



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **COUNCIL** will be held in Council Chamber
- Civic Offices, Shute End, Wokingham RG40 1BN on
THURSDAY 21 MARCH 2024 AT 7.30 PM

A handwritten signature in black ink, appearing to read 'Susan Parsonage', written in a cursive style.

Susan Parsonage
Chief Executive
Published on 13 March 2024

Note: Members of the public are welcome to attend the meeting or participate in the meeting virtually, in accordance with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams, please contact Democratic Services: Democratic.services@wokingham.gov.uk

The meeting can also be watched live using the following link:
<https://youtube.com/live/1NhMLIGGqQE?feature=share>

This meeting will be filmed for inclusion on the Council's website. Please note that other people may film, record, tweet or blog from this meeting. The use of these images or recordings is not under the Council's control.

Our Vision
<i>A great place to live, learn, work and grow and a great place to do business</i>
Enriching Lives
<ul style="list-style-type: none"> • Champion excellent education and enable our children and young people to achieve their full potential, regardless of their background. • Support our residents to lead happy, healthy lives and provide access to good leisure facilities to enable healthy choices for everyone. • Engage and empower our communities through arts and culture and create a sense of identity for the Borough which people feel part of. • Support growth in our local economy and help to build business.
Providing Safe and Strong Communities
<ul style="list-style-type: none"> • Protect and safeguard our children, young and vulnerable people. • Offer quality care and support, at the right time, to reduce the need for long term care. • Nurture our communities: enabling them to thrive and families to flourish. • Ensure our Borough and communities remain safe for all.
Enjoying a Clean and Green Borough
<ul style="list-style-type: none"> • Play as full a role as possible to achieve a carbon neutral Borough, sustainable for the future. • Protect our Borough, keep it clean and enhance our green areas for people to enjoy. • Reduce our waste, promote re-use, increase recycling and improve biodiversity. • Connect our parks and open spaces with green cycleways.
Delivering the Right Homes in the Right Places
<ul style="list-style-type: none"> • Offer quality, affordable, sustainable homes fit for the future. • Ensure the right infrastructure is in place, early, to support and enable our Borough to grow. • Protect our unique places and preserve our natural environment. • Help with your housing needs and support people, where it is needed most, to live independently in their own homes.
Keeping the Borough Moving
<ul style="list-style-type: none"> • Maintain and improve our roads, footpaths and cycleways. • Tackle traffic congestion and minimise delays and disruptions. • Enable safe and sustainable travel around the Borough with good transport infrastructure. • Promote healthy alternative travel options and support our partners in offering affordable, accessible public transport with good transport links.
Changing the Way We Work for You
<ul style="list-style-type: none"> • Be relentlessly customer focussed. • Work with our partners to provide efficient, effective, joined up services which are focussed around our customers. • Communicate better with customers, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough. • Drive innovative, digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.
Be the Best We Can Be
<ul style="list-style-type: none"> • Be an organisation that values and invests in all our colleagues and is seen as an employer of choice. • Embed a culture that supports ambition, promotes empowerment and develops new ways of working. • Use our governance and scrutiny structures to support a learning and continuous improvement approach to the way we do business. • Be a commercial council that is innovative, whilst being inclusive, in its approach with a clear focus on being financially resilient. • Maximise opportunities to secure funding and investment for the Borough. • Establish a renewed vision for the Borough with clear aspirations.

To: The Members of Wokingham Borough Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
120.		APOLOGIES To receive any apologies for absence.	
121.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Council Meeting held on 22 February 2024.	13 - 34
122.		DECLARATIONS OF INTEREST To receive any declarations of discloseable pecuniary interests, other registrable interests and any non-registrable interests relevant to any matters to be considered at the meeting.	
123.		MAYOR'S ANNOUNCEMENTS To receive any announcements by the Mayor.	
124.		PUBLIC QUESTION TIME To answer any public questions. A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of the Council. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Council or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
124.1	Emmbrook	Adrian Betteridge has asked the Executive Member for Active Travel, Transport and Highways the following question: Question: The new footbridge over the railway in Wokingham Town will shortly be open and a big improvement over the preceding structure for the able bodied. It's unacceptable that Network Rail refused to make the bridge accessible for all, but Wokingham Borough Council did indicate that it would be willing to address this. Can you give an indication as to when and how	

this will happen?

124.2 None Specific Erin Gallagher has asked the Executive Member for Environment, Sport and Leisure the following question:

Question:

Currently our hard-working waste collection teams collect multiple bin bags into a single container bin then go to the truck, considering wheelie bins completely remove this operational process and makes things more inefficient how will this save money?

124.3 Bulmershe and Whitegates; Maiden Erlegh Guy Grandison has asked the Executive Member for Environment, Sport and Leisure the following question:

Question:

There are several estates in Earley that are not suitable for wheelie bins. Has any provision been made for residents who cannot physically store these eyesores anywhere?

125.

PETITIONS

To receive any petitions which Members or members of the public wish to present.

126. None Specific **AFFORDABLE HOUSING STRATEGY 2024 - 2028** 35 - 48

127. None Specific **YOUNG PEOPLE'S HOUSING STRATEGY 2024-2028: TO PROVIDE SAFE, SECURE, AND AFFORDABLE ACCOMMODATION FOR OUR CARE LEAVERS, 16/17 YEAR OLDS AT RISK OF HOMELESSNESS AND UNACCOMPANIED ASYLUM-SEEKING CHILDREN** 49 - 88

128. None Specific **STATEMENT OF LICENSING POLICY 2024-2029** 89 - 246

129. None Specific **CONSTITUTION UPDATE** 247 - 304

130. None Specific **AUDIT COMMITTEE ANNUAL REPORT 2023-24** 305 - 316

131. None Specific **STANDARDS COMMITTEE ANNUAL REPORT 2023-24** 317 - 326

132. None Specific **OVERVIEW & SCRUTINY COMMITTEE'S ANNUAL REPORTS 2023-24** 327 - 352

133. None Specific **OUTSIDE BODIES ANNUAL REPORTS 2023-24** 353 - 392

134.

MEMBER QUESTION TIME

To answer any member questions.

A period of 30 minutes will be allowed for Members to ask questions submitted under Notice.

Any questions not dealt with within the allotted time will be dealt with in a written reply.

134.1 Charvil

Sam Akhtar has asked the Executive Member for Active Travel, Transport and Highways the following question:

Question:

The car park adjacent to Charvil Piggott Primary School has been closed since 20th of November due to a sink hole. As a result of the car park being closed, families are having to park on the road outside. With no crossing outside the school, this is very dangerous. I am aware Charvil Parish Council and WBC have agreed to jointly fund the repairs. Can you please provide a timeline for the repair of the sink hole and re-opening of the car park as well as confirming what is being put in place to ensure pupils can cross the road safely in the meantime?

134.2 None Specific

Michael Firmager has asked the Executive Member for Active Travel, Transport and Highways the following question:

Question:

Following all the recent rain which has left the Borough's roads in a worse state than before with the existing potholes and those recently filled deteriorating rapidly and new ones forming.

Wokingham Borough Council has received a current baseline of £4,321,000 for road maintenance from the Government for this municipal year, plus £418,000 and £589,200 in additional funding. Funding for road maintenance from the Government has increased by 30% compared to the previous municipal year.

Please can the Executive Member for Active Travel, Transport and Highways advise how this will be spent?

134.3 None Specific

Stephen Newton has asked the Executive Member for Finance the following question:

Question:

Last September the Guardian reported that 'Woking borough council had announced a sweeping package of cuts to local services, after the local authority in effect declared itself bankrupt in June, revealing a [£1.2bn deficit racked up from a risky investment spree](#) overseen by its former Conservative administration'.

In Wokingham, the Liberal Democrats ran a successful campaign to stop the excessive borrowing and speculative investment by our Conservative Administration. Who knows where we might be now if that campaign had failed?

As part of its prudent financial management, Wokingham lends money to other local authorities.

The council lent £10 million to Woking at 4.75% interest, a return of over £356,000 to be repaid on 8th March 2024.

The Council Tax baseline report that was considered by this Council in January, showed that there are approximately 74,000 households within our Borough. So, the loan interest equates to a windfall gain of just under £5 per household.

Did the loan and the interest come back as promised and can you please include in your answer how the additional £356,000 will be used to help our residents?

134.4 Maiden Erlegh

Andrew Mickleburgh has asked the Executive Member for Equalities, Inclusion and Fighting Poverty the following question:

Question:

It is widely acknowledged that the Household Support Fund (HSF) has been a vital lifeline for many of our vulnerable residents during the ongoing cost of living crisis. The HSF was set to end on the 31st March. Following robust lobbying from charities and Councils, the Chancellor announced in the March 6th Spring Budget that the HSF will now continue to September. However, concerns have been raised that extending the HSF for only 6 months, rather than a full year, has continued the uncertainty about the future of this fund, as there was in the months leading up to the Budget. What is WBC doing to mitigate the impacts that the extension of the still needed HSF by only 6 months, rather than a full 12 months, is likely to have on our Borough's residents?

- 134.5 None Specific Caroline Smith has asked the Executive Member for Children's Services the following question:
- Question:**
In the last school year, I understand the school secondary placements went very well with most pupils getting their first choice. This is great achievement with challenges such as under funding, extra homes being built in Wokingham, above the required amount and high numbers of mid-term incomers etc. Please can I have an update on exactly how many pupils have attained their first choice at Secondary School this year?
- 134.6 None Specific Mike Smith has asked the Executive Member for Active Travel, Transport and Highways the following the question:
- Question:**
I have seen on the television and read in local and national social media that potholes are affecting the roads across the whole of the country, not just here in Wokingham. Therefore, it appears that the government has underfunded local councils.
- For me to understand this more fully, in Wokingham Borough, what funding has been allocated to road resurfacing type schemes in the past five years and what has been allocated for 2024/25 please?
- 134.7 None Specific Laura Blumenthal has asked the Executive Member for Health, Wellbeing and Adult Services the following question:
- Question:**
This Council's Violence Against Women and Girls (VAWG) action plan contains little to no measurements to let us know if the actions are reducing VAWG in our Borough, which is its ultimate aim.
- In Autumn 2022, I asked Councillor Sarah Kerr at Executive if it would contain measurements and she said yes, there would be SMART objectives (with the M standing for measurable). In July 2023, the Corporate and Community Overview and Scrutiny Panel saw that this wasn't the case and councillors cross-party said the plan needs to contain measurements. In January 2024, half a year later, the

scrutiny committee saw that the plan still contained no measurements. At the end of February 2024, we were emailed the plan with a small number of the actions containing measurements but with the majority none at all. Why do we have a VAWG action plan with a complete inability to indicate if its reducing VAWG in our Borough at all?

135. MINUTES OF COMMITTEE MEETINGS AND WARD MATTERS

An opportunity for Members to ask questions in relation to the latest circulated volume of Minutes of Meetings and Ward Matters. 20 minutes is permitted for this item.

136. STATEMENTS BY THE LEADER OF THE COUNCIL AND EXECUTIVE MEMBERS

To receive any statements by the Leader of the Council and Executive Members.

In accordance with Procedure Rule 4.2.23 the total time allocated to this item shall not exceed 20 minutes, and no Member shall speak for more than 5 minutes.

137. STATEMENT FROM COUNCIL OWNED COMPANIES

To receive any statements from Directors of Council Owned Companies.

In accordance with Procedure Rule 4.2.24 the total time allocated to this item shall not exceed 10 minutes, and no Director, except with the consent of Council, shall speak for more than 3 minutes.

138. MOTIONS

To consider any motions.

In accordance with Procedure Rule 4.2.11.2 a maximum period of 30 minutes will be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period debate will cease immediately, the mover of the Motion or amendment will have the right of reply before the Motion or amendment is put to the vote.

138.1 Shinfield North

MOTION 515 SUBMITTED BY PAULINE JORGENSEN:

'This Council believes children should be able to walk or cycle to school safely. This is good for the health and independence of children, reduces the need for unnecessary car journeys and alleviates congestion. It is vital that the Council provides the appropriate infrastructure to enable this.

A crossing is needed on A327 Shinfield Road to access Crosfields School and for the benefit of residents and workers. Shinfield Road is very busy at rush hour and it is not realistic that anyone, particularly children, would choose to walk/cycle to work or school when they have to cross such a busy road without a formal crossing, as they cannot do so safely. A week long December 2023 pedestrian survey undertaken by parents and residents shows that the requirement for 50 crossings per hour in the peak hours has been met and indeed exceeded already. A crossing would encourage many more pupils to walk to school, particularly those in the new Senior School.

Those that try and cross face extreme difficulty crossing the road, particularly in the dusk/dark. A 7 year old boy was recently knocked down and injured on his way to Crosfields School, by a cyclist overtaking a bus. Paramedics struggled to treat him due to the volume of cars on the road. Minor collisions and near misses are a regular occurrence. At peak times, gaps in the traffic to enable someone to cross are few and far between. Pedestrians have to weave across unrelenting traffic or wait for a motorist to stop. It is only a matter of time before a more serious accident occurs.

This is the ONLY school in the Borough on an A road without a crossing. Crosfields School has offered to make a contribution towards a crossing. This Council will deliver a crossing without further delay to make access to this school safe.'

Chief Finance Officer Comment:

'Implementing a new crossing is likely to cost between £100k to £200k depending on location, road type, design and specification. The exact cost of delivering this scheme in this location would need to be evaluated. If no external funding is available the Council would need to borrow to undertake these works, creating a revenue pressure of potentially £7.5k to £15k p.a.'

The Chief Finance Officer comments are purely an

assessment of the financial Implications associated with the Motion as written and are not an opinion on the policy direction or intention contained within them.

139. None Specific

MOTION 516 SUBMITTED BY LAURA BLUMENTHAL:

‘This Council acknowledges that it is under financial pressure and should explore more options to maximise commercial opportunities.

Therefore, this Council will look into the viability of offering businesses and organisations the option of advertising on the sides of bin lorries which operate in Wokingham borough. Other Councils have successfully done similar, and it could be a helpful income stream.

This could also spark other ideas on how to maximise Council assets for income generation to help its financial situation.’

Chief Finance Officer Comment:

‘The Council are exploring opportunities to generate income through a range of advertising. As those opportunities are further assured they will be built into future financial plans.’

The Chief Finance Officer comments are purely an assessment of the Financial Implications associated with the Motion as written and are not an opinion on the policy direction or intention contained within them.

139.1 None Specific

MOTION 517 SUBMITTED BY PRUE BRAY:

‘Wokingham Borough Council deplores the low level of funding made available to us by the government, which takes no account of the cost of delivering services to our residents. We thank the more than 1000 residents who wrote to the Secretary of State for Levelling Up, Housing and Communities in support of our campaign for fair funding for Wokingham Borough and we support continued lobbying for a fair settlement from government, to be led by the Leader of the Council.’

Chief Finance Officer Comment:

‘There are no direct financial implications for the Council in supporting this Motion.’

The Chief Finance Officer comments are purely an assessment of the Financial Implications associated

with the Motion as written and are not an opinion on the policy direction or intention contained within them.

139.2 None Specific

MOTION 518 SUBMITTED BY GRAHAM HOWE:

‘This Council supports residents with cost of living pressures and recognises that the affordability of school uniform is a concern.

Therefore, Wokingham Borough Council will contact every school in the borough encouraging uniform design changes to be kept to a minimum and made infrequently. The Council will also encourage schools to allow more options of non-school branded uniform items.

This activity will complement the Council’s work in this area and support the objectives in its Anti Poverty Strategy.’

Chief Finance Officer Comment:

‘There are no direct financial implications for the Council in supporting this Motion.’

The Chief Finance Officer comments are purely an assessment of the Financial Implications associated with the Motion as written and are not an opinion on the policy direction or intention contained within them.

CONTACT OFFICER

Priya Patel
Email
Postal Address

Head of Democratic and Electoral Services
priya.patel@wokingham.gov.uk
Civic Offices, Shute End, Wokingham, RG40 1BN

This page is intentionally left blank

**MINUTES OF A MEETING OF
THE COUNCIL
HELD ON THURSDAY, 22 FEBRUARY 2024 FROM 7.30 PM TO 10.30 PM**

Members Present

Councillors: Beth Rowland (Mayor), Adrian Mather (Deputy Mayor), Jane Ainslie, Sam Akhtar, Keith Baker, Rachel Bishop-Firth, Laura Blumenthal, Prue Bray, Rachel Burgess, Anne Chadwick, Stephen Conway, David Cornish, Andy Croy, Phil Cunningham, David Davies, Lindsay Ferris, Michael Firmager, Paul Fishwick, Catherine Glover, Andrew Gray, David Hare, Peter Harper, Graham Howe, Chris Johnson, Clive Jones, Norman Jorgensen, Pauline Jorgensen, Sarah Kerr, Abdul Loyes, Morag Malvern, Charles Margetts, Rebecca Margetts, Andrew Mickleburgh, Jordan Montgomery, Stuart Munro, Alistair Neal, Stephen Newton, Ian Pittock, Jackie Rance, Ian Shenton, Imogen Shepherd-DuBey, Rachelle Shepherd-DuBey, Tony Skuse, Caroline Smith, Mike Smith, Wayne Smith, Bill Soane, Alison Swaddle, Marie-Louise Weighill and Shahid Younis

102. Apologies

Apologies for absence were submitted from Councillors Gary Cowan, Peter Dennis, John Halsall and Pauline Helliars-Symons.

103. Minutes of Previous Meeting

The Minutes of the meeting of the Council held on 18 January 2024 were confirmed as a correct record and signed by the Mayor.

104. Declarations of Interest

Councillor Andrew Gray declared a personal interest in Item 114.1 – Housing Revenue Account Budget 2024/25 – on the grounds that he owned a leasehold property in the Borough and the Council held the freehold.

105. Mayor's Announcements

The Mayor informed Members that she had attended the recent Chinese New Year celebrations in the Borough. During the traditional celebrations the Mayor had met a number of residents who had moved to the Borough from Hong Kong. These residents informed the Mayor that they had been made to feel welcome and had settled happily into the local community. This reflected well on the Borough and its residents.

106. Public Question Time

In accordance with the agreed procedure the Mayor invited members of the public to submit questions to the appropriate Members.

106.1 Paul Stevens asked the Executive Member for Planning and Local Plan the following question:

Residents are struggling to understand why the Local Plan Update (LPU) has still not been released, given that the public consultation on this proposal ended on the 24th January 2022, over two years ago. It has more recently been timetabled, by the

Executive Member for Planning and Local Plan, for publication in November 2023, yet we still have not seen it, nor do we have a new timetable for publication. When will we see the updated LPU?

Answer

As you are aware, the government published proposed reforms to national planning policy in December 2022 for consultation. Some of the proposals were on matters very important to our communities, especially the suggestion to allow past over delivery of housing to be taken into account when preparing local plans.

Our programme for the local plan, which proposed publication of the local plan in November, was based on when the government said it would confirm its national planning policy reforms. Unfortunately, the government missed its timetable several times, not confirming the changes in the Spring, or Autumn of 2023 but eventually in mid-December 2023.

Given the delay to publication of the expected national planning policy reforms, the alternative would have been to proceed without taking changes into account. Our judgement, like many other local authorities, was to wait for the government.

Now that the national policy reforms have been confirmed, Officers are actively reflecting on them and progressing work which will lead to a recommendation to Council on the local plan.

The formal programme will be updated through a future report to the Executive, however I would expect a report to be taken to Council on the next stage of the local plan in the summer.

Supplementary Question

You say that you want to give everyone the chance to get involved in the Planning process in your draft Statement of Community Involvement. Yet, whenever I come here and ask questions about the LPU I seem to be given excuses. Are you really interested in getting people involved in the Planning process?

Answer

Yes, and there will be that opportunity when it comes.

106.2 Peter Humphreys asked the Executive Member for Active Travel, Transport and Highways the following question:

The Coppid Beech P&R has been open for more than two months, I've passed it on at least two dozen occasions and am yet to see a single user. That's great in respect of carbon net zero but not so good for Council finances. In fairness, my wife did see a car in there, but it was a remote-controlled toy operated by a six-year-old – I suspect he didn't pay the parking fee.

Clearly the millions spent building the car park are lost but I'd like to know the full operating loss to date taking account of the budgeted income, actual income (if any) and running costs.

*Note: For Councillors' benefit a photo showing operating costs being incurred in the year **before** the P&R opened was included.*

Answer

Firstly, I wish to point out that on numerous occasions I highlighted to the previous administration that a Park & Ride facility located at Coppid Beech was a poor investment of funding. The business case was weak it required the car park to be 90% full to break even and only got through the benefit cost ratio scoring on potentially saving personal injury accidents between the Park & Ride and the town centre. Unfortunately, it went ahead, and this administration has now inherited this project.

Park & Ride sites have struggled since Covid nationally and locally and Mere oak, which was operating successfully before Covid, has gradually increased usage to 60% of its pre-pandemic level.

Coppid Beech usage as a car park for the frequent Lion 4 / X4 service into Wokingham and Bracknell town centres is anticipated to be low but opening it and to consider potential options for its usage were considered to be the best way forward at the moment.

Due to a change in working patterns the demand for park and ride nationally has reduced. Consequently, no income target was set for this financial year. To date there have been 78 parked vehicles using the site. 36% of users were using the EV charging bays. The cost of operating the site to date is £4,122, of which £1,343 is covered by grant funding. The largest proportion of cost to date relates to an annual maintenance charge for the parking machines. Income to date is £220, therefore the operating loss to the Council to date is £2,559.

When making the decision to open the park and ride it was made clear that if it is not used then it may close again. It is too early to decide on the site's future. However, it should be noted that there is month on month growth in the number of users parked. We are actively talking to partners and seeking opportunities to encourage further use of the site.

Supplementary Question

The gamble to build a speculative, zero use car park has clearly failed and I presume that there is no Plan B. The site has good bus and road connections and, thus, would be ideal for housing, thereby saving a few green fields from development. It should not be difficult to negotiate a change of use agreement and, maybe, a financial settlement with the developer who provided the current "white elephant". Is the Council planning to do this, or will the eyesore be preserved as a monument to folly?

Supplementary Answer

As I said in my response, we are considering all options at the present time.

106.3 John Sephton asked the Executive Member for Environment, Sport and Leisure the following question. In Mr Sephton's absence, the question was put by Councillor Alison Swaddle:

Why can't the preliminary schedule for road cleaning be posted on the web site, which would enable the public to provide feedback. The routes and frequency should all be in accordance with both the consultation results from last year and the 2024-2025 budget. Aspirations are hard to monitor.

Answer

It is our intention to make the schedules available on our website. However, the new contract changes are still bedding in and we want to make sure that the revised routes have been fully tested over several cycles throughout the spring. We have the street cleansing data from the Autumn/Winter period which has been adjusted and we need to ensure the annual schedule is working efficiently before publishing this information. We expect the schedules to be uploaded in the summer.

107. Petitions

There were no petitions submitted.

108. Medium Term Financial Plan and Associated Reports:

The Council considered four reports which together comprised a single Agenda item:

- The Housing Revenue Account Budget 2024/25 as set out on Agenda pages 47 to 56;
- The Capital Programme and Strategy 2024/27 as set out on Agenda pages 57 to 96;
- The Treasury Management Strategy 2024/27 as set out on Agenda pages 97 to 150;
- The Medium-Term Financial Plan 2024/27 – including the Revenue Budget Submission 2024/25 as set out on Agenda pages 151 to 294.

The Mayor reminded Members that a total of 90 minutes would be set aside for the debate.

During the debate, it was moved by Councillor Prue Bray and seconded by Councillor Imogen Shepherd-Dubey that, in accordance with Rule 4.2.12.m, the time allowed for the Budget debate be extended by 20 minutes to allow all Members who wished to speak the opportunity to do so.

Upon being put to the vote, it was:

RESOLVED: That the Budget debate be extended by 20 minutes.

108.1 Budget Statement by Councillor Stephen Conway the Leader of the Council

Madam Mayor,

We live in difficult times. Over the last two years, the Council has been confronted with the twin challenges of inflation and rising demand for statutory services, especially in adult and children's social care. Significant numbers of our residents are affected by the cost-of-living crisis, or grapple with serious mental and physical

health challenges. In these most testing of financial circumstances for all councils, we need to focus on two fundamental requirements – first, to do all we can to help those for whom life is a struggle now, and second, to lay the foundations for a better future.

Before I say more on how these two requirements have shaped the budget, I want to express my gratitude to the Chief Finance Officer, the senior officers in the Corporate Leadership Team, and staff across the Council for their hard work in preparing this budget. As always, Councillors are indebted to our professional officers, without whom we could do nothing. I am also grateful to my executive colleagues. While they have all played their part superbly, I particularly want to thank Imogen Shepherd-DuBey, the Executive Member for Finance.

My thanks are likewise due to the members of the all-party Community and Corporate Overview and Scrutiny Committee for their thorough and thoughtful scrutiny of the draft budget. During the scrutiny process, which stretched over many months, Executive Members were required to answer questions on the budget lines for which they have responsibility. To reinforce that transparency, the approved budget papers will be published on the Council's website with a clear indication of which Executive Member is responsible for the different areas of the budget.

I am very grateful to members of the public for their support for our campaign for fairer funding by central government, especially the more than 1,000 Borough residents who wrote to the Secretary of State backing our cause. Sadly, the opposition did not support our campaign; indeed, they chose to defend the government's underfunding of Wokingham rather than stand up for Wokingham, as we have done. Opposition Members have persisted for many months with the politically motivated claim that Wokingham is well funded, conveniently forgetting that they argued the complete opposite when they ran the Council. They might want to ponder further whose side they are truly on – our residents' or the government's. Just as we are on our residents' side, so they are on ours. I'm pleased to say that their letter-writing was worth the time and effort: at the end of last month, we received the welcome news that the government had belatedly decided that, in view of our challenges with inflation and rising demand for statutory services, especially in adult and children's social care, we would be given an extra £1.6 million. Unfortunately, this extra core revenue funding, though it helps, is nowhere near what we need to tackle the pressures created by inflation and continuing increases in demand for social care.

Even after the government's latest contribution, we still have an extra savings challenge of £16 million for 2024/25. We intend to meet this challenge partly by using a small portion of the Council's earmarked reserves, which we believe can now safely be released, but mainly through further savings and efficiencies, such as reducing staff costs, including holding vacancies at a higher level than we have ever done before.

We would rather not have to increase the Council Tax by 4.99%, but experience shows us the folly of too heavy a reliance on reserves to cover current expenditure. Neighbouring Windsor and Maidenhead levied a nil percent Council Tax increase for several years, paying for services by running down reserves. Short-term popularity

was put above long-term financial viability. The Conservatives, who ran Windsor and Maidenhead until last May, presided over this folly, and the new Liberal Democrat administration is having to weather the current storm with hardly any reserves left to help. I should add that the government's calculations of our overall spending power assume that we will raise Council Tax to the cap that ministers have set.

The government, in short, has eased the pressure on us slightly, but that pressure remains very considerable. A great deal of hard work by officers and senior councillors has been required over many months to produce the balanced budget in the papers before you.

I want to return now to the two strategic imperatives that have underpinned that hard work. First, helping those who are most in need. We have acquired a new care home to increase our own provision for the elderly and infirm. We are repurposing some of the council's own properties to give the homeless a roof over their head and provide accommodation for care leavers. We are increasing the number of places within the Borough for children with special educational needs, mainly through the delivery of two new schools, funded by a successful bid for a government grant.

We are working alongside our partners in the voluntary and charitable sector to support local people during the current cost-of-living crisis. We have used a significant portion of the extra money received from government to relieve the pressure on adult and children's social care, removing from the draft budget the most challenging and risky of the savings targets in those directorates. We are also putting more money in the General Fund Balances – the Council's general use reserve – to be available to help those of our residents who are experiencing the greatest hardship, as well as to protect the Council against unforeseen additional costs in adult and children's services, where demand and the costs of meeting it can rise dramatically and without warning.

If the needs of the present are very much in our minds, we have also sought to build for the future. We have funded invest-to-save initiatives, including prevention and early intervention measures, which will lessen demand and, therefore, costs to the Council and Council Tax payers in years to come. We have also entered into major partnerships that will enable us to secure more external resources to help make our Borough a better place to live and work.

Our new care home will not only increase our capacity to deliver care for the elderly but will also help us to control future adult social care costs. Our repurposing some of the Council's estate to help house the homeless will reduce the bill for expensive emergency bed and breakfast accommodation. Our investment in new Special Educational Needs schools will increase in-Borough provision and so reduce the costs of home-to-school transport. Investment in our mainstream schools will allow them to expand, which will give the Borough's young people the education they deserve, as well as help to reduce pressure on the home-to-school transport budget. We have invested in a new solar farm at Barkham, which will connect to the grid in 2026, helping with our climate emergency agenda while generating a healthy income for the Council – about three times as much as the previous administration estimated.

In the pursuit of longer-term benefits, we have established a strategic partnership

with the University of Reading, which will enable us to draw on its expertise to help with our local Climate Emergency response, our Town Centre Strategy, and our education, employment and skills ambitions. The University and the Council will be able to bid jointly for funds for projects of common interest. At the same time, we have played a pivotal role in the creation of the Berkshire Prosperity Board, which brings together the six Berkshire unitary councils in a partnership that will be able to bid for substantial government funding for cross-authority infrastructure projects – the kind of funding we could not hope to acquire on our own.

There is not time for me to talk about other very positive features of this budget, but my Executive colleagues will be able to speak about some of the important initiatives in their own areas of responsibility.

Madam Mayor, I commend this compassionate, responsible, and forward-looking budget to colleagues. I hope all councillors will support it. While other councils are going to the wall, we are devoting additional resources to helping those most in need, putting our finances on a more sustainable footing, and at the same time laying the foundations for a better future for our Borough.

108.2 Budget Statement by Councillor Pauline Jorgensen, Leader of the Conservative Group

Madam Mayor,

I would like to start with an item of agreement. I too would like to thank all the officers for their help and hard work in producing this Budget. I would also like to thank the Executive Members for answering lots of questions in Scrutiny, which was very useful. Also the supporting officers, but...

In April Liberal Democrats promised residents they would “offer financial competence and compassion.” They have done neither.

Failing to deliver Bohunt Sixth Form, allowing building costs to spiral and telling teenagers in July they will need to find alternative Sixth Form places for September, is not competence or compassion. Telling businesses it is “too easy to blame Wokingham Borough Council” for a fall in shoppers when the Council has doubled parking charges and funded free Christmas bus travel to take shoppers out of the Borough is not competence or compassion. Letting flats at Carnival Hub sit empty and half finished, allowing building costs to increase is not competence and failing to finish these flats for people trying to get on to the housing ladder is not compassion. It is...

- failure to act,
- failure to take responsibility,
- failure to put Wokingham Borough residents above short term political opportunism.

Liberal Democrats are all talk and little action. Many successes, they’ve claimed come from work by previous Conservative administrations, with the Lib Dems always trying to claim the credit. Every poor choice, and Lib Dems blame everyone but

themselves. They repeatedly warn the Council is on the “brink of bankruptcy”. Yet last year, the Council’s Chief Financial Officer’s report said that the Council’s Finances were in good shape under the previous Conservative administration. In 2020, under the Conservatives, Wokingham Borough was rated in the top 20 for financial sustainability by the Chartered Institute of Public Finance & Accountancy.

When the Conservative Group left office, the Council’s Core Spending Power was £151 million. The Council’s Core Spending Power for this coming year is £174.8 million thanks to Council tax payers and increased government grants. With an extra £23.8 million the Lib Dems tell us they still don’t have enough. While we receive less revenue support grants than other areas, it’s fiction that Wokingham Borough Council has less money than other councils to spend on services. Our Core Spending Power per household is more than any other Council in Berkshire apart from Slough, and more than most Unitary Councils in England.

It is right for any administration to lobby Government for their area, but it is shameful to misrepresent the Council’s financial position to residents. And it is not right to cause alarm to residents and staff by peppering communications with references to bankruptcy and redundancy.

Despite having more money to spend than other councils, the Liberal Democrats can’t live within their means. They have lost control of the Council’s finances and are plugging the gaps by taking from reserves. Lib Dems made a big fuss about reserves when they were in opposition – now they plunder away. Last year to pay for their wheelie bins and this year to plug yet another budget gap. This demonstrates more than anything else that reserves were at a healthy level under the Conservatives, and the Liberal Democrats know it.

Over the last two years, the Liberal Democrats have made it clear where their spending priorities are, and they are the wrong priorities. Not surprising when this administration actively chooses not to listen to local people when they express a view. As Lib Dem Executive Members see it, in their words, “a consultation is not a referendum”.

How do Lib Dems ignore residents? Let’s recount the ways:

Consultation supporting all-out elections which would have cut costs significantly – IGNORED.

Petition from over 4,000 residents against doubling of car park charges – IGNORED.

Businesses crying out for a reversal of the parking charge increase – IGNORED.

Petition from over 800 residents to stop redevelopment of California Crossroads – IGNORED.

Consultation on bin collections, where only 24% per cent agreed they like fortnightly waste collections – IGNORED.

Petition from over 1700 residents on Hall Farm – IGNORED.

Petition of nearly 2,000 residents to keep weekly bin collections – IGNORED... and branded spurious.

Petition for a pedestrian crossing outside Crosfields School, delivered to the Council nearly a year ago - IGNORED.

And, in response to my question about a crossing after an accident, instead of acting, the Liberal Democrat Executive Member said “accidents do happen”

The administration gave the game away about their approach to our roads when the Executive Member for Highways said that they wanted to stop “inappropriate journeys”. Leave aside the breath-taking arrogance in thinking that councillors and officers have a right to decide what an appropriate journey is. It makes it plain for all to see that the Liberal Democrats are driven by an ideological obsession with stopping people from using cars and we see more of that tonight.

That’s why the Liberal Democrats doubled car park charges, despite clear opposition from residents. The refusal to change course demonstrates that this administration doesn’t care about the negative impact these charges have had on businesses or jobs. We’ve already made clear that a future Conservative administration would reverse these increases. The Liberal Democrats have also consistently underfunded road repairs, despite receiving about £1m extra from the Government to fix potholes this year. Under a Conservative administration, we would again increase spending on road repairs as we did when we had control, maximising available grants and renewing a focus on reducing congestion.

On waste, rather than investing more in enabling recycling, the Liberal Democrats have instead reduced household waste collections to every two weeks. It’s not a better service for residents, it’s not an efficiency because the lorry is coming every week without collecting all the bins, and it’s not guaranteed to produce any savings. A Conservative administration would reinstate weekly waste collection and expand the range of items included in recycling.

We also saw the farce last summer of the Liberal Democrats’ attempts to scrap some public bins and reduce collection of others. Of course, the inevitable result was rubbish blowing across our streets and parks and heaps of discarded dog poo bags. The administration only stepped in to put a stop to the ridiculous situation after the Conservatives forced their hand. But this Liberal Democrat administration has such contempt that it tried to claim that no decision had been made – even though bins across the Borough were earmarked for removal and covered over to prevent public use.

Two years on from the election of this Liberal Democrat administration, and where is your local plan? Failing to deliver a Local Plan is opening the Borough up to speculative development, and it’s costing taxpayers money to defend appeals and handle the consequences of inappropriate development.

We’re glad to see that this budget finally includes reductions in some HR costs, which we called for in last year’s budget, as well as a reduction in the use of consultants. However, it’s clear from the budget papers that where one use of consultants goes down, another increases for the resident’s parking zones project.

In the months following the elections in 2022 and 2023, the administration announced and implemented disastrous policies that they conveniently forgot to tell the public about before residents had their say at the ballot box. Increasing parking charges, scrapping public litter bins, and bin collection moving to fortnightly, were all absent from the Liberal Democrats’ manifestos and election literature. So if the Liberal Democrats are still in charge of this Council after the votes have been counted in May, what horrors will they have in store for summer 2024?

Ultimately, this Liberal Democrat Budget can't be passed without votes from Labour councillors. Labour's support for this Liberal Democrat administration may not be a formal coalition this year, but it is no less necessary to drive through unpopular policies which ignore residents' wishes and stoke up people's fears. Next time Labour try to distance themselves in a leaflet or on the doorstep or in this chamber from another Liberal Democrat disaster, remember that it was Labour that made it all possible.

Madam Mayor, last year's budget was a poor offering for residents. This year little has changed. It is less for more.

- Bins will be collected less often
- another real terms cut in road maintenance, despite an increase in Government funding
- cuts to street cleaning and grass cutting
- Loss of one leisure centre and failure to deliver Arborfield Swimming pool
- And a Local Plan they are too scared to show residents before the election.

In return, people will pay 4.99% more Council Tax, and fees and charges will rise by an eye-watering 8% - double the rate of inflation. The people of this Borough, the residents outside this building who daily have to live with the consequences of this Liberal Democrat administration, deserve better. In May, residents will get their chance to elect a Conservative administration that will always put the community first, will restore sound administration of the Council's finances, and will deliver the best for Wokingham Borough.

109. Housing Revenue Account Budget 2024/25

It was proposed By Councillor Stephen Conway and seconded by Councillor Prue Bray, that the Housing Revenue Account Budget, 2024/25, as set out on Agenda pages 47 to 56 be approved.

Voting on the item was as follows:

For	Against	Abstain
Jane Ainslie		
Sam Akhtar		
Keith Baker		
Rachel Bishop-Firth		
Laura Blumenthal		
Prue Bray		
Rachel Burgess		
Anne Chadwick		
Stephen Conway		
David Cornish		
Andy Croy		
Phil Cunnington		
David Davies		
Lindsay Ferris		
Michael Firmager		

Paul Fishwick		
Catherine Glover		
David Hare		
Peter Harper		
Graham Howe		
Chris Johnson		
Clive Jones		
Norman Jorgensen		
Pauline Jorgensen		
Sarah Kerr		
Abdul Loyes		
Morag Malvern		
Charles Margetts		
Rebecca Margetts		
Adrian Mather		
Andrew Mickleburgh		
Jordan Montgomery		
Stuart Munro		
Alistair Neal		
Stephen Newton		
Ian Pittock		
Jackie Rance		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Tony Skuse		
Caroline Smith		
Mike Smith		
Wayne Smith		
Bill Soane		
Alison Swaddle		
Marie-Louise Weighill		
Shahid Younis		

RESOLVED That:

- 1) the Housing Revenue Account budget for 2024/25 (Appendix A) be approved;
- 2) Council house dwelling rents be increased by up to 7.7% effective from 1st April 2024, in line with the Council's Rent Setting Policy that was approved by Executive on 26th October 2023;
- 3) garage rents be increased by 8.33%, effective from April 2024;
- 4) Shared Equity Rents be increased by 7.7% effective from April 2024;

- 5) Tenant Service Charges be increased over the next three years to achieve full cost recovery, effective from April 2024;
- 6) the Housing Major Repairs (Capital) Programme for 2024/25, as set out in Appendix B, be approved;
- 7) sheltered room guest charges for 2024/25 remain unchanged at £9.50 per night per room.

110. Capital Programme and Strategy 2024-27

It was proposed By Councillor Stephen Conway and seconded by Councillor Prue Bray, that the Capital Programme and Strategy, 2024/27, as set out on Agenda pages 57 to 96 be approved.

Councillor Andy Croy requested that a separate vote be taken on Recommendation 5).

Voting on Recommendations 1), 2), 3), 4) and 6) was as follows:

For	Against	Abstain
Jane Ainslie	Sam Akhtar	
Rachel Bishop-Firth	Keith Baker	
Prue Bray	Laura Blumenthal	
Rachel Burgess	Anne Chadwick	
Stephen Conway	Phil Cunnington	
David Cornish	David Davies	
Andy Croy	Michael Firmager	
Lindsay Ferris	Peter Harper	
Paul Fishwick	Graham Howe	
Catherine Glover	Norman Jorgensen	
Andrew Gray	Pauline Jorgensen	
David Hare	Abdul Loyes	
Chris Johnson	Charles Margetts	
Clive Jones	Rebecca Margetts	
Sarah Kerr	Stuart Munro	
Morag Malvern	Jackie Rance	
Adrian Mather	Wayne Smith	
Andrew Mickleburgh	Bill Soane	
Jordan Montgomery	Alison Swaddle	
Alistair Neal	Shahid Younis	
Stephen Newton		
Ian Pittock		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Caroline Smith		
Mike Smith		

Marie-Louise Weighill		
-----------------------	--	--

Voting on Recommendation 5) was as follows:

For	Against	Abstain
Jane Ainslie	Rachel Burgess	Sam Akhtar
Rachel Bishop-Firth	Andy Croy	Keith Baker
Prue Bray	Andrew Gray	Laura Blumenthal
Stephen Conway	Tony Skuse	Anne Chadwick
David Cornish	Marie-Louise Weighill	Phil Cunnington
Lindsay Ferris		David Davies
Paul Fishwick		Michael Firmager
Catherine Glover		Peter Harper
David Hare		Graham Howe
Chris Johnson		Norman Jorgensen
Clive Jones		Pauline Jorgensen
Sarah Kerr		Abdul Loyes
Morag Malvern		Charles Margetts
Adrian Mather		Rebecca Margetts
Andrew Mickleburgh		Stuart Munro
Jordan Montgomery		Jackie Rance
Alistair Neal		Wayne Smith
Stephen Newton		Bill Soane
Ian Pittock		Alison Swaddle
Beth Rowland		Shahid Younis
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Caroline Smith		
Mike Smith		

RESOLVED That:

- 1) the Capital Strategy for 2024 - 2027 (Appendix A), be approved;
- 2) the three-year Capital Programme for 2024/27 (Appendix B) be approved, noting that approval is sought for 2024/25 schemes only;
- 3) the draft Vision for Capital investment over the next five years (Appendix C), be approved;
- 4) the use of developer contribution funding (S106 and CIL) for Capital projects as set out in Appendix D, be approved - approval is sought up to the project budget.
- 5) the Deputy Chief Executive (S151 Officer) exercise, where possible, the flexible use of Capital receipts policy, as issued by the Secretary of State under section

15(1)(a) of the Local Government Act 2003;

- 6) delegation for the delivery (including awarding and signing of the contract) of the South Wokingham Distributor Road to the Deputy Chief Executive and Director of Place & Growth, in agreement with Lead Member for Finance and Lead Member for Highways, be approved, subject to the scheme being fully funded from Homes England Grant and Developer Contributions.

111. Treasury Management Strategy 2024-27

It was proposed By Councillor Stephen Conway and seconded by Councillor Prue Bray, that the Treasury Management Strategy, 2024/27, as set out on Agenda pages 97 to 150 be approved.

