

CABINET

THURSDAY, 29 SEPTEMBER 2022

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

Also in attendance: Councillor Julian Sharpe and Councillor Helen Price. Ian Brazier-Dubber (RBWM PropCo).

In attendance virtually: Councillors John Baldwin, Mandy Brar, Catherine Del Campo, Phil Haseler, Ross McWilliams, Gurch Singh and Simon Werner.

Officers: Louisa Dean, Emma Duncan, Andrew Durrant, Sarah Harper, Chris Joyce, Kevin McDaniel, Adele Taylor, Alysse Strachan, Karen Shepherd and Andrew Vallance.

APOLOGIES FOR ABSENCE

Councillors Haseler and McWilliams attended virtually, therefore took no part in the voting on any item.

DECLARATIONS OF INTEREST

None

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 25 August 2022 be approved, subject to the following amendment:

Item G to read:

RESOLVED UNANIMOUSLY: That Cabinet notes the report and:

- i) Notes the risk in relation to the grant of planning consent**
- ii) Approves the option to sell Cedar Tree House (option C) as a family dwelling for best market consideration, *and to consider the option to sell as three flats.***

APPOINTMENTS

None

FORWARD PLAN

Cabinet noted the Forward Plan for the next four months including the following additional changes:

- The item 'Budget Implications of Replacement Adult Social Care Case Management System' would be considered by the Cabinet Transformation Sub Committee on 7 November 2022.

- The item 'School Place Planning Annual Report' would be deferred from October 2022 to December 2022.

REFERRAL FROM OVERVIEW & SCRUTINY - CEDAR TREE HOUSE, 90 ST LEONARDS ROAD, WINDSOR

Members considered a referral from the Corporate Services Overview and Scrutiny Panel to reconsider the decision taken at the Cabinet meeting held on 25 August 2022. The Chairman explained that the O&S Panel had requested further clarity on Cabinet's agreed option to dispose of the property at market value. Earlier in the meeting, Cabinet had agreed to amend the minutes from the August meeting, to include reference to the option to consider selling the property for conversion into three flats alongside the agreed option to sell as a single dwelling. Whichever option offered best value would be pursued.

Karin Falkentoft, a registered public speaker, stated that she did not wish to address Cabinet, given the recommendation was still to sell the property.

Councillor Hilton commented that costs were increasing therefore it was the right decision to sell as a refurbished single dwelling.

Cabinet agreed to reconfirm the decision taken at August Cabinet as below:

RESOLVED UNANIMOUSLY: That Cabinet notes the report and:

- i) **Notes the risk in relation to the grant of planning consent**
- ii) **Approves the option to sell Cedar Tree House (option C) as a family dwelling for best market consideration, and to consider the option to sell as three flats.**

CABINET MEMBERS' REPORTS

A) PETITION - SPEED LIMIT ON LONDON ROAD, ASCOT

Cabinet considered a petition requesting a reduction in the speed limit on London Road, Ascot. Councillor Haseler, Cabinet Member for Planning, Parking, Highways and Transport, explained that in October 2021 a petition with 174 signatures had been submitted by local residents to request that the existing speed limit on the A329 London Road, Ascot was reduced from its current 40mph to 30mph between the junctions with Cheapside Road and Sunninghill Road.

A speed survey was carried out in December 2021 which showed that 85% of the vehicles travelling east, towards Virginia Water, were travelling at a speed of 38mph or less. The corresponding speed for westbound, towards Ascot, traffic was 36.2mph or less. Although there were a number of vehicles that were exceeding the speed limit, this would indicate that the current 40mph speed limit was correctly set for the road and the majority of drivers were obeying it.

Councillor Haseler explained that London Road, Ascot between the junction with Cheapside and Sunninghill Road, was rural in appearance with few houses and frontages. It was an A class road and carried between 6500 – 7000 vehicles in either direction each day, thereby providing through route options for a large number of residents and visitors. The 40mph speed limit provided a link to the newly reduced

speed limit, from 50mph to 40mph, on the Virginia Water side of Sunninghill Road that now ran along the A329 London Road to the Surrey County Council boundary.

