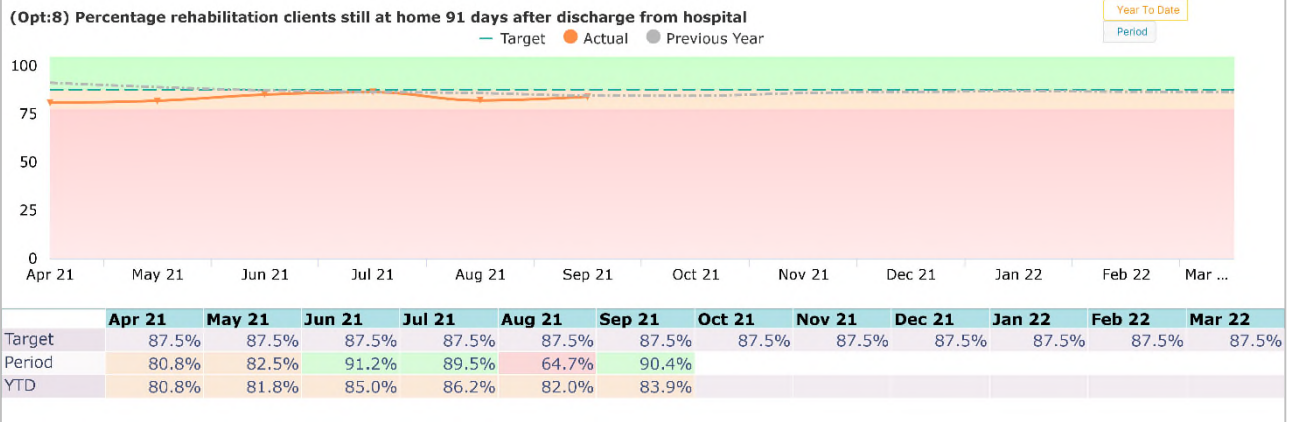
#### Q2 Commentary

The year-end target for this measure is 210 and profiled monthly. A red flag is raised if YTD volumes are at/exceed 10% of the target. At the close of Q2 the year-to-date volume of permanent admissions to care is 121, above the target of 105 and outside of tolerance for this measure. This position is influenced by higher volumes of permanent admissions in July (25) and September (25) and reflects the fact that more people are being discharged from hospital with higher and more complex needs which means that they cannot be safely supported in their own homes. The service continues to focus on prevention and keeping people living in their own homes for as long

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as possible but at the current time, more and more people are requiring more intense nursing and residential care home support in order to meet their needs.

**5.3 Reablement**



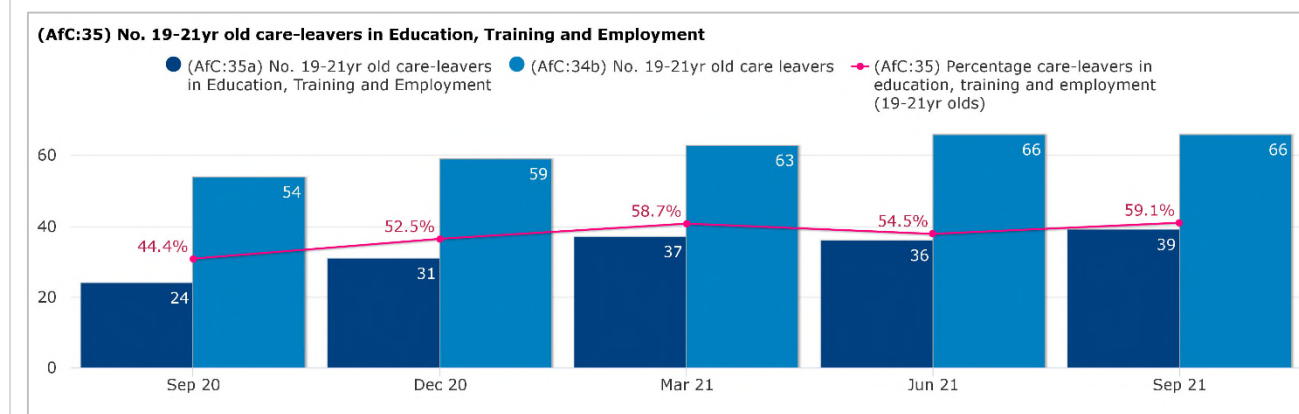
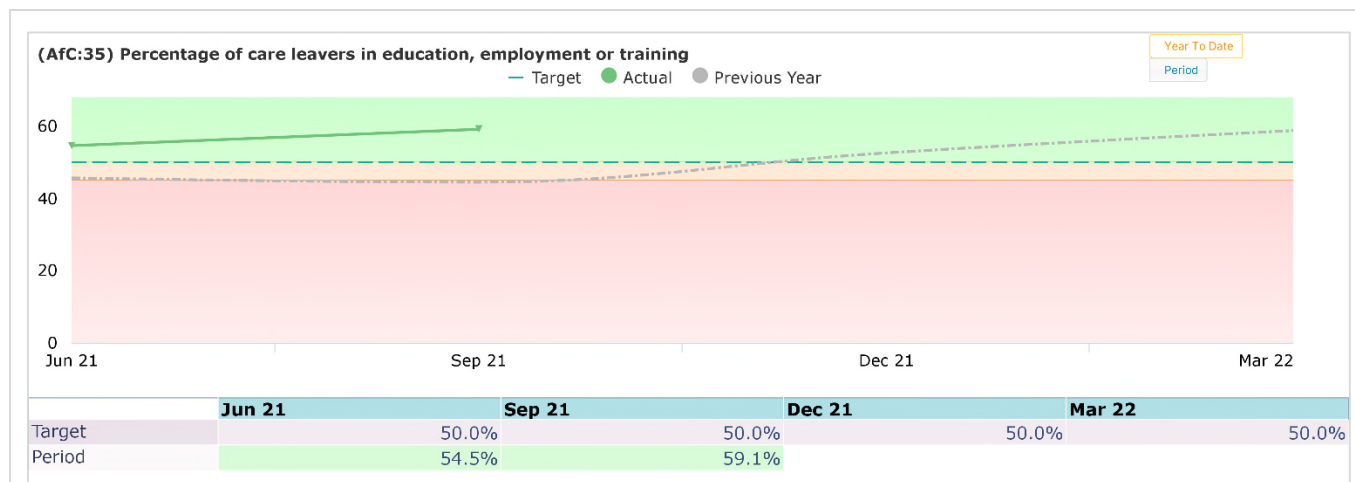
**Q2 Commentary**

*The target for this measure is 87.5% with red flag raised if performance is equal to/below 77.5%.*

As at the close of Q2 the year-to-date percentage of rehabilitation clients still at home 91 days after discharge from hospital is 83.9%, below the target (87.5%) but within agreed tolerance thresholds. Performance of this measure is inevitably impacted by the level of need and frailty of the individuals within the cohort, and this has been exacerbated by the impact of Covid-19. As outlined at 5.2, we are seeing more people being discharged from hospital with more complex needs which require more intensive support within care homes rather than returning to their homes.

## 6. Children’s Services: Performance Trends

### 6.1 Care Leavers



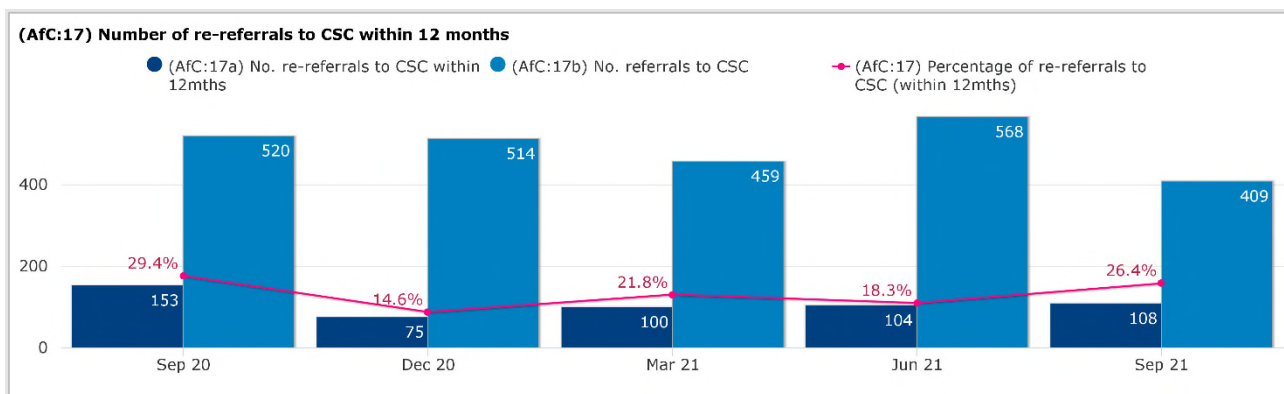
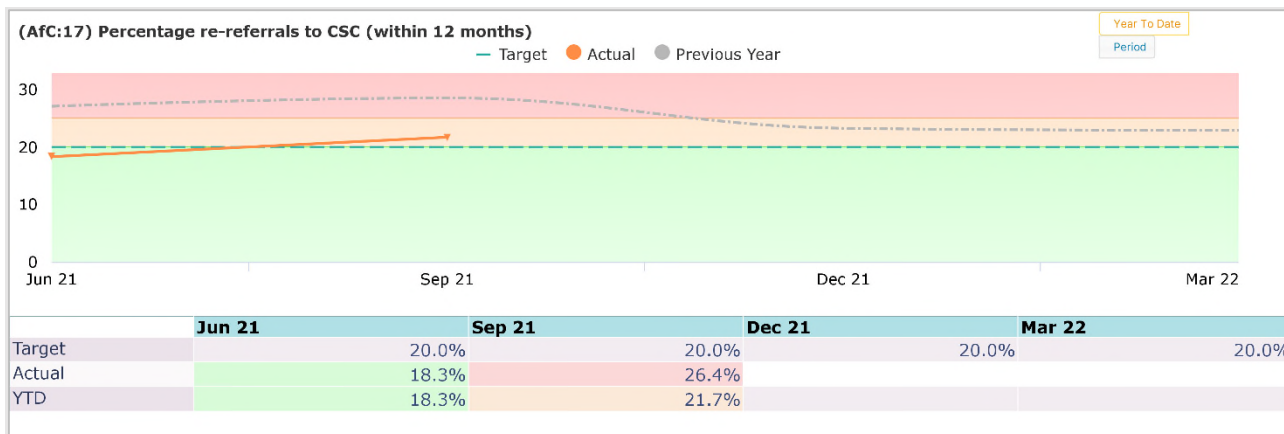
#### Q2 Commentary

*The target for this measure is 50% with red flag raised if performance is equal to/below 45%.*

Supporting the wellbeing and aspirations of children in care and supporting care-leavers to achieve their full potential is of paramount importance. At the close of Q2 the percentage of care-leavers in education, employment or training stands at 59.1% (39/66), above target of 50%. It was noted in Q1 that this measure was not expected to bounce back until education and employment opportunities reopened in sufficient volume so we are pleased with the rapid return to a positive position.

The support on offer, from a range of services and partners, included the Kickstart Scheme and Youth Mentors which has increased the number of care leavers gaining employment and training opportunities and the development of the virtual college. Young people tell us that there is more to do to help them find opportunities for manual work.

## 6.2 Children’s social care



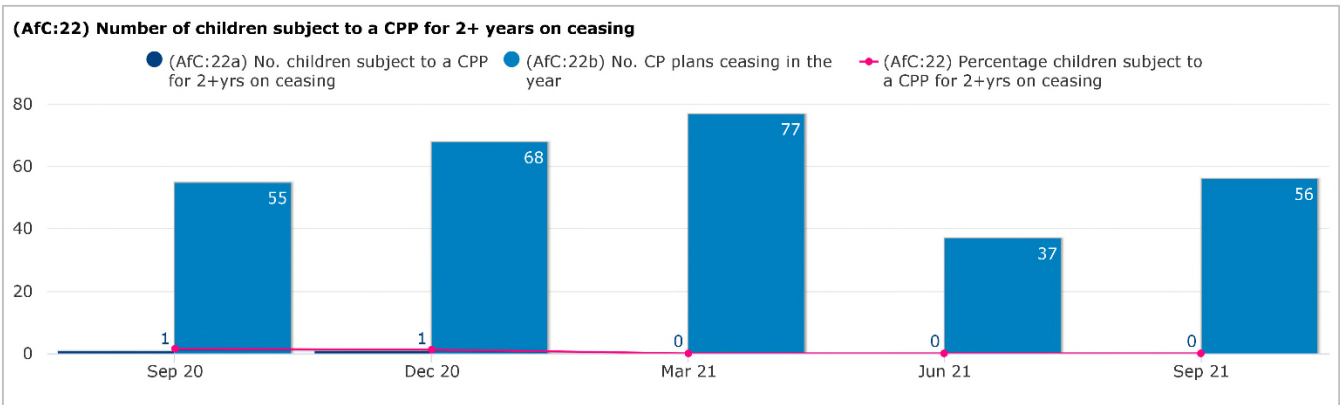
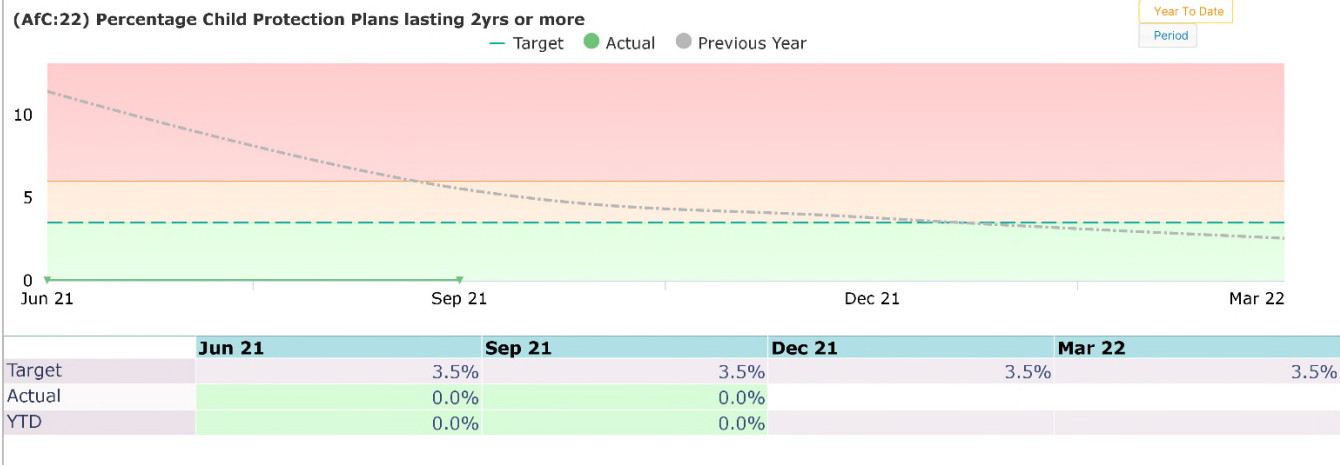
### Q2 Commentary

The target for this measure is 20% with red flag raised if performance is equal to/exceeds 25%.

A referral is a request for services to be provided by children’s social care and is in respect of a child who is currently not assessed to be in need. A referral may result in an initial assessment of the child’s needs, the provision of information or advice, referral to another agency or no further action. This indicator reports the number of referrals that are received within 12 months of a previous referral being received.

At the close of Q2 to year-to-date performance is 21.7% (212/977), above the target (20%) but within tolerance for this measure despite a notable rise in Q2 performance. Q1 saw the highest volume of referrals to children’s social care (568) compared to quarterly outturns in 2020/21 which we believe is driven by the continuing pressures of the pandemic. The service continues to see a high level of demand and Service Managers scrutinise all children re-referred at monthly performance board. This review provides reassurance that the service is confident about the thresholds being used in the Single Point of Access.

