

CABINET

THURSDAY, 30 SEPTEMBER 2021

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

Also in attendance: Councillors L Jones, Werner, Bhangra, Bateson, Larcombe, Price, W Da Costa, Baldwin, Brar and Davies. Ian Bravier-Dubber (RBWM Property Company)

Officers: Kevin McDaniel, Adele Taylor, Hilary Hall, Andrew Durrant, Chris Joyce, David Wiles and David Cook.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Carroll.

DECLARATIONS OF INTEREST

None received.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 22 July 2021 were approved.

Clr Price requested that under the Financial Update that ‘if there were no objection they would be’ be removed as it was not said. The Chairman replied that the written answers to public questions had been published. As Cabinet had no objections it was approved to amend the minutes accordingly.

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:

- Bus Service Improvement Plan added to October 2021.
- West Windsor Stakeholders Masterplan to October 2021.
- Demand for School Places moved to November 2021.
- New Primary School Places Maidenhead moved to November 2021.

CABINET MEMBERS' REPORTS

A) BATTLEMEAD COMMON

Cabinet considered the report regarding the proposed accessibility to Battlemead Common.

The Lead Member for Climate Change, Sustainability, Parks and Countryside informed Cabinet that it gave her great pleasure to propose this paper. It had been three years since

the common had been purchased by the Royal Borough of Windsor and Maidenhead in December 2018, comprising of 110 acres mostly farmland with a willow wood to the south. When purchased it was to be used for public open space.

Friends of Bethelmead Common was set up in June 2018 to offer guidance, advice and recommendations to the council. Since then, the Council had adopted its Environments and Climate Strategy. A Steering group had been set up in March 2021 to help guide decision making. During the course of three years many surveys have been undertaken, eventually, after many discussions, we are ready to make our recommendations.

There were groups who had opposing views on the way forward between public access verses maintaining protection for several years and not having public access. There were those that wished to have the common open to all with dogs off leads, but we also need to be mindful of protecting the wildlife. She mentioned that she walked regularly along the boundary and had to remove a ear that had been killed by a dog.

The Lead Member said that she had listened to all the discussions and all were very passionate. She had also had discussions with a director of Britain Rewilding, the Chairman of the Royal Society for the Protection of Birds and the local MP. Taking onboard the different views she believed that the recommendations in the report protected the habitats and species, raise awareness of the local environment, increased biodiversity and provided an opportunity for education. She looked forward to working with Friends of Battlemead Common.

The Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor informed that she endorsed and supported the paper. I think it's absolutely fantastic that the Royal Borough of Windsor and Maidenhead purchased the land for public open space. It showed a great commitment to green open spaces for our residents, especially during lockdown. I think the green open space was much valued and much needed by lots of people as they were going through the pandemic, to have the space which was an absolutely stunning place and also protected the green space between two big towns.

Phoebe Ibison, addressed Cabinet with regards to a petition submitted on this topic. She informed that her generation, as well as your descendants, who have to live through the repercussions of your actions, as well as the actions of other governmental leaders. We need to shift behaviours of local residents through education, so that we can all have the access to resources to fully comprehend the co-dependent relationship between humans and nature.

We set an example by counsel. We want to support encourage counsel during future decisions, which will have an impact on the nature. however, we will not stand by and allow actions to go ahead which will be a detriment of our futures. I like many young people in the borough are striving for a better future. I myself volunteer in the community to benefit society. I am currently working on a solar panel projects with John Simpson in a school and in possibly one or two special educational needs schools in South Africa. I also do this and as do others. It's important that while children and young people are putting in as much firepower as they possibly can into environmental activism, adults, particularly leaders are matching their efforts to ensure that actions are sustainable and impactful.

We must not think in the short term, but the long term, not the now but the when, when will adding a housing development types contribute to a rise in our deficit in the era where more substantial number of our children become ill because of the pollutants they breathe in their walks to school? When will we no longer be able to observe the nature of wildlife in our community? These are genuine concerns from my generation.

Why did Rosie take it upon herself to start a petition about the path you are about to open the common, why did nearly 900 residents respond in under two weeks? The answer is simple, residents want to have their voices heard and it is your opportunity to listen to them to explain to local people that if you're going to tackle big environmental challenges, we must stop

following the often reckless actions of our predecessors, and create new pathways for future generations to follow.