Members noted the collision history for the road as detailed in paragraph 2.5 of the report. Councillor Haseler highlighted that there was little commonality in the incidents and speed had been a contributory factor in only one. In light of the safe record of the road and the compliance of drivers, it was considered that the road was safe at the current speed limit and that no further action should be taken. Councillor Haseler commented that he had undertaken a site visit and considered the issue in light of his professional career in the police as a collision investigator. He believed a 40mph limit was fair and reasonable for the road.

As Councillor Haseler was in attendance virtually, the recommendation was proposed by Councillor Johnson. Councillor Hilton seconded the proposal.

Kate Valance, lead petitioner, addressed the Cabinet. Photographs of a recent collision on the road were circulated to Members of Cabinet.

Kate Vallance stated that she wished to appeal the decision not to reduce the speed limit. The report said that 85% of vehicles were travelling at less than 40mph, but this was not her experience. She could only conclude that drivers slowed down when they saw the speed check survey board. It had been stated that 40mph would be in line with driver expectations, but she felt that safety should be the priority. The section of the London Road was narrow with zigzag bends and poor visibility; because of the speed of vehicles, it was difficult to enter and exit properties. The photographs she had submitted showed a car that had lost control on a bend and crashed into her neighbour's fence and broken a steel lamppost into five pieces. The pavement was very narrow and only ran on one side. The Victory Fields were accessed from the road, yet parents would not let a child walk or cycle there. A child had been knocked down recently. Near the roundabout, the road narrowed further, and lorries were forced to use both lanes. Local residents knew to drive down there slowly but visitors would not. Kate Vallance concluded that 40mph was too fast for this section of road. 30mph, or more preferably 20mph, would be the appropriate limit. Alternatively, speed reduction measures could be introduced. The increased volume of traffic with all the development in the area meant she was virtually certain there would soon be a serious injury or death.

Councillor Johnson thanked Kate Vallance for addressing Cabinet.

Councillor Hilton commented that he understood some of the concerns as he used the road regularly. However, the statistics in the report supported the fact that the limit was well respected. Crossing the road was a challenge; he would not expect children to do so without parental supervision. However, he did not think many people accessed the Victory Fields from this direction as the majority of the population served was to the north.

Councillor Haseler commented that he understood the points made by the lead petitioner, however the speed limit had to be realistic for the nature of the road. The council received numerous requests from residents for speed reductions and perceptions were often higher than reality. The situation here was the 85th percentile. Most houses on the road were set back with walls that may restrict views; any overgrown hedges were the responsibility of the property owner. It was a rural road and therefore a 40mph limit was appropriate. A 30mph limit would not be expected by

most motorists. When the council was looking to reduce a speed limit it would consult with the police. If the police did not believe a reduction was justified, it would object, and the council would struggle to get the police to enforce a lower limit. Traffic calming measures were unlawful in anything above a 30mph zone. The volume of people crossing the road would not justify a zebra or pelican crossing. The matter could be kept under review but at the current time a reduction was not justified.

Councillor Hilton commented that the council did act to address issues where appropriate based on the evidence, for example when there had been a series of accidents at the junction with Silwood Road a few years previously, the issue had been investigated and measures put in including a traffic island.

Councillor Rayner suggested the idea of a review could be added to the recommendation. Councillor Johnson commented that he was relaxed about that idea. It was becoming apparent that enforcement of the existing 40mph limit was probably a more effective route than a reduction. Enforcement was a matter for the police, but they could be more proactive. More visibility of the enforcement of the current limit should be considered initially; if this was not effective then a review could be undertaken.

Councillor Sharpe commented that he knew the road well as the councillor who lived closest. The pavement was very narrow, and it was difficult to use for anyone with a child or a mobility scooter. Access to Victory Fields was very difficult. Visibility was very low considering the speed of the road and people did not obey the speed limit. The volume of traffic would have increased significantly since the survey undertaken in December 2021 therefore, he suggested another survey should be undertaken.

Councillor Johnson suggested the idea of a community speed watch to increase the deterrence factor. In relation to the photographs circulated of a recent collision, he commented that the conditions looked damp and greasy, and it was possible the driver had not taken into account the conditions.

Councillor Baldwin commented that there had been several references to the attitude of the police to any changes. He had met with local police recently and found them to be very helpful, he therefore questioned why the debate sounded so different. He also commented that he could understand referring to the operational expertise of serving police officers, but not one recently retired.

