

## NOTICE OF MEETING

# CABINET

will meet on

**THURSDAY, 28TH APRIL, 2022**

**At 7.00 pm**

by

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

TO: MEMBERS OF CABINET

COUNCILLORS ANDREW JOHNSON (LEADER OF THE COUNCIL; GROWTH & OPPORTUNITY)

(CHAIRMAN), STUART CARROLL (DEPUTY CHAIRMAN OF CABINET; ADULT SOCIAL CARE, CHILDREN'S SERVICES, HEALTH, MENTAL HEALTH, & TRANSFORMATION) (VICE CHAIRMAN)

DAVID CANNON (ANTI-SOCIAL BEHAVIOUR, CRIME, AND PUBLIC PROTECTION)

DAVID COPPINGER (ENVIRONMENTAL SERVICES, PARKS & COUNTRYSIDE & MAIDENHEAD)

SAMANTHA RAYNER (DEPUTY LEADER OF THE COUNCIL; BUSINESS, CORPORATE & RESIDENTS SERVICES, CULTURE & HERITAGE, & WINDSOR)

DAVID HILTON (ASSET MANAGEMENT & COMMERCIALISATION, FINANCE, & ASCOT)

DONNA STIMSON (CLIMATE ACTION & SUSTAINABILITY)

ROSS MCWILLIAMS (DIGITAL CONNECTIVITY, HOUSING OPPORTUNITY, & SPORT & LEISURE)

PHIL HASELER (PLANNING, PARKING, HIGHWAYS & TRANSPORT)

Karen Shepherd – Head of Governance - Issued: Wednesday, 20 April 2022

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**

**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

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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, 31 MARCH 2022

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

Also in attendance: Councillor Stuart Carroll, Councillor Christine Bateson, Councillor Simon Werner, Councillor John Bowden, Councillor Lynne Jones, Councillor Gurch Singh, Councillor Karen Davies, Councillor Ewan Larcombe, Councillor Gurpreet Bhangra and Councillor Simon Bond

Officers: Duncan Sharkey, Kevin McDaniel, Hilary Hall, Andrew Durrant, Chris Joyce, Adele Taylor, Andrew Vallance, Emma Duncan and David Cook. Lucy Kourpas (AFC)

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Cannon. Councillor Carroll joined the meeting virtually as a none voting member of Cabinet due to Covid.

### DECLARATIONS OF INTEREST

Councillor Rayner declared an Interest in item Queens Jubilee. She left the room for the duration of the discussion and voting on the item.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 24<sup>th</sup> February 2022 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 following two reports moving to April 2022 Cabinet:

- Cedar Tree House, 90 St Leonards Road, Windsor
- Cavalry Crescent, Windsor

### CABINET MEMBERS' REPORTS

#### A) CLIMATE PARTNERSHIP

Cabinet considered the report regarding the initial arrangements of the Climate Partnership.

The Lead Member for Sustainability and Climate Action thanked officers and fellow Cabinet Members for their support in the ongoing work being undertaken. This was the second report to Cabinet regarding the Climate Partnership, the first was the detailed report regarding establishing the partnership to provide independent leadership to the delivery of the Borough-Wide targets set out in the Environment and Climate Strategy.

This paper set out the initial arrangements of the Climate Partnership for the start-up phase. The paper seeks approval, and delegated authority, for appointment of an initial board for a period of 12 months and the selection process for the appointment of a Chair from the Board. Subsequently, the Climate Partnership will become a self-funding independent body.

The initial board is intended to provide a breadth of public, private sector and community representatives. The Board must collectively be knowledgeable of climate action and will provide quarterly updates to the Council. There had been a lot of advancement with the council's small climate change team but a bigger independent organisation was required to deal with this big issue. It was proposed that the RBWM Climate Partnership be set up in the first instance as a Community Interest Company. This would provide a separate legal entity to the Council to ensure its independence and bring together partners to meet the climate challenge.

The Lead Member for Corporate & Resident Services, Culture & Heritage and Windsor said she supported the report as it was an important topic for residents. She requested that the Leader of the Council be added to the consultees within the report for Board appointments and that an annual report be brought back to council.

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

- i) Approves setting up a new Community Interest Company (CIC) known as the RBWM Climate Partnership and the principles of its operation.**
- ii) Notes the proposed appointments of the initial Board Members for a period of 12 months to complete the start-up phase of the Partnership, and delegates authority to the Chief Executive, in consultation with the Cabinet Member for Sustainability and Climate Action and the Leader of Council to appoint the appropriate initial Board Members and any subsequent appointments if any of the appointed board members are no longer able to fulfil their role or resign in the first twelve months.**
- iii) Approves the selection process for the initial Chair of the Partnership and delegates authority to the Chief Executive, in consultation with the Cabinet Member for Sustainability and Climate Action, the Leader of Council and members of the Board, to appoint the Chair of the Partnership and any additional directors.**

**B) REVOCAION OF SUPPLEMENTARY PLANNING GUIDANCE AND SUPPLEMENTARY PLANNING DOCUMENTS**

Cabinet considered the report regarding the revocation of certain supplement planning documents.

The Lead Member for Highways & Transport, Planning and Parking informed Cabinet that following the adoption of the RBWM Borough Local Plan, the policy framework under which many of the Council's Supplementary Planning Guidance and Supplementary Planning Documents were prepared had now changed. As a result, they are no longer required and should be revoked. Revoking these out-dated SPDs and SPGs would avoid confusion and make it easier for interested parties to access relevant information when seeking planning policy advice and submitting planning applications.

The six SPGs and two SPDs, in Appendix 1, which were proposed for revocation were all adopted between 2000 and 2010. Their content is inconsistent with the BLP as they were



based upon the policies within the now superseded 1999 Local Plan (incorporating Alterations adopted June 2003). These SPGs and SPDs were also adopted by the Council before the introduction of the National Planning Policy Framework in 2012.

The Lead Member for Environmental Services, Parks and Countryside and Maidenhead said that he was delighted to see the recommendations to remove now outdated guidance that would provide clarity to the planning system.

The Chairman agreed that now we had the adopted BLP that this should guide planning.

Cllr Larcombe raised concern that the F1 policy replaced by the NR1 policy did not sufficiently replace the details in the old policy that his Parish Council had followed. The ground coverage detailed in the old policy was not represented in the new one. The Lead Member replied that the planning policy officers had reassured him that all the changes were in line with the national framework.

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

- i. Approves the revocation of the Supplementary Planning Guidance notes and Supplementary Planning Documents as listed in Appendix 1.**

**C) VISION FOR WINDSOR**

Cabinet considered the report regarding the proposed creation of a robust vision for the future of Windsor.

The Deputy Leader of the Council, Corporate & Resident Services, Culture and Heritage and Windsor informed Cabinet that Windsor was an historical town with the castle at its heart, this paper provided an excellent opportunity to engage with stakeholders and residents about the future of the town.

The purpose of this project was to create a robust vision for the future of Windsor. The vision would incorporate the relevant emerging and existing strategies and plans for the area, whilst drawing on the many strengths and assets of the historic Town.

The paper sought approval to commission The Prince's Foundation to support the Council to engage collaboratively with key stakeholders and residents through an Enquiry by Design approach. It's estimated the project will last for a period of nine-months and will include a number of engagement opportunities and three key workshops to ultimately shape a Vision for Windsor.

The Chairman said he supported the paper and that there had been a lot of needed work regarding the regeneration of Maidenhead. Work was planned for Ascot and given the pandemic it was now the right time to look at Windsor with an integrated vision being driven by the aid of the Prince's Foundation. Cllr Stimpson agreed that the Prince's Foundation were an excellent organisation to undertake this work with excellent records of community engagement.

The Lead Member for Asset Management & Commercialisation, Finance and Ascot said that this was an appropriate time to undertake the work and that it was important to get the views of residents. The foundation had undertaken work in Ascot that was now being implemented.

The Lead Member who help the responsibility for Maidenhead mentioned that the town centre vision for Maidenhead had been delayed by the pandemic but he would be bringing a report to Cabinet soon.

Cllr Davies said she broadly welcomed the paper and was pleased to see lessons learnt from the work undertaken for Maidenhead, she asked how residents could get involved. She was informed that the council wanted to maximise resident participation and this would be driven by the work of the Foundation and supported by the council where appropriate.

Cllr Jones mentioned that the report mentioned that there would be work with stockholders before going to the wider group and asked who they would be. She also asked if the Windsor 2030 NP was still going. She was informed that the Council wanted as many participants in the consultation as possible so any ideas were welcome, with regards to Windsor 2030 this was still underway lead by the Town Centre Manager.

Mr Ed Wilson addressed Cabinet and said that he was pleased to see the Princes Foundation being used as he had seen the excellent work they had done in York and Guildford. It was important to have a vision and the people to implement it. He asked how will RBWM communicate this to residents and businesses, will residents get their say and not just specialists groups and will there be work undertaken in Windsor whilst the project is being undertaken. Cllr Rayner replied that the Council's communications team would support the Foundation in getting the message out to as many people as possible. Work would continue within Windsor whilst the consultation was being undertaken such as a deep clean for the Queens Jubilee and associated events.

Cllr Singh said that there had been a lot of backlash from the consultation for a Windsor Town Council and he asked if this work would be listened to. The Chairman replied that given the low level of response to that consultation there was no mandate to proceed, when given a mandate it was important not to ignore.

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

- I. Agrees the scope for a 'Vision for Windsor' project to commence.**
- II. Agrees to commission The Prince's Foundation and implement the Enquiry by Design (EbD) approach for engagement with stakeholders and residents.**

D) FINANCE UPDATE

Cabinet considered the report regarding the latest Financial update.

The Lead Member for Asset Management and Commercialisation, Finance, and Ascot informed Cabinet that the report asked Cabinet to approve three capital virements which he would come back to. The headline for the Month 10 Finance Monitoring Report was a projected underspend of £239K an increase of £138K from month 8.

The council was on course to deliver three consecutive years of underspends which was unheard of in recent times. This had been achieved by improved financial governance, cultural change which had been led to a greater emphasis on delivering to budget.

Projected savings are actively monitored, however, Covid has prevented savings in Adult Social Care and Place and the report shows there are £2,229 of unachieved savings, however, I am pleased to report these costs will be absorbed by the services within existing budgets.

The budget included a £1.3M contingency to cover for undelivered savings but thanks to great work by officers this would not be needed. This £1.3M plus other unused contingencies and an underspend of £413K in corporate budgets would be transferred to reserves.

The Lead Member informed that there were some other movements worthy of note;

Forecast parking income and permit fees had increased by £250K based on current forecasts. There had been an increase of £150K in income from weddings in the registrar's service. But these were offset by a number of overspends.

We had received £804K more Contain Outbreak Management Fund of which £400K would be allocated to 2022/23 budget.

There was now a forecasting a general reserve of £7.298M, £598K above the minimum.

Cabinet was asked to approve a number of virements. With an existing contract expiring at the end of this month for the current IDOX system it was proposed to introduce an externally hosted Cloud based solution at a cost of £225K. It was proposed to vire this from Neighbourhood Plans, Joint Minerals and waste and IT strategy.

Second to approve the use of public sector decarbonisation scheme funding of £1.566m to replace oil fire boilers with gas boilers plus other sustainability improvements in five primary schools, this allows £476K to be returned to School Conditions Allocations contingency.

It was also proposed to approve the part Virement in appendix J that was under Part II section of the agenda due to its confidentiality.

The Chairman reiterated that there had been three years of sound budget management that had resulted in three years underspend.

Cllr Werner raised concern that the paper either showed good financial control with little change between reporting periods or at year end would be late financial burdens. He was concerned about the failure to meet Adult Social Care Savings, that transformation projects savings should only be added once they had been realised and that the council needed to address rising inflation by moving short term debt into more appropriate long term debt. Was action being taken now for the future.

The Lead Member replied that variances were higher at the start of the financial year and stabilised towards the end when the picture was clear. He had already reported the variances between the last report and this one. The saving targets had been hit by the pandemic and this had clearly been reported. With regards to borrowing there had already been a shift from short term to long term and officers were working on a revision of the MTFS.

Cllr Jones mentioned that the forecast general reserve balance was £239k above budget but she asked how paragraph 4.3.4 aligned with this because it sounded that this included the contingency budget going into reserves. With regards to the savings shortfall were they mitigated from a one off shortfall and how would this be budgeted for next years budget. With regards to the proposed virements she asked that they had been taken from budgets that did not need them, such as the neighbourhood plans that would be required. She also thought that adult social care demand had been reduced at the start of the pandemic, how would the ASC cap affect the budget in 2023?

The Lead Member responded that the mentioned paragraph was as said that contingencies that were not required would be moved into reserves. The S151 strategy in the budget was to increase our reserves were possible. Savings not met had been mitigated by services within existing budgets, if this had been from one off grants then the contingency reserves would have been used. With regards to the virements this had been recommended by officers and could have been taken under delegated authority. All authorities waited to see what the ASC cap impact would be.

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

- I. **notes the Council's projected revenue and capital forecast outturn for 2021/22;**
- II. **approves capital budget virements totalling £0.255m (paragraph 17.5);**
- III. **recommends that Council approve capital budget virements of £1.567m in respect of funding secured from the Public Sector Decarbonisation Scheme (paragraph 17.6); and**
- IV. **approves the capital virement in confidential Appendix J.**

E) ACHIEVING FOR CHILDREN (AFC) RESERVED OWNERSHIP DECISIONS

Cabinet considered the report regards AFC reserve matters.

The Chairman informed Cabinet that the Royal Borough of Windsor and Maidenhead owned 20% of Achieving for Children Community Interest Company (AfC) and was responsible for making reserved matter ownership decisions in relation to the strategic direction of the company jointly with the two other council owners.

This report sought approval for the adoption of the updated Business Plan, the Company's budget for 2022/23 and the Treasury Plan for 2022/23.

In developing these proposals AfC had engaged with relevant council officers and members of the AfC Ownership Board. The budget for Windsor and Maidenhead based AfC services mirrors the budget proposed as part of the Local Authority's budget approval process.

The Deputy Chairman of Cabinet and Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation informed that the documents set out the strategy and plans for children in the borough. Our vision was to allow all children to have the best start possible in life and to live a safe life and the transition into adulthood. The plans allowed for a skilled workforce, looked at best practice, developed business models, looked at transformation and value for money. This builds on the successes already made.

The AFC Chief Operating and Finance Officer informed Cabinet that the AfC Joint Committee approved a five year Business Plan in December 2019. This plan was the overarching strategy for AfC. It described the organisation's strategic priorities for the coming years and details non 'business as usual' planned activity. The Plan was put together following extensive engagement with council colleagues, partners, staff and young people.

The Business Plan and associated strategies had been updated to reflect the changing context in which AfC operates and also emerging priorities. More detail had been included on the organisation's Environment Strategy given the increasing focus and prioritisation of this work.

The draft Medium Term Financial Strategy was attached at appendix C. The strategy sat alongside the Business Plan and was produced as part of the budget process.

With regards to the budget AfC was fully engaged in Windsor and Maidenhead's budget setting process each year and the proposals outlined, that related to Windsor and Maidenhead, mirror the proposals outlined for children's services in the Local Authority's own budget paper. A net revenue operating budget of £168,696,985 was proposed for AfC in 2022/23, £42,863,385 was allocated for RBWM.

The Treasury Plan outlined how AFC is permitted to borrow and invest for cashflow purposes in the coming year.

The Director for Children's Services informed that as well as the work already mentioned it was important to note that the paper built on the partnership work with other organisations

such as Schools, Adult Social Care, NHS etc. intervention work had been prioritised to help protect and help young people.

The Lead Member for Climate Action and Sustainability welcomed the report but asked if there were any plans to replace 'Kickstart' when it came to an end. She was informed that AFC supported apprentices and ways into work, when recruiting they would also look if an apprentice was a viable option. The council was also working to create opportunities.

The Deputy Leader of the Council & Cabinet Member for Business, Corporate and Residents Services, Culture and Heritage, and Windsor said she was please to second the report and asked about the mental health of young people. She was informed that the pandemic had put pressure on mental health services and on returning to school there had been an increase in absence. Officers were working on support with additional resources in early help services and work would continue with schools.

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

- i) approves the AfC Business Plan including the Business Development Strategy and Medium Term Financial Strategy (appendix A,B,C)**
- ii) approves the detailed AfC 2022/23 budget (appendix D)**
- iii) approves the AfC Treasury Plan (appendix E)**

**F) THE QUEEN'S PLATINUM JUBILEE 2022**

Cabinet considered the report regarding the events for the Queen's Platinum Jubilee celebrations.

The Deputy Leader of the Council and Cabinet Member for Business, Corporate and Residents Services, Culture and Heritage, and Windsor left the room during consideration of this item and did not take part in discussions or vote.

The Chairman informed Cabinet that the report provided an update on the events and projects that the Royal Borough were currently involved in to support the Queen's Platinum Jubilee celebrations throughout 2022.

A number of these events were being delivered by the Royal Borough. The Council was also supporting organisations to deliver a number of events either through officer support or through financial contributions and a relaxation of some fees and charges.

The Lead Member for Planning, Parking, Highways and Transport said this was a fantastic report with so many community events, he was pleased that certain fees and charges were being relaxed to help communities. He was also pleased to see Garden in Bloom back on the list of events.

Cllr Davies also supported this report and that she was looking forward to the many events, she mentioned that the Jubilee Picnic in the Park was in July and not June as referenced in appendix A. She also said that Cllr Tisi welcomed any support for events.

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

- I. Welcomes the variety of Platinum Jubilee events and projects the Royal Borough is supporting as detailed in Appendix A (as amended)**
- II. Gives in principle support to the project to illuminate Windsor and Eton Bridge, subject to the costs associated with the installation of the lights being met from funds raised through a public appeal.**

- III. Notes the ongoing additional revenue costs associated with the illumination of the Windsor and Eton Bridge if the scheme is delivered.
- IV. Approves the waiving of the fee to be charged for processing traffic management measures for street parties to be held between 2-5 June on classified roads or roads that are part of a bus route.
- V. Notes the ongoing additional revenue costs associated with the maintenance of the Platinum Jubilee Fountain.
- VI. Endorses the proposal to provide free parking for RBWM volunteers supporting the delivery of the various Platinum Jubilee events.

G) LGA CORPORATE PEER CHALLENGE: FINDINGS AND RECOMMENDATIONS

Cabinet considered the report regarding the findings and recommendations of the Local Government Association Corporate Peer Challenge.