Voting on the item was as follows:

For	Against	Abstain
Jane Ainslie	Sam Akhtar	
Rachel Bishop Firth	Keith Baker	
Prue Bray	Laura Blumenthal	
Rachel Burgess	Anne Chadwick	
Stephen Conway	Phil Cunnington	
David Cornish	David Davies	
Andy Croy	Michael Firmager	
Lindsay Ferris	Peter Harper	
Paul Fishwick	Graham Howe	
Catherine Glover	Norman Jorgensen	
Andrew Gray	Pauline Jorgensen	
David Hare	Abdul Loyes	
Chris Johnson	Charles Margetts	
Clive Jones	Rebecca Margetts	
Sarah Kerr	Stuart Munro	
Morag Malvern	Jackie Rance	
Adrian Mather	Wayne Smith	
Andrew Mickleburgh	Bill Soane	
Jordan Montgomery	Alison Swaddle	
Alistair Neal	Shahid Younis	
Stephen Newton		
Ian Pittock		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Tony Skuse		
Caroline Smith		
Mike Smith		
Marie-Louise Weighill		

RESOLVED: That Council note the Treasury Management Strategy as set out in

Appendix A including the following additional appendices:

- Prudential Indicators (Appendix B);
- Annual Investment Strategy 2024/25 (Appendix C);
- Minimum Revenue Provision (MRP) policy (Appendix D).

112. Medium Term Financial Plan 2024-2027 including Revenue Budget Submission 2024/25

It was proposed By Councillor Stephen Conway and seconded by Councillor Prue Bray, that the Medium Term Financial Plan, 2024/27, including the Revenue Budget Submission, 2024/25, as set out on Agenda pages 151 to 294, be approved.

It was proposed by Councillor Tony Skuse and seconded by Councillor Andrew Gray, that a new Recommendation 1) be inserted into the recommendations in the report, as follows:

- 1) approve an additional item in the appropriate part of the MTFP: “Woodley Town Centre CCTV System”, to the value of £15,000. The £15,000 matches the £15,000 of funding secured from the Police and Crime Commissioner’s office. The consequential of this amendment to be reflected in all other financial reports.

Councillor Stephen Conway confirmed that the proposed amendment was acceptable.

In line with the requirements of the Local Authorities (Standing Orders) England (Amendment) Regulations 2014, a recorded vote was taken. Individual votes were taken on each of the, now four, Recommendations as follows:

Recommendation 1)

Approve an additional item in the appropriate part of the MTFP: “Woodley Town Centre CCTV System”, to the value of £15,000. The £15,000 matches the £15,000 of funding secured from the Police and Crime Commissioner’s office. The consequential of this amendment to be reflected in all other financial reports.

For	Against	Abstain
Jane Ainslie		
Sam Akhtar		
Keith Baker		
Rachel Bishop-Firth		
Laura Blumenthal		
Prue Bray		
Rachel Burgess		
Anne Chadwick		
Stephen Conway		
David Cornish		
Andy Croy		

Phil Cunnington		
David Davies		
Lindsay Ferris		
Michael Firmager		
Paul Fishwick		
Catherine Glover		
Andrew Gray		
David Hare		
Peter Harper		
Graham Howe		
Chris Johnson		
Clive Jones		
Norman Jorgensen		
Pauline Jorgensen		
Sarah Kerr		
Abdul Loyes		
Morag Malvern		
Charles Margetts		
Rebecca Margetts		
Adrian Mather		
Andrew Mickleburgh		
Jordan Montgomery		
Stuart Munro		
Alistair Neal		
Stephen Newton		
Ian Pittock		
Jackie Rance		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Tony Skuse		
Caroline Smith		
Mike Smith		
Wayne Smith		
Bill Soane		
Alison Swaddle		
Marie-Louise Weighill		
Shahid Younis		

Recommendation 2)

The Medium Term Financial Plan (MTFP) 2024/27, included in the Budget Submission for 2024/25 and the Summary of Budget Movements (SOBM), be approved.

For	Against	Abstain
Jane Ainslie	Sam Akhtar	
Rachel Bishop-Firth	Keith Baker	
Prue Bray	Laura Blumenthal	
Rachel Burgess	Anne Chadwick	
Stephen Conway	Phil Cunnington	
David Cornish	David Davies	
Andy Croy	Michael Firmager	
Lindsay Ferris	Peter Harper	
Paul Fishwick	Graham Howe	
Catherine Glover	Norman Jorgensen	
Andrew Gray	Pauline Jorgensen	
David Hare	Abdul Loyes	
Chris Johnson	Charles Margetts	
Clive Jones	Rebecca Margetts	
Sarah Kerr	Stuart Munro	
Morag Malvern	Jackie Rance	
Adrian Mather	Wayne Smith	
Andrew Mickleburgh	Bill Soane	
Jordan Montgomery	Alison Swaddle	
Alistair Neal	Shahid Younis	
Stephen Newton		
Ian Pittock		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Tony Skuse		
Caroline Smith		
Mike Smith		
Marie-Louise Weighill		

Recommendation 3)

The Statutory Resolution that sets out the 2024/25 Council Tax levels (as set out in Appendix A to the report) be approved.

For	Against	Abstain
Jane Ainslie		Sam Akhtar
Rachel Bishop-Firth		Keith Baker
Prue Bray		Laura Blumenthal
Rachel Burgess		Anne Chadwick
Stephen Conway		Phil Cunnington
David Cornish		David Davies
Andy Croy		Michael Firmager
Lindsay Ferris		Peter Harper

Paul Fishwick		Graham Howe
Catherine Glover		Norman Jorgensen
Andrew Gray		Pauline Jorgensen
David Hare		Abdul Loyes
Chris Johnson		Charles Margetts
Clive Jones		Rebecca Margetts
Sarah Kerr		Stuart Munro
Morag Malvern		Jackie Rance
Adrian Mather		Wayne Smith
Andrew Mickleburgh		Bill Soane
Jordan Montgomery		Alison Swaddle
Alistair Neal		Shahid Younis
Stephen Newton		
Ian Pittock		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Tony Skuse		
Caroline Smith		
Mike Smith		
Marie-Louise Weighill		

Recommendation 4)

In the event that there are any changes to the provisional precept of the Fire Authority or parishes, arising from their precept setting meetings being held before the end of February 2024, the Deputy Chief Executive (S151 Officer) is delegated authority to enact all relevant changes to the MTFP, Statutory Resolution and Council Tax levels.

For	Against	Abstain
Jane Ainslie		
Sam Akhtar		
Keith Baker		
Rachel Bishop-Firth		
Laura Blumenthal		
Prue Bray		
Rachel Burgess		
Anne Chadwick		
Stephen Conway		
David Cornish		
Andy Croy		
Phil Cunnington		
David Davies		
Lindsay Ferris		

Michael Firmager		
Paul Fishwick		
Catherine Glover		
Andrew Gray		
David Hare		
Peter Harper		
Graham Howe		
Chris Johnson		
Clive Jones		
Norman Jorgensen		
Pauline Jorgensen		
Sarah Kerr		
Abdul Loyes		
Morag Malvern		
Charles Margetts		
Rebecca Margetts		
Adrian Mather		
Andrew Mickleburgh		
Jordan Montgomery		
Stuart Munro		
Alistair Neal		
Stephen Newton		
Ian Pittock		
Jackie Rance		
Beth Rowland		
Ian Shenton		
Imogen Shepherd-Dubey		
Rachelle Shepherd-Dubey		
Tony Skuse		
Caroline Smith		
Mike Smith		
Wayne Smith		
Bill Soane		
Alison Swaddle		
Marie-Louise Weighill		
Shahid Younis		

RESOLVED That:

- 1) an additional item in the appropriate part of the MTFP:
“Woodley Town Centre CCTV System”, to the value of £15,000, be approved.
The £15,000 matches the £15,000 of funding secured from the Police and Crime Commissioner’s office. The consequential of this amendment to be reflected in all other financial reports.

- 2) the Medium Term Financial Plan (MTFP) 2024/27, including the Budget

Submission for 2024/25 and the Summary of Budget Movements (SOBM), be approved;

- 3) the Statutory Resolution that sets out the 2024/25 Council Tax levels (as set out in Appendix A to the report), be approved;
- 4) in the event that there are any changes to the provisional precept of the Fire Authority or parishes, arising from their precept setting meetings being held before the end of February 2024, the Deputy Chief Executive (S151 Officer) is delegated authority to enact all relevant changes to the MTFP, Statutory Resolution and Council Tax levels.

Note: The Statutory Resolution is attached as an Appendix to the Council Minutes.

113. Council Plan Extension 2024-25

Council considered a report, set out at Agenda pages 295 to 324, which set out a proposal to extend the current Council Plan for one year and the rationale for making changes to the plan.

The report stated that the Council Plan set priorities and direction for its work. As the plan needed to be aligned to the emerging Community Vision (expected in June 2024) there would be a gap between the current plan ending and a new plan starting. The transitional (interim) Council Plan would take effect from 1 April 2024 and would be published alongside a SMART delivery plan for 2024 /25. The proposed transitional Council Plan 2024/25 was appended to the report.

It was proposed by Councillor Stephen Conway and seconded by Councillor Prue Bray, that the recommendation in the report be approved.

Upon being put to the vote, it was:

RESOLVED: That the Council Plan extension, 2024/25, be approved.

114. Establishment of a Joint Committee - The Berkshire Prosperity Board

Council considered a report, set out at Agenda pages 325 to 333, which set out proposals to establish a Joint Committee (to be known as the Berkshire Prosperity Board). The aim of the Board was enable the Berkshire Authorities to transform Berkshire's productivity through responsive, agile collaboration. This would involve presenting a stronger case for investment, collective lobbying of the Government and other agencies and developing an advantageous position in readiness for potential devolution proposals.

The report set out the proposed constitution and governance structure for the Board and sought authority for the Chief Executive to engage in developing a legally binding agreement with the other Berkshire Authorities. It was proposed that the Council act as the Lead Authority (Accountable Body) for the Board. Subject to approval, the first Board meeting would take place in May 2024. The Board would meet four times a year with each of the Berkshire Authorities leading on one of the proposed thematic workstreams – health and inequalities, education and skills,

affordable housing, sector development, strategic infrastructure and Net Zero.

It was proposed by Councillor Stephen Conway and seconded by Councillor Prue Bray, that the recommendations in the report be approved.

Upon being put to the vote, it was:

RESOLVED That Council approve:

- 1) the establishment of a fully constituted Joint Committee (to be known as the Berkshire Prosperity Board) from May 2024 to deliver a Berkshire-wide vision for inclusive green and sustainable economic prosperity;
- 2) the proposed constitution for the Joint Committee as set out in Appendix A - Functions and Procedure Rules for a Joint Committee, Appendix B - Responsibilities of the accountable body and Appendix C - Governance structure is approved subject to review by each member Council within 6 months;
- 3) that the Chief Executive be delegated to reach a legally binding Agreement between the member Authorities setting out the supporting arrangements and responsibilities between the Authorities, particularly that between the Lead Authority, known as the Accountable Body and the other member Authorities and go through the relevant democratic process if required. Such Agreement also to be approved by the s151 Officer.
- 4) that Wokingham Borough Council act as the Accountable Body for the Prosperity Board.

115. Approval of a Period of Absence from Meetings by Councillor Gary Cowan

Council considered a report, set out at Agenda pages 335 to 336, which sought approval for a period of absence from meetings by Councillor Gary Cowan.

The report stated that, if a Member failed to attend any meeting of the relevant Authority throughout a period of six consecutive months, they ceased to be a Member of the Authority (subject to certain exceptions). However, the Authority could approve a Member's non-attendance for specified reasons.

Due to ill health, Councillor Cowan had not been able to attend any meetings since his attendance at Council on 21 September 2023. It was uncertain whether Councillor Cowan would be able to attend any meetings in the upcoming months. Consequently a request had been submitted to approve an extension to the six month rule to enable Councillor Cowan to remain in office until his current term of office ended in May 2024.

It was proposed by Councillor Stephen Conway and seconded by Councillor Prue Bray, that the recommendations in the report be approved.

Upon being put to the vote, it was:

RESOLVED That Council:

- 1) note that Councillor Gary Cowan has not been able to attend meetings of the Council in person, due to ill health, since his attendance at Council on 21 September 2023;
- 2) approve Councillor Cowan's non-attendance at meetings of the Council, due to ill-health, until his current term of office ends in May 2024, pursuant to Section 85 of the Local Government Act 1972.

116. Re-Designation of Polling Places

Council considered a report, set out at Agenda pages 337 to 346, which gave details of proposed changes to designated Polling Places in advance of the elections to be held on 2 May 2024.

The report stated that alternative venues were required to replace two previously agreed locations – St John's Ambulance HQ, Woodley and Whiteknights Primary School, Shinfield.

It was proposed by Councillor Stephen Conway and seconded by Councillor Prue Bray, that the recommendations in the report be approved.

Upon being put to the vote, it was:

RESOLVED That:

- 1) St John's Church, Woodley be designated as the polling place for polling district KCEb and KDEb, in Bulmershe and Coronation Ward, instead of the St John's Ambulance, HQ, Woodley;
- 2) Shinfield Players Theatre be designated as the polling place for polling district SAE2a, in Shinfield Ward, instead of Whiteknights Primary School;
- 3) the Assistant Director Governance be delegated authority, in consultation with the relevant Ward Member(s) to re-designate any polling place in the Borough which becomes unavailable.

TITLE	Affordable Housing Strategy 2024-28
FOR CONSIDERATION BY	Council on Thursday, 21 March 2024
WARD	(None Specific);
LEAD OFFICER	Director, Place and Growth - Giorgio Framalocco
LEAD MEMBER	Leader of the Council and Executive Member for Housing - Stephen Conway

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

To obtain the Council's approval to adopt the Wokingham Borough Council's Affordable Housing Strategy 2024-2028. As per Chapter 4.1.1 of the Constitution, the Council's Housing Strategy must be considered at Full Council. The Executive will consider the Strategy on 14 March and subsequently make recommendations as they see fit to the Council.

The Affordable Housing strategy outlines four strategic priorities and will be accompanied by a more detailed action plan which will be refreshed on an annual basis. The strategy sets out the Council's strategic direction to build the right homes in the right places and support our residents by developing socially inclusive communities. The strategy is underlined by a strong commitment to partnership working with the aim of increasing the quality and quantity of affordable housing in the Borough by:

1. Addressing and understanding our housing needs
2. Providing suitable accommodation options to our most vulnerable residents
3. Ensuring homes are healthy, safe, efficient, environmentally sustainable and well-designed
4. Creating positive social impact to promote inclusive growth and develop thriving communities

This will improve housing outcomes for our residents, as well as helping to mitigate the increasing financial pressure created by the Council's duty to provide accommodation, by providing additional housing options with varying levels of support to ensure sufficiency of provision for a number of different priority groups. This will futureproof the Council's resilience to respond to the increasing level of housing demand by building a healthy pipeline of good quality, affordable housing delivery whilst continuing to implement early intervention and commissioning appropriate support where possible to tackle the causes of homelessness and rough sleeping at source. In turn, the Council anticipates improved outcomes for our residents, and the wider community, through the implementation of this strategy.

At January's Overview and Scrutiny Management Committee Members were asked for input into the proposed changes for key workers within the Council's Allocations Policy removing the requirement for key workers to have lived within the Borough for the previous 5 years, but retaining the need for those key workers to be in employment within the Borough. This was supported by the Committee and is therefore put forward to Executive for approval.

Executive are also asked to agree going out to consultation to look at moving care leavers (currently placed in band 2 of the Council's allocation policy) into band 1, the highest priority banding. If the outcome of the consultation suggests this is feasible then in line with external legal advice, further approval from Executive will be sought.

RECOMMENDATION

That the Council approves;

- (1) Adoption and implementation of the Affordable Housing Strategy 2024-2028;
- (2) Removal of the requirement for key workers to have lived within the Borough for the previous 5 years within the Council's allocations policy;
- (3) To consult on proposals to place care leavers into band 1 of the Council's allocation policy.

EXECUTIVE SUMMARY

The Council's aim is to create a future pipeline of affordable and sustainable homes for those most in need. This will help to reduce social and economic inequalities across the Borough by creating stable and safe homes. Working with our partners and engaging with our residents and landlords across the Borough, we will help to ensure that we address and understand our housing need and help maximise affordable housing delivery where possible. We will build the right homes in the right places, improve the quality, sustainability and design of the housing stock and support our residents by developing socially inclusive and healthy communities.

The four strategic priorities that this strategy will look to deliver over the strategy period 2024 to 2028 are:

Strategic Priority 1 – Continue to address and understand our housing needs

Strategic Priority 2 – Provide suitable accommodation options to our most vulnerable residents

Strategic Priority 3 – Ensure that homes are healthy, safe, efficient, environmentally sustainable and well designed

Strategic Priority 4 – Create positive social impact which will help promote inclusive growth and develop thriving communities

Since the previous Housing Strategy was published in 2020, there has been increasing demand on the Council's housing stock and services with demand outstripping supply. This is despite Wokingham delivering some of the highest levels of affordable housing nationally. Many of our residents require specialised dwellings and bespoke support to fulfil their tenancies and this requires additional spend to meet their individual needs. An increase in the number of residents that require our support increases the financial outlay for the Council to provide these services which then places the Council under unsustainable financial pressure. This strategy outlines how we can mitigate the increase in demand for social and supported housing to reduce the cost to the Council whilst also working with our partners to maximise outcomes for our existing residents.

At January's Overview and Scrutiny Management Committee Members were asked for input into the proposed changes for key workers within the Council's Allocations Policy removing the requirement for key workers to have lived within the Borough for the previous 5 years, but retaining the need for those key workers to be in employment within the Borough. This was supported by the Committee and is therefore put forward to Executive for approval.

Executive are also asked to agree going out to consultation to look at moving care leavers (currently placed in band 2 of the Council's allocation policy) into band 1, the highest priority banding. If the outcome of the consultation suggests this is feasible then in line with external legal advice, further approval from Executive will be sought.

Following approval at Executive, the strategy will go to Full Council in March 2024 where it is expected to be published shortly after.

BACKGROUND

The Council's previous Housing Strategy ran from 2020 and will conclude in 2024. This strategy has led to the implementation and delivery of several key initiatives. Whilst we prioritise housing for those who need it most, there is an increasing need to alleviate pressures on the Council's limited stock and resources. Affordable housing is an area of intense pressure for the Council and so adding 'affordable' to the title of this strategy, it becomes an affordable housing strategy rather than a standard housing strategy. This makes it clear what type of housing we are looking to promote outcomes for and who we need to work with to achieve this.

In the past 4 years, over the course of the previous Housing Strategy, the Council has:

- Delivered one of the highest numbers of affordable housing in England, completing 542 affordable homes in the past 3 years and generating a future pipeline of over 1600 additional homes
- Implemented a new allocations policy to help allocate affordable homes to those most in need
- Gorse Ride estate regeneration phase 1 completed (46 homes), with phase 2 underway
- Delivered an award-winning programme of six specialist housing schemes for 34 adult social care users, providing long term quality homes for those with learning disabilities, physical disabilities, complex needs or requiring mental health support
- Delivered a new Semi-independent Living (SIL) accommodation scheme for care leavers in Wokingham, providing accommodation for up to 7 care leavers
- Awarded Govt. grant funding through the Single Homelessness Accommodation Programme to deliver Housing First intensive support for 7 young people
- Awarded £3.1m grant funding towards the purchase of 17 homes for use by Ukrainian and Afghan refugees
- Provided an 18 unit affordable rented scheme for key workers in Wokingham through one of our Registered Provider partners
- Reduced the number of care leavers in temporary accommodation to 6 residents over last 2 years
- Submitted a successful bid has under the Social Housing Decarbonisation Fund to bring c110 homes to an EPC C by 2025.

The outcomes to be achieved from the new strategy are:

- Delivery of more affordable homes in the Borough
- Increased capacity within the private rental sector
- More opportunities for supporting the local economy and key sectors such as social care
- Enable people to stay in their homes for longer
- Delivering housing and support tailored to meet identified need
- Improving guidance and information
- Developing effective policies and strategies to ensure housing delivered meets need
- Improving the quality and management of affordable homes

- Ensuring quality and sustainability of design of all affordable homes
- Regenerating communities and housing stock
- Developing more socially inclusive communities through housing initiatives to support local residents Increase support for Early Intervention to prevent homelessness at the earliest opportunity
- Undertake a cross-annual service snapshot to identify young people aged 14+ who are at risk of homelessness
- Commitment to ensure young people do not need to present as homelessness in order to be accommodated

The Affordable Housing Strategy is the framework strategy document which defines the strategic vision of affordable housing for the Council. It provides an “umbrella” and oversees the supporting strategies of the Homelessness and Rough Sleeping Strategy, Young People’s Housing Strategy, a proposed new Older People’s Housing Strategy and Affordable Housing Options Strategy. Please see Enclosure 3 for more detail. The Council has significant pressure on our residents’ housing placements, especially those who require additional support needs. This strategy outlines how the Council will seek to provide for the Borough’s residents in a cost-effective and sustainable way, with community and social value a golden thread embedded within our way of working.

BUSINESS CASE

The current cost of living crisis is leading to soaring energy bills, interest rates and private sector rents have created a causal effect on the number of people presenting as homeless to the Council. The Affordable Housing Strategy seeks to identify and mitigate the challenges and risks outlined herein:

- Affordable housing delivery is dependent on developers bringing their sites forward which in turn is partly affected by the wider economic climate - rising build costs, shortages of skilled workers and a downturn in house prices can see delays in the delivery of schemes or a lack of planning applications coming forward which then results in the demand for affordable housing outstripping supply.
- Finite resources (such as land availability, financial resources) means that the Council cannot meet all need and faces a difficult task of prioritising competing requirements. For example, there are increasing demands from those facing homelessness, adult social care users or children’s services requiring more specialist accommodation.
- The reduced supply of affordable homes due to Right to Buy which reduces the amount of affordable housing stock in the Borough. Nationally around 40% of homes purchased under Right to Buy have later been sold into the private rental sector. This leads to more residents relying on housing benefit due to a lack of social rented homes.
- There is a small and expensive private rental sector in the Borough. With an increasing number of people on low incomes and a shortage of affordable housing this is pushing people to live in an unsuitable accommodation or to seek accommodation further afield.
- Climate change is already affecting houses within the Borough. More extreme weather events such as heatwaves and flooding, as well as rising temperatures risk making homes unliveable, threatening the health and wellbeing of our tenants. Homes need to be designed with climate change in mind, to ensure our residents are

protected, and minimise future spent to retrofit homes, or repair them after climate change impacts.

- At the same time, there is a challenge within the Borough to manage and balance housing need whilst ensuring homes are fit for future climate challenges, and the Council is able to reach carbon neutrality by 2030.
- Wokingham Borough has an increasing proportion of residents with long term health conditions, such as dementia, and people with learning disabilities or difficulties, it is important that we address and manage demand for long term care and maintain high quality services, especially where delivery of specialist accommodation can help alleviate financial pressures or deliver more effective care and support.
- There are pockets of deprivation, unemployment, and a risk of poverty within working families. With the cost-of-living crisis we are seeing more people presenting as homeless

The draft Affordable Housing Strategy has four key priorities, outlined below:

Strategic Priority 1 – Continue to address and understand our housing needs

The population and make up of our Borough is changing. The cost-of-living crisis is putting additional pressures on our residents. We have a small and expensive private rental sector in the Borough. There are increasing numbers of residents presenting as homeless. More affordable housing will be needed to meet demand and address the outcome of these pressures. We need a diverse mix of homes to meet the changing needs of our Borough, especially around a growing older population with homes for key workers required to support the ageing population. Furthermore, the future Adult Social Care reforms will lead to increased demand for older residents to remain in their own homes, if they so wish, with appropriate care and support.

Strategic Priority 2 – Provide suitable accommodation options to our most vulnerable residents

We want to support more people to live independently and stay healthy by offering the right housing options to meet their needs. With the cost-of-living crisis and increased complex health needs we need to offer more support and options to those who are homeless, currently sleeping rough, at risk of homelessness or are survivors of domestic abuse. Our priority groups for young people aged 16-25, are those in and transitioning out of care, 16/17-year-olds at risk of homelessness and Unaccompanied Asylum-Seeking Children (UASC) leaving care. We also have a large pipeline of need from those residents with learning disabilities, physical disabilities or are struggling with their mental health who require more support through specialist housing schemes.

Strategic Priority 3 – Ensure that homes are healthy, safe, efficient, environmentally sustainable and well designed

Poor housing can have a severe impact on health and wellbeing, resulting in stress and anxiety caused by living in insecure, unaffordable, or damp and mouldy homes. Overcrowded homes do not have space to study or play. Lack of stable housing can mean frequent school moves, with no chance to learn or make friends. Climate change

is already affecting our Borough (coupled with cost-of-living crisis), with impacts on the quality of life on our community and the most vulnerable residents. From April 2024, under the forthcoming Social Housing Regulation Act, housing associations and stock-holding local authorities will be required to demonstrate their adherence to consumer standards. The Council has committed to carbon neutrality by 2030. Thus, it becomes imperative, for the Council to deliver a good choice of high quality, climate-ready and well managed housing that will play an integral role in supporting residents with adapting to the evolving effects of climate change. This type of housing will have better energy efficiency standards, improved thermal comfort, reduced environmental impact, and contribute to Borough’s commitment to be carbon neutral by 2030.

Strategic Priority 4 – Create positive social impact which will help promote inclusive growth and develop thriving communities

The Council, together with its partners such as Registered Providers, the Tenant and Landlord Improvement Panel, organisations such as the NHS and third sector organisations, has a key role through engagement in helping to create thriving communities and address the root causes of housing crises such as improving employability, enhancing tenancy sustainability, reducing worklessness and a reliance on benefits. By investing in social capital programmes and delivering initiatives such as creative social prescribing and tenancy sustainment schemes, and arts based approached to improving health and wellbeing will help to empower residents and transform lives, as well as more broadly helping to support the local economy and wider community.

Next Steps

The strategy was released for public consultation on the 18th January 2024 which concludes on the 18th February that being before it is considered at this Executive meeting, prior to consideration at Full Council in March 2024 and before publication shortly after. The strategy will run for 4 years up to 2028 and progress against the strategic priorities will be assessed throughout including annual reviews of the action plan.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	nil	Yes.	
Next Financial Year (Year 2)	nil	Yes.	
Following Financial Year (Year 3)	nil	Yes.	

Other Financial Information
<p>One of the key outcomes the strategy seeks to address is cost avoidance and exploring opportunities to invest to save and applying for government grant. There are a number of housing schemes which are included in the Council's Medium Term Financial Plan for 2024/25, such as the Gorse Ride regeneration scheme and proposed affordable housing schemes on Council owned land where affordable housing delivery will be maximised. An action plan which will accompany the strategy will assist the monitoring against financial outcomes.</p> <p>Any future capital and revenue approvals needed to enact this strategy will be sought and contained within the Council's annual budget setting process whilst external grant funding opportunities will be sourced and pursued in order to maximise the outputs of this strategy.</p>

Legal Implications arising from the Recommendation(s)
<p>This report and decision making process arising from the same has been considered by the Legal Officer within the context of the Constitution and public law.</p>

Stakeholder Considerations and Consultation
<p>Public consultation released on the 18th January 2024 and concluded on the 18th February 2024.</p>

Public Sector Equality Duty
<p>A Stage 1 Equalities and Impacts Assessment has been undertaken and found only positive or neutral impacts on each demographic, so a Stage 2 assessment is not required.</p>

Climate Emergency – <i>This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030</i>
<p>The Affordable Housing Strategy aligns with this goal, aiming to provide sustainable and affordable homes which meet these climate targets. Recognising the link between housing quality and well-being, the strategy emphasizes the importance of climate-ready, energy-efficient homes through the inclusion of specific KPIs in this area. Meeting these will support residents in adapting to climate change and contribute to the council's carbon-neutral commitment by 2030.</p>

Reasons for considering the report in Closed Session
N/A

List of Background Papers
<p>Enclosure 1 - Affordable Housing Strategy Draft Enclosure 2 - Affordable Housing Strategy – Stage 1 EQIA Enclosure 3 – Housing Strategy Documents and Policies Chart</p>

Contact Frances Haywood	Service Place Commissioning
Telephone 0118 974 6859	Email frances.haywood@wokingham.gov.uk

This page is intentionally left blank

“Right Homes, Right Places”

Housing plays a huge role in the health, environmental, social and economic well-being of everyone who lives in the Borough. It is more than just bricks and mortar; everyone is affected by housing. Housing underpins local growth and economic stability as well as contributing to healthy, thriving communities.

With the effect of global economic shocks including soaring energy prices, rising interest rates and increasing inflation, have in turn created a cost-of-living crisis. This and coupled with the fact that Wokingham remains a Borough of high unaffordability means there is a real requirement to address housing need, especially as there is an increasing trend of more households presenting as homeless and younger people having to make stark life choices due to the high cost of housing. The Council’s aim is to create a future pipeline of affordable and sustainable homes for those most in need. This will help to reduce social and economic inequalities across the Borough by creating stable and safe homes. Working with our partners and engaging with our residents and landlords across the Borough, we will help to ensure that we address and understand our housing need and help maximise affordable housing delivery where possible. We will build the right homes in the right places, improve the quality, sustainability and design of the housing stock and support our residents by developing socially inclusive and healthy communities.

**By affordable housing we mean housing for those residents whose housing needs are assessed as not being met by the general market. Products include discounted rents and affordable home ownership products.*

The Council’s role includes:

- Working with developers and partners to deliver good quality environmentally and financially sustainable homes in the right places, maximising affordable housing where possible especially social rented homes
- Working with partners including, but not limited to, our housing companies, town and parish councils, RPs, neighbouring authorities, integrated care boards and the NHS
- Investing in our own housing stock, acting as corporate landlord to ensure we provide a decent standard of homes and respond to new regulations on health and safety
- To manage and respond to our housing needs
- Delivering ambitious estate regeneration programmes to develop well connected and socially inclusive communities
- Working with landlords to improve standards of private rental sector properties
- Working across different departments, agencies, and other Berkshire authorities to ensure effective infrastructure delivery to mitigate against development and support new and existing communities
- Prioritising people with additional support needs to access appropriate accommodation and support
- Acting as the corporate parent and providing accommodation for young people leaving care

Key facts and figures

- In Wokingham, the population size has increased by 15.0%, from around 154,400 in 2011 to **177,500** in 2021. This is higher than the overall increase for England (6.6%) where the population grew by nearly 3.5 million to 56,489,800 (and Southeast (7.5%). As of 2021, Wokingham is the 28th most densely populated of the South East's 64 local authority areas (Census 2021).
- Between 2011 to 2021, it is estimated that Wokingham saw a **11.1%** increase in the population aged between 15-64 and a **28.2%** increase in the population aged 65+. (Census 2021). The population is expected to grow by **8.9%** (14,867) by 2028 from 2018 (ONS 2020).
- The average price of a home in the Borough is **£511,505** compared to a national average of **£292,882** (UK House Price Index, Aug 2023)
- Those on the Council’s Housing Register identified as being in priority housing need (Band 1-3) stands at **606** households (September 2023)
- The Council has over **2500** affordable homes within its stock, with Registered Providers owning over **4500** affordable homes in the Borough

Our housing priorities – what we will do

Priority	Why is this important?
Continue to address and understand our housing needs	The population and make up of our Borough is changing with the biggest financial pressures coming from an ageing population over 65+ who require more adaptive accommodation to meet their changing requirements. As a local authority we will need to work more closely with external partners such as the NHS and third sector agencies to help address these changing needs. More generally, the cost-of-living crisis is putting additional pressures on our residents. We have a small and expensive private rental sector in the Borough. There are increasing numbers of residents presenting as homeless. More affordable housing will be needed to meet demand and address the outcome of these pressures. We need a diverse mix of homes to meet the changing needs of our Borough, especially around a growing older population with homes for key workers required to support the ageing population. Furthermore, the future Adult social care reforms will lead to increased demand for older residents to remain in their own homes, if they so wish, with appropriate care and support.
Provide suitable accommodation options to our most vulnerable residents	We want to support more people to live independently and stay healthy by offering the right housing options to meet their needs. With the cost-of-living crisis and increased complex health needs we need to offer more support and options to those who are homeless, currently sleeping rough, at risk of homelessness or are survivors of domestic abuse. Our priority groups for young people aged 16-25, are those in and transitioning out of care, 16/17-year-olds at risk of homelessness and Unaccompanied Asylum-Seeking Children (UASC) leaving care. We also have a large pipeline of need from those residents with learning disabilities, physical disabilities or are struggling with their mental health who require more support through specialist housing schemes.
Ensure that homes are healthy, safe, efficient, environmentally sustainable and well designed	Poor housing can have a severe impact on our health and wellbeing. Overcrowded homes don’t have space to study or play. Lack of stable housing can mean frequent school moves, with no chance to learn or make friends. In less obvious ways, poor housing can result in mental ill health, stress and anxiety caused by living in insecure, unaffordable or damp and mouldy homes. From April 2024, under the forthcoming Social Housing Regulation Act, housing associations and stock-holding local authorities will be required to demonstrate their adherence to consumer standards. A good choice of high quality, sustainable and well managed housing will help the Borough to achieve energy efficiency and reduce the environmental impact of housing, contributing to Borough’s commitment to be carbon neutral by 2030. This also includes providing more environmentally sustainable measures to existing stock.
Create positive social impact which will help promote inclusive growth and develop thriving communities	Building communities, not just homes, is essential for the future of the Borough. The Council, together with its partners such as Registered Providers, the Tenant and Landlord Improvement Panel and third sector organisations, has a key role through engagement in helping to create thriving communities and address the root causes of housing crises such as improving employability, enhancing tenancy sustainability, reducing worklessness and a reliance on benefits. By building healthy communities, using Marmot principles*, we can help address social and health inequalities across the Borough. By investing in

social capital programmes and delivering initiatives such as creative social prescribing and tenancy sustainment schemes, and arts based approaches to improving health and wellbeing will help to empower residents and transform lives, as well as more broadly helping to support the local economy and wider community.

**Eight policy areas have been designed by Professor Sir Michael Marmot to support healthy and sustainable communities, these include early years development, employment, living standards, communities, ill-health prevention, discrimination, and environmental sustainability.*

Our successes since the last Housing Strategy	Our challenges going forward
<ul style="list-style-type: none"> As a Local Authority we delivered one of the highest numbers of affordable homes in England, completing 542 affordable homes in the past 3 years and generating a future delivery pipeline of over 1600 additional affordable homes Implemented a new allocations policy to help allocate affordable homes to those most in need. Compared to other Berkshire and Greater London authorities the number of people on our Housing Register remains static but low Gorse Ride estate regeneration phase 1 completed (46 homes), with plans for phase 2 underway. The estate has been designed to be gas free Delivered an award-winning programme of six specialist housing schemes for 34 adult social care users, providing long term quality homes for those with learning disabilities, physical disabilities, complex needs or requiring mental health support Delivered a new Semi-independent Living (SIL) accommodation scheme for care leavers in Wokingham, providing accommodation for up to 7 care leavers Awarded Govt. grant funding to deliver four properties for those sleeping rough in the Borough and who require intensive support using a Housing First model. Secured further funding through the Single Homelessness Accommodation Programme. Awarded £3.1m grant funding towards the purchase of 17 homes for use by Ukrainian and Afghan refugees Provided an 18 unit affordable rented scheme for key workers in Wokingham through one of our Registered Provider partners Increased our provision of temporary accommodation by securing long term leases with private landlords and delivering a 23 unit modular build scheme in Winnersh Focussed on practical responses, preventative initiatives, enhancing housing pathways to help end rough sleeping Reduced the number of care leavers in temporary accommodation from 9 to 2 residents Helped people access and secure private rented housing, through schemes such as the Rent in Advance/ Deposit Loan Scheme Met and maintained the Decent Homes Standard target on our own housing stock, with the majority of stock meeting an EPC C rating Submitted a successful bid has under the Social Housing Decarbonisation Fund to bring c110 homes to an EPC C by 2025. Over 1600 households in the Borough received assistance from Help to Heat (a Govt. energy grant). 	<ul style="list-style-type: none"> Affordable housing delivery is dependent on developers bringing their sites coming forward which in turn is partly affected by the wider economic climate - rising build costs, shortages of skilled workers and a downturn in house prices can see delays in the delivery of schemes or a lack of planning applications coming forward which then results in the demand for affordable housing outstripping supply Finite resources (such as land availability, financial resources) means that the Council cannot meet all need and faces a difficult task of prioritising competing requirements. For example, there are increasing demands from those facing homelessness, adult social care users or children's services requiring more specialist accommodation The reduced supply of affordable homes due to Right to Buy which reduces the amount of affordable housing stock in the Borough. Nationally around 40% of homes purchased under Right to Buy have later been sold into the private rental sector. This leads to more residents relying on housing benefit due to a lack of social rented homes There is a small and expensive private rental sector in the Borough. With an increasing number of people on low incomes and a shortage of affordable housing this is pushing people to live in an unsuitable accommodation or to seek accommodation further afield There is a challenge within the Borough to manage and balance housing need whilst protecting the quality of our environment especially in order to achieve carbon neutrality by 2030 Wokingham Borough has an increasing proportion of residents with long term health conditions, such as dementia, and people with learning disabilities or difficulties, it is important that we address and manage demand for long term care and maintain high quality services, especially where delivery of specialist accommodation can help alleviate financial pressures or deliver more effective care and support There are pockets of deprivation, unemployment, and a risk of poverty within working families. With the cost of living crisis we are seeing more people presenting as homeless

What do our residents say? (To note STAR survey outcomes for 2023 will be included in this section – this is a survey of the Council's housing tenants)

- In the New Homes Survey 2023 (survey to all new homes in the Borough):**
- 82% of respondents were either satisfied or very satisfied with their new home
 - 100% of shared owners were satisfied with their new home
 - 70% agree that their house and area are attractive
 - 77% felt a sense of community

What we are going to do - how we will address our priorities		
Priority	Outcomes	What are we going to do?
Continue to address and understand our housing needs	Delivery of more affordable homes in the Borough	<ul style="list-style-type: none"> Work towards maximising affordable housing delivery through the Local Plan Update, subject to development viability Over 600 affordable homes to be delivered through the Council's partnership with Registered Providers during the Housing Strategy period (subject to development sites coming forward) The Council to consider 100% affordable sites up to a threshold of 50 homes per site and subject to the requirement for supporting infrastructure requirements The Council to support affordable housing delivery through its own housing companies The Council to explore opportunities to repurpose underutilised or vacant assets and to maximise affordable housing delivery on its own land assets, subject to viability and prioritisation of service need Create an Affordable Housing Delivery Options Strategy to look at options for future delivery including maximising external funding and regeneration opportunities Address the housing needs of our refugee communities, Gypsy Roma Traveller and Boat Dweller communities
	Increased capacity within the private rental sector	<ul style="list-style-type: none"> Work with private landlords to expand the private rented sector to increase the range of available housing options Aim to enhance access to more affordable rental accommodation by exploring the possibility of local rent control measures or incentivising landlords to offer lower than market rents Explore how the Council's housing companies could provide accommodation through a private rental sector approach
	More opportunities for supporting the local	<ul style="list-style-type: none"> Work with our partners to provide more key worker accommodation and explore the possibility of short-term tenancies for transitional key workers on short term contracts where this supports sectors such as social care or creative industries

	economy and key sectors such as social care	
	Enable people to stay in their homes for longer or providing suitable accommodation options for the ageing population	<ul style="list-style-type: none"> Understand the requirement for those older residents who want to stay in their own homes with appropriate care and support Working with external partners such as NHS and third sector agencies to help address changing needs Work with colleagues in Adult Social Care to help prepare for the adult social care reforms and any potential impact on housing requirements Ensure we have the appropriate funding in place to support those who want to stay in their homes for longer (e.g., Disabled Facilities Grant funding) Ensure all new homes are accessible as per the accessibility standards
Provide suitable accommodation options to our most vulnerable residents	Delivering housing and support tailored to meet identified need	<ul style="list-style-type: none"> Developing more supported housing for vulnerable people based on need including rough sleepers, those requiring temporary accommodation, survivors of domestic abuse, adult social care clients, children in care and care leavers and those requiring more support Inclusion of specialist accommodation as part of affordable housing provision within new development schemes where appropriate, especially where schemes are close to local facilities or public transport Work with the Council's Registered Provider partners to deliver more specialist and supported accommodation Continue to provide a range of care and support services to help vulnerable people live independently Explore the feasibility of providing more targeted support for those in housing need through schemes such as a mother & baby unit or other family focussed schemes which support single fathers
	Improving guidance and information	<ul style="list-style-type: none"> Continue to improve access to information, advice and guidance on housing, distributing information through a variety of partners including our town and parish councils, Citizens Advice Wokingham, voluntary and charity sector partners Enhance the digital advice and guidance available to residents via the Council's website and social media
	Developing effective policies and strategies to ensure housing delivered meets need	<ul style="list-style-type: none"> Implementation of a new Young Persons Housing Strategy and an updated Homelessness and Rough Sleeping Strategy in 2024/25 Development and implementation of a new Older Persons and Specialist Accommodation Housing Strategy Develop a Specialist Housing Supplementary Planning Document ensuring best practice in the design and delivery of specialist housing for our most vulnerable residents
Ensure that homes are healthy, safe, efficient and well designed	Improving the quality and management of affordable homes	<ul style="list-style-type: none"> Improve the quality and on-going management of homes and environments containing affordable housing Make best use of existing homes and assets to help tackle housing need as well as over-crowding and under-occupation Ensure all landlords in the Borough engage with and listen to their tenants and deliver the best possible housing management service Ensure that the Council continues to engage with and involve its tenants through the Tenant and Landlord Improvement Panel and ensure the core values of their Tenants Charter are reflected across all affordable housing Support our Private Rented Sector (PRS) residents and work with PRS landlords to improve standards of properties and expand the capacity of the PRS to increase the housing options available to the Borough's residents Improve the temporary and emergency accommodation offer for rough sleepers and homeless residents Ensure that fire safety, health and safety remain the top priority in every home and housing scheme
	Ensuring quality and sustainability of design of all affordable homes	<ul style="list-style-type: none"> The adoption of a new Local Plan, updated Affordable Housing Supplementary Planning Document and Borough Design Guide Improve energy efficiency, reduce carbon emissions and fuel poverty, working towards achieving a carbon neutral Borough by 2030. Make the best use of Council-owned land setting the standard for high quality sustainable new housing and ensure that new Council owned homes aspire to be carbon neutral Improve energy performance of Council housing stock to EPC C and above by 2030, delivering schemes to support retrofitting of existing older stock to ensure we meet our climate emergency aims Engage with the Council's partner Registered Providers to support retrofitting of older homes in the Borough Ensure new developments make adequate provision for sustainable transport, electric vehicle charging points, superfast broadband and work from home facilities
	Regenerating communities and housing stock	<ul style="list-style-type: none"> Continue to deliver regeneration programmes of older, poor quality housing stock such as at Gorse Ride in Finchampstead Ensure any regeneration projects are led by the local community and address their needs and priorities Ensure any regeneration projects help to build resilient communities and housing stock for future climate impacts
Create positive social impact which will help to underpin local growth and develop inclusive and thriving communities	Developing more socially inclusive communities through housing initiatives to support local residents	<ul style="list-style-type: none"> Promote independence, health and wellbeing to all residents Work to improve life chances for all tenants including a stable home and employment opportunities Create communities and homes, not housing and estates, ensuring that the impact on existing communities from new development is minimised during the development period and is positive in the longer term, utilising arts based approaches to community cohesion and placemaking Continue to expand employment and training opportunities for all residents including exploring and implementing opportunities for vulnerable residents Improve day to day housing affordability through preventative projects to tackle challenges such as fuel poverty Work together with partner Registered Providers on specific activities which contribute to social and community inclusion and support tenancy sustainability such as creative social prescribing

How will we measure success? We will use the following example indicators to measure our progress against the high level outcomes:

<p>Continue to address and understand our housing needs</p> <ul style="list-style-type: none"> Number of affordable homes delivered especially social rented homes Number of affordable homes negotiated 	<p>Provide suitable accommodation options to our most vulnerable residents</p> <ul style="list-style-type: none"> No care leavers in temporary accommodation 	<p>Ensure that homes are healthy, safe, efficient and well designed</p> <ul style="list-style-type: none"> % of affordable housing stock which meets the Decent Homes Standard Ensure all new homes are carbon-neutral 	<p>Create positive social impact which will help to underpin local growth and develop inclusive and thriving communities</p> <ul style="list-style-type: none"> Number of residents supported through initiatives such as creative
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<ul style="list-style-type: none"> • Delivery of additional GRT pitches and boat dweller moorings 	<ul style="list-style-type: none"> • Ending all rough sleeping by 2025 (to note this is a national government policy approach) • Numbers of people accessing information, advice and guidance • Number of care leavers and Learning Disabled residents in suitable accommodation • % of those presenting as homeless, homeless acceptances and use of B&B • Delivery of supported housing projects 	<ul style="list-style-type: none"> • Adoption of a new Local Plan and sustainability policies • Implementation of an updated Affordable Housing SPD and Borough Design Guide • Annual publication of Climate Emergency Action Plan progress report (CEAP) • Number of council-owned properties with EPC rating C and above • % of Homes with EPC C rating or above by 2030 • Number of social housing properties achieving high efficiency standards • RPs to complete a stock survey of all existing Wokingham properties • RPs to measure and report back on the SAP and EPC rating of all new developments in Wokingham 	<p>social prescribing or arts based community cohesion initiatives</p> <ul style="list-style-type: none"> • Number of households lifted out of fuel poverty • Number of residents participating in business enterprise/skills development courses • % satisfaction levels in the annual New Homes survey • Ongoing engagement/consultation with key groups e.g. young people to understand their needs and requirements • Using tailored arts based approaches to increase participation in community initiatives
------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

An accompanying action plan has been developed which will be updated annually and will set out how the Council will deliver against the priorities set out above. Progress will be monitored by the Council, HAIG (member/officer group) and the Council's Registered Provider Partnership.