Councillor Johnson responded that feedback had been given on the unwillingness of the police to enforce inappropriate speed limits. Councillor Haseler was in a unique position having been involved in collision investigations in his professional career. Councillor Johnson stated that he would raise the issues of targeted enforcement with the police at a meeting he had the next day. The council should work with the police to enforce the current limit and if the situation had not markedly improved in 12 months other options could be considered.

RESOLVED UNANIMOUSLY: That Cabinet notes the report and:

- i) Recommends that the existing speed limit of 40mph is retained on the A329 London Road, Ascot.**

B) APPROVAL OF THE COOKHAM VILLAGE CONSERVATION AREA APPRAISAL

Cabinet considered approval of the Cookham Village Conservation Area Appraisal (CAA).

Councillor Haseler, Cabinet Member for Highways, Transport, Planning and Parking, explained that the CAA described the important features and characteristics of the area and would be used in determining planning applications. It was part of a long-term project to review all existing CAAs in the borough and complete ones for new areas.

A CAA identified specific buildings of architectural or historical interest, defined the Conservation Area boundary, increased public awareness of the need for preservation, and provided a framework to inform planning decisions.

The Cookham Village CAA included a five-year management plan which summarised the actions the council would take to ensure the area was preserved or enhanced. A public consultation had been undertaken to inform the CAA, including letters to all properties in the area and public meetings. There had been strong local support for the CAA. Once adopted, the CAA would replace the previous 2002 appraisal. Councillor Clark, ward councillor, had written to Councillor Haseler to say he was delighted with the updated CAA and residents had been grateful for the opportunity to help shape the document through the consultation process.

As Councillor Haseler was in attendance virtually, the proposal was recommended by Councillor Johnson. Councillor Coppinger seconded the proposal.

Councillor Rayner stated that she fully supported the proposal. The borough had an incredible wealth of heritage and culture, and anything done to preserve and enhance it should be applauded.

Councillor Hilton commented it was an excellent document that would protect the area. There were a few more areas in the borough that could benefit from Conservation Area status.

Councillor Stimson commented that she supported the proposal. As work was undertaken to retrofit old buildings to make them more comfortable to live in, the CAA would ensure the heritage and appearance of the area was preserved.

Councillor Coppinger commented that two areas in his ward had benefited from Conservation Area status. He was delighted the area covered in Cookham was being expanded.

Councillor Brar commented that she was very pleased with the proposal. Cookham was a unique place. She had been disappointed that the Railway Cottages on Station Road and High Road were not included and asked if there was any opportunity for them to be added at a later stage.

It was confirmed that there was a five-year review period for the CAA therefore other areas could be included in future.

RESOLVED UNANIMOUSLY: That Cabinet notes the report and:

- i) Agrees the revised conservation area appraisal document and notes the change of name of the conservation area from the Cookham High Street Conservation Area to the Cookham Village Conservation Area.**
- ii) Agrees the revised boundary of the conservation area to encompass the additional areas identified as part of the boundary review and their publication in the London Gazette and one local paper as required under Section 70 (5) and (8) of the Planning (Listed Building and Conservation Areas) Act 1990.**
- iii) Agrees that all addresses in the extensions to the conservation area will be notified by letter advising of the new boundary and the changes that this will mean for residents and owners.**
- iv) Notes that once designated, Historic England and the Historic Environment Record (HERS), administered by Berkshire Archaeology, will be advised of the changes. The Council's GIS will be updated, and the appraisal document will be made available on the Council's web site.**

c) 2022/23 MONTH 4 BUDGET MONITORING REPORT

Cabinet considered the 2022/23 Month 4 Budget Monitoring Report.

Councillor Hilton, Cabinet Member for Asset Management & Commercialisation, Finance, & Ascot reported an adverse movement of £303,000 from Month 2 which moved the year end forecast to an overspend of £2.108m. This reduced to £333,000 after taking into account unused contingency.

Adult social care was forecasting an overspend of £376,000 which was the outcome of a number of movements. Paragraph 4.3 stated that £2.15m of earmarked reserves and Better Care Fund had been used to manage the overspend along with £750,000 of contingency that was included in the budget for demographic growth. In real terms this was an overspend of £3.276m. Appendix G included a table on social care client numbers which provided an explanation. There were 143 more older people in residential and care homes than the 619 included in the budget; an increase of 23% which, assuming an average cost of placements, would predicate a £4.6m overspend.