The Chairman informed Cabinet that he wished to thank the LGA and Peer partners for undertaking the review. The Royal Borough had invited the LGA into the council to conduct the review, in order to provide an external assessment of its progress, and recommendations for further improvement. Their assessment and recommendations were set out in the LGA Corporate Peer Challenge Feedback Report, appendix A. he said that Cabinet welcomed the constructive feedback and looked forward to further improvements. There were 11 recommendations with Cabinet’s proposals detailed below:

Recommendation	Cabinet recommendation.
<p><b>Recommendation 1</b> Prioritise embedding the Corporate Plan across the Council and the establishment of a new performance framework which links service plans and priorities to budget and risks over the medium term.</p>	That this is <b>accepted</b> .
<p><b>Recommendation 2</b> Refresh the Medium Term Financial Strategy (MTFS) with stronger links to the savings made by the Transformation Strategy and underpinned by the creation of a Transformation Fund to deliver the benefits needed. The first priority of the strategy should be to improve the customer experience.</p>	That this is <b>accepted</b> .  Work was already under way to develop the new MTFS linking with the agreed Corporate Plan.
<p><b>Recommendation 3</b> Establish a Member development programme, including a new induction package for May 2023 which aligns to the strategic priorities of the Royal Borough. Group Leaders need to be fully involved in developing the programme to ensure ongoing member participation, throughout the term of office.</p>	That this is <b>accepted</b> .  The Chairman welcomed group leaders working together in developing a development programme.
<p><b>Recommendation 4</b> Put in place stronger support for member casework that provides consistency and timeliness of response across all council functions. This will help members to carry out their ward work more efficiently and maintain residents’ confidence that their issues are being dealt with.</p>	That this is <b>accepted</b> . Officers will consider a range of options for providing stronger support.
<p><b>Recommendation 5</b> Review the current model of scrutiny committees. There are currently 4 scrutiny</p>	That this is <b>accept</b> , and move to three Scrutiny Panels, to align with the ‘Thriving Communities’, ‘Inspiring

panels and one county-wide health scrutiny. It may be better for the committees to be more closely aligned to the priorities in the Corporate Plan and service delivery arrangements covering people, place and corporate functions.	Places' and 'Council Trusted to Deliver' objectives set out in the Corporate Plan.
<b>Recommendation 6</b> Revisit the terms of reference and remit of the joint Health Overview and Scrutiny Committee for East Berkshire as part of the establishment of the ICS.	That this is accepted is <b>accepted</b> .
<b>Recommendation 7</b> Review Cabinet portfolios so that they are re-balanced across people, place and corporate functions to enable more capacity to influence at a sub-regional and national level alongside local place leadership responsibilities.	That this is <b>accept in part</b> , noting changes have been made since the Peer Review.
<b>Recommendation 8</b> Develop a clear and consistent framework on the role and governance of the arms-length Council entities including Optalis, AFC and the Property Company. Shareholder responsibilities should be separated from those of the strategic client.	That this is <b>accepted</b> .
<b>Recommendation 9</b> Develop a localism strategy with town and parish councils and community groups which promotes greater subsidiarity of decision making and thus enabling RBWM to be more strategic.	That this is <b>accepted in part</b> , with the review including a focus on relationships with partners and the community sector. A focus on partnership rather than devolution.
<b>Recommendation 10</b> Take advantage of the 25th anniversary of being a unitary council to work with the Youth Council and partners to set out a new 25-year vision for the Royal Borough.	That this is <b>accepted</b> , pending their views. It should be noted that the 25 <sup>th</sup> anniversary will be in 2023, rather than 2022, as originally suggested in the Feedback Report.
<b>Recommendation 11</b> Once the improvement plan for the Planning function is in place and beginning to have an impact, consider a peer review of the Planning Service to drive continuous improvement in 2023/24 and beyond.	That this is <b>accepted</b> .

Cllr Werner said he had taken part in a number of peer reviews but it looked like the council were listening to this one. Cllr Werner did comment that with regards to recommendation 7 that this had not been fully implemented there was still a Lead Member who held responsibility for Children's Services, Adult Services, mental health and transformation, he suggested that this remit was too wide and there should be separate Lead Members undertaking the role. He was pleased to see recommendation 2 as it showed that the opposition comments had been listened to. With regards to the reduction in scrutiny panels he asked that this include an increase in members on the remaining panels to improve their knowledge base.

The Chairman replied that they would look into expanding the number of members on scrutiny panels. With regards to Cabinet portfolios these were driven by results and the portfolio holder referenced had demonstrated his value during the work undertaken in the pandemic. As with the other recommendations the chairman said that they always listened to sensible

recommendations and that he looked forward to working with the other group leaders on the induction programme.

Cllr Jones said she felt that the peer review had done a good job and had listened to the feedback given to them. With regards to recommendation 9 she said that parish councils were an important tier of democracy so why was the recommendation only partly accepted. Recommendation 10 only says the Youth Council and not partners in officer recommendations, why?

Cllr Jones also mentioned that the report also mentioned 'wider areas' that had not been included in the 11 recommendations but were still very important and should be secondary priorities such as, mixed housing tenures, improving scrutiny with better forward planning, prioritisation of work and better resourced. There was also a need to improve member behaviour especially with social media, she recommended a second prioritisation list be included.

The Chairman responded that with regards to recommendation 9 parish councils were important and that the recommendation was to focus on partnership working rather than devolution. With regards to recommendation 10 this would include the Youth Council and other partners as recommended. With regards to the secondary recommendations they were being actioned such as town visions coming forward, the BLP aiding social housing, more work was needed to improve scrutiny and holding the administration to account, that there should be joint working with group leaders on member development and also improving members standards.

Cllr Bond mentioned that he had not been part of the peer reviews interviews but he had read the findings and felt that there were a lot of great stuff that should be discussed in another forum. He felt that there were a few areas missing such as further investigation in working with the LEP where there had been a line in the budget, especially given the Levelling Up White Paper. Also Health and Wellbeing and Health Scrutiny as it seemed odd to recommend a review of a committees TOR if that committee continue not to meet. He liked the mention of financial management but felt more information was required on how they felt audit and governance could be developed. With regards to councillor case work there may not have been a response to an inquiry because it may have been a complex area, a new bit of software recording case work may not take things forward.

The Chairman replied that with regards to member case work there was work underway to implement the new system including support for members to follow up enquiries. With regards to the LEP he agreed that there was more work to be done and he felt we could be a prominent role in place leadership. With regards to health scrutiny this was being looked at and he was happy to discuss audit and governance with group leaders.

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

- I. Reviews the LGA Corporate Peer Challenge Feedback Report, and considers the recommendations made by the LGA Corporate Peer Challenge team.**
- II. Agrees to accept the 11 recommendations made in the report, subject to 'and partners' be added to recommendation 10.**
- III. Agrees to develop and publish an Action Plan within an eight week time frame, responding to the feedback and recommendations and setting out how these will be taken forward.**

#### LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting 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.

CABINET MEMBERS' REPORTS

A) FINANCE UPDATE

**Resolved unanimously: that the Part II appendix be noted and the virement approved.**

The meeting, which began at 7.00 pm, finished at 9.05 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
RBWM PropCo Business Plan, Annual Milestones and Risk Management including Update on Governance Action Plan	28/04/22	26/05/22	Further work required.
Draft Building Height and Tall Buildings Supplementary Planning Document – Regulation 13 Consultation	n/a	26/05/22	New item
Maidenhead Town Team	n/a	26/05/22	New item
Public Sector Decarbonisation Phase 3	n/a	26/05/22	New item
Local Cycling and Walking Infrastructure Plan and Cycling Capital Programme	n/a	26/05/22	New item
Energy Programme	n/a	23/06/22	New item

## FORWARD PLAN OF CABINET DECISIONS

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)
20 Cedar Tree House, 90 St Leonards Road, Windsor	Fully exempt - 3	To bring the property, bought at auction, into use for temporary accommodation ensuring it is fit for purpose and meets building regulation requirements.	Yes	Leader of the Council & Cabinet Member for Growth & Opportunity (Councillor Andrew Johnson)	Duncan Sharkey	Internal process	Cabinet 26 May 2022	
Cavalry Crescent, Windsor	Fully exempt - 3	The acquisition of 53 no. former Defence Estate Homes and associated infill land from Annington Homes via a Purchase and Development Agreement to bring the properties up to habitable standards to an agreed specification and 10 New Build units	Yes	Leader of the Council & Cabinet Member for Growth & Opportunity (Councillor Andrew Johnson)	Duncan Sharkey	Internal process	Cabinet 26 May 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)
2		<p>on the infill land subject to planning permission.</p> <p>Consideration of the mixed rented products for investment purposes and the future management of the properties.</p>						
Finance Update	- Open	Latest Financial Update	Yes	Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot (Councillor David Hilton)	Adele Taylor	Internal Process	Cabinet 26 May 2022	
RBWM Prop Co Business Plan, Annual Milestones and Risk Management including Update on Governance Action Plan'	Fully exempt - 3	A report seeking approval of the RBWM PropCo five year Business Plan and Annual Milestones, an update on current risks and mitigation and an update on the Governance Action Plan including approval of the revised Shareholder Agreement and Scheme of	Yes	Leader of the Council & Cabinet Member for Growth & Opportunity (Councillor Andrew Johnson)	Duncan Sharkey	Internal Process	Cabinet 26 May 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)
		Delegation						
22 Draft Building Height and Tall Buildings Supplementary Planning Document – Regulation 13 Consultation	Open -	<p>There is a requirement within the adopted Borough Local Plan for the preparation of a new Building Height and Tall Building Supplementary Planning Document (SPD) to support Policy QP3a.</p> <p>The report recommends that the Cabinet approves the publication of the draft Building Height and Tall Buildings SPD for public consultation in June 2022.</p>	Yes	Cabinet Member for Planning, Parking, Highways & Transport (Councillor Phil Haseler)	Adrian Waite	Internal process	Cabinet 26 May 2022	
Maidenhead Town Team	Open -	To approve the launch of the Maidenhead Town Team and its approach to delivering the	Yes	Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead (Councillor David Coppinger)	Chris Joyce	Internal process	Cabinet 26 May 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)
		adopted Maidenhead Vision and Charter.						
23 Public Sector Decarbonisation Phase 3	Open -	The council has secured funding through the Public Sector Decarbonisation Scheme Phase 3 to deliver projects across schools and seeking approval for the projects	Yes	Cabinet Member for Climate Action & Sustainability (Councillor Donna Stimson)	Chris Joyce	Internal process	Cabinet 26 May 2022	
Local Cycling and Walking Infrastructure Plan and Cycling Capital Programme	Open -	To approve adoption of the Local Cycling and Walking Infrastructure Plan (LCWIP) and proposed funding allocations to projects for the cycling capital programme in 2022/23.	Yes	Cabinet Member for Planning, Parking, Highways & Transport (Councillor Phil Haseler)	Chris Joyce	Internal process	Cabinet 26 May 2022	
HR & Payroll Solution	-	The Royal Borough of Windsor and Maidenhead (RBWM) requires an integrated HR management and payroll software (HRMS) which	Yes	Deputy Leader of the Council & Cabinet Member for Business, Corporate & Residents Services, Culture & Heritage, & Windsor (Councillor Samantha Rayner)	Nikki Craig	Internal process	Cabinet 26 May 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)
		addresses all its needs for workforce management and employee salary payments.						
Appointments to Outside Bodies	- Open	To make appointments of council representatives on outside and associated bodies.	Yes	Leader of the Council & Cabinet Member for Growth & Opportunity (Councillor Andrew Johnson)	Emma Duncan	Internal Process	Cabinet 23 Jun 2022	
Energy Programme	Open -	To approve the council's proposed energy improvement programme pipeline for future submission to the capital programme to support the council's targets to reduce its own carbon footprint by 50% by 2025.	Yes	Cabinet Member for Climate Action & Sustainability (Councillor Donna Stimson)	Chris Joyce	Internal process	Cabinet 23 Jun 2022	
Finance Update	- Open	To receive the latest finance update	Yes	Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot (Councillor David Hilton)	Adele Taylor		Cabinet 21 Jul 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**

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Report Title:	Biodiversity Action Plan
Contains Confidential or Exempt Information	No
Cabinet Member:	Councillor Stimson, Cabinet Member for Climate Action and Sustainability
Meeting and Date:	28 April 2022
Responsible Officer(s):	Andrew Durrant – Executive Director Place Services Chris Joyce – Head of Infrastructure Sustainability and Economic Growth
Wards affected:	All



## REPORT SUMMARY

*The Council declared an Environment and Climate emergency in 2019 and published its Environment and Climate Strategy in 2020. A key action within that strategy was the development of a Biodiversity Action Plan (BAP) for the Borough.*

*The Plan has been jointly developed with local ‘Wild’ groups with input from the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT). Two virtual public engagement events were also held to provide further opportunity for residents to provide their views.*

*The headline aim of the Plan is to provide 30% of land in the Borough as a space for nature by 2030. This is a target set by BBOWT and the Council is committed to playing its part in achieving this target and delivering against its Corporate Plan priority of improving the nature environment.*

*The overarching vision for the Plan is to ‘To reverse the decline in our natural environment and through better data, partnerships and direct action to increase biodiversity across the borough’*

## 1. DETAILS OF RECOMMENDATION(S)

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

- i) ***Approves the Biodiversity Action Plan 2021-2026***

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

### Options

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

Option	Comments
the Biodiversity Action Plan <b>This is the recommended option</b>	This ensures the Council’s plays its part in BBOWT’s 30% of space for nature by 2030

Option	Comments
The Biodiversity Action Plan is not approved	The Council would not deliver a key action in the Environment and Climate Strategy.

- 2.1 The Council made a commitment to delivering a Biodiversity Action Plan in its Environment and Climate Strategy, published in 2020. This Plan delivers against that promise.
- 2.2 In addition to the Environment and Climate Strategy, the Council's Corporate Plan made clear that a key priority is improving the natural environment. The specific goal of increasing biodiversity across the borough, supporting the BBOWT vision for 30% of land for nature by 2030 is also included in the Corporate Plan.
- 2.3 The Plan supports the local wildlife trusts aim and has been created collaboratively with key local community partners. This included regular bi-weekly/monthly meetings to ensure input from the community at every stage of development. All actions included in the Plan were jointly identified and prioritised by the Council and local 'Wild' groups. BBOWT worked intensively with the Council in the latter stages of development to ensure the Plan supported their overall vision.
- 2.4 The Plan sets out an action plan for covering the next 5 years. Using the data that will be collected through that period, a new Plan can be created covering the period up until 2030.
- 2.5 As part of the Environment Act 2021, the Council will be required to prepare and maintain a Local Nature Recovery Strategy (LNRS). The Plan will play an important role feeding into that Strategy and puts the Council in a strong position to move the LNRS forward.
- 2.6 This Plan features the following Habitat Action Plans (HAPs) covering broad habitat types. These were developed and agreed in partnership with our key stakeholders and community groups:
- Woodland HAP
  - Grassland HAP
  - Farmland HAP
  - Waterways HAP
  - Standing Water HAP
  - Urban HAP
- 2.7 Each Habitat Action Plan has been broken down into actions under each of three themes set out in the strategic framework.
- Those related to data collection and evidence gathering.
  - Those with a direct benefit to biodiversity/nature conservation.
  - Those that relate to stakeholder engagement, relationship building or partnerships

- 2.8 The HAPs provide a comprehensive list of practical actions the Council and its partners can take to enable action on the ground
- 2.9 The overarching vision for the Plan is ‘To reverse the decline in our natural environment and through better data, partnerships and direct action to increase biodiversity across the borough’
- 2.10 The Plan recognises the need for the role of communications to significantly increase the understanding of biodiversity in the Borough and enable residents to act themselves. The Council will work to deliver effective communications to residents regularly with the intention of engaging the wider community.

**3. KEY IMPLICATIONS**

- 3.1 The headline target of the Plan will deliver on the Council’s specific Corporate goal to increase biodiversity across the borough, supporting the Berks, Bucks and Oxfordshire Wildlife Trust vision for 30% of land for nature by 2030.
- 3.2 The Council is a major landowner in the Borough and already maintains a network of 23 wildlife areas across the Borough. There will be a need to look at other land owned by the Council such as parks and open spaces to ensure they deliver biodiversity improvements whilst still providing valuable amenity space.
- 3.3 Although the Council has control over its own land, there will be a requirement, if we are to succeed, to engage and influence other partners to act. Without this, it will be difficult to achieve the biodiversity gains the Borough is targeting.
- 3.4 The Council will track its progress against delivering the habitat actions plan and ensure all actions are delivered, in partnership where relevant, by the dates set out in the plan.
- 3.5 Delivery of the Plan will play an important role in ensuring we deliver thriving communities and inspiring places for residents in the Borough.
- 3.6 The Plan will also deliver on many of our objectives in the Environment and Climate Strategy. The Plan includes a section on monitoring and we will report on its progress annually as part of our wider monitoring report for the Environment and Climate Strategy.

**Table 2: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Increase biodiversity across the borough, supporting the Berks,	<30% of land for nature.	30% of land for nature.	>30% of land for nature.	>30% of land for nature in advance of the date of delivery.	31st December 2030.

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Bucks and Oxfordshire Wildlife Trust vision for 30% of land for nature by 2030.					

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

4.1 The financial and economic impact of not tackling the biodiversity crisis is likely to be far greater than the costs of implementing measures. We have recognised there will be a role to secure external funding to fund larger projects and will work to secure money when available.

4.2 The Council recognised the need for an increase in the Officer's available to deliver the ambitious plans set out in the Plan. A new Natural Environment Team based out of the Braywick Nature Centre has therefore been created to deliver the Biodiversity Action Plan. This team is currently funded from existing revenue budgets and no further increase is required. The team includes;

- Natural Environment Manager
- Natural Environment Officer
- Nature Reserves Ranger
- Education Manager (Groundwork South)

4.3 Data collection makes up around 16% of the actions, 36% will have a direct benefit to biodiversity and 48% are related to community engagement. The larger team will enable delivery of actions which fall under the themes.

4.4 The team also have a Natural Environment budget to deliver work across the Council's many nature reserves and the wider Borough. This is again included in the existing budget and no increase is expected to be required.

4.5 The Council will work closely with existing partners such as Groundwork South and community groups to deliver the BAP and will ensure it enables others to act by providing support and the loaning of equipment where required.

4.6 To enable delivery of the Local Nature Recovery Strategy over the next year, £31,000 of capital funding has been allocated in the 2022/23 budget.

4.7 The Plan will provide the Council a framework for biodiversity improvements and will enable the Council to identify projects for funding during future funding rounds.

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

5.1 A Biodiversity Action Plan is not a statutory requirement.

5.2 The Council does have responsibilities under the Environment Act 2021 as the responsible authority to prepare and maintain a Local Nature Recovery Strategy. Whilst this will be a separate piece of work, the Plan will support the creation and roll out of a future LNRS.