Local housing data is collated, analysed and published every 3 months in the Housing Facts and Figures report available on the Council's website.

TITLE	Young People's Housing Strategy 2024-2028: To provide safe, secure, and affordable accommodation for our Care Leavers, 16/17-year- olds at Risk of Homelessness and Unaccompanied Asylum-Seeking Children
FOR CONSIDERATION BY	Council on Thursday, 21 March 2024
WARD	None Specific;
LEAD OFFICER	Director, Place and Growth - Giorgio Framaliccio
LEAD MEMBER	Leader of the Council and Executive Member for Housing - Stephen Conway

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

To obtain the Council's approval to adopt the Wokingham Borough Council's Young People's Housing Strategy 2024-2028. As per Chapter 4.1.1 of the Constitution, the Council's Housing Strategies must be considered at Full Council. The Strategy will be considered by the Executive on 14 March and subsequently the Executive will make recommendations to Council.

This strategy outlines four strategic priorities and introduces an action plan to provide the Council's direction to assist our Corporate Parenting responsibility and provide safe, secure, and affordable accommodation for young people priority groups. These have been identified as Care Leavers, Former Unaccompanied Asylum-Seeking Children Care Leavers and 16-17 year olds at risk of homelessness. By providing a clear strategic direction, underlined by a commitment to partnership working, we aim to improve outcomes for our young people and enhance efficiency of Council services and budgets by:

1. Increasing the Council's housing options
2. Developing clear housing pathways
3. Supporting tenancy sustainment
4. Reducing homelessness and rough sleeping

This will increase housing security for our young people, increase support and variance of local affordable housing options and reduce the cost of expensive external accommodation placements. In turn, we anticipate improved outcomes for young people and the wider community through the implementation of this strategy and action plan.

RECOMMENDATION

That Council approves the adoption of Wokingham Borough Council's Young People's Housing Strategy 2024-2028: To provide safe, secure, and affordable accommodation for our Care Leavers, 16/17-year-olds at Risk of Homelessness and Unaccompanied Asylum-Seeking Children.

EXECUTIVE SUMMARY

This strategy supports the delivery of the Affordable Housing Strategy and sets out the strategic direction for young people priority groups in the Borough. These have been identified as Care Leavers, 16/17-year-olds at risk of homelessness and Former Unaccompanied Asylum-Seeking Children Care Leavers (UASCs). The Council's strategic needs data forecasts that by 2025/26 we will have responsibility for an additional 25 former UASC Care Leavers and an additional 22 Care Leavers which, if not addressed, will lead to exponentially rising costs to find alternative accommodation placements. This strategy will support those aims through four strategic priorities:

Strategic Priority 1 – Expanding Housing Options

Strategic Priority 2 – Developing Clear Housing Pathways

Strategic Priority 3 – Supporting Tenancy Sustainment

Strategic Priority 4 – Reducing Homelessness and Rough Sleeping

An action plan is included within this strategy which will monitor and evaluate this strategy against these strategic priorities. This will enable us to track our progress, and any blockages, in delivering these strategic objectives including regular reports and feedback with the Council's tenant engagement groups. The strategy will also have oversight from Member/Officer groups. The strategy does not commit additional expenditure but commits to explore opportunities to reduce spending on expensive accommodation placements for these priority groups through invest-to-save models.

This strategy was presented at Children Services Overview and Scrutiny Committee in January 2024. It was advised to incorporate commitments to securing affordable housing for veterans and affordable home ownership products for young people in the Affordable Housing Strategy, as it was not in scope of the Young People's Housing Strategy. It was also advised to review the name of this strategy to make it clear who will benefit from its introduction. To this end, a vision statement was included as a subtitle on the front page, other options were considered but not deemed suitable. Following approval at Executive, the strategy will go to Full Council in July 2024 where it is expected to be published shortly after.

BACKGROUND

At a time of national economic turbulence and a cost-of-living crisis, it is important to ensure that the Borough's young people, and young people coming into the Borough, have the necessary housing support to navigate these challenging times. This strategy outlines the Council's strategic priorities to provide innovative solutions and consolidate resources to enable us, and our partners, to address the key challenges facing young people in Wokingham Borough.

The Council is the Corporate Parent for those in care and leaving care. This means that we have a responsibility to provide safe, secure, and affordable accommodation with accompanying support to the young people we are responsible for. An increase in the number of young people that require our support increases the financial outlay for the Council to provide this support. Therefore, this strategy will commit to increasing housing options and supported placements to ensure the Council increases its quality and quantity of accommodation placements. This will be achieved through maximising affordable housing delivery for young people through negotiations with developers, partnership working with our Registered Provider Partners and assessing our existing stock and assets. This strategy has been co-produced with young people, residents, partner agencies and the Council's expert officers. Partnership working is fundamental to the success of this strategy to address the challenges faced by these priority groups. To this end, it is important that every stakeholder this strategy supports can own their objectives within the strategy and that this is a live document owned by all involved.

The Council's previous Young People's Housing Strategy ran from 2014 to 2019 and produced several outcomes. However, given the current pressures being faced by young people and the Council, there is a need to produce a new, bespoke strategy which reflects the current pressures and trends.

In the past 6 years, the Council developed two Semi-Independent Living (SiLs) schemes at Reading Road and London Road in Wokingham. A SiL is a supported placement which provides accommodation and support to young people whilst encouraging independent living. From January 2022 to January 2023 these developments supported 8 and 11 new placements respectively. Both SiLs provide drop-in sessions to support independent living, employment, and education. The Council also has 2 x Supported Lodgings and runs the Shared Lives scheme which enables a young person with a learning disability to live in a family setting as a young adult. There is also floating housing support available across the Borough through our provider Transform Housing.

The Council now needs to build on this and is seeking to achieve the following outcomes from the new strategy, which include:

- Securing specialist accommodation through developer contributions via the provision of affordable housing
- Partnership working with our Registered Provider partners to secure specialist accommodation especially where this can be provided in addition to developer contributions
- Monitoring and applying for external grant funding opportunities to support the provision of new schemes or help with revenue funding to support more young people
- Assessing the Council's existing assets to increase its housing stock

- Working with our Local Housing Companies (Loddon Homes/Berrybrook) to deliver specialist accommodation
- Evaluating and forecasting our young people's housing needs to enable effective commissioning of accommodation
- Continued assessment of the Young People's Housing Panel and partnership working between Children Services and Housing
- Improving communication with Care Leavers who are waiting for an offer of social housing
- Explore the implementation of trainer apartments
- Sign up to the Care Leaver Covenant to embed best practise throughout the Council, and its partner's, services
- Increase support for Early Intervention to prevent homelessness at the earliest opportunity
- Undertake a cross-annual service snapshot to identify young people aged 14+ who are at risk of homelessness
- Commitment to ensure young people do not need to present as homeless in order to be accommodated

Moving forwards, the Medium Term Financial Plan for 2024/25 includes an allocation to delivering supported accommodation for Care Leavers at Seaford Court as well as an allocation to develop Care Leaver accommodation at Wellington Road. This demonstrates our pipeline of delivery for providing additional affordable homes for young people priority groups, a key priority of this strategy.

The Young People's Housing Strategy will sit under the Affordable Housing Strategy as the master housing strategy and alongside other housing strategies such as the Homelessness and Rough Sleeping Strategy and an anticipated Older People's Housing Strategy. This strategy outlines how the Council will support the strategic priorities within the Affordable Housing Strategy and wider Council strategies. An action plan will accompany this strategy which will outline the key deliverables and milestones through the strategy period. This action plan will be updated and refreshed annually and overseen by the Young People's Housing Panel.

Members, Officers, stakeholders, and the public have had the opportunity to respond to the consultation on the draft strategy. The consultation was sent out across the Council, to all Members, the Parish and Town Councils, the RP Partnership, TLIP, DLUHC, DfE, Homes England, partner agencies and local charities. It will also be publicised through a press release and our social media. As part of the consultation, we will ask questions around whether consultees agree with the objectives set out in the strategy, what challenges they think the Borough is facing in terms of housing young people, and what fundamental outcomes they would like to see from the delivery of the strategy.

BUSINESS CASE

The last four years since the COVID-19 pandemic have had an adverse and disproportionate impact on young people. A national study completed by Homeless Link in 2021 demonstrated that the pandemic had an impact on youth homelessness as the pressure of lockdowns led to an increase in family breakdowns and services reporting worsening mental health and drugs and alcohol misuse. The subsequent cost-of-living crisis has also contributed to a decrease in the quality and value of the private rental market nationally. Consequently, Centrepoin estimates that 129,000 approached their

council to avoid homelessness in 2022, this figure excludes a significant number who do not present but would meet the homelessness or rough sleeping definition. Locally, a similar picture is forming with 200 homelessness approaches from young people in the 12 months up to October 2023. There is a causal link between this increase and national economic turbulence, with private rents and evictions at an all-time high. This decreases housing security for families and strains relationships leading to a rise in family breakdowns, the leading cause of 16/17 year olds being at risk of homelessness. This is evidenced in Wokingham with the Council's strategic needs data forecasting that by 2025/26 we will have responsibility for an additional 25 former UASC Care Leavers and an additional 22 Care Leavers which, if not addressed, will lead to exponentially rising costs to find alternative accommodation placements.

The draft Young People's Housing Strategy has four key priorities, outlined below:

Strategic Priority 1 – Expanding Housing Options

Increased provision to provide a range of options to suit the different needs of each young person with an emphasis on the right homes in the right places cognisant of the individual contexts and requirements of support for each young person. This involves maximising our resources and our partnerships with external partner agencies including government and our Registered Provider partners.

Strategic Priority 2 – Developing Clear Housing Pathways

The Council has a Corporate Parenting Duty to young people in our care. As well as having sufficient housing options, our young people need to have a robust and planned housing pathway. This priority will ensure our young people have greater confidence in their housing security and the right support in order to fulfil this pathway.

Strategic Priority 3 – Supporting Tenancy Sustainment

Care Leavers have the lowest rates of tenancy sustainment and highest rental arrears compared to the Council's other residents. This makes it more challenging to fulfil a safe and secure home. This priority outlines how we can best support our young people to become tenancy ready which will increase their housing options and reduce financial pressures on the Council.

Strategic Priority 4 – Reducing Homelessness and Rough Sleeping

As a Corporate Parent, it is the Council's responsibility to ensure that no young person within our care experiences homelessness or rough sleeping and where it does occur it is rare, brief and non-recurrent. This priority will look to increase support for our most vulnerable young people through the delivery of projects such as the Single Homelessness Accommodation Programme whilst increasing support for early intervention to stop homelessness at the earliest possible stage.

Next Steps

The strategy was released for public consultation on the 18th January 2024 which concludes on the 18th February 2024 before it is considered at this Executive meeting prior to consideration at Full Council in March 2024 before publication shortly after. The

strategy will run for 4 years up to 2028 and progress against the strategic priorities will be assessed throughout including annual reviews of the action plan.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	nil	Yes	
Next Financial Year (Year 2)	nil	Yes	
Following Financial Year (Year 3)	nil	Yes	

Other Financial Information

One of the key outcomes this strategy seeks to address is cost avoidance and exploring opportunities to invest to save. However, it is not possible to cost these individual savings until business cases for specific schemes or initiatives have been explored in more detail. An action plan accompanies the strategy which will assist the monitoring of this strategy against financial outcomes.

The capital and revenue approvals needed to enact this strategy will be sought and contained within the annual budget setting process whilst external grant funding opportunities will be sourced and pursued in order to maximise the outputs of this strategy.

Legal Implications arising from the Recommendation(s)

This report and decision making process arising from the same has been considered by the Legal Officer within the context of the Constitution and public law.

Stakeholder Considerations and Consultation

Public consultation released on the 18th January 2024 and concluded on the 18th February 2024.

Public Sector Equality Duty

A Stage 1 Equalities and Impacts Assessment has been undertaken and found only positive or neutral impacts on each demographic, so a Stage 2 assessment is not required.

Climate Emergency – *This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030*

This strategy will sit under the Affordable Housing Strategy (2024-2028) which has committed to procure additional affordable and sustainable homes in line with the Climate Emergency Action Plan to do as much as possible to achieve carbon neutrality by 2030 by achieving the EPC and efficiency KPIs stated within. Therefore, any

additional homes procured for young people as a result of this strategy will adhere to the same strategic commitment.

Reasons for considering the report in Closed Session

N/A

List of Background Papers

Enclosure 1 - Young People's Housing Strategy Draft

Enclosure 2 - Young People's Housing Strategy – Stage 1 EQIA

Contact Samuel Watt

Service Place Commissioning

Telephone 07786855374

Email samuel.watt@wokingham.gov.uk

Young People's Housing Strategy

*To provide safe, secure, and affordable accommodation for
Care Leavers, 16/17-year-olds at Risk of Homelessness and
Unaccompanied Asylum-Seeking Children*

2024-2028

Contents

Strategy on a Page	3
Glossary.....	4
Foreword – Cllr Stephen Conway	5
Introduction	6
National and Local Context	7
Partnership Working	11
Strategic Priority 1 – Expanding our Housing Options for Young People	12
Strategic Priority 2 – Developing Clear Housing Pathways.....	14
Strategic Priority 3 – Supporting Tenancy Sustainment	17
Strategic Priority 4 – Reducing Homelessness and Rough Sleeping	21
Monitoring and Evaluation	24
Next Steps	25

Strategy on a Page

Summary of Young People's Housing Strategy 2024-2028

Strategic Priority	1. Expanding Housing Options	2. Developing Clear Housing Pathways	3. Supporting Tenancy Sustainment	4. Reducing Homelessness and Rough Sleeping
Over the last 4 years we have:	<p>Built a Semi-Independent Living home for 7 Care Leavers.</p> <p>Purchased two Children Homes in the Borough.</p> <p>Completed the Transitions House project for those with additional requirements assisting their transition into adulthood.</p>	<p>Created a Young People's Housing Panel which has reduced use of temporary accommodation and increased social housing offers for Care Leavers.</p> <p>Improved collaboration between Housing and Children Services which has increased tenancy sustainment whilst reducing evictions and wait times for housing.</p> <p>Implementation of Rent Guarantee Scheme to support move-on into the Private Rented Sector.</p>	<p>Successfully applied for the Staying Close funding from the DfE to provide bespoke support for tenancy sustainment. This will lead to more successful transitions to independent living for our Care Leavers.</p> <p>Introduced the Rent Guarantee and Rent in Advance Schemes to assist residents moving into the Private Sector.</p> <p>Revised our Allocations Policy to better suit the needs of our residents, including for our Care Leavers and young people.</p>	<p>Successfully applied for the Single Homelessness Accommodation Programme.</p> <p>Recruited a Young Person's Housing Navigator.</p> <p>Duty to Refer embedded in the Young People's Housing Protocol and our housing services.</p>
In the next 4 years we aim to:	<p>Secure accommodation for our young people through affordable housing negotiations.</p> <p>Expand the Private Sector Landlord Forum to increase move-on options.</p> <p>Encourage our Registered Provider Partners, including our Local Housing Companies, to deliver more accommodation for our young people.</p> <p>Monitor external grant funding opportunities.</p> <p>Assess existing Council assets to increase housing stock for our young people.</p>	<p>Evaluate the Young People's Housing Needs Assessment to help plan young people's housing pathways.</p> <p>Ensure that when a young person becomes looked after at aged 16/17, they are assigned a Personal Advisor and a Social Worker.</p> <p>Continued assessment of the Young People's Housing Panel's effectiveness between Children Services and Housing.</p> <p>Continue our commitment to not place young people in temporary or emergency accommodation.</p>	<p>Improve communication with Care Leavers whilst they are waiting for their offer of social housing.</p> <p>Explore the delivery and implementation of trainer apartments.</p> <p>Explore additional support to increase young people's tenancy sustainment.</p> <p>Sign up to the Care Leaver Covenant to embed best practise in our, and our partners, processes.</p>	<p>Deliver the Single Homelessness Accommodation Programme funding.</p> <p>Undertake an annual cross-service snapshot to identify young people aged 14+ who are at the highest risk of homelessness at 16/17.</p> <p>Explore how to increase support for early intervention to reduce homelessness.</p> <p>Commitment to ensure young people do not present as homeless in order to be accommodated.</p> <p>Lobby government for more funding and support.</p>

Glossary

Care Leaver - Someone who has been in the care of the Local Authority for a period of 13 weeks or more spanning their 16th birthday.

Duty to Refer – Public authorities to notify the Council that a person who has engaged with them might be homeless or at risk of homelessness.

Personal Advisor – Appointed from the age of 16 to support and prepare for independence up to the age of 25.

National Transfer Scheme – A government initiative re-introduced in 2021 to ensure an even distribution of UASCs across local authorities across the country.

Registered Provider (RP) – Housing Associations or Local Authorities that provide social housing.

Unaccompanied Asylum-Seeking Children (UASCs) – Children and young people who are seeking asylum but who have been separated from their parents or carers. Whilst their claim is being processed, they are cared for by a local authority.

Foreword – Cllr Stephen Conway

Increasingly young people are being held back by the housing crisis and are frequently locked out of the social rented sector in this country, having to turn to an unaffordable private rented sector, live in temporary accommodation or risk homelessness. As a local authority we want to try and change that narrative and help provide stable and suitable accommodation options for those vulnerable young people who live in and come into our Borough. This strategy focuses particularly on those vulnerable groups (Care Leavers, 16/17-year-olds at risk of homelessness and former Unaccompanied Asylum-Seeking Children Care Leavers), but this does not come without acknowledgement of all those young people who are finding it harder to access affordable housing or get themselves onto the housing ladder. Our Affordable Housing Strategy 2024- 28 provides strategic direction for affordable housing generally, with one of our main aims to maximise the delivery of affordable housing and housing options so that all residents can access stable and suitable accommodation when they are in need.

We are already a Corporate Parent for those children and young people who are looked after by us, and it is our responsibility to provide the best possible care and safeguarding for these young people. Throughout the last few years, we have seen a number of factors contribute to make it harder for young people to access affordable housing with an accompanying increasing demand for accommodation and support services.

As well as having a roof over their heads, many of our young people will require additional support for tenancy sustainment, education, employment and beyond. This needs to be tied into a clear housing pathway that is built in collaboration with the young person by the people that they trust. We have already had great success in securing grant funding to provide additional and innovative support to assist with life skills as well as more complex support for those who require it. This will ensure that we have a range of accommodation and support packages to enable the pursuing of healthy and independent living regardless of the young person's individual situation. This strategy seeks to continue to source and expand our options for supporting our young people on their housing journey.

More generally, by increasing our options of local, good quality and sustainable housing, we can provide an improved housing service, mitigate against expensive out of Borough placements, and take ownership of the quality of accommodation and services provided.

Finally, I would like to underline our commitment to partnership working with our Registered Providers and the third sector in Wokingham to provide the best possible housing pathway to the young people this strategy focuses on. At a time when demand for housing, and the cost of meeting this demand is at an all-time high, it is more important than ever before to seek creative solutions to the myriad of issues we are facing. I am committed to delivering this strategy with our partners, and supporting the opportunities it will create, to improve outcomes for young people's housing and strengthen our resilience to the increasing challenges faced.

Councillor Stephen Conway

Leader of the Council and Executive Member for Housing and Partnerships

Introduction

A stable and secure home is one of the key building blocks of a good life. It is more than just bricks and mortar; the condition and nature of homes can have a big impact on people's lives and their health and wellbeing. Factors such as stability, space, tenure, and cost have an impact on people's lives, particularly for young people living or coming into the Borough. We need to ensure they have the necessary skills and support to navigate this.

This document sets out the strategic direction for our priority groups in the Borough. These have been identified as Care Leavers, 16/17-year-olds at risk of homelessness and former Unaccompanied Asylum-Seeking Children Care Leavers (UASCs). We have significant financial pressures, partially caused by the increase in cost and quantity of placements for our young people. Currently, we do not have enough suitable placement and cost-effective housing options to meet the needs of our young people. Our Young People's Housing Needs assessment forecasts that by 2025/26 we will have responsibility for an additional 25 former UASC Care Leavers and an additional 22 Care Leavers which, if not addressed, will lead to exponentially rising costs to find alternative private accommodation placements. The four strategic priorities that this strategy will commit to deliver to improve outcomes for our young people priority groups are:

Strategic Priority 1 – Expanding Housing Options

Strategic Priority 2 – Developing Clear Housing Pathways

Strategic Priority 3 – Supporting Tenancy Sustainment

Strategic Priority 4 – Reducing Homelessness and Rough Sleeping

We are the Corporate Parent for those in care and leaving care. This means that we have a responsibility to provide safe, secure, and affordable accommodation with accompanying support. An increase in the number of young people that require our support increases our financial outlay to provide this support. Therefore, this strategy will commit to increasing housing options and supported placements to ensure we are able to increase the quality and quantity of accommodation placements with a view to reducing the overall financial impact and improving outcomes.

This strategy has been co-produced with young people, residents, partner agencies and our expert officers. Partnership working is fundamental to the success of this strategy to address the challenges faced by these priority groups. To this end, it is important that every stakeholder this strategy supports can own their objectives within the strategy and that this is a living document owned by all involved.

An action plan has been developed alongside this strategy which will monitor and evaluate the progress of this strategy against the strategic priorities. This will enable us to track our progress and any blockages in delivering these strategic objectives including regular reports and feedback from our young people and our tenant engagement groups. This will ensure the strategy is held to account by those who will be directly affected by it.

National and Local Context

National Picture

The last four years since the COVID-19 pandemic have had an adverse and disproportionate impact on young people. A national study completed by Homeless Link in 2021 demonstrated that the pandemic had an impact on youth homelessness as the pressure of lockdowns led to an increase in family breakdowns and services reporting worsening mental health and drugs and alcohol misuse.

The cost-of-living crisis has also contributed to a decrease in the quality and value of the private rental market nationally. Consequently, DLUHC homelessness data for July-September 2023 states that 87,510 and 152 households presented nationally and in Wokingham respectively as homeless to avoid homelessness. This figure excludes a significant number who do not present but would meet the homelessness or rough sleeping definition.

Local Picture

Locally, a similar picture is forming with 200 homelessness approaches from young people in the 12 months up to October 2023. This represents a year-on-year increase since the pandemic with forecasts suggesting approaches will continue to increase for the foreseeable future. There is a causal link between this increase and national economic turbulence, with private rents and evictions at an all-time high. This decreases housing security for families and strains relationships leading to a rise in family breakdowns, the leading cause of 16/17 year olds being at risk of homelessness.¹ With increased demand for our services, at a time of significant financial pressure, it is important to evaluate how we can continue to improve outcomes for our young people.

In 2023, Children Services commissioned the Young People's Housing Needs Assessment to understand anticipated demand of our young people and their expected housing pathways. The number of Care Leavers and former UASCs Care Leavers that require affordable housing over the next 4 years is forecasted at 167 placements. These placements have been identified across a variety of provisions to meet identified need.

PLACEMENT	FORECAST DEMAND UP TO 2027
SEMI-INDEPENDENT	43
STAYING PUT	11
SUPPORTED LODGINGS	20
INDEPENDENT TENANCY/HMOs	93

FIGURE 1 - FORECAST ACCOMMODATION PLACEMENTS¹

A significant portion of the total demand (167) relates to former UASC Care Leavers. In Wokingham, this number has increased significantly since 2022 following the National Transfer Scheme (NTS) becoming mandatory. From 15 February 2022, all local authorities in the UK were directed to participate in the NTS. This meant that local authorities are required to accommodate the number of UASCs equivalent to 0.1% of their child population which translates to a total number of 41 UASCs for Wokingham up from 28 the previous year but only 6 the years preceding. Whilst this may not seem a large increase initially, it creates an exponential increase in the number of former UASC Care Leavers we have a responsibility to provide accommodation for (see Figure 1). UASCs tend to enter care at an older age, which means there is a shorter period of time which they are supported before they age out to Care Leaver status. On average, UASC accommodation costs £100,000 over an average Care Cycle with the difference in grant subsidy from government increasing significantly once they become a Care Leaver. It is predicted that this will place an additional unfunded financial cost of £1,100,000 by 2025/26 if we do nothing to mitigate these increases.

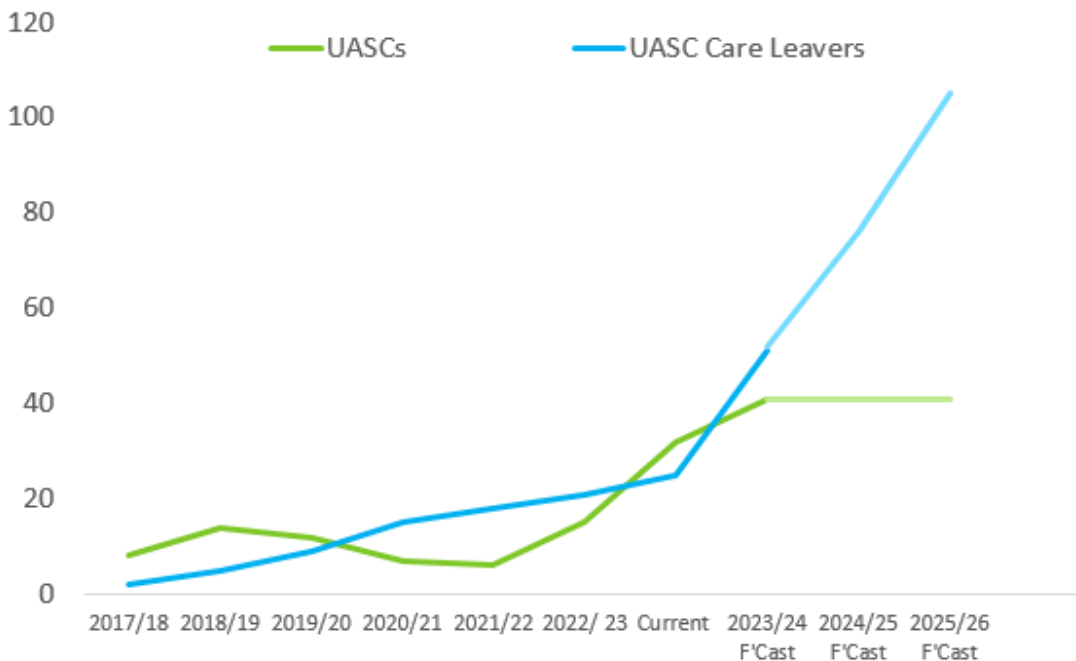


FIGURE 2 - FORECASTED INCREASE IN UASCs

¹ Young People Housing Needs Assessment, 2023.

These UASC placements are in addition to an anticipated increase in the number of young people leaving care:

- Since 2016/17, we have experienced an increase year on year in the number of Care Leavers
- Each year, between 12 and 15 young people leave care in Wokingham Borough
- From 2016/17 to 2022/23 we saw an increase of 41 Care Leavers (see Figure 3)
- We are anticipating that the number of non-UASC Care Leavers we are responsible for will continue to increase up to 99 by 2026/27

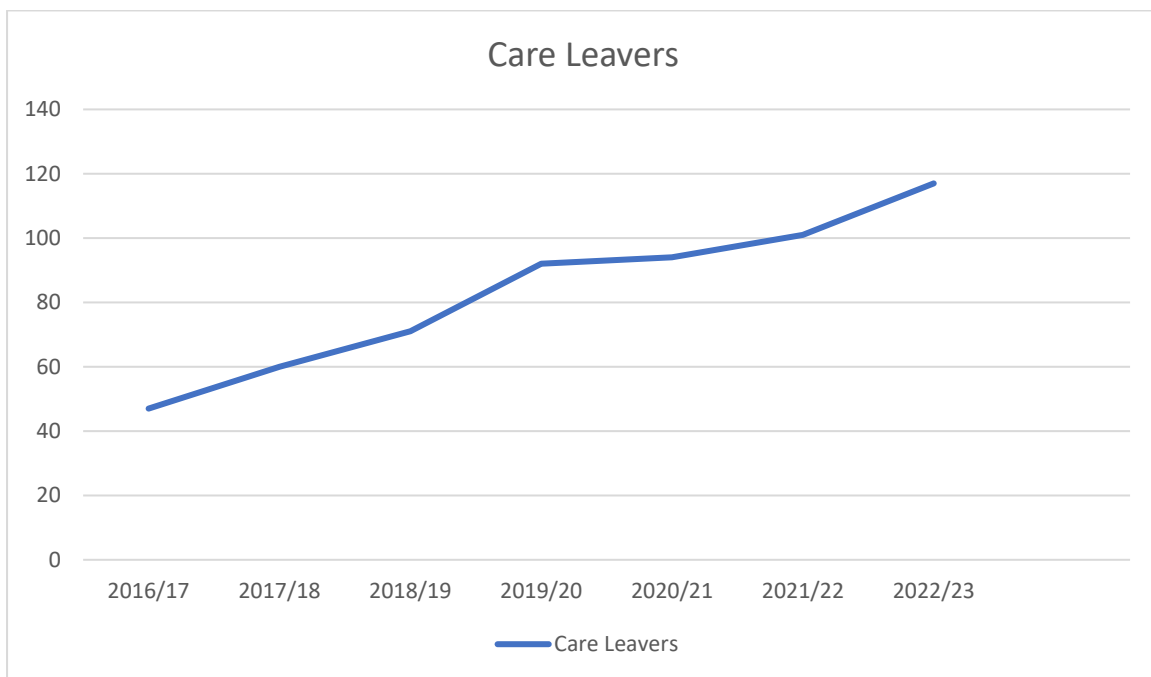


FIGURE 3 – NUMBER OF CARE LEAVERS OVER THE LAST 7 YEARS

Each young person priority group will have different requirements for their accommodation needs, requiring a flexible and adaptive approach to procuring and commissioning additional accommodation.

Due to this increasing need, in the past 6 years, we have developed two Semi-Independent Living (SiLs) schemes at Reading Road and London Road in Wokingham. From January 2022 to January 2023 these placements supported 9 and 7 new placements respectively. Both SiLs have staff on-site 24/7 who support with independent living, employment, substance misuse, emotional wellbeing, finances, and develop a bespoke support plan for each young person. We also have 2 x Supported Lodgings and run the Shared Lives scheme which enables a young person with a learning disability to live in a family setting as a young adult. There is also floating housing support available across the Borough through our provider Transform Housing. These measures have mitigated some of the impacts of the rising number of young people requiring assistance. However, the size of the forecasted increase requires strategic direction to pool Council resources to improve outcomes for our young people. This data has informed the creation of this strategy and will be used to tailor

affordable housing commissioning for our young people priority groups to develop housing options that will increase provision for a variety of needs and contexts.

Partnership Working

We are committed to co-production through increased collaborative working with our young people, internal departments, Registered Provider Partners (RPs), Local Housing Companies (Loddon Homes and Berrybrook Homes), our third sector partners and government agencies. Due to our limited resources and assets, improving efficiencies through joined up working is the most effective way to increase provision and service quality for our young people. Therefore, this strategy seeks to integrate partnership working as a golden thread running through our approach to improving our housing offer for young people.

In 2022, we created the Young People's Housing Panel to ensure Housing and Children Services had holistic input into forming pathways for those we have a Corporate Parenting responsibility for. This has improved outcomes by providing an intersectional view from all services on the individual pathway plans relevant to the context of each young person. This includes a 77% reduction in the number of Care Leavers being placed in temporary or emergency accommodation since the panel's inception. This commitment to this collaborative working is embedded throughout this strategy with a focus on emboldening the good progress already made to further improve processes and outcomes.

In 2023, we renewed and expanded our Registered Provider Partnership to include 9 RPs to unlock an increase in the delivery of affordable homes to further our strategic priorities for our priority groups. The action plan for this partnership requires each partner to deliver at least 1 development with a proportion of specialist housing. This could include Care Leaver accommodation or bespoke accommodation for young people with additional requirements. This includes exploring how we can work with RPs to convert new developments into affordable housing for our young people. We also work closely with the South-East Strategic Migration Partnership and other Local Authorities to share best practice and innovation with partners experiencing a similar level of increased need in relation to our responsibility to accommodate UASCs.

These initiatives have laid the foundation for us to build on our commitment to partnership working. This strategy encourages cooperation to fulfil the direction outlined in the four strategic priorities. This includes a commitment to lobby government, in tandem with other local authorities, for more funding to strengthen our provision for young people. Finally, we also aim to sign up to the Care Leaver Covenant to ensure best practice and latest guidance is embedded throughout our, and our partners', services.

Strategic Priority 1 – Expanding our Housing Options for Young People

Over the last 4 years, we have delivered 928 affordable housing dwellings across a range of tenures including for social rent and discounted home ownership products such as shared ownership. This has increased the number and range of options for all our residents but the numbers on the housing register have persisted at approximately 1,500. In addition, we anticipate that we require 172 placements to accommodate our young people priority groups over the next 4 years up to 2028. Therefore, it is critical that we commit to expanding our housing options across a variety of different placements to accommodate the range of needs of our young people.

We need to increase the supply of smaller properties for young people with a focus on social rented accommodation, with additional support where appropriate. In addition, there is a need to increase move-on options from emergency and short-stay accommodation within the Borough. This is because a lack of supply has led to an increase in out of area placements as well as residents staying in expensive and unsuitable short-term accommodation. This issue is exacerbated by UASCs not having leave to remain which prevents the claiming of benefits or being able to hold a tenancy, so their only option is to remain in supported short-stay accommodation despite not needing the support on offer. These placements often do not offer value for money and are more likely to lead to a 'cliff-edge' of support and accommodation. Therefore, there is a commitment in this strategy to procure additional short-term placements in Borough. Increasing our locally managed placements will increase the quality of support on offer, help immerse our young people in the local community, and enable them to access localised support.

Due to increasing need and pressure on our housing resources, there is a need for additional options for the young people identified in this strategy. A variety of options will be promoted in this strategy including the commissioning of HMOs, acquisition of children's homes to keep our children in care locally, Staying Put placements and increase in SiL provision to keep our young people local and close to their networks. This includes expanding and strengthening our Private Sector Landlord Forum to give confidence to landlords to accommodate young people leaving care through Rent Guarantee and Rent in Advance schemes. Currently, there are limited options in the private rented sector for young people so this will create independent placements for those who are ready, supported by the outcomes of strategic priority 3.

In addition, continued assessment of our stock and development pipeline will be undertaken to ensure that, where appropriate, we are maximising accommodation options for our Care Leavers. We will also apply for any grant funding opportunities that could assist that are released from government or any other capital or revenue opportunities to increase our sufficiency and provision for young people with additional needs.

The Strategic Housing team is working closely with Children Services to expand provision through assessing our existing assets, securing affordable housing through developer contributions, encourage delivery of bespoke housing for young people through our Registered Providers, accessing government grant initiatives and exploring the delivery of HMOs and children's homes. The Strategic Housing team negotiates designations for suitable dwellings with developers on new developments as part of their affordable housing contribution. On-site delivery of the affordable housing is prioritised where appropriate for young people in urban locations with good transport links and access to municipal facilities. However, where impractical, a commuted sum is sought which is used to help fund additional affordable housing, including for young people.

Our development pipeline includes a delegation for 5 x Care Leaver designated dwellings as part of a new development in Wokingham Town Centre which is expected to be occupied by 2026. This will provide additional accommodation placements with proximity to the Reading Road SiL. In addition, we have commissioned a 12-bed Supported Lodgings placement including 2 x emergency beds to increase provision for young people who require additional support. We will also monitor other emerging challenges and opportunities throughout the period of the strategy.

In the next 4 years, we aim to:

- Encourage and monitor young people specialist housing delivery amongst our Registered Provider partners.
- Actively improve relations with landlords in the private rented sector to increase move-on options for young people through the Private Sector Landlord Forum.
- Negotiate specialist young people housing as part of affordable housing negotiations with developers and monitor the number of properties achieved through this mechanism.
- Explore the delivery of HMOs, Children Homes, Staying Put placements and temporary accommodation.
- Assessment of the Council's existing assets to increase provision of affordable or specialist housing.
- Deliver 5 x 1-bed apartments at the Wellington Road development in Wokingham.
- Increase local semi-independent accommodation for our care leavers and former UASCs to ensure that they are able to remain local and connected to their networks.
- Review emergency/short term assessment accommodation needs.
- Commission and establish a contract for Supported Lodgings beds.

Strategic Priority 2 – Developing Clear Housing Pathways

A clear housing pathway is critical to the success of the young person's housing journey as it enables them to have confidence in their housing security and prepare for their onward accommodation pathways. This will enable us to commission the right placements in the right locations whilst enabling our young people to benefit from having a stable home.

Care Leavers are supported by Here 4 U and Children's Services to create a housing pathway plan in conjunction with their overall care and support plan. Care Leavers are supported by a Social Worker up to the age of 18. At 16/17, they are assigned a Personal Advisor who provide support and assist with creating a pathway plan. Pathway planning usually begins before the young person's 16th birthday and is bespoke to the individual needs and context of the young person's situation and personal circumstances. At 18, Care Leavers stop receiving support from their Social Worker and the Personal Advisor now supports them in their housing pathway, education, and employment.

The planning of our young people's housing journey involves different discussions with family members, carers, social workers, Personal Advisors, the Young Person's Housing Navigator, the Preparing for Adulthood Team, the Community Mental Health Team and the Children in Care Child and Adolescent Mental Health Service. It is important to be aware of all relevant cases at the earliest opportunity, usually at 14 years old, to enable the planning and commissioning of support and accommodation. Commissioners in Housing and Children Services being able to anticipate the pathways of our young people, enables us to have a range of options for different scenarios. This also ensures the young person has greater confidence in their housing security, both through care and into their future accommodation pathways.

To this end, this strategy commits to embolden the Young People's Housing Needs Assessment data that maps out the expected housing pathways and needs of our priority groups. This will enable improved commissioning of an accommodation pipeline through the methods outlined in strategic priority 1, as well as creating an expected pipeline of demand from our young people currently in care. By intertwining the strands of accommodation provision and analysis of upcoming demand, we can match each young person to a housing pathway that best suits their individual circumstances.

We have a statutory duty to undertake an individual needs assessment with each young person and develop pathway plans for all eligible children aged 16/17. This must be reviewed every 6 months until the young person is 21. One way to improve partnership working and understand the needs of our young people is through the development of joint assessments between Housing and Children Services for young people aged 16 or 17 who are at risk of homelessness. This new approach will be embedded as part of this strategy's review of the Young People's Housing Panel. The Young Person's Homelessness Prevention Officer role was changed to the new Young Person's Housing Navigator job description in October 2023 and moved into the Rough-Sleeper Team. This has enabled greater resilience

and support for Care Leavers, their PA's and wider Council services through providing expert homelessness and housing advice, emphasising our role as Corporate Parent and increasing the quality and consistency of 16/17 year old's Joint Assessments.

As part of our Corporate Parenting Duty, Care Leavers are given more than one chance to sustain their tenancy. This could mean working with the young person on actions that would usually result in eviction to ensure that they don't happen again. This strategy commits to strengthening and expanding this commitment to encourage our RP partners and private sector landlords to adopt a similar approach wherever possible. We have also committed to not use Bed and Breakfast temporary or emergency accommodation for 16/17-year-olds due to its unsuitability for this cohort. Introduced in 2022, this panel has already improved outcomes for young people's housing pathways through improved communication and inter-departmental collaboration enabling a holistic approach to each Care Leaver's accommodation pathways. Critically assessing the progress and impact of the Young People's Housing Panel will improve outcomes and partnership working by ensuring each stakeholder is accountable to the priorities and objectives outlined in this strategy.

Most placements for former UASC Care Leavers are outside Wokingham Borough because of the limited supply of suitable placements. The fact that London has the greatest density of diverse placement options which is more likely to meet the young person's cultural identity needs is another contributing factor. The impact of placing out of area is that, in line with the forecasted increase in former UASC Care Leavers, they will have less access to local education, training, and health support or be able to obtain local authority affordable housing. We can address this challenge by recruiting and training more local fostering and supported lodgings carers alongside developing community links and specialised staff and resources. This is in addition to the commitment to increase local provision for this group in the form of HMOs outlined in strategic priority 1. This process will be managed by the Young People's Housing Panel to enable the mapping of appropriate housing pathways for this cohort. In turn, more young people placed within or close to Wokingham will allow us to develop more 16+ accommodation and support options.

The Young People's Housing Panel was created to improve pathway creation for young people with additional learning, mental and physical needs who have additional challenges in securing safe, secure, and affordable accommodation. The level of support required for each young person will vary based on their circumstances. However, it is important that we have a range of options to cater for a variety of different needs. The transition into adulthood presents additional challenges which may require support from us. Partnership working between the various agencies responsible for the young person's transition is vital.