The pandemic had made it blatantly obvious of the importance of green spaces to public health. And while these places must be available to the residents we must also find genuinely effective ways to work in harmony with nature. Young People's increasing concern about the stability of the climate in the future, as well as adults such as yourselves, it's also impacting our daily lives. According to global action plan 77% of students find that thinking about climate change makes them anxious, which is eco anxiety is protecting more youth and our seniors every day. Healthy nature and humans have always been a need to be intertwined, we cannot address one issue without addressing the other. Myself and my peers were incredibly excited when the climate emergency was declared. I know residents who are under 30 years of age will be observing future actions either in admiration, concern or horror.

The Chairman thanked Phoebe for presenting to Cabinet. He informed Cabinet of the balance, that they were seeking to strike within this report between access to green public open space and preserving and enhancing biodiversity. When the land was purchased it was to have for public accessible open space.

Today they had come to the position as a reflection of not only the obligations to seek to mitigate climate change, but also to encourage biodiversity and indeed, species retention, as a reflection that there were always compromises to be had and that you can only really ever appreciate and understand nature, if you have access to it. We are blessed to have publicly accessible areas of open countryside so people can enjoy the recreational benefits of that space.

The Chairman said he had listened to many arguments, many valid arguments on both sides of this debate in terms of that balance between biodiversity and effectively leading to a significant part of rewild of the site. Coupled against the overriding need for people who do not have access to and are not fortunate enough to have large accessible gardens, or indeed open space of their own. There were benefits of green open space on physical health, but also mental health and he was sure Councillor Stuart Carroll would undoubtedly endorse that statement. He was convinced that they have struck an appropriate balance with this report.

The majority of the fields would be left to nature, the rest of the site would be managed in a sympathetic sensitive manner going forward, which means that we have achieved our original objective of buying the land and secure its future, we have implemented an approach based on custodianship and stewardship of the land. They had started the process of achieving some of the objectives with the biodiversity strategy. He would welcome any organisation who purchased land within any part of the Royal Borough who wished to fully implement that biodiversity net gain. In this instance, the balances between public accessibility and enhanced biodiversity have been struck.

The Lead Member presenting was also pleased to hear the presentation and informed that she had listened to the experts and had been informed that the plans for the causeway would have no negative impact for wildlife. They had also been told that plastic fencing would be sufficient to keep dogs away, however they planned to go beyond this with more sturdy fencing. She felt strongly that the recommendations were the right compromise.

The Lead Member for Planning, Environmental Services and Maidenhead informed that this was a matter of balance. At Council a councillor made the case to keep green open spaces but closed in the golf course, the administration wanted to open it up, create new green and blue infrastructure. Other councils approach things with a much more laissez faire attitude. Bracknell Forest had an area which was for people to walk with their dogs but they had great concern over the nesting of birds. They put up signs every spring saying, follow the footpath, but dogs do not read notices and the dogs and the people roam everywhere. The balances that was being promoted reached the right level of balance of climate change, protecting the area, but still letting the public see the areas that means so much to them.

The Lead Member for Housing, Sport & Leisure, and Community Engagement informed that in his ward they had opened up a new park a few years ago that had not previously been available to the public. They had also planted thousands of trees as part of the boroughs 10,000 tree planting programme. They helped to preserve wildlife as well as encouraging new wildlife. With regards to tonight's paper there was a pathway that allowed access but also protected the amazing flora and fauna and creating habitats. The sites also provided excellent educational opportunities.

The Lead Member for Transport, Infrastructure, and Digital Connectivity informed that there were polarised views of having no access and full access. The Lead Member was proposing a balance that allowed access and also preserved wildlife. We are here to represent all residents and he believed this paper provided that balance.

Cllr Brar informed Cabinet that the residents who were opposed to opening the common were not saying that the path should never be open but just that there should be ecological management of the common and that this should be given time to take effect before a path was opened. The Government and experts have started to say we should protect our wildlife. The proposals did not make sense as there was already a path on the northern boundary that linked to the same spots as the proposed path. The report said that the causeway was regularly used but she felt that as a walker in the area this was not the case. There had also been incidents of a goose and a deer being killed by dogs and the Lead Member had said if there were more incidents she would close access. The Lead Member responded that the walkway would be fenced off to protect wildlife and that there could be an annual review to see if biodiversity had improved.