5.3 The legal implications of projects will be assessed on a case by case basis.

**6. RISK MANAGEMENT**

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

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
<b>Stakeholders have a key role in supporting and delivering the strategy, without this support the delivery is at risk</b>	<b>Medium</b>	<b>The Plan has been developed in consultation with local ‘Wild’ groups and BBOWT. The Natural Environment Team will work closely with stakeholders throughout the delivery phase</b>	<b>Low</b>
<b>Delivery will require local landowners to play an important role to creating space for nature</b>	<b>Medium</b>	<b>The Natural Environment Team has been created to provide resources to enable pro-active engagement</b>	<b>Low</b>

**7. POTENTIAL IMPACTS**

7.1 Equalities. Equality Impact Assessments are published on the [council’s website](#). The negative impacts of the biodiversity crisis are likely to fall unequally and reinforce existing inequalities. The Plan looks to improve the natural environment in the Borough, providing access to nature for all residents. A full EQIA is not required at this stage.

7.2 Climate change/sustainability. The purpose of this Plan is to deliver biodiversity improvements in the Borough with the aim of ensuring 30% of land in the Borough is for nature. This will have a significant impact in reversing biodiversity decline in the Borough. The Plan will improve the data available to the Council and partners to ensure future projects can be prioritised so as to maximise the biodiversity benefits. The habitats that have been included in the Plan, which will be a focus of the work are Woodlands, Grasslands, Farmland, Waterways, Standing Water and Urban. There are likely to be benefits to carbon sequestration which will have a direct impact on the climate crisis.

7.3 Data Protection/GDPR. Adopting the Plan will not have any associated data protection issues.

## 8. CONSULTATION

- The Plan has been jointly developed with local 'Wild' groups and regular bi-weekly/monthly meetings were held with them throughout the Spring/Summer 2021. A list of possible actions was created and these were jointly prioritised by the Council and the 'Wilds'. These actions were used as the basis for the Habitat Action Plans.
- BBOWT were included throughout the development process and provided intensive feedback during Winter 2022 to ensure the document was ambitious but achievable.
- Two virtual public engagement sessions were held so allow input from the wider community.
- All Members were provided with a draft copy of the document to enable them to provide feedback during the development stage.

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediately. The full implementation stages are set out in the Plan itself.

## 10. APPENDICES

10.1 This report is supported by 2 appendices:

- Appendix A – Biodiversity Action Plan
- Appendix B – EQIA Screening

## 11. CONSULTATION

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
<i>Mandatory:</i>		<i>Statutory Officers (or deputies)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	<b>30/3/22</b>	<b>31/3/22</b>
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	<b>30/3/22</b>	<b>31/3/22</b>
<i>Head of Service</i>			
Chris Joyce	Head of Infrastructure, Sustainability and Economic Growth	<b>29/3/22</b>	<b>30/3/22</b>

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Climate Action and Sustainability	Yes
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## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Key Decision	No	No

Biodiversity Action Plan Author: Rebecca Anderson, Ecologist Cabinet Report Author: James Thorpe, Sustainability and Climate Lead
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# The Royal Borough of Windsor and Maidenhead

## Biodiversity Action Plan 2021-26

### Foreword

The Council declared a Climate and Environment Emergency in 2019, recognising that we need to take urgent action not just on carbon emissions but on the biodiversity crisis. I am therefore proud to be able to present this Biodiversity Action Plan for the Royal Borough. It has been developed in close collaboration with local conservation groups and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust. I am grateful for everyone's time and input into the plan.

We know that residents in the Borough value its green open spaces and nature reserves. As a Council, we are proud of the work we have undertaken at Battlemead and Ockwells specifically, where we have transformed what was poor quality agricultural land into nature reserves with new habitats and space for nature to thrive. That being said, we know we have much more work to do and we have recently established a new Natural Environment Team to lead the Council's delivery of our work across this area.

At the Braywick Nature Centre we are already providing education sessions to over 1000 children each year to connect them better with nature. We blend traditional outdoor education activities with new, innovative approaches such as using technology to create nature films. Much of this plan relies on engaging with residents, communities, landowners and public/private sector organisations. We will build on the work we are already undertaking at the Centre to engage all these areas and harness the passion and enthusiasm in the Borough for nature to deliver this plan.

We are committed to the target set by central government, and supported by the Wildlife Trusts, to save 30% of land for nature by 2030. It is a tough challenge but one we believe is important to ensure that our residents can enjoy all the benefits of restoring local biodiversity.

The recently passed Environment Act will support our action locally with policies such as the crucially important requirement for new developments to deliver at least 10% net gain in biodiversity and the requirement to bring forward a Local Nature Recovery Strategy. These national policies will give us the power, as a local authority, to ensure developments across the Borough make space for nature.

We recognise there is no time to waste and where possible will accelerate the delivery of this strategy where opportunities and resources allow. We are looking forward to working with all parties in the Borough to get going and deliver this plan.

Cllr. Donna Stimson

Cabinet Member – Climate Action and Sustainability

## Introduction

### What is biodiversity

Biodiversity is the variety of life on earth in all its various forms. Biodiversity includes not only species we consider rare, threatened, or endangered but also every living thing—from humans to organisms we know little about, such as microbes, fungi, and invertebrates. Each of these species work together in ecosystems, to maintain balance and support life. No organism can exist in isolation and each contributes to the balance of nature and the survival of life on earth.

Biodiversity supports everything in nature that we need to survive such as food and fuel production, regulation of flooding and climate change, maintaining and being maintained by soil and water quality, shelter and carbon storage. Biodiversity also provides a better living environment with health, recreational and inspirational benefits.

We have many species of plants and animals in RBWM some of which are rare and important within the county. They may be important because they are nationally uncommon, but relatively abundant locally or may have a small population within the Borough.

Many human activities have directly affected species and habitats; altered key ecosystems, and in many cases have led to extinctions both on a local and global scale. The key issues influencing the loss of biodiversity include habitat loss and fragmentation, pollution, increased development pressures and climate change. Conservation efforts are necessary to preserve biodiversity and protect species and habitats within RBWM.

### The need for action

At the 1992 Earth Summit in Rio the UK government, along with other countries signed the Convention on Biological Diversity. This is a commitment that all contracting parties shall “rehabilitate and restore degraded ecosystems and promote the recovery of threatened species through the development and implementation of plans or other strategies”. The UK’s strategy was the UK Biodiversity Action Plan (UK BAP), launched in 1994. Local Biodiversity Action Plans (LBAPs) followed, recognising that action for biodiversity conservation ultimately takes place at the local level. LBAPs identify priorities for action and give guidance on implementing targets to reverse the loss of habitats and species

Habitats and species within the Royal Borough of Windsor and Maidenhead, as in much of the UK, have suffered significant declines in recent years and many once common species are becoming increasingly rare. This has happened predominantly due to loss, damage and fragmentation of habitats from agricultural intensification, development and pollution. Although RBWM has large urbanised areas, it is also rich in biodiversity and contains habitats such as woodland, grassland, wetland and farmland, which provide excellent habitat for numerous rare and threatened species. However, without actions which will help protect and enhance the biodiversity, it will continue to decline and we may lose habitats and species that we currently have within the borough.

The Lawton Report, Making Space for Nature (Lawton, 2010), summarised what needs to be done in England to halt and reverse biodiversity losses in four words: ‘more, bigger, better and joined’.

The Biodiversity Action Plan for RBWM has been produced in order to achieve a borough richer in wildlife and covers both local and national concerns as well as contributing at an international level.

The aim of the BAP is to provide guidance on the borough's conservation priorities, how to achieve them and who should, and could, be involved. The BAP provides a baseline, objectives and targets for five years for each main habitat. The aim of the action plan is not to duplicate existing policies and strategies, but it will incorporate and reflect them in order to complement the existing work already being undertaken within the borough such as the Environment and Climate Strategy. The objectives and targets within the BAP will also help to achieve the council's commitment to protecting and enhancing 30% of the land within the Borough by 2030.

### The benefits of action

Supporting our natural environment will have a positive impact in tackling climate change. Nature based solutions are going to play a key role in helping to reduce carbon emissions and sequester carbon through new planting, tree cover and in our soils. These solutions are also likely to have wider benefits to the environment helping to improve the quality of our air, water and soils helping to make a healthier environment for our communities. Having a thriving biosystem, with a biodiverse species landscape, is crucial to food production, with a rich wildlife ensuring we have sufficient insects to pollinate our crops.

It has also become clear that our green spaces and nature play a key role in our health and wellbeing. Access to green spaces to walk and cycle help to improve our physical health and promote a healthy lifestyle as well as physical activity like gardening. Being in nature has proven to reduce feelings of stress and anger, improve mood and therefore can help to transform mental health. Therefore, taking direct action and empowering others to take action will help to support healthy and vibrant communities.

### Legislation and Policy Context

Local authorities have a key role to play in conserving the biodiversity of the county and RBWM are already engaged in a range of conservation activities within the borough. Local authorities have a statutory duty to consider biodiversity while undertaking all of their functions.

This duty is set out in Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 and states *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, in the purpose of conserving biodiversity'*. The BAP fulfils part of the duty by setting out actions for biodiversity within RBWM and will continue to support projects which conserve and raise awareness of biodiversity.

More recently our Prime Minister has signed the Leaders Pledge for Nature at the United Nations Summit for Biodiversity <https://www.leaderspledgefornature.org/> which commits the UK to 'well-connected and effectively managed systems of Protected Areas'. In September 2020 the Prime Minister announced that that by 2030 30% of UK land would be "protected to support the recovery of nature" <https://www.gov.uk/government/news/pm-commits-to-protect-30-of-uk-land-in-boost-for-biodiversity>

The recently approved Environment Bill has placed additional responsibilities with Local Authorities to support the natural environment. The overarching national approach for tackling the decline in the natural environment includes a new system of spatial strategies for nature covering the whole of England. The aim of these Local Nature Recovery Strategies is to establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits.

Other legislation which relates to Local Biodiversity Action Plans are listed below and further detailed in Appendix 1.

- Conservation of Habitats and Species Regulation 2010
- Wildlife and Countryside Act, 1981, as amended
- The National Planning Policy Framework 2012, 2019 and 2021
- Biodiversity 2020: A strategy for England's wildlife and ecosystem services
- The Natural Environment White Paper 2011
- ODPM Circular 06/2005. Biodiversity and Geological
- Environment Act

There are a number of other policies and documents that are linked to the Biodiversity Action Plan which include:

- RBWM Borough Local Plan (2019-2033)
- RBWM Neighbourhood Plans Ascot & the Sunnings; Hurley & the Walthams; Horton & Wraysbury; Old Windsor; Eton & Eton Wick; Windsor
- RBWM Environment and Climate Strategy (2020-2025)
- Dark Skies strategy
- GCN District Level Licensing Scheme
- RBWM Landscape Character Assessment Pts. 1 and 2 (2004)
- RBWM Open Space Study and Audit (2008)
- RBWM Tree and Woodland Strategy
- Wild Maidenhead BAP: Initial Scoping Document (2016), Maidenhead's Nature Matters (2016), Local Biodiversity Action Plan Summary (2019)
- Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) (2018)
- RBWM Green and Blue Infrastructure Report (2019)
- RBWM Open Space Study (2019)

### Sites of importance within the Borough

1,975ha of the Borough is covered by an ecological designation, including 126ha Ramsar, 1663ha. SSSI and 186ha. Local Nature Reserve. The total coverage equates to almost 10% of the Borough.

There are a number of internationally important sites designated through the European Union (Special Areas of Conservation and Special Protection Areas) and by international convention (Wetlands of International Importance or Ramsar sites) within the borough. SACs provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity. SPAs are areas that have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds, while Ramsar sites are those that are of international importance as wetlands. These sites have been designated by the UK government or statutory bodies such as Natural England. Listed below are the five internationally designated sites within and neighbouring the Borough.

- Chiltern Beechwoods SAC
- Windsor Forest and Great Park SAC
- Thursley, Ash, Pirbright and Chobham SAC
- Thames Basin Heaths SPA
- South West London Waterbodies SPA and Ramsar

Sites of Special Scientific Interest (SSSIs) are designated by Natural England as the very best wildlife and geological sites in the country. Within the borough there are a total of 11 sites that have been designated as SSSI's, details of which are provided in the following table.

Name of SSSI	Size (ha)
Bisham Woods	86
Bray Meadows	6.6
Bray Pennyroyal Field	3.5
Cannoncourt Farm Pit	0.3
Chobham Common	655.7
Cock Marsh	18.3
Englemere Pond	26.1
Great Thrift Wood	14.2
Windsor Forest and Great Park	1778.9
Wraysbury and Hythe End Gravel Pits	117.2
Wraysbury No 1 Gravel Pit	58

Local Nature Reserves are a 'statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949'. A LNR is defined as a place with wildlife or geological features that is of special interest locally. There are nine local nature reserves in the Borough, which are listed below.

- -- Bisham Woods LNR;
- -- Park Woods / Gouldings Wood LNR;
- -- Bradnam Wood LNR;
- -- Carpenter's Wood LNR;
- -- The Gullet LNR;
- -- Braywick Park LNR;
- -- Ockwells Park LNR;
- -- Sutherland Grange LNR; and
- -- Arthur Jacob LNR.

There are also a number of locally designated sites within the borough. Local Wildlife sites are non-statutory sites of significant value for the conservation of wildlife. They protect threatened habitats, which in turn protects the species making use of them. Sites are identified by the Thames Valley Environmental Records Centre (TVERC), which collects, collates and makes available information on wildlife and geological sites in Berkshire. Local Wildlife Sites do not have the same level of protection in planning as statutory designated sites, yet are more vulnerable to inappropriate management, neglect and being impacted by development. These are reviewed and monitored on a rolling basis to report on their condition and status for national monitoring purposes, with advice provided to improve their management and enhance their value. There are a total 84 LWS's within the Borough. When last assessed (2021), a total of 33 Local Wildlife Sites in RBWM (39%) were deemed to be in positive conservation management. The proportion of sites in positive conservation management in RBWM is ranked sixth in the county and is 25% lower than the Berkshire average of 64%.

There are a number of Biodiversity Opportunity Areas within the Borough. These BOA's do not represent a statutory designation or a constraint upon activities. Instead, they indicate areas that are considered to be the most important for biodiversity in the area and where there are substantial opportunities to make positive changes for biodiversity. BOAs identify where the greatest opportunities for habitat creation and restoration lie, enabling the efficient focusing of resources to where they will have the greatest positive conservation impact.

## Structure of the document

The remainder of the document is structured as follows:

- **Chapter 2: Strategic approach** sets out the over-arching vision and approach adopted in the Biodiversity Action Plan. It explains the rationale for this approach and the key outcomes.
- **Chapter 3: Habitat action plans** sets out the proposed set of priority actions for the next five years, split by the type of habitat and the types of action.
- **Chapter 4: Monitoring and delivery** sets out how the plan will be delivered and monitored.

## Strategic approach

The Biodiversity Action Plan is the key pillar of the natural environment theme of our Environment and Climate Strategy, which seeks to protect and enhance the natural environment, green our towns and urban areas and increase awareness of biodiversity. Therefore, the overarching approach is based on those objectives. The overarching vision for our Biodiversity Action Plan is:

*‘To reverse the decline in our natural environment and through better data, partnerships and direct action to increase biodiversity across the borough’*

In support of this, we will work with the other Berkshire Authorities to support the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) ‘Wilder’ target to have **30% of land for nature by 2030**. We will also support the national commitment that has been made to well-connected and effectively managed systems of Protected Areas which are protected to support the recovery of nature. The scale of the challenge for this BAP is then clear: to ensure high standards of biodiversity and bioabundance on the 1,975 hectares already ecologically designated in the Borough, and to identify an additional 3,977 hectares for nature by 2030.

### Strategic Framework

We recognise that the vision is ambitious and will require action across a wide range of stakeholders. It will also require targeted and prioritised action, which will require a stronger evidence base to support our work moving forward. Therefore, we have set out three themes for action:

**Better data:** we recognise that to monitor and measure the success of the BAP, we need to have better quality of data. It will also support better evidence and allow us to prioritise future action to make sure the proposals in future plans will have the greatest benefit in achieving our aims.

**Stronger partnerships:** the ambitious vision and targets of the plan will only be delivered through partnerships. This will include engagement with key landowners, delivery partners and community groups. We will also work to deliver better communication, education and awareness of biodiversity in line with our objectives.

**Direct action to improve biodiversity:** either through the council, partners organisations or community groups we will deliver a series of projects that will improve our priority habitats and support our species.

## Areas of focus

This Biodiversity Action Plan features the following Habitat Action Plans (HAPs) covering broad habitat types. These were developed and agreed in partnership with our key stakeholders and community groups:

1. Woodland HAP
2. Grassland HAP
3. Farmland HAP
4. Waterways HAP
5. Standing Water HAP
6. Urban HAP

Not all habitats and species within RBWM have been included within the Biodiversity Action Plan, as this would be unrealistic working within the available resources. Rather, we have identified a number of key habitats and species which will provide a focus for the work within the BAP. The habitats and in turn associated species have been chosen because they fulfil at least two of the following criteria:

- Species which have viable/significant populations within RBWM
- Habitats which are widespread across the Borough.
- Species or habitats which can be influenced by RBWM (through site management, development, projects, statutory duties, partnership or engagement).
- Species or habitats which are rapidly declining through Britain and/or RBWM and are therefore a conservation priority.
- Flagship species which are highly characteristic to RBWM and popular with the general public.
- Indicator species which reflect the state of an environment and/or indicate the diversity of other species within an area.

Each Habitat Action Plan has been broken down into actions under each of three themes set out in the strategic framework.

- Those related to data collection and evidence gathering.
- Those with a direct benefit to biodiversity/nature conservation.
- Those that relate to stakeholder engagement, relationship building or partnerships

Each HAP includes actions to survey and improve the ecological quality of existing protected sites.

## Carbon Sequestration

For major natural environmental projects that are likely to have a significant carbon sequestration impact, a desktop-based assessment will be undertaken prior to project implementation to calculate how much carbon is estimated to be sequestered. If there are opportunities to increase the amount, whilst also delivering the primary objectives of the project then they will be explored.

## Communication

Beyond specific Community Engagement and Partnership actions for each HAP, the successful delivery of this plan depends on significantly increasing understanding of biodiversity in the Borough amongst residents, businesses, landowners and civil society groups. The positives of the wild things and wild places we already have, and the negatives of what we have lost, need to be widely



communicated as part of the Council's day to day communications with residents, and in a special programme of key messages (see General Themes below). This will be supported by a senior level commitment within the Council to create and deliver an effective communications programme that supports individual actions and gives a clear expression of the overall aims of the BAP and the need for the community as a whole to engage in it.

## Resourcing and Delivery

In the Council's recently adopted Corporate Plan covering 2021/26, action to tackle climate change and improve the natural environment is listed as one of the Council's top 3 priorities. The Council has recruited two new staff to work on increasing and supporting biodiversity, in a Natural Environment team. The Natural Environment Team will take overall responsibility for delivering the Council's responsibilities in this plan and they will continue to draw in support from other colleagues from across the Council including Ecologists, Planners and Tree specialists. There is also a key role for enforcement at the council. We will ensure that biodiversity enhancements at development sites are implemented, and Tree Replacement Notices are complied with.

