

CABINET

THURSDAY, 31 MARCH 2022

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

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

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

APOLOGIES FOR ABSENCE

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

DECLARATIONS OF INTEREST

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

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 24th February 2022 were approved.

APPOINTMENTS

None

FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes made since last published including the following two reports moving to April 2022 Cabinet:

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

CABINET MEMBERS' REPORTS

A) CLIMATE PARTNERSHIP

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

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

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

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

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

Resolves unanimously: that Cabinet notes the report and:

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

B) REVOCAION OF SUPPLEMENTARY PLANNING GUIDANCE AND SUPPLEMENTARY PLANNING DOCUMENTS

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

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

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

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

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

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

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

Resolved unanimously: that Cabinet notes the report and:

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

C) VISION FOR WINDSOR

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

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

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

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

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

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

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

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

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

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

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

Resolved unanimously: that Cabinet notes the report and:

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

D) FINANCE UPDATE

Cabinet considered the report regarding the latest Financial update.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolved unanimously: that Cabinet notes the report and:

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

E) ACHIEVING FOR CHILDREN (AFC) RESERVED OWNERSHIP DECISIONS

Cabinet considered the report regards AFC reserve matters.

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolved unanimously: that Cabinet notes the report and:

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

F) THE QUEEN'S PLATINUM JUBILEE 2022

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

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

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

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

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

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

Resolved unanimously: that Cabinet notes the report and:

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

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

G) LGA CORPORATE PEER CHALLENGE: FINDINGS AND RECOMMENDATIONS

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

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

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

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

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

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

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

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

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

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

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

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

Resolved unanimously: that Cabinet notes the report and:

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

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

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

they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

CABINET MEMBERS' REPORTS

A) FINANCE UPDATE

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

The meeting, which began at 7.00 pm, finished at 9.05 pm

CHAIRMAN.....

DATE.....