Cllr Werner mentioned that a biodiversity action plan had been promised by June 2021 and that it had not yet been published. He also questioned the promise made by the Lead Member that if another deer was killed by a dog on the site she would close access. Would this promise stand.

The Lead Member responded that the plan had been produced but not yet published. It was confirmed that there would be a period of consultation with stakeholders. With regards to the incident with a dog she informed that the walkway would be fenced off protecting wildlife.

Resolved unanimously: that Cabinet notes the report and:

- i) Approves the proposals for the East Field as set out in the report.**
- ii) Approves the updated terms of reference for the Friends of Battlemead Commons and the Steering Group**

B) 2021/22 FINANCE UPDATE REPORT - REVENUE AND CAPITAL MONTH 4

Cabinet considered the latest financial update report.

The Lead Member for Finance and Ascot informed Cabinet that the prediction that Covid would cast a long dark shadow over this year's budget was correct. The headline at month 4, after some support from Covid and transformation funding, was an overspend of £343K with general reserves just £16K above the minimum. Cabinet can be assured that we are looking at all options to manage and mitigate overspends.

Children's services, not just in Windsor and Maidenhead but across the Country, had experienced an increase in the number of referrals, the number of children with Education and Health Care Plans and the number of children in care. This had led to a projected overspend of £1,473M.

The report informed that parents experiencing domestic abuse, mental health difficulties or substance misuse were the most common reasons why children come to the attention of children's social care services. These issues were exacerbated by Covid, an impact that is likely to persist for some years. As a consequence, it was necessary to retain child facing posts adding £300K to budgeted costs.

There had been a small increase of the number of children in care but the increased complexity of need and competition for care places with appropriate providers had pushed up costs. Two years ago, the highest cost placements were £250K a year now they were £500K. Putting that into perspective currently we could only rely upon a 2% Council tax rise or increased income of £1.5 M a year, one third of that could be absorbed by just one high need child.

Actions were being taken to manage costs and a programme to incentivise foster carers was being developed. Local Foster Carers can save £12K per placement a year with the added benefit of children living closer to their support networks. A more robust process had been introduced to review those children who were in placements to ensure the care they received was matched to their need.

Children's services were about keeping Children safe to be able to enjoy their lives and fulfil their potential. The UK was amongst the best at achieving this objective and under Cllr. Carroll's leadership we were amongst those rated to be good at it.

Adult Services were projecting an overspend of £684K the most significant cost was homecare where despite funding from the NHS Frimley CCG of more than £1.2M to facilitate hospital discharges and offer free nursing care an overspend of £516K was forecast.

The Adult Social Care budget was set at the commencement of this financial year based upon the 1,000 residents using services at average costs. At the end of July that number had increased by 14% to 1140 and average costs for both older people's care and care for those with physical disability rose by 20%. However, Adult Social Care had a track record of delivering against their savings and para 9.9 on page 65 of the report demonstrates success of the project to ensure value for money from community packages for people with learning disabilities with a 7% reduction in average cost whilst maintaining the quality and appropriateness of the care.

Adults Social Care offered £3.6M or nearly 50% of this year's savings. The savings tracker confirmed £2m would be achieved those savings delayed by Covid were being worked on and many would be delivered including the truly transformational, Mysense, with sensors working in the background in people's homes, and artificial intelligence constantly looking for subtle changes and notifying caregivers before an issue occurs.

The most significant impact of Covid is in the Place Directorate with its community facing services. In the budget £3M had been allocated to support a shortfall in parking revenues and this was expected to cover the loss. Encouragingly a number of car parks were performing well.

Leisure services had a difficult year, they were closed for 20 weeks, had restricted operations for 30 weeks and were fully open for just 2 weeks. The anticipated contribution to the Council would be £400K less than planned and this despite support from Sales, Fees and Charges which ceased for all services at the end of June.

About £90M of income was derived from Council Tax and Business rates. Currently Collection rates were 0.46% and 7.9% respectively behind target but broadly in line with the other Berkshire Councils. From the beginning of July small businesses restarted paying business rates with support reduced from 100% to 66% so a reduction in the collection rate was anticipated.