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**Q2 Commentary**

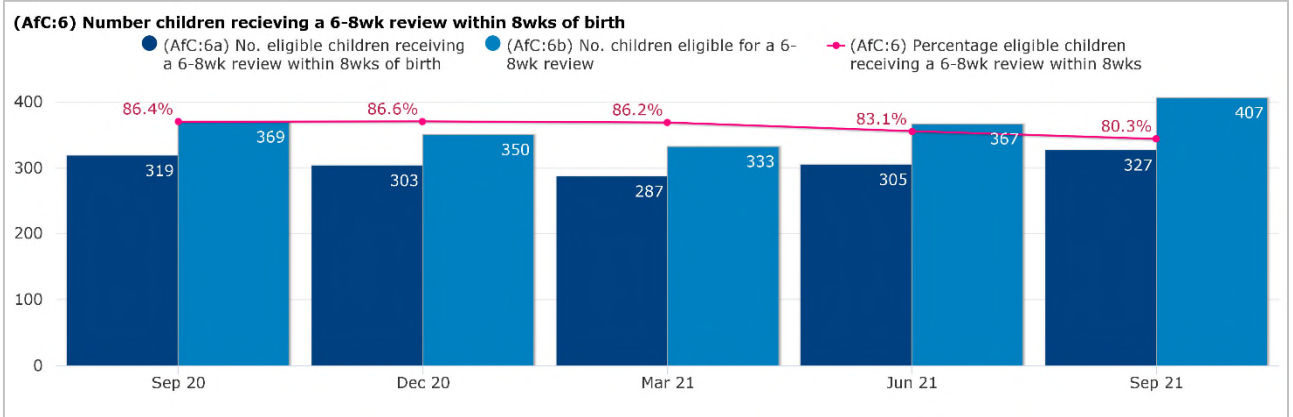
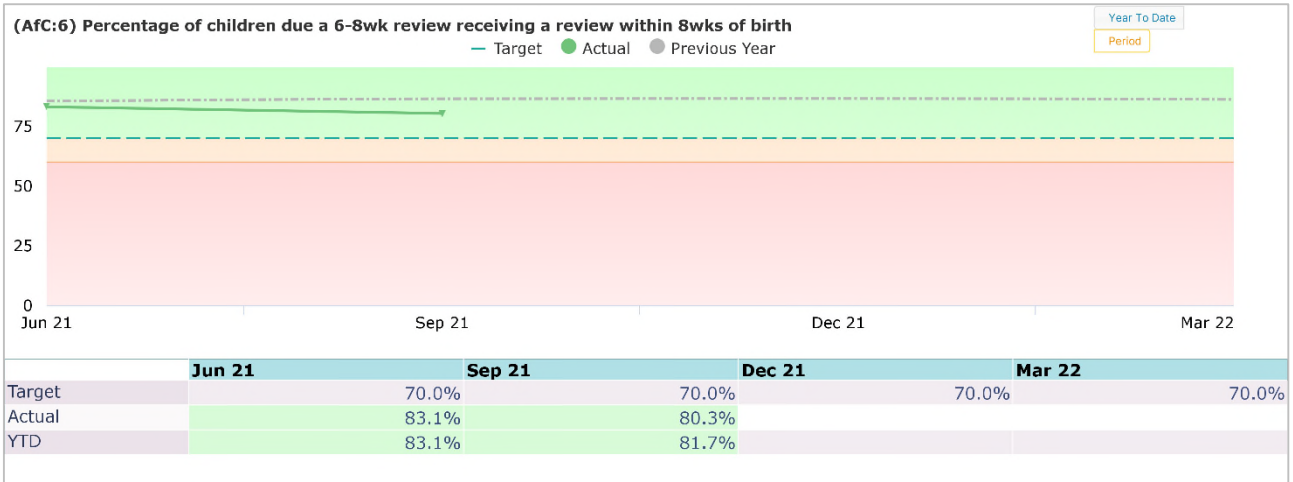
*The target for this measure is 3.5% with red flag raised if performance is equal to/exceeds 6%.*

At the close of Q2 there are no children subject of a Child Protection Plan for more than 2 years as a result of the processes established in 2020.

The service regularly reviews all children who have been subject to a Child Protection Plan for 10 months or more to systematically prevent plans reaching 18+ months. Child Protection chairs also regularly review and challenge the contingency plans that are put forward at each Review Child Protection Conference (RCPC), and in July 2020 a new midway review process was introduced to empower social care teams to start thinking of an exit strategy prior to RCPCs. The service is also using the Windows into Practice Panel to discuss and agree effective and meaningful interventions. On the rare occasion a child is subject to a protection plan for more than 18 months, the plans are regularly scrutinized by senior managers to ensure appropriate alternative plans are considered in good time.



6.3 Health visiting



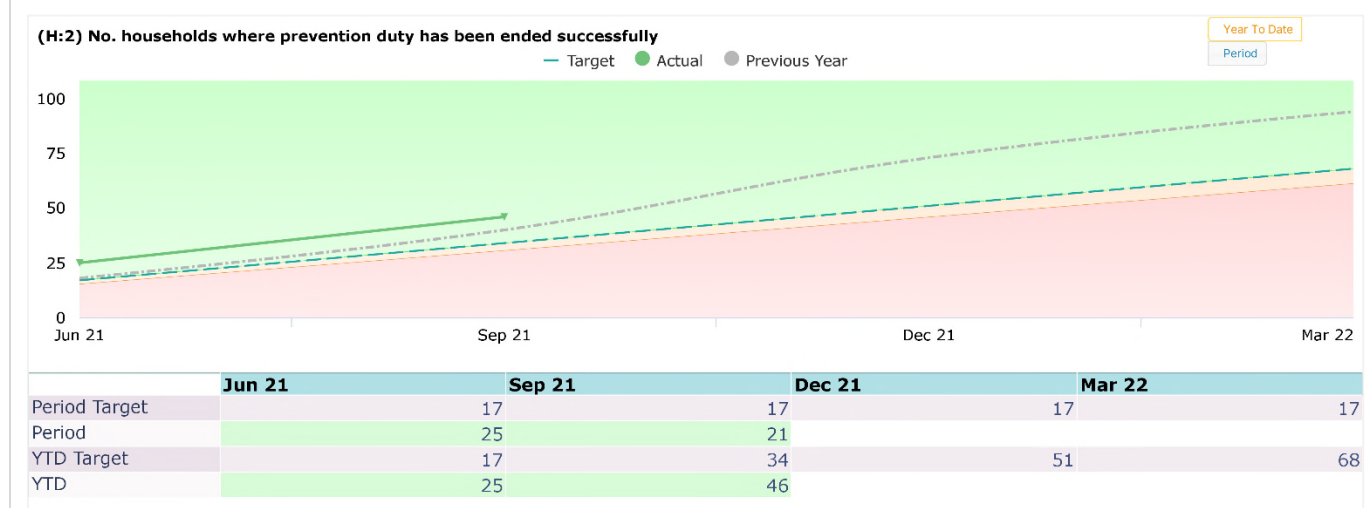
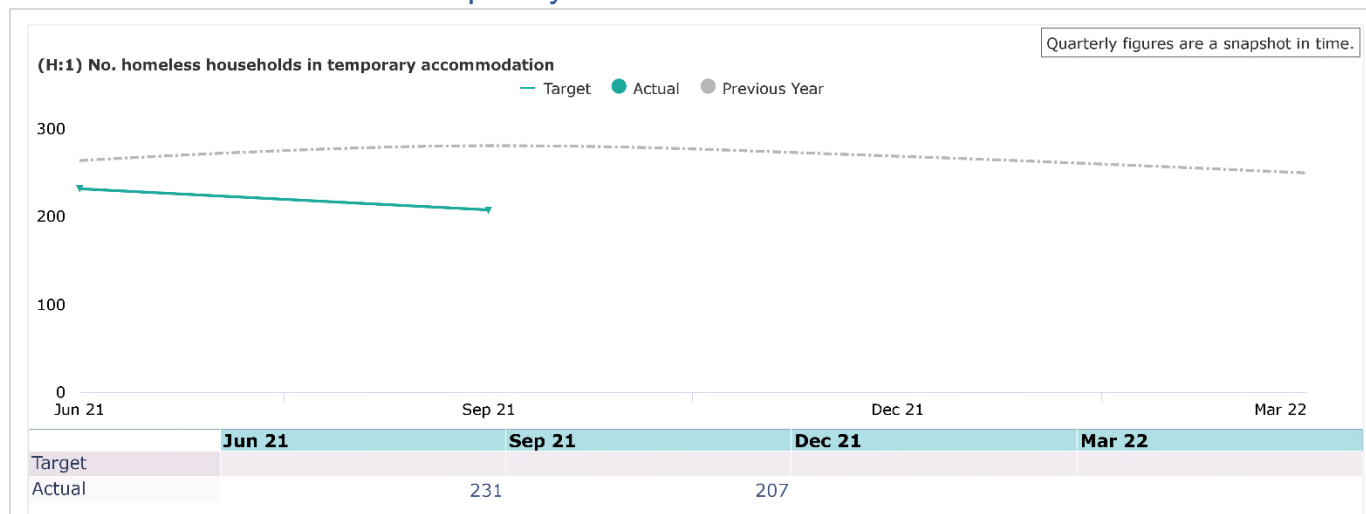
**Q2 Commentary**

*The target for this measure is 70% with red flag raised if performance is equal to/below 60%.*

The 6-8 week review appointment is an important opportunity for parents to discuss their baby’s development and progress with a Health Visitor. At the close of Q2 year-to-date performance for this measure is 81.7% (632/774), above target (70%). There is a consistent quarterly downward trend in performance from Q3 2020/21 which is being monitored. Broadly, however, the current level of performance is in line with pre-pandemic levels as fewer families typically take up in person appointments when their children are able to access a range of services.

## 7. Housing: Performance Trends

### 7.1 Homelessness and temporary accommodation



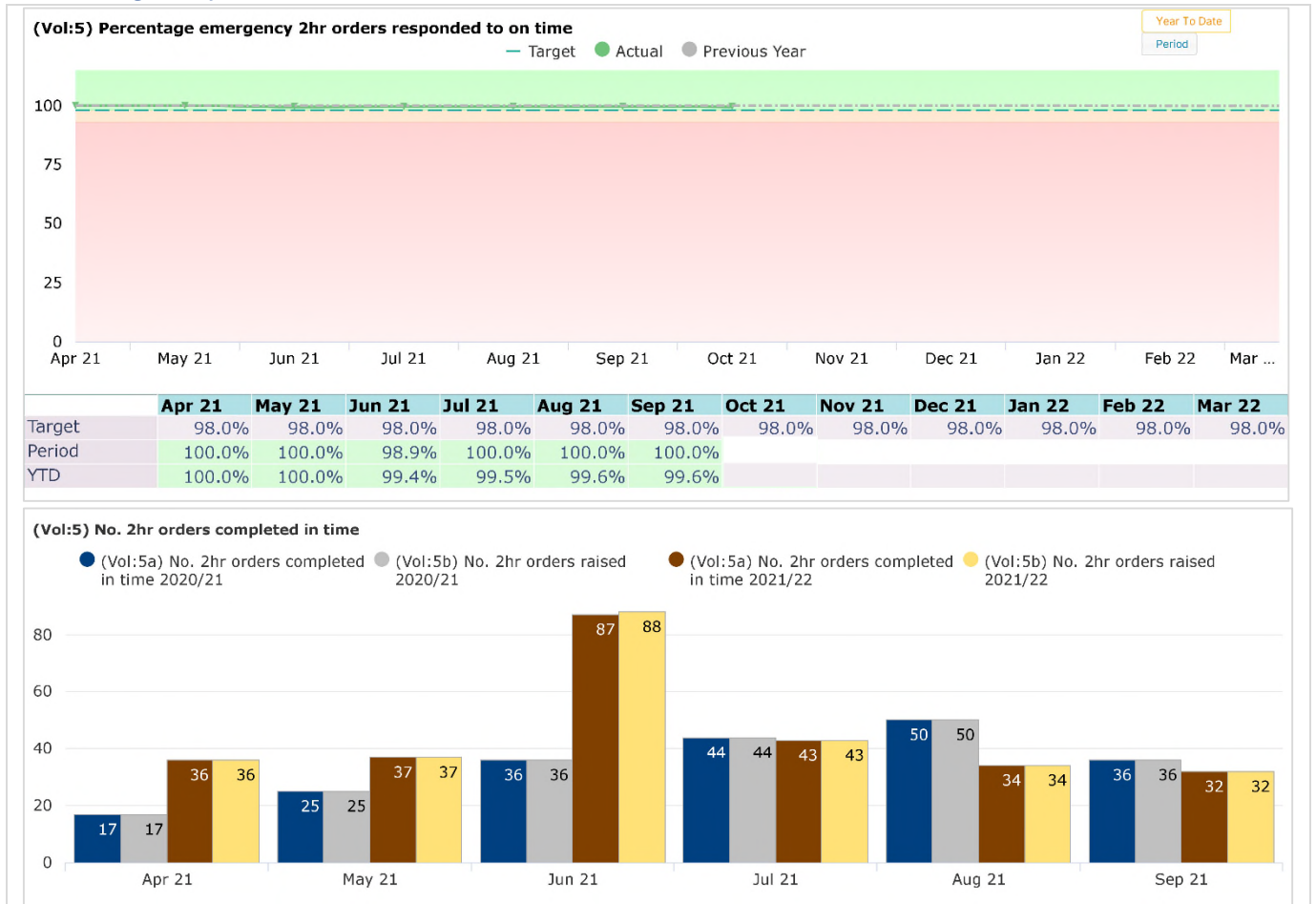
#### Q2 Commentary

**(H:1) No. homeless households in temporary accommodation: (207)** Temporary accommodation is provided to households when they approach the local authority and there is reason to believe the household is in priority need or vulnerable and homeless. Numbers of households in temporary accommodation are monitored, including types of accommodation and whether in or out of Borough, with a view to reducing numbers quarter by quarter. Despite the hard work and commitment of officers to reduce homelessness, the ongoing impact of Covid-19 is reflected in the slow decrease in numbers; hence this measure continues to be untargeted. As at Q2 21/22 the number of homeless households in temporary accommodation stands at 207 which is 73 less than same period in 20/21 (280).

**(H:2) No. households where prevention duty has been ended successfully (46)** The year-end target for this measure is 68 with a red flag raised if figures are at/fall below 10% of the target. This target is 8 more than 2020/21 (year-end target of 60) and the service has set itself a challenge after having exceeded targets consistently for all quarters in 2020/21. Despite the impact of Covid 19, the Housing Options officers are continually preventing and relieving homelessness through a range of measures which include enabling applicants to retain their existing accommodation or providing alternative accommodation options. This has meant that the households where homelessness has been prevented under the Council's Prevention duty has continued to be successful and is above the target (34) in Q2 by 12 households. It is also 6 households more than same period in 20/21 (40).

## 8. Neighbourhood Services: Performance Trends

### 8.1 Highways

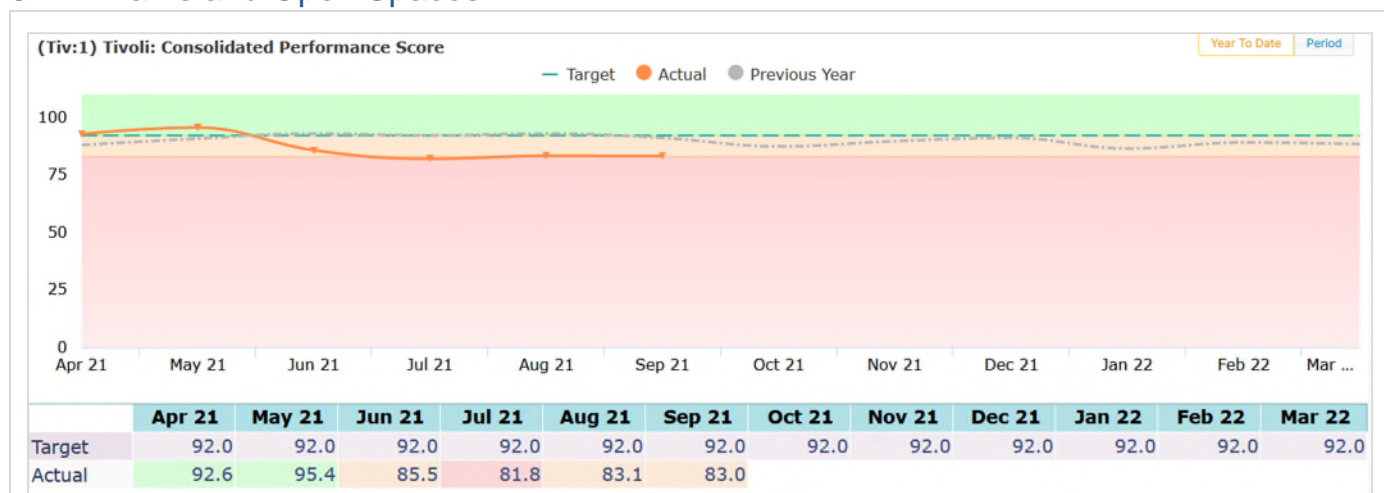


#### Q2 Commentary

*The target for this measure is 98% with red flag raised if performance is equal to/below 93%.*

The aim of this indicator is to ensure the maintenance of a safe highway network for all road-users by monitoring the contractor’s responsiveness to urgent safety hazards. At the close of Q2 year-to-date performance is 99.6% (269/270), above target (98%) by 1.6. The total volume of 2hr orders raised in Apr-Sep (270) is higher than 2020/21 volumes for the same period (208), and this is due to increased volumes in Q1 2021/22 (161) compared to 78 in Q1 2020/21. This increase could be attributed to floods in early June 2021 leading to a high number of orders raised, coupled with an increase in road users as lockdown restrictions were eased from March 2021. The team appropriately directs other resources during such time when there is a prolonged and high number of callouts to complete the defects within 2hrs. Encouragingly, the number of 2hr orders raised in Q2 2021/22 (109) is less compared to the same period in 2020/21 (130).