As of August 2023, the Preparing for Adulthood team manages 220 young people with some level of additional needs. Residents are provided with a care plan from the age of 14. Therefore, it is vital that information sharing between us, and third-sector agencies is completed to ensure these young people are provided with available support. This involves improved partnership working between the Young People's Housing Panel, Specialist Housing Panel, Adult Social Care Housing Panel and Sexual/Exploitation Multi-Agency Conferences (SEMRAC). This strategy commits to ensuring housing pathways for our young

people with additional needs are appropriately addressed. This process will be monitored at the Young People's Housing Panel.

In the next 4 years, we aim to:

- Identify how we can accommodate young people without them approaching as homeless.
- Continue our commitment to not place young people in temporary or emergency accommodation.
- Continued assessment of the Young People's Housing Panel's effectiveness between Children Services and Housing.
- Evaluation of the effectiveness of the Young People's Housing Needs Assessment in planning young people's housing pathways.
- Increase the provision of local fostering and supported lodgings carers, specifically for UASCs to enable them to Stay Put.
- Creation of a UASC Steering Group to commission and plan strategic placement of new accommodation options.

Strategic Priority 3 – Supporting Tenancy Sustainment

Young people under our Corporate Parenting responsibility should expect the same level of care and support that other young people receive from their parents. To receive support, they must have been in care for at least 13 weeks between the ages of 14 and 16 or for 13 weeks after their 16th birthday as well as some additional qualifying factors outlined in the Local Offer for Care Leavers. The Local Offer contains information about services which may assist in preparing for adulthood including support for: accommodation, education, training, employment, health and wellbeing, finances, relationships, and participation in society. We recognise that Care Leavers leave care at a significantly younger age than their peers would leave their family home. This strategic priority focuses on ensuring each young person has a successful transition into their first independent tenancy or move-on placement. One example of how this will be achieved is delivery of the Staying Close pilot outlined in Case Study 1 below.

Care Leavers have lower rates of tenancy sustainment and higher rental arrears than other residents. Amongst our stock, the difference in average debt between these groups is £609 in total debt. This significant difference can be attributed to a number of complex individual factors. However, by having a clear housing pathway, we can provide tenancy sustainment support and signpost to our third-sector partners. By ensuring Wokingham young people are tenancy ready, we expect to reduce rental arrears amongst our, and our RP Partner's stock, as well as giving more confidence to private sector landlords to accommodate Care Leavers.

Appropriate housing and support services play a crucial role in our preventative strategies to enable young people to live successfully in the community. The encouragement of self-reliance and independent living will positively contribute towards increasing our young people's tenancy sustainment and reduce the likelihood of requiring expensive care services. Therefore, we have a responsibility to ensure Care Leavers are tenancy ready, equipped to work, have access to education and are sign-posted to develop key life skills. This strategy introduces a range of processes to ensure our young people enter their housing pathways with an understanding of the expectations and skills required to live independently. This includes ensuring children on the edge of care receive early housing advice and guidance and have a defined housing pathway. In turn, this will increase tenancy sustainment and reduce rent arrears, with the young person aware of expectations in their new placement.

We also commit to continuing the policy of giving young people more than one chance to sustain their accommodation, recognising that a flexible approach is the best way to increase tenancy sustainment. We will also encourage our RP partners to adopt a similar approach where appropriate. Wraparound support is critical to preventing failed tenancies through early intervention of the causes of any tenancy sustainment issues. To this end, we will explore business cases to increase specialised tenancy sustainment support for Care Leavers. This will be completed in conjunction with an exploration into the benefits and

practicality of completing Wokingham's first trainer apartments to provide young people with a short-term tenancy to trial living independently in a safe and supported environment.

A proven method to develop independent living skills is through a Staying Put arrangement.² These provide both accommodation and support to help young people develop the skills and behaviour necessary to make a successful transition into independent adult life. This strategy commits to exploring the expansion of Staying Put placements to increase the variety and quantity of housing options for our young people. However, not all young people will require a supported accommodation placement. Therefore, we also need to increase tenancy sustainment support for those who are moving into independent tenancies. We can do this by signposting our young people to the suite of support on offer from both us and our third-sector partners once we have created their clear housing pathway. In addition, we will explore how to improve access to furniture and essential white goods so that our young people move into furnished properties.

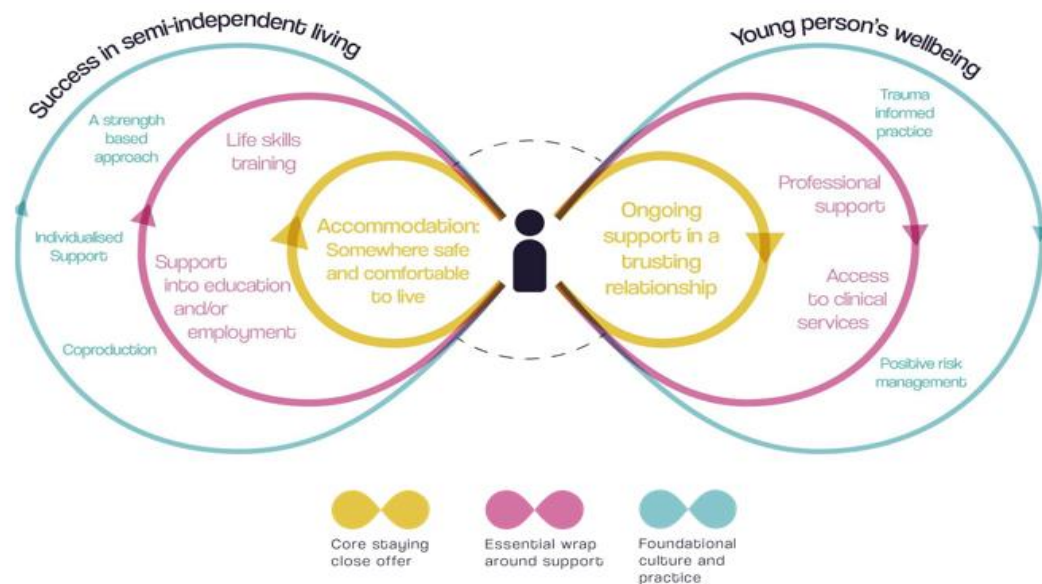
To embed these commitments throughout our, and our partners' activities, there is an ambition to sign-up to the Care Leaver Covenant to ensure that every agency we work with is committed to ensuring the best provision and service for Care-Leavers. This golden thread will be a standard that each agency can refer to when supporting our Care Leavers and will homogenise standards in line with national best practise.

² Staying Put – The young person will stay with their foster parent and make a contribution towards rent and bills.

Case Study 1 - Staying Close

To promote tenancy sustainment amongst Wokingham Care Leavers the Council was successful with a funding application for the Department of Education's Staying Close pilot initiative. Staying Close is a new initiative that provides funding to ensure Care Leavers have access to a trusted person once they have moved into an independent tenancy. The Council secured revenue funding for 2 years up to 2025 to assist 14 Care Leavers with additional support with a trusted person once they have moved on from one of our two Semi-Independent Living provisions.

The Staying Close Framework



In the next 4 years, we aim to:

- Review the quality and accessibility of information available on our website for young people. Especially in terms of signposting options for parents' of 16/17 year olds.
- Successful delivery and implementation of the Staying Close grant funded project.
- Avoid any Care Leavers moving into empty properties with no essential white goods and furniture. Either allow more time for these purchases or explore options to furnish the property to a basic level.
- Lobby government in partnership with other Local Authorities for more funding and support to empower our provision for young people priority groups.
- Sign up to the Care Leaver Covenant to ensure best practise is embedded throughout the Council and encourage our partners to do the same.
- Explore whether we can fund additional support for Care Leavers to increase tenancy sustainment.
- Explore the delivery of trainer apartments for young people.

Strategic Priority 4 – Reducing Homelessness and Rough Sleeping

Homelessness and rough sleeping can have a significant and disruptive impact on the lives of anyone who experiences it, especially with young people. The causes of rough sleeping are varied and contextual to everyone who experiences it. However, young people who have led traumatic lives are more likely to experience homelessness or rough sleeping. For example, if a young person experiences significant adversity in the form of Adverse Childhood Experiences (ACEs), then they are 16 times more likely to experience rough sleeping.³ Homelessness is disruptive to people's lives and causes insecurity and instability in our communities. We have adopted DLUHC's definition of ending rough sleeping: 'to ensure any rough sleeping is prevented wherever possible and, where it does occur, it is rare, brief, and non-recurrent'. We aim to prevent homelessness and rough sleeping wherever possible using creative solutions, maximising grant opportunities, and providing the right level of support to enable our young people to thrive in their housing journeys.

This strategy also seeks to increase our ability to intervene at the earliest possible stage. Early intervention is essential to reduce the number of children that experience homelessness or rough sleeping and that enter our care system. Homeless Link's 'Young and Homeless' study shows that family breakdown is the leading cause of youth homelessness and support is usually received too late.⁴ Early intervention is also important in ensuring the prevention of repeat homelessness, minimising disruption to children's education, mitigating the loss of family support networks and reducing debt and poverty.

Our approach to early intervention provides targeted support once a young person has been identified as at risk of homelessness. This support includes anticipating what support the context of each individual situation requires. This involves a three-step process:

1. Signposting families to support services to keep them in control of resolving issues.
2. Stepping in to prevent issues escalating and requiring specialist services or accommodation.
3. When appropriate, using specialist intervention to deliver permanent resolutions.

By targeting support and signposting families to information on addressing the fundamental causes of homelessness, we can mitigate the number of 16/17-year-olds at risk of homelessness. We employ a Homelessness Early Intervention Officer covering all homelessness cases who has a success rate of 99% in their cases in ensuring residents do not experience rough sleeping. Building on this will be critical to preventing the number of young people who rough sleep in Wokingham. One way to improve our early intervention

³ Homelessness and Childhood Adversity, Public Health Wales, 2019.

⁴ Young and Homeless, Homeless Link, 2021.

services is through the undertaking of an annual cross-service snapshot to identify young people aged 14+, not in our care, who are most at risk of homelessness at 16/17. This will be completed as part of the improved partnership working arrangements between Children's Services and Housing and monitored at the Young People's Housing Panel.

Early intervention support is critical to reducing the impact of homelessness and rough sleeping on our young people. However, inevitably some young people will present to us as homeless. Focusing on early intervention will reduce the number who present as homeless, but we need to respond to these cases creatively and sensitively to each individual situation. Therefore, we need to create responsive and adaptable solutions, combined with an increase in the range of accommodation placements, to improve our ability to respond to homelessness presentations.

To support our response to homelessness, there will be cases when additional support is required. To this end, we have successfully applied for funding to deliver the Single Homelessness Accommodation Programme (SHAP) outlined in Case Study 2. This is a significant step towards increasing our accommodation options for the most vulnerable local young people who need intensive interventionist support to avoid rough sleeping and increase their tenancy sustainment. However, we will continue to monitor external grant opportunities to provide additional accommodation and support options. Furthermore, we will also lobby government to provide additional funding to increase our options when assisting young people in the most challenging circumstances. This will be completed in partnership with other local authorities who are experiencing similar pressures to strengthen the call for additional funding opportunities.

Case Study 2 – Single Homelessness Accommodation Programme (SHAP)

The Council has been awarded capital and revenue funding to deliver this programme aimed at assisting 18–25-year-olds at risk of homelessness. Homes England and the Department for Levelling Up, Homes and Communities (DLUHC) co-produced this funding application which will increase the Council's housing stock by 4 x 1-bed apartments and provide Housing First support for 3 years through our partner agency Two Saints. The Council and Two Saint's successful delivery and implementation of the Next Steps Accommodation Programme (NSAP) with a 100% tenancy sustainment, 25% above target, and the learning gained from the delivery of this programme will feed into our delivery of SHAP. This will add a further option for our allocations team for the most vulnerable young people who have proven difficulties with tenancy sustainment in our SiLs, temporary accommodation and move-on placements. By providing bespoke and high-intensive support, as well as an accommodation first approach, we will be able to produce better outcomes for the most vulnerable young people.

In the next 4 years, we aim to:

- Complete the successful implementation and evaluation of the Single Homelessness Accommodation Programme with an aim for a 75% tenancy sustainment rate.
- Continue to monitor and apply for grant funding opportunities to provide interventionist support for young people at risk of homelessness.
- Undertake an annual cross-service 'snapshot' to identify young people aged 14+ who are most at risk of homelessness at 16/17.
- Ensure that early intervention is prioritised at the earliest stage we are aware of a young person who is at risk of homelessness.
- Continue to focus on the prevention of homelessness and find creative solutions to prevent and reduce homelessness approaches.
- Lobby government in partnership with partner Local Authorities for more funding and support to empower the Council's ability to fulfil its Corporate Parenting Duty.

Monitoring and Evaluation

Progress against the objectives, actions and strategic priorities outlined in the Young People's Housing Strategy will be assessed and held accountable through a combination of different forums and groups to ensure successful outcomes. This includes evaluation at the Young People's Housing Panel with representatives from Children Services and Housing, the Tenant Landlord Improvement Panel, and the Housing Advisory and Implementation Group (HAIG) which is a cross-party forum of councillors designed to provide insight to our housing strategies.

Furthermore, an action plan has been developed alongside this strategy. This action plan will be a live document which will be subject to quarterly review to ensure those who have committed to actions are being held accountable to the timeframes and objectives outlined herein. This will ensure that the strategy continues to evolve over the next 4 years and remains relevant, responsive, and up to date.

Next Steps

This strategy will run for 4 years up to 2028 when a full evaluation and review will be undertaken of the impacts, successes, and limitations of our recommendations. Every year, an action plan review will be undertaken to assess progress against each of the above objectives co-produced with our residents, young people, and external partners.

Equality Impact Assessment (EqIA) form: the initial impact assessment

1. Process and guidance

The purpose of an EqIA is to make sure that the council is meeting the needs of all our residents by ensuring we consider how different groups of people may be affected by or experience a proposal in different ways. EqIAs help us to meet our [Public Sector Equality Duty](#) and where applicable the [Armed Forces Duty](#)

The council has a two stage EqIA process:

- Stage 1 - the initial impact assessment
- Stage 2 - the full impact assessment.

This form is for use at Stage 1 of the process. This must be completed when undertaking a project, policy change, or service change. It can form part of a business case for change and must be completed and attached to a Project Initiation Document. The findings of the initial impact assessment will determine whether a full impact assessment is needed.

Guidance and tools for council officers can be accessed on the council's Tackling Inequality Together intranet pages.

Date started:	16.10.2023	
Completed by:	Sam Watt	
Service:	Strategic Housing / Economy and Housing	
Project or policy EqIA relates to:	Young People's Housing Strategy	
Date EqIA discussed at service team meeting:	18.10.2023	

Conclusion (is a full assessment needed?):	No.	
Signed off by (AD):	Rhian Hayes Assistant Director, Economy & Housing	<i>Rhian Hayes</i>
Sign off date:	13/12/2023	

2. Summary of the policy, project, or service

This section should be used to summarise the project, policy, or service change (the proposal).

What is the purpose of the proposal, what are the aims and expected outcomes, and how does it relate to service plans and the corporate plan?

This strategy will cover housing options and pathways for the Council's priority groups of those aged 25 or under. This includes Care Leavers, 16/17 year-olds at risk of homelessness and Unaccompanied Asylum Seeking Children. The strategy will set out the strategic direction of the Council from 2024-2028, ensuring the Council meets its Corporate Parenting Duties and adheres to relevant legislation and best practise. The strategy will be accompanied by a 4-year action plan which sets out the actions the Council will undertake to achieve these objectives in more detail.

How will the proposal be delivered, what governance arrangements are in place and who are the key internal stakeholders?

Strategy to be adopted in April 2024 following standard Council Executive governance procedures. Prior, the strategy is being aired at the Tenancy and Landlord Improvement Panel, Housing Advisory and Implementation Group, Children Services Leadership Team, Place and Growth Leadership Team and Public Consultation.

Key internal stakeholders are Housing and Children Services.

Who will be affected by the proposal? Think about who it is aimed at and who will deliver it.

The strategy is aimed at the Council's priority groups of those aged 25 or under. This includes Care Leavers, 16/17 year-olds at risk of homelessness and Unaccompanied Asylum Seeking Children

3. Data & Protected Characteristics

This section should be used to set out what data you have gathered to support the initial impact assessment.

85

The table below sets out the equality groups that need to be considered in the impact assessment. These comprise the nine protected characteristics set out in the Equality Act 2010 and other priority areas defined by the council.

Age	Disability	Gender reassignment	Marriage and Civil Partnership	Pregnancy/Maternity
Religious belief	Race	Sex	Sexual Orientation	Socio-economic disadvantage

The Armed Forces Act 2021 also requires consideration of the [impact on Armed Forces Communities](#) when exercising certain housing, education or healthcare functions (excluding social care). Further guidance can be found [here](#).

What data and information will be used to help assess the impact of the proposal on different groups of people? A list of useful resources is available for officers on the Council's Tackling Inequality Together intranet pages.

Strategic commissioning data from Children Services showing anticipated pathways of the Council’s priority groups was used to identify those who the strategy prioritises and, in turn, who will be most affected.

4. Assessing & Scoring Impact

This section should be used to assess the likely impact on each equality group, consider how significant any impacts could be and explain how the data gathered supports the conclusions made.

88

Scoring impact for equality groups	
Positive impact	The proposal promotes equality of opportunity by meeting needs or addressing existing barriers to participation and/or promotes good community relations
Neutral or no impact	The proposal has no impact or no disproportionate impact.
Low negative	The proposal is likely to negatively impact a small number of people, be of short duration and can easily be resolved.
High negative	The proposal is likely to have a significant negative impact on many people or a severe impact on a smaller number of people.

Referring to the Scoring table above, please give an impact score for each group, explain what the likely impact will be, and briefly set out how the data supports this conclusion.

Equality group	Impact score	Impact and supporting data
Age	Positive	This strategy is aimed at the Council’s most vulnerable young people, aged 16-25. By prioritising clear housing pathways and options for these residents they will be positively affected by this strategy. The Council’s strategic needs data currently shows that there are 119 residents this strategy will benefit rising to 169 by 2026/27/
Disability	Positive	There is limited quantitative data on the number of young people within the priority groups outlined in this strategy that have a disability. Quantitative data from our housing officers suggests that a higher proportion of Care Leavers have complex mental health needs related to their trauma. For example, a young person who has experienced more than 3 Adverse Childhood Experiences (ACEs) is much more likely to experience rough sleeping and have more complex mental health needs.
Gender reassignment	Neutral	
Marriage and Civil Partnership	Neutral	
Pregnancy/Maternity	Neutral	
Religious belief	Positive	<p>The Council is expecting to have 70 Unaccompanied Asylum Seeking Children Care Leavers by 2026/27, up from 38 currently. These residents are predominantly from Afghanistan (37%) Sudan (21%) and Iran (16%) with Iraq, Syria and Eritrea (5% each) making up a significant portion.</p> <p>These countries have varied religious beliefs, different to the predominant religion in England, and so will benefit from a strategy that has identified this cohort as a priority group.</p>
Race	Positive	The Council is expecting to have 70 Unaccompanied Asylum Seeking Children Care Leavers by 2026/27, up from 38 currently. These residents are predominantly from Afghanistan (37%) Sudan (21%) and Iran (16%) with Iraq, Syria and Eritrea (5% each) making up a significant portion.

		People from these countries are from a variety of races, different to the predominant one in England, and so will benefit from a strategy that has identified this cohort as a priority group.
Sex	Neutral	
Sexual Orientation	Neutral	
Socio-economic disadvantage	Positive	Quantitative data from our Housing Officers suggests that the priority groups this strategy will put a strategic direction in place for have previously experienced a level of trauma or financial hardship which has led to the Council adopting a Corporate Parenting responsibility for them. This includes family and friends no longer willing to accommodate or other factors that place additional challenges on their ability to enter the housing market. Additional support is usually required for challenging behaviours also.
Armed Forces Communities	Neutral	

88

5. Conclusion and next steps.

Based on your findings from your initial impact assessment, you must complete a full impact assessment if you have identified any groups as having a low or high negative impact.

If no impact, or a positive impact has been identified, you do not need to complete a full assessment. However, you must include reference to the initial assessment in any associated reports, and it must receive formal approval from the Assistant Director responsible for the project, policy, or service change.

TITLE	Statement of Licensing Policy 2024 - 2029
FOR CONSIDERATION BY	Council on 21 March 2024
WARD	(All Wards);
LEAD OFFICER	Director, Place and Growth - Giorgio Framaliccio

OUTCOME / BENEFITS TO THE COMMUNITY

In creating this policy, the Licensing Authority is seeking to protect the public and where possible to improve the look and feel of Wokingham borough, attracting visitors and making it a stimulating and enjoyable place in which to live, study and work.

The Council is required to consult and publish a Statement of Licensing Policy every five years.

The policy has five main purposes:

- 1) To inform elected members of the Licensing Committee of the powers attributed to them by the Act and to highlight the boundaries within which to make decisions
- 2) To inform applicants of the parameters within which the Licensing Authority will make decisions and how licensed premises are likely to be able to operate within the borough
- 3) To inform residents and businesses of the considerations which the Licensing Authority will take when making licensing decisions
- 4) To inform Responsible Authorities of their powers under the Act to promote the four licensing objectives
- 5) To support decisions made by the Council when these decisions are challenged in a court of law.

RECOMMENDATION

Note the recommendation of the Licensing and Appeals Committee on 23 January 2024 and to approve the revised Statement of Licensing Policy 2024 - 2029 as attached at **Appendix A**.

SUMMARY OF REPORT

The Licensing Act 2003 ('the Act') requires Wokingham Borough Council ('the Authority'), as the Licensing Authority, to publish a 'Statement of Licensing Policy' every five years.

This report provides responses to the public consultation for consideration.

Appendix B – Results of public consultation

Background

1. There are four main licensable activities under the Act:
 - retail sales of alcohol.
 - the supply of alcohol by or on behalf of a club
 - the provision of regulated entertainment; and
 - the provision of late-night refreshment.
2. This policy sets out the process the Council will adopt in dealing with licence applications and will be used as a basis in coming to consistent and transparent decisions in respect of licence applications and reviews of licensed premises.
3. The revised Statement of Licensing Policy 2024 - 2029 is attached at **Appendix A**.

Analysis of issues

4. Section 5 of the Licensing Act 2003 requires that all Local Authorities review their Statement of Licensing Policy every five years.
5. A public consultation was open from 16 October 2023 – 08 January 2024. The results of this consultation are summarised in the content of this report and attached in full at **Appendix B**.

Summary of key amendments to the policy

6. The Council's current policy has been updated to reflect changes in legislation and best practice since it was last reviewed.

Model conditions.

7. The Policy introduces a pool of model licensing conditions, which will provide a level of consistency to the attachment of conditions to a premises licence or club premises certificate. The Model Conditions will assist an applicant to draft their operating schedule - a document that shows what measures the applicant will put in place to address the four licensing objectives; and which can ultimately become conditions on the licence.
8. The Model Conditions will also assist Responsible Authorities when making representations against applications and Members of the Licensing Sub-Committee when deciding what, if any, conditions should be added to a licence if granted.
9. However, it has to be emphasised that these are not standardised conditions. A Licensing Sub-Committee may make any conditions, where deemed appropriate to do so, in order to promote the Licensing Objectives and reflect the circumstances of each case.

Immigration Act 2016

10. The Immigration Act 2016 made a number of amendments to the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made on or after 6 April 2017.
11. The Policy provides guidance on the Immigration Act and how this now applies to Licensing. The Licensing Authority will now work in partnership with the Home Office (Immigration Enforcement) and Thames Valley Police with a view to preventing illegal working in premises licensed for the sale of alcohol and/or late-night refreshment.

Pre-application advice service

12. The Licensing Service will provide a cost-efficient pre-application service to support business. This service is available at low cost and guides applicants through the licensing process, making suitable use of the model conditions within the revised policy, including template public notices, and template newspaper advert.

Women's safety in the nighttime economy

13. The policy makes reference to the Ask for Angela campaign and bystander intervention training for licensed premises to support a safer night-time environment for women.
14. Other amendments include:
 - including local ward Councillors in consultations for a new premises licence or full variation applications
 - expanded detail on measures to promote the licensing objectives.
 - a section on Child Sexual Exploitation advice
 - promotion of other strategies including a 'Reduce the Strength' strategy, expectations for organisers of White-Collar Boxing Events
 - Counter Terrorism Measures

Public consultation responses

15. The consultation responses show majority support for the new measures within the revised policy. There is support for the Council's approach to including a pool of model conditions, the accreditation of a Best Bar No scheme, and the introduction of a pre-application service for applicants that may wish to use this service rather than a solicitor's firm.
16. Overwhelmingly, there is 92% support of Wokingham's Statement of Licensing Policy 2024 – 2029 including best practice to support women's safety in the nighttime economy. Summarised views expressed by respondents include:

“The Council should amend policy so that all new alcohol licenses must have a condition whereby the licensee must provide free transport home for anyone working after 11pm.”

“Free transport home for workers in the hospitality industry working late at night would benefit all workers but would particularly benefit women, to protect them from potential harassment or violence. No-one should have to worry about walking home safely after dark. This would tie in with the Council's aim to be White Ribbon accredited.”

‘We congratulate WBC as the draft statement is an improvement on the existing policy it sets out the general approach in a robust manner.’

‘Particular scrutiny will be provided to any licence variation.’

‘There is a lack of context and granularity’ ... and lack of vision for a licensing strategy.’

‘Commercial activities should adhere to certain principles, benefit to residents, no direct / indirect cost to the council or parish (s), consideration of cumulative impact’

“In my opinion the Council has a responsibility and a duty of care to Wokingham residents and their families who work in the hospitality/licensed premises, as well as customers/users of such premises, to ensure that the policy requires all new alcohol licenses, and those existing licence holders where the process requires these to be renewed/extended, must meet the obligations requirements of an enforceable condition whereby the licensee/premises owner or operator must provide free transport home for anyone working after 11pm. This should be extended to those who finish work close to 11.00pm where no public transport is readily available to their place of residence and should also be at no cost to the employee.”

“It should include protection for ALL employees, as young men are at greater risk from violence than anyone else. Years ago, one of my sons was always provided with a taxi home when working late as a barman for Reading Borough. This was a huge relief to both him and his parents.”

17. During the Licensing and Appeals Committee meeting on 23 January 2024, the draft policy was amended to include the Get ME Home Safely campaign:

Get ME Home Safely is a campaign to make our communities and workplaces safer places. It is a call for change to extend employers' duty of care to embed safe transport home policies for all workers.

The background to its development is rooted on a concern for the safety of women who work late and unsocial hours, particularly those in low paid jobs who cannot afford taxi travel home and rely on buses and other forms of public transport which are often scarce or simply unavailable after midnight. The campaign is motivated by an incident that occurred in August 2021 where a woman was sexually assaulted on her way home from work after midnight. She had been asked by her manager to work until 1am and was promised paid transport home because the last bus was at half past midnight. An hour before her shift ended, her manager told her she could finish earlier to catch the last bus home. For whatever reason, the last bus never arrived, left to travel home alone, late at night, she was then sexually assaulted.

We know many workers across the UK find it difficult to access safe transport following a late shift. And we are painfully aware of the possible consequences for women journeying alone at night. Incidents such as the brutal kidnap, rape, and murder of Sarah Everard, as well as the experiences from women who have been stalked and assaulted outside of their workplace, are a stark reminder of why we need this campaign, and why this is an issue relevant to the licensing objective of public safety.

New applications and renewal applications seeking licensable hours past 11pm are expected to put provisions in place for their staff working past 11pm, by identifying workable solutions to facilitate safe travel home, such as getting supplemented taxi travel for late shift workers. On application, all Premises Licence Holder's must provide to the Licensing Authority risk assessments that include an individual staff member's journey times and potential hazards once they have left the workplace.

18. Any response or comments received as part of the public consultation but not directly related to the draft Statement of Licensing Policy 2024-2029 will be considered as separate matters, this will also include correspondence from Remenham Parish Council, to which a Licensing Committee for 11th March 2024 has been arranged as the appropriate committee for determination.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer-term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	0		
Next Financial Year (Year 2)	0		
Following Financial Year (Year 3)	0		

Other financial information relevant to the Recommendation/Decision

The revised draft Statement of Licensing Policy 2024 – 2029 is not expected to have any financial implications for the Council beyond the existing budget for the Licensing Service.

Cross-Council Implications

The inclusion of model conditions should assist Responsible Authorities in their role considering applications and making representation when necessary.

Public Sector Equality Duty

Due regard to the Public Sector Equality Duty has been taken in the development of this policy so that it does not have any adverse impact and seeks to promote business alongside the balance of upholding the licensing objectives, best practice, and statutory guidance. An Equalities Impact Assessment will be undertaken prior to policy implementation.

Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030

No impact on the Council's carbon neutral objective has been identified.

Reasons for considering the report in Part 2

N/A

List of Background Papers

[S182 Licensing Act 2003 Guidance](#)

Contact Keiran Hinchliffe Service Manager – Licensing	Service Enforcement & Safety Service
Telephone No 07933 172 882	Email Keiran.Hinchliffe@wokingham.gov.uk

STATEMENT OF LICENSING POLICY

2024 - 2029

Wokingham Borough Council



Statement of Licensing Policy 2024 - 2029

Foreword by Cllr Ian Shenton

Executive Member for Environment, Sport, and Leisure



“Wokingham Borough Council has developed a licensing policy that helps promote responsible business. With a strong focus on the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm.

Wokingham borough is home to the Henley Royal Regatta, Henley Festival, and Rewind Festival. A detailed and thorough policy is absolutely necessary to put elected members in the best possible position as decision makers.

Licensing is a key function of the Council; to help reduce Anti-Social Behaviour and encourage safe events through co-ordinating Multi-Agency and Safety Advisory Group meetings.

This policy also details how it is expected that applications outside of the hours of 10AM-10PM must sufficiently demonstrate, and subsequently comply with measures to promote the licensing objectives.

A pool of conditions is now included to assist new applicants, along with the option for an additional service for pre-application advice with Licensing Officers now being made available to assist businesses through the licensing process.

The policy details a collection of best practice approaches to support the licensing objectives such as Best Bar None accreditation. It also brings attention to schemes such as Ask for Angela, Get Me Home safely, and Bystander Intervention training which encourage a safer night time economy setting for reducing violence against women.”

Table of Contents

WOKINGHAM BOROUGH COUNCIL STATEMENT OF LICENSING POLICY 2024 - 2029	2
FOREWORD BY CLLR IAN SHENTON	2
1.0 INTRODUCTION	6
WOKINGHAM BOROUGH COUNCIL NIGHT TIME ECONOMY STRATEGY	7
2.0 PURPOSE	8
3.0 APPLICATIONS	10
CONSULTATION	13
REPRESENTATIONS	13
PUBLIC HEALTH REPRESENTATIONS	14
DETERMINATION	14
VARIATIONS	15
4.0 REPRESENTATIONS	16
PETITIONS	17
5.0 DETERMINING APPLICATIONS	18
LICENSING OBJECTIVES	18
PREMISES LICENSES	18
PUBLIC HEALTH	19
MINOR VARIATIONS	21
6.0 PROMOTING THE FOUR LICENSING OBJECTIVES	23
CAPACITY	25
7.0 PREVENTION OF CRIME AND DISORDER	27
8.0 PUBLIC SAFETY	35
MEDICAL RESOURCE	39
9.0 PREVENTION OF PUBLIC NUISANCE	40
10.0 PROTECTION OF CHILDREN FROM HARM	46
CHILDREN AND PUBLIC ENTERTAINMENTS	51
TACKLING CHILD SEXUAL EXPLOITATION	52
11.0 SEX ESTABLISHMENT VENUES	55
12.0 PROMOTION OF OTHER STRATEGIES	56
REDUCING THE STRENGTH	56
BOXING	56
WOMEN'S SAFETY IN THE NIGHT TIME ECONOMY	57
WELFARE AND VULNERABILITY ENGAGEMENT	59
BYSTANDER INTERVENTION TRAINING	59
BEST BAR NONE	59
GET ME HOME SAFELY	61
13.0 CONDITIONS	62
MANDATORY CONDITIONS	66
MODEL CONDITIONS	66

14.0 OTHER REGULATORY SYSTEMS.....	67
PLANNING CONTROL.....	68
BUILDING CONTROL.....	69
HEALTH AND SAFETY AT WORK.....	69
STATUTORY NUISANCE.....	70
FIRE PRECAUTIONS.....	70
THE EQUALITY ACT 2010.....	72
HUMAN RIGHTS ACT 1998.....	73
THE GOVERNMENT’S ALCOHOL STRATEGY.....	73
GOVERNMENT & POLICE GUIDANCE FOR CLUBS AND OTHER LICENSED PREMISES.....	73
15.0 CUMULATIVE IMPACT.....	75
16.0 LATE-NIGHT LEVY.....	78
17.0 EARLY MORNING ALCOHOL RESTRICTION ORDER (EMRO).....	79
18.0 PERSONAL LICENCE.....	80
19.0 POLICY CONSULTATION.....	83
20.0 TEMPORARY EVENT NOTICES (TEN’S).....	84
21.0 LARGER EVENTS.....	86
22.0 REVIEWS.....	88
23.0 APPEALS.....	90
24.0 NUDDITY AND ADULT ENTERTAINMENT.....	91
25.0 AUTHORISATION.....	93
26.0 NON-STANDARD HOURS.....	94
27.0 SMOKING - HEALTH ACT 2006.....	95
28.0 LICENSING HOURS.....	96
29.0 ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS.....	100
30.0 THE ROLE OF WARD COUNCILLORS.....	102
31.0 APPLICATION CONSULTATION.....	103
32.0 PROVISIONAL STATEMENTS.....	105
33.0 FILM CLASSIFICATION.....	106
34.0 SUSPENSION OF A LICENCE AND CERTIFICATES FOR NON-PAYMENT OF ANNUAL FEES....	108
35.0 IMMIGRATION ACT 2016.....	109
36.0 OTHER REFERENCES & GUIDANCE.....	111
37.0 PRE-APPLICATION ADVICE SERVICE.....	112
DISCLAIMER.....	113
MAKE A REQUEST FOR PRE-APPLICATION ADVICE.....	114
38.0 CONTACT DETAILS.....	115
39.0 LATE NIGHT REFRESHMENT - LOCAL POWERS TO DEREGULATE.....	116
40.0 OUTSIDE SPACE.....	117
TABLES AND CHAIRS ON THE PUBLIC HIGHWAY.....	117

APPENDIX A: CURRENT MANDATORY CONDITIONS	119
APPENDIX B:	124
LICENSING ACT 2003 MODEL CONDITIONS	124
COUNTER TERRORISM.....	124
ADMISSION AND CONTROL OF ENTRY	125
DOOR SUPERVISORS	126
BODYCAMS	128
CCTV	130
PREVENTING ILLEGAL DRUG USE	131
PROMOTIONAL ACTIVITY	131
INCIDENT REPORTING	132
STAFF TRAINING (ALCOHOL & VULNERABILITY WELFARE).....	133
PREVENTING AND DEALING WITH DRUNKENNESS AND VULNERABILITY	134
OFF LICENSES AND REDUCING NUISANCE ASSOCIATED TO ILLEGAL STREET DRINKING (PUBLIC SPACES PROTECTION ORDER).....	135
GLASSWARE AND USE OF ICE FOUNTAINS / BOTTLE SPARKLERS	135
PREVENTING UNDERAGE SALES	136
ALCOHOL DELIVERIES	137
RESTAURANTS AND TAKEAWAYS (ALCOHOL).....	138
RESTRICTING ALCOHOL SALES IN RELATION TO DESIGNATED SPECIAL EVENTS, E.G. FOOTBALL MATCHES.....	139
USE OF SPECIAL EFFECTS	140
EMERGENCIES	140
PREVENTING NOISE AND OTHER PUBLIC NUISANCES	141
DELIVERIES (NUISANCE)	142
SMOKING AND OTHER EXTERNAL AREAS.....	143
LITTER AND CLEANSING	144
CHILDREN ON THE PREMISES	145
LATE NIGHT REFRESHMENT	146
LARGE EVENTS	146
BOXING AND WRESTLING (INCLUDING MMA AND OTHER COMBAT SPORTS).....	146
ADULT ENTERTAINMENT	147
DISPERSAL.....	148
APPENDIX C:.....	150
SCHEME OF DELEGATIONS	150

1.0 Introduction

1.1 Wokingham Borough Council is the Licensing Authority under the Licensing Act 2003 (the Act). The Licensing Authority must have regard to this policy when carrying out its functions under the Act.

1.2 The Act requires that the Licensing Authority must publish this Statement of Licensing Policy in respect of each five-year period. This policy will be used as a guide when making decisions regarding licensing matters such as determining applications for a new premises licence. The Licensing Authority makes this Statement of Licensing Policy in accordance with Section 5 of the Act.

1.3 This policy will remain in force for a period not exceeding five years and will be subject to review and further consultation. The Council will keep the policy under review, making any amendments as it considers appropriate to support licensing objectives. All reviews will be subject to further consultation with all stakeholders and any revised policy will be published.

1.4 The revised policy has been subject to consultation. The act requires the Council to consult various bodies, to meet that requirement; the following Responsible Authorities will be consulted:

- the Chief Officer of Police;
- the Fire Authority;
- the local enforcing authority for the Health and Safety at Work etc. Act 1974 (the Council's Environmental Health Team for the majority of premises on which licensable activities are carried on; in other cases, the Health and Safety Executive is responsible);
- the local authority with responsibility for Environmental Health (the Council's Pollution and Housing Team);
- the local Planning Authority;
- the Public Health Authority;
- The Council's Trading Standards Team
- the Area Child Protection Committee, and;
- any other relevant Licensing Authority in whose area a part of the premises are situated

1.5 Further to the minimum requirements around consultation. The Council will also consult representatives of holders of premises licenses, club premises certificates, businesses and residents in the Borough.

1.6 A public consultation for a 12-week period is planned and full details of the revised policy will be published on Wokingham Borough Council's website,

1.7 Replies received to the consultation will be considered before the policy is finalised and approved.

1.8 We aim to target, with enforcement action, any premises that are associated with crime and disorder, threaten public safety, generate public nuisance or threaten the wellbeing of our children. This policy along with other local strategies and initiatives will be used to control the negative impacts that licensed premises can cause, such as increased crime and public nuisance.

Wokingham Borough Council Night Time Economy Strategy

1.9 The Council as the gatekeeper of licenses, can also act as a strategic custodian to create pride in the local area, reduce crime, and enable collaboration between stakeholders to contribute to a safer night time economy. An enabler of this vision is this Statement of Licensing policy which presents a sincere approach to partnership working, greater scope in terms of model conditions and supporting licensing strategies.

1.10 The Council will collaborate with partners and licence holders through Pubwatch meetings and will seek to advance initiatives which benefit a safer night time economy.

1.11 The Licensing Authority has taken full account of the guidance issued by the Secretary of State under Section 182 of the Act. Consideration has also been given to the provisions of the European Convention on Human Rights, The Equality Act 2010 and the provisions of the Crime and Disorder Act 1998.

2.0 Purpose

2.1 The Act provides a clear focus on the promotion of four statutory licensing objectives. The Licensing Authority must have regard to these four objectives when undertaking its various licensing functions and must ensure that they are promoted. The four licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm;

2.2 Each objective is of equal importance, and they are the only matters that the Licensing Authority is permitted to have regard to when making determination on licensing applications.

2.3 The Council, in adopting this licensing policy, recognises both the needs of residents for a safe, healthy and sustainable environment to live and work, and the importance of well-run entertainment premises to the local economy and vibrancy of the Borough. The Council is committed to partnership working with Thames Valley Police, Royal Berkshire Fire & Rescue Service, local businesses, the licensing trade, local people, and those involved in child protection towards the promotion of the common objectives as set out in this policy.

2.4 This policy has five main purposes:

- 1) To inform elected members of the Licensing Committee of the powers attributed to them by the Act and to highlight the boundaries within which to make decisions.
- 2) To inform applicants of the parameters within which the Licensing Authority will make decisions and how licensed premises are likely to be able to operate within the borough.
- 3) To inform residents and businesses of the considerations which the Licensing Authority will take when making licensing decisions.

- 4) To inform Responsible Authorities of their powers under the Act to promote the four licensing objectives.
- 5) To support decisions made by the Council when these decisions are challenged in a court of law.

2.5 The Act has created several licensable activities for which it will be the responsibility of this Authority to accept applications, issue relevant licenses and to enforce the requirements of the Act in relation to those activities, in line with the four licensing objectives. The licensable activities are:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of regulated entertainment in the presence of an audience meaning:
 - Exhibition of film
 - Performance of plays
 - Indoor sporting events
 - Boxing or wrestling
 - Live music
 - Recorded Music
 - Performance of Dance
 - Anything of a similar description
 - The provision of late-night refreshment;
 - Any licensable activity provided on a temporary basis (Temporary Event Notices).

2.6 The Act also requires the Council to consult various bodies before determining the policy.

3.0 Applications

3.1 When considering an application, the Licensing Authority will have regard to:

- The Licensing Act 2003 and relevant regulations;
- Government guidance issued under section 182 of the Licensing Act 2003;
- Any supporting regulations (as may be issued and/or amended by the Secretary of State from time to time); and
- Wokingham Borough Council's Statement of Licensing Policy 2024 - 2029.

Applicants should also have regard to these documents when preparing their application.

3.2 Each application will be considered individually on its own merits. This policy does not undermine the rights of any person to make an application under the Act for a variety of permissions or the right of any person to make representations or seek a review of a licence or certificate where the Act permits this.

3.3 Without prejudice to the right of any person to apply at any time, applicants are encouraged to discuss their proposals in advance with the Police. It may be beneficial to draw on the experience of the Police in relation particularly to the prevention of crime and disorder. Whilst there is no obligation on the part of the applicant to accept any advice or proposed condition requested by the Police (any conditions must be proportionate and appropriate), it remains that should there be areas of agreement between the two parties a representation from the Police would be less likely and (in the absence of any other representations) would lead to a speedier determination of the licence application.

3.4 When making an application, applicants should have regard to the local area and reflect this in their operating schedule.

3.5 An application for a premises licence must be made in the prescribed form to the Council. The application must be accompanied by:

- the required fee;
- an operating schedule (see below);
- a plan of the premises in a prescribed form to which the application relates; and
- if the application involves the supply of alcohol, a form of consent from the individual who is to be specified in the licence as the Designated Premises Supervisor.

3.6 An application will only be deemed to be ‘received’ once all the required supporting information has been submitted.

3.7 The operating schedule should ideally include a general description of the style and character of the business to be conducted on the premises (for example, a supermarket, or a cinema with six screens and a bar, or a restaurant, or a public house with two bars, a dining area and a garden open to customers). It is also expected to indicate the type of entertainment available on the premises, whether licensable under the 2003 Act or not. This is essential so that responsible authorities and interested parties can form a proper view as to what measures may be necessary at such premises for the protection of children from harm. For example, it is important that plans for regulated entertainment of an adult nature or with sexual content should be disclosed. An operating schedule must also set out the following details:

- the licensable activities to be conducted on the premises;
- the times during which it is proposed that the relevant licensable activities are to take place;
- any other times when the premises are to be open to the public;
- where the licence is required only for a limited period, that period;
- where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the Designated Premises Supervisor;
- where the licensable activities include the supply of alcohol, whether the alcohol will be supplied for consumption on or off the premises or both;
- the steps which the applicant proposes to take to promote the licensing objectives.

