

Cabinet Decision Sheet

The following decisions were taken by the Cabinet on Wednesday 13 December 2023 and will be implemented after Thursday 21 December 2023 unless the call-in procedure has been triggered.

The below sets out a summary of the decisions that have been taken by Cabinet. It is intended to represent the formal record of the decisions taken and to facilitate the Council's call-in process. The minutes of the meeting shall be published separately, alongside the decision sheet.

Agenda Item 6

Report Title:

Review of the Cabinet Decision to not dispose of the Open Space Land at Braywick Park, Maidenhead

Decision Made:

AGREED: That Cabinet noted the report and reaffirmed their original decision to not dispose of the Open Space Land at Braywick Park, Maidenhead.

Reason for Decision:

Cabinet took full account of the previous report considered on 27th July but also representations made in two closed resident led petitions.

Alternative options considered and rejected at time of the decision:

Cabinet could have reconsidered their decision not to dispose of open space land at Braywick Park taken on 27th July 2023, taking into account the representations made in two resident led petitions and delegate responsibility to the Executive Director of Place in consultation with the Cabinet Member for Communities and Leisure to recommence the open space notice process in relation to a proposed disposal of the land at Braywick Park.

Any Conflicts of interest declared by any Cabinet Member:

Councillors Bermange and Hill both declared an interest in the item titled 'Review of the Cabinet Decision to not dispose of the Open Space Land at Braywick Park, Maidenhead' as both had spoke on the matter in the past and were therefore pre-determined. They left the room during the course of the debate and did not take part in any way.

Call-In Deadline:

21 December 2023

Agenda Item 7

Report Title:

Draft 2024/25 Budget

Decision Made:

AGREED: That Cabinet noted the report, reviewed the council's approach to balancing the budget and:

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- i) noted the draft revenue budget for 2024/25 included in the report, which showed a preliminary balanced position.
- ii) noted the proposed capital budget for 2024/25 and revised Medium Term Financial Plan to 2028/29 set out respectively in Appendices A and B.
- iii) considered the proposed budget pressures and savings / transformation / income proposals set out in Appendices C and D;
- iv) noted the Equality Impacts Assessments shared at Appendix E; and
- v) agreed to commence public consultation on the draft 2024-25 budget, including proposals to increase Council Tax by the maximum allowed by Government. The consultation was expected to run from 14th December 2023 to 22nd January 2024.

Reason for Decision:

The council is legally required to set a balanced budget each year and consult on a number of elements including proposed increases to Council Tax.

Alternative options considered and rejected at time of the decision:

To not set a balanced draft budget and consult on a number of elements including proposed increases to Council Tax.

Any Conflicts of interest declared by any Cabinet Member:

None

Call-In Deadline:

21 December 2023

Agenda Item 11

Report Title:

Mill Lane Conservation Area Appraisal

Decision Made:

AGREED: That Cabinet noted the report and:

- i) Agreed the draft appraisal document.
- ii) Delegated authority to the Assistant Director of Planning in Consultation with the Cabinet Member for Planning, Legal and Asset Management to a) approve and publish any minor changes to the Mill Lane Conservation Area Appraisal document, prior to its publication for consultation, and b) commence a period of public consultation on the document, including a drop-in session at a local venue.
- iii) Agreed that the appraisal document would come back to Cabinet after consultation, following a review of the responses received, for a decision on whether it can be adopted as a material planning consideration.

Reason for Decision:

The approach was in accordance with the agreed programme of review and respond to planning legislation requirements, and the requirements of the NPPF (National Planning Policy Framework) in terms of preserving and enhancing the significance of the historic assets of the Borough and Policy HE 1 of the Borough Local Plan. The proposed consultation would engage with stakeholders and ensure proper consideration of the

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Borough's heritage in planning decisions. This would provide a robust document that will assist officers and support Council decisions at appeal.

Alternative options considered and rejected at time of the decision:

Do nothing - There would have been a risk that this would have left the area without an appraisal and vulnerable to insensitive change, and challengeable at appeal. It would also have missed an opportunity to engage with the local community and groups with an interest in the area and could have resulted in less support for local heritage and a lost opportunity to gain further understanding of the area and its value to residents.