In addition, we will continue to invest in our partnership with Groundwork South who jointly run the Braywick Nature Centre with the Council. This relationship has delivered huge benefits to the natural environment in the Borough over recent years delivering both on the ground conservation management but important environmental education for thousands of young people from local schools and community groups.

In 2021/22, the Council has allocated £80,000 for natural environmental capital works which combined with external funding secured will deliver;

- New interpretation signage at Braywick Nature Reserve and Battlemead,
- Pond enhancements,
- Signposted nature trails at Braywick Nature Reserve
- Large replanting of Kidwells Park to improve habitat for pollinators
- Planting of 8000 trees at Ockwells

Whilst the Council will continue to invest and improve biodiversity across its estate as well as using other tools at its disposal to influence the wider community, we recognise that we need to work more collaboratively across the Borough and include as many people as possible.

The forthcoming Climate Partnership to which the Council has committed £250,000 annually, to ensure the secretariat function is well resourced, will have a key role in delivering natural environment improvements across the Borough. Funding will be needed to achieve the targets described in the Habitat Actions Plans and General Themes below. The Climate Partnership will include businesses, academics, community groups and residents and this will enable it to oversee the breadth and depth of issues arising from 30% by 2030 within the Borough. Until the Climate Partnership is in place, the Council will play a coordinating role to bring together the key partners.

RBWM will work with volunteers and local groups to access some funding opportunities. These may be national schemes run by corporates, Lottery funding, Community Infrastructure Levy (CIL) funds, the council capital bids, planning obligations (section 106 agreements) or other funding resources. The Biodiversity Action Plan will help to raise awareness of the value of biodiversity interventions that may benefit from additional funding.

# Habitat Action Plans

## Woodland Habitat Action Plan

Woodlands are one of the UK's richest wildlife habitats. Woodlands are important for most forms of wildlife, including trees, shrubs, fungi, lichens, mammals, birds and invertebrates. They contain large numbers of species as well as provide important habitat for rare and threatened native species. The woodlands within RBWM include both areas of ancient woodlands such as Windsor Forest and Great Park and Bisham woods and newly planted woodland areas such as those at Ockwells Park. The multi-functional value of woodlands is well understood and they provide both direct value such as timber production and recreation but also indirect value such as flood management, reduction in air pollution, health benefits, climate change mitigation and urban cooling.

Some woodland habitats within RBWM comprise priority habitats which include the following:

- Lowland beech and yew woodland
- Lowland mixed deciduous woodland
- Wet woodland
- Wood-pasture and parkland
- Traditional orchards
- Hedgerows

### Sub habitats

Within RBWM, we have large areas of woodland and this woodland HAP will include the following sub habitats:

- Ancient Woodland
- Veteran Trees
- Lowland Mixed Deciduous Woodland
- Wet Woodland
- Wood Pasture and Parkland
- Hedgerows
- Orchards
- Non- priority habitat woodland.

### Associated Species

Numerous species are associated with woodland habitats and the following species/ groups of species have been chosen to represent woodland habitat which either have a stronghold within RBWM, are nationally, regionally or locally declining or are flagship species.

**Noctule Bat** - Our largest bat, this species roosts within tree cavities and forages over woodland and rides. Noctule bats are protected under European and UK legislation and are a priority species. Although widespread in the UK currently, their roosting habitat is under threat from habitat loss and fragmentation.

**Dormice** - Dormice are a priority species and are in current decline due to habitat loss. There are no known records of dormice within RBWM, however, our neighbouring Boroughs have strongholds of dormice and therefore they may have spread within RBWM boundaries.

**Lesser spotted woodpecker** - The lesser spotted woodpecker is the smallest and least common of the three woodpeckers that are resident in Britain. Their population is estimated to have fallen by 83% since 1970, with no more than 2,000 pairs thought to be left in the UK. The key factor in the decline of this species is thought to be loss of ancient and mature woodland as well as the removal of rotting and dead wood.

**Stag Beetle** – The UK’s largest beetle. It is a nationally declining species, although there is a stronghold within the Thames Basin in which Windsor and Maidenhead fall. They require rotting dead wood as habitat and therefore the loss of this habitat, particularly within woodlands, has caused their decline in numbers.

**Butterflies** – It is thought that 76% of the entire butterfly population has declined over the last 40 years and numerous butterfly species are associated with woodland habitat found within RBWM including the speckled wood and silver-washed Fritillary. There are 59 butterflies on the British list, of which more than half have been recorded in the Royal Borough.

**Bluebell** – Bluebells are a native species that grow in woodlands and are protected under UK Law. Although still common in the UK/ the borough, they are threatened by habitat destruction, such as the loss of hedgerows, scrub and woodlands.

### Current status

The UK is one of the least wooded countries in Europe with the area of woodland estimated at 3.23 million hectares representing 13% of the total land area in the UK and 10% in England (Forestry Statistics published by Forestry Commission, 2013). However, woodlands represent the greatest area of priority habitat in Berkshire and within RBWM , woodland and their sub habitats cover an area of approximately 6580ha which equates to about 33% of the entire borough land. Ancient woodland, which is defined as land that has been continuously wooded since 1600 and is deemed irreplaceable, represents 6.22% of the woodland within the borough and should be protected from development and other external pressures.

The following table shows the woodland types within the borough and the areas and percentage of the borough they cover.

Woodland type	Area (ha)	Percentage of borough
Ancient Woodland	1233.56	6.22
Woodland: Broadleaved	0.211	0
Woodland: Broadleaved Plantation	401.747	2.02
Woodland: Broadleaved Semi Natural	1573.61	7.93
Woodland: Coniferous Plantation	129.108	0.65
Woodland: Coniferous Semi Natural	3.321	0.02
Woodland: Mixed Plantation	245.474	1.24
Woodland: Mixed Semi Natural	7.073	0.04
Lowland Mixed Deciduous Woodland	1310	6.6

Woodland type	Area (ha)	Percentage of borough
Lowland Beech and Yew Woodland	159.299	0.8
Wet Woodland	48.869	0.25
Traditional Orchard	39.064	0.2
Wood Pasture and Parkland	1380.832	6.96
Parkland and Scattered Trees	28.061	0.14
Parkland and Scattered Trees: Broadleaved	15.848	0.08
Recently Felled Woodland: Broadleaved	0.013	0

### Threats to woodland habitat

There are numerous threats to woodland habitats within the borough, which include the following:

**Fragmentation of habitat** - the isolation of woodlands leaves them unable to sustain populations of woodland species. This is caused by development or clearance for other land uses.

**Inappropriate management** – the lack of active woodland management due to depleted funding and resources , poor timing of forestry operations and the use of herbicides and fertilisers on woodland margins and edge habitats.

**Impact of Invasive species** – the spread of invasive species such as rhododendron and laurel has caused degradation to many of our woodland flora.

**Loss of areas of wet woodland** - due to drainage and change of management.

**Removal of standing dead wood** - the removal of deadwood for health and safety reasons

**Increasing deer population** - deer browsing within woodlands has resulted in the damage of regenerating and newly planted trees and can impact the woodland structure.

**Inappropriate recreational activity** – due to increasing public access, trampling of ground flora, vandalism, dog faeces and rubbish dumping.

**Pests and diseases** – such as ash dieback and oak processionary moth

**Climate change**- this could result in changes in vegetation communities and put certain species at risk

**Loss of traditional management practises** - such as coppicing and pollarding

### Objectives for the 5 year Plan

Woodland and sub habitats are 33% of the borough and the largest proportion of habitat. Therefore managing woodland habitats must be a top priority for the BAP if we are to restore them to the quality needed to achieve 30% for nature by 2030 and reverse the decline in the natural environment. The woodland HAP should result in a greater understanding of the woodlands that we have within the Borough, protect and provide better management for existing woodlands with regards to biodiversity and increase the area of woodland, trees and hedgerows through planting. The following table sets out the objectives and targets for the first five years of the plan.

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understand the distribution of Priority Habitat woodland and the species they support	Survey 25% of woodland LWS in five years to inform priority habitat distribution and condition	TVERC	RBWM	2025
	Find out whether RBWM have dormice within the Borough by surveying 30 accessible woodlands, starting with the ones closest to the boundaries of the borough where dormice have been recorded	RBWM Wild Group	Volunteers Mammal Society	2025
	Map survey findings on RBWM GIS and data share with TVERC and local recorders.	RBWM	TVERC	2025
	Engage with Mammal society and BCA with regards to existing data	RBWM	Mammal Society BCA	2023
	Undertake bat surveys in 30 woodlands to increase our knowledge of woodland bat species and distribution within the borough	RBWM Wild Groups	South Bucks and Berks Bat Group TVERC	ongoing
Understand the distribution of Priority Habitat hedgerows	Undertake an annual programme of hedgerow surveys, surveying 5km per year	RBWM	Wild groups Volunteers	2024
	Add to RBWM GIS layer and send data to TVERC and I record			

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understand the distribution of veteran/ancient trees	<p>Promote the surveying, recording and monitoring of all veteran/ancient trees in the Borough</p> <p>Encourage landowners to register ancient trees at: <a href="https://ati.woodlandtrust.org.uk/">https://ati.woodlandtrust.org.uk/</a>.</p> <p>Allocate TPO's where necessary</p>	RBWM		2025
Identify opportunities to enhance the biodiversity value of existing woodlands and create new woodland	Undertake woodland surveys to identify 20 woodlands for biodiversity improvement	RBWM	Volunteers	2024
	Identify five woodland LWS with potential to be extended	RBWM	TVERC	2023
Achieve 30 by 30	Identify how targets will have contributed to 30 by 30 by 2025 and how much additional woodland and hedgerow would need to be created by 2030. Estimate carbon sequestered.	RBWM		2023
	Start to identify opportunities to create or enhance additional woodland and hedgerows to contribute towards 30 by 30 and, where practicable, start creation/enhancement work	RBWM		2025

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Maintain and increase the area of priority habitat woodland in good condition in the Borough	Design and start to implement new management regimes to improve the condition and carbon sequestration of 20 existing woodlands	RBWM		2025
	Maintain all SSSI woodland in favourable condition	NE		2025
	Ensure 30% of LWS woodland in positive management	RBWM	TVERC Wilds Groups	
Increase the area of other woodland in the Borough	Increase the number of trees by 15,000 via natural regeneration and augmented when necessary via planting.	RBWM	Wild groups Volunteers	2025
Increase the length of hedgerow in the Borough	Plant 5km of native hedgerows in the Borough, with prioritisation to areas where hedgerows have been previously removed.	RBWM	Wilds groups Volunteers	2025
Increase the opportunities for invertebrates	All council owned woodlands to have at least 2 deadwood piles partially buried.	RBWM	Wild groups Volunteers	2024
Invasive species management	Ensure that all council owned woodlands are positively managing invasive plant species and stopping the spread of the species	RBWM	Volunteer	Ongoing each year

Community Engagement and partnerships				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Encourage the creation and enhancement of biodiverse woodlands and hedgerows	Encourage 50 landowners in the Borough to create woodland and/ or plant trees and hedgerows on their land and manage them for biodiversity resulting in new woodland, tree cover and hedgerow.	RBWM	National Trust Wild Groups	2025
	Provide best practice guidelines to other landowners, including private individuals and organisations, schools and other public bodies.	RBWM	NE, BBOWT	From 2022
	Engage with LWS landowners to encourage tree planting to extend existing LWS/Priority Habitat woodlands by 5ha	RBWM	Wilds groups	From 2022
Invasive species management	Providing education to other woodland owners within the borough with regards to invasive plant species management in woodland	RBWM		2025



## Grassland Habitat Action Plan

Grasslands cover a large area of the UK and although they are dominated by grass cover, they can also contain lots of other plants species. Grasslands provide vital habitats to a range of native species including invertebrates, reptiles, amphibians and small mammals some of which are rare and threatened species within the UK. Not only do grasslands provide habitat for wildlife, but provide opportunities for education and recreation, involving the local communities in projects and provide huge potential for locking up carbon through the plants associated within grassland habitats and also the fungi and bacteria associated within the soil.

Some grassland within RBWM comprise priority habitats which include the following

- Coastal and Floodplain Grazing Marsh
- Lowland Meadows
- Lowland Dry Acid Grassland

Numerous UK BAP Priority species associated with grassland habitats occur in the Borough, including: Great crested newt, reptiles, small mammals and invertebrate species.

### Sub habitats

Within RBWM, we have large variety of grassland habitats. This grassland habitat Action Plan will include the following sub habitats:

- Roadside verges
- Grazing marsh
- Meadows
- Outdoor sports grounds
- Railway and Motorway/ A road embankments

### Associated Species

Numerous species are associated with grassland habitats within the borough and the following species/ groups of species have been chosen to represent grassland habitat which either have a stronghold within RBWM, are nationally and regionally declining or are flagship species.

**Glow Worm** – Glow worms are fairly common across the UK but there have been some declines over the last 10 years, mainly due to changes in land use and habitat, uses of pesticides and light pollution. There are a small number of sites within the borough that glow worms are still found including Cookham.

**Barn Owl** – A nationally protected and amber listed species, barn owl numbers have steadily declined since 1990. Barn owl nesting occupancy in 2020 was 8.5% less than the average of all previous years (Barn owl Trust, 2020). They require tussocky grassland to provide mammal prey and undisturbed nest sites in buildings or tree cavities.

**Reptiles** - British reptiles are protected under UK Law and are listed as priority species. Reptiles are found in a range of places, including grasslands. There are six species of reptiles in the UK, four of which are known to reside within the borough (adder, slow worm, grass snake and common lizard).

**Pennyroyal** – this plant species is protected under Schedule 8 of the Wildlife and Countryside Act, 1981, as amended and is a priority species. It is considered endangered within the UK. It is a priority species and is protected in several SSSI's including Pennyroyal Field in Maidenhead.

**Invertebrates, including bees and butterflies** – Wild bees including solitary and bumble bees are facing a serious decline within the UK due to habitat loss, pesticide use and climate change. This is also the same for other invertebrates such as moths, butterflies and wasps. All these species provide essential roles within the environment with many food crops depending on these pollinators, many of which rely on grassland for food sources.

### Current Status

In England there are around 4.5 million hectares of grassland which covers many different types. Many species rich grasslands have been lost in the past 20 years due to lack of appropriate management. RBWM own and manage some of our larger grassland habitats including Allen’s Field, which is one of our Suitable Alternative Natural Greenspaces (SANG), Sutherland Grange LWS, and Battlemead Common. These sites are not only managed for wildlife but also provide benefits for people and their quality of life.

In RBWM, grassland habitats constitute an estimated 5788 ha of the borough, approximately 29%, with the following grasslands recorded (TVERC, 2020).

Grassland type	Area (ha)	Percentage of borough
Marsh: Marshy Grassland	3.675	0.02
Poor Semi Improved Grassland	172.913	0.87
Lowland Calcareous Grassland	21.663	0.11
Calcareous Grassland: Semi Improved	0.735	0
Calcareous Grassland: Unimproved	21.663	0.11
Lowland Dry Acid Grassland	94.481	0.48
Acid Grassland: Semi Improved	107.341	0.54
Acid Grassland: Unimproved	81.47	0.41
Dry Heath Acid Grassland	3.104	0.02
Lowland Meadows	86.243	0.43
Improved Grassland	4625.79	23.31
Neutral Grassland	2.789	0.01
Neutral Grassland: Semi Improved	538.433	2.71
Neutral Grassland: Unimproved	26.244	0.13
"Possible Priority Grassland Habitat"	1.397	0.01

### Threats

The grassland areas within RBWM are under threat due to the following reasons:

**Lack of management** – this leads to scrub encroachment and invasion of coarse grasses which out compete wildflower species.

**Inappropriate management** - over mowing which causes floristic changes and improving soils with nutrients.

**Overgrazing** - particularly by cattle and horses which results in trampling and poaching and can become invaded by species such as ragwort, dock and thistles

**Development pressures** – this will result in the loss of species rich grassland habitats and fragmentation of this habitat.

**Agricultural practices** – the increased use of herbicides and fertilisers of grassland habitats particularly within agricultural environments cause nutrient enrichment and a decline in species diversity, and the increase in arable use.

**Air pollution** – including nitrate deposition.

**Increased recreational use** – which includes trampling of vegetation and disturbance to wildlife

### Objectives for the 5 year Plan

Grassland is the second largest habitat (29%) in the borough and so offers great opportunities for reversing the decline in our natural environment. The grassland HAP should result in a greater understanding of the habitat that we have within the Borough, protect and provide better management for existing grassland with regards to biodiversity and improve the condition of our grassland. The following table sets out the objectives and targets for the first five years of the plan.

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understand the distribution of Priority Habitat grasslands and the species they support	Survey 25% of grassland LWS in five years to inform priority habitat distribution, condition and carbon sequestration	TVERC	RBWM	2025
	Survey at least 20 sites for each of the associated species in five years to better understand their distribution	Wild groups	RBWM, BBOWT	2025
Identify opportunities to increase the distribution of Priority Habitat grassland	Survey at least 5ha of potential priority habitat grassland sites with the aim to propose new LWS	RBWM	Wild groups, TVERC	2025
	Identify 10% of other grassland (from direct benefit to biodiversity table below) creation or enhancement that can be managed to develop into priority habitat	RBWM	RBWM, Developers	2023
Identify opportunities to enhance the biodiversity value and carbon Sequestration of existing grasslands	Review management plans for all RBWM owned grasslands to optimise opportunities for wildlife (to include recreational areas, roadside verges and roundabouts) and estimate sequestered carbon.	RBWM		Update management plans by 2024
Achieve 30 by 30	Identify how targets will have contributed to 30 by 30 by 2025 and how much additional grassland would need to be created by 2030	RBWM		2022

Direct benefit to biodiversity

Objective	Target	Responsibility		Target date
		Lead	Partner	
Increase the area of priority habitat grassland in the Borough	Encourage 50% of LWS grassland in positive management	RBWM	TVERC, BBOWT	2025
	Maintain all SSSI grassland in favourable or favourable recovering condition with at least 40% in favourable condition.	NE	RBWM	2025
Increase the area of other grasslands managed for biodiversity	Positively manage 5km of roadside verge and roundabout grasslands	RBWM		2025
	Provide best practice guidance for RBWM grassland areas	RBWM		Provide best practice guidelines by 2025
	New developments to create 20 ha biodiverse grasslands	RBWM	Developers	2025

## Community Engagement and partnerships

Objective	Target	Responsibility		Target date
		Lead	Partner	
Encourage the creation and enhancement of biodiverse grasslands	Engage with the National Trust to look at increasing the land owned by them for biodiversity by 10%	RBWM	National Trust Wild Groups	2025
	Provide best practice guidelines to other landowners, including private individuals and organisations, schools and other public bodies.	RBWM	NE, BBOWT	From 2022

## Farmland Habitat Action Plan

The area of farmland within England is approximately 9.34 million hectares, about 70% of the land area of the England. There are large areas of agricultural land across RBWM including both pasture and arable. Much of the wildlife interest in arable areas is now found at the field margins with many arable weeds now among our rarest plants.