3.7 In preparing an operating schedule, applicants should have a good idea of the expectations of the Council and the Responsible Authorities about the steps that are necessary for the promotion of the licensing objectives. It is recommended that applicants, having completed their own risk assessments, should seek the views of the key responsible authorities. For example, on matters relating to crime and disorder, Thames Valley Police should be consulted and on matters relating to noise, Wokingham Borough Council's ASB or Environmental Health officers should be consulted. Such co-operative effort will help minimise the number of disputes which arise in respect of operating schedules. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, which they have set out in the operating schedule, will very often translate directly into conditions that will be attached to a premises licence.

3.8 Applications for the grant, variation or review of a premises licence should be advertised in accordance with the arrangements prescribed in the regulations. The content of the advert must use those terms and descriptions of the application that are prescribed by the regulations made under the Act.

3.9 A person making an application for a Premises Licence or Club Premises Certificate, or major variations of such licenses or certificates, must send details of their applications to the Responsible Authorities, unless the application is submitted electronically, in which case the Council will serve the Responsible Authorities. These authorities must be consulted about such applications and are entitled to lodge representation.

3.10 The Responsible Authorities, in the case of all premises, include: -

- the Chief Officer of Police;
- the Fire Authority;
- the local enforcing authority for the Health and Safety at Work etc. Act 1974 (the Council's Environmental Health Team for the majority of premises on which licensable activities are carried on; in other cases the Health and Safety Executive is responsible);
- the local authority with responsibility for Environmental Health (the Council's Pollution and Housing Team);
- the local Planning Authority;
- the Public Health Authority;

- The Council's Trading Standards Team
- the Area Child Protection Committee, and;
- any other relevant Licensing Authority in whose area a part of the premises are situated.

3.11 In relation to vessels, but no other premises, the Responsible Authorities will also include: -

- the navigation authorities;
- the Environment Agency;
- the British Waterways Board, and;
- the Secretary of State for Transport.

Consultation

3.12 The consultation must include a copy of the application form, the operating schedule, a plan of the premises and proof that notice of the application has been served on the Responsible Authorities. If the application involves the supply of alcohol, a form of consent from the individual who is to be specified as the Designated Premises Supervisor must be included.

3.13 As part of the consultation process, the Council may choose to consult with whoever appears appropriate to help it determine the application. Such interested parties may include: Councillors, persons living in the vicinity; bodies representing persons living in that vicinity; individuals involved in businesses in the vicinity; and bodies representing those persons involved in such businesses. In addition, these groups or organisations may themselves seek comments from others whom they know may wish to be aware of the application. These comments may in turn be passed on to the Council as part of the consultation process.

Representations

3.14 If no Responsible Authority makes a representation about an application and no interested party seeks to do so, then no hearing would be required and the application will be granted in the terms sought subject only

to conditions which are consistent with the operating schedule and relevant mandatory conditions in the Act.

3.15 Where a representation is made under the terms of the Act by any person there will be a preliminary stage at which the Council will consider whether the representation is relevant, and not vexatious or frivolous. If the Council decide it is not relevant, no hearing is required in relation to that representation and in the absence of representations from other parties or responsible authorities, the application must be granted. The aggrieved person whose representation is not regarded as “relevant” may challenge the Licensing Authority’s decision by way of judicial review.

Public health representations

3.16 Section 104 of the Police Reform and Social Responsibility Act 2011 amends the 2003 Act so as to include Public Health as a Responsible Authority.

3.17 As a Responsible Authority, Public Health can make representations in relation to applications for the grant, variation, minor variation or review of premises licenses and club premises certificates. In addition, Public Health may themselves seek a review of a premises licence. Any representation must be specific to the premises and cannot be a general objection.

3.18 Representations should be evidence based and should demonstrably refer to one or more of the licensing objectives. As there is no licensing objective relating to public health, Public Health must ensure representations are relevant to one of the four existing objectives.

Determination

3.19 Where a representation is lodged by a Responsible Authority about a proposed operating schedule, the Council’s discretion will be engaged. It is also engaged if any person makes relevant representations to the Council which are not frivolous or vexatious. A hearing will be required at which the disputing parties should be invited to present argument. The need for a hearing can only be dispensed with by the agreement of the Council, the applicant and all of the parties who made relevant representations. The hearing process must meet the requirements of the Regulations made under

the Act. The Council will seek to focus the hearing on the steps needed to promote the particular licensing objective which have given rise to the specific conflict and avoid straying into undisputed areas. In determining the application, the Council will give appropriate weight to:

- the argument and evidence presented by all parties;
- the guidance issued by the Secretary of State under Section 182 of the Act;
- the Wokingham Borough Council Statement of Licensing Policy 2023 - 2028;
- the steps that are necessary to promote the licensing objectives.

3.20 The Council will give its determination with reasons provided to support the determination. After considering all the relevant issues, it will be open to the Council to grant the application subject to such conditions that are consistent with the operating schedule, and these can be modified to such an extent that the Council considers necessary for the promotion of the licensing objectives. Alternatively, the Council may refuse the application on the grounds that refusal is necessary for the promotion of the licensing objectives. It may also refuse to specify a Designated Premises Supervisor and/or only allow certain requested licensable activities.

Variations

3.21 Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition in question. The applicant will need to propose in a new operating schedule reflecting the proposed alteration to the premises what alternative steps he or she intends to take (if any) to promote the licensing objectives. The application for variation will enable the responsible authorities with expertise in licensing matters to consider whether the proposal is acceptable.

3.22 Particular scrutiny will be given to applications for a variation where there has been a proven history of non-compliance at the premises.

4.0 Representations

4.1 The Act describes two groups that may make representations to applications. These groups are “Responsible Authorities” and “Other Persons”.

4.2 The meaning of ‘other persons’ is any individual, body, organisation, group, association or business who is, or is likely to be, affected by the operation of a licensed premises. Other persons do not need to live within the vicinity of the premises to make a representation. However, the Licensing Authority will consider the location of the person making the representation when deciding what weight to allocate to the representation.

4.3 Any representation must be relevant, meaning that it must relate to one or more of the licensing objectives. All representations will be considered on their merits unless the authority deems that a representation is vexatious, frivolous or (in the case of a review) a repetition. In relation to applications for reviews a repetitious representation is one that is identical or substantially similar to grounds for review specified in an earlier application for review made in respect of the same premises that has already been determined by the Council.

4.4 Any representation must be received within the prescribed consultation period allocated to an application (28 days for new, variation and review applications). Any representations not received within the specified time will be invalidated and returned. It is the responsibility of the person making the representation to ensure that their representation is received on time. Representations may be hand delivered in writing to the Wokingham Borough Council, Shute End, Wokingham RG40 1BN or sent by email to licensing@wokingham.gov.uk . Wokingham Borough Council are unable to accept verbal representations over the telephone.

4.5 Copies of representations, including the name and address details of the person making the representation will be sent to the applicant. We are unable to accept anonymous representations. Telephone or email details will not be shared with the applicant unless agreed with the person who submitted representation has expressively given their consent for this information to be released.

Petitions

4.6 It should also be made clear that the lead petitioner is expected to speak on the behalf of all petitioners at any hearing - if a person signing the petition would also like to raise their own representation, then this individual method is an option for them to guarantee their right to make oral representation and raise whatever issues affect them directly.

4.7 The Licensing Authority will accept petitions, but there are some important factors to consider before organising a petition:

- We ask that the instigator of the petition identifies themselves as a central point of contact.
- We may need to make contact in order to verify certain matters and if we are unable to do this it could invalidate the petition.
- Each page of the petition should contain information as to the purpose of the petition so that all persons know what they are signing.
- Full names and addresses must be supplied.
- The petition must make clear the premises/application to which it relates
- The petition must relate to one or more of the licensing objectives
- Petitions regarding the Licensing Act 2003 must be submitted in accordance with Wokingham Borough Council's procedures on representations to the offices of the Licensing Authority at Wokingham Borough Council, Shute End, Wokingham, RG40 1BN within the statutory consultation time limit.
- Representations will not be accepted if they are libellous, slanderous, racist or of an unacceptable nature.
- Representations relating to the impact of new businesses on existing trade cannot be taken into account.
- All signatories must be made aware that a copy of the petition will be supplied to the applicant and a copy will be contained within the committee papers, so their personal details will become public knowledge.
- We will not write to each signatory separately, but instead assume that the instigator will advise each signatory of the hearing date and the final outcome of the application. It is expected that the instigator will represent the signatories at the hearing and to speak for them.

5.0 Determining Applications

Licensing objectives

5.1 The Council will carry out its functions under the Act with a view to promoting the licensing objectives.

The Licensing Objectives are:

- The prevention of crime and disorder;
- Ensuring public safety;
- The prevention of public nuisance;
- The protection of children from harm.

Each objective is of equal importance.

Premises licenses

5.2 When determining applications, the Council will take into account the operating schedule submitted by the applicant, the suitability of the premises for the intended use, any cumulative impact policy which may be in effect and any representations received as a result of the consultation process.

5.3 When considering any application, the Licensing Authority will so far as possible avoid duplication with other regulatory regimes and does not intend to use the Licensing Act to achieve outcomes that can be achieved by other legislation.

5.4 In particular the licensing functions will be carried out separately from the Council's functions as the Planning Authority. However, it will normally be expected that applications for premises licenses in respect of permanent commercial premises should normally be from businesses with the appropriate planning consent for the property concerned (other permissions, such as permission of the premises owner, may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where appropriate).

5.5 In undertaking its licensing functions, the Council will be mindful of other legislation which may impact on the promotion of the licensing objectives, for example:

- Crime and Disorder Act 1998 in particular Section 17
- The Health & Safety at Work Act etc. 1974
- The Environmental Protection Act 1990 (as amended)
- The Regulatory Reform (Fire Safety) Order 2004
- The Equalities Act 2010
- Human Rights Act 1998
- Safety of Sports Grounds Act 1975
- Town and Country Planning Act 1990
- Planning & Compulsory Purchase Act 2004
- Police Reform Act 2000
- The Police and Crime Act 2009
- The Anti-Social Behaviour, Crime and Policing Act 2014
- Violent Crime Reduction Act 2006
- Health Act 2006

5.6 The licensing process can only seek to control those measures within the control of the licensee, and ‘in the vicinity’ of a premises. The conditions attached to various authorisations will, therefore, be consistent with operating schedules and will mainly focus on:

- matters within the control of individual licensees and others who are granted any relevant authorisations;
- the premises and places being used for licensable activities and their vicinity; and
- the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

Public health

5.7 The Licensing Authority recognises there is no public health licensing objective and therefore cannot conduct its licensing function in order to promote public health. The licensing function can only be carried out to promote the four licensing objectives as set out by the Licensing Act 2003.

5.8 Through ensuring the responsible selling of alcohol, this may impact on reducing a person's drinking at harmful or hazardous levels. However, it is recognised that any such positive impact will be as a coincidence of the Licensing Authority conducting its licensing function under the Act to promote the licensing objectives. Local Health Bodies potentially have access to much data that can inform licensing decisions and policy. When such data is presented it will be considered and where links are made to any of the four licensing objectives it will be taken into account by the Licensing Sub-Committee in reaching its decision. The Licensing Authority recognises the impact of alcohol misuse and it is hoped that through the implementation of this licensing policy the promotion of the four licensing objectives will in turn have a positive effect on preventing alcohol misuse. For example, by ensuring licensed premises refuse sales of alcohol to children, or those attempting to purchase it on behalf of children; this will impact positively on a reduction in child alcohol related health problems.

5.9 Applications relating to premises will be made by a person who is, or who proposes to be carrying on the business involving the use of the premises. A person can include a company. All applications for licenses and variations of licenses are subject to a consultation process, the following will be consulted:

- Responsible Authorities
- Ward Councillors;
- Appropriate Council departments;
- Any other group the Council considers appropriate;

5.10 The applicant for any premises licence is responsible for placing an advertisement at the premises and in a local newspaper, the Council will advertise the application on the Council website. The law requires that the notice on the premises must be on pale blue paper of at least A4 in size, the writing must be of font size 16 or equivalent and that it must be clearly visible from the outside of the premises. The newspaper advertisement must appear in a local newspaper circulating in the area within 10 working days starting on the day after submission of the application to this authority. At the end of the consultation process, the application will be determined. If no representations have been made, then an officer of the Council will determine the application under delegated authority and the licence will be granted in line with the application and operating schedule. If there are representations, the

application will be determined by the Licensing Sub-Committee. The Council may consider representations based on the impact of the promotion of the licensing objectives in the Borough generally, and on the grant of the particular application before them.

5.11 Where representations are made to a particular application, either from a Responsible Authority about a proposed operating schedule or from an “other person” that relates to the licensing objectives, a hearing will be held at which the applicant and those making representation will have the opportunity to comment on the representations made.

5.12 In all cases, applicants and those making representation in respect of applications made to the Licensing Authority have a right of appeal to the Magistrates’ Court against the decisions of the Authority. Any appeal must be lodged within 21 days of the date upon which written notice of the decision is given by the Licensing Authority.

5.13 Guidance is available for applicants, which sets out the details of the application process, having regard to the Licensing Act 2003, the regulations, statutory guidance and local practice and procedures. It should be noted that incomplete applications will not be accepted but will be returned with an explanation as to why it is incomplete.

5.14 Guidance is equally available for those wishing to make representation or to call a review of an existing licence.

Minor variations

5.15 Minor variations will be considered in respect of minor changes to the plan, structure or layout of a premises, small changes to licensing hours, the removal or addition of conditions where appropriate, the removal or addition of licensable activities to the scope of the licence (where permitted by legislation) and any other minor matter where it is considered that the application does not adversely impact on one or more of the licensing objectives.

5.16 A simplified process will be adopted for minor variations. The Licensing Authority will consult with any relevant Responsible Authority that it deems appropriate (if any) and any representations from them will be considered.

Whilst each application will be considered on its individual merits, it will be normal practice to refuse an application for a minor variation in favour of a full variation should any representations be received, unless agreement can be reached which satisfies the representation. In the absence of any representation the minor variation would normally be granted provided that there is no likelihood of any adverse effect on the licensing objectives.

6.0 Promoting the Four Licensing Objectives

6.1 The promotion of the four objectives is fundamental to the Act. Every applicant for a premises licence will be required to provide a fully completed, detailed operating schedule. This schedule will be in the prescribed format. By completing this operating schedule, applicants will demonstrate that they have considered strategies that will lead to fulfilment of the licensing objectives. The schedule will contain the following information:

- The licensable activities to be conducted on the premises
- The times during which these activities will take place (including any differing times during holiday periods or during particular seasons if it is likely that times would be different);
- Any other times when the premises will be open to the public;
- If alcohol is to be supplied for consumption on the premises, the name and address of the Designated Premises Supervisor;
- Whether alcohol will be supplied for consumption on or off the premises;
- What steps the applicant will take to promote the four licensing objectives;
- Any other details set out from time to time in regulations issued by the Secretary of State.

6.2 In respect of each of the four licensing objectives, applicants will be expected to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended, or is likely to attract larger audiences.

6.3 The most appropriate means for an applicant to assess what measures are needed to promote the licensing objectives would be by completion of a risk assessment. The operating schedule forms the basis of any conditions placed on any licence issued. It also provides valuable information to responsible authorities and other persons to assist in their assessment of the

impact of any licensed activity on the licensing objectives and provides information as to how the applicant will address these issues. It could therefore, form the basis of any decision to submit representation against the application. For this reason, although the Licensing Authority recognise that a risk assessment cannot be demanded (other than where required by other legislation) it would be in the applicants interest to provide the fullest possible detail in the operating schedule, for which a full risk assessment would provide confirmation that the applicant has seriously considered the issues and is aware of his/her duty to promote the licensing objectives at all times, but more importantly is aware of how this may be best achieved.

6.4 One example of where a risk assessment is required under separate legislation is under the Regulatory Reform (Fire Safety) Order 2005, which requires that a fire safety risk assessment must be recorded and made available for inspection. The fire service would normally expect this information to be made available on application for a premises licence.

6.5 Applicants have primary responsibility for their own particular premises and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.

6.6 Guidance is offered below as to possible control measures, which may assist applicants in formulating their operating schedule. Given the earlier acknowledgement of the numbers of different types of premises, it should be noted that these measures are by no means to be considered an exhaustive list. Many control measures achieve more than one objective but have not necessarily been repeated under each objective. Similarly, applicants will not be expected to list a control measure more than once in their operating schedule.

6.7 Additional measures may need to be considered on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended or likely to attract a larger audience, or audiences of a different nature, which may have significant impact on the achievement of the licensing objectives. Where applicable, reference must be made in an applicant's operating schedule to such occasions, which should highlight the

additional measures that are planned in order to achieve the licensing objectives.

6.8 The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives. For this reason, these measures should be specifically considered and addressed within an applicant's operating schedule.

Capacity

6.9 Whilst it is acknowledged that the setting of occupancy limits for a premises is not a requirement, this is considered to be an essential factor in effective achievement of the licensing objectives in relation to premises other than those licensed primarily for the consumption or sale of food and for sale of alcohol for consumption 'off' the premises. In relation therefore to relevant premises operating on the basis of selling alcohol for consumption 'on' the premises and/or providing a high level of regulated entertainment and for specific types of occasional events, the Licensing Authority will expect that the issue of occupancy capacity is considered and, where appropriate, addressed. Within the operating schedule and in appropriate instances a voluntary maximum occupancy capacity would be considered 'good practice'.

6.10 When determining capacity in line with above, important factors would include the design and layout of the premises and the size and number of exits within recommended travel distances. Other factors to be considered could include:

- The nature of the premises or event;
- The nature of the licensable activities being provided;
- The provision or removal of such items as temporary structures, such as stages or furniture;
- The number of staff available to supervise customers both ordinarily and in the event of an emergency;
- The usual average age of customers
- The attendance by customers with disabilities, or whose first language is not English;
- Availability of suitable and sufficient sanitary accommodation; and

- The nature and provision of facilities for ventilation.

6.11 The agreement to a capacity for a premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as door staff, attendance clickers or maintenance of attendance records. The Licensing Authority recognises that the person in charge at the premises can often readily assess the occupancy level of the premises without resort to such measures. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded. Equally this does not remove the requirement for the applicant to consider the use of door staff or for a Responsible Authority to make representation to that issue on the basis of fact and in appropriate and proportionate circumstances. In such cases if agreement cannot be reached between applicant and the Responsible Authority concerned, the matter would be determined by members of the licensing panel, who would assess the individual circumstances of the matter based on its individual merits.

7.0 Prevention of Crime and Disorder

7.1 Wokingham Borough Council is committed to further reducing crime and disorder within the borough and helping people feel safe. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the borough particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, and variations of conditions.

7.2 The promotion of the licensing objective to prevent crime and disorder places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

7.3 Particular scrutiny will be given to applications for a variation where there has been a proven history of non-compliance at the premises.

7.4 When addressing the issue of crime and disorder, the applicant should be able to demonstrate that those factors that impact on crime and disorder have been considered. These factors include:

- Underage drinking;
- Drunkenness on the premises;
- Public drunkenness;
- Drugs;
- Violent behaviour;
- and Anti-social behaviour.

7.5 Examples of control measures are highlighted below, to assist applicants, who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Effective and responsible management of the premises; the capability of the person who is in charge of the premises during trading hours or when Regulated Entertainment is provided to effectively and

responsibly manage and supervise the premises, including associated open areas;

- Training and supervision of staff; The steps taken or to be taken to ensure that appropriate instruction, training and supervision is given to those employed or engaged in the premises to prevent incidents of crime and disorder, and where appropriate any relevant qualifications;
- The measures taken or to be taken to raise staff awareness and discourage and prevent the use or supply of illegal drugs on the premises;
- Adoption of best practice guidance (e.g. Home Office: Selling Alcohol Responsibly, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other recognised codes of practice, including those relating to drinks promotions);
- Acceptance of accredited 'proof of age' cards e.g. PASS and/or passports and photographic drivers' licenses;
- Incident and refusal books kept and maintained on the premises;
- Membership of the "Reducing the Strength" scheme;
- Provision of effective CCTV in and around the premises;
- Employment of Security Industry Agency (SIA) door staff;
- Provision of polycarbonate drinking vessels;
- Provision of secure deposit boxes for confiscated items ('sin bins') such as drugs weapons etc;
- Provision of security measures such as outside lighting; and
- Membership of local 'pubwatch' schemes or similar;
- Any appropriate additional measures taken or to be taken for the prevention of violence or public disorder.

7.6 The extent to which the above matters need to be addressed will be dependent on the individual style and characteristics of the premises, proposed events and activities. In general, however, the Council will expect more comprehensive measures to be in place at late night venues (i.e. premises which remain open to the public after midnight) or in premises with a history of crime and disorder issues.

7.7 Where additional measures have been identified as likely to have an impact on the prevention of crime and disorder at any premises, the Council

would expect applicants to detail such measures to be taken in their operating schedules. Such measures may include:

- Provision of effective CCTV with recording facilities both within and outside certain premises;
- Crime prevention design, including adequate lighting and supervision of car parks;
- Metal detection and search facilities;
- Procedures for risk assessing promotions and events such as ‘happy hours’ for the potential to cause crime and disorder, and plans for minimising such risks;
- Measures to prevent the use or supply of illegal drugs
- Employment of Security Industry Authority licensed door supervisors and other appropriately trained staff;
- Participation in an appropriate Pubwatch Scheme or any other similar scheme;
- Promotion of safe drinking;
- The control of glass and the provision of plastic containers or toughened glass;
- Use of radio net system (where available);
- Provisions for dealing with prostitution or indecency;
- Provisions for discouraging drinking in public places in the vicinity of the premises;
- Policies on dress and music;
- Appropriate additional staff training.

7.8 In addition, in circumstances where the applicant has agreed measures to co-ordinate closing times or to prevent migration between premises with different closing times, it would be appropriate to detail such arrangements in the operating schedule.

7.9 All premises applying for licensing beyond midnight must demonstrate that its customers will be capable of leaving the area without causing a disruption to local residents or impact upon crime and disorder. For example, where appropriate and relevant an assessment of the availability of late-night transport, and the likely flow of pedestrian traffic away from the premises, could be included in the operating schedule.

7.10 The Council will have regard to representations from the Police in deciding whether the above issues have been adequately addressed. Where Police representations indicate that any matter has not been addressed sufficiently to avoid a potential negative impact on crime and disorder, the applicant will be expected to demonstrate that the issues can be satisfactorily addressed before the Council will grant an application for a licence or a variation of a licence.

7.11 Where either prescribed and/or premises-related conditions have not been adhered to in the past, the Council will expect applicants to have considered and taken action to rectify those issues. Applications are likely to be refused where there are significant outstanding issues.

7.12 In respect of premises predominantly supplying take-away food, between the hours of 11.00pm and 5.00am the Council would need to be satisfied that the supply of alcohol will not lead to an increase in crime and disorder or public nuisance in the vicinity of the premises.

7.13 The Council will expect licensees of venues likely to be affected by drugs to take all reasonable steps to prevent the entry of drugs into licensed premises, to take appropriate steps to prevent drugs changing hands within the premises and to take practical measures to prevent tragedies as a result of drug misuse. In certain types of premises, it may be appropriate and relevant for the operating schedule to include measures such as access for customers to drug testing kits, particularly for the prevention of drug assisted sexual assault, chill-out rooms and free water.

7.14 The Council will not support drinks' promotions that encourage the irresponsible consumption of alcohol, and where there is demonstrable evidence that certain types of promotion (such as "buy one get one free", "drink as much as you can for £20.00" or time limited price promotions) encourage significant alcohol intake within short periods of time ('binge drinking'), and the Council may consider, where relevant representations have been made, imposing special conditions. If such promotions are permitted, they should be held in accordance with the mandatory conditions which prohibit irresponsible promotions.

7.15 Within the operating schedule for premises from which alcohol will be sold, the applicant must identify the Designated Premises Supervisor. The Council will normally expect the Designated Premises Supervisor to have been given the day to day responsibility for running the premises by the holder of the premises licence and, as such, would normally expect them to be present on the premises on a frequent and regular basis

7.16 Glass is a major factor in disturbances around licensed premises. At certain types of premises if measures were introduced in relation to glass control within the premises, at disposal points and to prevent the unauthorised removal of glass from premises, these may assist in promoting the licensing objective of preventing crime and disorder. In such cases it may be appropriate for applicants to address these issues through their operating schedule.

7.17 Whenever any persons are employed at licensed premises to carry out a security activity, it will be a condition of licence that all such persons must be licensed with the Security Industry Authority. The applicant may consider that certain premises require strict supervision for the purpose of promoting the licensing objectives. In such cases, it may be appropriate for the applicant to provide details of the security arrangements to be employed at the premises. This may then form the basis of an appropriate condition on the licence. The absence of such measures in the operating schedule may give rise to a relevant representation.

7.18 The Council will work closely with Thames Valley Police to review the licenses of premises where a Police Closure Notice has been served.

7.19 Off Licenses, shops, supermarkets and stores selling alcohol for consumption off the premises potentially have a high risk of crime and disorder as well as being targeted as an easy premises from where to acquire alcohol. Such premises can contribute to antisocial behaviour and disorder through the consumption of alcohol on the street and in open spaces by groups of drinkers, through the sale of alcohol to children, and through the sale of alcohol to street drinkers and persons who are already drunk.

7.20 It is important that members of staff working at off licenses are suitably trained in their responsibilities under the Act and can discharge their duties in

full compliance with the licence conditions and requirements of the Act. This includes the ability to competently check a customer's age with acceptable forms of identification where appropriate. The Licensing Authority will particularly consider the following matters where they are material to the individual application:

- The likelihood of any violence, public order, disorder or policing problem if the licence is granted;
- The measures taken to control admission to the premises, and to take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside the premises, where and to the extent that these matters are within their control;
- Past conduct and prior history of complaints against the premises;
- Whether a dispersal policy has been prepared to minimize the potential for disorder as customers leave the premises; and
- Any relevant representations.

7.21 It is recommended that applicants discuss the crime prevention procedures in their premises with the Thames Valley Police and Wokingham Borough Council's Licensing Officer before making a formal application.

7.22 The Licensing Authority is aware of the link between the supply of discounted alcohol and incidents of alcohol related disorder as well as the impact that excessive consumption of alcohol or binge drinking can have on public health and will consider whether any additional measures or restrictions can be placed on alcohol sales to prevent binge drinking and promote 'sensible drinking'.

7.23 Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder; keeping out excluded individuals (subject to court bans or imposed by the licence holder);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of venues prone to such queuing.
- Where door supervisors conducting security activities are to be a condition of a licence, conditions may also be needed to deal with the

number of supervisors required, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

7.24 The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The police should provide individuals conducting risk assessments, when preparing operating schedules, with advice on the use of CCTV to prevent crime.

7.25 It may be appropriate at some premises for notices to be displayed that warn customers of the prevalence of crime that may target them. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the displaying of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be appropriate for notices to be displayed that advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

7.26 This authority supports the Wokingham Pubwatch scheme. Such schemes are voluntary (unless there is a specific licence condition that makes membership obligatory) as they are organised by licence holders themselves to share good practice and intelligence information, thus promoting due diligence.

7.27 The Council will consider representations from the Police to exercise its powers to designate areas where alcohol may not be consumed in a public place to meet the Public Safety and Crime and Disorder Objectives

7.28 Local crime prevention strategies will, wherever appropriate and as far as is possible, be supported and reflected in conditions attached to premises licenses and club premises certificates.

8.0 Public Safety

8.1 Wokingham Borough Council is committed to ensuring as far as practicably possible that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

8.2 The Council is committed to ensuring public safety across the borough by working in `close partnership, in particular, with Thames Valley Police and Royal Berkshire Fire and Rescue Service, as well as with licensees.

8.3 When addressing the licensing objective of public safety, an applicant will be expected to demonstrate that those factors that impact upon the standards of public safety have been considered. These may include:

- The condition, design and layout of the premises, including the means of escape in case of fire;
- Arrangements to ensure the safety of customers and staff in the event of fire or another type of emergency;
- The nature of the activities to be provided, in particular the sale or supply of alcohol, and including whether those activities are of a temporary or permanent nature;
- The occupancy capacity of the premises, meaning the number of people that can safely be accommodated at the premises; having regard, in particular to floor area and means of escape;
- The customer profile e.g. age, disability etc;
- The necessary health and safety and fire risk assessments at premises and events, and other measures to reduce risk to public safety;
- The measures to be employed to monitor the occupancy of the premises so that maximum capacities (where identified) are not exceeded;
- The necessary risk assessments to cover the erection and design of any temporary structures;

- Risk assessments and safety procedures in the event that the use of special effects such as lasers, pyrotechnics, smoke machines, foam machines etc is proposed;
- The number of people employed or engaged to secure the safety of everyone attending the premises or event;
- Measures for the appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises or event;
- Noise exposure, both in terms of staff safety and protection of hearing for the public and staff at the premises, in accordance with current legislation;
- Arrangements to ensure that litter, generated by the activity of premises, does not create a fire hazard;
- Implementation of appropriate crowd management measures
- The hours of operation (differentiating the hours of opening from the hours during which licensable activities are conducted, if different);
- The adequacy of transportation arrangements to ensure customers are able to travel safely to and from the premises and alerting people to the dangers of drinking and driving);
- Any arrangements or advertising of taxis and private hire vehicles to relate only to such vehicles properly licensed by the Council.
- The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines etc.

The extent to which the above matters need to be addressed will be dependent on the individual style and characteristics of the premises, proposed events and activities.

8.4 The Council will have regard to representations from the responsible authorities to determine if measures proposed are sufficient to ensure the safety of the public. Where representations are made by one of the responsible authorities indicating that any matter has not been addressed sufficiently to ensure public safety, the applicant will be expected to demonstrate that the issues can be satisfactorily addressed before the Council will grant an application for a licence or a variation of a licence.

8.5 Prior to the determination of a licensing application, and subsequently, an applicant must comply with statutory requirement/regulations to provide the following:

- (a) Electrical Inspection Report Certificate
- (b) Fire Alarm Test Inspection Report
- (c) Emergency Lighting Inspection and Test Report
- (d) Fire-fighting Equipment
- (e) Flame Retardant Properties of Materials Certificate (new premises or new upholstery)
- (f) Gas Safety Certificate
- (g) Ceiling Certificate, in the case of cinemas.

8.6 Where applicants consider the use of licensed door supervisors to control access and egress to and from premises, this should be detailed in the operating schedule and where appropriate the Council will consider the attachment of a suitable condition. The absence of such measures in the operating schedule may give rise to a relevant representation.

8.7 The Council will work in close partnership with the Royal Berkshire Fire and Rescue Service to assist in determining an appropriate maximum capacity, where required, at individual venues.

8.8 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Suitable and sufficient risk assessments;
- Effective and responsible management of the premises;
- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and its patrons;
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and its patrons;
- Adoption of best practice guidance;
- Provision of effective CCTV in and around the premises;
- Provision of polycarbonate drinking vessels;
- Implementation of crowd management measures; and
- Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

8.9 It should be noted that in the context of promoting public safety, this relates to the physical safety of those using the premises and not public health, although there may be an incidental public health effect from some conditions designed to promote public safety.

8.10 It should be noted that conditions relating to public safety should be those that are appropriate, in the particular circumstances of any individual premises or club premises and should not duplicate other requirements of the law. Equally, the attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc. Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999 and the Fire Precautions (Workplace) Regulations 1997 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures appropriately to avoid and control these risks. Conditions enforcing those requirements would therefore be inappropriate.

8.11 Fire safety guides are available to assist with the completion of operating schedules and may be found at:

<https://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business>

8.12 The significant findings of a Fire Risk assessment would consist of:

- A list of the fire hazards as identified by the risk assessment;
- The control measures put in place to remove or mitigate the hazards presented;
- Details of the persons affected by the hazards within the premises;
- Details of the actions to be taken in the event of a fire or the actuation of a fire alarm (emergency plan);
- Individual roles and responsibilities.

8.13 Glasses containing drinks may be used as weapons during incidents of disorder and in un-toughened form, can cause very serious injuries. Consideration could therefore be given to conditions requiring the use of polycarbonate (or similar) containers where considered appropriate. Location

and style of the venue and the activities carried on there would be particularly important in assessing whether a condition is appropriate. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of polycarbonate containers during the televising of live sporting events, such as international football matches or “high risk” matches, when high states of excitement and emotion fuelled by alcohol might arise, may be an appropriate condition. It should be noted that the use of polycarbonate or paper drinks containers may also be relevant as measures appropriate to promote public safety.

8.14 Although most commonly made a condition of a licence on public safety grounds, consideration should also be given to conditions which set capacity limits for licensed premises or clubs where it may be appropriate to prevent overcrowding which can lead to disorder and violence. Where such a condition is considered appropriate, consideration should also be given to whether door supervisors would be needed to ensure that the numbers are appropriately controlled.

Medical resource

8.15 The applicant should complete a risk assessment as to the type and amount of medical provision is required for their event. Assistance can be taken from the Purple Guide; the expectation of the Licensing Authority is that medical resourcing matches the formula given in the Purple Guide as a minimum. Sufficient reasons would need to be given to depart from this position.

8.16 The Licensing Authority expects exclusive medical provision for events with capacity over 1,000 such as boxing, concerts, festivals, DJ sets, sports events, live-streamed sports events for example in a fan zone. ‘Exclusive medical provision’ means that those designated with roles under a Medical Resource Risk Assessment are not given any other roles or duties other than their assigned tasks relating to medical support.

9.0 Prevention of Public Nuisance

9.1 Licensed premises have a significant potential to adversely impact upon communities through public nuisances that arise from their operation. This Authority wishes to maintain and protect the amenity of residents and businesses from the potential consequence of the operation of a licensed premise whilst balancing this with the recognition of the valuable cultural, social and economic importance that such premises provide.

9.2 It is the intention of this Authority to interpret 'public nuisance' in its widest sense, in this context includes such issues as noise and disturbance, light pollution, odour, vermin and pest infestations, accumulations of refuse and litter, and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

9.3 It should be noted that provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions of the Licensing Act 2003 enable a police constable or council officer to close down licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are appropriate for the prevention of public nuisance.

9.4 It should be clear to applicants that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received.

9.5 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

9.6 When addressing the issue of the prevention of public nuisance, the applicant must demonstrate to the Licensing Authority that those factors,

which impact upon the likelihood of public nuisance, have been considered. These may include:

- The location of the premises and its proximity to residential and other noise sensitive premises such as hospitals, hospices and places of worship;
- The hours of opening, particularly between 23.00 hours and 07.00 hours;
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside
- or outside the premises;
- The design and layout of the premises and in particular the presence of noise limiting features;
- The occupancy capacity of the premises;
- The availability of public transport;
- 'Wind down period' between the end of licensable activities and the closure of the premises;
- Last time of admission;
- Measures taken or proposed for management and supervision of the premises and associated open areas to minimise unreasonable disturbance by customers and staff arriving or departing from the premises and delivery of goods and services.
- Control of opening hours for all or part (e.g. garden areas) of the premises
- Measures taken to control light to ensure that it does not stray outside the boundary of the premises such as to give rise to problems to residents in the vicinity
- Steps taken to lessen the impact of parking in the local vicinity
- Measures taken to prevent someone who has consumed excess alcohol from entering the premises and to manage individuals on the premises who have consumed excess alcohol
- Management arrangements for collection and disposal of litter and refuse, and the control of pests
- Arrangements for ensuring that adequate and suitably maintained sanitary provision and washing facilities are provided for the number of people expected to attend any premises or events
- Fly posting;

- Management arrangements for any proposed use of bonfires, fireworks and other pyrotechnics;
- Any concerns / representations raised by a Responsible Authority such as the Pollution Control Authority, Licensing Authority or Thames Valley Police.

9.7 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Effective and responsible management of premises;
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance e.g. to ensure customers leave quietly;
- Control of operating hours for all or parts (e.g. Gardens) of the premises, including such matters as deliveries;
- Adoption of best practice guidance;
- Installation of sound proofing, air conditioning, acoustic lobbies and sound limitation devices;
- The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises. This will usually be of greater importance late at night and/or in the early hours of the morning. However, nuisance can arise at any time of the day or night;
- Liaison with public transport providers;
- The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;
- The delivery and collection areas and delivery/collection times;
- Siting of external lighting, including security lighting;
- Management arrangements for the collection and disposal of litter;
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence holder;
- The generation of odour, e.g. from the preparation of food;
- Provision of details pertaining to local taxi or private hire companies; and
- Effective ventilation systems to prevent nuisance from odour.

9.8 Noise may often be created by patrons and/or their modes of transport arriving and leaving licensed premises, or from machinery or vehicles belonging to the licence holder's business, refuse collection and deliveries. Discarding of wrappers, bottles, cans and general litter may also present problems in relation to particular premises. Whilst not in themselves a licensable activity, there may be occasion (such as in residential areas) where these factors are taken into account as part of the determination process and conditions may be imposed.

9.9 Following implementation of the Health Act, no person is permitted to smoke inside any substantially enclosed licensed premises (subject to the provisions of the Health Act) and as such is required to smoke outside. The Licensing Authority will consider any representation relating to noise, antisocial behaviour or smoke drift associated with this activity in relation to any licensed premises and will consider any appropriate and proportionate conditions on an individual basis.

9.10 In order to prevent breaches of the Health Act 2006, the Licensing Authority may attach conditions to a premises licence to restrict the sale of tobacco, shisha tobacco and shisha pipes at certain premises.

9.11 The extent to which the above matters need to be addressed will be dependent on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community. In general, however, the Council will expect more comprehensive measures to be in place at late night entertainment venues or in premises with a history of public nuisance issues.

9.12 The Council will have regard to representations from the Responsible Authorities to determine if measures proposed are sufficient to reduce the risk of public nuisance. Where representations indicate that any matter has not been addressed sufficiently to prevent public nuisance the applicant will be expected to demonstrate that the issues can be satisfactorily addressed before the Council will grant an application for a licence or a variation.

9.13 Where appropriate the applicant will be expected to propose practical steps to prevent disturbance to local residents and to have regard to the

“Good Practice Guide on the Control of Noise from Pubs and Clubs” produced by the Institute of Acoustics. Where noise has been identified as a potential problem by the applicant or Council officers, then the Council would expect the applicant to detail the measures proposed to address this issue within the operating schedule. Noise could relate not only to music but also from air handling equipment or from patrons. There are a number of practical ways in which sound leakage can be addressed, such as:

- Keeping doors and windows closed and providing adequate mechanical ventilation or, if necessary, air conditioning;
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level;
- Installing soundproofing measures to contain sound and vibration.

9.14 In premises where patrons leave the premises particularly late at night or early in the morning, the Council will expect the applicant to have included in the operating schedule practical steps for reducing noise disturbance, such as:

- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors, and to respect the rights of nearby residents;
- At appropriate times making loudspeaker announcements to the same effect;
- Instructing door staff to ask customers leaving the premises to leave the area quietly;
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down;
- Banning from the premises people who regularly leave in a noisy manner;
- The supervision of any queues formed late in the evening so as to keep noise and disturbance to a minimum.

9.15 Where relevant representations have been received, conditions may be imposed which include restrictions on the times when music or other licensable activities may take place and may include technical restrictions on sound levels at the premises.

9.16 In considering an application, the Council will take into account previous noise and nuisance complaints, and the ability/willingness of the licensee to deal with such complaints.

10.0 Protection of Children from Harm

10.1 The Council is committed to protecting children from harm and views this as an important licensing objective. Nevertheless, the Council has taken account of the view of the Government that the use of licensed premises by children should be encouraged. The Council recognises the wide variety of premises for which licenses may be granted. It also recognises that there are many circumstances where it is appropriate for children to be present on licensed premises and seeks to encourage their access to constructive leisure pursuits which support the social fabric of the Borough. It also recognises that there are circumstances where it is appropriate to limit or prevent access by children for the prevention of harm.

10.2 It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present on premises exclusively or primarily used for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or a temporary event notice when open for the purposes of being used for the supply of alcohol for consumption there. In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at all premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice. Conditions duplicating these provisions are, therefore, inappropriate.

10.3 Within this objective is included the protection of children from moral, psychological and physical harm and in relation to the exhibition of films, transmission of programmes or videos or provision of certain other types of regulated entertainment, this includes the protection of children from exposure to strong language and sexual expletives. There are certain circumstances where children are more vulnerable with their needs therefore, requiring special consideration. Such circumstances would include striptease, lap, table or pole dancing, performances involving feigned violence, feigned or actual sexual acts or entertainment involving strong and offensive language. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example and the unpredictability of their age and the lack of understanding of danger.

10.4 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.

10.5 When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact on harm to children have been considered. Areas that will give rise to particular concern to the Licensing Authority in respect of children are:

- Where entertainment or services of an adult or sexual nature are provided;
- Where there have been convictions, warnings, notices or cautions for serving alcohol to minors or premises with a reputation for under-age drinking;
- With a known association for drug taking or dealing;
- Where there is a strong element of gambling on the premises; and
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- There have been representations from police, the local Safeguarding Children Board, Trading Standards, Thames Valley Police, Licensing Authority or any other Responsible Authority, or relevant agency / representative.

10.6 The following are examples of possible control measures, although are not exhaustive and not relevant in all cases. They are considered however, to be amongst the most essential measures that applicants should take account of in their operating schedule, having regard to their particular type of premises and /or activities:

- Effective and responsible management of premises;
- Provision of a sufficient number of people employed or engaged to secure protection of children from harm;
- Appropriate instruction, training and supervision of those employed or engaged to secure protection of children from harm;
- Staff attendance at an Age Verification training scheme;
- Adoption of best practice guidance;
- Limitations on the hours when children may be present in all parts of the premises;

- Limitations or exclusions by age when certain activities are taking place;
- Imposition of requirements for children to be accompanied by adults;
- Acceptance of accredited proof of age schemes such as “Challenge 25” or photographic identification such as passports and photo-card driving licenses;
- Refusals books to record all refused sales of alcohol to those who are presumed to be underage;
- Measures to ensure children do not purchase, acquire or consume alcohol; and
- Measures to ensure children are not exposed to violence or disorder.
- Arrangements taken or proposed to prevent children from acquiring or consuming alcohol
- Steps taken or proposed to prevent children from being exposed to drugs, drug taking or drug dealing
- Arrangements taken or proposed to prevent children from being exposed to gambling
- Steps taken or proposed to prevent children from being exposed to activities of an adult or sexual nature
- Steps taken or proposed to prevent children from being exposed to incidents of violence or disorder
- Measures taken or proposed to prevent children from being exposed to excessive noise
- Measures taken or proposed to prevent children from being exposed to special hazards such as falls from height
- Steps taken or proposed to prevent children from purchasing cigarettes from vending machines
- Arrangements for appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- premises restrictions on the access by children to the whole or any part of the premises, including times when children may not be present.

