

## CABINET

THURSDAY 27 JULY 2023

PRESENT: Councillors Simon Werner (Chair), Lynne Jones (Vice-Chair), Richard Coe, Geoff Hill, Joshua Reynolds, Catherine Del Campo, Adam Bermange and Karen Davies

Also in attendance: Councillor Helen Price

Also in attendance virtually: Councillors Maureen Hunt, Julian Sharpe, Neil Knowles and Helen Taylor

Officers: Oran Norris-Browne, Stephen Evans, Lin Ferguson, Andrew Durrant, Kevin McDaniel and Andrew Vallance

Officers in attendance virtually: Elaine Browne

### Apologies for Absence

Apologies for absence were received from Councillor Tisi.

### Declarations of Interest

Councillor Bermange & Councillor Hill both declared a non-pecuniary interest in item 10 'Disposal of Open Space Land, Land at Braywick Park, Maidenhead', so would not take part in the debate and would leave the room during the course of this item.

### Minutes

**RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on Tuesday 11 July 2023 were approved.**

### Appointments

Cabinet noted and agreed to the appointments to the Standing Advisory Council on Religious Education.

### Forward Plan

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

- Public Spaces Protection Orders Consultation, which was appearing at the current Cabinet meeting.
- Article 4 Direction – removal of permitted development rights to change of use from Class E (commercial class) to C3 (residential) would come to September Cabinet.
- Highway Service Contract - Award would come to November Cabinet.
- Central Buying Consortium (CBC) Library Stock Contract would come to September Cabinet.

Councillor Price asked a question on the 'Article 4 Direction – removal of permitted development rights to change of use from Class E to C3' item as to why a 12-month period was needed for it? Councillor Bermange replied by stating that essentially there was a 12-month period where the Council would be liable to compensation and therefore it was within the Council's interest to do this.

### Disposal of Open Space Land, Land at Braywick Park, Maidenhead

**AGREED: That the order of agenda items be altered so that item 10 was to be heard first, followed by item 7 and then item 6.**

Councillors Hill & Bermange left the room before this item commenced as stated earlier in the meeting.

Cabinet considered the report titled 'Disposal of Open Space Land, Land at Braywick Park, Maidenhead'.

The Cabinet were addressed by 2 public speakers, Andrew Hill and Stephen Bough, both who were attending virtually. Due to technical difficulties, Stephen Bough was unable to fully deliver his speech. Oran Norris-Browne, Principal Democratic Services Officer, invited Stephen to email him his speech, to read out on his behalf to the Cabinet Members. Andrew Hill then addressed the Cabinet for 3 minutes.

Councillor Reynolds, Cabinet Member for Communities and Leisure then introduced the report to Cabinet Members by outlining the report and giving a brief history of the process since it began in 2019. 22 objections had been received to the item, which led to a statutory requirement for the Cabinet to consider these when deciding on a recommendation. He added that it was a difficult decision for Cabinet to make as there were many positives, however the objections that had been received were also very valid and needed to be taken into account.

Oran Norris-Browne, then proceeded to read out the remaining segments of Stephen Bough's comments on his behalf due to the technical difficulties that had been experienced, upon request of the Chair.

Councillor Taylor then indicated her desire to speak virtually as a non-Cabinet Member, which the Chair allowed. As Ward Councillor she said that the area was very well used by the public, schools, youth groups and many more. She stated that the current buildings were present at the site, however they were not grouped together and therefore did not spoil the openness of the green open space. She then outlined the areas that would be lost if the open space was disposed of. Further objections had been made at consultations and that the 22 that were listed within the report, were not the only ones. She paid tribute to Maidenhead Football Club, but stated that once the open space was lost, it was an irreversible decision.

Councillor Davies, Cabinet Member for Climate Change, Biodiversity and Windsor Town Council, said that she was concerned about the large loss of open space to Maidenhead. Open green space was very important for general wellbeing, which was directly mentioned within several of the 22 objections that were received on this item.

Councillor Del Campo, Cabinet Member for Adults, Health & Housing Services, said that the annual cost was concerning as it was less than for a flat within the town centre.