Farmland habitats within RBWM comprise priority habitats which include the following

- Arable field margins
- Ponds
- Hedgerows

Numerous protected species and UK BAP Priority species associated with farmland habitats occur in the Borough, including a number of bird species (skylark and lapwing), reptiles and invertebrates.

### Sub habitats

Within RBWM, we have large areas of farmland. This HAP will include the following sub habitats:

- Field margins
- Boundary hedgerows
- Set aside
- Winter stubble
- Cropland
- Pasture/ grazing land

### Associated Species

Numerous species are associated with farmland habitats and the following species/ groups of species have been chosen to represent the farmland habitats within the borough, which either have a stronghold within RBWM, are nationally and regionally declining or are flagship species.

**Barn Owl** – A nationally protected and amber listed species, barn owl numbers have steadily declined since 1990. Barn owl nesting occupancy in 2020 was 8.5% less than the average of all previous years (Barn owl Trust, 2020). They require tussocky grassland to provide mammal prey and undisturbed nest sites in buildings or tree cavities.

**Skylark** – Skylarks are in the red list as a bird of conservation concerns. In recent times the Skylark population has plummeted so that today the population is about one-third what it was 30 years ago. The decline is mostly due to the changes in agricultural practices such as the increase in intensive agricultural processes decreasing suitable habitat for breeding and foraging.

**Yellowhammer** – The Yellowhammer is a priority species and is a red listed bird species of conservation concern. The yellowhammer population has declined over the last 40 years and it is thought that main factor in their decline is low overwinter survival, probably because fewer seed food sources are available to them on farmland.

**Swallows** - Swallows are widespread and common birds of farmland and open pasture near water. Although their numbers in the UK have fluctuated over the last 30 years they are still a regular visitor within the borough.

**Invertebrates, including bees and butterflies** – Wild bees including solitary and bumble bees are facing a serious decline in numbers in farmland habitats due to habitat loss, pesticide use and

climate change. This is also the same for other invertebrates such as beetles, moths, butterflies and wasps. All these species provide essential roles within the environment with many food crops depending on these pollinators.

### Current Status

The agricultural area currently in the UK is approximately 9.09 million hectares, which is about 70% of the land area of the England (DEFRA 2019). This includes land for cereals and grassland for cattle, pigs, sheep and other farm animals. Based on DEFRA Agricultural census 2010, the area of farmed land in Berkshire is 64,188ha.

In RBWM, the total estimated area of farmland habitat has been mapped using available datasets (TVERC, 2021) and include the following:

Farmland type	Area (ha)	Percentage of borough
Cultivated Disturbed Land	4.463	0.02
Cultivated Disturbed Land: Amenity Grassland	733.386	3.70
Cultivated Disturbed Land: Arable	4359.27	21.97
Cultivated Disturbed Land: Ephemeral Short Perennial	6.947	0.04
Ponds	1.391	0.01

### Threats

Farmland habitats within RBWM are under threat due to the following reasons:

**Intensification of crop habitat** – including the increased use of herbicides and pesticides within arable areas leading to nutrient enrichment and a decline in species diversity.

**Intensity of farmland management** – the increased grazing on pastoral land

**Increase of pollution** – due to an increase in livestock farming causing an increase to the levels of nitrogen and phosphorus.

**Reduction in rotation of cereal crops and other land covers** - which includes including grass leys and fallows.

**Regular recreation** – increase of horse riders within farmland field margins.

### Objectives for the 5 year Plan

Farmland covers 26% of the borough, the third largest habitat area after woodland and grassland. Therefore, partnerships with landowners and farmers will be critical to reversing the decline in our natural environment. The farmland HAP should result in a greater understanding of the habitats that we have within the Borough, protect and provide better management for the existing farmland with regards to biodiversity and improve their condition. The following table sets out the objectives and targets for the first five years of the plan.



## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understand the distribution of farmland Priority Habitats and the species they support	Survey 50ha of arable field margins/hedgerows in five years to inform priority habitat distribution and condition	TVERC, Wild groups	RBWM	2025
	Undertake a desk-based study to identify existing farmland ponds	TVERC	RBWM	2022
	Undertake 20 farmland bird surveys in five years to better understand their distribution	Wild groups	RBWM	2025
	Undertake annual monitoring of 10 new barn owl boxes to record use.	RBWM Bisham Barn owl group	Volunteers	2025
Achieve 30 by 30	Identify how BAP targets for farmland will have contributed to 30 by 30 by 2025	RBWM	Landowners	2025

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Sign up to the GCN licencing scheme	Collaborate with Berkshire borough ecologists and the Naturespace partnership to ensure the scheme is progressing.	RBWM	Naturespace Natural England	2022 to start and ongoing
Increase the numbers of breeding barn owls within the Borough	Collaborate with the local barn owl group and put up at least 10 new barn owl boxes in areas identified as potential nest sites	RBWM Bisham Barn owl group	Volunteers	2022

Community Engagement and Partnerships				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Form partnerships with local land owners	Engage with landowners, NE, DEFRA, NT and ELM's to discuss future partnerships with regards to biodiversity	RBWM	Wilds Groups	2025
Encourage the creation and enhancement of biodiverse standing water on farmland	Provide best practice guidelines to landowners.  Collaborate with new GCN District Licensing Officer and landowners/developers to identify and secure new opportunities for pond creation within farmland in the borough.	RBWM Nature Space	NE, BBOWT	From 2022

## Waterways

Waterways are dynamic and varied habitats and are for invaluable wildlife habitats in the Borough.

The River Thames is one of the country's largest and most important rivers although there are several other waterways including Local Wildlife sites (LWS) such as the Greenway LWS and York Stream LWS which run not only through rural areas but also very built up areas including the centre of Maidenhead. Waterways, either in their own right or in association with other habitats, are a vital nature conservation and wildlife resource for the borough. Marginal and bankside vegetation is also an integral part of the river habitat and acts as an important migration corridor

A significant proportion of our rivers, streams and other water courses are under threat. Protecting and improving our watercourses is an important part of achieving sustainable development and is vital for the long term health and well being of the residents within the borough.

Waterways can not only provide economic importance through food and drinking resources, tourism and recreational opportunities, but can provide important wildlife habitats and provide important wildlife routes and stepping stones for a number of species within the borough as well as significant potential for carbon sequestration.

Some waterways habitats within RBWM comprise priority habitats which include the following

- Rivers
- Reedbeds

### Sub habitats

Within RBWM, we have a number of waterways. This waterways HAP will include the following sub habitats:

- Rivers
- Streams
- Canals
- Ditches

### Associated Species

Numerous species are associated with waterways and the following species/ groups of species have been chosen to represent the waterway habitats within the borough, which either have a stronghold within RBWM, are nationally and regionally declining or are flagship species.

**Brown trout** – this species is a freshwater fish and resides within the borough's waterways. Although it is widespread within the UK, the species is listed as a priority species and is thought to be threatened due to over fishing, habitat loss, pollution and climate change.

**Water vole** – water voles are protected under UK legislation and are a priority species. Water vole populations nationally are continually declining due to factors such as loss of riverside habitats, development, increased pollution and predation.

**Kingfisher** – kingfishers are found along the watercourses within the borough and nest in earth banks along the rivers and streams. They are an amber listed bird of conservation concern and have declined in numbers due to factors such as human disturbance, increased development, pollution increased predation and lack of food due to invasive species.

**Loddon Lily** – this plant species thrives within Berkshire and is found along the Thames path between Oxford and Maidenhead. The species has been recorded in a few places within the borough and is threatened due to increasing pollution and human disturbance.

**Aquatic invertebrates** – there are a huge number of invertebrates that require habitat within the waterways to survive. Their presence is the standard indicator of the health of the habitat they live in and supporting the food chain. However, many of our aquatic invertebrates are declining in the face of pollution, invasive species, abstraction and development.

### Current status

There are about 90,000 km of rivers in UK, and they are found in all parts of the country. Within RBWM, the River Thames, which is the largest river in UK, flows through the borough for 25 miles. In addition the Jubilee River, which is a seven-mile-long man-made flood channel, forms part of the Maidenhead, Windsor and Eton flood alleviation scheme, has been constructed to reduce the flooding risk to approximately 3000 local properties.

In RBWM, the total estimated area of waterway habitat has been mapped using available datasets (TVERC, 2021) and include the following:

Waterways type	Area (ha)	Percentage of borough
Running Water	1.934	0.01
Running Water: Eutrophic	95.748	0.48
Rivers	1.915	0.01
Reedbeds	0.549	0.00

### Threats

Waterways within RBWM are under threat due to the following reasons:

**Declining water quality and increasing pollution** - due to nutrient enrichment through agricultural runoff and leaching and sewerage overflow or spills.

**Inappropriate management** – river dredging, re sectioning and the lack of management of bankside

**Over development** – the increase in flood lighting and lighting along rivers can have a detrimental effect on nocturnal wildlife including birds and bats.

**Climate change** – which can cause enormous fluctuations in water levels.

**Increased recreational use** – which includes trampling of vegetation and disturbance to wildlife

**Inappropriate Land drainage and management practices**- these can adversely affect water quality and river flows

**Impact of Invasive species** – the spread of invasive species such as Himalayan Balsam and New Zealand Pygmyweed has caused degradation to the boroughs waterways and the increase in American mink and signal crayfish has caused the population of our native species to decline due to predation and competition for food resources.

**Man made barriers** - Barriers in the form of weirs, locks and flood defence structures alter the natural flow and sediment regime of the river and prevent fish migration

### Objectives for the 5 year Plan

The waterways HAP should result in a greater understanding of the habitats that we have within the Borough, protect and provide better management for the existing waterways with regards to biodiversity and improve their condition. The following table sets out the objectives and targets for the first five years of the plan.

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understand the distribution of Priority Habitat rivers and reedbed and the species they support	Survey 30% of river/reedbed LWS in five years to inform priority habitat distribution and condition	TVERC	RBWM	2025
Ascertaining waterway quality/condition in order to better understand our baseline and strategically plan for biodiversity net gain in the future.	Monitor the water quality for PO4 and NO3 in all main waterways in RBWM	RBWM	Wilds groups Volunteers	Annually from 2022
	Annual participation in Thames WaterBlitz			
	Outreach to National Riverfly Monitoring Scheme and investigate opportunities for joint working	RBWM	Wilds Groups Volunteers	2025
	Work with the Riverfly project to secure and train new volunteers and implement an effective 5 yr survey program/strategy to cover our waterways.			
Understand the distribution of Kingfishers in the Borough	Outreach to BTO/RSPB/local bird groups/recorders in order to obtain data to identify where Kingfishers use and nest along our waterways.  Map all known kingfisher nest sites on waterways within the borough, map on RBWM GIS system and provide all the data regarding kingfisher to TVERC	RBWM	BTO RSPB Local recorders	2025

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understanding the status of water vole populations	<p>Obtain data from local groups to identify where water voles are present along our waterways.</p> <p>Conduct water vole and habitat condition surveys to fill in gaps in data.</p> <p>Identify stretches of suitable degraded riparian habitat where habitat enhancements such as suitable vegetation planting/bank re-profiling etc could be made to join up existing habitat.</p> <p>Make efforts to secure permission from EA/landowners/Canal and River Trust (and, where possible, resource) to undertake habitat enhancement works/planting along river banks (start these works as soon as this secured).</p>	RBWM	Local recorders Volunteers Wilds Groups TVERC	2026
Achieve 30 by 30	Identify how targets will have contributed to 30 by 30 by 2025 and how much additional waterway habitat would need to be created/enhanced by 2030	RBWM		2022

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Enhance the biodiversity value of existing waterways	Encourage 50% of LWS waterways in positive management	RBWM	TVERC	2025
	Produce a management plan for waterways north of Maidenhead that ensures 2km is enhanced/maintained for biodiversity	RBWM		
	Improve 3 km of waterway bankside vegetation habitat for wildlife by making improvements e.g. for access, nesting, flora for target species	RBWM	Wilds Groups Volunteers	2024
Manage/eradicate INNS along our waterways	Undertake INNS removal along 5km of waterways	RBWM		2025/ ongoing

Community Engagement and Partnerships				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Manage/eradicate INNS along our waterways	Form partnership with landowners/National Trust/Wildlife Trusts/EA/Rivers and Canal Trust to form an INNS taskforce to identify presence of non-native invasive plant species and	RBWM	Volunteers	2026



Community Engagement and Partnerships				
Objective	Target	Responsibility		Target date
		Lead	Partner	
	<p>devise/implement effective control/eradication programs where possible.</p> <p>Form partnerships with other councils and EA with regards to mink control</p>			
Increase our baseline data, engage with the public, network and build partnerships with local experts and recorders in order to increase awareness/knowledge of riparian and associated habitats	Organise and run/participate in existing bioblitz events along our waterways	RBWM	Volunteers Wilds Groups Local Recorders Thames21 Thames Water	Every year from 2022
Encourage the creation and enhancement of biodiverse waterways	Provide best practice guidelines to other landowners, including private individuals and organisations, schools and other public bodies.	RBWM	NE, BBOWT	From 2022 80% of landowners by 2025

## Standing water

The standing water action plan relates to still or very slow flowing open water habitats including ponds, lakes and seasonal flushes. Within the borough there are oligotrophic (nutrient poor) mesotrophic (moderately nutrient rich) and eutrophic (nutrient rich) areas of standing water. Both eutrophic and mesotrophic waters can be very diverse, each with its own range of common and less common species. Standing water areas also have immense value for communities providing access to water for recreational, educational and nature conservation activities. The ponds and lakes within the borough are used for fishing, boating, socialising, education and nature conservation.

The HAP will help to maintain the current range, extent and diversity of wildlife rich ponds and lakes throughout the area and encourage the sympathetic management of them and their adjacent habitat. In addition, it will seek to provide additional ecologically beneficial standing water within the borough through the creation of new wetland areas.

Some standing water habitats within RBWM comprise priority habitats which include the following

- Eutrophic standing waters
- Mesotrophic lakes
- Ponds
- Reedbeds, which overlap with the waterways HAP.

Numerous protected species and UK BAP Priority species associated with standing water habitats occur in the Borough, including great crested newts, amphibians, birds and invertebrates.

## Sub habitats

Within RBWM, we have a number of standing water habitats. This HAP will include the following sub habitats:

- Ponds
- Lakes
- Reedbeds
- Marginal vegetation

## Associated Species

Numerous species are associated with standing water habitats and the following species/ groups of species have been chosen to represent the standing water habitats within the borough, which either have a stronghold within RBWM, are nationally and regionally declining or are flagship species.

**Toads** – Toads are a priority species due to recent declines within the UK. RBWM has one of the largest urban toad populations in the south of England. The two largest toad migrations are at Ray Mill Road East in Maidenhead and Strand Lane in Cookham. Toads require suitable large areas of standing water for breeding and surrounding terrestrial habitat for hibernation.

**Great crested newt** – a species that is protected under European and national legislation and is a priority species. The UK's populations of the great crested newt are internationally important. Great crested newts usually require standing water as breeding habitat, need aquatic vegetation to lay their eggs and suitable terrestrial habitat surrounding the waterbody for foraging and hibernating.

**Water rail** – water rail live in reedbeds and freshwater wetland areas and are secretive and rarely seen. There are approximately 1,100 nesting pairs in the UK and have been seen within the borough at sites such as Battlemead and Ockwells Park.

**Aquatic invertebrates** – there are a huge number of invertebrates that require habitat within the waterways to survive. Their presence is the standard indicator of the health of the habitat they live in. However, many of our aquatic invertebrates are declining in the face of pollution, invasive species, abstraction and development.

### Current Status

Berkshire supports an estimated 1525ha of lakes and 40ha of reedbed. There are also a large number of ponds and ditches within Berkshire, both within public spaces and private gardens, although it has not been possible to measure the exact extent of these habitats through mapping given the extent and small sizes of some of these areas.

In RBWM, the total estimated area of standing water habitat has been mapped using available datasets (TVERC, 2021) and include the following:

Waterways type	Area (ha)	Percentage of borough
Reedbeds	0.549	0.00
Standing Water: Eutrophic	605.177	3.05
Standing Water: Mesotrophic	0.0000031	0.00
Ponds	1.391	0.01

### Threats

Standing water habitats within RBWM are under threat due to the following reasons:

**Declining water quality and increasing pollution** - due to nutrient enrichment through agricultural runoff and leaching.

**Lack of management** –this can cause the gradual loss of open water through siltation, expansion of marginal vegetation and build up of plant material.

**Lack of control of invasive species** - Invasive and non-native garden plant and fish species can seriously affect indigenous flora and fauna

**Climate change** – which can cause enormous fluctuations in water levels.

**Drainage and agricultural infilling of ponds** – this results in the reduction in water bodies and habitat isolation.

**Overstocking of fish** – this can cause the reduction of native species such as amphibians and aquatic invertebrates.

**Increased recreational use** – which includes trampling of vegetation and disturbance to wildlife

### Objectives for the 5 year Plan

The standing water HAP should result in a greater understanding of the habitats that we have within the Borough, protect and provide better management for the existing standing water habitats with regards to biodiversity and improve their condition. The following table sets out the objectives and targets for the first five years of the plan.