10.7 The Council will have regard to representations from the Social Services and other child protection agencies to determine if measures proposed are sufficient to ensure that children are adequately protected from harm. Where representations indicate that any matter has not been addressed sufficiently to avoid a potential negative impact on the protection of children from harm,

the applicant will be expected to demonstrate that the issues can be satisfactorily addressed before the Council will grant an application for a licence or a variation of a licence.

10.8 In recognising the importance of the issue of under-age drinking, licensees are not able to provide alcohol to children, except where a 16 or 17-year-old consumes beer, wine or cider with a table meal in circumstances where he is accompanied by a person aged 18 or over. Therefore, applicants must be able to demonstrate that they have in place satisfactory arrangements to prevent sales of alcohol to children including a recognised or appropriate proof-of-age scheme. The Council would be supportive of arrangements, which include incorporating any of the following:

- Passport
- Photo Card driving licence issued in the European Union
- Proof of Age Scheme Card
- 'New type' driving licenses with photographs
- Official ID card issued by the HM Forces or by a European Union country bearing a photo and date of birth of holder
- Citizen Card supported by the Home Office.

10.9 Applicants may wish to specify a 'cut-off time' after which children would not be allowed to remain on the premises. In considering whether to impose a 'specified cut-off time' by way of condition, the Council will take into account:

- The concerns of responsible authorities and interested persons who have made representations;
- The steps set out in an operating schedule which the licensee will take to protect children from harm on such premises;
- The type of event for which no age restriction may be needed e.g. family entertainment; non-alcohol events.

10.10 Issues with regard to access of children to premises are likely to arise in premises where any of the following apply:

- convictions for serving alcohol to minors or premises with a reputation for, or inadequate arrangements to deter, under-age drinking;

- a known association with, or inadequate arrangements to deter, drug taking or dealing;
- a strong element of gambling on the premises;
- entertainment of an adult or sexual nature is commonly provided;
- inadequate arrangements to protect children from the supply and use of other products which it is illegal to supply to children;
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

10.11 Where such matters have been identified in an applicant's operating schedule or where relevant representations have been received, conditions dealing with the following matters may be appropriate:

- Limitations on the hours when children may be present;
- Age limitations below 18;
- Limitations or exclusions when certain activities are taking place;
- Access limited to parts of the premises;
- Requirements for accompanying adults;
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

10.12 No conditions will be imposed to the effect that children must be admitted to licensed premises.

10.13 Licensees of all premises supplying alcohol are encouraged to adopt a policy of requiring proof of age where there is any doubt about the age of any person attempting to purchase alcohol, accepting such documents as passports, driving licenses and accredited proof of age schemes such as PASS or similar schemes. Licensees are also encouraged to display prominently signs displaying information that under 18's will not be served alcohol and that those who appear under 25 will be asked to prove their age.

10.14 Wokingham Borough Council's Trading Standards Team investigate all complaints or allegations regarding the under-age sale of alcohol and conduct intelligence led test purchase enforcement operations as appropriate.

10.15 The Council requires all operators of cinemas to comply with the classification systems for films administered by the British Board of Film Classification and to ensure that procedures are in place to achieve compliance with the age classification system in existence at any time. The Council accepts the BBFC classification.

10.16 In the case of a film exhibition that has not been classified, in addition to the Council's assessment, the licensee will be expected to conduct an assessment of the suitability of the film for exhibition to children and to implement measures that restrict viewing by children where the Council deem it necessary.

10.17 The Council will impose a mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Council.

10.18 The Council will expect that licensees ensure that any age restrictions for cinema exhibitions are properly complied with.

10.19 In considering applications, the Council will take into account any evidence that age restrictions for cinema exhibitions are not being properly observed.

Children and public entertainments

10.20 Where children are present at an event as entertainers, the Council will expect an adult to be nominated as responsible for such child performers.

10.21 Where there is provision of entertainment specifically for children (e.g. a children's disco or supervised play area) the Council will expect sufficient adult supervisors (with sufficient experience) to be present to control the access and egress of the children and secure the protection of children, including child performers, from harm, bearing in mind the number and ages of the children involved and any other issues such as disabilities that the children may have.

10.22 The Council will expect the premises to provide sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

Tackling child sexual exploitation

10.23 Alcohol is often a factor in Child Sexual Exploitation (CSE), where young people may be encouraged or coerced to drink, or alcohol may be a factor in risk-taking behaviour by young people who drink irresponsibly and then get involved in activities that otherwise they would not. Nationally, evidence has been found of the sexual exploitation of children taking place on licensed premises and licensed premises being used for the purposes of grooming and enticement.

10.24 The Licensing Authority encourages licence holders and operators of licensed premises:

- To ensure that they are fully aware of the signs of child sexual exploitation and to understand that the sexual exploitation of a child is sexual abuse and a crime
- To raise the awareness of their staff about child sexual exploitation and provide intelligence for the appropriate authorities about concerns, including perpetrators who may be operating in their areas.

10.25 The risks vary depending on the style and character of the business, but premises can be involved in the following ways:

- If an adult venue (night clubs or sex entertainment venue) is frequented by underage customers, this can attract perpetrators; or if a premises (or event) hosts under 18 events or mixed age activities;
- Where underage drinking takes place, children and young people are vulnerable as their judgement is impaired;
- There is a risk of CSE at premises where goods or services can be offered in exchange for sexual favours (such as free food, transport, drinks, cigarettes, or free access to a venue). This can happen if a perpetrator is employed there (or works voluntarily) and has regular or private contact with children;
- Children and young people are vulnerable in areas of premises that are not monitored (such as toilets, beer gardens);

- Risk may present if information technology is in use at a premises (internet, mobile phones/cameras/video recorders);
- Premises providing facilities for private parties, private dancing/entertainment booths or overnight accommodation may be vulnerable to child sexual exploitation.

10.26 Nevertheless, the Licensing Authority has taken account of the view of the Government that the use of licensed premises by children should be encouraged where appropriate.

10.27 Venue operators seeking premises and club premises certificates may wish to volunteer prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations, to the contrary, are made to the Council, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such.

10.28 Under the Licensing Act 2003, the 'due diligence' defence can be used to protect your business, if you can demonstrate that all reasonable steps have been taken to manage risk. Here are some suggested safeguarding measures to help evidence 'due diligence' and keep children safe:

- Undertake a written children and young people's risk assessment and use it to inform your operating policy and staff training;
- Staff should be trained to recognise indicators of child sexual exploitation and know how to report concerns;
- Staff should be trained to operate an age verification scheme, know what types of identification are acceptable and to recognise signs of proxy purchase of alcohol;
- Staff training records should be maintained;
- Activity at the premises should be monitored (for example using CCTV or by regular patrols. Patrol records should be maintained);
- Suspicious activity should be reported to the police (including details such as vehicle registration numbers, description of individuals) and should be recorded in your incident log;
- If you, or your staff, are in a situation involving the supervision of a vulnerable young person at your premise, it is important to follow a consistent and auditable protocol;

- If you have a hot food delivery service enforce a code of conduct to promote good safeguarding practice when deliveries are made to unaccompanied children.

11.0 Sex Establishment Venues

11.1 Where activities under a new licence would regularly include those with a sex related element, the premises may also require a sex establishment venue licence.

11.2 A sex establishment venue is defined as any premises where any live performance or any live display of nudity is of such a nature, regardless of financial gain, it must reasonably be assumed to have been provided solely or mainly for the purpose of sexually stimulating any member of the audience (eg. striptease, table dancing, topless waitresses).

11.3 Therefore, a new premises may need to hold both a licence issued under the Licensing Act 2003 to allow the premises to sell alcohol; and a licence issued under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) to allow the premises to be used as a sexual entertainment venue.

11.4 Where an existing licensed premises provides or wishes to provide sex related activity, the Council will expect the premises licence holder to assess the impact of the proposed activity on the licensing objectives and, where appropriate, apply to vary the conditions attached to the premises licence to take account of any increased risk. This may avoid a possible review of the premises licence from an interested party or Responsible Authority. Where it is deemed appropriate to seek a variation to the premises licence, the Council will expect the application to vary the premises licence to accompany the application for a sexual entertainment venue licence.

12.0 Promotion of Other Strategies

Reducing the strength

12.1 The Licensing authority intends to introduce a “Reduce the Strength” campaign. The campaign aims to restrict the availability of beer, lager and cider which has an ABV of 6% or above.

12.3 Applicants for new or variation applications which include a request to sell alcohol for consumption off the premises are encouraged to include membership of the scheme within their operating schedule. Details of the wording of a suitable condition can be viewed in local pool of licence conditions at **Appendix B**.

12.4 Where applicants do not propose membership of the scheme within their operating schedule and there is evidence of street drinking within the vicinity of the premises, the licensing sub-committee may, if appropriate, attach a condition prohibiting the sale of beer, lager or cider with an ABV equal to or exceeding 6%.

Boxing

12.5 The rise in popularity of White-Collar Boxing has encouraged the Council to provide guidance on the Licensing Authorities expectations for any boxing promoters to consider as measures for their operating schedule.

12.6 The following is guidance for organisers of boxing events in the Wokingham Borough Council area regarding the issues that should be included in a risk assessment:

- Full contact details of the organisers and other parties involved in the event;
- The medical cover that will be provided at this event. Will there be a Registered Doctor and a Paramedic will be provided as a minimum. Has the facility of providing an ambulance been considered for the event? The Council would prefer that an ambulance is provided;

- The medical checks that will be carried out on the boxers before and after the fight. The Council would expect all boxers taking part to have a medical card and competition record book. This should detail previous bouts, medical history etc.;
- How boxers will be matched up for the event. All boxers will be expected to be evenly matched and fall in the same weight category;
- Details of the ring set up and who will be carrying this out;
- The numbers of referees and judges taking part in the event;
- The type and weight of boxing gloves that will be used by the boxers and how these will be inspected;
- What will be the safety rules for the fight and how these rules will be communicated to the boxers, coaches, trainers and other relevant parties;
- Details of the Personal Protective Equipment that will be worn by boxers;
- Actions that will be taken in an emergency and how parties will communicate;
- Site checks that will be completed prior to the event taking place.

Women's safety in the night time economy

12.7 Ask for Angela is the name of a campaign in England that started in 2016 that is used by bars and other venues to keep people safe from sexual assault by using a codeword to identify when they are in danger or are in an uncomfortable situation. When an establishment uses this program, a person who believes themselves to be in danger can ask for Angela, a fictitious member of the staff.

12.8 In 2021, the Metro launched a campaign to make Angela safer and more reliable. To do this Licence Holders must:

- Make training compulsory for every current and new member of staff
- Ensure training has test elements and is completed successfully so that every member of staff will feel confident knowing what to do if asked for 'Angela'
- Ensure training is inclusive of queer, trans and non-binary people
- Ensure training covers spotting sexual harassment and vulnerability

- Ensure refresher sessions are held at least bi-annually
- Publicly list venues that are part of the scheme and ensure it is kept up to date
- Offer clear signposting in venues that are part of the scheme - not just posters on toilet walls, but also by the bar and near the tills
- Finally, give staff members a specific badge to wear to show that if someone asks for 'Angela' they are able to help. (Ensuring that more than one member wears it to maintain discretion)



Fig 1. Example of an 'Ask for Angela' poster.

Welfare and Vulnerability Engagement

12.9 Welfare And Vulnerability Engagement (WAVE) training is a package developed to provide those working in the licensed industry with an awareness of vulnerability, their responsibilities it and how to deal with it. WAVE Training aims to increase the skills, knowledge and confidence of those working in licensed premises focusing on identifying vulnerability and making appropriate interventions.

Bystander Intervention Training

12.10 The Bystander Intervention of Sexual Violence is a programme that aims to use social norms theory to prevent sexual and relationship abuse and violence. This training has been developed by Welsh Women's Aid for Thames Valley Police. The aims of the training are to:

- understand the theory of bystander intervention and the role of bystanders in preventing rape and sexual violence;
- develop the practical tools, strategies, and confidence to intervene safely if you witness inappropriate behaviour, including tackling myths and barriers that prevent intervention;
- understand rape and sexual assault and to clarify what constitutes rape;
- explore the law around consent and to challenge attitudes towards victim blaming;
- have an effective understanding of consent;
- have a clear understanding of how to appropriately respond to disclosures of sexual violence and sexual harassment;
- recognise the legalities of producing and sharing explicit images and identify the consequences of producing and sharing explicit images;
- understand more about what support is available for survivors of abuse and violence.

Best Bar None

12.11 Best Bar None (BBN) is an accreditation and awards program, promoting the responsible management and operation of liquor-licensed premises. The program aims to reduce alcohol-related harms by raising the standards of licensed premises and building positive relationships among all stakeholders - operators of licensed premises, industry partners, law

enforcement and concerned community groups. In addition, BBN rewards licensees who go above and beyond to raise the responsible service standards and make their establishments safer.

Accreditation criteria cover a wide range of issues that well-managed premises should be aware of and address. As part of the accreditation process, all premises are assessed to ensure they meet the specific standards related to safe operations and responsible management.

Accredited premises receive a plaque to display within their establishment and signage for their entrances. They are also permitted to display the BBN brand in promotional materials.

All accredited establishments who go above and beyond in meeting the responsible management and safe operations standards will be considered for an award by a judging panel.

Bars apply and then use the criteria checklist to ensure that their premises meets the criteria required for accreditation. The criteria checklist identifies a wide range of operational, service and customer safety criteria that well-managed premises should be aware of and address.

The checklist has two sections: Mandatory and Bonus. To be accredited, all Mandatory criteria must be met. Additional points can be earned by meeting Bonus criteria, which will increase your eligibility for award consideration.

A trained assessor will contact the licensee to arrange an appointment to visit the establishment and review the criteria checklist. The assessment is not a compliance inspection but is an opportunity to go through the checklist and offer feedback and advice. If all the mandatory criteria are met, the premises will receive BBN accreditation.

Licensees who meet all the mandatory criteria and additional Bonus criteria will be considered for an award by a judging panel. Winners and runners-up are chosen for each category.

Get ME Home Safely

12.12 Get ME Home Safely is a campaign to make our communities and workplaces safer places. It is a call for change to extend employers' duty of care to embed safe transport home policies for all workers.

The background to its development is rooted on a concern for the safety of women who work late and unsocial hours, particularly those in low paid jobs who cannot afford taxi travel home and rely on buses and other forms of public transport which are often scarce or simply unavailable after midnight. The campaign is motivated by an incident that occurred in August 2021 where a woman was sexually assaulted on her way home from work after midnight. She had been asked by her manager to work until 1am and was promised paid transport home because the last bus was at half past midnight. An hour before her shift ended, her manager told her she could finish earlier to catch the last bus home. For whatever reason, the last bus never arrived, left to travel home alone, late at night, she was then sexually assaulted.

We know many workers across the UK find it difficult to access safe transport following a late shift. And we are painfully aware of the possible consequences for women journeying alone at night. Incidents such as the brutal kidnap, rape, and murder of Sarah Everard, as well as the experiences from women who have been stalked and assaulted outside of their workplace, are a stark reminder of why we need this campaign, and why this is an issue relevant to the licensing objective of public safety.

New applications and renewal applications seeking licensable hours past 11pm are expected to put provisions in place for their staff working past 11pm, by identifying workable solutions to facilitate safe travel home, such as getting supplemented taxi travel for late shift workers. On application, all Premises Licence Holder's must provide to the Licensing Authority risk assessments that include an individual staff member's journey times and potential hazards once they have left the workplace.

13.0 Conditions

13.1 Conditions include any limitations or restrictions attached to a licence or certificate, and essentially are the steps the holder of the premises licence or the club premises certificate will be required to take at all times when licensable activities are taking place at the premises in question.

13.2 Conditions will be attached to licenses and certificates only where they are appropriate for the promotion of the licensing objectives.

13.3 In addition to the original mandatory conditions imposed upon the introduction of the Act, Schedule 4 of the Policing and Crime Act 2009 amended the Act to give the Secretary of State the power to impose new mandatory licensing conditions in relation to the supply of alcohol under the authority of a premises licence or club premises certificate. All mandatory licensing conditions apply to all existing and future premises licenses which authorise the sale or supply of alcohol. These conditions override any conditions already included in a premises licence or club premises certificate, so far as they are identical to the existing conditions or inconsistent with, and more onerous than, the existing conditions. The new conditions will apply to every licence and certificate authorising the sale or supply of alcohol from the date that they come into force.

13.4 The conditions that are necessary for the promotion of the licensing objectives should emerge initially from a prospective licence or certificate holders risk assessment. This would be translated into the measures recorded in the operating schedule that it is proposed to take to promote the licensing objectives. The operating schedule must also set out the proposed hours of opening. The proposals will then be made available to expert bodies, who are the responsible authorities described in the 2003 Act, and by interested parties such as local residents.

13.5 Licensing is concerned with the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licenses within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make

objective judgements as to whether it may be appropriate to attach conditions to various authorisations to secure achievement of the licensing objectives.

13.6 Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises and members of the public living, working or otherwise engaged in normal activity in the area concerned and will cover matters that are within the control of individual licensees.

13.7 Should issues not be addressed within the operating schedule to the satisfaction of any Responsible Authority, resulting in representations being made, further appropriate conditions may be placed on licenses. These conditions may be drawn from the local pool of model licensing conditions, see **Appendix B**, or may be specially formulated to be relevant to a particular situation. Conditions will only relate to matters which the licensee can be expected to control and will relate to the premises themselves, the immediate vicinity around the premises and will focus on the impact of those activities on those living, working or otherwise engaged in the area concerned. The licensing regime exists to ensure that licensed premises and events within the terms of the Act are regulated so that they are both safe and cause a minimum of disturbance.

13.8 Conditions will only be placed on licenses if they are considered appropriate to meet the licensing objectives. Duplication caused by licence conditions that are dealt with by means of other legislation, for example health and safety at work or fire safety, will be avoided. Conditions will only be attached to premises licenses and club premises certificates that are appropriate for the promotion of the licensing objectives if not already provided for in other legislation. However, certain safety legislation includes exemptions because it is assumed that licensing controls will provide the appropriate coverage. In such cases conditions will be imposed that are considered appropriate.

13.9 The Licensing Authority acknowledges that the licensing function cannot be used for the general control of anti-social behaviour of individuals once beyond the direct control of the licensee of any premises concerned. However, it should be noted that the licensee bears a degree of responsibility for persons not only in but also around the immediate vicinity of the premise,

when those persons are either entering or exiting the licensed premise, or are loitering within the boundary of the premise.

13.10 Other mechanisms may be utilised where appropriate to tackle unruly or unlawful behaviour of customers when beyond the control of the individual Public house, club or business that holds the licence, certificate or authorisation concerned. These include:

- Planning controls;
- Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other departments of the local authority;
- The provision of CCTV surveillance in and around the Borough, provision of public conveniences, street cleaning and litter patrols;
- Powers of the local authority or police to designate parts of the Borough as areas where alcohol may not be consumed publicly;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- The prosecution of any personal licence holder or member of staff at such premises that is selling alcohol to people who are drunk;
- The confiscation of alcohol from adults and children in designated areas;
- Police and local authority powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder, or noise emanating from the premises that is causing a nuisance; and
- The power of the police, other responsible authorities or local residents and businesses to seek a review of the licence or certificate in question.

13.11 If an applicant volunteers a restriction or prohibition in their operating schedule or following a relevant representation, this will become a condition attached to any licence or certificate issued and will be enforceable as such. Where the responsible authorities and interested parties do not raise any representations about the proposals made to the Council, the Council will grant the licence or certificate subject only to conditions that are consistent with the operating schedule accompanying the application and any mandatory conditions prescribed in the Act itself.

13.12 The Licensing Authority recognises that all applications should be considered on their own merits and any conditions imposed must be tailored to that individual premises. This will avoid the implementation of disproportionate and burdensome conditions. Standard conditions other than mandatory conditions, will be avoided and no condition will be imposed that cannot be shown to be appropriate for the promotion of the licensing objectives. However, a condition whether volunteered or otherwise, must be measurable and as such the Licensing Authority may alter the wording of a condition to make it such (without changing the context of the condition) and will keep a bank of worded conditions that may be used in respect of a premises if and when such a condition is considered appropriate to meet one or more of the licensing objectives.

13.13 In order to minimise disputes and the necessity for hearings, applicants are encouraged to consult with all responsible authorities when operating schedules are being prepared. This would allow for proper liaison before representations prove necessary.

13.14 Conditions attached to licenses and certificates will be tailored as appropriate to reflect the individual style and characteristics of the premises and events concerned.

13.15 If the existing law already places certain statutory responsibilities on an employer or operator of premises, the Council will not duplicate these duties through the use of licensed conditions.

13.16 Conditions will also not be set which replicate licensing offences that are set out in the Act, for example:

- to sell or supply alcohol to a person who is drunk;
- to knowingly allow disorderly conduct on licensed premises;
- for the holder of a premises licence or a Designated Premises Supervisor to knowingly keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
- to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in

premises used exclusively or primarily for the sale and consumption of alcohol.

Mandatory conditions

13.17 The 2003 Act provides for mandatory conditions to be included in every licence and/or club premises certificate. A set of the current mandatory conditions is attached at **Appendix A** to this policy.

Model conditions

13.18 Standardised conditions will be avoided. However, the Licensing Authority has produced model conditions to provide a consistent approach for all parties by specifying appropriate conditions that could be included on any licence or certificate granted. This could be by the applicant in designing the operating schedule, by other parties in seeking to address concerns associated with the application, or ultimately, by the Licensing Authority when imposing conditions is considered appropriate for the promotion of the licensing objectives.

13.19 The model conditions are not an exhaustive list, and they do not restrict the ability of any party to suggest, or the Committee to impose, any condition they consider appropriate for the promotion of the licensing objectives. The set of model conditions is attached at **Appendix B**.

14.0 Other Regulatory Systems

14.1 Other statutory obligations which fall outside the requirements of the Licensing Act 2003 may apply to the provision of any regulated activities at a premises and the responsibility for compliance lies with the licence holder. For example, if the activity involves the preparation and/or sale of food then it is the responsibility of the applicant to ensure that all appropriate Food Safety legal requirements are met, or if alcohol is sold the full weights and measures requirements are met. It would be expected that a licensee would have registered the premises as a food business with Wokingham Borough Council. Such registration is not a Licensing requirement however businesses are expected to comply with all relevant food safety and weights and measures legislation. Many of the specific licensing requirements relate to matters potentially affecting public safety.

14.2 In addition to these licensing requirements there are wider duties on all business (whatever their legal status and regardless of whether a licence is needed) to protect the health and safety of employees (and the self-employed) as well as the public. Some of these duties are deliberately wide, generalised and all-encompassing e.g. main duties under Section 2, 3, & 4 of the Health & Safety at Work etc. Act 1974, others are very specific e.g. requirements under the Control of Substances Hazardous to Health Regulations 2002, and do not apply in all circumstances. Some of these duties are absolute under law and have to be complied with, without exception e.g. hoists and lifting equipment must be examined by a competent person at prescribed intervals. These Health & Safety duties tend to include all specific safety requirements under licensing requirements for the public on the premises and extend them to cover the safety of others e.g. staff, contractors, passers-by etc. There is considerable overlap between the licensing regime and the wider health & safety regimes.

14.3 The Licensing Authority will seek to achieve integration with relevant strategies and their aims in determining applications and will do so through relevant consultation of this policy and individual applications.

Planning control

14.3 Planning and licensing regimes will be properly separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and licensing decisions will not cut across decisions taken by the planning committee or permissions granted on appeal.

14.4 Planning permission is usually required for the establishment of new premises and the change of use of premises. In general, all premises that apply for a licence must also obtain or have obtained authorised planning permission and comply with all conditions of that planning permission or benefit from permitted development rights pursuant to the General Permitted Development Order (1995). Planning permissions that are relevant to licensed premises include:

- a retail shop, licensed for the sale of liquor for example (A1);
- the use of premises for the sale and consumption of food and drink on the premises or where hot food is sold for consumption off the premises, including restaurants, bars and takeaways (A3);
- assembly and leisure use, including cinemas, concert and indoor/outdoor sports and recreation (D2);
- a hotel that has a restaurant or bar included in its authorised use (C1).

14.5 Under the current Use Classes Order, planning permission is generally required if the use of an existing premises changes use class. For example, planning permission would be required for a change from a shop (A1) to a restaurant or bar (A3). Planning permission is not required if the use of existing premises changes to a use within the same use class. For example, planning permission would not normally be required for a change from a restaurant (A3) to a bar (A3).

14.6 When applying for planning permission the Council, as local planning authority, will consider the potential impacts and benefits of the proposed use within the context of the local development plan and relevant Government guidance and other material planning considerations.

14.7 In circumstances where any restriction has been placed on the use of premises (through the imposition of planning conditions) prior to an

application being made for a licence, certificate or provisional statement, consideration will be given to the extent to which the application meets the overall licensing objectives and the policies contained within this statement.

14.8 Where necessary, conditions will be attached to a certificate, licence or provisional statement in order to achieve the objectives of this policy. The granting of a licence, certificate or provisional statement will not override any requirement of the planning system. The licensing system will provide the detailed control of operational matters, which are unlikely to be addressed through planning processes, however there will be overlapping issues of interest i.e. disturbance, which will remain material considerations for planning purposes.

14.9 The licensing committee will, where appropriate, provide reports to the planning committee on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder. This will enable the planning committee to have regard to such matters when taking its decisions but will also avoid any unnecessary duplication of controls.

Building control

14.10 Building Regulations govern a variety of issues, which will directly contribute to the licensing objectives, including means of escape, structural integrity, accessibility and public safety. “Approved Inspectors” offer a private sector alternative to local authority Building Control services.

14.11 Building Regulations Approval and Completion Certificates will be required prior to the commencement of the use of premises for licensable activities.

Health and safety at work

14.12 The Health and Safety at Work etc. Act 1974 (and other relevant statutory provisions) impose duties on employers, employees and persons in control of premises. Local authorities are the enforcing authority for the majority of premises on which licensable activities are carried on, and in other cases the Health and Safety Executive is responsible.

14.13 Licensing objectives overlap with health and safety requirements in so far as foreseeable risks to public safety would be covered by the duties imposed by relevant legislation.

14.14 The general duties under health and safety legislation (for example, to undertake a suitable and sufficient risk assessment) may not always adequately cover specific issues that arise on the premises in connection with, for example, certain types of entertainment. It is only where additional and supplementary measures are 'appropriate' for the promotion of the licensing objectives that conditions will need to be attached to a licence. Conditions will not be set which duplicate other requirements of the law.

Statutory nuisance

14.15 The Environmental Protection Act 1990 places a duty on local authorities to investigate complaints of nuisance (for example, noise), and take enforcement action where a statutory nuisance exists. The Licensing Act provides the power for the Police to close licensed premises (temporarily) to prevent nuisance to the public as a result of noise coming from the premises.

14.16 The powers available to deal with noise nuisance have been extended by the Anti-Social Behaviour Act. These matters should be considered before deciding whether or not conditions are necessary for the prevention of public or statutory nuisance.

Fire precautions

14.17 In determining the provision of appropriate Fire Safety standards for licensed premises, Royal Berkshire Fire and Rescue Fire Service Fire Safety Officers will take into account the suitability and sufficiency of the premises fire risk assessment that must be undertaken by the person. From the 1st October 2006 the Regulatory Reform (Fire Safety) Order 2005 ('the Fire Safety Order') replaced previous fire safety legislation. As such any fire certificate issued under the Fire Precautions Act 1971 will cease to have effect.

14.18 There will be close co-operation between the Council and Royal Berkshire Fire and Rescue Service to ensure that the public is properly protected.

14.19 Where Council inspections identify serious fire safety problems in premises which are subject to licence conditions which they cannot resolve easily or on which they require advice, they will contact the Royal Berkshire Fire and Rescue Safety Officer.

14.20 Where the premises are a sports ground that is covered by the Safety at Sports Grounds Act 1975, as amended, or the Fire Safety and Safety of Places of Sport Act 1987 the enforcing authority will be the Local Authority which is also the Licensing Authority.

14.21 It should be noted that under article 43 of the Fire Safety order any conditions imposed by the Licensing Authority that relate to any requirements or prohibitions that are or could be imposed by the order automatically cease to have effect, without the need to vary the licence. This means that licensing authorities will not seek to impose fire safety conditions where the order applies.

14.22 The exception to this is where the Licensing Authority and the enforcing authority for the fire safety order are one and the same body. For example, designated sports grounds and stands where the local authority enforces the fire safety order. In such circumstances fire safety conditions should not be set in new licenses, but conditions in existing licenses will remain in force and be enforceable by the Licensing Authority.

14.23 The Fire Safety order covers 'general fire precautions' and other fire safety duties which are needed to protect 'relevant persons in case of fire in and around 'most premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.

14.24 The responsibility for complying with the order rests with the 'responsible person', which may be the employer, or any other person or people who may have control of the premises. Each responsible person must carry out a fire risk assessment which must focus on the safety in case of fire for all 'relevant persons'. The fire risk assessment is intended to identify risks that can be removed or reduced and to decide the nature and

extent of the general fire precautions that need to be taken including, where necessary, capacity limits.

The Equality Act 2010

14.25 The Equality Act 2010 brings together over 116 separate pieces of legislation into one single Act. Combined they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

14.26 The new framework covers a series of ‘protected characteristics’. People who share these characteristics are regarded as being members of certain ‘protected groups’. The protected characteristics are:

- Race
- Disability
- Age
- Religion or belief
- Sex
- Sexual orientation
- Gender reassignment
- Pregnancy and maternity
- Marriage and civil partnership

The Equalities Act requires all businesses to consider employees and service users in all protected groups.

14.27 The 2010 Act also contains provision to tackle discrimination encountered by disabled people in the areas of employment, access to goods, facilities and services and the management, buying or renting of land or property. For service providers, such as licensees:

- it is unlawful to treat disabled people less favourably than other people for a reason related to their disability;
- they have to make reasonable adjustments for disabled people, such as providing extra help or making changes to the way they provide their services; and

- they will have to make reasonable adjustments to the physical features of their premises to overcome physical barriers to access.

Human Rights Act 1998

14.28 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention right. The Council will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 that everyone has the right to respect for his home and private life; and
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions (including for example the possession of a licence).

The government's alcohol strategy

14.29 The Government has published an Alcohol Strategy in March 2012 for England which outlines how Authorities can address some of the Social Health and Crime & Disorder issues raised by the misuse of alcohol, particularly when the Licensing Authority is considering applications for any relevant licence made under the Licensing Act 2003. This strategy will be taken into account having regard to matters such as irresponsible drinking and reducing the availability of cheap alcohol etc.

Government & police guidance for clubs and other licensed premises

14.30 For premises which may have problems with drugs, crime and disorder and/or are open late the Council will refer to the guidance given and will expect applicants in their operating schedules to use the strategies outlined in the Home Office Drug Strategy booklet - Safer Clubbing (ISBN Number:

1840827807). Copies of this booklet can be obtained from the Drug Prevention Advisory Service at www.drugs.gov.uk.

15.0 Cumulative Impact

15.1 “Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. For example, the potential impact on crime and disorder or public nuisance on a town centre of a large concentration of licensed premises in that part of the local authority licensing area. In certain circumstances the number, type and density of premises selling alcohol for consumption on the premises may be such that there are serious problems of nuisance and disorder arising or beginning to arise outside or some distance from licensed premises. It is possible that the impact on surrounding areas of the behaviour of the customers of all premises taken together is greater in these circumstances than the usual impact from customers of individual premises.

15.2 Guidance issued under S182 of the Act allows Councils to adopt a special saturation policy in such circumstances and specifies the steps to be followed in considering whether to adopt a special saturation policy. These steps require: -

- identification of concern about crime and disorder or public nuisance;
- consideration of whether it can be demonstrated that crime and disorder and nuisance are arising and are caused by the customers of licensed premises, and if so identifying the area from which problems are arising and the boundaries of that area; or that risk factors are such that the area is reaching a point when a cumulative impact is imminent;
- consultation with those specified in section 5(3) of the 2003 Act (see paragraph 22.1 of this policy document);
- subject to that consultation, inclusion in the Licensing Policy of a special policy about future premises licence or club premises certificate applications from that area;
- publication of the special policy as part of the Licensing Policy.

15.3 The effect of adopting a special saturation policy is to create a rebuttable presumption that applications for new premises licenses or club premises certificates or material variations in the area(s) identified by the special policy

will normally be refused, if relevant representations to that effect are received, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced. Applicants would need to address the special policy issues in their operating schedules in order to rebut such a presumption.

15.4 When such a special saturation policy is adopted, each application will still be considered properly and on their own individual merit, and licenses and certificates that are unlikely to add to the cumulative impact on the licensing objectives will be granted. Following receipt of representations in respect of a new application for or a variation of a licence or certificate, the Council will consider whether it would be justified in departing from the special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. It will be for the Council to show that the grant of the application would undermine the promotion of one of the licensing objectives and if it would, that necessary conditions would be ineffective in preventing the problems involved.

15.5 In considering such applications the Committee will have particular regard to:

- The occupancy figure for the proposed premises.
- The proximity of the premises to others in the Area licensed for similar activities and the occupancy figures for those other premises.
- Whether the proposed premises will act as a replacement for others in the Area that no longer have a licence.
- The proposed methods of management outlined in the applicant's operational plan.
- The proposed hours of operation.
- Transport provision for the Area.

15.6 Special saturation policies will never be used as a ground for revoking an existing licence or certificate when relevant representations are received about problems at those premises. Nor will they be used to justify rejecting applications to vary an existing licence or certificate except where those modifications directly affect the issue of cumulative impact (as would be the case with an application to vary a licence with a view to increasing the

capacity limits of the premises) and are strictly necessary for the promotion of the licensing objectives.

15.7 A special saturation policy will not impose quotas that restrict the consideration of any application on its individual merits or which seek to impose limitations on trading hours in particular areas. This is because quotas have no regard to the individual characteristics of the premises concerned. Public houses, nightclubs, restaurants, hotels, theatres, concert halls and cinemas all could sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be given to those differences and the differing impact they will have on the promotion of the licensing objectives.

15.8 A special saturation policy will not include provisions for a terminal hour in a particular area.

15.9 Special saturation policies will be reviewed regularly (and at least every three years) to assess whether they are needed any longer or need expanding.

15.10 A special policy will not be used to revoke an existing licence should a request for a review be received.

16.0 Late-Night Levy

16.1 The Police Reform and Social Responsibility Act 2011 introduced the power for the Licensing Authority to charge a late-night levy (“the levy”) to all premises within its licensing area.

16.2 The late night levy is a discretionary power allowing the Council to collect an annual fee from all licensed premises in the area that are authorised to sell alcohol between the hours of midnight and 6.00am as a means of raising a contribution towards the costs of policing the night time economy.

16.3 As the powers are discretionary the Council, in its capacity as the Licensing Authority, must decide whether to introduce them; and in accordance with the 2011 Act in making that decision the Council must consider the cost of policing and other arrangements for reduction or prevention of crime and disorder in connection with the supply of alcohol between midnight and 6.00 am; and having regard to those costs, is there a desire to raise revenue to cover those costs.

16.4 In considering whether there is a ‘desire’ to introduce the late-night levy, the Licensing Authority must take into account the views of Thames Valley Police, the licence holders that will be affected by the levy and the residents of the borough.

16.5 The decision to introduce, vary or cease the levy will be made by full Council in conjunction with the Thames Valley Police.

16.6 The Licensing Authority recognises that this levy would cover the whole of the borough and not just those premises that are causing problems or those premises within any cumulative impact area. Therefore, serious consideration will be given to the introduction of the levy.

16.7 At the time of writing this policy, the Licensing Authority has not had a request to consider introducing a late-night levy. Should this change during the life of this policy then the designated procedure would be applied to determine if a late-night levy is appropriate.

17.0 Early Morning Alcohol Restriction Order (EMRO)

17.1 The power to make, vary or revoke an Early Morning Alcohol Restriction Order (EMRO) is set out in section 172A to 172E of the Licensing Act 2003.

17.2 An EMRO enables a Licensing Authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.

17.3 EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises.

17.4 It is the Council's intention to support businesses rather than hinder them, whilst ensuring the promotion of the licensing objectives. However, where this has deemed to fail then an EMRO may be considered as a possible solution.

17.5 It is likely that any request for an EMRO will come from the Police; however, the request may also be made by a number of different organisations, for example, the request for an EMRO may originate from the Council, a strategic partner, Public Health or residents' association.

17.6 At the time of writing this policy, the Licensing Authority has not had a request to consider introducing an EMRO. Should this change during the life of this policy then the designated procedure would be applied to determine if an EMRO is appropriate.

18.0 Personal Licence

18.1 A Personal Licence authorises individuals to sell or supply alcohol and authorise the sale or supply of alcohol for consumption on or off the premises for which a premises licence is in force for the carrying-on of that activity.

18.2 Any individual may seek a personal licence whether or not they have current employment or business interests associated with the use of the licence.

18.3 Provided an applicant has a qualification determined by the Home Office and does not have certain criminal convictions the Council must grant the licence.

18.4 Applicants for a personal licence are required to submit their application in accordance with the Licensing Act 2003 (personal licence) Regulations 2005, which requires that they submit two (passport style) photographs, one of which must be endorsed by a solicitor, notary, person of standing in the community or any other professional person, with a statement to verify the likeness to the applicant. A statement of criminal convictions and a basic disclosure certificate (or similar) which does not exceed 30 days since issue must also be submitted along with the original copy of the Level 2 certificate for personal licence holders.

18.5 Where an applicant has a relevant conviction the Police may oppose the application. If an objection is lodged by the Police, a hearing of the Council's Licensing (Sub) Committee will be held. The Committee will consider carefully whether the grant of the licence is likely to compromise the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances.

18.6 The Council will normally refuse applications where there are recent "relevant offences" and will only grant the application if it is satisfied that there are exceptional and compelling reasons for doing so. If the Police do not

issue an objection notice and the application otherwise meets the requirements of the Act the Council must grant the licence.

18.7 Where a Personal Licence holder is convicted by a court for a relevant offence, the Court will advise the Council accordingly. On receipt of such a notification, the Council will notify the Police and if they consider the continuance of the licence will prejudice crime and disorder objectives, they may issue an objection notice. In these circumstances, a hearing before the Licensing Committee will be held.

18.8 In order for the sale of alcohol to take place, the Council would normally expect the premises licence holder to ensure that there are a sufficient number of personal licence holders at the premises when alcohol is being supplied or retailed. If a personal licence holder is not on the premises for any reason, the Council would expect provisions to be made for the immediate contact of the personal licence holder or Designated Premises Supervisor in the event of an emergency.

18.9 The Council will require one of the personal licence holders to be a Designated Premises Supervisor. The main purpose being to ensure that there is always one specified individual who can be readily identified at the premises in cases of emergency. Thus, it will be clear who is in charge of the day-to-day running of the business.

18.10 Where the Designated Premises Supervisor is not available at the premises for whatever reason, the Council will expect an individual to be nominated as a point of contact who will have details of where the Designated Premises Supervisor can be contacted.

18.11 Personal licence holders must notify the Licensing Authority, as soon as practicably possible of any change of address and/or any relevant or foreign conviction.

18.12 When authorising members of staff to sell alcohol on their behalf, whilst not a legal requirement, personal licence holders are advised that it may be considered good practice to issue such authorisation in writing and to keep a record of both the authorisation and any training that has been provided.

18.13 Following deregulation, the ten-year validity period for a personal licence has now been repealed. Currently, a personal licence is valid indefinitely or until such a time as it is surrendered by the licence holder or suspended / revoked by a Magistrates' Court. Any person who currently holds a personal licence which displays an expiry date are advised to disregard this date. There is no need to return the licence to the Licensing Authority for the date to be removed.

19.0 Policy Consultation

19.1 In developing this policy the Council has consulted widely to ascertain an appropriate licensing framework for its area. The bodies consulted have included those specified in section 5(3) and in paragraph 29 of Part 4 of Schedule 8 to the Act: -

- the chief officer of police;
- the fire authority;
- representatives of holders of existing licenses;
- representatives of existing registered clubs;
- representatives of the local licensing trade;
- representatives of local businesses;
- representatives of local residents.

20.0 Temporary Event Notices (TEN's)

20.1 Certain temporary events are not required to be licensed but can be notified to the Licensing Authority using the Temporary Event Notice procedure. Nevertheless, depending on the nature and location of such events, these can have serious crime and disorder and noise implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable the Police and the Council to work with them to identify and reduce the risk of crime and disorder and noise nuisance.

20.2 The Council recommends that at least 28 days' notice be given to hold such events, to allow it to help organisers to plan their events safely. Any longer period than this may mean that organisers do not have all the details available at the time of submitting the notice, and any lesser time means that planning may be rushed and haphazard.

20.3 There are two types of TEN; a standard TEN and a late TEN. These are subject to different processes: a standard notice is given no later than ten working days before the event to which it relates; and a late notice is given not before nine and not later than five working days before the event.

20.4 The most important aspects of the system of temporary event notices are that no permission is required for these events from the Council. In general, only the Police and Environmental Health may intervene to prevent such an event or modify the arrangements for such an event. The Council will only ever intervene itself if the limits on the number of notices that may be given in various circumstances, as outlined in the Act, would be exceeded.

20.5 Many of those who give temporary event notices will not have commercial backgrounds or ready access to legal advice. They will include, for example, those acting on behalf of charities, community and voluntary groups, schools, churches and hospitals all of which may stage public events to raise funds at which licensable activities will take place. The Council will ensure that local guidance about the temporary permitted activities is clear and understandable and will strive to keep the arrangements manageable and user-friendly for these groups.

20.6 In the event of a relevant representation from the Police and/or Environmental Health to a standard TEN the Council will hold a hearing not less than 24 hours before the event is due to take place. There is no right of hearing if an objection is lodged against a late TEN.

21.0 Larger Events

21.1 For licensable events where the capacity exceeds 499 a premises licence will need to be applied for. A premises licence can be time limited so that it is only in effect for the duration of the event.

21.2 Open air events may range from relatively small local events, like fairs, which may last for four or five days, to major pop festivals lasting one or more days. Despite the temporary duration of such major events, they can attract huge crowds of people and the risks to public safety and to crime and disorder as well as public nuisance may be considerable. A temporary event likely to attract more than 499 people will require an application for a premises licence and will not be covered by the Temporary Event Notice provisions.

21.3 It is recommended that the applicant make an initial approach to the Licensing Authority at least 6-9 months prior to the proposed event. This will allow the Council and the Emergency Services sufficient time to assist the organisers to plan their events safely. Many events will give rise to special considerations in respect of public safety and public nuisance. Operating schedules should therefore reflect an awareness of these matters. It is recommended that an application be made at least 3 months prior to the event. It is the responsibility of the organisers/promoters to satisfy the Council that they have met the standards outlined in the following relevant documents:

- The Event Safety Guide - A guide to health and safety and welfare at music and similar events ("The Purple Book") available at <http://www.thepurpleguide.co.uk>
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997) ("The Green Guide") ISBN 0 11 300095 2

21.4 Applications for large events will be scrutinised by the Safety Advisory Group (SAG) as well as the Licensing Authority. The SAG may consist of officers from Responsible Authorities such as Thames Valley Police,

Licensing, Health & Safety, Environment Agency, Food Safety, Fire Authority, Emergency Planning, Highways, Waste, and Ambulance Service.