Councillor Coe, Cabinet Member for Environmental Services, said that he had taken on board all of the information that officers had provided within the report and also the objections that had been received from residents. He was concerned about the open space loss of this land, especially if the proposed development went forward on the golf course too. He felt that the value to residents was diminished if this decision went through.

Councillor Jones, Deputy Leader of the Council and Cabinet Member for Finance, wished to make a point of clarification to the Cabinet that borrowing costs would be brought down. The cost-of-living crisis was very prominent and that taking away a free public open space would be a concern.

The Chair said that he acknowledged the hard work of Maidenhead Football Club and their work in the community, however this needed to be balanced finely with the loss of open space to Maidenhead and that it was currently at a premium within the area, especially with the increase in population in recent times.

Councillor Reynolds acknowledged and welcomed the debate amongst speakers on this item. He said that it appeared that fellow Cabinet Members shared similar views on the loss of the open space to the town.

Councillor Reynolds proposed that Cabinet did not agree to the disposal of the open space. This was seconded by Councillor K. Davies.

A show of hands occurred from Cabinet Members who were in support of this.

**AGREED UNANIMOUSLY: That Cabinet considered the objections received in relation to the proposed disposal (by the grant of a lease) of land at Braywick Park, Maidenhead (“the Open Space”) following the statutory notification of the Council’s intention to dispose of the Open Space and having regard to the objections, confirmed that they did not agree to the disposal of the Open Space.**

#### Finance Update Month 2 2023/24

Cabinet considered the report titled ‘2023/24 Month 2 Revenue Monitoring Report’.

Councillor Jones introduced the item to Cabinet by stating that the overspend needed to be immediately addressed. There were growing costs on services such as Adult Social Care, which were currently forecasting a £2.8 million overspend on services.

The Children’s Services overspend was much lower at £50,000, however there were still pressures. The Place directorate were forecasting a £2.5 million overspend for reasons such as a decrease in parking season ticket sales, higher contract costs and higher costs for recycling. There was an underspend currently within the Resources directorate of £500,000, however these were more related to staff vacancies. Staffing was noted as being a huge issue across the Council, with services not being fully staffed, this was affecting the service delivery. High inflation and interest rates were also affecting all Council services. The debt of the Council also needed to be addressed.

Stephen Evans, Chief Executive, said that work had already begun to balance the budget. The reserves that the Council had did not quite cover the projected overspend that was currently being forecast. The in-year position for the current financial year showed a forecast overspend of £4.9 million as of May 2023. The forecast budget gap for the next financial year of 2024/25 was currently showing a gap of £3.7 million with a total forecast gap to 2028/29 of £10.1 million.

Stephen Evans admitted that a budget gap of this size would be very challenging to manage, and he admitted that tough decisions would be required. He shared the concern of staffing levels in some services across the Council especially in some corporate services such as contract management and procurement. He then outlined some of the things that he had implemented at the Council since he became Chief Executive in April 2023. This included a new senior officer performance and resources board which had been established to scrutinise budgets and opportunities. He admitted that capacity and funding unfortunately did limit the Council.

The Chair said that the Council's financial position was shocking and that it was a result of the previous administration's legacy. Insourcing, commercialisation, using the Council's assets and contract management in terms of staffing levels were all areas that were to be focussed upon by the new administration.

Andrew Vallance, Deputy Director of Finance said that the new regime for monitoring was being implemented as discussed by Stephen Evans and outlined some of the timelines that Cabinet would expect to see these reports.

Councillor Price asked as a non-Cabinet Member about the Cabinet Transformation Sub-Committee. She said that she would always attend it as she believed it to be very important, however admitted that no real transformation was seen from it along with it constantly being cancelled. She asked if it was to be continued & if it could be utilised as a driver for this. Stephen Evans replied by saying that the Council were not currently at a position to focus upon this, however welcomed it in the future.

Councillor Price said that community groups within the borough were too struggling financially and pleaded with the Cabinet to assist them as they were a wonderful asset that was available to the Council and that they should be utilised. Recognition was needed that they required support in order for the Council to make use of their services.