During the pandemic hospitals were provided funds to support early discharge and they used these funds to moved patients from hospital to care homes. The usual protocol was to use reablement to help patients re-establish their lives in their own homes. The unintended consequence of early discharge was that older people had been admitted to care or residential settings earlier than they might have been, and few returned to their homes but stayed longer in a residential setting, significantly increasing care costs. Optalis were now better managing the process, but it showed the unintended consequences of some actions taken during the pandemic.

The increase in budget for Director & Support expenditure related to the Homes for Ukrainians scheme where the council has received £1.876m for guests arriving in quarter 1, of which £1.1m was committed. Some of the balance was likely to be used

on temporary accommodation. Councillor Hilton knew of one host in the south of the Borough who wished the family staying with him to leave in October.

In Housing, income from Hackney Carriage and street performing licenses was down by £140,000 and temporary accommodation was forecasting an overspend of £93,000 to be funded by the homelessness prevention grant. There was concern that the recent increase in the cost of living would impact on numbers.

Children's services showed an overspend of £649,000, which was driven by the impact of the Children's National Transfer scheme for unaccompanied asylum seekers where the council would receive 15 more children to bring it up to the 0.07% quota, but the quota was set to increase to 0.1% and push up costs further. Legal services were overspent by £241,000 and the difficulty in recruiting to permanent positions had increased agency staff costs to £260,000.

To manage the Dedicated Schools Grant deficit of £2.467m, apart from the Deficit Management Plan, Achieving for Children was participating in the DfE Delivering Better Value in SEND support programme.

Covid continued to impact on the Place directorate, which, despite support from the Covid reserve, was forecasting an overspend of £1.186m, most of which was associated with pay and display, penalty charge notices and season tickets. However, £171,000 related to VAT arrangements at the Braywick leisure centre. The borough opted to tax the Braywick Leisure Centre as a new build, so that it could reclaim the VAT on the construction costs but as a consequence it must pay VAT on the proportion of the contract payments it received from Leisure First, that was derived from the building.

Resources were reporting a favourable variance of £250,000 and Law and Governance £114,000.

There were a number of budgets virements that required Cabinet's approval, shown in table 12. None of the virements changed the budget. The first was a movement between two accounts in revenues and benefits and housing to better reflect expenditure and government grants. The second was a transfer of the budget of the Berkshire Records office from Adults, Health and Housing to Governance. The third was an additional government grant to help the council to prepare for the implementation of Adult Social Care reforms.

On capital, following planning approval, £2.708m had been added to the capital programme for Windsor Girls' School for a new sixth form block and all-weather pitch netball courts and staff car parking.

Councillor Hilton concluded that all councils were facing significant financial headwinds and it was crucial that the council took positive action to bring the current year's budget back into balance. That was not just to achieve a fourth year of budget surplus, but to retain reserves to help create a balanced budget for 2023/24.

Councillor Johnson seconded the proposal. At full Council earlier in the week he had articulated the challenges being faced by all local authorities, particularly in relation to pressures in adult and children's social care. The council did have a record of getting itself back on track with a modest underspend by year end. There was lots of work underway to get closer to this year's target.

Councillor Hilton confirmed that season ticket income was down, which was not surprising as more people were working from home. Overall parking income was down by 20%, a figure of around £2m. The Head of Neighbourhood Services explained that, historically the income targets had been unrealistic. A mid-year sale and promotion of season tickets was under consideration.

Councillor Werner commented that he had raised concerns earlier in the year about unrealistic expectations for parking income. He asked if the figures included additional revenue from the Jubilee and State Funeral events in Windsor in recent months and whether Members were still confident the overall figures would rebound. Councillor Werner commented that it felt like a return to the 'bad old days' and asked if a proper budget surplus would be identified or would the council rely on donations from the Property Company or government grants.

Councillor Johnson responded that it was not a return to the 'bad old days'. The council had proactively asked CIPFA to address a number of structural issues. The administration had been the only one to set a balanced budget at the start of the year. He restated the determination to remain on balance and close the year on balance.

Councillor Hilton commented that in his view it was perfectly legitimate to use contingency built into the budget for eventualities such as demographic growth, and earmarked reserves.

Councillor Price asked how much unallocated contingency was left and for further information on the decision related to taxation and Leisure Focus. She commented that quite a few overspends were being mitigated by one-off funds. The savings tracker showed a pattern of difficulties in recruitment with a number of the posts ones that were intended to generate income; she therefore asked about the impact on the budget next year.