## 8.2 Parks and Open Spaces

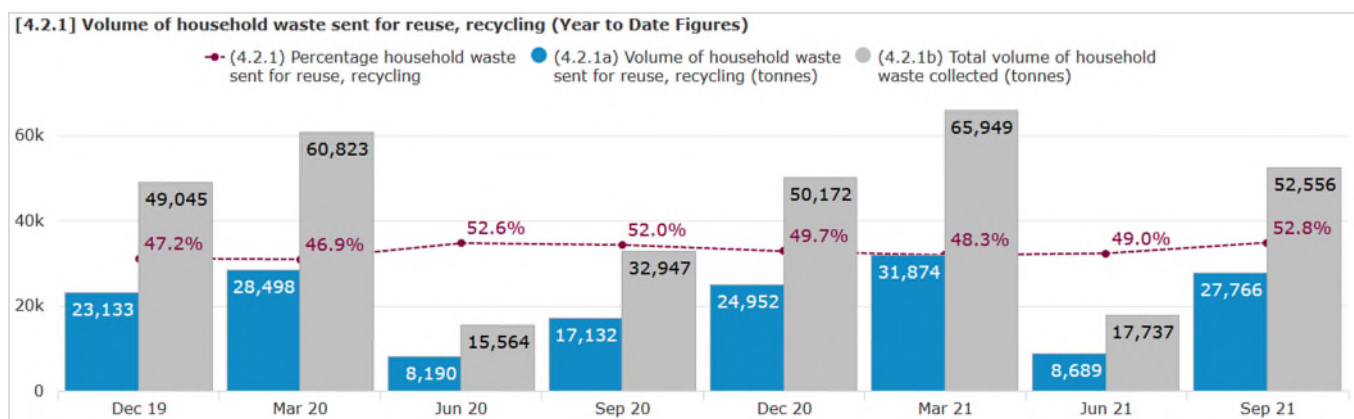
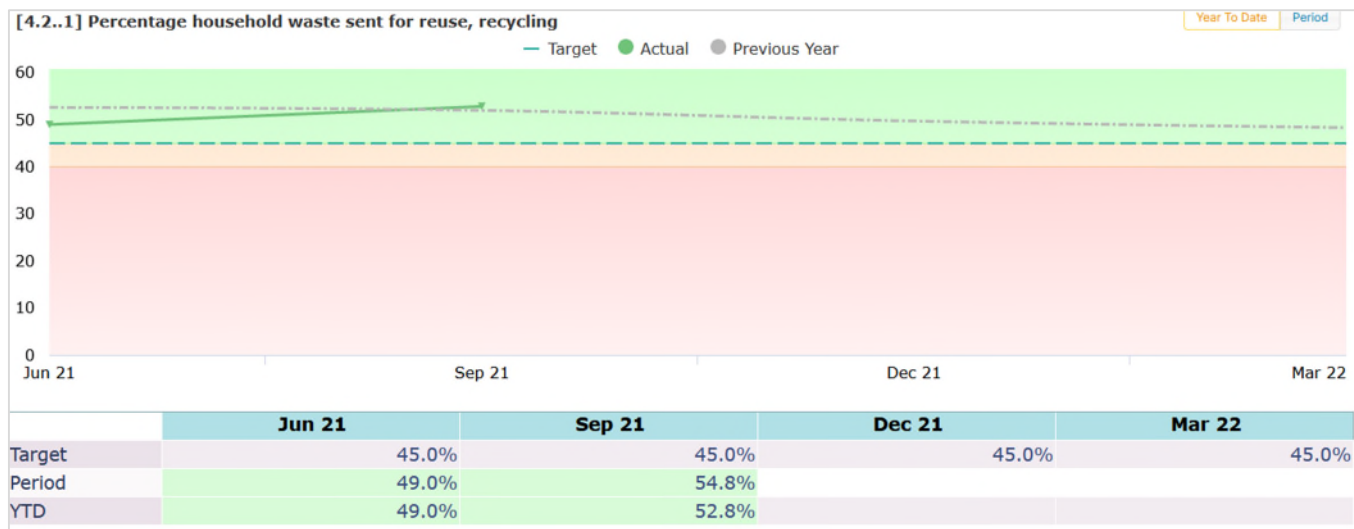


### Q2 Commentary

*The target for this measure is 92 with red flag raised if performance is equal to/below 82.8 (10% tolerance). The target and tolerance thresholds are unchanged from 2020/21. The Consolidated Performance Score reported here is created on the basis of a number of operational and resident-facing measures.*

The performance of the contract has been below standard in this period. This has been caused by a combination of a very difficult growing season, labour shortages, and mechanical failures of equipment where replacement parts have been hard to source due to supply chain issues. Work is underway with Tivoli to improve the performance.

### 8.3 Waste and recycling



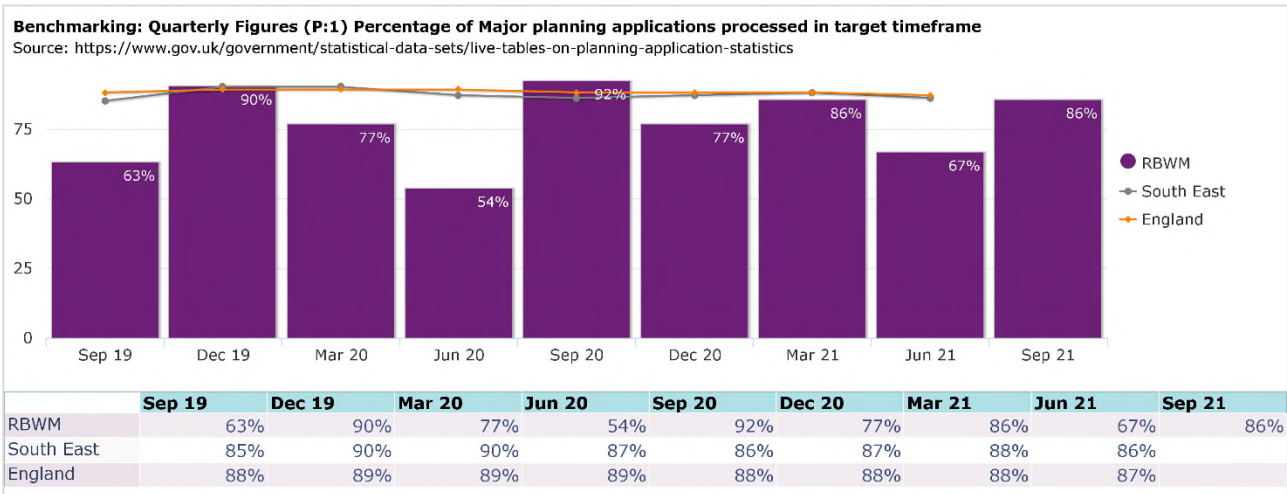
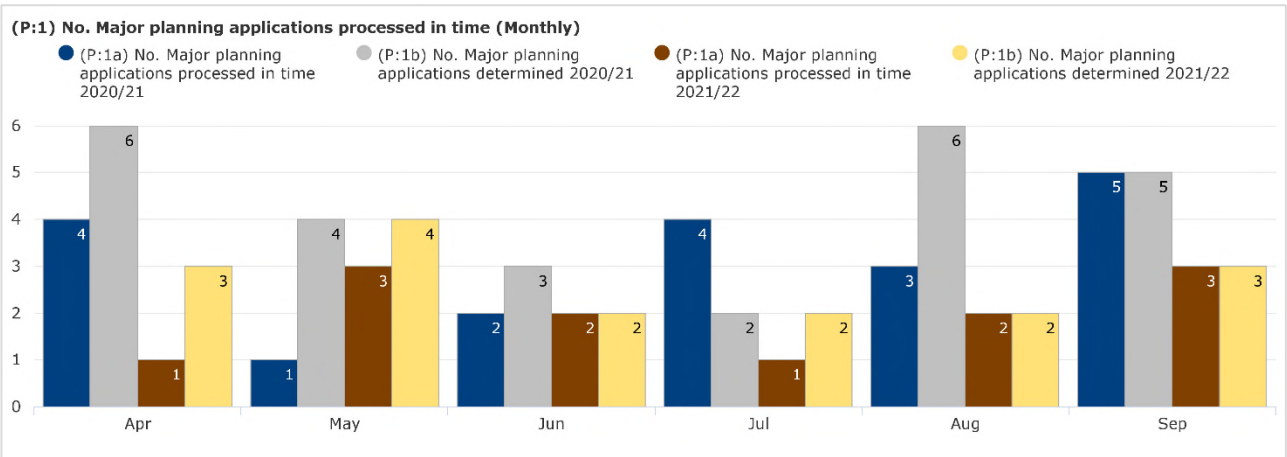
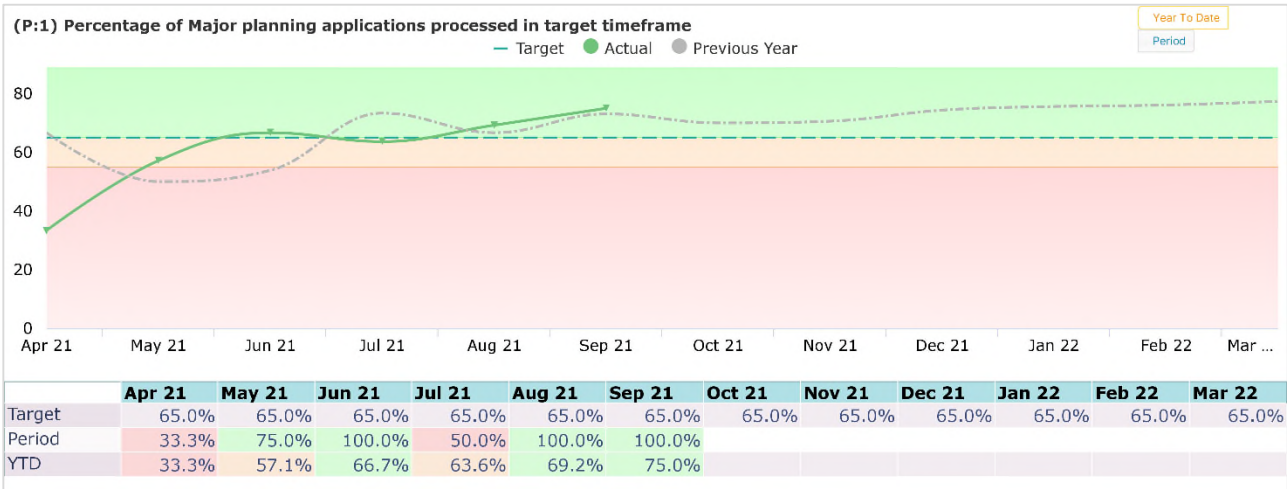
#### Q2 Commentary

*The target for this measure is 45% with red flag raised if performance is equal to/below 40%*

The indicative Q2 recycling rate is 54.8% and this is based on internal figures indicating 19,077 tonnes of recyclate out of a total 34,819.87 tonnes collected. These figures will be updated once final calculations are reached through the waste data flow system. Generally Q2 has been a good period for recycling, helped by high volumes of garden waste and the increased publicity around recycling as the council prepared for the change to fortnightly waste collections in October.

## 9. Planning: Performance Trends

### 9.1 Planning applications: Major



### Q2 Commentary

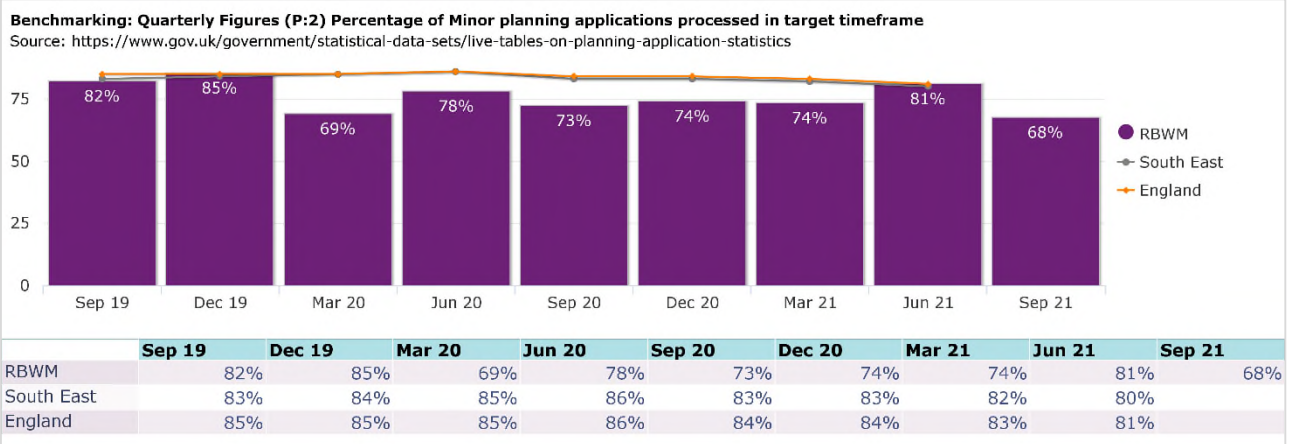
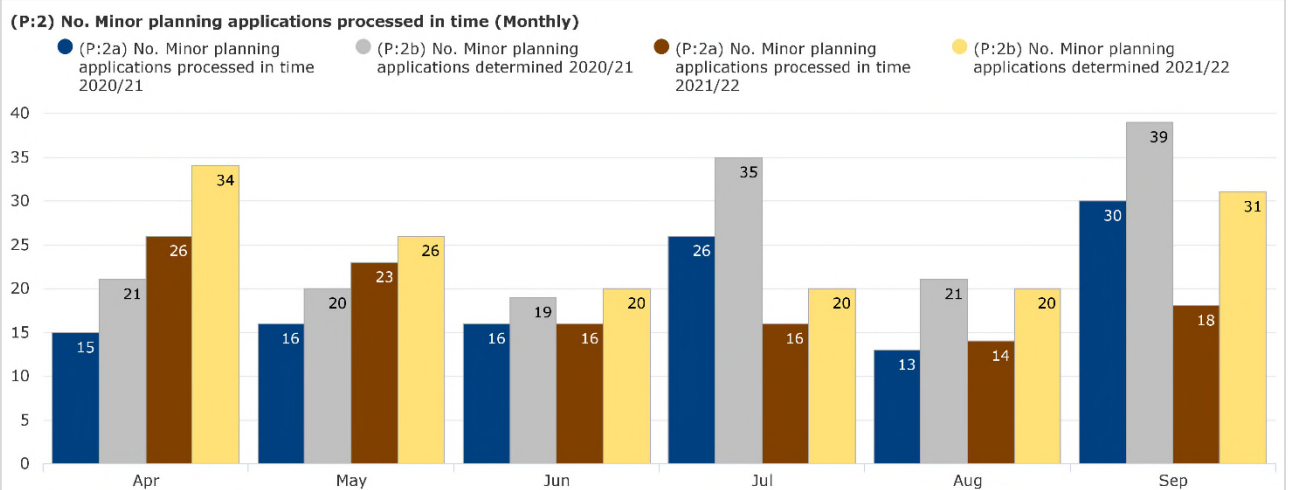
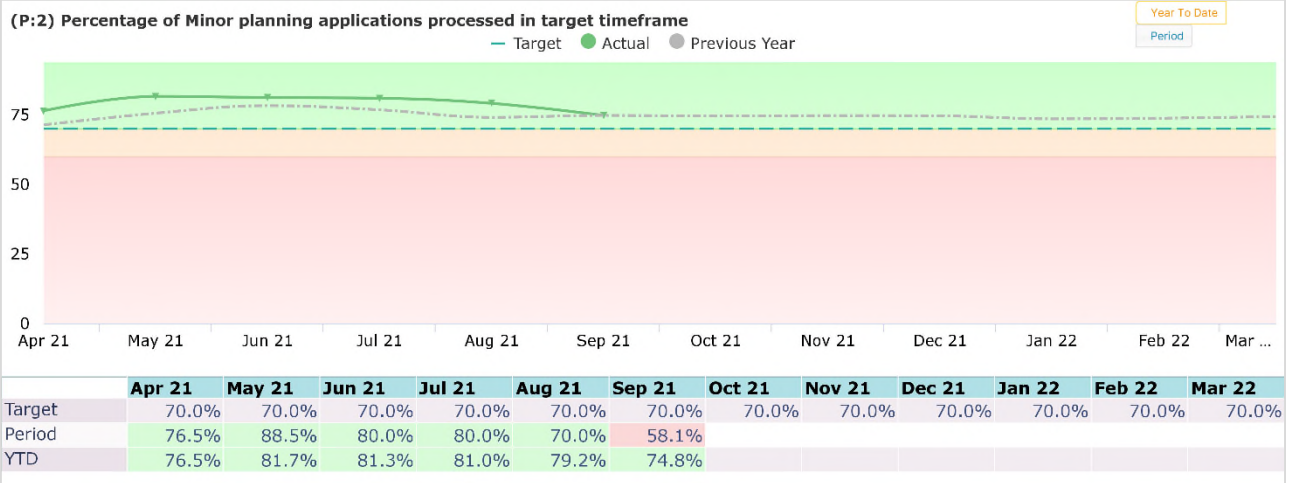
The target for this measure is 65% with red flag raised if performance is equal to or below 55%.