Councillor Price then asked the Cabinet to make sure that going forward, they communicated the Council's financial position clearly and made use of language that the general public would understand. This would allow residents to receive a much clearer picture of where the Council was at, in terms of its finances and what this would mean to residents.

Councillor Bermange then discussed the parking season ticket decrease, which had been mentioned by Councillor Jones. Councillor Hill replied by stating that a review of parking needed to be looked at, and it was planned to come before Cabinet over the next few months.

The Chair seconded the recommendation in the report.

**AGREED UNANIMOUSLY: That Cabinet noted:**

- i. the forecast revenue outturn for the year was an overspend on services of £4.900m which reduces to an overspend of £1.520m when including unallocated contingency budgets and changes to funding budgets (para 4).**
- ii. that the Council's approach to in-year budget monitoring and management was being strengthened – as part of a wider approach to improving corporate governance at RBWM - as set out in paragraph 5.1.**
- iii. the forecast capital outturn was expenditure of £70.325m against a budget of £87.695m (para 10); and**
- iv. agreed the virement in paragraph 11.4 to fund the additional capital costs of £0.101m for the Berkshire Records Office.**

Medium-term Financial Plan 2024/25 - 2028/29

Cabinet considered the report titled 'Medium-term Financial Plan 2024/25 – 2028/29'.

Councillor Jones outlined the report to Cabinet. She said that there was a historic low level of Council tax that the borough had to work with, which was big pressure for the Council. Reserves had strengthened over the last few years; however, this was still not enough as explained within the previous item. In 2024/25, forecast interest and borrowing was a rate of £10 million.

Andrew Vallance said that there would be a series of 1-year settlements provided. The details of next year's settlements were purely assumptions at this time and would not be known until

December 2023. This was coupled with there being a General Election in 2024, which could indeed change things once again. He did note that there would be no gap if it was not for rising inflation and interest rates. He then stated that when using last year's levels, there would already be a balanced budget at this current moment in time.

Councillor Bermange wished to acknowledge the comments that had been made by Andrew Vallance and asked him if the realities of service demand were being correctly acknowledged in forward planning areas. Kevin McDaniel, Executive Director of Adult Services & Health offered some clarity to this.

Councillor Jones summarised the position of the Council that had been discussed and asked Cabinet to note the report and the recommendation set out.

The recommendation was seconded by the Chair.

**AGREED UNANIMOUSLY: That Cabinet notes:**

- i. the Medium-Term Financial Plan set out in Appendix A, including the forecast budget gap for the next financial year 2024-25 and over the medium-term**
- ii. the proposed budget themes that will drive the budget process to identify savings and income growth; and**
- iii. the business planning process, and timeline for developing the new Medium Term Financial Strategy, Budget 2024-25, and new Corporate Plan.**

### Disabled Facilities Grant Policy

Cabinet considered the report titled 'Disabled Facilities Grant and Housing Assistance Policy'.

Councillor Del Campo introduced the report to Cabinet and stated that the report had been in the works for some time, long before the new administration came into power. She then outlined the specifics of the report to the Cabinet. She clarified that no additional funding was being obtained through the paper that was in front of Cabinet to decide upon.

Councillor Price asked how the policy that Cabinet were being asked to agree differed to that of the one that was currently in place. Councillor Del Campo gave this clarity.

The Chair seconded the recommendation within the report.

**AGREED UNANIMOUSLY: That Cabinet noted the report and:**

- i. Delegated authority to the Executive Director of Place in consultation with the relevant Cabinet Member to take the Housing Allocations Policy through a public consultation process and to adopt the final version of the Policy and**
- ii. Delegated authority to the Executive Director of Place in consultation with the relevant Cabinet Member to approve updates to the policy prior to publishing for consultation.**

### Allocations Policy

Cabinet considered the report titled 'Housing Allocations Policy'.

Councillor Del Campo introduced the report to Cabinet by saying that as an administration, that one of their main commitments was to provide a suitable level of social housing within the borough. The policy that had been place before Cabinet to decide upon, would allow the Council to ensure that social housing would be allocated to the people who really needed it.