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Understand the distribution of standing water Priority Habitats and the species they support	Survey 50% of LWS that contain standing water in five years to inform priority habitat distribution and condition	TVERC	RBWM	2025
	Conduct aquatic invertebrate/amphibian/great crested newt and water rail surveys on all council-owned ponds and at least two other ponds per year	Wild groups	RBWM, BBOWT	2025
Improve our knowledge and baseline records of the condition of our ponds and the species they currently support. Use this to inform future management decisions	Hold 3 pond-dipping events for schools, youth groups, and the general public per year	RBWM	Volunteers	2022 and ongoing
Achieve 30 by 30	Identify how targets will have contributed to 30 by 30 by 2025 and how much additional standing water habitat would need to be created/enhanced by 2030	RBWM		2022

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Increase numbers of wildlife ponds within the borough for the benefit of all wildlife including GCN, toads, and aquatic inverts	Secure 2 new wildlife ponds per year as net gain agreements through planning.	RBWM		On going
Secure new ponds with reedbeds for use by water rail and other nesting birds.	Use planning application responses to secure 0.5ha of reedbed planting and other biodiversity enhancements for all suitable SUDs ponds  Engage with EA regarding new wetland habitat	RBWM		On going
Improve existing appropriate ponds/lakes for use by water vole.	Improve/increase marginal vegetation in 5 suitable lakes/ponds	RBWM	BBOWT	2025
Prevent and reverse degradation of our waterbodies from INNS.	Ensure an effective INNS control/eradication program on all waterbodies	RBWM	Riparian landowners  Volunteers	2025

## Community Engagement and Partnerships

Objective	Target	Responsibility		Target date
		Lead	Partner	
Increase numbers of wildlife ponds within the borough for the benefit of all wildlife including GCN, toads, and aquatic inverts	Collaborate with new GCN District Licensing Officer and landowners/developers to identify and secure new opportunities for pond creation within the borough.	RBWM	Naturespace Partnership	Start 2022 and ongoing
Improve existing appropriate ponds/lakes for use by water vole.	Collaborate with partner organisations to identify lakes/ponds with water vole populations and/or potential to support water vole.	RBWM	TVERC BBOWT Local Recorders	2025
Encourage the creation and enhancement of biodiverse standing water	Provide best practice guidelines to other landowners, including private individuals and organisations, schools and other public bodies.	RBWM	NE, BBOWT	From 2022

## Urban Habitat Action Plan

Urban areas are found across the UK and are expanding due to the increased pressure for housing numbers. The Urban Habitat Action Plan covers habitats occurring within towns or villages in RBWM. Not only will this Habitat Action Plan cover larger settlements within the Borough such as Maidenhead, Windsor, Ascot and Wraybury, but smaller villages such as Holyport, Cookham and Datchet. Urban areas are often considered as being less important for biodiversity than the more rural environments. However, urban environments can provide important habitats for a range of plants and animals as well as providing ecosystem services for local residents, such as mental and physical health and well being, provision of food and clean water, reduction of pollution and flood amelioration. Features such as roads and railways connect the majority of the man made structures within the borough but can also provide important connectivity for wildlife.

New developments can have a significant effect on wildlife and on the ability of people to experience and enjoy nature and therefore it is important that this be recognised, protected and enhanced.

The biggest opportunity for enhancing biodiversity and creating new habitat in urban areas is by 'urban greening'. This can be through the creation of green roofs, green walls, providing artificial nest and roosting sites for birds and bats or through the incorporation of Sustainable Urban Drainage systems (SUDS).

### Sub Habitats

Certain habitats are unique to, or typical of, the urban environment and it is these that this section of the plan will focus on. The following sub habitats are or can be valuable for biodiversity and have been chosen to represent the urban areas within the borough

- Buildings
- Private gardens
- Schools and colleges
- Sport pitches and play areas
- Allotments
- Roundabouts and verges
- Public parks, gardens, and other urban green spaces
- Churchyards and cemeteries

### Associated Species

Numerous species are associated with urban habitats and the following species/ groups of species have been chosen to represent this habitat which either have a stronghold within RBWM, are nationally and regionally declining or are flagship species. The following species have been chosen to represent the urban habitat within the Borough.

**Common Swift** - A summer visitor to the UK, and found in some parts of the borough, with strongholds in Maidenhead, Cookham and Windsor. Swifts are Amber listed in the UK and there has been a steady decline in swift numbers since 1996 (BTO, 2021). They reside in a number of habitats, but they have the greatest distribution within towns and villages. They nest in open eaves and gables and a loss of suitable nesting sites due to development has caused their decline.

**House sparrow** - House sparrows were once a familiar sight throughout RBWM but are now in serious decline. Due to this decline, they are now a red listed bird of conservation concern. The

reasons for the decline in urban areas is not fully understood, but it is likely to be due to loss of suitable nesting sites, reduction in food sources, predation by an increased number of domestic cats and increased levels of pollution.

**Bats, e.g. Common pipistrelle and soprano pipistrelle** - These pipistrelle bat species are frequently associated with buildings, trees and green spaces throughout the borough's urban environment and are the most common bat species in urban environments. There continues to be a significant threat to bats in the UK in terms of loss of roosting, maternity and hibernating sites in both natural and artificial structures. Loss of suitable feeding sites and disruption of flight paths due to artificial lighting have also had a significant impact on bat populations.

**Hedgehog** – Hedgehogs, which are a priority species have seen their numbers decline in the UK, with at least a third lost from Britain since 2000 (State of Britain's Hedgehogs Report, 2018). The reasons for the decline are not known but it is likely, in part, due to habitat loss and fragmentation and the lack of food due to the increase of pesticides and herbicides. Hedgehogs are found in small numbers across the borough and need supporting to avoid loss.

**Stag beetles** – Stag beetles are a priority species and are nationally scarce. They have a stronghold within the borough of Windsor and Maidenhead and are found widely across parks, gardens and woodlands within the borough. They require rotting dead and buried deadwood as habitat and therefore the loss of this type of specific habitat has caused their decline within the UK.

**Invertebrates, including bees and butterflies** – Wild bees including solitary and bumble bees are facing a serious decline in numbers in urban areas due to habitat loss, pesticide use and climate change. This is also the same for other invertebrates such as moths, butterflies and wasps. All these species provide essential roles within the environment with many food crops depending on these pollinators, many of which are declining in numbers.

### Current Status

The housing demand is increasingly high throughout the UK including within Windsor and Maidenhead and so the extent of the towns and villages is likely to rise. The population of RBWM is currently 150,906 (2018).

RBWM is made up of 15 parishes and 19 wards all of which contain urban settlements, either towns or villages. Maidenhead is the largest town within the borough with a total area of 198.4 square km, the majority of which is made up of commercial and residential buildings and gardens all of which have the opportunity to increase the biodiversity within the borough.

### Threats to Biodiversity within the Urban Environment

Urban biodiversity is often overlooked and the habitats and species that are found within this environment are under threat from the following factors:

- **Urban expansion** – the increase in residential and commercial development, along with associated infrastructure has caused the loss, fragmentation and change of habitats.
- **Loss of soft ground** – conversion of front gardens to parking, reduction in highway verge extents
- **Boundary treatments** – solid boundaries with no gaps for species movement between properties.
- **Impact of invasive species** - the spread of invasive species such as Japanese knotweed and Himalayan Balsam which can displace native species.



- **Inappropriate management techniques**, e.g. impermeable boundary fencing and walls, removal/ severe pruning of trees, frequent and intensive mowing, pruning and 'over tidying'
- **Flooding** – due to an increase in hard surfaces.
- **Lack of recognition and understanding of wildlife value** - not enough information regarding the importance of urban habitats for wildlife
- **Climate change** – this is heightened in urban areas due to the increased heat island effect
- **Anti-social behaviour** – the increase in vandalism and fly-tipping.
- **Increased levels of pollution** – many sites are subject to human disturbance which can cause noise, air, soil and light pollution.

#### Objectives for the 5-year Plan

The Urban Habitat is a relatively small proportion of the borough, less than 10%, and so whilst it offers less opportunities for habitat restoration towards our aim of 30% by 2030, it offers higher profile opportunities for public engagement. The Urban HAP will make a positive and progressive contribution to the borough's urban biodiversity. This will include improving community engagement, increasing the areas of green infrastructure and encouraging good conservation practices across urban settlements.

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Support smaller toad colonies to increase number of toads	Survey locations of historic toad migrations, where known, to see if conditions can be improved so toads can increase their numbers	RBWM	Wilds Groups Volunteers	2024
Increase floristic diversity on Borough land by negotiating changes to mowing regimes.	Identify at least 40% of borough land such as verges and parks to leave uncut and implement wildlife friendly mowing regimes	RBWM		2022
Decrease the lighting across the Borough in order to positively impact bats and other nocturnal animals	Review all RBWM Street lighting to identify at least 20% of areas where lights can be switched off, lit for part of the night, dimmed or changed to LED.  Campaign to inform and persuade residents to switch off outdoor lights at night	RBWM		2022
Extend B-Lines across the urban landscape	20 pollinator projects will be identified and initiated within the Borough's B-lines	BBOWT	RBWM Wild groups TVERC	2025

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Increase the number of wildlife friendly gardens within the Borough	Ensure that 50% of gardens in RBWM who enter the Wild About Garden Awards competition achieve at least bronze level and that 10% of gardens will achieve gold level	Wilds Groups	RBWM Wild About Gardens Awards	2023
Support regionally significant Common Toad colonies	Put in place protection strategies including signage, installation and maintenance of toad ladders, and monitoring of populations for annual Toad migrations	Toad patrol	RBWM Wilds groups Volunteers	ongoing
Improve allotment sites for biodiversity	<p>Ensure all Council owned allotments to become organic, following principles of the Soil Association.</p> <p>Assess each allotment site to determine improvements such as encouragement of predator species for pest control</p> <p>Promote regenerative management techniques.</p>	RBWM		All by 2025
Control and minimise use of pesticides and herbicides in public areas	Ensure all streets, paths, community spaces, cemeteries and other council owned land provide management plans that have specific instructions as to permitted use of these chemicals to reduce the total use by 25%	RBWM	Town and Parish councils	2022
		RBWM	Windsor Allotments and Home Gardens Association.	2022

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
To ensure permeability for hedgehogs and other small mammals and amphibians across the borough	Ensure 100% of planning applications, with new boundary treatments (excluding any exceptions, such as high security facilities), provide permeability for hedgehogs and small mammals and amphibian migration between suitable habitats, including gaps in fencing	RBWM		From 2022
To improve ecological connectivity within urban areas	<p>Ensure a no net loss of roadside verges. Where verge side vegetation is lost, a commensurate area of hard standing will be converted to soft ground, to a similar or improved quality</p> <p>Unless there is a statutory requirement or consents acquired through the planning, ensure, a no net loss of soft ground on any council site. Where soft ground is lost, a commensurate area of hard standing will be converted to soft ground, to a similar or improved quality</p>	RBWM		2022
Decrease the lighting across the Borough in order to positively impact bats and other nocturnal animals	Roll out of the new lighting strategy	RBWM		2025
Maintain and enhance the favourable conservation status of bats within the borough	Ensure that integral bat boxes are installed on 75% of all new developments.	RBWM	Volunteers	2022

## Direct benefit to biodiversity

Objective	Target	Responsibility		Target date
		Lead	Partner	
	Make sure at least 50% of new major developments will create suitable foraging and/ or commuting habitat for bats		Berkshire and South Bucks Bat Group	
Maintain and enhance the favourable conservation status of birds within the borough	<p>Ensure that integral bird boxes are installed on 75% of all new developments.</p> <p>Make sure at least 50% of new major developments will create suitable foraging habitat for birds</p>	RBWM	Volunteers	2022
Increase the numbers of green roofs/ walls	<p>Ensure that 10 green roofs and/ or walls are secured within the planning system</p> <p>Install 10 green roofs or walls on council owned structures (Bin Stores, bus stops )</p>	RBWM	Neighbourhood Plan groups Developers	2025
Increase the biodiversity within all council owned parks	Ensure all parks owned by the council have a wildlife area/ fruit and herb garden within them. This will include wildflower areas, insect hotels/ bird and bat boxes and standing deadwood and log piles. Implement management plans for each site.	RBWM	Volunteers Wild groups BBOWT	2025
Increase the opportunities for invertebrates	Ensure that each school within the Borough is involved with the PTES “Bury a Bucket for Beetles” school scheme	RBWM	Volunteers	2025
Protect 30% of land in the Borough for biodiversity by 2030	Ensure all new developments provide a minimum 10% net gain in biodiversity and that	RBWM		From 2023

Direct benefit to biodiversity				
Objective	Target	Responsibility		Target date
		Lead	Partner	
	land used to provide gains is protected for a minimum of 30 years.			

Community Engagement and partnerships				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Create or improve wildlife gardens in schools and use in educating the next generation	Provide all primary schools with advice regarding wildlife gardening for use within teaching.	RBWM	Schools Volunteers Wilds groups	2025
Engage the community with regards to biodiversity in the borough	Increase social media presence and writing regular articles in the ATRB magazine to increase biodiversity awareness.	RBWM Wilds groups	Other wildlife groups	One article in ATRB each year from 2022

				Social media page set up and managed by 2023
Educate the community with regards to wildlife gardening and promote the Wild about Garden Awards competition	Hold yearly educational events to provide information regarding wildlife friendly gardening and promote Wild about Gardens Award scheme. Provide information by social media and ATRB magazine.	RBWM BBOWT	Other wildlife groups	Ongoing each year starting 2022

## General Themes

Certain themes run through many of the individual action plans, and therefore this action plan relates to habitats and species that fall into a number of previous HAP's. These areas represent the nature conservation of all species and habitats within the borough on a wider scale. The general themes HAP does not contain sub habitats or specific species, but the objectives that have been chosen within this section have multiple benefits for a much wider range of species.

### Objectives for the 5 year Plan

The general themes HAP should result in a greater understanding of the habitats that we have within the Borough, protect and provide better management for the existing habitats with regards to biodiversity and improve their condition. The following table sets out the objectives and targets for the first five years of the plan.



## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Build a comprehensive habitat/species analysis/map for the Borough.	Analyse/map at sufficient detail (ie key/enough species covered) for planning purposes. This to include new visualisations of the data for decision-makers, residents and others	RBWM	Local recorders BBOWT TVERC	50% by 2025
Increasing ecological knowledge of our local wildlife sites within the borough	Organise and run at least 1 bioblitz event at a local wildlife site each year	RBWM	Volunteers Local Groups	From 2022 and then yearly

## Direct benefit to biodiversity

Objective	Target	Responsibility		Target date
		Lead	Partner	
Ensure the protection of our locally designated sites	Every Local Wildlife Site to be surveyed once every 10 years	RBWM TVERC		Ongoing
	Ensure 50% of LWS are in positive management			2025
Reduction in the use of herbicides and pesticides on highways	Reduce or eliminate the use of chemicals on 100% of our roadside verges and parks.	RBWM	Contractors	2023

Direct benefit to biodiversity				
Ensure planning conditions with regards to biodiversity are enforceable	<p>Ensure that the biodiversity enhancement conditions on all suitable planning applications include a signing out report confirming compliance from a suitably qualified ecologist</p> <p>Performing spot checks on conditions relating to biodiversity to ensure the enhancements have been installed appropriately.</p>	RBWM		From 2022
Ensure all council owned land is in positive management	Update all council owned habitat management plans	RBWM		From 2022 ongoing with implementation for all sites underway by 2026.

Community Engagement and Partnership				
Objective	Target	Responsibility		Target date
		Lead	Partner	
Promote and encourage best practice and make it easy for landowners, residents and volunteers to find relevant information about local flora, fauna and habitat management so we can all work together.	Create (and maintain) a library web page of links to best practice for surveys, ID support and habitat maintenance & improvement plans generic and specific to local sites (so everyone can monitor and support the plans)	RBWM	Local Groups Wilds groups	2023

Community Engagement and Partnership				
<p>Increase awareness of the importance of biodiversity and improve people's connectivity with nature (E.g. Communication programme to raise awareness of species and habitats in the Borough, and how individuals and organisations can help them.)</p>	<p>Develop key messages on species and habitats that are thriving in the Borough, and those that have been lost, are in decline; engender action to increase and support wildlife from individuals and organisations</p>	<p>RBWM Wilds Groups</p>	<p>Volunteers</p>	<p>2023 start and annually</p>
	<p>Hold at least 30 wildlife activities within the borough each year</p>	<p>RBWM</p>	<p>Wilds Groups</p>	<p>2022 then ongoing</p>
	<p>Ensure at least 3000 hours of volunteering annually which will include tree planting, habitat management and surveying.</p> <p>Enhance RBWM's website to provide better access for users to biodiversity information and to provide quarterly updates and news.</p>			

## 30 by 30

### Introduction

The government have set a national target to protect 30% of land and sea for nature by 2030 in its commitment to UN Convention on Biological Diversity global biodiversity framework. The Council is committed to protecting 30% of the land within the Borough for nature by 2030. Measures to achieve 30 by 30 are being rolled out at a national level and as they emerge will help inform how the Borough can achieve its target. This BAP covers the first half of the 30 by 30 period and is focussed on assessing the current and emerging situation, identifying and influencing opportunities for contributing to 30 by 30 by 2025 and identifying a method to ensure 30% of land is protected by 2030.

Achieving the targets of this BAP will provide the data needed for a post-2025 BAP to set out specific targets on how 30 by 30 will be achieved.

In the period to 2025, the Borough will identify 30% of land to be protected and the mechanisms that can be used to protect it. This may include existing protection measures, such as designating an area of land as a LWS, or using emerging measures such as measures provided in the Environment Act (2021) or in agricultural policy or local policy. These may include:

- Land within a Local Nature Recovery Strategy
- Land providing a Biodiversity Net Gain for development
- Land within an agricultural scheme aimed at conserving or enhancing biodiversity, such as ELMs
- Land providing carbon offsets that also provides opportunities for biodiversity
- Land designated as a Local Green Space where it also provides opportunities for biodiversity.

## Data Collection

Objective	Target	Responsibility		Target date
		Lead	Partner	
Identify land to be protected (in addition to existing protected areas) to achieve protection and enhancement of 30% of the land in the Borough for biodiversity.	Influence the Local Nature Recovery Strategy for Berkshire to ensure 30% of land in the County is identified for protection.	RBWM	Other Berkshire Local Authorities TVERC BBOWT LNP NE	Ongoing from 2022
	Ensure all developments are providing a minimum 10% biodiversity net gain and that land providing gains is adequately protected for a minimum of 30 years, as per the requirements of the Environment Act.	RBWM	Developers	2023
	Encourage and advise landowners on agricultural schemes that protect areas for biodiversity.	RBWM	Land owners	2022
	Engage with private landowners to identify biodiversity enhancement projects undertaken by them	RBWM		On going

## Monitoring and delivery

Whilst working towards the objectives and targets of the BAP, it is important to record and communicate this to the stakeholders as well as the wider public. Lead Partners will meet and update their actions on an annual basis and meet to review progress made every six months. Biodiversity information, including the annually updated actions will be provided and made available to the public after the lead partners review.

To make sure the goals are clear and reachable, the progress of the BAP will be based and reported following the “SMART” criteria

- **Specific** – outline in a clear statement precisely what is required.
- **Measurable** – the objectives and targets need to be quantifiable.
- **Achievable** – the objectives and targets should be ambitious but realistic.
- **Relevant** - Within the availability of resources, knowledge and time
- **Time-bound** – deadlines should be set for each objective and target so they can be recorded.

This Biodiversity Action Plan has been developed with wide consultation and it is recognised as the starting point for future BAPs as well as being a working document setting out actions until 2025. Actions will be reviewed on a regular, at least six monthly basis, with a full review at the end of this period in consultation with all partners. The work on this BAP will develop the knowledge and provide data for the analysis required to develop a prioritised Biodiversity Action Plan for implementation from 2026.