21.5 The SAG allows officers to question applicants about the operation of their event to ensure it will be a “safe” event and will minimise disruption to traffic management and nuisance. The SAG will not determine licence applications but may recommend conditions be attached to a licence. The Licensing Authority will expect applicants and organisers of large temporary events to produce a satisfactory event management plan for their event and to comply with any recommendations made by the group.

21.6 Applicants may notify the SAG of an event or a proposed event that maybe organised in the future by emailing: Licensing@wokingham.gov.uk

21.7 For smaller events that do not require a full SAG meeting. The Council encourages the use of Multi-Agency Meetings. Please contact the Licensing Officer who can direct you on which route would be most suitable for your application.

21.8 A representative of the Licensing Authority will be present at all SAG or Multi-Agency to help promote safe events in the Borough and direct partner agencies on the objectives of the Act, this Statement of Licensing Policy and other published guidance or relevant legislation concerning licensed premises.

22.0 Reviews

22.1 At any stage, following the grant of a premises licence, a Responsible Authority or any other person, may apply for a licence to be reviewed because of a matter arising at the premises in connection with any of the four Licensing Objectives.

22.2 A licence will be reviewed where it is alleged that the Licensing Objectives are not being promoted and there is evidence to show this. The Licensing Authority will regard applications for the review of any premises licence particularly seriously where they involve evidence of:

- Use of licensed premises for the sale and distribution of drugs and the laundering of drugs money;
- Use of licensed premises for the sale and distribution of illegal firearms;
- Evasion of copyright in respect of pirated or unlicensed films and music;
- Underage purchase and consumption of alcohol;
- Use of licensed premises for prostitution or the sale of unlawful pornography;
- Serious risks to children;
- Use of licensed premises for unlawful gaming and gambling;
- Use of licensed premises as a base for organised criminal activity;
- Use of licensed premises for the organisation of racist, homophobic, sexual abuse, attacks or any discriminatory behaviour;
- Use of licensed premises for the sale of illicit tobacco, alcohol or goods;
- The use of licensed premises for the sale of stolen goods;
- Incidents of disorder;
- Instances of public nuisance where warnings have been disregarded;
- Serious risks to public safety which the management is unable or unwilling to correct;
- Frequently operating outside permitted hours or repeatedly breaching conditions (particularly those which have been attached by a licensing panel as a result of previous review hearing).

22.3 In instances where a review meets the criteria of being particularly serious, the licensing panel will consider the strongest most appropriate action, including revocation in the first instance.

22.4 At a review hearing the committee can make the following decisions:

- Modify the conditions of the premises licence;
- Exclude a licensable activity from the scope of the licence;
- Remove the Designated Premises Supervisor;
- Suspend the licence for up to three months;
- Revoke the licence;
- Take no action at all.

22.5 The Council must reject any request for a review if the reason does not relate to one or more of the four licensing objectives. The Council will expect anybody requesting a review to produce evidence to support allegations that one or more of these objectives are not being met.

22.6 Requests for reviews will also be rejected if, in the opinion of the Licensing Service Manager, the grounds are frivolous, vexatious or repetitive. Repetitive grounds are those which are identical to those considered at a previous hearing and where no further relevant evidence is brought to substantiate the request.

22.7 Any review of a licence will take place before the Licensing committee or one of its sub-committees.

23.0 Appeals

23.1 Where an applicant is aggrieved by any decision or condition, there is a right of appeal. This appeal must be lodged within a period of 21 days from the day on which the applicant was notified in writing to confirm the decision. The appeal application must be made to the Justices' Chief Executive of the Magistrates' Court.

23.2 In respect of a personal licence, appeals must be made to the Magistrates' Court in the area where the licence was issued/refused. Appeals in relation to all other licenses must be made to the Magistrates' Court where the premises or event is situated.

On determining an appeal, the court may:

- dismiss the appeal
- substitute for the decision appealed against any other decision which could have been made by the Council
- remit the case to the Council to dispose of it in accordance with the direction of the court.

23.4 In anticipation of such appeals, the Council will give comprehensive reasons for its decisions. On making findings of fact in its reasons, the Council will also ensure that they address the standard of proof and the burden of proof that they have adopted. The Council will also address the extent to which the decision has been made with regard to its statement of licensing policy and the Guidance issued by the Secretary of State under section 177.

23.5 As soon as the determination of the Magistrates' Courts has been promulgated, the Council will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an on-going judicial review).

24.0 Nudity and Adult Entertainment

24.1 Whilst applicants are at liberty to make an application in respect of any type of licensable activity, including any form of regulated entertainment, there are certain types of entertainment where greater consideration and stronger controls may be appropriate. Such activities would certainly include any form of nudity and/or adult entertainment.

24.2 There is provision within the application form under section 'N' to highlight 'any adult entertainment or services or other entertainment ancillary to the use of the premises that may give rise to concern in respect of children'. If confirmed in this box that no such entertainment is to take place, this will be entered as a condition on any licence issued. If no answer is given in box 'N' the situation is not as clear, this Authority has considered this matter and intends to treat such applications as below.

24.3 It is essential that such activity although not automatically precluded should, if offered be adequately controlled. Therefore, for the avoidance of doubt and to avoid any circumventing of the law in this respect, when no answer is given in box 'N' in respect of applications that include regulated entertainment of any description, the sale of alcohol for consumption on the premises and/or late night refreshment, this will be treated as if there is to be no such activity and there will be a condition placed on the licence that no such activity or entertainment will be permitted.

24.4 If a 'yes' answer is given in box 'N' the applicant will be expected to outline specifically the nature of the regulated entertainment and to address all potential issues in the operating schedule as well as proposing measures relevant to each of the licensing objectives in order to control the effects of the activity on all objectives but with particular regard to the protection of children from harm. Any licence issued will permit only those activities that have been specifically addressed in the application.

24.5 This authority has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (LG (MP) 82) for the licensing of sex establishments including sexual entertainment venues (SEV's). A consequence of this is that 'regulated entertainment' under the Licensing Act

2003 will no longer include sexual entertainment as defined under the terms of (LG (MP) 82) and if such activities are to be offered a separate SEV licence will be required.

25.0 Authorisation

25.1 The Designated Premises Supervisor in a premises that is concerned with the sale of alcohol whether in respect of 'off' sales or 'on' sales carries direct responsibility for all sales at any time within the licensed premises.

25.2 There is currently no requirement (unless a specific condition on the premises licence, following a licensing sub-committee hearing or voluntary proposal in the operating schedule of the application) that the Designated Premises Supervisor or any other Personal Licence holder should be present at all or at any particular times. In the event of the absence of such authorised person(s) regardless of the length of absence, it is a requirement that authorisation must be passed down to those who sell alcohol at or from the premises. For the purpose of proof that such authorisation has been given and equally in order to show due diligence should such cause arise, it is strongly recommended that such authorisation should not be verbal, but given in writing to each person so authorised and that if required this should be available to be produced to any authorised officer upon request.

25.3 In respect of a private members' club, where alcohol is supplied by or to the order of a member, there is no Designated Premises Supervisor or Personal Licence holder, however, any supply of alcohol by non-members or minors should be specifically authorised and again it is strongly recommended that such authorisation should be given in writing where appropriate.

26.0 Non-Standard Hours

26.1 Since the implementation of the Licensing Act there have been many applications where it appears that the applicant requests a specified number of events where no dates or times are given e.g. 'on 12 occasions per year' or 'on one weekend per month' etc. Such events are not measurable and provide difficulty in assessing their impact upon the licensing objectives and hence in ascertaining what if any conditions are relevant.

26.2 For the above reason applicants are advised that additional days should be clearly identified with dates and/or times which will allow proper consideration of their impact on the licensing objectives and permit their inclusion specifically on any licence issued.

26.3 Although every application will be treated on its own merits, it will not be normal practice to accept applications with such ambiguous specifications. There exists a system of Temporary Event Notices to allow for the conduct of any unusual, 'one off' or unforeseen events.

27.0 Smoking - Health Act 2006

27.1 From 01 July 2007 it is illegal to smoke in virtually all enclosed public places and workplaces in England. The ban includes offices, factories, shops, pubs, clubs, bars, restaurants and public transport.

27.2 Businesses are required as from 1 July 2007 to display signs at entrances to premises. The signs are available from the department of health at www.smokefreeengland.co.uk/stayinformed or by calling 0800 169 1697.

27.3 A likely impact of the public places smoking restriction under the Health Act 2006 is that customers wishing to smoke may be attracted to premises that have 'beer gardens' or designated outside areas. There is likely therefore, to be more drinking outside of licensed premises. Although smoking is not a licensable activity, it may clearly at times be associated with a licensable activity i.e. sale of alcohol and may be viewed as an area which requires consideration of possible control measures in the interests of avoidance of public nuisance.

27.4 There may be occasions where licensees are required (following representation or application for review) to control areas/hours for such activity and/or have conditions imposed upon their licence if this is deemed proportionate and appropriate in meeting one or more of the licensing objectives and in particular that of the prevention of public nuisance.

28.0 Licensing Hours

28.1 The 2003 Act gives the Licensing Authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement.

28.2 The Council recognises the role that greater flexibility over licensing hours has played in the development of thriving and safe evening and night-time local economies, which are important for investment and employment locally and attractive to domestic and international tourists, providing customers with greater choice and flexibility.

28.3 Licensing Authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. This Licensing Authority will not impose predetermined licensed opening hours. However, the Council is aware of problems within the borough which are attributed to the availability of alcohol both early in the morning and late at night. Applicants wishing to provide alcohol before 10am and after 10pm, regardless of where the premises is located in the borough, are expected to detail in their operating schedule how the early or late operation of their business will promote the licensing objectives. The Licensing Authority will give individual consideration to the merits of each application.

28.4 This policy stresses the importance of compliance with measures detailed as conditions of a Premises Licence when the licence authorises hours before 10AM and after 10PM. Should a premises have a pattern of non-compliance with these measures or a pattern of other incidents then, on review, members of the sub-committee are encouraged to consider restricting the Premises Licence to the hours of 10AM to 10PM.

28.5 We acknowledge that the guidance issued under Section 182 of the Licensing Act 2003 states that Shops, stores and Supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

28.6 This Licensing Authority would define a “good reason” as an evidentially based representation from a Responsible Authority or other person which details problems in a particular area which are contrary to the promotion of the licensing objectives. In addition, evidence of street drinking, alcohol related antisocial behaviour, public nuisance and alcohol abuse will also be viewed as a “good reason” to depart from the guidance issued under section 182.

28.7 The Council is aware of the increased risk of antisocial behaviour and public nuisance in areas close to public transport links (such as train stations or bus stops). Applicants will be expected to address this risk in their operating schedule, particularly if the proposal is to sell alcohol for consumption off the premises before 10AM or after 10PM, or if the application is to licence a takeaway for late night refreshment.

28.8 Restrictions could be appropriate on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue.

28.9 Restrictions might be appropriate on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises are open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time. Opening hours beyond midnight may be more likely to attract relevant representations and if the Council’s discretion is engaged it is possible conditions relating to opening hours may be imposed.

28.10 When considering applications for later closing times in respect of a premises licence, where relevant representations have been made, the Council will take the following into consideration in accordance with Government Guidance:

- Whether the premises is located in a predominantly commercial area
- The nature of the proposed activities to be provided at the premises

- Whether there are any arrangements to ensure adequate availability of taxis and private hire vehicles and appropriate places for picking up and setting down passengers
- Whether there is an appropriate amount of car parking, readily accessible to the premises, and in places where the parking and use of vehicles will not cause demonstrable adverse impact to local residents
- Whether the operating schedule indicates that the applicant is taking appropriate steps to comply with the licensing objective of preventing public nuisance
- Whether the licensed activity, particularly if located in areas of the highest levels of recorded crime, may result in a reduction or increase in crime and anti-social behaviour
- Whether the licensed activities are likely to cause adverse impact especially on local residents, and whether, if there is a potential to cause adverse impact, appropriate measures will be put in place to prevent it
- Whether there will be any increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area
- Any representations from a Responsible Authority or interested party that identify the premises as a focus for disorder and disturbance.

28.11 As far as premises in residential areas are concerned, these may be subject to stricter controls with regard to opening hours to ensure that disturbance to local residents is minimised. The Council considers that it is self-evident that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning. For example, the risk of residents' sleep being disturbed by patrons leaving licensed premises is obviously greater at 2AM than at 11PM. It is, therefore, the policy of the Council to strike a fair balance between the benefits to a community of a licensed venue and the risk of disturbance to local residents. In predominantly residential areas, therefore, it may not be appropriate to allow closing times later than midnight. It may be acceptable to open later on a limited number of occasions, for example up to 15 times a year. This would allow licensees to extend opening beyond midnight for special occasions such as New Year. However, every application will be determined on its merits, and applicants wishing to operate beyond midnight will need to demonstrate to the satisfaction of the Council, in their operating schedule, that there will be no significant disturbance to members of the

public living, working or otherwise engaged in normal activity around the premises concerned. This policy is aimed at the fulfilment of the licensing objective of “prevention of public nuisance”.

28.12 One of the greatest flashpoints occurs at closing times. In order to combat these flashpoints, it is the policy of the Council to encourage ‘wind down times’. In this regard it is suggested that licensees should consider remaining open for at least 30 minutes after the last service of alcohol. During this time the licensee may wish to offer for sale non-alcoholic beverages. The reason for this is to encourage patrons to leave the venue gradually and encourage licensed premises away from the ‘chucking out’ culture. Clearly, any period of time an establishment wishes to remain open after the end of licensed hours is acceptable provided no alcohol is sold. This policy is aimed at the fulfilment of the licensing objective of “prevention of crime and disorder”.

28.13 In respect of premises predominantly supplying take-away food, between the hours of 11PM and 5AM the Council would need to be satisfied that the supply of alcohol will not lead to an increase in crime and disorder or public nuisance in the vicinity of the premises. For example, alcohol to only being made available for sale alongside a food delivery or pre-ordered collection, and not readily available for consumption immediately outside or on a nearby street, bus stop or park bench.

28.14 All premises applying for licensing beyond 12AM must demonstrate that its customers will be capable of leaving the area without causing a disruption to local residents or impact upon crime and disorder. For example, where appropriate and relevant an assessment of the availability of late night transport, and the likely flow of pedestrian traffic away from the premises, could be included in the operating schedule.

29.0 Administration, Exercise and Delegation of Functions

29.1 One of the major principles underlying the Act is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure speedy, efficient and cost-effective service delivery.

29.2 The Council is committed to the principle of delegating its powers to ensure that these objectives are met and has arranged for its licensing functions to be discharged in accordance with the Guidance issued by the Secretary of State.

29.3 The Act itself creates a presumption that applications will be granted unless a representation is raised. Where a function is delegated to an officer, that officer will be responsible for liaising between the applicant, interested parties and the responsible authorities to ensure that any licence granted is subject to the appropriate conditions. Where objections are made then the licensing officer will once again liaise with the applicant, interested parties and the responsible authorities to see if a “settlement” is possible to overcome the objections without the need for the matter to go before the Committee or Sub Committee. Only where objections are raised which cannot be settled will matters be referred through to either the Sub Committee or the Full Committee for determination.

29.4 Whilst contested licensing applications are quasi-judicial in nature the (Sub) Committee will try to keep the proceedings as informal as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing and are able to express their views openly and fairly.

29.5 The (Sub) Committee will determine each case before it on its individual merits whilst taking into consideration the terms of this Policy document.

29.6 In determining the application the Licensing Committee or Sub-Committee, will consider:

- (a) The case and evidence presented by all parties;
- (b) The promotion of the four licensing objectives;
- (c) Guidance issued by central Government;
- (d) The Council's own Statement of Licensing Policy.

29.7 Where the (Sub) Committee determines that it is appropriate to attach conditions to a licence/certificate it will ensure that those conditions are directed towards preventing or minimising the impact of the activities taking place at the premises concerned on members of the public living, working or engaged in normal activity in the area concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.

29.11 All licence applications will be determined in accordance with the table in **Appendix C**.

30.0 The Role of Ward Councillors

30.1 Ward councillors play an important role in the local community. They can make representations in writing and speak at the hearing on behalf of an interested party such as a local resident or local business if specifically requested to do so. They can also make representations in their own right. For example, ward councillors may apply for a review of a licence if problems at a specific premises which justify intervention are brought to their attention.

30.2 Ward councillors are informed of all new applications and any application to vary a licence in their ward. Individual councillors may choose to consult with residents locally in addition to the statutory publication carried out by the applicant.

30.3 Local residents and businesses may wish to contact their local ward councillors in respect of a licence application. Details on how to contact ward councillors may be obtained from the Council's website or by contacting the Licensing Officer.

30.4 If a local resident or business makes a representation about an application it is often helpful to send a copy to the local Councillors. This helps them to gain an understanding of local feelings.

30.5 Ward councillors may attend hearings of licensing Sub Committees considering applications and speak on behalf of local residents and businesses, but only if:

- They have made a personal representation; or
- They have made a representation on behalf of local residents or businesses as 'community advocates'; or
- They have been nominated by (an objector) who cannot attend the hearing or prefers to be represented by them at the hearing.

31.0 Application Consultation

31.1 The aim of consultation is to provide the opportunity for other persons to be involved in the licensing process. The consultation procedure required for each type of application is prescribed within the Act and Regulations made thereunder.

31.2 Applicants are required to advertise an application for the grant or variation of a Premises Licence or Club Premises Certificate and for an application for a Provisional Statement. For such applications the consultation required is: -

- Copies of the application must be received by the Responsible Authorities on the same day as the original application is received by the Local Authority.
- A blue coloured notice(s) must be displayed at the premises for the full 28-day consultation period. It must be clearly visible 24hrs a day and legible to passers-by. The notice must give a brief outline of the application including the regulated activities and the hours applied for.
- An advertisement must be placed in a local borough wide publication, within 10 working days of the application being received by the Licensing Authority. It is the responsibility of the applicant to forward evidence of the newspaper notice, its wording and its date of publication to the Licensing Authority.
- For 'minor' variations, there is no requirement for the applicant to send copies to the responsible authorities or for a newspaper notice and the premises notice need only be made on white paper and be displayed for 10 days, The Licensing Authority will advise the appropriate responsible authorities of the application.

31.3 Applications for review of Premises Licence or Club Premises Certificate will be advertised by the Licensing Authority in accordance with Regulations. For ordinary review applications this will take the form of notices being displayed near to the premises for 28 days, and for 'summary' reviews notices being displayed for 7 working days.

31.4 The Licensing Authority will make copies of applications available for inspection by the public.

32.0 Provisional Statements

32.1 Applicants may need to apply for a Provisional Statement where premises are being constructed, extended or substantially changed structurally for the purpose of licensable activities.

32.2 This Licensing Authority's Policy in relation to Provisional Statements is identical to that for a Premises Licence. Before premises with a Provisional Statement may be used for licensable activities an application must be made and granted for a Premises Licence or Club Premises Certificate.

32.3 If representations are received in respect of an application for a Provisional Statement, conditions may be imposed on the Provisional Statement in the same manner as if it was a Premises Licence or the application may be refused by the Licensing Authority.

33.0 Film Classification

33.1 The admission of children to any film exhibition shall be restricted in accordance with the classification given to that film by the British Board of Film Classification (or the Licensing Authority). No person under the age of 18 shall be admitted to any film that has not been classified by the British Board of Film Classification (or the Licensing Authority).

33.2 The Licensing Authority agrees with the recommendation of the Secretary of State that Licensing Authorities should not ordinarily duplicate the role of the British Board of Film Classification by choosing to re-classify films themselves. The classification recommended by the British Board of Film Classification for any film will be applied by this Licensing Authority unless there are exceptional reasons for this Licensing Authority to adopt the role of film classifier and classify or re-classify any particular film. The decision as to whether to classify or re-classify any particular film will be at the absolute discretion of this Licensing Authority.

33.3 If the Licensing Authority is concerned about the classification given by the British Board of Film Classification to a particular film, it may give notice to the holders of a premises licence that the film may not be exhibited until it has been viewed and classified by the Licensing Authority. In such circumstances the Licensing Authority will view and classify the film as a matter of urgency.

33.4 Licence conditions may specify that immediately before each exhibition at the premises of a film (other than a current newsreel) passed by the British Board of Film Classification, there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of a certificate of the Board, or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film. Conditions may also require notices to be displayed both inside and outside the premises so that persons entering can readily read them and be aware of a category attached to any film or trailer.

33.5 Where any video works are shown on premises with a licence (e.g. in pubs) they should be suitable for the age group of those persons present,

having regard to the official age classification of the work given by the British Board of Film Classification.

34.0 Suspension of a Licence and Certificates for Non-Payment of Annual Fees

34.1 As a result of powers introduced under the Police Reform and Social Responsibility Act 2011, the Licensing Authority must suspend a Premises Licence or a Club Premises Certificate if the holder of the relevant authorisation fails to pay their annual fee.

34.2 However, this does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee. In either of these cases, there is a grace period of 21 days. This period will be used by the Licensing Authority to contact the licence or certificate holder in attempt to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence or certificate will be suspended.

34.3 When suspending a licence or certificate a notice of suspension will be given in writing to the licence or certificate holder. The police and any other relevant responsible authorities will also be notified of the suspension at the same time.

34.4 A premises licence or certificate that has been suspended does not have effect. However, it can for example be subject to a hearing or, in the case of a premises licence, an application for transfer. The licence will nevertheless only be reinstated when the outstanding fee has been paid. Formally, the debt is owed by the holder who held the licence at the time it was suspended. However, it may be more likely in practice that the new holder will actually make the payment.

34.5 Once payment has been received a written acknowledgement will be given to the licence/certificate holder and the suspension will be lifted. The police and any other relevant responsible authorities will be notified that the suspension has been lifted at the same time.

35.0 Immigration Act 2016

35.1 Section 36 of and Schedule 4 to the Immigration Act 2016 made a number of amendments to the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention of these changes is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

35.2 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The Council will work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.

35.3 Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act to provide that in England and Wales:

- Premises licenses to sell alcohol or provide late night refreshment and personal licenses cannot be issued to an individual who does not have permission to be in the UK, or is not entitled to undertake work relating to the carrying on of a licensable activity;
- Licenses issued to those with limited permission to be in the UK will lapse when their permission to be in the UK and work in a licensable activity comes to an end;
- Immigration offences, including civil penalties, are ‘relevant offences’ as defined by the 2003 Act;
- The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licenses) and applications to transfer premises licenses, and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence; and
- Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.

35.4 The Licensing Authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.

35.5 The Licensing Authority will also work in partnership with the Home Office (Immigration Enforcement) and Thames Valley Police with a view to preventing illegal working in premises licensed for the sale of alcohol and/or late-night refreshment.

36.0 Other References & Guidance

36.1 Applicants are advised, prior to making an application, to have regard to the following documents (as appropriate to their premises and the activities that will be provided): -

- The current guidance provided on the Home Office, including the amended Guidance issued under Section 182 of the Licensing Act 2003
- Technical Standards for Places of Entertainment - available from the Licensing Team.
- Home Office: Safer Clubbing Guide
- LACORS/TSI Code of Practice on Test Purchasing
- Guidance issued by the Security Industry Authority in connection with door supervisors etc.
- The Event Safety Guide: A Guide to Health, Safety and Welfare at Music and Similar Events' - HSG195
- Managing Crowds Safely HSE 2000 ISBN 07176-1834-X
- '5 Steps to Risk Assessment: Case Studies' HSE 1998 ISBN 0-7176-15804
- 'The Guide to Safety at Sports Grounds' SGSA ("The Green Guide")
- 'Safety Guidance for Street Arts, Carnivals, Processions and Large-Scale Outdoor Performances' Independent Street Arts Network (ISAN) available from:
<http://www.streetartsnetwork.org.uk/pages/publications.htm>
- The Guidance issued by the Department of Communities and Local Government under the Regulatory Reform (Fire Safety) Order 2005. Website: www.communities.gov.uk
- The Purple Guide to Health, Safety and Welfare at Music and Other Events ("The Purple Guide") <https://www.thepurpleguide.co.uk/>

37.0 Pre-Application Advice Service

37.1 We offer a pre-application advice service to support your licensing application made under the Licensing Act 2003. The aim is to help you to anticipate and fix any problems which may arise during the application process.

37.2 However, our advice cannot pre-judge the outcome of the licensing application, especially if representations are received and a hearing is scheduled to take place before a Licensing Sub-Committee.

The pre-application service will highlight common pitfalls and assist business owners through the licensing consultation process, in turn promoting a successful and thriving borough, creating pride in our local area; which forms part of the seven corporate priorities for Wokingham Borough Council.

37.3 Our pre-application consultation service offers:

- Advice and assistance with completing application forms;
- Advice on appropriate conditions taking into account the type and style of the operation intended at the premises, its location and in consultation with the Council's Senior Licensing Officer;
- Advice on drawing up plans to accompany the application in accordance with the relevant regulations;
- Advice on nominating an appropriate Designated Premises Supervisor;
- Assistance with completing the statutory notices and advertisements
- On-site visits are available to ensure plans are compliant with regulations and the appropriate statutory notices are correctly on display;
- Advice on matters you may need to consider assessing possible noise transmission to neighbouring properties, dependent on the type of operation proposed for the premises;
- Advice on measures to promote the licensing objective of prevention of crime and disorder;
- Advice on age verification measures and protecting children from harm on licensed premises.

37.4 Our current charges for this service are based on the application type. These fees may be subject to change as part of the Council's annual fees and charges review.

Licensing Application	Consultation Service	Price
Small	Up to 3 hours of officer time. For advice on the licensing process, guidance on plans, public notices and newspaper advertisements, licence conditions, completion of operating schedule and advice on the Live Music Act deregulation. Includes a face-to-face meeting but does not include any site visits.	£157.50 (includes VAT)
Medium	For advice where site visit is essential. Up to 6 hours of officer time. Includes meeting and site visit by the Licensing Officer. For advice on the licensing process, guidance on plans, public notices and newspaper advertisements, licence conditions, completion of operating schedule and advice on the Live Music Act deregulation.	£394.50 (includes VAT)
Large	For applications which need considerable officer time of up to 15 hours. Includes multiple site visits and liaison with the Licensing Officer, Environmental Health and Trading Standards, for events which would generally need to also go through the Safety Advisory Group process.	£1342.50 (includes VAT)

Disclaimer

37.6 With regard to any pre-application consultation, the written confirmation will state that pre-application consultation advice will not give applicants any exemptions from the licensing process. Responsible Authorities, including the Licensing Authority, Public Protection, Health & Safety, Trading Standards, may still make a representation against the application and the case may still need to be heard at Licensing Sub-Committee for a decision to be made.

37.7 The advice given will not include views from other responsible authorities such as Thames Valley Police, Fire Authority, Environmental

Health, Trading Standards, Planning etc. Determining any application that is subject to representations will be the function of the Licensing Sub-Committee who will consider the application and the representations on its own merits and determine the application accordingly on the basis of whether it promotes the licensing objectives.

37.8 The impartiality of the Licensing Officer will be maintained throughout the consultation process, when processing any subsequent application and where an application goes before the licensing sub-committee. Where possible, a different licensing officer will provide the pre-application advice to that of the officer who processes the subsequent application. Any applications where representations are made will be determined by the licensing sub-committee. The Licensing Officer's role at the sub-committee is limited to providing advice on policy and national guidance.

37.9 The pre-application consultation service is provided by experienced officers of the Licensing Authority. It is not provided by solicitor and therefore does not constitute legal advice.

Make a request for pre-application advice

37.10 Once we receive your request, we will contact you to take payment over the phone by debit or credit card and arrange a date and time for the pre-application meeting to be scheduled within five working days.

37.11 Email a request for advice to licensing@wokingham.gov.uk please provide your contact information and a brief overview of the type of premises that needs to be licensed such as off licence, restaurant, bar, club, public house, indoor arena, sports stadium, outdoor music festival.

38.0 Contact Details

38.1 Further details about the licensing and application process, including application forms, can be obtained from: -

Licensing Service
Wokingham Borough Council
Shute End
Wokingham
RG40 1BN

Telephone: 0118 974 6000

Email: licensing@wokingham.gov.uk

Website: www.wokingham.gov.uk

38.2 The Responsible Authorities detailed in this policy will also be willing to give advice and guidance to applicants.

39.0 Late Night Refreshment – Local Powers to Deregulate

39.1 Section 71 of the Deregulation Act 2015 inserted paragraph 2A into Schedule 2 of the Licensing Act 2003 in relation to the provision of late-night refreshment.

39.2 This amendment created a discretionary power to licensing authorities to exempt premises in certain circumstances, from the requirement to have a licence to provide late night refreshment.

39.3 The powers allow a relevant Licensing Authority to exempt the supply of late night refreshment if it takes place:

- on or from premises which are wholly situated in a designated area;
- on or from premises which are of a designated description; or
- during a designated period (beginning no earlier than 23.00 and ending no later than 05.00).

39.4 The Licensing Authority does not currently consider it appropriate to exercise the discretionary powers within paragraph 2A of Schedule 2 to the Licensing Act 2003.

39.5 If the Licensing Authority was going to consider exercising the powers in the future, it would only do so having carefully considered the risks to the promotion of the licensing objectives and the impact on the locality.

40.0 Outside Space

40.1 Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.

40.2 In such cases it will not be necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

40.3 If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

Tables and chairs on the public highway

40.4 Licensed premises that wish to use a portion of a public street, road or place for the for the placing of tables, chairs or other temporary furniture outside a restaurant or cafe for patrons to use may only do so under permission of a Street Cafe licence issued by the Council as Highway Authority. Applicants should be aware that approval is not automatic and no tables or chairs should be placed on the highway until formal approval has been obtained. Street Cafe licenses are subject to their own specific restrictions, including limitations on the hours during which they may be used and the number of tables and chairs that may be provided.

40.5 Applicants are expected to have specific regard to the impact upon the Licensing Objectives that the operation of any areas on the public highway that are licensed for tables and chairs might have.

40.6 Applicants should note that the grant of a premises licence to include part of the highway does not in itself grant permission to use that part of the highway and similarly a licence from the highway authority does not grant permission to undertake any other licensable activity.

Appendix A: Current Mandatory Conditions

Mandatory Condition	Applicable to
<p>No supply of alcohol may be made under the premises licence –</p> <p>(a) at a time where there is no Designated Premises Supervisor in respect of the premises licence, or</p> <p>(b) at a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended.</p> <p>Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence</p>	<p>Any premises licence or which authorises the sale of alcohol.</p>
<p>(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</p> <p>(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—</p> <p>(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—</p> <p>(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or</p> <p>(ii) drink as much alcohol as possible (whether within a time limit or otherwise);</p> <p>(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;</p>	<p>Any premises licence or club premises certificate which authorises the sale of alcohol for consumption on the premises.</p>

<p>(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;</p> <p>(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;</p>	
<p>(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).</p>	
<p>The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.</p>	<p>Any premises licence or club premises certificate which authorises the sale of alcohol for consumption on the premises.</p>
<p>(i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</p> <p>(ii) The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.</p> <p>(iii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—</p> <p>(a) a holographic mark, or (b) an ultraviolet feature.</p>	<p>Any premises licence or club premises certificate which authorises the sale of alcohol.</p>
<p>The responsible person must ensure that—</p> <p>(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in</p>	<p>Any premises licence or club premises certificate which authorises the sale of alcohol for consumption on the premises.</p>

<p>advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—</p> <p>(i) beer or cider: 1/2 pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml;</p> <p>(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and</p> <p>(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.</p>	
<p>(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.</p> <p>(2). For the purposes of the condition set out in paragraph 1—</p> <p>(a) “duty” is to be construed in accordance with the Alcoholic Liquor</p>	<p>Any premises licence or club premises certificate which authorises the sale of alcohol.</p>

<p>Duties Act 1979;</p> <p>(b) “permitted price” is the price found by applying the formula— $P = D + (D \times V)$</p> <p>where—</p> <p>(i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;</p> <p>(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—</p> <p>(i) the holder of the premises licence, (ii) the Designated Premises Supervisor (if any) in respect of such a licence, or</p>	
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<p>(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;</p> <p>(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and</p> <p>(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.</p> <p>(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.</p> <p>(4) (i) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.</p> <p>(ii) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.</p>	
<p>(1) The supply of alcohol for consumption off the premises must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.</p>	<p>Club premises certificates which authorise sale of alcohol for consumption</p>

<p>(2) Any alcohol supplied for consumption off the premises must be in a sealed container.</p> <p>(3) Any supply of alcohol for consumption off the premises must be made to a member of the club in person.</p>	<p>off the premises.</p>
<p>Exhibition of Films</p>	<p>Any premises licence or club premises certificate which authorises the exhibition of films.</p>

<p>Admission of children must be restricted in accordance with any recommendation made by the film classification body specified in the licence</p> <p>Or</p> <p>where the Licensing Authority has notified the holder of the licence that it considers a classification, or an alternative classification is necessary then admission of children must be restricted in accordance with any recommendation made by that Licensing Authority</p> <p>In this section-</p> <p>"children" means persons aged under 18; and</p> <p>"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).</p>	
<p>Door Supervisors</p> <p>Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.</p>	<p>Any premises licence or club premises certificate which includes a condition relating to door supervisors / security.</p>

Appendix B:

Licensing Act 2003 Model Conditions

Counter Terrorism

1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises and all on-duty managers must have completed ACT: Awareness training. In addition, a minimum of 1 on-duty manager must also have completed the ACT: Operational or ACT: Strategic training.
2. The Designated Premises Supervisor must complete the ACT: Awareness training and ACT: Operational or ACT: Strategic training course within 28 days of the grant or variation of the licence. Should the Designated Premises Supervisor named on the licence change, the new Designated Premises Supervisor must complete those courses within 28 days of being named on the licence.
3. Within 28 days of the grant or variation of the licence, a documented security vulnerability assessment, which must incorporate counter terrorism measures, must be undertaken for the premises to include all areas in which licensable activities takes place and which the public will have access and/or transit through. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
4. Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security vulnerability assessment and take promptly such steps to eliminate

them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Wokingham Borough Council.

5. Within 28 days of the grant or variation of the licence, the premises must have a documented counter-terrorism plan, which sets out counter measures to be implemented in response to a terrorist attack, through the principles of 'Guide', 'Shelter' and 'Communicate'-
 - **Guide** - Direct people towards the most appropriate location (in vacuuation, evacuation, hide)
 - **Shelter** - Understand how your place or space might be able to lock-down and shelter people within it for several hours
 - **Communicate** - Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

Admission and control of entry

6. The designated queuing area shall be enclosed within appropriate barriers and ensure that a minimum width of 1.8m [or specify if greater] is maintained on the footway to allow safe passage by pedestrians.
7. An ID scanning system approved in writing by the Licensing Authority must be operated at the premises at all times it is open to the public. All persons entering the premises must provide verifiable ID and record their details on the system.

8. All persons entering or re-entering the premises must be searched by an SIA registered door supervisor [and all searches must be monitored by the premises CCTV system].
9. No patron shall be admitted or readmitted to the premises [after XX:XX hours] unless they have [passed through a metal detecting search arch] [been searched using hand-held electronic search wands] and, if the search equipment is activated, have been physically searched in accordance with a procedure agreed with Thames Valley Police, which must include a 'pat down search' and a full bag search. Search equipment must be kept in working order.
10. No customer will be permitted to enter or re-enter the premises between the hours of [specify] save for persons who have temporarily left the premises (e.g. to smoke).
11. Between [specified times] no customer will be permitted to enter or leave the premises by means of [specified entrances].
12. No more than [insert number] customers will be permitted on the premises at any one time.
13. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place.

Door supervisors

14. Door supervision must be provided on (specify days / circumstance).
Door supervisors must be on duty from [specify hours] and must remain on duty until the premises are closed and all the customers have left.

15. On [specify days/hours], at least [insert number] of SIA registered door supervisors must be on duty at the premises [specify location at the premises] [or as shown on the plan].
16. Door supervisors shall be employed at the ratio of [XX] door supervisor for every 100 customers (or part thereof).
17. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:
 - (i) Size of the venue
 - (ii) Expected attendance
 - (iii) Type of event taking place
 - (iv) Location of the premises
 - (v) Time of year
 - (vi) Special occasion (New Year, Halloween, Local events etc.)
 - (vii) Premises Licence Conditions
18. At least [XX] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.
19. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear [high visibility jackets or vests or armbands].
20. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
21. The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.

22. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
23. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.
24. Random searches shall be undertaken of customers entering the premises between the hours of [insert times] and prominent signage to this effect.
25. A metal detection device shall be randomly used by door supervisors to search patrons for weapons.
26. A search arch shall be used at the premises to detect customers who may be carrying weapons.
27. Bag clips shall be made available on the premises.

Bodycams

28. On [specify days/hours], at least [insert number] of SIA registered door supervisors on duty at [specify location at the premises] [or as shown on the plan] must wear working body cams.
29. All body cams must:
 - (i) be activated by the wearer to record any incident of crime and disorder they witness;
 - (ii) provide a continuous recording loop designed to ensure that relevant information is still captured if the User is unable to immediately activate the recording;
 - (iii) produce an acceptable video recording under street lighting and inside buildings, including low-light conditions

- (iv) be overt, be pointed correctly to ensure best evidence is captured, and worn so that it will not be obscured by clothing;
 - (v) be capable of clearly recording a conversation between the User and people in close proximity; and be optimised to record speech rather than background noise;
 - (vi) record synchronised video and audio;
 - (vii) employ a wide-angle lens that records a broad scene in full focus;
 - (viii) be securely attached to avoid accidental loss and malicious removal
 - (ix) be equipped with sufficient storage and battery capacity to cover the requirements of a working shift.
 - (x) record in a format viewable in its original format using free software including VLC media player
 - (xi) when transferred off the device, recordings should be preserved in their original format and any metadata retained
 - (xii) must always show the correct time and date in video footage, for evidential continuity
 - (xiii) be capable of still capturing video if the microphone malfunctions, and audio is still captured if the camera malfunctions.
 - (xiv) not overwrite data once recording capacity is reached.
30. A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.
31. Bodycam images must be stored so that they are retrievable and accessible for replay and viewing, and kept in an environment that will not be detrimental to the quality or capacity for future viewing. They should be appropriately labelled to enable identification and retrieval and kept for a minimum of 28 days.

32. The premises licence holder must ensure there are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

CCTV

33. The premises licence holder must ensure that:

- (i) CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
- (ii) The system records clear images permitting the identification of individuals.
- (iii) The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- (iv) The CCTV system operates at all times while the premises are open for licensable activities [or specify timings].
- (v) All equipment must have a constant and accurate time and date generation.
- (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- (vii) There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

- (viii) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a police officer or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.

Preventing illegal drug use

34. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS and/or [designated role-holder at business], shall have access. All controlled drugs (or items suspected to be, or, containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Thames Valley Police for appropriate disposal.
35. The premises shall operate a zero-tolerance policy to drug use and posters shall be prominently displayed to this effect. All staff shall be trained in the implementation of the venue's drugs policy.
36. Toilet cisterns shall be provided with sloping lids or similar to discourage drug use.

Promotional activity

37. The premises licence holder must submit to [insert contact details for Responsible Authority] a completed risk assessment form as prescribed at least 14 days before any event that is
- (i) Promoted / advertised to the public at any time before the event;
and

- (ii) Features DJ's, MC's or equivalent performing to a record backing track; and
 - (iii) Runs anytime between the hours of [insert hours].
38. No promotional social media communication may be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

Incident reporting

39. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the Licensing Authority, which will record the following incidents including pertinent details (delete as appropriate):

- (i) All alleged crimes reported to the venue or by the venue to the police
- (ii) All ejections of patrons
- (iii) Any complaints received
- (iv) Any incidents of disorder
- (v) Seizures of drugs, offensive weapons, fraudulent ID or other items
- (vi) Any faults in the CCTV system, searching equipment or scanning equipment
- (vii) Any refusal of the sale of alcohol
- (viii) Any faults in the CCTV system, searching equipment or scanning equipment
- (ix) Any visit by a Responsible Authority or emergency service

- (x) The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.

Staff training (alcohol & vulnerability welfare)

- 40. All staff authorised to sell alcohol shall be trained in (delete as appropriate):
 - (i) Relevant age restrictions in respect of products
 - (ii) Prevent underage sales
 - (iii) Prevent proxy sales
 - (iv) Maintain the refusals log
 - (v) Enter sales correctly on the tills so the prompts show as appropriate
 - (vi) Recognising signs of drunkenness and vulnerability
 - (vii) How over-service of alcohol impacts on the four objectives of the Licensing Act 2003
 - (viii) How to refuse service
 - (ix) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
 - (x) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
 - (xi) The conditions in force under this licence.
- 41. Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.

42. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 [or specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Wokingham Borough Council.

Preventing and dealing with drunkenness and vulnerability

43. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
44. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.
45. A Personal Licence Holder must be present at the premises to supervise all sales of alcohol.
46. A minimum of [specify] persons must be employed and on duty at the premises between [specify days/hours] who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters.
47. The premises shall provide facilities for customers to securely recharge their mobile phones.

Off Licenses and reducing nuisance associated to illegal street drinking (Public Spaces Protection Order)

48. No sale of single cans of beer, lager or cider.
49. The premises will not sell any beer, lager, or cider that is equal to or greater than 6% ABV. For the avoidance of doubt, this does not include specialist products from craft microbreweries or limited edition / seasonal products (e.g. Christmas gift packs), subject to Police and Licensing Authority discretion.
50. All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.

Glassware and use of ice fountains / bottle sparklers

51. Drinks must only be served in polycarbonate/plastic containers [on specified days or events] [upon reasonable notice by Thames Valley Police].
52. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers [except for consumption in any delineated external area as shown on the plan attached to the licence].
53. Spirit, Champagne and all other glass bottles greater than [70cl] are restricted to customers seated at a [table] [booth] in the delineated area[s] as shown on the plan attached to the licence. These bottles must be secured to the table or ice bucket and must only be dispensed

by a member of staff who is trained in the responsible service of alcohol. Customers must not be permitted to leave their table carrying any such bottle or be permitted to drink directly from the bottle.

54. Ice fountains or similar products (which are classed as HT4 explosives):

- a) Must be kept in their original packaging and only stored in a secure storeroom or fire-resistant cabinet that the public have no access to. The room/cabinet must be kept locked, except for the depositing or removal of products but must be locked immediately thereafter.
- b) Their use must be risk assessed in advance and appropriate control measure put in place to reduce the risk to staff and customers, which must include (but is not limited to):
 - (i) staff training in their safe use and dispersal
 - (ii) the provision of appropriate first aid training and equipment
 - (iii) suitability of areas of the premises where the products will be used
- c) The risk assessment and control measures identified must be documented, kept on the premises and made available for inspection to a police officer, fire or other authorised officer upon request.

Preventing underage sales

55. The Challenge [25] scheme must be operated to ensure that any person who appears to be under the age of [25] shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA

national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the Licensing Authority.

56. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that the Challenge [25] scheme is in operation.
57. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
58. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.