Adele Taylor, Executive Director of Resources, explained that the forecast predicted the position at the end of the year therefore all contingency was effectively being allocated to deal with in year issues. However, this did not mean actions were not being taken to identify ways to reduce demand and expenditure. The forecast did not include additional parking income from the last few weeks in Windsor. In relation to the VAT issue, it was acknowledged that the budget had been missed as it had come out quite close to budget setting. One-off funds were being used to mitigate overspends, however all officers were looking to identify ways not to rely on these going forward. Sometimes one-off use was appropriate, for example funding related to Ukrainian families or where reserves were earmarked. Recruitment was an issue for all employers. The council would prioritise the resources it had where recruitment was difficult.

Councillor Baldwin commented that the £2m underspend at the end of last year had been surprising to everyone, including the administration. Based on the controls and financial probity, the council could equally have found itself overspent by £2m. The drop in revenue from season tickets was predictable. He asked why there was not a plan to discount season tickets for the remainder of the year with a condition they came with a season ticket for 23/24.

Councillor Johnson responded that the head of Neighbourhood Services had dealt with the issue of season tickets in earlier comments.

The Director of Resources stated that if any councillor or member of the public had concerns about the financial probity of the council, which was her personal responsibility, details of the external auditor could be found on the council website. Part of the underspend at the end of last year related to the late notification of funds from government departments.

RESOLVED UNANIMOUSLY: That Cabinet:

- i) notes the forecast revenue outturn for the year is an overspend on services of £2.108m which reduces to £0.333m when taking into account unallocated contingency budgets (para 4.1);**
- ii) approves three budget virements (para 12); and**
- iii) notes the forecast capital outturn is expenditure of £58.787m against a budget of £60.066m (para 14).**

D) RBWM DOMESTIC ABUSE STRATEGY 2022-24

Cabinet considered the RBWM Domestic Abuse Strategy 2022-24. Councillor Carroll, Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health & Transformation stated that he was pleased to bring the update to Cabinet. Although the report was only for noting, he had brought it to Cabinet because of the absolute importance of the issues. The strategy built on the work of the previous 2012-2020 strategy. It renewed the commitment to build on achievements, maintain and improve best practice and develop services for anyone experiencing domestic abuse in the borough. Councillor Carroll paid tribute to the DASH charity which provided key services across the borough.

Members noted that strategy had been developed around four priorities, closely aligned with those in the Government's Tackling Domestic Abuse Plan (March 2022):

1. Prevention and early intervention
2. Provision of services
3. Pursuing perpetrators
4. Working in partnership

It also linked to a number of other key local and regional strategies and action plans including:

- Thames Valley Police & Criminal Justice Plan 2021-2025 (Office of the Police and Crime Commissioner - OPCC)
- Thames Valley Police Violence Against Women and Girls Strategy 2022-2023
- RBWM Community Safety Plan 2021-24
- RBWM Safeguarding Partnership Strategy 2022-25
- RBWM Domestic Abuse Safe Accommodation Strategy 2021-24
- Thames Valley Police Strategic Plan 2021-2022
- Berkshire Suicide Prevention Strategy 2021-2026

Councillor Carroll concluded that sadly, due to the pandemic, the incidence of domestic abuse had increased and therefore the council must redouble its efforts to ensure victims were protected, and work harder to provide prevention and intervention services.

Councillor Johnson seconded the proposal, highlighting that bringing the report to Cabinet demonstrated a powerful intent.

Councillor Stimson endorsed the strategy. The DASH charity was soon moving premises to ensure it was as comfortable as possible for victims to access services.

Councillor Rayner highlighted the partnership working with Street Angels and Project Vigilance. Councillor Cannon highlighted partnership working with the Community Safety Partnership and the Police and Crime Commissioner.

Councillor Del Campo welcomed the report. She commented that she understood the strategy was a living document and therefore made a number of suggestions. It was encouraging to see in the EQIA that work was being done to see how different groups experienced the situation and how they accessed support, however she did not feel that the issues of disadvantage had been specifically addressed in the main body of the report. She was glad to see support for perpetrators was included as this was essential to prevention. However, she asked if the scheme was available to those outside of a setting involving children. She would also like to see more information, including the link to mental health, drug and alcohol abuse and multi-agency support.