The Council has received a final top up of £1.6M to the discretionary additional restriction grant. To aid economic recovery Louise Freeth, Steph James and others suggested that this be used to fund two innovative schemes. The first to support the advantage card, would for a period, provide compensation for businesses that join the scheme, with the expectation of sustainable increased sales but no loss of revenue. The second, to help businesses adapt and sustainably change their operating model to a new normal, grants in the region of £10K or £25K for training, audit and business consultancy are proposed. The details of these grants were still being finalised.

Despite the downsides there were many initiatives underway that would deliver quality services at lower cost, generate increased income and also support our local economy. The many staff working on these projects deserve our thanks and our recognition.

The Chairman said he endorsed the comments and that the administration would continue to deliver services within the budget envelope. We remained confident that there would be a year end position within budget as we seek innovation and transformation.

Cllr L Jones questioned the borrowing figures, at appendix F, that informed a debt of £203 million in 2022. Members had been informed that by 2025 this would be £4 million and the pension deficit would be paid off. With interest rates rising and reserves at a minimum she questioned she questioned how the debt would be paid back. The Lead Member replied that the borrowing was on the capital cash flow programme and this was currently being updated, he was not aware of a document saying debt would be cleared in 5 years.

The Chairman informed that the golf course would provide a significant receipt for the tax payer that would help pay off debt, spend on infrastructure, provide affordable housing and a sustainable green site in Berkshire.

Cllr L Jones replied that in the 2018/19 budget minutes it said that the debt would be paid off by 2025. The Forward Plan also contained a number of RBWM Property Company report regarding the potential sale of assets and she was concerned that this was to pay of debt rather than having a retention policy. It would have been good to have more information. The Chairman informed that additional information would be provided at the appropriate time when the recommendations were brought forward; they may not all be about the sale of land as there could be leases involved.

Cllr Baldwin informed that on page 78, appendix B, there was a savings line regarding increased recycling. He mentioned he was interested in this as he undertook recycling in north Maidenhead. We were a third of a way through the year yet only a quarter of savings had been achieved yet the saving had been marked as on target. When questioning officers he was informed that this was an error in the report, he asked if there were other misleading information. The Lead Member informed he would follow this up with Cllr Coppinger and report back to Cllr Baldwin.

Cllr Werner addressed Cabinet ad said that there was a massive amount of borrowing. He questioned that at the Council meeting this week that the lead member said that resident discount car parking would be re-introduced subject to finances, he could not see that this would be feasible given the current state of finances. Cllr Werner asked when the Lead Member thought this would be possible. The Chairman replied that he was confident that the budget would be met and that when the budget was set it was only the administration that set a balanced budget. No alternative budget was put forward. He looked forward to seeing an alternative budget being put forward next year.

Cllr Werner said that the Chairman had given clear assonances that the budget would be on target by the end of the year and he asked if the Lead Member also felt this way. The Lead Member for Finance said he was confident that this would happen. The Chairman also said that the longevity of Covid had to be factored in.

Cllr Larcombe said he had looked at the appendices but could not see anything regarding flooding. The Lead Member replied that there would be nothing in the savings report and that the administration continued to commit £10 million.

Resolved unanimously: that Cabinet notes the report including the Council's projected revenue and capital position for 2021/22.

c) CLIMATE CHANGE LEADERSHIP

Cabinet considered the report regarding the set up an independent Climate Partnership within the Royal Borough of Windsor and Maidenhead.

The Lead Member for Climate Change, Sustainability, Parks and Countryside informed Cabinet that the partnership would oversee the delivery of the Environment and Climate Strategy by bringing together private and public sector organisations as well as community groups. By utilising the knowledge and expertise of organisations across the Borough, it will better support delivery of the outcomes set out in the strategy as well as allowing the council to deliver on its own actions and commitments within the strategy. It was planned that the partnership would become self funding. The Council had three officers whose main responsibility was sustainability and climate change and this would allow them to spend more time on the council's responsibilities to this cause. It was planned to have a secretariat in place to support the new body if approved. The partnership itself would have a three-tiered structure, with the executive providing a leadership role, the network providing a means of knowledge sharing and a community forum to provide broad and inclusive engagement.