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**  
**EQUALITY IMPACT ASSESSMENT**

**EqlA : Title of EQIA**

**Essential information**

Items to be assessed: (please mark 'x')

<b>Strategy</b>		<b>Policy</b>		<b>Plan</b>	X	<b>Project</b>		<b>Service/Procedure</b>	
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<b>Responsible officer</b>	James Thorpe	<b>Service area</b>	Infrastructure, Sustainability & Economic Growth	<b>Directorate</b>	Place
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<b>Stage 1: EqIA Screening (mandatory)</b>	Date created: 6/4/2022	<b>Stage 2 : Full assessment (if applicable)</b>	N/A
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**Approved by Head of Service / Overseeing group/body / Project Sponsor:**  
*I am satisfied that an equality impact has been undertaken adequately.*

**Signed by (print):** Chris Joyce

**Dated:** 8/04/2022

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Title of EQIA

#### Guidance notes

##### What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

##### What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

##### What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

##### Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

##### Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.



# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

**EqIA : Title of EQIA**

### **Stage 1 : Screening (Mandatory)**

#### **1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?**

The overall aim of the Biodiversity Action Plan is to improve the natural environment in the Borough to help tackle climate change and the biodiversity crisis. The headline target is to support the 30% of space in the Borough for nature by 2030.

The overarching vision for the Plan is to 'To reverse the decline in our natural environment and through better data, partnerships and direct action to increase biodiversity across the borough'

This Plan features the following Habitat Action Plans (HAPs) covering broad habitat types. These were developed and agreed in partnership with our key stakeholders and community groups: Woodland, Grassland, Farmland, Waterways, Standing Water, Urban.

Each Habitat Action Plan has been broken down into actions under each of three themes set out in the strategic framework.

- Those related to data collection and evidence gathering.
- Those with a direct benefit to biodiversity/nature conservation.
- Those that relate to stakeholder engagement, relationship building or partnerships



# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

**EqIA : Title of EQIA**

**1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.**

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqIA : Title of EQIA

Protected characteristics	Relevance	Level	Positive/negative	Evidence
<b>Age</b>	Relevant	Medium	Positive	Climate change and the biodiversity crisis are likely to have a disproportionate impact on the young. By delivering the plan we will protect nature and mitigate climate change which will have a positive impact on the environment.
<b>Disability</b>	Relevant	Low	Positive	People with a disability are more likely to be unable to travel to access nature. By securing space in the Borough for residents to be able to access, green space will be accessible to more people. The roll out of the action plan will consider disabilities and ensure its as inclusive as possible.
<b>Gender re-assignment</b>	Not relevant			
<b>Marriage/civil partnership</b>	Not relevant			
<b>Pregnancy and maternity</b>	Not relevant			
<b>Race</b>	Not relevant			
<b>Religion and belief</b>	Not relevant			
<b>Sex</b>	Not relevant			
<b>Sexual orientation</b>	Not relevant			

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**Outcome, action and public reporting**

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

**EqIA : Title of EQIA**

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No			
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

Report Title:	Approval to lease Shurlock Row Nature Reserve and Play Area to Waltham St Lawrence Parish Council
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot
Meeting and Date:	Cabinet – 28 April 2022
Responsible Officer(s):	Duncan Sharkey – Chief Executive Andrew Durrant – Executive Director of Place
Wards affected:	Hurley and The Walthams



## REPORT SUMMARY

This report seeks approval to issue a lease for the 12-acre area known as Shurlock Row Nature Reserve to the Waltham St Lawrence Parish Council for a period of 99 years.

The 12 acre of land was purchased by the Council in 2009 to retain the field as a site of conservation interest.

The local Parish Council approached the parks team with ideas to enhance the field as a public asset with a small play area and car park, new pond and a conservation management plan to retain wildflower areas on the majority of the field.

Following a successful capital bid for a programme of park investment, in 2017 Council officers started working with Waltham St Lawrence Parish Council (PC) to change the use of land.

The PC worked with officers to undertake a full local consultation on the design of the improvements to the land and have negotiated the details of the lease.

The project will increase access to open spaces in this area of the borough and to protect and maintain the special area which has a rich heritage of grasses and wildflowers.

The council scheme of delegation requires a cabinet report to approve the granting of leases of this length.

### 1. DETAILS OF RECOMMENDATION(S)

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

- i) Authorises the granting of a full repairing lease of 99 years to Waltham St Lawrence Parish Council for the 12 acres of land known as Shurlock Row Nature Reserve.**

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

**Options**

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

Option	Comments
Grant a lease to the Parish for the area outlined as Shurlock Row Nature Reserve <b>This is the recommended option</b>	This completes the project originally outlined in the Capital bid process in 2017 and the following reports to Lead Members, and work with the Parish Council.
Retain the operation and maintenance of the area within the Council	This will require adding to the grounds maintenance contract and monitoring by Council officers and a suitable budget.

- 2.1 The borough has for a number of years sought to work with Parish Councils in areas where they can take over the responsibility for services and deliver more locally for their residents.
- 2.2 In 2017, as part of the then Leisure Services Unit, a capital bid was submitted for a number of projects under the title of park investments. Shurlock Row was one of these projects and £135,000 of this capital bid was allocated for this site.
- 2.3 This park investment project was working with the parish council, to create an open space – nature reserve and play area in line with RBWM policy to create more open space for residents, by using a 12 acre plot of RBWM owned land to create the open space.
- 2.4 The parish council had consulted its residents and had received a positive response to their idea.
- 2.5 The land was investigated as a potential Jubilee woodland site following an ecological survey that found the area supported a habitat of high existing ecological interest that would be lost as a result of woodland creation. This finding was later used to design the changes and development of the site to protect and maintain this important ecological area.
- 2.6 The project was to be managed and the initial development funded by RBWM and before handing to the parish on a peppercorn rent. The parish then funding ongoing development and maintenance.

**3. KEY IMPLICATIONS**

- 3.1 The granting of the lease will result in the transfer of management and development of the open space to the local PC who are in a better place to respond to needs of local residents in this area of the borough, which is under provided for in open space terms.

**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>
Lease signed	Lease unsigned	Lease signed by 12 May 2022	N/A	N/A	15 May 2022
Parish undertaking maintenance	Parish not arranging regular maintenance	Parish arranging regular maintenance by 12 May 2022	N/A	N/A	15 May 2022

- 3.2 Cabinet approval is required to award the lease to the Parish Council to enable the transfer of land to their responsibility.

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

- 4.1 The completion of this project will mean the start of a peppercorn rent agreement with the Parish Council and the removal of RBWM responsibility for the maintenance of the site.

There are no further financial implications from this decision.

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

- 5.1 The RBWM legal team have been consulted throughout the project on the change of use, land swap and the preparation and enactment of the lease.

#### **6. RISK MANAGEMENT**

- 6.1 There is a risk that following the completion of the lease, due to a number of reasons such as changes in personnel in the Parish Council, budget changes and Covid that the Parish Council will not sign the lease and take over the maintenance of the site as originally agreed. Officers have continued to liaise with the local parish council to mitigate this risk.

**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>
The Parish Council seek to leave the lease unsigned	Medium	Continued negotiation with the Parish on their original desire and commitment	Low

## **7. POTENTIAL IMPACTS**

- 7.1 Equalities. Equality Impact Assessments - There are no negative impacts which have been identified on the protected characteristics, or on the access to this site as a nature reserve, from this proposed lease to the local parish council. The project has been progressed to seek additional services for residents. Due to the nature of the area there is increased access to open space in the area. The Screening EqIA is included in Appendix 1.
- 7.2 Climate change/sustainability - There are no adverse effects from the recommendation to complete this project by granting a lease to the Parish Council. The ecological protection for the site will be maintained and has been enhanced by the improvements made to enable the creation of the new open space. The granting of the lease brings management of the land into local control, increasing the opportunity for community engagement with development of wildflower meadow and grass land management in the area.
- 7.3 Data Protection/GDPR - No Data Protection Impact Assessment is required for this project.

## **8. CONSULTATION**

- 8.1 The Parish consulted with residents in 2017, prior to this project which obtained a positive response to them engaging with RBWM for the outcome of a new Open Space.
- 8.2 The project was identified as part of the 2018 Capital Bids process and subject to consultation and approval through that process with Members.
- 8.3 As this featured a change of use for the land to Public Open Space, including car parking – planning application 18/01445 and therefore subject to the usual consultations associated with this type of planning application.
- 8.4 It was a subject of Lead Member Briefings leading up to the start and throughout the project period.
- 8.5 A number of meetings were held on site between Parish Council Officers and RBWM Officers to ensure the progress and appropriate completion to the satisfaction of both parties.

## **9. TIMETABLE FOR IMPLEMENTATION**

- 9.1 Implementation date if not called in will be immediately.

## **10. APPENDICES**

- 10.1 This report is supported by one appendix:
- Appendix 1 - Equality Impact Assessment

## **11. BACKGROUND DOCUMENTS**

- 11.1 This report has 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 deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	14 March 2022	<b>25/03/22</b>
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	14 March 2022	<b>23/03/22</b>
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	14 March 2022	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	14 March 2022	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	14 March 2022	<b>14/3/22</b>
<i>Mandatory: Procurement Manager (or deputy) - if report requests approval to award, vary or extend a contract</i>			
Lyn Hitchinson	Procurement Manager	<b>N/A</b>	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	8 March 2022	<b>09/03/22</b>
Andrew Durrant	Executive Director of Place	8 March 2022	
Kevin McDaniel	Executive Director of Children's Services	<b>N/A</b>	
Hilary Hall	Executive Director of Adults, Health and Housing	<b>N/A</b>	
<i>Heads of Service (where relevant)</i>			
Alysse Strachan	Head of Neighbourhoods	8 March 2022	
<i>External (where relevant)</i>			
<i>N/A</i>			

Confirmation relevant Cabinet Member(s) consulted	Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot	<b>Yes</b>
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## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>	<b>To follow item?</b>
Key decision First entered into the Cabinet Forward Plan: 23 March 2023	No	No
Non-key decision		

Report Author: Kevin Mist 07766 510 683 / David Scott 07710 352 095
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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

#### Essential information

Items to be assessed: (please mark 'x')

Strategy		Policy		Plan		Project	X	Service/Procedure	
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Responsible officer	Kevin Mist	Service area	Communities	Directorate	Place
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<b>Stage 1: EqlA Screening (mandatory)</b>	Date created: 10/03/2022	<b>Stage 2 : Full assessment (if applicable)</b>	Date created : Not required
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

*"I am satisfied that an equality impact has been undertaken adequately."*

Signed by (print): David V. Scott

Dated: 23 – March - 2022

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### **EqlA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council**

#### **Guidance notes**

##### **What is an EqlA and why do we need to do it?**

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with ‘protected characteristics’ and those without them.
- Fostering good relations between those with ‘protected characteristics’ and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council’s website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

##### **What are the “protected characteristics” under the law?**

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

##### **What’s the process for conducting an EqlA?**

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

##### **Openness and transparency**

RBWM has a ‘Specific Duty’ to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

##### **Enforcement**

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

#### Stage 1 : Screening (Mandatory)

##### 1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

This project has been a joint initiative with Waltham St Lawrence Parish Council to create a new open space and playground on RBWM owned land, to provide a local nature reserve. The area will be let to Waltham St Lawrence PC to manage and look after for the benefit of local residents and users.

The new open space has been designed to be accessible and will offer increased open space and a local nature reserve in this local area.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Yes	All ages	Positive	<p>Key data: The estimated median age of the local population is 42.6yrs [Source: <a href="#">ONS mid-year estimates 2020</a>].</p> <p>An estimated 20.2% of the borough population are aged 0-15, and estimated 61% of the local population are aged 16-64yrs and an estimated 18.9% of the local population are aged 65+yrs. [Source: ONS mid-year estimates 2020, taken from <a href="#">Berkshire Observatory</a>].</p> <p>The update Local Parish details from the 2021 Census are not yet available, but the age spread of the ward is expected to be in line with the borough profile.</p>
Disability	Yes			The site has been designed to include access for those with limited or restricted mobility.
Gender re-assignment	No			
Marriage/civil partnership	No			
Pregnancy and maternity	No			
Race	No			<p>Key data: The 2011 Census indicates that 86.1% of the local population is White and 13.9% of the local population is BAME. The borough has a higher Asian/Asian British population (9.6%) than the South East (5.2%) and England (7.8%). The forthcoming 2021 Census data is expected to show a rise in the BAME population. [Source: 2011 Census, taken from <a href="#">Berkshire Observatory</a>]</p> <p>The update Local Parish details from the 2021 Census are not yet available, but the age spread of the ward is expected to be in line with the borough profile.</p>

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqIA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

<b>Religion and belief</b>	No			<p>Key data: The 2011 Census indicates that 62.3% of the local population is Christian, 21.7% no religion, 3.9% Muslim, 2% Sikh, 1.8% Hindu, 0.5% Buddhist, 0.4% other religion, and 0.3% Jewish. [Source: 2011 Census, taken from <a href="#">Berkshire Observatory</a>]</p> <p>The update Local Parish details from the 2021 Census are not yet available, but the age spread of the ward is expected to be in line with the borough profile.</p>
<b>Sex</b>	No			<p>Key data: In 2020 an estimated 49.6% of the local population is male and 50.4% female. [Source: ONS mid-year estimates 2020, taken from <a href="#">Berkshire Observatory</a>]</p> <p>The update Local Parish details from the 2021 Census are not yet available, but the age spread of the ward is expected to be in line with the borough profile.</p>
<b>Sexual orientation</b>	No			

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### Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No			
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### **EqIA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council**

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

#### **Stage 2 : Full assessment**

##### **2.1 : Scope and define**

**2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.**

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**2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.**

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

**2.1.2** Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

### 2.2 : Information gathering/evidence

**2.2.1** What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

**2.2.2** What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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Advance equality of opportunity

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqIA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqIA : Shurlock Row – Open Space Lease to Waltham St Lawrence Parish Council

#### Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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**2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.**

*These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.*

Report Title:	Approval of Tender process for procurement of new Domiciliary Care Service for adults
Contains Confidential or Exempt Information	No
Cabinet Member:	Councillor Carroll, Cabinet Member for Adult Social Care, Children’s Services, Health, Mental Health and Transformation
Meeting and Date:	Cabinet – 28 April 2022
Responsible Officer(s):	Hilary Hall, Executive Director of Adults, Health and Housing Lynne Lidster, Head of Commissioning - People
Wards affected:	All



## **REPORT SUMMARY**

The current adult social care contracts for the provision of domiciliary (home-based) care to individuals living in the Borough, expire in August 2022. This report sets out information regarding the tender process, recommendations from officers following the tender and seeks approval for future contracting arrangements. It also includes recommendations from the member Task and Finish Group from the Adult, Children and Health Overview and Scrutiny Panel.

The council tendered for domiciliary care in January 2022 using a Dynamic Purchasing System; this model enables the council to approve new providers throughout the lifetime of the five-year contract, which has the option to be extended for a further two years. The contract is set at a fixed price of £19.40 per hour, pro-rated for part hours; this price was benchmarked with other local councils. The model of support within the specification focusses on reablement, using a strengths-based approach, to maximise people’s independence.

The proposal supports the objective within the Corporate Plan 2021-2026; “Thriving Communities – where families and individuals are empowered to achieve their ambitions and fulfil their potential” including the approaches identified in the Plan to “Shape our service-delivery around our communities’ diverse needs and put customers at the heart of all we do;” “Make the most effective use of resources – delivering the best value for money” and “Promote health and wellbeing, and focus on reducing inequalities, across all areas.”

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

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

- i) **Approves the proposed contracting model to use a Dynamic Purchasing System for domiciliary care for a period of five years with an option to extend for a further two years.**
- ii) **Delegates authority to the Executive Director of Adults, Health and Housing to award contracts, starting on 1<sup>st</sup> August 2022, to those providers who successfully completed the tender process, using the**

Dynamic Purchasing System and to other providers meeting the criteria throughout the lifetime of the contract.

iii) Notes the recommendations made by the member Task and Finish group, namely

- That Cabinet approve the recommendations in the report to award the contracts to the providers that met the criteria of the tender.
- That Optalis ensure at all stages – during the care planning process, the start of the care package and during reviews - that people are aware that they can request a change of provider at any point for any reason.
- That the Task and Finish Group’s thanks to officers supporting the process is noted.

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

### Options

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

Option	Comments
<p>That Cabinet approves the recommendations as set out in this paper and delegates authority to the Executive Director for Adults, Health and Housing to conclude contractual arrangements with the successful providers who completed the Tender process as described.</p> <p><b>This is the recommended option</b></p>	<p>This option ensures that the council remains compliant with procurement regulations, as well as creating the opportunities for new providers to enter the market at any time over the life of the new contract (5 years with an option to extend for a further 2 years) and for under-performing providers to be suspended at any time, using the recommended Dynamic Purchasing System.</p>
<p>Extend the existing contracts with the current providers rather than establish a new framework.</p> <p><b>This option is not recommended.</b></p>	<p>This option is not compliant with the contracting and procurement standing orders and regulations as the existing contract will have reached the end of all possible extension options by August 2022 - and is therefore not permissible.</p>
<p>Conduct a Tender based on price as well as quality criteria; with a view to entering into new fixed term contracts with the winning tenderers.</p> <p><b>This option is not recommended.</b></p>	<p>Entering into contracts with a limited number of winning providers locks the council into contractual commitments with these providers over the life of the contract, which may be disadvantageous if there are subsequent care quality issues associated with the provider. It also risks a small number of providers not being able to take the work available and therefore the council would have to seek</p>

Option	Comments
	"off contract" providers at a higher cost.
Do nothing. <b>This option is not recommended.</b>	The council has a statutory duty to assess and arrange appropriate care and support for adults meeting its eligibility criteria and therefore is required to secure appropriate contracts for provision of this support. This option would mean the existing contracts would lapse in August 2022 without ongoing arrangements in place, bringing the council into breach of its obligations under the Care Act 2014. This option is also not compliant with the contracting and procurement standing orders and regulations.

- 2.1 Domiciliary (home based) care is the name given to the range of services put in place to support an individual in their own home following a social care assessment of the person's eligible care and support needs. The Care Act 2014 mandates the Local Authority to undertake such assessments and to arrange appropriate care and support following the assessment process. In the Royal Borough of Windsor and Maidenhead, social care assessments and arranging care and support are undertaken by Optalis on behalf of the council.
- 2.2 Domiciliary care includes support and assistance to the individual with personal care (washing / dressing / toileting) as well as support to maintain day to day household tasks (e.g. to maintain mobility, nutrition and hydration), or any other activity that allows the individual to maintain their quality of life and independent living. This care and support is commissioned from domiciliary care providers, registered with the Care Quality Commission (CQC), under formal contractual arrangements.
- 2.3 The current commissioned domiciliary care contracts commenced in 2015 and reach the end of any options to extend further in August 2022. Under the current arrangements, 5 providers undertake the majority of the total domiciliary care activities for the borough, equating to the provision of around 3,500 hours of care per week, or 350 packages of care of around 10 hours per week on average, per individual. The remaining is provided through individual "spot" or ad-hoc packages of care with other providers, typically at much higher cost.
- 2.4 The proposed contracting arrangements, under a Dynamic Purchasing System, provides flexibility for the borough to bring new providers into the contract throughout its duration, and to sustain diverse and good quality suppliers. The criteria includes the requirements for Electronic Call Monitoring (to ensure accurate digital information is captured regarding times / durations of calls etc, as well as being able to identify issues in "real time"); and that all providers must

hold a CQC rating for their registered office providing the care service, as “Good” or “Outstanding” – inability to comply with these requirements results in an automatic fail of the providers’ tender submission.