At the end of Q2 2021/22 year-to-date performance stands at 75% (12/16), above target by 10 and higher than the YTD performance at the close of Q2 2020/21 (73.1%, 19/26). Monthly performance has been 100% in 3/6 months. The total number of applications determined in 2021/22 (16) is fewer than 2020/21 (26) and could be attributed to a reduction in the number of major applications submitted over the last year. Benchmarking data available up to the end of

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Q1 2021/22 shows fluctuations in council’s performance in 2020/21 having come close to South East and England’s performance in Q4 2020/21 and dropping in Q1 2021/22. This could be attributed to low numbers of major applications which skews the percentages. However, council performance has improved in Q2 2021/22.

## 9.2 Planning applications: Minor



### Q2 Commentary

The target for this measure is 70% with red flag raised if performance is equal to or below 60%.

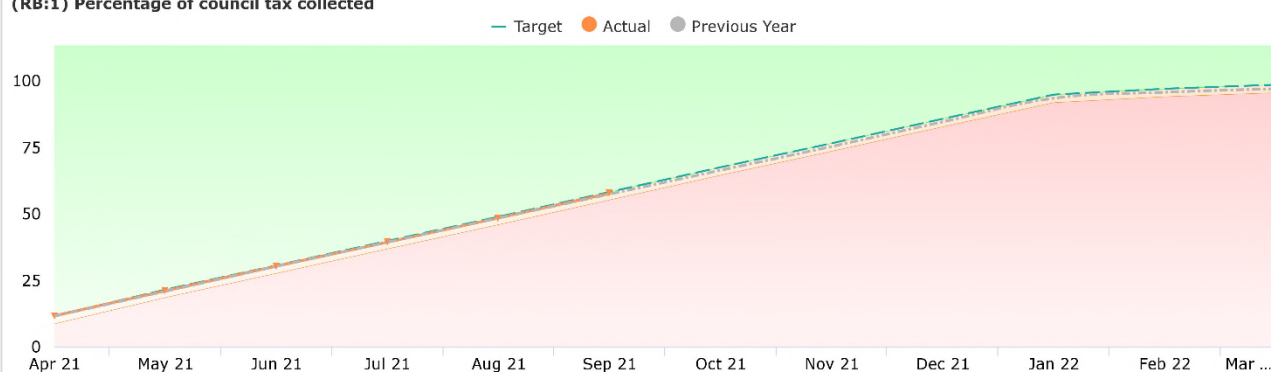
## Cabinet PMF: 2021-22 Mid-Year Data & Performance Report

At the end of Q2 2021/22 year-to-date performance stands at 74.8% (113/151), above target by 4.8 and the same as YTD performance at the close of Q2 2020/21 (74.8%, 116/155). Monthly performance has remained above target for most of the period (5/6 months) showing no major concerns. The fall in performance in September 2021 reflects current workload pressures within the department due to vacancies which remain unfilled. Benchmarking data available up to the end of Q1 2021/22 shows that even though quarterly performance was below South East and England performance for 2020/21, it has improved equalling England's performance and above South East for Q1 2021/22.

## 10. Revenue, Benefits, Library and Resident Services: Performance Trends

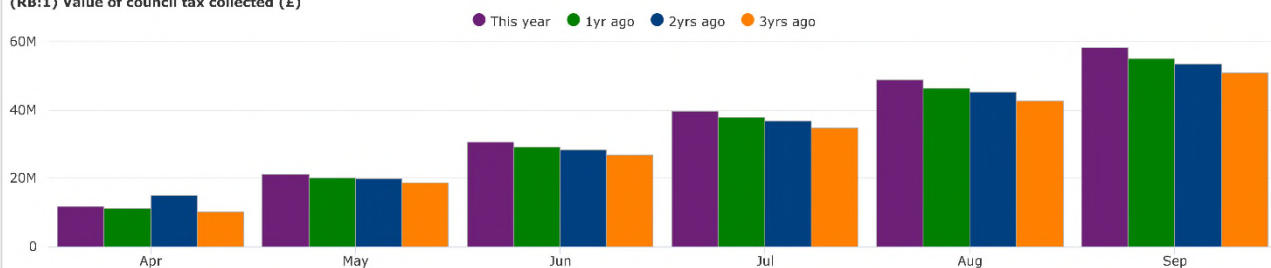
### 10.1 Council Tax and Business Rates

(RB:1) Percentage of council tax collected



	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
Target	11.60%	21.50%	30.60%	39.80%	48.90%	58.20%	67.50%	76.50%	85.70%	94.80%	97.00%	98.50%
YTD	11.64%	21.06%	30.34%	39.32%	48.44%	57.68%						

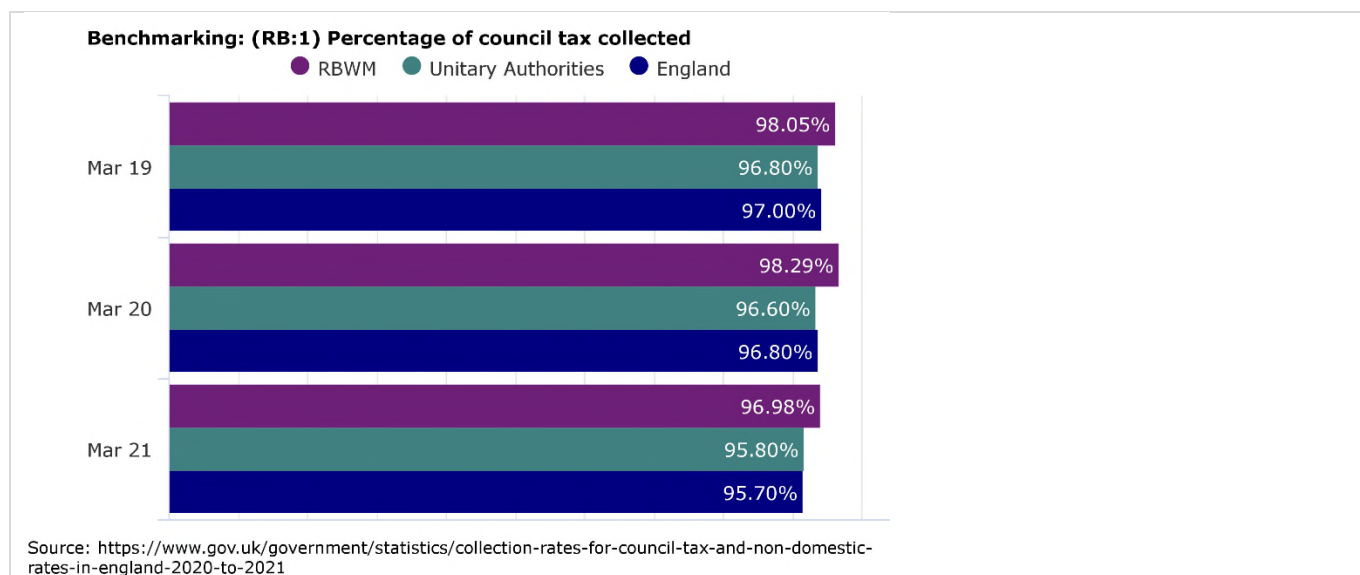
(RB:1) Value of council tax collected (£)



	Apr	May	Jun	Jul	Aug	Sep
This year	£11,749,256	£21,252,177	£30,624,936	£39,670,554	£48,901,428	£58,259,043
1yr ago	£11,105,447	£20,099,148	£29,151,407	£37,932,989	£46,507,642	£55,185,267
2yrs ago	£14,875,311	£19,962,250	£28,431,862	£36,918,819	£45,213,154	£53,610,435
3yrs ago	£10,167,367	£18,749,412	£26,730,625	£34,814,970	£42,662,036	£50,910,051



## Cabinet PMF: 2021-22 Mid-Year Data & Performance Report



### Q2 Commentary

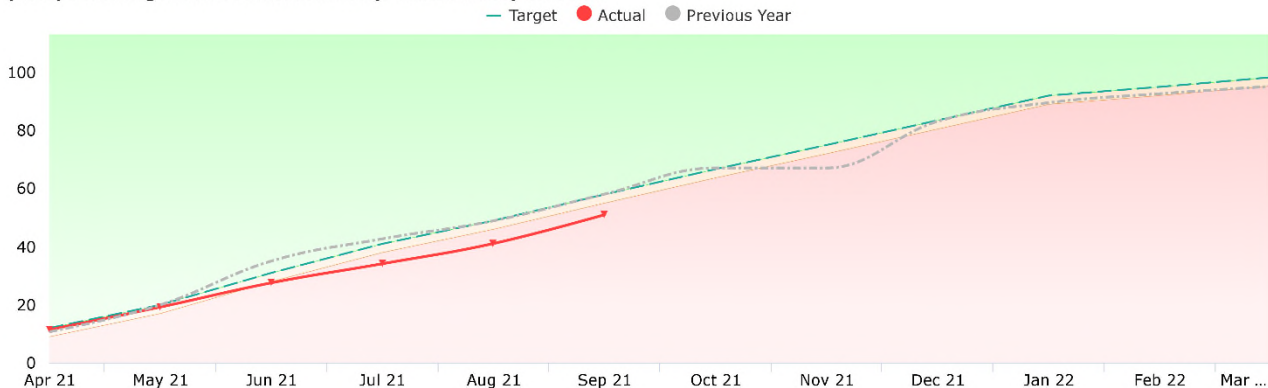
*The year-end target for this measure is 98.50% profiled monthly. A red flag is raised if the year-end value is at/falls below 95.50%.*

At the close of Q2 performance of this measure stands at 57.68%, below target (58.20%) by 0.52 and within tolerance for the measure, however higher than the collection rates for Q2 2020/21 (57.37%). The value of council tax collected by the close of September 2021 (£58,259,043) is the highest collection value in the last 3 years in cash terms, at £3.07m more than Q2 2020/21.

Available benchmarking data shows that the council tax collection rates for Windsor and Maidenhead have been more than England and Unitary authorities consistently for the last three years 2018/19, 2019/20 and 2020/21.

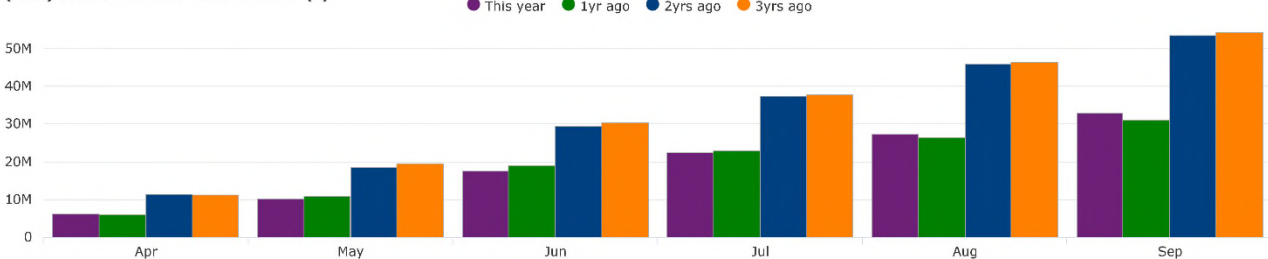
## Cabinet PMF: 2021-22 Mid-Year Data & Performance Report

(RB:2) Percentage of Non Domestic Rates (Business Rates) Collected



	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
Target	12.00%	20.00%	31.00%	41.00%	49.00%	58.00%	66.70%	75.00%	83.50%	92.00%	95.00%	98.30%
YTD	11.43%	19.24%	27.57%	34.14%	41.10%	51.01%						

(RB:2) Value of Business Rates collected (£)



	Apr	May	Jun	Jul	Aug	Sep
This year	£6,022,929	£10,183,936	£17,508,680	£22,468,766	£27,300,760	£32,992,369
1yr ago	£5,960,082	£10,831,149	£18,849,149	£22,994,146	£26,473,401	£31,139,042
2yrs ago	£11,452,289	£18,555,526	£29,437,980	£37,492,968	£46,040,499	£53,432,610
3yrs ago	£11,146,018	£19,619,759	£30,343,993	£37,836,796	£46,310,680	£54,234,610

Benchmarking: (RB:2) Percentage Non Domestic Rates Collected



Source: <https://www.gov.uk/government/statistics/collection-rates-for-council-tax-and-non-domestic-rates-in-england-2020-to-2021>

### Q2 Commentary

The year-end target for this measure is 98.30% profiled monthly. A red flag is raised if the year-end value is at/falls below 95.30%.

At the close of Q2 performance for this measure stands at 51.01% below the target (58.00%) by 6.99% outside the tolerance and less when compared to Q2 2020/21(58.11%).

**Cabinet PMF: 2021-22 Mid-Year Data & Performance Report**

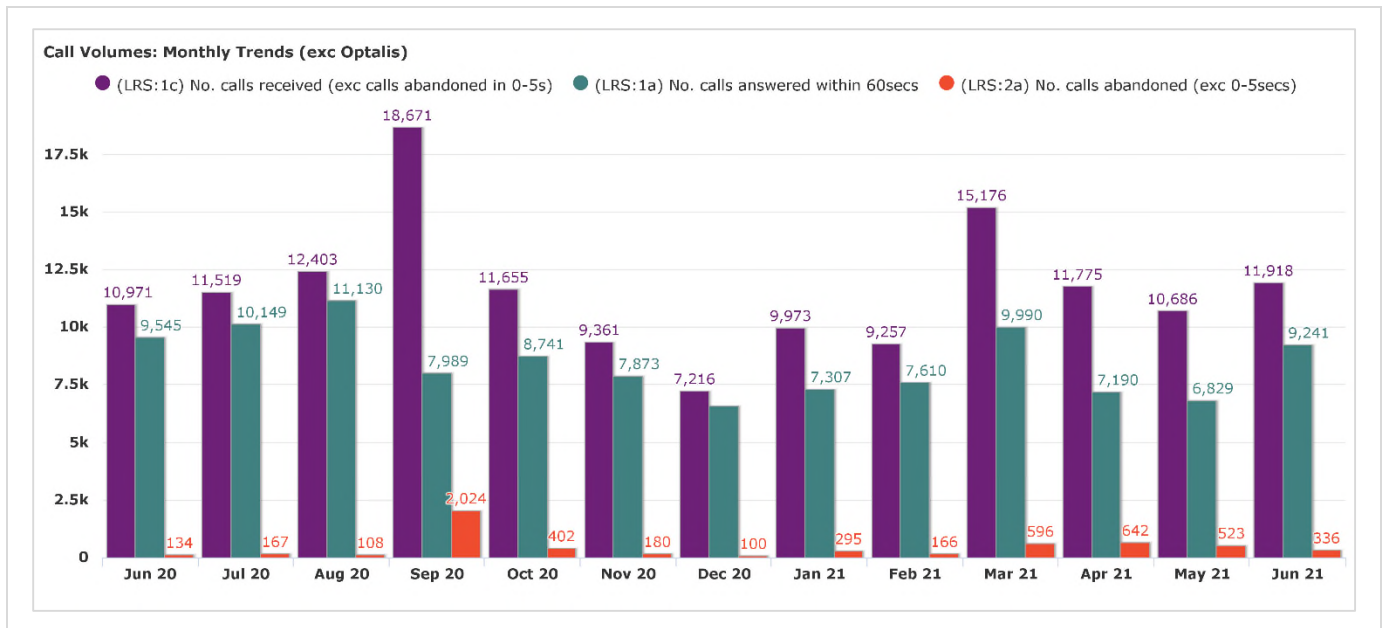
The net collectible debit (NCD) increased by £10.5m between May and June as a direct result of the announcement in the March budget that the Expanded Retail Relief and Nursery Relief would drop from 100% to 66%, with the introduction of cash caps affecting larger businesses, with effect from 1 July 21. Although the start date is after Q1, the change had to be actioned in Q1 in order to take effect from 1 July 21. This increase in the NCD obviously impacts on the calculation of the collection rate.