The Lead Member for Finance and Ascot informed that the management of Climate Change was the biggest and most multi-faceted project ever undertaken and he was pleased that we had the foresight to arrive at the conclusion that this cannot be addressed by the Council or for that matter any other organisation on its own.

The proposal to set up a Borough Wide Climate Partnership with the Council owning the agenda and supported by a Council secretariat offered the greatest opportunity for success. All businesses have a social responsibility and must accept the requirement to manage their carbon footprint down. Bringing together businesses with a common object and agenda into a single organisation would be very powerful.

Working alongside public sector and community organisations this should lead to shared experience, shared learning, potentially shared resource and best address the four strategic themes: energy, circular economy, natural environment and transport. Furthermore, there was the possibility of the RBWM partnership gaining a seat on or close to the top table.

This would in no way undermine the work of community groups rather it has the potential to help them drive forward and expand the most promising projects.

This was a very exciting proposal which will require considerable effort to get off the ground but has the potential to be a game changer and deserves our support.

The Lead Member for Transport, Infrastructure, and Digital Connectivity said that again there was pragmatism being put before Cabinet. What was in the Council's control would be effectively actioned, however the majority of actions sat outside the Council's control. It was important to engage in the way this paper proposed. This was a commitment to deliver the council's target and the mechanism to do so.

Cllr W Da Costa said that he appreciated the work put into these proposals. There was a climate emergency and it was declining quicker than expected. He asked that the £250,000 commitment over the next three years was without existing commitments and restraints. He asked that the partnership be set up this year with the funding being brought forward, the money should be above the funding already committed to officers and projects, the

partnership should be open to all and that our objective to committee to carbon zero by 2030 be included throughout the Corporate Plan.

The Chairman said that the Corporate Plan was due to go to Corporate O&S Panel on 11th October and suggested that Cllr Da Costa submit his view or ask a Panel member to express them for him. The Lead Member also informed that the board would have an independent chair and would be responsible for developing its own terms of reference.

Cllr Price informed that she thought that it had been agreed that if there was to be any additional expenditure then savings had to be identified, she had not seen this applied with this report. Paragraph 2.13 mentioned the enhanced role of the council and she asked what this was. The Climate Emergency Coalition had written to the Lead Member with concerns that this process would not lead to a delay in the action plan and this was on top of what was already being done. It had already been conformed that the body would be independent.

The Lead Member responded that there were some concerns about the delay but there was plenty that we could get on with before this was implemented. There would be no delay in implementation. This process would speed up work as it would free up officer time to undertake their roles in meeting Council targets. A large proportion of revenue funding would come from S106 money.

Chris Joyce informed that the additional funding would be part of the budget build, the enhanced role was just acknowledgment that for the first three years the Council would be the main financial contributor and would have a Cllr and officer on the board.

Cllr Davies addressed Cabinet and said that as a member of the cross party working group they had not seen the reports recommendations. She was concerned about future accountability and governance of the partnership as the council had no powers to scrutinise and the areas covered all O&S Panels remits so there was a possibility of areas falling through the gaps. She also mentioned that the three-tier structure would be better suited to a triangular system.

The Chairman mentioned that it was not for Cabinet to tell scrutiny what to do, however its their discretion to decide what to look at he hoped they would consider this as part of their responsibilities. Cllr Davies recommended that the Panels had this as a standing agenda item.

Resolved unanimously: that Cabinet notes the report and:

- i) Approves setting up a Borough Wide Climate Partnership and providing revenue funding support for the next three years.**

D) COMMUNITY FACILITIES REVIEW

The Chairman informed that due to the late publication of the report he was deferring the item until October 2021 Cabinet and recommended that the appropriate scrutiny panel reviews the report.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public were excluded from the remainder of the meeting whilst discussion took place on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of part I of Schedule 12A of the Act.

MINUTES

RESOLVED UNANIMOUSLY: That the Part II minutes of the meeting held on 22 July 2021 were approved.

CABINET MEMBERS' REPORTS

A) COMMUNITY FACILITIES REVIEW

Item withdrawn.

The meeting, which began at 7.00 pm, finished at 9.40 pm

CHAIRMAN.....

DATE.....