Councillor Price asked if due to the low stock available, would the exception test be passed. Councillor Del Campo replied by saying that an allocations policy was required regardless of the quantity of social housing on offer, so implored Cabinet to adopt the paper.

The Chair seconded the recommendation.

**AGREED UNANIMOUSLY: That Cabinet noted the report and:**

- i. **Delegated authority to the Executive Director of Place in consultation with the relevant Cabinet Member to take the Housing Allocations Policy through a public consultation process and to adopt the final version of the Policy and**
- ii. **Delegated authority to the Executive Director of Place in consultation with the relevant Cabinet Member to approve updates to the policy prior to publishing for consultation.**

### Public Spaces Protection Orders Consultation

Cabinet considered the report titled 'Introduction of Public Space Protection Orders'.

The Chair introduced the report to Cabinet and outlined what Cabinet were specifically being asked to approve. It was not to ban alcohol consumption within parks, but instead being able to deal with behaviour caused by alcohol. The 2<sup>nd</sup> PSPO was to prevent barbeques from being lighted within public parks. Councillor Del Campo welcomed the comments that the Chair made in relation to the specifics of the recommendation, involving alcohol specifically.

Councillor Reynolds said that over just under 300 persons who responded to the consultation, only 6 of those were under 24 years of age. Overall, only 5% of respondents were under 34 years of age and that work was needed to engage young person's such as the Youth Council was very important. He acknowledged and agreed with Councillor Del Campo's comments on barbeques and said that this was an area that he wished to look at with officers in the future.

Councillor Sharpe raised concerns over the advertising of the consultation as it was only done so online. He asked for future consultations to be communicated with parish councils. The Chair agreed with Councillor Sharpe and thanked him for his comments.

Councillor Hill seconded the recommendation.

**AGREED UNANIMOUSLY: That Cabinet noted the report and considered the Royal Borough of Windsor and Maidenhead, Antisocial Behaviour Crime and Policing Act 2014, Public Space Protection Order (Alcohol Consumption) Order 2023 and delegated authority to the Executive Director of Place Services in consultation with the Cabinet Member for Community Partnerships, Public Protection and Maidenhead portfolio to approve both Orders.**

### Broadway Car Park - Nicholson Quarter Development update report

Cabinet considered the report titled 'Broadway Multistorey Car Park Maidenhead – Demolition of existing structure.

Councillor Hill, Cabinet Member for Highways and Transport, Customer Service Centre & Employment, outlined the report and provided some background information on the car park history and its recent structural failings that were allowed to occur under the previous administration. He stated that the demolition would take roughly around 10 months, on top of the time needed for a procurement process to take place between approval and demolition commencement.

The Chair thanked Councillor Hill for his efforts in progressing the report that was before Cabinet, as it had been originally pencilled in for Autumn.

Councillor Coe asked for some clarity for the public as to how the process of the demolition would occur. Andrew Durrant, Executive Director of Place Services, said that the car park was located within a central part of the town, within close proximity to various different neighbours, so admitted that it of course would come with its challenges, however it was necessary. He also discussed about the new signage that was being planned to be installed, advertising the alternate Vicus Way car park.

Councillor Price asked if the car park was planned originally to be demolished regardless of these current situations. Andrew Durrant confirmed that in the future with the proposed redevelopment of the Nicholsons hopping centre, the plan was to do this at some point.

Councillor Davies said that it was a shame from a climate and sustainability viewpoint that the Council was in this position.

Councillor Hill said that he wished for the parking strategy item to come to Cabinet in the very near future. Andrew Durrant confirmed that his team would be moving it forward as fast as possible.

The Chair seconded the recommendation.

**AGREED UNANIMOUSLY: That Cabinet noted the report and delegated authority to the Executive Director of Place in consultation with the Cabinet Member for Highways and Transport, to go out to Tender and approve a contract to demolish the Broad Way Multistorey Car Park.**

The meeting, which began at 7.00 pm, finished at 8.40 pm

CHAIR.....

DATE.....