Due to the legal requirement to provide at least 14 days clear notice prior to any payment being requested by instalment, the majority of the affected businesses were not requested to make a payment until 1 August 21, the effects of this change have significantly impacted collection rate for Q2. Positively, the amount of non-domestic rate collected at the close of September 2021 (£ 32,992,369) is £1.85m more than the amount collected by September 2020 (£31,139,042)

It should also be borne in mind that these are businesses who have not been required to make any payments towards business rates since April 2020 and will now be expected to make payments while many are still recovering from the effects of the various lockdown restrictions. The Revenues team will assist as much as possible, e.g., if a business is in hardship and wishes to negotiate an alternative payment arrangement, but ultimately the focus will be on securing the funds due.

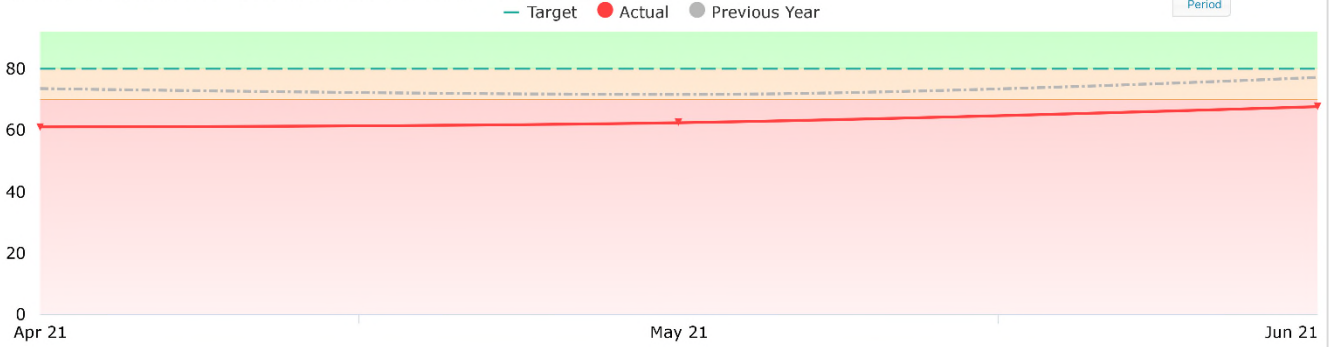
Available benchmarking data shows that the non-domestic collection rates for Windsor and Maidenhead are higher than England and Unitary authorities for the last two years 2019/20 and 2020/21.

**10.2 Customer contact centre calls**



# Cabinet PMF: 2021-22 Mid-Year Data & Performance Report

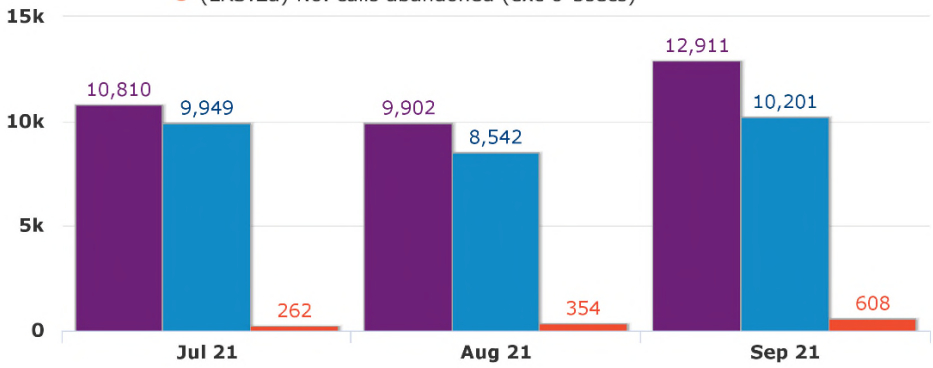
(LRS:1) Percentage calls answered within 60 secs (Monthly View)



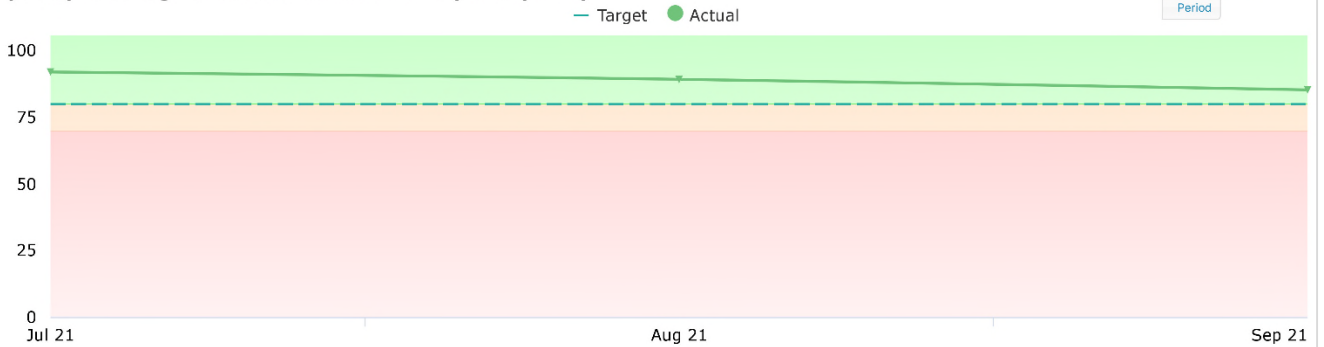
	Apr 21	May 21	Jun 21	YTD
Target	80.0%	80.0%	80.0%	80.0%
Period	61.1%	63.9%	77.5%	67.7%
YTD	61.1%	62.4%	67.7%	

Call Volumes: Monthly Trends (exc Optalis)

- (LRS:1c) No. calls received (exc calls abandoned in 0-5s)
- (LRS:3a) Number of calls answered within 2mins
- (LRS:2a) No. calls abandoned (exc 0-5secs)

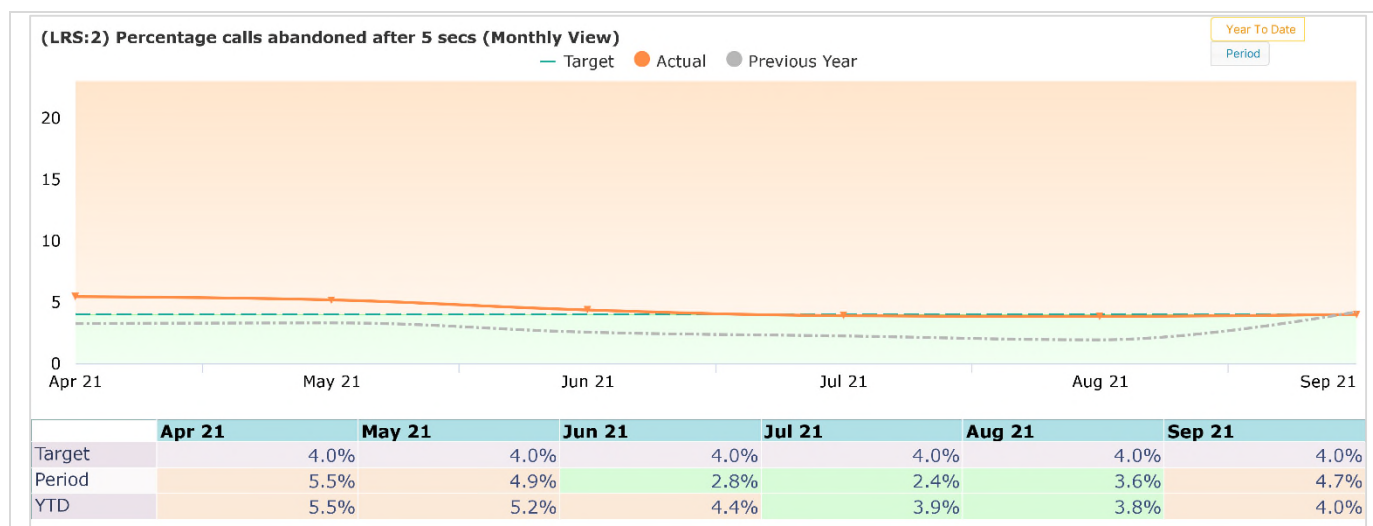


(LRS:3) Percentage calls answered within 2 mins (Monthly View)



	Jul 21	Aug 21	Sep 21	YTD
Target	80.0%	80.0%	80.0%	80.0%
Period	92.0%	86.3%	79.0%	85.3%
YTD	92.0%	89.3%	85.3%	

## Cabinet PMF: 2021-22 Mid-Year Data & Performance Report



### Q2 Commentary

The monthly and year-end target for percentage calls answered within 60 seconds is 80%. A red flag is raised if percentage is at/falls below 70%. The monthly and year-end target for percentage calls abandoned (excluding calls abandoned within 0-5 seconds) is 4% and red flag is raised if percentage is at/exceeds 20%.

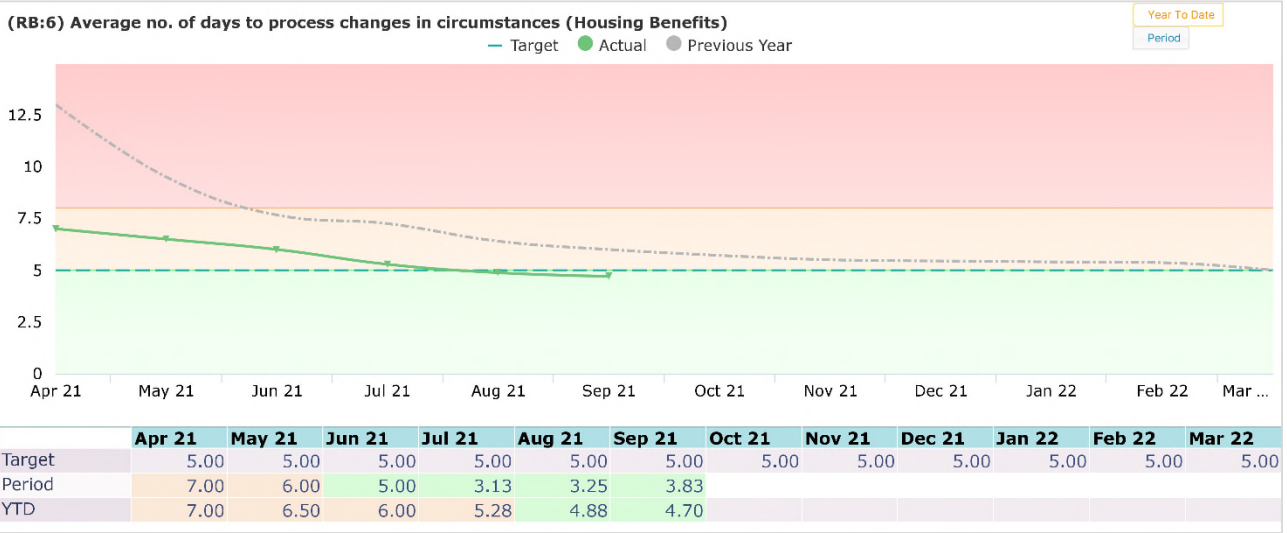
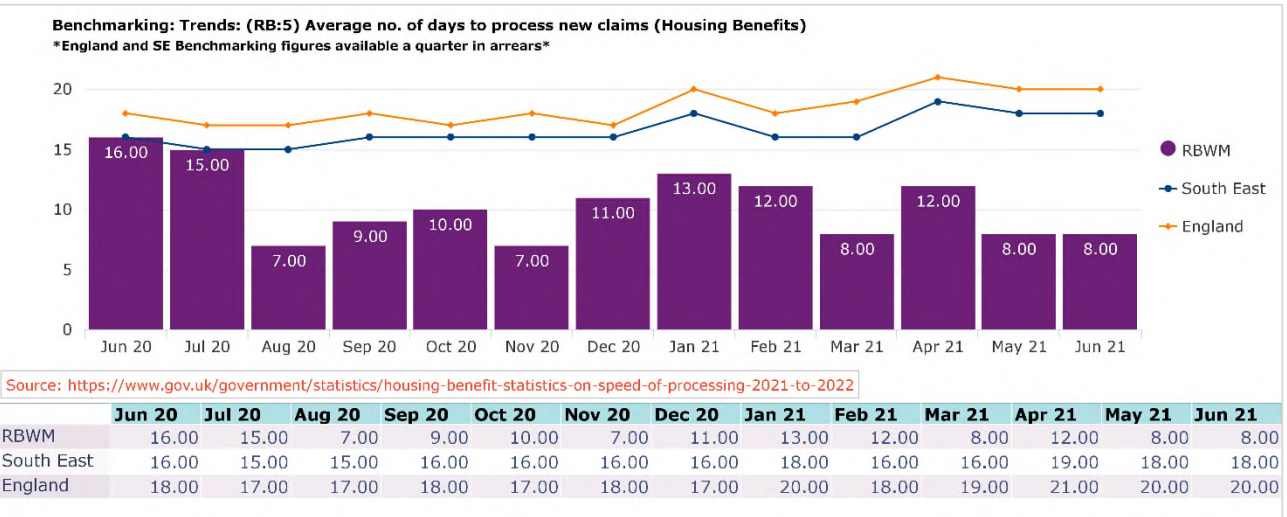
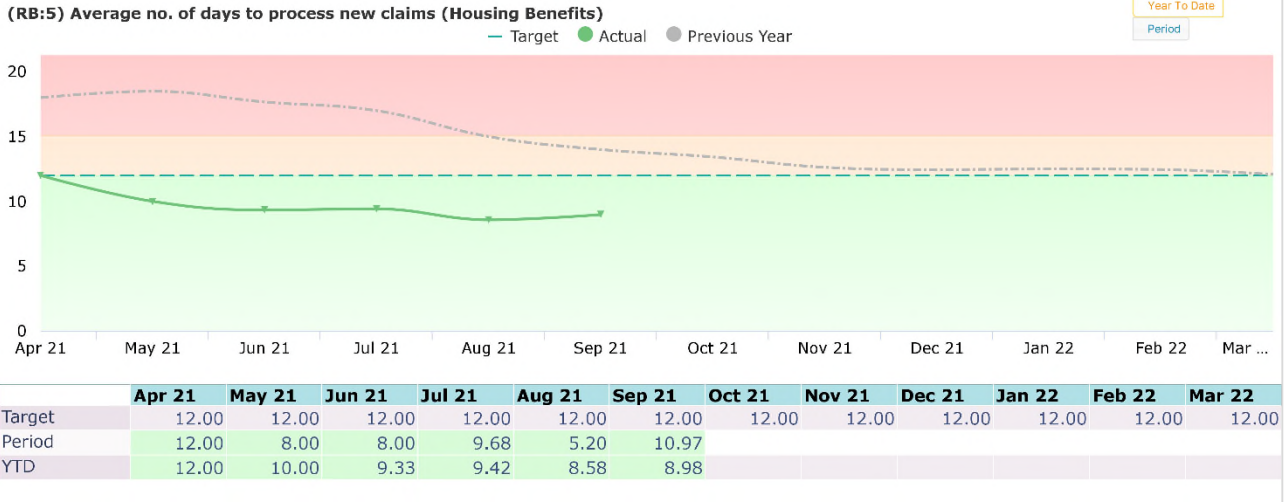
The measure “percentage of calls within 60 seconds” puts the staff under pressure to resolve calls quickly rather than necessarily appropriately. In order to respond to customer queries effectively and to the best of their satisfaction, a new measure “percentage of calls answered within 2 minutes” (the next available time interval in the telephony system) has been introduced from July 2021. The monthly and year-end target for percentage calls answered within 2 minutes is 80%. A red flag is raised if percentage is at/falls below 70%. The previous measure percentage of calls answered within 60s is effective until the period of Q1.

The total volume of calls to the contact centre up to the end of Q2 was 68,002, a reduction by 6.7% for the same period in 2020/21 (72,912 calls). At the close of Q1 2021/22 the service has answered 67.7% (23,260/34,379) calls within 60 seconds, below the 80% target. At the close of Q2, the service has answered 85.3% (28,692/33,623) calls within 2 mins, above the target of 80%. The percentage of calls abandoned after 5 seconds is 4.01% (2,770/68,002), marginally short of target (4%) but within tolerance for the measure.