- 2.5 In addition, the criteria provide the borough with the contractual ability to suspend or permanently cease placing packages of care to any provider who fall below the quality thresholds required at any time over the life of the contract, without penalty to the council.
- 2.6 The tender criteria and contracting mechanism that provides the council with these flexibilities is known as a Dynamic Purchasing System (DPS); which formed the basis for the open market tender. The DPS is a recognised exercise under the Public Procurement Rules and the tender process was conducted by the council Procurement Team, in conjunction with legal services and commissioners, ensuring the correct procurement processes and legal documentation were completed and followed.
- 2.7 As part of the Tender process, providers with a CQC rating of “Good” or above were invited to complete their submission, covering financial / background checks, references, qualitative and quantitative questions; all of which were scored as either “Pass / Fail” and marked against a scoring matrix, with a stated 60% threshold indicating the pass mark for inclusion.
- 2.8 Evidence demonstrates that the majority of Individuals receiving care and support in the community have the potential to continuously improve with the right interventions at the right time and so a key principle of the new domiciliary care model is to focus the work of the provider on maximising a person’s independence and thus reducing reliance on paid support (i.e. commissioned council services including domiciliary care) and in preventing their level of need from increasing. From day one of working with the individual, the provider will be expected to adopt an enabling role, rather than creating an expectation of “dependency” or “doing for” the individual.
- 2.9 Either following an intense period of reablement delivered and supported through the Optalis Short Term Services and Reablement Team, or in all other cases where the Individual has not previously received such a service, the new model requires providers to continue working with an individual to build on the gains already achieved. This is likely to include a focus on the wider determinants of good health and well-being, including for example reducing social isolation.
- 2.10 The tender criteria stated that the proposed hourly rate paid to providers, should be fixed rather than open to price bids from providers, so that the bids received would be assessed and scored purely on quality criteria not on price. Market evidence from other Local Authorities shows that tenders for domiciliary care services that include the provider bidding a price to deliver the care service, often lead to a “race to the bottom” with providers submitting unrealistically low prices, resulting thereafter in an inability to recruit and retain quality staff; inability to accept new packages of care, or failure of the contract, resulting in the care packages being handed back to the local authority to re-commission. Therefore, the hourly rate was stated in the Tender as £19.40 per hour per carer. This hourly rate was determined after benchmarking exercises were carried out with neighbouring authorities in the South-East.



- 2.11 The Tender criteria also provided that where existing providers are currently performing well and meeting their contractual obligations, with no quality concerns from the individual receiving the service, or the borough commissioners / Optalis / CQC, then these providers should be allowed to retain their existing care packages into the new contract period, as well as bid for new packages of care as they arise in the new DPS. This will minimise disruption to people in receipt of an existing service, as well as provide stability within the market, whilst not precluding new eligible entrants from joining the DPS over the life of the new contract.
- 2.12 Following the tender closing date (February 2022), officers from the Procurement and Commissioning team evaluated all responses, to ensure that the procurement process had been correctly followed. In total, 9 potential responses were received and of these, 8 had complied with the procurement rules laid out in the DPS. This was broken down as:
- 5 providers that met the tender criteria without further clarification being required; 3 providers were subject to further clarification questions, which were subsequently satisfactorily answered, meaning that their tenders were also compliant with the procurement rules and were therefore eligible to join the DPS.
- 2.13 The Royal Borough's Adult Social Care Strategic Plan (2021-2024) sets out the vision for adult social care, "to enable people in the Royal Borough of Windsor and Maidenhead to live independent and fulfilled lives". The key principles underpinning the vision are:
- Prevention – embedding prevention to avoid crisis and loss of independence
  - Community – Investing in communities and their assets and connecting individuals to them
  - Choice – shaping solutions around outcomes that matter to individual people
  - Values – treating everyone with compassion, respect and dignity
- 2.14 These principles of Prevention, Community, Choice and Values are reflected throughout the new contract specification and terms, where there are clear expectations of the providers, including ensuring they work to support the individual to keep their community- based connections (friends, family, support groups etc) and maintain their independence for as long as possible.
- 2.15 In Summer 2021, the Adults, Children and Health Overview and Scrutiny Panel set up a Task and Finish Group (TFG) to scrutinise the re-tender of the domiciliary care service for adults in the borough. The purpose of the TFG was to understand the current provision of domiciliary care and to make recommendations on the future delivery of care at home for adult residents.
- 2.16 The recommendations made by the TFG are as follows:
- That Cabinet approve the recommendations in the report to award the contracts to the providers that met the criteria of the tender.
  - That Optalis ensure at all stages – during the care planning process, the start of the care package and during reviews - that people are aware that they can request a change of provider at any point for any reason.

- That the TFG thanks to officers supporting the process are noted.

### 3. KEY IMPLICATIONS

3.1 See table 2 below.

**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>
Existing contracts with providers end on 31 July 2022	Contract continues beyond 31 <sup>st</sup> July	31 <sup>st</sup> July 2022	N/A	N/A	1 <sup>st</sup> August 2022
Dynamic Purchasing System is established in readiness for 1 August 2022; there are successful providers who join the DPS and are offered new packages of care.	The DPS fails to secure suitable prospective providers resulting in an ability for the council to secure care provision for residents across the borough.	DPS created; new providers join the DPS; terms and conditions agreed in readiness for new contract to commence from 1 <sup>st</sup> August 2022.	N/A	N/A	1 <sup>st</sup> August 2022

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The cost of delivering this contract will be contained within existing resources and the inflation was built into the 2022/23 budget. The contract will be in place from August 2022. In future years of the contract inflation is at the discretion of the Council and will take into factors such as CPI and changes to staff costs.
- 4.2 In September 2020, the council commissioned domiciliary support for 267 older people in the borough. By March 2021 this had increased to 351 people and in February 2022 to 373 people. This figure equates to 1.3% of the population of the borough who are over 65 (28,700 in 2020). By 2025, the over 65s population is expected to reach 30,990; if the rate of commissioning stayed the same, the number of people receiving council commissioned domiciliary care would increase to 402. However, to maximise people's independence and reduce reliance on paid support, the focus of the new contract is on reablement. This approach, alongside reshaping the Short Term and Reablement Service provided by Optalis, ensures that the council commissions appropriate levels of support for residents.

**5. LEGAL IMPLICATIONS**

- 5.1 The Council must comply with the Care Act 2014 which states that the Council must meet eligible social care needs following a care act assessment and a financial assessment. It also states that people must have choice and control over the services they receive. The Council also has other legal obligations, including the Equality Act 2010 under which the Public Sector Equality Duty arises.
- 5.2 When considering changes to service provision, Cabinet should have due regard to the Public Sector Equalities Duty. To have due regard means that in making decisions it must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations.
- 5.3 In providing services to people under the Care Act 2014 the Council must ensure that services meet the needs of people who are eligible and that there are a range of services available so that people have choice and control. Alongside the services currently on offer and those proposed in this report, people will have the option of taking a direct payment and arranging their own support for themselves or their family member.
- 5.4 As this report requests approval to award a new service contract under the Dynamic Purchasing System, the borough commissioners have worked extensively with the Procurement and Legal teams, ensuring that the procurement is conducted in accordance with the correct Public Procurement Rules and legal processes and following advice from both teams.

**6. RISK MANAGEMENT**

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

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
New providers do not join the DPS throughout the lifetime of the contract	MEDIUM	The council will monitor the take up of packages of care by providers on the DPS on a monthly basis. Where it is identified that there are unmet needs, the council will advertise the DPS to new providers.	LOW
Providers on the DPS fall below the CQC good or outstanding rating.	MEDIUM	The care quality team in Optalis will work with providers to support them to maintain high standards and to prepare for inspection. Where any unmet need is identified the council will advertise the DPS to new providers.	LOW

**7. POTENTIAL IMPACTS**

- 7.1 Equalities. The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. An EQIA is available to view on the Council website and is also shown at Appendix A.
- 7.2 Climate change/sustainability. The new contract requires all providers to work to promote a sustainable and biodiverse environment and to provide the council with copies and updates of any policies and procedures it has (or later brings into place over the term of the DPS) which detail the provider’s sustainability plans.
- 7.3 Data Protection/GDPR. The DPS was conducted on the basis that, to minimise disruption to the individual in receipt of care, existing providers would be able to retain their existing care packages and that the DPS would therefore only be used for new care packages as they arise. There is no personal data that will be processed as a result of this Cabinet paper decision. The contract documentation between the council and the provider lays out extensive Data Protection / GDPR requirements for providers to follow, when the new service commences and new packages of care arise.

**8. CONSULTATION**

- 8.1 Consultation with Members was undertaken as part of the process. The Adults, Children and Health Overview and Scrutiny Panel set up a Task and Finish Group to scrutinise the re-tender of the domiciliary care service for adults in the borough. The purpose of the task and finish group was to understand the current provision of domiciliary care and to make recommendations on the future delivery of care at home for adult residents.
- 8.2 As recommended by the Task and Finish Group, Optalis’ ongoing care and support process will ensure that consultation with individuals in receipt of the service will also take place (during the care planning process, the start of the care package and during reviews). This will ensure that individuals are informed of their choices regarding providers, including the right to request a change of provider at any point for any reason, or to receive instead, a Direct Payment so that they can arrange their own care and support.

**9. TIMETABLE FOR IMPLEMENTATION**

- 9.1 Implementation date if not called in: Immediately’. The full implementation stages are set out in the table 4 below.

**Table 4: Implementation timetable**

<b>Date</b>	<b>Details</b>
Mid May 2022	Contract mobilisation commences.
1 <sup>st</sup> August 2022	New Dynamic Purchasing System commences.

## 10. APPENDICES

10.1 This report is supported by 1 appendix:

- Appendix A – Equality Impact Assessment

## 11. BACKGROUND DOCUMENTS

11.1 Details of the current existing standard form of contract for domiciliary care can be found on the RBWM website here.

<https://www.rbwm.gov.uk/media/502/download>

## 12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputies)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	29/3/22	30/3/22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	29/3/22	30/3/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	29/3/22	30/3/22
Elaine Browne	Head of Law (Deputy Monitoring Officer)	29/3/22	30/3/22
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	29/3/22	30/3/22
Lyn Hitchinson	Procurement Manager	29/3/22	29/3/22
Duncan Sharkey	Chief Executive	29/3/22	29/3/22
Andrew Durrant	Executive Director of Place	29/3/22	29/3/22
Kevin McDaniel	Executive Director of Children's Services	29/3/22	29/3/22
Hilary Hall	Executive Director of Adults, Health and Housing	28/3/22	29/3/22
Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health and Transformation	Yes	

## REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Key decision: First entered into the Cabinet Forward	No	No

Plan 21 October 2021		
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Report Author: Lynne Lidster, Head of Commissioning, People. 07554  
459628

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**  
**EQUALITY IMPACT ASSESSMENT**

**EqlA : Domiciliary Care – new purchasing framework**

**Essential information**

Items to be assessed: (please mark 'x')

Strategy		Policy		Plan		Project		Service/Procedure	x
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Responsible officer	Lynne Lidster	Service area	People Commissioning	Directorate	Adults, Health and Housing
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<b>Stage 1: EqlA Screening (mandatory)</b>	Date created: 10/03/2022	<b>Stage 2 : Full assessment (if applicable)</b>	Date created N/A
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**Approved by Head of Service / Overseeing group/body / Project Sponsor:**

*"I am satisfied that an equality impact has been undertaken adequately."*

**Signed by (print):** Lynne Lidster, Head of Commissioning - People

**Dated:** 28<sup>th</sup> March 2022

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

#### Guidance notes

##### What is an EqlA and why do we need to do it?

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with ‘protected characteristics’ and those without them.
- Fostering good relations between those with ‘protected characteristics’ and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council’s website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

##### What are the “protected characteristics” under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

##### What’s the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

##### Openness and transparency

RBWM has a ‘Specific Duty’ to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

##### Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.



# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

#### Stage 1 : Screening (Mandatory)

##### 1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of the project is to re-tender the Council's Domiciliary (Home based) care contract, as the existing contracts have come to the end of their possible extension options. The new service contract will commence from 1<sup>st</sup> August 2022.

Domiciliary care is the provision of care and support at home for individuals who have been assessed by the Optalis adult social care team as having eligible care and support needs, in accordance with the provisions of the Care Act 2014.

The new service will be procured using a Dynamic Purchasing System, which is a recognised procurement exercise under the Public Procurement Rules.

The key objective of establishing the new contracts through a Dynamic Purchasing System are to encourage a vibrant and diverse market of care providers in the area, so that people receiving a domiciliary care service can have choice and control over the support they receive, from the supplier of their choice.

The proposal also supports the objectives within the Corporate Plan 2021-2026; "Thriving Communities – where families and individuals are empowered to achieve their ambitions and fulfil their potential" including the approaches identified in the Plan to "Shape our service-delivery around our communities' diverse needs and put customers at the heart of all we do;" "Make the most effective use of resources – delivering the best value for money" and "Promote health and wellbeing, and focus on reducing inequalities, across all areas."

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### **EqIA : Domiciliary Care – new purchasing framework**

**1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.**

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

Protected characteristics	Relevance	Level	Positive/negative	Evidence
<b>Age</b>	Relevant	Medium	Positive	<p><i>Key data: An estimated 18.9% of the local population are aged 65+yrs. [Source: ONS mid-year estimates 2020, taken from <a href="#">Berkshire Observatory</a>] Domiciliary care is predominantly provided to older people within the population, and usually comprises the provision of support for daily living activities such as washing, dressing, nutrition and hydration etc. The establishment of a Dynamic Purchasing System, as opposed to the traditional contracts with a small number of providers, will ensure that there is a wider choice of care providers, (who meet the quality threshold for acceptance by the council onto the framework), available for the individual in receipt of care. The new contract that providers will be required to sign, requires the provider to work with the individual to deliver the outcomes that they individual would like to achieve. The focus will be on enabling the individual to “Live their best life” with the individual placed at the centre of any decision making.</i></p> <p>The new contracts will ensure that the individual has choice about deciding who their provider should be; and at any time during the service there will be the ability for the person to change provider, should they wish to do so. The contract also allows for the individual to receive a Direct Payment from the council, instead of council funded and arranged care, should that be their preference.</p>
<b>Disability</b>	Relevant	Medium	Positive	<p>The new Contract will also provide for care and support for people with a disability, should they have identified care and support needs. All of the provisions outlined in the “Age” characteristics would also apply for Disability.</p>
<b>Gender re-assignment</b>	Not relevant		Neutral	
<b>Marriage/civil partnership</b>	Not relevant		Neutral	
<b>Pregnancy and maternity</b>	Not relevant		Neutral	

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

Race	Relevant	Medium	Positive	<p><i>Key data: The 2011 Census indicates that 86.1% of the local population is White and 13.9% of the local population is BAME. The borough has a higher Asian/Asian British population (9.6%) than the South East (5.2%) and England (7.8%). The forthcoming 2021 Census data is expected to show a rise in the BAME population. [Source: 2011 Census, taken from <a href="#">Berkshire Observatory</a>]</i></p> <p>The Dynamic Purchasing System allows the council to invite a wide range of providers who pass the quality threshold, to join the framework. This has the advantage over a traditional tender with a fixed number of suppliers, in that it allows a wider range of providers to bid for care packages as they become available. As part of the tender selection process, providers wishing to join the DPS were required to describe in detail how they would ensure that the care they offered, was sensitive and appropriate for the particular characteristics of the borough, including race. In addition individuals in receipt of a care service have the choice to take a Direct Payment and arrange their own care, should this be their preference. The new DPS and contract is therefore considered to be positive for this protected characteristic.</p>
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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqIA : Domiciliary Care – new purchasing framework

Religion and belief	Relevant	Medium	Positive	<p><i>Key data: The 2011 Census indicates that 62.3% of the local population is Christian, 21.7% no religion, 3.9% Muslim, 2% Sikh, 1.8% Hindu, 0.5% Buddhist, 0.4% other religion, and 0.3% Jewish. [Source: 2011 Census, taken from <a href="#">Berkshire Observatory</a>] The Dynamic Purchasing System allows the council to invite a wide range of providers who pass the quality threshold, to join the framework. This has the advantage over a traditional tender with a fixed number of suppliers, in that it allows a wider range of providers to bid for care packages as they become available. As part of the tender selection process, providers wishing to join the DPS were required to describe in detail how they would ensure that the care they offered, was sensitive and appropriate for the particular characteristics of the borough, including religion and belief. In addition individuals in receipt of a care service have the choice to take a Direct Payment and arrange their own care, should this be their preference. The new DPS and contract is therefore considered to be positive for this protected characteristic.</i></p>
Sex	Relevant	Medium	Positive	<p><i>Key data: In 2020 an estimated 49.6% of the local population is male and 50.4% female. [Source: ONS mid-year estimates 2020, taken from <a href="#">Berkshire Observatory</a>] As part of the process for arranging individual packages of care, the new contract provides for the individual with eligible care and support needs to specify their preference for a male or female carer. By having a Dynamic Purchasing System with a potentially wider cohort of providers, there will be greater opportunities for the council to ensure they can offer providers with carers whose gender matches the requirements of the individual in receipt of care. This is therefore considered to be positive for this protected characteristic.</i></p>

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

<b>Sexual orientation</b>	Relevant	Medium	Positive	Part of the arrangements within the new contract specify that the care provider has to work with the individual to develop a care and support plan, describing the aspirations, wishes and requirements of the individual. Providers are encouraged within the contract, to try to match carers with individuals wherever possible and this would where appropriate to the support plan, include sexual orientation. This is therefore considered to be positive for this protected characteristic.
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### Outcome, action and public reporting

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Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
<b>Was a significant level of negative impact identified?</b>	No	No further action required		
<b>Does the strategy, policy, plan etc require amendment to have a positive impact?</b>	No			

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD  
EQUALITY IMPACT ASSESSMENT**

**EqlA : Domiciliary Care – new purchasing framework**

**Stage 2 : Full assessment**

**2.1 : Scope and define**

**2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.**

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**2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.**

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**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**  
**EQUALITY IMPACT ASSESSMENT**

**EqlA : Domiciliary Care – new purchasing framework**

**2.1.2** Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

**2.2 : Information gathering/evidence**

**2.2.1** What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

**2.2.2** What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

#### Advance equality of opportunity

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

### EqlA : Domiciliary Care – new purchasing framework

#### Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

**2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.**

*These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.*

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