The Safe Accommodation Strategy identified a number of gaps in the service around refuge support, tailored support for protected characteristics, lack of data on victims' socio-economic status, and the movement of victims between authorities. Her own experience helping residents was that the strategy was not always consistently applied. Councillor del Campo suggested that delivery of the action plan could be an ongoing item on the People O&S Panel work programme.

Councillor Carroll welcomed the suggestion for Overview and Scrutiny, but noted the decision would be a matter for the Panel. A holistic approach had been taken for some time, for example he and Councillor McWilliams had worked closely in terms of housing and homelessness, and he had worked with the drug and alcohol service on mental health, resilience and working with the NHS. He was happy to consider what more could be done to ensure the offer remained prominent. It was important to distinguish between equality of access, and hard to reach groups. The offer was universal, but it was recognised that there were hard to reach groups. It was important to find ways to ensure all individuals could immediately access services.

The Director of People Services confirmed that the perpetrator support programme was run by Thames Valley Police and was open to all regardless of age, gender, or family circumstances.

Councillor Price commented that she was delighted to see the service covered all genders. The EQIA was excellent and an example to others.

Councillor Baldwin commented that it was an unbelievably important issue which had been exaggerated by the pressures of the pandemic. Abuse was a scourge on society. He looked forward to the strategy being carried forward in every aspect of the council's performance.

Councillor Carroll commented that abuse of any nature should be stamped out. A victim first approach was at the heart of the strategy.

Councillor Sharpe welcomed the report. He wanted to ensure the good work of the DASH charity was publicised in the south of the borough. He asked if the council was working with housing associations on the issue.

Councillor Carroll confirmed that DASH worked borough-wide. Partnership working with Housing Associations was covered in the Accommodation Strategy.

Councillor Hilton reassured Councillor Sharpe that DASH was present in Ascot. He ran a small charity in the area that provided a grant to DASH.

Councillor Carroll placed on record his thanks to the officers involved in preparing the strategy and for all the partners who ensured the issue was a critical priority.

RESOLVED UNANIMOUSLY: That Cabinet notes the report and:

i) the contents of the RBWM Domestic Abuse Strategy 2022-24

E) TIVOLI CONTRACT FOR GROUNDS MAINTENANCE

Cabinet considered the Tivoli Contract for Grounds Maintenance.

Councillor Coppinger, Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead, explained that the council was judged by its residents across a wide range of issues. He was responsible for possibly the two most visible: Waste and recycling and grounds maintenance. In partnership with SERCO, the borough now had one of the best waste and recycling operations in the country. The contract with Tivoli for grounds maintenance now needed the same level of attention that had been given to SERCO.

Grounds maintenance included a wide range of services: Grass cut regularly, hedges and shrubs maintained, cemeteries and burials, litter and dog waste bins, parks, open spaces and sports pitches.

Last year the contract was not operating to the standard the council and residents required and both parties issued a Notice of Dispute which highlighted two areas: inaccurate bills of quantity and a failure to follow the variation process.

Quite rightly, Overview and Scrutiny had asked that Tivoli attend a meeting to explain themselves and state what action they would take. One of the key issues for Tivoli was cost escalation, together with shortages of labour and equipment shortages. This did not apply solely to them but to all companies operating in the sector. The meeting was constructive but with a lot to do by both parties.

At this stage the council had two choices: end the contract and go out to tender, or work with the supplier to find a solution. The council decided to do the latter as it would give the lowest risk and avoid a very steep rise in fees. Officers had worked very closely with Tivoli over the last 12 months and explored a range of options both on improving the service and other ways of achieving the desired result. Service had

improved and was now at or above the target, and there have been no formal complaints as at the end of July. Councillor Coppinger accepted that there were still issues but given the weather conditions earlier in the year this was not surprising. He highlighted the amazing work that had been done by Tivoli and council officers to ensure Windsor looked pristine during the recent events surrounding the state funeral.

Officers now accepted that in order to meet the original contract specification would cost an additional £200,000 per annum. However, to offset this there were a number of initiatives that had been identified and that officers were following up, including:

- Options for the provision of pets corner on Ray Mill Island. Councillor Coppinger was not saying it would close but there were many ideas that would raise income.
- A number of functions were duplicated with other contracts, could they be combined
- A revision of the KPIs to better match the requirements and with new indicators around a number of areas
- A joint project on mapping highway verges to ensure that all had the appropriate maintenance regimes. This would also give the opportunity to consider biodiversity improvements and where areas could be managed differently

Officers were aiming to agree the new performance indicators by the end of October, and these would apply retrospectively to cover the financial year. Details of the negotiation were available to Members in Part II.