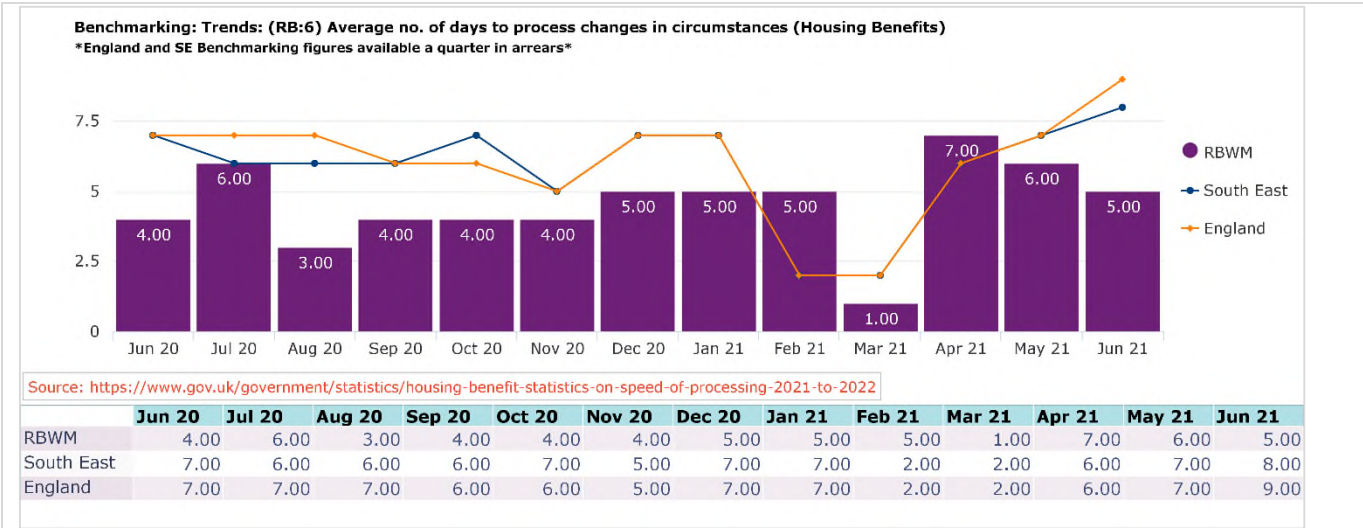
As the lockdown restrictions eased, staff were very busy working to get the libraries open again for the public whilst also maintaining their digital offerings. The service also saw an increase in the volume of calls regarding council tax and benefits, elections and school admissions in Q1 when compared to the same period last year which has impacted the performance of metrics in the beginning of Q1. However, the service has steadily improved from the April position. The service also saw an increase in the call volumes regarding council tax, building control, parking and school transport in Q2 when compared to same period in 2020/21.

Since its introduction in March 2021 the new telephony system is embedding well and allows full integration of different contact methods – including webchat, email and social media – therefore streamlining the Call Centre and ensuring customers are dealt with in a uniform way regardless of whichever contact option they choose.

### 10.3 Processing times for Housing Benefits



# Cabinet PMF: 2021-22 Mid-Year Data & Performance Report



## Q2 Commentary

Please note that Q1 2021/22 figures for both measures have been updated following the official data-release by the Department for Work and Pensions. The Q1 YTD figure for RB:5 has been updated from 8.59 (green) to 9.33 (green). The Q1 YTD figure for RB:6 has been updated from 5.68 (amber) to 6 (amber).

Based on internal reports, at the close of Q2 the year-to-date performance for average number of days to process new claims is 8.93 days, below the target of 12 days. The average number of days to process changes in circumstances claims is 4.70 days, also below the target of 5 days.

Available benchmarking data up to the end of June 2021 shows that RBWM is performing better than South East and England figures for both measures (please note that South East and England benchmarking figures are available a quarter in arrears).

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Report Title:	<b>CIPFA Review of Governance Action Plan – Final Closure Report</b>
Contains Confidential or Exempt Information	No - Part I
Lead Member:	Councillor Hilton, Cabinet Member for Finance and Ascot
Meeting and Date:	Cabinet 16 December 2021
Responsible Officer(s):	Adele Taylor – Executive Director of Resources
Wards affected:	None



## **REPORT SUMMARY**

1. In response to the review of governance undertaken by CIPFA (Chartered Institute of Public Finance and Accountancy) and presented to Cabinet in June 2020, an action plan was developed which identified appropriate actions to resolve the remaining, outstanding issues.
2. Corporate Overview and Scrutiny Panel reviewed that draft action plan in July 2020 and agreed that quarterly progress reports should be presented to the Panel going forward. These have been considered on a regular basis with the final report considered on 29<sup>th</sup> November 2021.
3. This report provides the final such update, setting out progress made against the actions identified in the plan. All actions have now been undertaken and therefore formal closure of the review and reporting on actions is proposed.

## **1. DETAILS OF RECOMMENDATION(S)**

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

- i) **Notes the actions taken in respect of the objectives set out, and that the Action Plan has now been completed.**
- ii) **Approves the formal closure of the action plan**

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

### **Options**

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

<b>Option</b>	<b>Comments</b>
Note the contents of the progress report and agree that the financial governance review and action plan be formally closed <b>This is the recommended option</b>	This will allow the Council to formally acknowledge the progress against the original action plan and cease reporting against the plan.

Option	Comments
To not agree the formal closure of the review and action plan	Not recommended. This will require officers to continue to monitor actions that have already been completed.

### 3. KEY IMPLICATIONS

3.1 The CIPFA Governance Review was undertaken during 2019 and 2020 and a report was considered in June 2020 that identified a number of areas for improvement. The Executive Director of Resources devised an Action Plan to ensure that all actions were reviewed, timescales for completion of these actions agreed and progress reports considered and scrutinised by the Corporate Overview and Scrutiny Panel. This report updates on all the actions taken to address these issues.

3.2 The Action Plan set out six areas for improvement:

- Medium Term Financial Strategy (MTFS) and development of budget proposals for 2021/22
- Transformation
- Capital Programme Management
- Financial Management Improvements including reconciliations, debt management and collection fund management
- Management of Partnership Arrangements
- Member Oversight

3.3 **Medium Term Financial Strategy (MTFS) and development of budget proposals for 2021/22** - a clear understanding is required of what resources the Council has to manage its services and address its priorities. A legal, balanced budget should be proposed and agreed to statutory deadlines.

3.4 **Transformation** - a dynamic approach to identifying potential opportunities to transform services should be developed, with clearly defined benefits identified and delivered. Savings identified should form part of actions to close the budget gap.

3.5 **Capital Programme Management** - management of the whole of the capital programme must be improved, including a greater understanding of the impact of decisions on the financial sustainability and wider aims of the Council. Improved reporting should be integrated as part of the budget monitoring process, ensuring there is a good understanding of the impact of the progress of the overall capital programme.

3.6 **Financial Management Improvements including reconciliations, debt management and collection fund management** - budget managers should be clear about their roles and responsibilities and therefore should be able to manage the resources they have to deliver their services successfully. Sound underlying processes should be in place to ensure that our resources are clearly

understood, managed and processes are efficiently managed. Roles and responsibilities for all officers involved in the financial management process should be defined, understood and appropriate checks, balances and verifications should be in place to minimise fraud and error. All officers of the council should have a sound understanding of the financial resources of the council and of how to support decision-making appropriately.

- 3.7 **Management of Partnership Arrangements** – a clear shared agreement and understanding should be defined with our partners and joint owners of what we wish to achieve through delivering services through these arrangements.
- 3.8 **Member Oversight** – a clear understanding should be established of the respective roles and responsibilities of members and officers and clarity for decision-making purposes. Both members and officers should receive up-to-date training on governance issues that impact on their ability to undertake their roles successfully, so that they feel confident in how they make decisions. Full scrutiny should be undertaken, through separate committees/panels, relevant to the roles and responsibilities of the two entities.
- 3.9 Appendix A sets out the progress made against each of these objectives. The Action Plan has now been completed in every area.
- 3.10 The Action Plan addressed the specific issues that CIPFA raised and were still outstanding at the time of their report in June 2020. At the same time there have also been a number of other areas where financial management and governance has been strengthened and this includes:
- More frequent budget monitoring was introduced for the financial year 2020/21 and with greater links between performance, finance and risk included in the narrative.
  - Resources within the finance function have been reviewed and strengthened, including the appointment of a permanent new Head of the Pension Fund, the splitting of senior roles within the finance team to recognise the important and distinct roles between technical finance and accountancy and business partnering. All of these roles have recently been successfully recruited to
  - Increased briefing of all members about key financial information in a timely fashion, examples include regular briefings on the impact of Covid-19 funding during 2020/21, details of the Comprehensive Spending Review
  - Increasing and improving engagement on financial matters
  - A balanced, draft budget was proposed a month earlier than the previous financial year, in November 2021 for the financial year 2022/23 and over the medium term financial plan. This will increase the opportunity for more residents, businesses, councillors, and partners to consider the proposals
- 3.11 Despite the fact that this report requests a closure of the action plan, there is an ongoing need to ensure that RBWM continues to adhere to best practice in all areas of financial governance. The Executive Director of Resources, as the Council's statutory S151 finance officer, leads on ensuring compliance but also

works with other statutory officers at the council to ensure wider governance issues are considered.

- 3.12 The council approves an Annual Governance Statement, and this will also detail any governance weaknesses that need to be addressed. This statement is based on work undertaken by both internal and external auditors, an assessment of our strategic risk register as well as consideration of any changes or proposed changes to governance arrangements.
- 3.13 There are now a number of case studies of other Local Authorities where financial governance and wider governance arrangements have led to significant financial failures and a number of public reports have been produced. These reports are all considered at the time of publication by relevant officers at RBWM and any lessons learnt and appropriate actions taken to improve our own arrangements to mitigate risks of failure.
- 3.14 Specifically in terms of financial management, the Head of Finance and Executive Director of Resources are developing further improvements as part of an operational Finance Development Plan as part of business as usual and a normal part of service planning. This will ensure we can maximise the impact of the additional resources within the finance team as part of the overall financial management of the council and a strengthening of our business partnering across the whole organisation.
- 3.15 The completion of the actions within the plan, and the ongoing commitment to operating at best practice, have contributed to better transparency around financial management, improved the information and analysis that decision-makers have upon which to enact their responsibilities and increased the awareness of the importance of financial sustainability for RBWM.
- 3.16 To ensure that the Council continues to follow best practice and considers any necessary improvements to its financial governance arrangements there are several opportunities to identify these. Both internal and external audit have a crucial role to play in providing assurance around governance arrangements but in addition there is the opportunity to take part in peer reviews. The Council actively engages in this process and financial governance forms a significant part of those reviews. The next peer review will be undertaken early in 2022 and the expectation is that future peer reviews will continue to be scheduled at appropriate intervals.

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

- 4.1 There are no direct financial implications of the recommendations in this report. Implementing the changes within the action plan has strengthened the financial governance and consequently the financial management of the organisation.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The Authority is a creature of statute and must obey legislation, act within the guidance and regulations issued, and ensure probity and compliance with ethical behaviour. The CIPFA report highlighted a number of issues of

governance that demonstrated the Authority has not lived up to the standards required. Progress against this action plan has rectified this position.

## **6. RISK MANAGEMENT**

6.1 There are no known risks associated with the delivery of this action plan to date.

## **7. POTENTIAL IMPACTS**

7.1 There are no direct impacts as a result of noting the report.

7.2 Equalities. There are no implications arising from the recommendation.

7.3 Climate change/sustainability. There are no implications arising from the recommendation.

7.4 Data Protection/GDPR. There are no implications arising from the recommendation.

## **8. CONSULTATION**

8.1 Not applicable

## **9. TIMETABLE FOR IMPLEMENTATION**

9.1 Final actions will be implemented by 1<sup>st</sup> April 2022 when the new Internal Audit arrangements begin.

## **10. APPENDICES**

10.1 This report is supported by one appendix

- Appendix A – Action Plan Update

## **11. BACKGROUND DOCUMENTS**

11.1 This report is supported by 8 background documents:

- CIPFA Review of Governance Final Report - Cabinet 25 June 2020
- CIPFA Review of Governance – Corporate O&S Panel 27 July 2020
- CIPFA Review of Governance – Response to the Final Report and Development of an Action Plan - Cabinet 30 July 2020
- CIPFA Action Plan Update reports – Corporate Overview & Scrutiny 24 November 2020, 19 April 2021, 29 November 2021
- Review of Councils Governance of RBWM Property Company – Cabinet 22 July 2021
- Review of Councils Governance of RBWM Property Company – Corporate Overview & Scrutiny 4 October 2021

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	Report author	N/A
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	24/11/21	24/11/21
<i>Deputies:</i>			
Andrew Vallance	Head of Finance	24/11/21	07/12/21
Karen Shepherd	Head of Governance	24/11/21	24/11/21
Elaine Browne	Head of Legal	24/11/21	
<i>Other consultees:</i>			
Duncan Sharkey	Chief Executive	24/11/21	07/12/21
Hilary Hall	Executive Director of Adults, Health and Housing	24/11/21	24/11/21

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Finance and Ascot	Yes
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### REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Non key decision	No	No

Report Author: Adele Taylor, Executive Director of Resources
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## Appendix A: CIPFA Action Plan - final

Area	Issues Identified	Actions	What Success will look like	Progress to date
<p>Medium Term Financial Strategy (MTFS) and development of budget proposals for 2021/22</p> <p style="text-align: center; font-size: 2em;">79</p>	<ul style="list-style-type: none"> <li>Update of MTFS to take account of impact of COVID-19 and decisions by government to delay implementation of Fair Funding required. Clear link between the MTFS and the Council's corporate plan</li> <li>Need to have clarity of budget gap going forward</li> <li>A reserve management strategy needs to be in place as part of MTFS</li> <li>Equalities impacts were produced for each of the budget proposals but a cumulative equality impact assessment was only completed for the first time for 2020/21 budget.</li> </ul>	<p>MTFS to be reviewed in year to identify a revised budget gap for 2021/22 to 2024/25 to assist with budget setting process for 2021/22. Consideration to be given to any additional areas of investment in resources needed including additional services arising from COVID-19, equalities and other engagement resources</p> <p>Identification of steps to address the budget gap across the MTFS and preparation of a balanced budget for 2021/22 including a strategy for managing the Council's reserves to be in place as part of the MTFS</p> <p>Ensure that there is further embedding of equalities impact assessments as part of the overall budget proposals.</p>	<p>A clear understanding of what resources the Council has to manage its services and address its priorities.</p> <p>A legal, balanced budget proposed and agreed to statutory deadlines</p>	<p><b>COMPLETED</b></p> <p>MTFS approved by Council 14<sup>th</sup> October 2020. Identified budget gap of £8m.</p> <p>Legal, balanced budget approved at full Council on 23<sup>rd</sup> February 2021.</p> <p>All budget growth and savings were accompanied by EQIAs. Overall budget had an EQIA. EQIAs were revised after budget consultation in February 2021.</p>
Transformation	<ul style="list-style-type: none"> <li>The Council needs to embed the work around transformation to identify new ways of working and identify additional efficiencies</li> </ul>	<p>Transformation plan developed to identify the framework within which opportunities can be identified</p> <p>Sub-committee of cabinet formed to have oversight of</p>	<p>A dynamic approach to identifying potential opportunities to transform services with</p>	<p><b>COMPLETED</b></p> <p>Framework in place. Some re-alignment of plan underway due to pandemic.</p>

Area	Issues Identified	Actions	What Success will look like	Progress to date
		transformation work. Delivery Plan for next two years to be approved November 2021.	clearly defined benefits identified and delivered. Savings identified will form part of actions to close the budget gap.	Sub-committee met again (twice) in November 2021.
08 Capital Programme Management	<ul style="list-style-type: none"> <li>• Need to establish a Capital Programme board to improve Capital governance</li> <li>• Overall capital programme needs to be reviewed to ensure robust business cases with clear delivery outcomes and risks appropriately managed.</li> <li>• More active challenge of capital spending needs to be undertaken including pro-active challenge from finance on slippage</li> </ul>	<p>Establishment of a Capital Programme Board (officer board) with a remit including:</p> <ol style="list-style-type: none"> <li>1. Review of existing capital schemes to ensure proper management of budget, timescales and outcomes</li> <li>2. Consider the annual review and refresh of the capital strategy</li> <li>3. Consider potential new projects and provide challenge prior</li> <li>4. Consider the overall funding of the capital programme including review of S106, CIL, grants and borrowing levels</li> <li>5. Undertake post implementation reviews of major capital schemes (including Braywick leisure centre)</li> </ol>	<p>Improved management of the whole of the capital programme including a greater understanding of the impact of decisions on the financial sustainability and wider aims of the Council.</p> <p>Improved reporting as part of the budget monitoring process ensuring there is a good understanding of the impact of the progress of the overall capital programme</p>	<p><b>COMPLETED</b> Capital Programme Board has met regularly. Reviews include:</p> <ul style="list-style-type: none"> <li>• Existing schemes</li> <li>• Slippage</li> <li>• Allocation of grants</li> <li>• Allocation of s106/CIL</li> <li>• 21/22 capital budgets</li> </ul> <p>Capital strategy approved by Council as part of Budget papers on 23<sup>rd</sup> February 2021.</p> <p>Post implementation reviews introduced.</p>