Any Conflicts of interest declared by any Cabinet Member:

None

Call-In Deadline:

21 December 2023

Agenda Item 8

Report Title:

Procurement of Stop Smoking Services

Decision Made:

AGREED: That Cabinet noted the report and delegated authority to Kevin McDaniel (Executive Director of Adult Services and Health (DASS)) in consultation with Councillor Del Campo (Cabinet Member for Adult Services, Health and Housing Services) to approve the outcome of the current Stop Smoking Procurement exercise.

Reason for Decision:

It was important to grant delegated authority to Kevin McDaniel in consultation with Councillor Del Campo to ensure that a new Stop Smoking Service can be in place by 1st April 2024.

Alternative options considered and rejected at time of the decision:

Not granting delegated authority to Kevin McDaniel in consultation with Councillor del Campo would have delayed the new Stop Smoking Service being in place by 1st April 2024.

Any Conflicts of interest declared by any Cabinet Member:

None

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Report Title:

School Condition Allocation 2024/25

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Decision Made:

AGREED: To note the report and:

- i) Approved the school condition capital schemes for 2023/24 set out in Appendix C, and their budgets as set out in Appendix D (Part II).
- ii) Recommended the school condition capital schemes for 2024/25 as set out in Appendix C, and their budgets as set out in Appendix D (Part II), for inclusion 2024/25 capital programme, to Council.
- iii) Delegated approval of further projects for inclusion in the 2023/24 and 2024/25 SCA capital programme to the Director of Children's Services and Education in consultation with the Cabinet Member for Children's Services, Education and Windsor.
- iv) Noted the indicative programme of capital schemes for 2025/26 and 2026/27.
- v) Delegated authority to the Director of Children's Services and the Procurement Manager to undertake procurement and enter into contracts for the delivery of the schemes set out at Appendix C, including where varied under recommendation (ii).
- vi) Requested that consideration be given to establishing a corporate revenue fund for survey and feasibility works relating to the maintenance and development of the council's assets.

Reason for Decision:

The Royal Borough of Windsor and Maidenhead is the Responsible Body for community and Voluntary Controlled (VC) schools, and the SCA is intended to cover any works related to improvements at these schools.

Alternative options considered and rejected at time of the decision:

Do nothing

Any Conflicts of interest declared by any Cabinet Member:

Councillor Jones declared a non-pecuniary interest in the item titled 'School Condition Allocation 2024/25' that she was a the lead member for finance at Kings Courts governing body.

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Agenda Item 10

Report Title:

Building Heights and Tall Buildings Supplementary Planning Document - Adoption

Decision Made:

AGREED: That Cabinet noted the report and:

- i) Approved the adoption of the Building Height and Tall Buildings Supplementary Planning Document, as set out in Appendix B.
- ii) Delegated authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management for minor changes to the Supplementary Planning Document to be made prior to publication.

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Reason for Decision:

Policy QP3a of the Borough Local Plan states that an SPD on Building Heights and Tall Buildings will be produced.

Alternative options considered and rejected at time of the decision:

Not adopt the SPD - There would have been significant time and cost implications with this option. It would require the Council to go out to tender and to appoint a new consultant to undertake the work using a different methodology (assuming that a consultant could be found).

Any Conflicts of interest declared by any Cabinet Member:

None

Call-In Deadline:

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Agenda Item 12

Report Title:

Article 4 Direction—removal of permitted development rights to change of use from Class E (commercial class) to C3 (residential)

Decision Made:

AGREED: That Cabinet noted the report and:

- i) Agreed a non-immediate Article 4 direction be made to remove the permitted development rights (within Schedule 2 of the General Permitted Development Order 2015 (as amended)) to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites as shown in Appendix B and to prepare and undertake a public consultation.
- ii) Delegated authority to the Assistant Director of Planning in consultation with the Cabinet Member for Planning, Legal and Asset Management, to approve and publish any minor changes to the Article 4 direction and supporting documents, prior to its publication.
- iii) Agreed that the Article 4 direction would be taken back to Cabinet after consultation following a review of the responses received, for a decision on whether it can be confirmed.

Reason for Decision:

As non-immediate Article 4 directions would take longer to put in place but would avoid the risk of compensation having to be awarded to landowners of affected sites.

Alternative options considered and rejected at time of the decision:

Do nothing or introduce an immediate Article 4 direction to remove the permitted development rights to change use from Class E (commercial, business or service) to C3 (residential) on protected employment sites.

Any Conflicts of interest declared by any Cabinet Member:

None

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21 December 2023

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Royal Borough
of Windsor &
Maidenhead