Councillor Johnson seconded the proposal.

Councillor Stimson commented that there was some sensitivity around the animals, but she felt it was no longer sensible to keep animals in cages at Ray Mill Island.

Ed Wilson addressed Cabinet. He explained that he had raised the issue of cemeteries before. The borough was giving Tivoli another £200,000 for failing in cemeteries, grass verges and in open spaces. He had also previously raised that the 'Report It' function did not include cemeteries. Ed Wilson acknowledged there had been some improvement in the service but commented the 40-degree heat had given time for other work to take place. Lots of residents were bemused and confused that Tivoli was being put before residents. Ed Wilson did not think the council was set up for community engagement in this area. He suggested there was a big opportunity for engagement with charities and suggested Edinburgh as an example.

Councillor Coppinger commented that another proposed change was to consider whether residents could take responsibility for gate opening and closing. The proposals for a new open space at Deerswood included working with residents to give guidance on what they wanted. He would be happy to follow up on the charity idea.

Councillor Rayner commented that open green space was very valued by residents. She felt it was a good idea to consider charities and other groups; the format had worked well in Eton Wick.

Councillor Hilton commented that in his area the parish council managed all the parks, recreation grounds and cemeteries and there were none of the sorts of issues experienced in other areas. This was because parish councillors were on the ground

and talked to residents about the standards required. Where footways were narrow and verges overgrown, residents wanted to be able to clear them themselves but had been told by the borough this was not possible on safety grounds.

The Head of Neighbourhood Services responded that she would need to look into the specific details of the case, but highlighted that public safety had to be paramount. Organisations would need public liability insurance.

Councillor Stimson commented that she had received requests from residents to be able to look after local cemeteries in non-parished areas. She took on board of the useful idea of charity engagement.

Councillor Price commented that sadly there was no parish or town council in Windsor to undertake the work suggested by Councillor Hilton. Without that level of infrastructure she did her best and worked with other willing residents, but there was a limit to how much could be done. She encouraged the idea to be referred to the Place Overview and Scrutiny Panel.

Councillor Baldwin commented there was enormous potential for community engagement. A proper 'Adopt a Park' policy was needed. He understood that financial constraints meant the council was increasingly looking to the voluntary sector; there was nothing wrong with that, but it could be done better. People were willing to help but they needed tactical support and supplies.

Councillor Sharpe commented that requirements in individual areas needed to be considered. There had been issues with the contract, but he was confident it would come to a successful conclusion. There was space to pass responsibilities to other bodies.

Councillor Coppinger thanked all participants for their helpful suggestions. He had spent time with a Windsor councillor and could see the good work going on. He believed all parishes looked after their land and open space well. He agreed that community engagement should be encouraged and supported.

RESOLVED UNANIMOUSLY: That Cabinet notes the report and associated information and:

- i) Notes the necessary contractual uplift of £200,000**

- ii) Supports officer's ongoing investigation and dialogue with Tivoli to mitigate additional contract costs**

- iii) Supports further exploration of initiatives outlined in Table 4 and delegates the decision for alternative solutions to the Head of Neighbourhood Services in conjunction with the Cabinet Member for Environmental Services, Parks & Countryside & Maidenhead in consultation with Ward Members where appropriate**

- iv) Notes the initiatives in Table 3 to be explored with a different service delivery model.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

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

PART II

MINUTES

RESOLVED UNANIMOUSLY: That the Part II minutes of the meeting held on 25 August 2022 be approved.

REFERRAL FROM OVERVIEW & SCRUTINY - CEDAR TREE HOUSE, 90 ST LEONARDS ROAD, WINDSOR

Cabinet noted the Part II appendices to the earlier Part I report.

CABINET MEMBERS' REPORTS

A) TIVOLI CONTRACT FOR GROUNDS MAINTENANCE

Cabinet noted the Part II appendices to the earlier Part I report.

The meeting, which began at 7.00 pm, finished at 9.13 pm

CHAIRMAN.....

DATE.....