Area	Issues Identified	Actions	What Success will look like	Progress to date
		6. Ensure regular monitoring reporting is included in cabinet finance reports		Cabinet finance reports now include improved and expanded monitoring of capital.
Financial Management Improvements including reconciliations, debt management and collection fund management 81	<ul style="list-style-type: none"> <li>• Training programmes on the IT system already underway but need to continue to be embedded</li> <li>• Only 25% of transactions have a purchase order raised</li> <li>• The current model for building the MTFS needs to be reviewed</li> <li>• There were two unreconciled balances (bank reconciliation and Housing Benefits) that needed to be written back and reported to members</li> <li>• Further review of other control accounts and bank reconciliation</li> <li>• Limited reporting and review of debt management by services and wider finance team and provisions for bad debt are not regularly reviewed</li> <li>• There is not a clear understanding of how the collection funds operate which is a technical area of work.</li> </ul>	<p>Training for budget managers has already been started but this needs to continue to be embedded.</p> <p>Specific project to identify opportunities to increase the use of purchase orders which will help with overall budget management</p> <p>Model for the MTFS reviewed and refreshed .</p> <p>Unreconciled balances – RESOLVED (Council report June 2020)</p> <p>Internal audit currently underway of all reconciliations. Following completion, appropriate actions to be put in place.</p> <p>Improved reporting of debt management to be included in budget monitoring reports and a process for reviewing all bad debt provisions to be identified</p>	<p>Budget managers are clear about their roles and responsibilities and therefore are able to manage the resources they have to deliver their services successfully.</p> <p>There are sound underlying processes in place to ensure that our resources are clearly understood, managed and processes are efficiently managed.</p> <p>Roles and responsibilities for all officers involved in the financial management</p>	<p><b>COMPLETED</b> Training programme has continued, adapted to new ways of working.</p> <p>MTFS reviewed again at Cabinet on 22<sup>nd</sup></p> <p>Resolved</p> <p>Resolved</p> <p>Reports include debt management. Ongoing work to review bad debt provisions in the light of pandemic restrictions.</p>

Area	Issues Identified	Actions	What Success will look like	Progress to date
82		Review of collection funds has been commissioned separately to identify any areas where we may need to address skills and knowledge gaps. Actions identified to be addressed through appropriate technical support, training and guidance.	<p>process are defined, understood and appropriate checks, balances and verifications are in place to minimise fraud and error</p> <p>All officers of the council have a sound understanding of the financial resources of the council and understand how to support decision-making appropriately</p>	Collection fund skills and knowledge gaps addressed with support from LG Futures.
Management of Partnership Arrangements	<ul style="list-style-type: none"> <li>• Reviews of the Pension Fund, Optalis and AfC be completed and recommendations implemented</li> <li>• Consider our other partnership arrangements that are not subject to procurement and consider a value for money review (including Property Company and Internal Audit Service)</li> </ul>	<p>Optalis and AfC review completed and any actions arising identified and implemented</p> <p>Review of Pension Fund governance completed and all governance issues identified and actioned. This will include engagement with other pension</p>	Clear shared agreement and understanding with our partners and joint owners of what we wish to achieve through delivering services through these arrangements.	<p><b>COMPLETED</b></p> <p>Reviews reported to Cabinet on 30<sup>th</sup> July 2020. Action Plans are reviewed by the relevant Overview and Scrutiny Panels.</p> <p>Revised Pension Fund Governance arrangements agreed by Council in October 2020. Now implemented.</p>

Area	Issues Identified	Actions	What Success will look like	Progress to date
83		<p>fund bodies</p> <p>Review current partnership arrangements with the property company and to identify common purpose and goals for both partners</p> <p>Review current arrangements around our Internal Audit service to ensure that these are fit for purpose</p>		<p>Property Company Review by external consultants has been completed and fed back to Cabinet and Overview and Scrutiny.</p> <p>Internal Audit partnership arrangements reviewed. Cabinet to approve new arrangements on 25/11/21. To be implemented from 1/4/22.</p>
Member Oversight	<ul style="list-style-type: none"> <li>There is a lack of clarity between member and officer roles</li> </ul>	<p>A revised code of conduct has been developed for members and was approved by Council in June</p> <p>Member and officer training programmes on finance and governance issues should be regularly reviewed and updated. Training on Member/Officer roles and responsibilities proposed for September 2020</p>	<p>Clear understanding of the respective roles and responsibilities of members and officers and clarity for decision-making purposes.</p> <p>Both members and officers receive up-to-date training on governance</p>	<p><b>COMPLETED</b></p> <p>Training undertaken in September 2020. Further training from the LGA may be available.</p>

Area	Issues Identified	Actions	What Success will look like	Progress to date
84	<ul style="list-style-type: none"> <li>The merging of the audit committee and Corporate Overview and Scrutiny Panel has meant that the different roles of the two functions may not be possible given the need to manage the number of financial governance issues</li> </ul>	<p>A review of the committees to be undertaken to split the functions and create a separate Audit and Governance committee from a corporate overview and scrutiny panel was considered by full Council on 28 July 2020</p>	<p>issues that impact on their ability to undertake their roles successfully, so that they feel confident in how they make decisions.</p> <p>Through separate committees/panels, full scrutiny can be undertaken relevant to the roles and responsibilities of the two entities.</p>	<p>Audit and Governance Committee now established and has met regularly.</p>

Report Title:	Sale of Land at Stafferton Way
Contains Confidential or Exempt Information	Report and Appendices A&B Part I Appendices C, D and E Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
Cabinet Member:	Councillor Andrew Johnson - Cabinet Member for Business, Economic Development & Property
Meeting and Date:	Cabinet – 16 <sup>th</sup> December 2021
Responsible Officer(s):	Duncan Sharkey – Chief Executive
Wards affected:	Oldfield

www.rbwm.gov.uk



## **REPORT SUMMARY**

*Absolutely Leisure holds a long leasehold over The Arena, Unit 4 Howarth Road. The property is split in two sections following the construction of the Stafferton Way Link Road with a small plot of land south of the link road being used for car parking.*

*Terms have been agreed to sell this area of land to Absolute Leisure to enable its development for residential units. The sale is conditional on obtaining planning permission.*

*This report recommends the transaction which will be by way of an option to purchase, followed by a purchase if planning consent is granted for redevelopment and a deed of variation to the existing lease.*

*The option price to be paid on exchange is £5,000. On completion a minimum sum of £95,000 is to be paid plus 33% of the value uplift from the receipt of planning consent, capped at £450,000.*

*The purchaser will be responsible for the Council's reasonable legal fees in the transaction.*

*The transaction enables the Council to receive a capital receipt whilst maintaining the income from the remaining property.*

## **1. DETAILS OF RECOMMENDATION(S)**

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

- i) Approves the Council entering into an option agreement with Absolute Leisure for the sale the freehold interest of land south of the Stafferton Link Road for £5,000 and the subsequent sale of the freehold on receipt of planning consent under the terms of the option agreement.**
- ii) Delegates authority to the Chief Executive in consultation with the Cabinet Member for Business, Economic Development & Property to negotiate the legal contracts required to complete the transactions.**

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

### Options

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

Option	Comments
Enter into an option agreement to sell the freehold to the tenant in the event the planning application is successful.  <b>This is the recommended option</b>	If planning consent is obtained the sale of the land will provide the Council with a capital receipt and additional dwellings will be provided. If planning consent is not obtained the leasehold arrangements remain as existing.
Do not enter into the option agreement to sell the land	No capital receipt and no additional dwellings will be provided.

- 2.1 The Arena, 4 Howarth Road, is a commercial unit totalling 27,600 sq ft of warehouse and office accommodation currently utilised as an indoor go kart track along with external loading and parking areas. The property is located on Howarth Road, adjacent to the Stafferton Way Link Road.
- 2.2 When Stafferton Way was extended in 2016 the new road split the site of 4 Howarth Road into two areas leaving the majority of the site on the corner of Howarth Road and Stafferton Way but a smaller parcel of land remained on the south side of Stafferton Way which is used as a car park and is sublet by the tenant to the Volkswagen Garage in Howarth Road and comprises 0.24 acres with approx. 50 car parking spaces. The plan at Appendix A shows the two areas of land included in the lease. The area shaded pink is the part under discussion in this report.
- 2.3 The property is leased to Absolutely Leisure under a lease for 125 years from 10 January 1990. The annual rent payable to the Council is £70,000 pa and is subject to upwards only rent reviews every 5 years to 30% of market value.
- 2.4 Absolutely Leisure is a charitable organisation which provides access to leisure facilities to children and young people with additional needs as well as to the general public. The tenant has been particularly hard hit by the Covid pandemic having been unable to open for many months. In addition, they were not eligible for the government grants which were based on rateable value, because the rateable value of the unit exceeded the rateable value level for the grants. Consequently, the tenant has been seeking to raise funds.
- 2.5 Absolutely Leisure have approached the Council to purchase the freehold of the detached car park in order to sell it on for residential development.

- 2.6 The lease still has over 90 years to run before it would return to RBWM. The tenant cannot change the use without the consent of the Council as the landlord. The Council does not have to give landlord’s consent to the proposal.
- 2.7 By selling the land to the tenant value is released and the Council shares in the increase.
- 2.8 The money raised by the sale will assist the Charity with its current cash flow problems, including the repayment to RBWM of considerable rent arrears.
- 2.9 Heads of Terms (contained in Appendix B) have been provisionally agreed with Absolutely Leisure as follows:
  - The transaction to be by way of an option to purchase the freehold, the option to run for 5 years and the option payment is £5,000. This will be deducted from the purchase price should the option be enacted.
  - When the option is enacted the purchase price is to be £100,000 plus one third of the sale price of the land after it has obtained planning consent, but subject to a total cap of £450,000.
  - The purchaser is to obtain planning consent at its own cost.
  - Each party will be responsible for its legal costs

**3. KEY IMPLICATIONS**

- 3.1 The option period is for a term of 5 years.
- 3.2 The option will not restrict the Council to undertake its statutory obligations and activities.

**Table 2: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Option exchanges, planning permission achieved and land sold	Option not exchanged	Sale price of £250,000 secured	Total sale proceeds of £350,000	Total sale proceeds of £450,000	31 <sup>st</sup> March 2022 to exchange option

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

- 4.1 The Council will receive a non-refundable payment of £5,000 for entering into the option agreement

- 4.2 In the event that a planning application for residential development is successful and the land is sold the Council will receive a minimum of £100,000
- 4.3 In addition to the minimum sale price of £100,000 the Council will receive 33% of the sale price for the land with the total received by the Council capped at £450,000. As such the additional sum could total £350,000.
- 4.4 The annual rent received from the remaining asset will remain unchanged at £70,000 pa which is subject to upwards only review every 5 years.
- 4.5 An external valuation has been undertaken by Kempton Carr Croft acting as an independent valuer. The valuation report confirms the agreed price offers fair value to the Council. A copy of the valuation report is contained in Appendix D which is Part II and not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 4.6 A more detailed commentary on the valuation and division of value is contained in Appendix C. A copy of the valuation report is contained in Appendix D which is Part II and not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 4.7 All planning costs and fees are the responsibility of the tenant.
- 4.8 The table below summarised the financial implications of the transaction.

**Table 3: Financial impact of report’s recommendations**

<b>REVENUE COSTS</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Additional total	£0	£0	£0
Reduction	£0	£0	£0
Net Impact	£0	£0	£0

<b>CAPITAL COSTS</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Additional total	£0	£0	£0
Reduction	£5,000	£0	£0
Net Impact	£5,000	£0	£0

**5. LEGAL IMPLICATIONS**

- 5.1 RBWM has the power to dispose of land in its ownership under section 123 of the Local Government Act 1972 provided the land is sold at a consideration not less than the best that could reasonably be obtained.
- 5.2 A sale to anyone other than the tenant would produce a lower price, due to the restrictions on the lease, and so the agreed terms offer the best consideration reasonably obtainable for the Council under the terms of section 123 of the Local Government Act 1972.



**6. RISK MANAGEMENT**

6.1 There is little or no risk to the Council in completing this transaction.

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

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Transaction does not proceed	Low	Tenant benefits by completing.	Low
Planning Permission not granted	Medium	The site is not allocated for residential use in the new BLP but is in a central location on brownfield land	Medium

**7. POTENTIAL IMPACTS**

- 7.1 Equalities. An Equality Impact Assessments screening form has been completed and is available on the [council’s website](#)
- 7.2 Climate change/sustainability. N/A
- 7.3 Data Protection/GDPR. No personal information has been used or stored.

**8. CONSULTATION**

8.1 Internal consultation with CLT and Cabinet Member. Report also taken and discussed with Capital Review Board and approved.

**9. TIMETABLE FOR IMPLEMENTATION**

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

**Table 5: Implementation timetable**

<b>Date</b>	<b>Details</b>
4 <sup>th</sup> January 2022	Instruct solicitors to prepare land option agreement
31 <sup>st</sup> March 2022	Conclude legal process and exchange option agreement

**10. APPENDICES**

10.1 This report is supported by 4 appendices:

- Appendix A – Location Plan and Photographs
- Appendix B – Title Plan

- Appendix C – Valuation Commentary – Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- Appendix D – Kempton Carr Croft Valuation Report – Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- Appendix E – Development Appraisal prepared by KCC - Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

## 11. BACKGROUND DOCUMENTS

There are no background documents

## 12. CONSULTATION

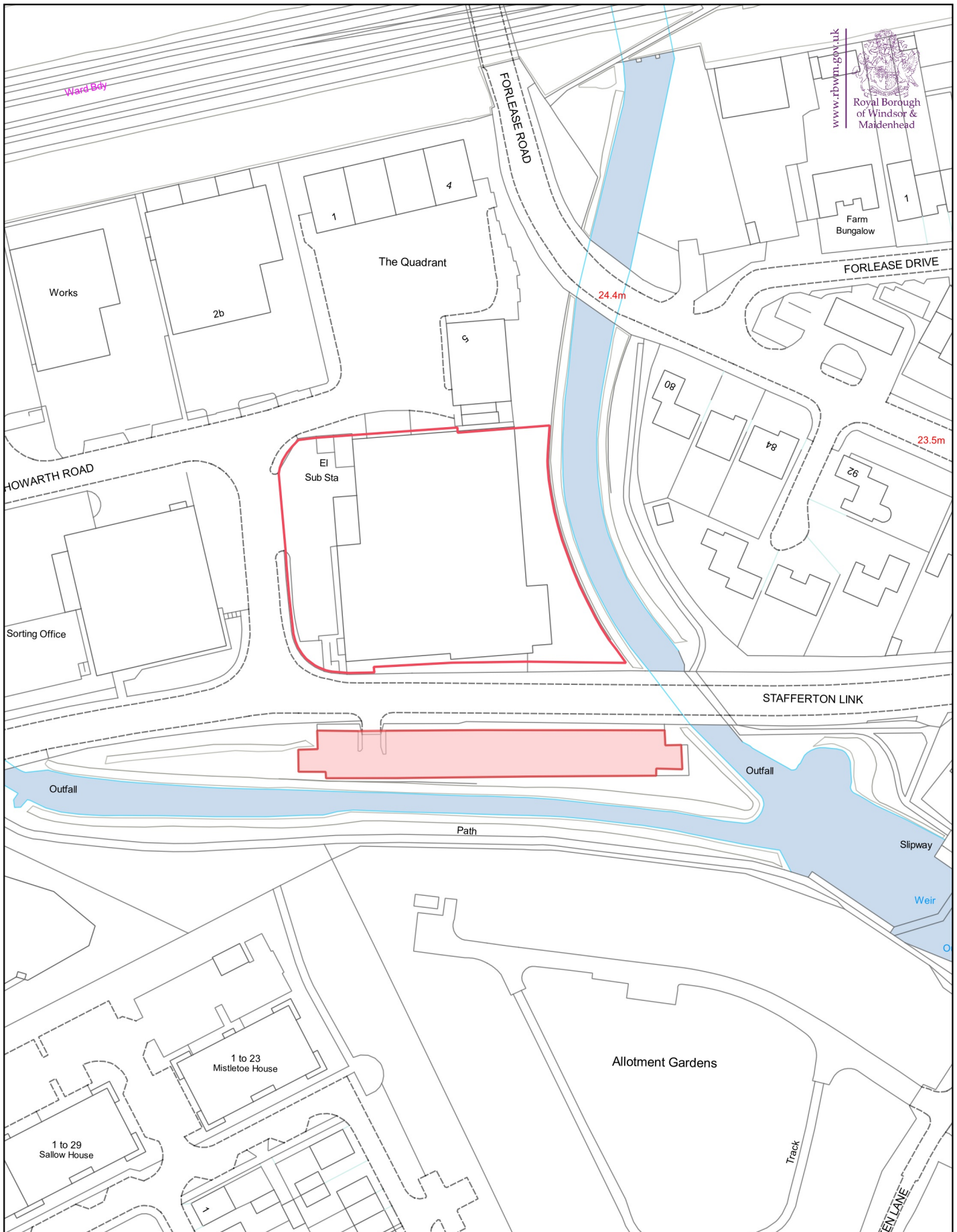
<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	30/11/21	07/11/2021
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	30/11/21	
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	30/11/21	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	30/11/21	08/11/2021
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	30/11/21	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	30/11/21	
Andrew Durrant	Executive Director of Place	30/11/21	
Kevin McDaniel	Executive Director of Children's Services	30/11/21	
Hilary Hall	Executive Director of Adults, Health and Housing	30/11/21	30/11/2021
<i>Heads of Service (where relevant)</i>			
N/A			
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Business, Economic Development & Property	Yes
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## REPORT HISTORY

Decision type:	Urgency item?	To follow item?
First entered the Cabinet Forward Plan: 15 <sup>th</sup> September 2021	No	No

Report Author: Amanda Dennis, Commercial Estates Surveyor, Property Services Tel 07787 912750 / Chris Pearse, Head of Capital Projects and Asset Management, RBWM Property Company Ltd Tel 07825 430969



Description:  
**Site 4 Howarth Road  
 Maidenhead  
 SL6 1AY**

Drawing No:  
**EO2752 F**  
 Date:  
 05/08/2021

OS Ref:  
 SU8980 nw  
 Scale at A4 Port:  
 1:1250

**Royal Borough Of Windsor and Maidenhead**

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**Heads of Terms – Detached Car Park, The Arena, Stafferton Way, Maidenhead.**

SUBJECT TO CONTRACT

<b>Site Address</b>	Detached car park, Stafferton Road, Maidenhead
<b>Seller</b>	The Royal Borough of Windsor & Maidenhead of Town Hall, St Ives Road, Maidenhead, Berkshire. SL61RF
<b>Purchaser</b>	Absolutely Leisure, The Arena, Stafferton Way, Maidenhead, SL7 3HN
<b>Vendor's Solicitors</b>	Shared Legal Solutions, Wokingham Borough Council, Shute End, Wokingham, RG40 1WH
<b>Purchaser's Solicitors</b>	Winkworth Sherwood
<b>Transaction</b>	An option to purchase the freehold title of the property
<b>Option period</b>	The option to run for a period of 5 years from completion.
<b>Option price</b>	The price for the option is £5,000. This will be deducted from the purchase price should the option be enacted. If it is not exercised the Council will retain it.
<b>Purchase Price</b>	<p>Upon exercise of the option, the purchase price is to be £100,000 plus an overage of one third of the sale price of the land after it has obtained planning consent but subject to a total cap of £450,000.</p> <p>The cap would be indexed in line with UK House Price Index compiled by the Land Registry between now and when the sale takes place.</p> <p>The overage is to be calculated as 33.33% of the difference between Base Value of £100,000 and the Enhanced Value (with the benefit of Planning Permission.)</p>
<b>Planning</b>	<p>The purchaser is to obtain, at its own cost, planning consent for the proposed use.</p> <p>The Council's consent, as vendor, will be required to the proposed planning application prior to submission, not to be unreasonably withheld or delayed and will be assumed to be acceptable if no response is received within 10 working days</p>
<b>Use:</b>	The site to be redeveloped for residential purposes.

<b>Timings</b>	<p>The option to be exchanged within 3 months of receipt of draft Option issued by the purchaser's solicitors.</p> <p>AL &amp; RBWM Option Agreement to be exchanged simultaneously with AL and Developer Option Agreement.</p> <p>Option Agreement between AL and RBWM to be conditional upon Option between AL and Developer being exercised</p> <p>Following AL receiving notice to complete from Developer, AL to serve Notice on RBWM confirming the Purchase Price and exercising the option to complete the Freehold purchase.</p> <p>Completion to be 6 months (or earlier by agreement between the parties) from notice to exercise, and to be simultaneous with AL and Developer Option completion.</p>
<b>Lease</b>	<p>Upon completion of the purchase, the land will be surrendered from the lease between RBWM and A Harvey Ltd dated 10 January 1990 (as amended). The retained land will continue to be subject to the lease.</p>
<b>Legal Costs</b>	<p>-Purchaser to pay the Council's reasonable legal costs and surveyors costs.</p>
<b>Compliance with Legislation</b>	<p>Purchaser to be responsible for ensuring compliance with all necessary legislation relating to all activities carried out under the right granted. In particular to ensure the land has the relevant planning consent.</p>
<b>Council's Approval</b>	<p>The sale is subject to approval by the relevant Council Officer, Member or Committee.</p>
<b>Other terms</b>	<p>Such other terms as are considered necessary by the Council's Solicitor for a transaction of this nature.</p>

Report Title:	Sale of Retail/House in Cookham
Contains Confidential or Exempt Information	Report and Appendices A&B Part I Appendices C&D Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
Cabinet Member:	Councillor Andrew Johnson - Cabinet Member for Business, Economic Development & Property
Meeting and Date:	Cabinet – 16 <sup>th</sup> December 2021
Responsible Officer(s):	Duncan Sharkey – Chief Executive
Wards affected:	Bisham and Cookham

## **REPORT SUMMARY**

*13 Hillcrest Avenue is a small shop attached to residential property and was leased to the tenants on a 99-year lease from 4 April 2001 at a peppercorn rent.*

*Terms have been agreed to sell the freehold interest in the property to the tenant for a sum of £190,000. If the property is redeveloped within 20 years, the Council would receive 30% of the uplift in value.*

*Under the Council's Scheme of delegation Cabinet approval is required for disposals in excess of £100,000.*

*The disposal is recommended for approval*

## **1. DETAILS OF RECOMMENDATION(S)**

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

- i) Approves the sale of the freehold interest in 13 Hillcrest Avenue.**
- ii) Delegates authority to the Chief Executive in consultation with the Cabinet Member for Business, Economic Development & Property to negotiate the legal contracts required to complete the transactions.**

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

### Options

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

<b>Option</b>	<b>Comments</b>
Sell the freehold to the tenants.  <b>This is the recommended option</b>	The Council receives the capital receipt, and the tenant can plan.
Do not sell the freehold to the tenant.	No capital receipt is received, and the tenant may come back later to seek amendments to the lease.

- 2.1 13 Hillcrest Avenue is a 3 bedroom detached house with a small shop attached. The welfare facilities of the shop (i.e., toilet and kitchen) are shared with the house. The shop is in a secondary retail location on a former Council housing estate in Cookham. The shop does not benefit from passing trade and most of the customers reside locally to the shop. A location plan and photographs are included in Appendix A.
- 2.2 The tenants are in occupation having entered the lease for a term of 99 years from 4th April 2001 at peppercorn rent. The Tenant paid a premium of £60,000 to the Council to purchase the lease when the lease was entered into in 2001. One of the tenants is a ward Councillor for Bisham and Cookham, but has not been directly involved with the negotiations to purchase the lease.
- 2.3 The lease limits the use to a shop with attached residential accommodation. The Council's consent is required if the residential and retail parts were to be separated. A further condition of the lease is that if the shop is closed for a period of 3 months or more the Council can terminate the lease and the tenants would lose their home as well as their livelihood. To protect their future, the tenants have requested to purchase the freehold and terms have been agreed as follows:
- A purchase price of £190,000 for the freehold of 13 Hillcrest Avenue.
  - If the property is redeveloped within 20 years of completion of the purchase the Council shall receive 30% of the increase in value following the redevelopment.
  - Each side to pay their own legal costs.

## 3. KEY IMPLICATIONS

- 3.1 The proposed sale of Council's interest provides the Council with a windfall capital receipt with no loss of rental income. In addition, the development value clawback provision enables the Council to benefit from any future redevelopment.
- 3.2 There is a risk that the sale of the freehold could hasten the closure of the shop because the lease provides a keep open clause for the shop. The tenants have no immediate plans to close the shop but recognise that



changing shopping habits and economic considerations beyond their control could lead to them being in breach of the lease through no fault of their own. The capital receipt is largely intended to buy out this uncertainty for the tenant.

- 3.3 Cookham benefits from significant attractive retail and hospitality provision close to the rail station that are within half a mile from the property.

**Table 2: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Sale completes		Sale price of £190,000 secured			31 <sup>st</sup> March 2022

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

- 4.1 The property was last valued for asset valuation purposes on 25<sup>th</sup> of October 2021. The value of the Council's interest was nominal given the property will produce no income to the Council until the lease expires in 2100.
- 4.2 The lease contains a keep open clause that if breached could see the Landlord terminate the lease which reduces the value of the tenants' leasehold interest as the perceived risk would reduce the attractiveness of the property to potential buyers of the lease. Therefore, a sale to the current tenants will produce the best value for the Council as it will release marriage value, and this is reflected in the agreed price.
- 4.3 The agreed terms include an overage payment based on one third of the price that the land is sold for. This is the element that could bring an additional capital receipt to the Council.
- 4.4 Further commentary of the valuation of the Council's interest and the terms of the sale is contained in Appendix C which is Part II and not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 4.5 An external valuation has been undertaken by Kempton Carr Croft acting as an independent valuer. The valuation report confirms the agreed price offers fair value to the Council. A copy of the valuation report is contained in Appendix D which is Part II and not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 4.6 The table below summarised the financial implications of the transaction.

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

<b>REVENUE COSTS</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Additional total	£0	£0	£0
Reduction	£0	£0	£0
Net Impact	£0	£0	£0

<b>CAPITAL COSTS</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Additional total	£0	£0	£0
Reduction	£190,000	£0	£0
Net Impact	£190,000	£0	£0

## 5. LEGAL IMPLICATIONS

- 5.1 RBWM has the power of dispose of land in its ownership under section 123 of the Local Government Act 1972 provided the land is sold at a consideration not less than the best that could reasonably be obtained.
- 5.2 A sale to anyone other than the tenant would produce a lower price, due to the restrictions on the lease, and so the agreed terms offer the best consideration reasonably obtainable for the Council under the terms of section 123 of the Local Government Act 1972.

## 6. RISK MANAGEMENT

- 6.1 There is little or no risk to the Council in completing this transaction.

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

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Transaction does not proceed	Low	Tenant benefits by completing.	Low

## 7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessments screening form has been completed and is available on the [council's website](#)
- 7.2 Climate change/sustainability. N/A
- 7.3 Data Protection/GDPR. No personal information has been used or stored.

## 8. CONSULTATION

- 8.1 Internal consultation with CLT and Cabinet Member. Report also taken and discussed with Capital Review Board and approved.

## 9. TIMETABLE FOR IMPLEMENTATION

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

**Table 5: Implementation timetable**

<b>Date</b>	<b>Details</b>
8 <sup>th</sup> December 2021	Instruct solicitors to prepare sale agreement
31 <sup>st</sup> March 2022	Conclude legal process and complete sale

## 10. APPENDICES

10.1 This report is supported by 4 appendices:

- Appendix A – Location Plan and Photographs
- Appendix B – Title Plan
- Appendix C – Valuation Commentary – Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- Appendix D – Kempton Carr Croft Valuation Report – Part II Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

## 11. BACKGROUND DOCUMENTS

There are no background documents

## 12. CONSULTATION

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	24/11/21	07/12/21
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	24/11/21	28/11/2021
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	24/11/21	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	24/11/21	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	24/11/21	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	24/11/21	25/11/2021
Andrew Durrant	Executive Director of Place	24/11/21	29/11/2021
Kevin McDaniel	Executive Director of Children's Services	24/11/21	

Hilary Hall	Executive Director of Adults, Health and Housing	24/11/21	25/11/2021
<i>Heads of Service (where relevant)</i>			
<i>N/A</i>			
<i>External (where relevant)</i>			
<i>N/A</i>			

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Business, Economic Development & Property	Yes
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## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
First entered the Cabinet Forward Plan: 15 <sup>th</sup> September 2021	No	No

Report Author: Amanda Dennis, Commercial Estates Surveyor, Property Services Tel 07787 912750 / Chris Pearse, Head of Capital Projects and Asset Management, RBWM Property Company Ltd Tel 07825 430969
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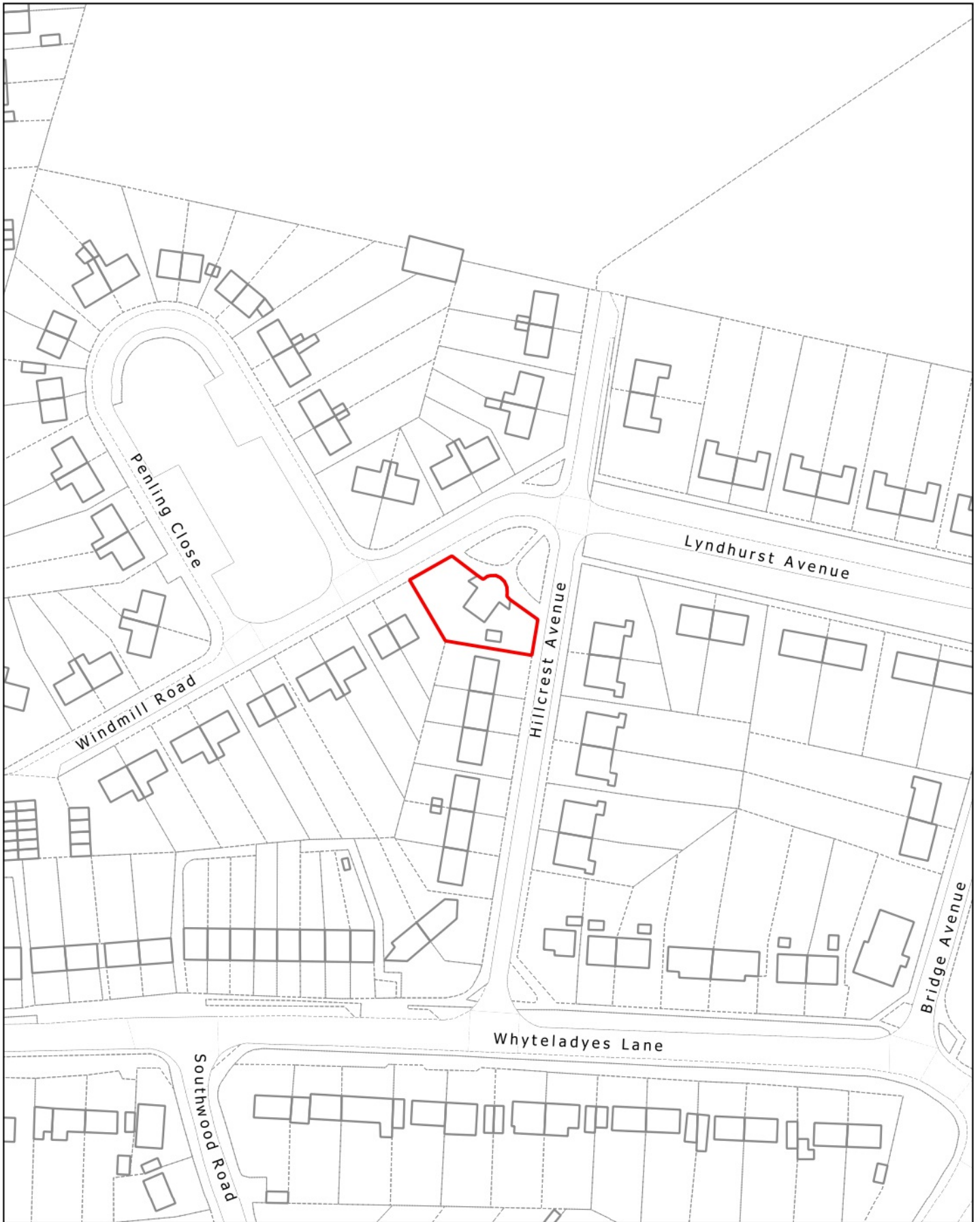
## Appendix A

### Location Plan and Photographs – 13 Hillcrest Avenue, Cookham



**13 Hillcrest Avenue, Cookham**





13 Hillcrest Avenue  
Cookham Rise  
Berks SL6 9NB

Disposal Plan

Drawing No:  
EO2271

OS SU8884 nw

**Royal Borough Of Windsor and Maidenhead**

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Date: 04/01/2016

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of the Local Government Act 1972.

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