Alcohol deliveries

59. The premises licence holder shall provide the following information in writing to the Licensing Authority before any sale of alcohol is carried out (and notify change to this information to the Licensing Authority within 7 days):
- (i) The trading name of any company that will operate under the licence
 - (ii) All telephone numbers that will be used to accept orders

- (iii) The URL/website address that will be used to accept orders.
60. Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.
61. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.

Restaurants and takeaways (alcohol)

62. The premises must only operate as a restaurant:
- (i) in which customers are seated at a table,
 - (ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery,
 - (iii) which do not provide any takeaway service of food or drink for immediate consumption, and
 - (iv) where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
63. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway meal.

Restricting alcohol sales in relation to designated special events, e.g. football matches

64. Prior to any [designated special event by Thames Valley Police]

[‘designated sporting event’ (as defined in the Sporting Events Control of Alcohol Act 1985)] the premises licence holder shall ensure that:

- (i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [special] [sporting] event
- (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [special] [sporting] event
- (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [special] [sporting] event
- (iv) On any day where there is a relevant designated [special] [sporting] event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [special] [sporting] event or in the vicinity of the premises as a result of the designated [special] [sporting] event
- (v) All members of staff working at the premises are informed of this condition prior to taking up employment
- (vi) On the day of the relevant designated [special] [sporting] event, upon the direction of a police officer, using the grounds of the

prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.

Use of special effects

65. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the Licensing Authority where consent has not previously been given:

- (i) Dry ice and cryogenic fog
- (ii) Smoke machines and fog generators
- (iii) Pyrotechnics, including fireworks
- (iv) Firearms (e.g. Blank firing pistols)
- (v) Lasers
- (vi) Explosives and highly flammable substances
- (vii) Real flame
- (viii) Strobe lighting.

Emergencies

66. The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.

67. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.

68. All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Wokingham Borough Council.
69. The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.

Preventing noise and other public nuisances

70. All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
71. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
72. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the Council]. Only the Premises Licence Holder and the Designated Premises Supervisor will have access to the noise limiting device.

73. The location and orientation of loudspeakers must be as specified on the attached premises plan.
74. An [acoustic lobby / acoustic door / acoustic curtains/ acoustic door seals / automatic door closer] must be installed [specify the location / define on plan].
75. There shall be no noise or odour caused by the kitchen extraction equipment that gives rise to a nuisance.
76. Any queue in a (designated queuing area) to enter the premises must be supervised at all times by door supervisors.
77. Between [specified times] no customer will be permitted to enter or leave the premises by means of [specified entrances].
78. The dispersal of customers from the premises must be managed in accordance with the following:
- a. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
 - b. Public announcements requesting customers to leave quietly to minimize disturbance to nearby residents
 - c. A [specify minutes] period where music volume is reduced / lighting increased / alcohol sales cease.

Deliveries (nuisance)

79. A direct telephone number for the duty manager must be prominently displayed where it can conveniently be read from the exterior of the

premises by the public. The telephone must be manned at all times the premises is open for licensable activities.

80. No deliveries or collections relating to licensable activities at the premises will take place between the hours of [insert hours].
81. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.
82. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle.

Smoking and other external areas

83. Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as [specify location / mark on plan]. No more than [insert number] of customers will be permitted to remain in the designated smoking area at any one time.
84. Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

85. No more than *[insert number]* customers will be permitted to enter or remain in *[define outdoor area(s)]* of the premises at any one time, between the hours of *[specify]*.
86. The tables and chairs outside the premises shall be brought inside at *[insert time]*
87. Staff shall regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises.
88. The use of the garden/external area shall cease after *(insert time)* hours on *(insert days of the week)*
89. A direct telephone number for the duty manager must be prominently displayed where it can conveniently be read from the exterior of the premises by the public. The telephone must be manned at all times the premises is open for licensable activities.

Litter and cleansing

90. At *[specify times]* *[specify areas]* outside the premises, including *[specify areas]* must be swept and/or washed, and litter and sweepings collected and stored *[specify storage and collection]*.
91. All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.
92. Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.
93. Empty bottles which have been collected must be placed into locked bins when deposited outside.

94. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
95. Between the hours of [insert hours] no waste/glass bottles will be moved or deposited outside.
96. Persons wishing to leave the premises to smoke shall not be permitted to take drinks outside with them.

Children on the premises

97. No person under the age of [insert age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.
98. The PLH/DPS will provide [specify ratio] adult supervisors at a ratio of [specify ratio] who can provide care for the children as they move from stage to dressing room etc., and to ensure that all children can be accounted for in case of an evacuation or an emergency.
99. The licence holder and/or DPS shall ensure that any child performer is licensed with Wokingham Borough Council and accompanied by a registered chaperone. Documented records should be kept for six months, including the child's name, their licence number and chaperone details.
100. Where children are allowed on the premises, information shall be displayed [location] on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to Wokingham Borough Council via 0118 974 6000, NSPCC on 0808 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.

Late night refreshment

101. Any hot food or hot drink provided after 11pm (late night refreshment) under this licence must only be consumed on the premises.
102. Between [specify hours from 11pm/days] customers must not be permitted to remove from the premises any hot food or hot drink (late night refreshment) provided at the premises.

Large events

103. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority.

Boxing and wrestling (including MMA and other combat sports)

104. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority. The Plan must set out (but is not limited to):
 - (i) Full contact details of the organisers and other parties involved in the event.
 - (ii) The medical cover that will be provided at this event. Will there be a Registered Doctor and a Paramedic will be provided as a minimum? Has facility to providing an ambulance been considered for the event? The Council would prefer that an ambulance is provided.

- (iii) The medical checks that will be carried out on the boxers before and after the fight. The Council would expect all boxers taking part to have a medical card and competition record book. This should detail previous bouts, medical history etc.
- (iv) How boxers will be matched up for the event. All boxers will be expected to be evenly matched and fall in the same weight category.
- (v) Details of the ring set up and who will be carrying this out.
- (vi) The numbers of referees and judges taking part in the event.
- (vii) The type and weight of boxing gloves that will be used by the boxers and how these will be inspected.
- (viii) What will be the safety rules for the fight and how these rules will be communicated to the boxers, coaches, trainers and other relevant parties.
- (ix) Details of the Personal Protective Equipment that will be worn by boxers.
- (x) Actions that will be taken in an emergency and how parties will communicate.
- (xi) Site checks that will be completed prior to the event taking place.
- (xii) Referee details including qualifications.

Adult entertainment

105. The premises may not show R18 films without the benefit of a sex cinema licence.

106. No person under the age of 18 will be permitted to enter or remain on the premises when any “relevant entertainment” (as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 is taking place.

For reference:

Relevant entertainment is ‘Any live performance or any live display of nudity, which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

Display of nudity means in the case of a women - exposure of her nipples, pubic area, genitals or anus; and in the case of a man - exposure of his pubic area, genitals or anus.

The audience can consist of one person.

Dispersal

107. The dispersal of customers from the premises must be managed in accordance with the following:

- (i) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- (ii) Public announcements requesting customers to leave quietly to minimise disturbance to nearby residents.
- (iii) A [specify minutes] period where [music volume is reduced / lighting increased / alcohol sales cease].
- (iv) A suitable member of staff or a Door Supervisor[s] will be visible at each public entrance / exit to control the dispersal, to remind people to leave quietly, and to prevent patrons from re-entering the premises, and shall deter customers from using private hire vehicles without a prior booking
- (v) All drinks and glass vessels must be removed from patrons as they leave to ensure no glass leaves the premises.

108. From no later than 1 hour before the premises closes to the public, a member of staff shall be dedicated to monitor the dispersal of

customers and ensure patrons do not contribute to anti-social behaviour in the vicinity. They will be easily identifiable by way of their uniform or high visibility jacket / vest; will have a detailed knowledge of all transport options in the area and provide directions for patrons who may be loitering in the vicinity of the premises.

Appendix C: Scheme of Delegations

Matter to be dealt with	Full Council	Licensing Panel	Officer
Review of Statement of Licensing Policy, receipt of annual report and other relevant reports.	In all Cases		
Application for a personal licence		If a representation is made.	If no representations are made.
Application for a premises licence or a club premises certificate		If a representation is made.	If no representations are made.
Application to vary an existing premises licence or club premises certificate		If a representation is made.	If no representations are made.
Application for minor variation of a premises licence or club premises certificate			In all cases.

Application to vary the Designated Premises Supervisor (DPS)	If a Police representation is received	All other cases
Requests to be removed as DPS		All cases
Application for transfer of a personal licence	If a Police representation	All other cases

Application for interim authorities	If a Police representation	All other cases
Applications to review premises licenses and club premises certificates	All cases	
Decisions on whether a complaint is irrelevant, frivolous or vexatious etc.		All cases
Determination of a Police representation to a Temporary Event Notice	All Cases	
All applications will be considered in accordance with any statutory framework. Applications will only be accepted if they contain all required information and have been correctly made. Any application that falls short of the requirements will be returned to the applicant for correction or addition.		

This page is intentionally left blank

TITLE	Constitution Update
FOR CONSIDERATION BY	Council on 21 March 2024
WARD	(None Specific);
LEAD OFFICER	Monitoring Officer - Andrew Moulton

OUTCOME / BENEFITS TO THE COMMUNITY

Reviewing the Council's Constitution on a regular basis ensures that it is relevant and fit for purpose.

RECOMMENDATIONS

That Council:-

1. **Notes** the progress towards completing a fundamental review of the Constitution.
2. **Agrees** the following changes to the Constitution, as recommended by the Monitoring Officer via the Constitution Review Working Group that:
 - 2.1 Anti-Fraud Policies update, as recommended by Audit Committee on 29 November 2023 (see section 4 of report)
 - 2.2 Shareholder Committee (see section 5)
 - 2.3 Key decisions (see section 6)
 - 2.4 Planning Committee – terms of reference and terminology (see section 7)
 - 2.5 Changes to Directors' job titles (see section 8)

SUMMARY OF REPORT

1. Council Constitutions provide a framework within which people can understand their own responsibilities, and the responsibilities of others. They allow decision-making, within a democratically elected body, to be consistent, accountable and transparent. They facilitate strong, effective relationships. Good constitutions also provide an anchor for strong organisational and political cultures in which people work well together, and in which decision-making is well-understood by (and visible to) the public.
2. Constitutions are also rulebooks. They set out much, but not all, of the technical detail of how a council's main decision-making systems operate.
3. Historically, the Council has adopted an incremental approach to maintaining its Constitution with regular reports to Council (via the member Constitution Review Working Group (CRWG)). Whilst this served the purpose of reflecting evolving practice and responding to changes in the law, it is good practice to undertake a comprehensive review of the Constitution every five years.

4. At its meeting of 19 January 2023, Council resolved to “review the Council’s Constitution with the aim of making it fit for the 21st century by attempting to reflect the needs of Councillors, Officers, and Residents. To achieve that aim we ask the LGA to work with us in putting into place a modern, fit for purpose, new Constitution.”
5. During 2023/24, CRWG has met on seven occasions to undertake comprehensive reviews of each section of the Constitution. The first part of the report provides an overview of this ongoing work which is expected to be complete in autumn 2024.
6. CRWG is being supported by the Centre for Governance & Scrutiny (as recommended by the LGA) who are providing expert input including advice on best practice based on their experience of supporting other authorities in constitution reviews.
7. The second part of the report proposes amendments to the existing constitution which are considered by CRWG as essential to have in place before the start of the new municipal year, or have been recommended to Council by other committees e.g. Audit Committee.
8. The report contains revisions to several areas in the Constitution which were agreed by the CRWG for recommendation to Council at its meeting on 4 March 2024.

1. PART 1 – UPDATE ON CONSTITUTION REVIEW

Background and Context

- 1.1 Under section 9P of the Local Government Act 2000 (LGA 2000) the Council is under a duty to prepare and keep up to date a Constitution.
- 1.2 Section 9P of the LGA 2000 states that the Constitution must contain:
- The standing orders/procedure rules;
 - The Members’ Code of Conduct;
 - Such information as the Secretary of State may direct; and
 - Such other information (if any) as the Council considers appropriate.
- 1.3 It is recommended good practice to undertake a full review of the Constitution every 5 years. At its meeting of 19 January 2023, Council resolved to “review the Council’s Constitution with the aim of making it fit for the 21st century by attempting to reflect the needs of Councillors, Officers, and Residents. To achieve that aim we ask the LGA to work with us in putting into place a modern, fit for purpose, new Constitution.”

The Approach

- 1.4 The Constitution Review Working Group (CRWG) has met on seven occasions during 2023/24 to lead the review of the Constitution.
- 1.5 CRWG is being supported by expert, independent advice and guidance from the Centre for Governance & Scrutiny (CfG&S). CfG&S was recommended to the Council by the Local Government Association (LGA) and already has extensive knowledge of the Council through the previous work it undertook in 2022 in the review of the Council’s scrutiny arrangements.

Assessment of Current Constitution

- 1.6 The Council’s Constitution currently comprises thirteen parts, many divided into a number of sections, with various schedules and appendices throughout those parts.
- 1.5 The Constitution is based upon the Modular Constitution and has developed through amendment over a number of years. Although the Constitution is generally comprehensive it could be improved significantly through the use of more modern language (including gender neutral language), web links, and better presentation in a revised structure. The “Introduction and Summary” would benefit from some more information about how the Council works. This could be drawn

from the existing information held elsewhere to give a more comprehensive picture.

- 1.6 By having a general summary in the “Introduction and Summary,” and then in the substantive sections, things are often stated several times, often in slightly different ways and it can be difficult to be certain that the full picture is being presented on any issue without exhaustive searching. The Constitution could be cut down and assimilated into a much shorter, clearer document.
- 1.7 There is also an amount of repetition within certain other areas of the document There is also a lot of cross referencing – some of which has got out of sync through the incremental approach to updates.
- 1.8 Overall, there are some modern and positive provisions within the Constitution, however the length of the document (594 pages) and some of the more prescriptive provisions mean that, in parts, the document is difficult to follow, and where possible it should be shortened and streamlined reducing duplication.
- 1.9 The Council’s Constitution is legally compliant, although there are some areas where the legislation has moved on and statutory references need updating.

2. New Structure of Constitution

- 2.1 CRWG has carefully considered the question of structure to ensure the new constitution is accessible, easy to read, avoids duplication, and follows a natural flow:-

Chapter headings

1. Introduction
2. Structure and Decision Making
3. Public Participation and Rights
4. Role and Functions of Full Council
5. Rules of Procedure for Council and Committees
6. The Executive
7. Overview and Scrutiny
8. Committees
9. Other Bodies
10. Councillors
11. Officers
12. Corporate Governance

3. Progress to date and next steps

- 3.1 Chapters 1 to 6 have been drafted and subject to detailed review by CRWG and independent assessment by CRWG. Subject to fine tuning, these chapters are ready once the new Constitution is presented to full Council for approval later in the year.
- 3.2 The remaining chapters will be completed in the period May to September 2024.

PART 2 – CHANGES TO CONSTITUTION

4. Anti-Fraud and Anti-Corruption Policies

- 4.1 These policies are found in section 9 of the Constitution and are subject to regular review by the Audit Committee. At its meeting of 29 November 2023, the Audit Committee resolved that, “subject to the amendments discussed at the meeting, the revised Anti Fraud and Anti Corruption policies be recommended to Council, via the Constitution Review Working Group.”
- 4.2 The Chair of Audit Committee has agreed the amendments requested by the Committee and these are provided at Appendix 1 for Council’s information.

5. Shareholder Committee

- 5.1 At its meeting of 14 March 2024, the Executive is scheduled to consider the establishment of a Shareholder Committee (as a Committee of Executive). The Committee would be responsible for the shareholder governance and oversight of the Council’s housing companies.
- 5.2 Subject to Executive’s approval, the Constitutional changes required to section 5.7 (Committees and Sub Committees of the Executive) are shown at Appendix 2.

6. Definition of “Key Decisions”

- 6.1 CRWG has noted that the Council does not currently specify the financial limit for “Key Decisions.” This is not in line with best practice. The Constitution uses the word “significant” which can be open to interpretation.
- 6.2 The legal term, “key decisions” directs which decisions need to be made by Executive – setting a clear threshold is an important part of good decision-making. Benchmarking with other local authorities of a similar type suggest a key decision threshold of at least £500k would be appropriate.
- 6.3 The Constitutional changes to enact this provision are shown at Appendix 3.

7. Planning Committee

- 7.1 Officers have requested that a number of changes be made to the Planning Committee terms of reference for clarification purposes and to update terminology. Details can be found at Appendix 4.

8. Directors’ Job Titles

- 8.1 The current Constitution requires updating to reflect the following senior officer posts:-

- Executive Director of Children, Adults and Health
- Chief Operating Officer
- Director of Public Health

8.2 The Head of Democratic & Electoral Services may make changes to Chapter 1.3 as a result of changes being made to the Council's Management Structure – these changes are shown at Appendix 5.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

Other financial information relevant to the Recommendation/Decision

One of the drivers of the Constitution review is ensure efficiency of decision-making as far as possible balanced against the need for transparency, consultation and openness.

Cross-Council Implications (how does this decision impact on other Council services, including properties and priorities?)

Impacts all areas and services of the Council.

Public Sector Equality Duty

This report has had due regard to the public sector equality duty and where applicable and available has included information relating to impacts upon people with protected characteristics and inequality.

Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030

There are no direct impacts of the decision in relation to achieving the Council's carbon neutral objective.

Reasons for considering the report in Part 2

Not applicable.

List of Background Papers

Council's Constitution

Contact Andrew Moulton	Service Governance
Telephone No Tel: 07747 777298	Email andrew.moulton@wokingham.gov.uk

This page is intentionally left blank

CHAPTER 9.4 – CORPORATE ANTI-FRAUD AND ANTI-CORRUPTION POLICY

9.4.1 Introduction

Wokingham Borough Council (The Council) aims to deliver high quality services and provide value for money by being fully accountable, honest and open in everything that it does.

Fraud and corruption undermine these aims by diverting resources from activities, damaging public confidence in the Council and affecting staff morale.

The Council seeks to make sure that measures are taken to prevent, detect and investigate fraudulent or corrupt acts.

The aim of this policy is to reduce losses from fraud and corruption to an absolute minimum.

The Council has a zero tolerance policy regarding fraud and corruption.

This policy is particularly relevant to:

- a) Councillors.
- b) Officers.
- c) contractors.
- d) consultants.
- e) suppliers.
- f) service users.
- g) customers (including the public); and
- h) partner organisations.

9.4.2 Defining Fraud

The Council defines “fraud” as detailed in the Fraud Act 2006. Most commonly it occurs when a person dishonestly makes a false representation in order to gain for themselves or cause loss to another.

The type of offences for which a person could be prosecuted include:

- Fraud by false representation – lying about something with the intention to cause a gain or a loss
- Fraud by failure to disclose information – not declaring something when you have a legal duty to do so with the intention to cause a gain or a loss.
- Fraud by abuse of position - where someone abuses a position of trust where there is an expectation to safeguard the financial interest of another and places another at financial risk or causes a loss.

~~-an intentional distortion of financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for financial gain.~~

This may involve, but is not limited to:

- a) falsification or alteration of accounting records or other documents.
- b) misappropriation of assets or theft.
- c) suppression or omission of the effects of transactions from accounting records of other documents.
- d) recording transactions which have no substance; ~~and~~
- e) wilful misrepresentation of transactions or of the Council's situation; ~~and-~~
- f) moonlighting i.e. a situation where an employee works more than one job.

9.4.3 Defining Corruption

The Council defines corruption as the offering, giving, soliciting or accepting of any inducement or reward which would influence the actions taken by the Council, its Councillors or Officers.

Areas where corrupt practices may occur include, but are not limited to:

- a) tendering and awarding of contracts.
- b) financial interests of Councillors and Officers.
- c) the award of permissions, planning consents and licenses; and
- d) the disposal of assets.

9.4.4 Framework for Prevention and Detection

It is a management responsibility to maintain the internal control system and to ensure that the Council's resources are properly applied in the manner and on the activities intended. This includes responsibility for the prevention and detection of fraud and other illegal acts.

9.4.5 Key Principles and Culture

The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside of the authority. The Council is committed to creating a culture of opposition to fraud and corruption. The Council is determined that the authority meets the expectations of the Committee on Standards of Public Life and is committed to the ten general principles which govern standards of conduct in local government, namely:

- a) selflessness.
- b) honesty and integrity.
- c) objectivity.
- d) accountability.
- e) openness.
- f) personal judgement.
- g) respect for others.

- h) duty to uphold the law.
- i) stewardship; and
- j) leadership.

9.4.5.1

The Council requires Councillors (elected and co-opted) and officers (including agency staff, consultants, and contractors) to lead by example in ensuring effective opposition to fraud and corruption. This includes ensuring adherence to legislation, local rules and regulations, National and Local Codes of Conduct and that all procedures and practices are beyond reproach.

9.4.6 Raising Concerns

Officers at all levels must be alert to the possibility of fraud and corruption. They need to, and are positively encouraged to raise any concerns relating to fraud and corruption which they become aware of.

These can be raised in any way that the Officer prefers, including with their line manager, through a Director, with the Internal Audit and Investigation Service or through the [Council's Whistleblowing Policy](#). Whichever route is chosen, the employee can be assured that concerns raised in good faith will be fully investigated and, wherever possible, those raising concerns will be dealt with in confidence.

When management receive concerns from Officers or others regarding potential fraud or corruption, they must immediately contact the Assistant Director, Governance (~~and~~ Monitoring Officer) with details of the concerns. The Assistant Director, Governance ([Monitoring Officer](#)) will make initial enquiries [through the Internal Audit and Investigation and Legal teams](#) and, in consultation with the Section 151 Officer, will determine whether there are grounds for an investigation.

Councillors, service users, suppliers, partner organisations and members of the public are encouraged to report any concerns. These concerns about fraud and corruption should be reported either directly to the Assistant Director, Governance ([Monitoring Officer](#)) or via the [Council's Whistleblowing Policy](#).

If Officers feel that they are unable to use internal routes, then they can contact the Council's external auditors.

External Auditors

Contact details as published in Annual Accounts on Wokingham Borough Council Website

Although the Council encourages its Officers and Councillors to report concerns acting in good faith, any maliciously motivated and unfounded allegations may be dealt with through the Council's disciplinary code.

9.4.7 Corporate Governance

The main corporate policies and procedures which formulate the Council's framework for minimising risk and the prevention of fraud and corruption include:

- a) Anti-Fraud and Anti-Corruption Policy.

- b) Internal Audit Charter.
- c) Contract and Procurement Regulations.
- d) Financial Regulations.
- e) Human Resources Policy and Guidance for Discipline.
- f) Human Resources Policy for Conduct and Personal Behaviour.
- g) Human Resources Policy for Recruitment and Retention.
- h) Code of Conduct for Councillors.
- i) Money Laundering Policy.
- j) Officer's Code of Conduct.
- k) Prosecution and Sanction Policy.
- l) Risk Management Strategy.
- m) Scheme of Delegation.
- n) Whistleblowing Policy; and
- o) Anti-Bribery Policy

9.4.8 Corporate Responsibility

Assistant Directors must ensure that all Officers in their service are familiar with the corporate policies and procedures listed in [Rule 9.4.7](#).

In addition, Assistant Directors must ensure that all Officers are aware of any other relevant rules and regulations specific to their service.

Failure to adhere to these policies and procedures could result in the start of disciplinary procedures.

9.4.9 Recruitment

The Council recognises that one of the most important issues relating to the prevention of fraud and corruption is the effective recruitment of staff and therefore takes pre-employment screening seriously.

Officer recruitment is required to be in accordance with procedures laid down by the Assistant Director – HR & OD. As part of these procedures, particular reference is made to:

- a) verifying the identity of the applicant.
- b) obtaining satisfactory references prior to appointment.
- c) verifying the applicant is able to legitimately work in the UK.
- d) verifying and retaining copies of certificates for stated qualifications; and
- e) undertaking Disclosure Barring Service checks where appropriate.

These practices apply to all permanent appointments including those where Officers have entered the organisation as an agency worker or consultant in the first instance.

9.4.10 System of Internal Control

The risk of fraud and corruption can be minimised by good financial management, sound internal control systems, effective management supervision, and by raising public, Councillor and Officer awareness of fraud.

9.4.10.1

Internal control is the whole system of controls, financial and otherwise, established to provide reasonable assurance of:

- a) proper aims and objectives.
- b) efficient and effective operations.
- c) reliable management information and reporting.
- d) genuine expenditure.
- e) compliance with laws and regulations.
- f) performance management; and
- g) security of assets and income.

9.4.10.2

Weaknesses in the design and operation of administrative and financial internal control systems may increase the risk of fraud. Systems must contain efficient, effective, and well documented internal controls that cover the following:

- a) adequate segregation of duties.
- b) proper authorisation and approval procedures.
- c) adequate physical security over assets; and
- d) reliable monitoring and reporting arrangements.

9.4.10.3

It is management's responsibility to install adequate internal controls and rectify weaknesses if they occur. To help management discharge this responsibility, systems may be subject to review by both Internal and External Audit.

Auditors are responsible for reporting to management on significant weaknesses in the control environment, including flaws in the operation of internal controls and highlighting exposure to the risk of fraud.

High risk audit concerns are promptly followed up to make sure issues that are highlighted are appropriately actioned.

Management must bring about occasional preventive compliance checks on the operation of internal controls within their service and are encouraged to seek advice from the Internal Audit and Investigation Service on what checks must be carried out. This work must be used to inform the Annual Governance Statement.

9.4.11 Risk Management

Major fraud risks relating to services must be included within local Risk Registers and subject to regular review to ensure that appropriate controls are in place to mitigate those risks.

9.4.12 Role of Statutory Officers

The Council has a statutory responsibility, under Section 151 of the Local Government Act 1972, to ensure the proper administration of its financial affairs and also to nominate one of its Officers to take responsibility for those affairs. The Council's nominated Section 151 Officer is the Deputy Chief Executive and Director of Resources and Assets.

9.4.12.1

The Council's Assistant Director, Governance (Monitoring Officer) (~~Assistant Director, Governance~~) is responsible under Section 5 of the Local Government and Housing Act 1989 to guard against illegality, impropriety and maladministration in the Council's affairs.

9.4.13 Effective Action

Responsibility for investigating suspected fraud and corruption against the Council rests with the Internal Audit and Investigation Service. This is to make sure that the investigation is performed only by properly trained Officers in accordance with the appropriate legislation.

9.4.14 Procedure

All referrals received by the Internal Audit and Investigation Service will initially be risk assessed and material instances of fraud or irregularity in the Council will be referred to the Assistant Director, Governance (Monitoring Officer) and the Deputy Chief Executive and Director of Resources and Assets (S151 Officer).~~Internal Audit and Investigation Service.~~

For any investigation undertaken, ~~T~~the Internal Audit and Investigation Service will make sure the following objectives are met:

- a) Investigations are undertaken fairly, objectively and in accordance with relevant laws and regulations, so as to avoid jeopardising the outcome on legal and procedural technicalities.
- b) Evidence and unused material are secured and protected, in accordance with the law and best practice.
- c) All reasonable lines of enquiry are followed to establish whether or not there is a case to answer.
- d) Conclusions and recommendations for action are always based on (and, where appropriate, supported by) the evidence gathered during the investigation.

- e) The case is reported and prepared in an appropriate format, in line with the relevant procedures; in the case of criminal process, this means the *National File Standard*.
- f) Appropriate sanctions and redress are sought against any and all individuals and organisations that seek to defraud the Council.

9.4.15 Completion

Once an investigation is completed, the Internal Audit and Investigation Service may have responsibilities in relation to:

- a) recommending improvements to systems.
- b) attendance at disciplinary hearings and tribunals.
- c) attendance at Court as a witness; and
- d) reporting to the Audit Committee.

Conclusions will be based on fact allowing management to take forward any required disciplinary and / or criminal proceedings as they determine appropriate.

9.4.16 Disciplinary

The Council has disciplinary procedures in place, which must be followed whenever officers are suspected of committing a fraudulent or corrupt act. The disciplinary procedures are set out in the Disciplinary Policy and Guidance. The Chief Executive has overall responsibility for ensuring that the disciplinary procedure is managed effectively. Line managers, under the overall direction of an Assistant Director are responsible for day-to-day management and ensuring compliance with the Disciplinary Policy and Guidance.

9.4.17 Reporting and Publicity

Incidents of fraud and corruption are reported through the following ways:

- a) Corporate Leadership Team.
- b) Audit Committee; and
- c) External Auditors.

Where evidence of fraud and corruption is found, appropriate sanctions will be sought in line with the Council's Enforcement Sanctions Policy.

The details of any proven act of fraud or corruption, including action taken by the Council will be publicised to Officers, Councillors and the public.

This is aimed at preventing further attempts of fraud or corruption by demonstrating the seriousness with which the Council views such cases. In agreement with the Section 151 Officer, Monitoring Officer, the Council will report criminal activity to the Police at the appropriate stage.

9.4.18 Working with Others

The Council will put into place and continue to develop such arrangements, as it deems necessary in order to facilitate the exchange of information between the Council and other agencies on national and local fraud and corruption activity. This includes participation in

the National Fraud Initiative which matches data across a wide range of public service organisations in order to detect fraud or erroneous payments.

9.4.19 Money Laundering

Money laundering is the process of moving illegally generated funds through a cycle of transformation in order to create the end appearance of legitimately earned funds.

The Proceeds of Crime Act 2002 details the three principal money laundering offences as:

- a) assisting another to retain the benefit of crime.
- b) acquisition, possession or use of criminal proceeds; and
- c) concealing or transferring proceeds to avoid prosecution.

In addition, there are related offences for failing to report where a person has knowledge, suspicion or reasonable grounds for knowledge or suspicion that money laundering has taken place, as well as for tipping off a person that a disclosure has taken place.

Council Officers and Councillors who suspect money laundering activities must report their concern to the Council's nominated Money Laundering Reporting Officer (MLRO), the Section 151 Officer (Deputy Chief Executive and Director of Resources and Assets).

The Council has adopted an Anti-Money Laundering Policy; all reports must be made in accordance with that policy.

(Further details are contained in Chapter 9.7 [Anti-Money Laundering Policy](#).)

9.4.20 Conclusion and Review

The Council has a clear framework in place of systems and procedures to prevent and investigate fraud and corruption. It will make sure that these arrangements are fair and are monitored and updated to keep pace with future developments in preventative, deterrent and detection techniques regarding fraudulent or corrupt activity.

To this end, the Council maintains a continuous review of these arrangements through, the Audit Committee, the Section 151 Officer (Deputy Chief Executive and Director of Resources and Assets), Internal Audit and Investigation Service, External Audit, and the [Assistant Director, Governance](#) (Monitoring Officer) ~~(Assistant Director, Governance)~~.

9.4.21 Adoption and Amendment of the Policy

This previous version of the Policy was agreed by the Constitution Review Group on 17 September 2020 from which it came into immediate effect. This revised version replaces all previous policies on these subjects.

CHAPTER 9.5 – WHISTLEBLOWING POLICY AND GUIDANCE

9.5.1 Introduction

The Council is committed to delivering high quality services to its customers and expects high standards from its Officers, Councillors and contractors. To maintain those high standards, a culture of openness and accountability is important. The aims of this policy are:

- a) to encourage ~~you to the~~ raising of concerns about malpractice within the organisation without fear of reprisal.
- b) to provide reassurance ~~you~~ that ~~your~~ concerns will be taken seriously; and
- c) to provide information about how to raise ~~your~~ concerns and explain how the council will respond.

This policy applies to all Council officers, former officers, agency staff and contractors engaged by the Council.

9.5.2 What is Whistleblowing?

Whistleblowing occurs when a concern is raised about danger or illegality that affects others. For example, clients, members of the public or the Council itself.

As the person “blowing the whistle” you would not usually be directly affected by the danger or illegality. Consequently, you would rarely have a personal interest in the outcome of any investigation into your concerns. This is different from a complaint or grievance.

If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual employment rights or bullying, and you are entitled to seek redress for yourself.

A qualifying disclosure means any disclosure of information that, in the reasonable belief of the worker, is made in the public interest. As a result of this, Officers will generally be precluded from being able to “blow the whistle” about breaches of their employment contract. Although an Officer making such a complaint can still use the Council’s grievance policy.

Examples of whistleblowing concerns which is not exhaustive are:

- a) fraud in, on or by the Council.
- b) offering, taking, or soliciting bribes.
- c) unauthorised use of public funds.
- d) financial maladministration.
- e) the physical, emotional, or sexual abuse of clients.
- f) failure to comply with legal obligations.

- g) endangering of an individual's health and safety.
- h) damage to the environment.
- i) a criminal offence.
- j) failure to follow financial and contract procedure rules.
- k) showing undue favour to a contractor or a job applicant.
- l) misreporting performance data; or
- m) neglect of people in care.

This Policy does not replace the Council's complaints or grievance procedures.

9.5.3 Who must I contact?

Having considered this Policy, an officer of the Council, or any other person covered by the Public Interest Disclosure Act (PIDA) 1998, who has serious concerns about any aspect of the Council's work, must in the first instance inform one of the following methods:

a) Inform Line Manager

In many cases, raising concerns with the line manager is the most appropriate route for an Officer. The line manager must inform the Assistant Director, Governance (Monitoring Officer) of the disclosure and an appropriate course of action will be agreed. If this is not a suitable option, (for example because the issue may implicate the manager or if the concern has been raised but remains unaddressed) the concern may be raised using one of the other methods.

b) Dedicated Whistleblowing Communication Channels

The Internal Audit and Investigation Service have established a dedicated 24-hour answerphone hotline for receiving disclosures.

Hot line number - 0118 974 6550.

Email: - confidential.whistleblowing@wokingham.gov.uk

By Post –

Confidential Whistleblowing
Internal Audit and Investigation Service
Shute End
Wokingham
RG40 1BN

c) Internal Audit and Investigation Service and Assistant Director, Governance (Monitoring Officer)

The Internal Audit and Investigation Service can offer confidential independent advice on the use of the Whistleblowing Policy.

If you suspect an Officer, a member of the public or contractor (in their business dealings with the Council) of fraud or corruption, you can contact the Internal Audit and Investigation Service who will discuss your concerns with you in complete confidence. If you are in receipt of any allegation involving possible

corruption, fraud, or malpractice, you must notify the Assistant Director, Governance (Monitoring Officer) immediately.

d) Adults, Childrens, Health Services

If you wish to raise a concern involving vulnerable adults or children, you can contact the Council's Adult Safeguarding Hub at adultsafeguardinghub@wokingham.gov.uk

e) Schools

You must refer to the whistleblowing arrangements for the individual school. If it is not suitable for the school's Governing Body to deal with, the concern must be raised with the Multi Agency Safeguarding Hub at triage@wokingham.gov.uk

9.5.3.1

Advice and guidance on how matters of concern may be pursued can be obtained from: the Assistant Director, Governance (Monitoring Officer) ~~(Assistant Director, Governance)~~.

9.5.4 Legal Protection

The Public Interest Disclosure Act (PIDA) 1998 – sets out a framework of protection against victimisation or dismissal for workers who blow the whistle (“disclosure”) on criminal behaviour and other specified forms of malpractice.

9.5.4.1

It applies to making a ‘protected’ disclosure in respect of specific types of malpractice, which are:

- a) that a criminal offence has been committed, is being committed or is likely to be committed.
- b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject.
- c) that a miscarriage of justice has occurred, is occurring or is likely to occur.
- d) that the health or safety of any individual has been, is being or is likely to be endangered.
- e) that the environment has been, is being or is likely to be damaged; or
- f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

9.5.4.2

The Act covers internal disclosures to Wokingham Borough Council as the employer, disclosures to prescribed ‘persons’ such as regulatory bodies (e.g., for health and safety issues, the Health and Safety Executive), and wider disclosures, for example, to the police and the media.

9.5.5 Raising Concerns Outside the Council

In certain circumstances, it may be appropriate to raise concerns outside the Council to the appropriate ‘prescribed regulator’. This may only be undertaken where any disclosure of information that is made in the public interest and where you believe the information is true, i.e., more than just suspicion.

You are advised to discuss your concerns with a legal advisor, trade union or Public Concern at Work before reporting them outside the Council. Examples of prescribed regulators are set out below:

- a) The Council's external auditors.
- b) Information Commissioner.
- c) Environment Agency.
- d) Health and Safety Executive.
- e) Commissioner of the Inland Revenue.
- f) Ofsted.
- g) General Social Care Council.
- h) Care Quality Commission.
- i) The Commission for Social Care Inspection; and
- j) National Care Standards Commission.

9.5.5.1

As a last resort, you may choose to raise your concern outside the Council to someone other than a prescribed regulator, e.g., to the police or your MP. You should only do this if, in addition to the conditions above, they meet one of three preconditions. Provided the disclosure is reasonable in all the circumstances and is not made for personal gain, the preconditions are that you:

- a) reasonably believed that you would be victimised if you raised the matter internally within the Council; or
- b) reasonably believed that the matter would be 'covered up' and there is no prescribed regulator; or
- c) have already raised the matter internally or with a prescribed regulator.

9.5.5.2

Wider disclosures (i.e., to the media) can only be protected where there is a justifiable cause for going wider and where the disclosure is reasonable. The Council therefore encourages concerns to be raised initially using one of the methods described in [Rule 9.5.3](#).

9.5.6 Making a Protected Disclosure

This policy is intended to allow the internal investigation and resolution of any concerns raised. In accordance with the PIDA 1998, to make a 'protected' disclosure the whistleblower must meet certain conditions:

- a) A qualifying disclosure means any disclosure of information that, in the reasonable belief of the worker is made in the public interest. Therefore, while the employer can seek a declaration from the whistleblower that he or she is not knowingly making false allegations, disciplinary action is likely to be appropriate only where there is clear evidence that the reporting worker has misused the whistleblowing policy.
- b) Disclosure to a regulatory body will be protected where, in addition, the whistleblower honestly and reasonably believes that the information they provide, and any allegation contained in it are substantially true.
- c) Disclosure to other external bodies will be protected if, in addition, making it is in all respects reasonable. 'In all respects reasonable' means, in effect:
 - i) the disclosure is not made for personal gain.
 - ii) the whistleblower reasonably believed that they would be victimised if they raised the matter internally.
 - iii) there is no relevant regulatory body.
 - iv) the whistleblower reasonably believed that evidence was likely to be concealed or destroyed.
 - v) the concern has already been raised with the employer and/or relevant regulatory body; and
 - vi) the concern is of an 'exceptionally serious nature – which in a local government setting could include, say, the alleged abuse of children or vulnerable adults in an authority's care.

9.5.6.1

This may be undertaken orally or in writing. If you are writing, remember to give details of how you can be contacted.

Anonymous disclosures present difficulties for effective investigation. Your identity will be kept strictly confidential if you so request, unless disclosure is required by law. However, the Council recognises that despite the dual safeguards of confidentiality and legal protection from recrimination, that individuals may still feel unable to reveal their identity.

In these situations, individuals can report their concerns anonymously, but should be aware that these concerns carry less weight with the investigation teams and the disclosure may not be sufficiently detailed to provide a successful investigation. (Those making reports should also note that by concealing their identify it is harder for the Council to ensure that they are protected in accordance with the Act; this is simply because those responsible for putting the Act into effect within the Council will not know who they are.)

9.5.6.2

Allegations that are malicious, or allegations made for personal gain, may result in action against the person making them. If an allegation is made in the public interest, but is not confirmed by an investigation, no action will be taken against the person who raised the concern.

9.5.6.3

It is preferable that a whistleblowing concern be raised as soon as there is reasonable suspicion. Officers are not expected to investigate the matter themselves or prove that their concern is well-founded.

9.5.6.4

Anyone who has made a protected disclosure will not suffer any detriment because of raising their concern unless it is later proved that they knew they were providing false information. In addition, whistleblowers are protected from suffering a detriment, bullying or harassment from another worker.

Examples of detriment includes (but is not limited to):

- a) failure to promote, if linked to the disclosure.
- b) denial of training.
- c) closer monitoring.
- d) exclusion.
- e) blocking access to resources.
- f) unrequested re-assignment or re-location.
- g) demotion.
- h) suspension.
- i) disciplinary sanction.
- j) bullying or harassment.
- k) victimisation.
- l) dismissal.
- m) failure to provide an appropriate reference; or
- n) failing to investigate a subsequent concern.

9.5.7 How will the Council respond?

The action taken by the Council will depend on the nature of the concern. The matters raised may:

- a) be investigated internally.
- b) be referred to the Police.
- c) be referred to the external auditors.

- d) form the subject of an independent inquiry; or
- e) be considered a service issue and referred to the service to respond by any combination of the above.

9.5.7.1

In all cases, where a concern is raised, the contacted Officer shall notify the Assistant Assistant Director, Governance (Monitoring Officer) ~~(Assistant Director, Governance)~~ and Deputy Chief Executive and Director of Resources and Assets (S151 Officer). These officers will assess the nature of the concern to decide the appropriate response. Some concerns may be resolved by agreed action without the need for investigation. Any investigation will be overseen by the Assistant Director, Governance (Monitoring Officer) using the Internal Audit and Investigation and Legal teams.

9.5.7.2

Feedback on the outcome of the concern will be given to the person raising the concern. This feedback may be limited due to legal obligations of confidentiality (i.e., if disciplinary action is taken against a Council Officer). The person raising a concern should normally be told:

- a) how and by whom a concern will be handled.
- b) an estimate of how long an investigation will take.
- c) the outcome of the investigation (where appropriate).
- d) that if they believe they are suffering detriment because of raising the concern that they should report it.
- e) that he or she is entitled to independent advice.

9.5.8 What if I am Dissatisfied with the Council's Response?

This policy is intended to provide you with an avenue to raise concerns within the Council. However, if at the end of the process an Officer of the Council, or any other person covered by the Act, is not satisfied with how a disclosure has been dealt with and wishes to pursue matters by means of a wider disclosure, the following points of contact are available to you:

- a) the Chair of the Council's Audit Committee.
- b) your local Councillor (if you live in the borough).
- c) the Council's external auditors.
- d) relevant professional bodies or regulatory organisations.
- e) relevant inspection body.
- f) your solicitor; or
- g) the Police.

9.5.8.1

If you do decide to take the matter outside of the Council, you need to ensure that you do not disclose confidential information and that you are 'protected' in accordance with the PIDA 1998 ([Rule 9.5.5](#)). If you wish to raise a concern outside of the Council, you may raise it with an external body from the list of prescribed persons and bodies detailed in the 'Department for Business Innovation & Skills [Blowing the Whistle to a Prescribed Person](#)' document.

9.5.9 Further Information and Advice

Free confidential and independent advice on 'Whistleblowing' can also be obtained from:

Protect

The Green House
244-254 Cambridge Heath Road,
London,
E2 9DS.

[Tel Advice Line](#): 0203 117 2520

External Audit

Contact details can be obtained from Wokingham Borough Council Annual Accounts, published on [the](#) Council Website

Professional Body or Trade Union

If you are a member of a professional body or trade union, they should be able to advise you on Whistleblowing.

9.5.10 Adoption and Amendment of the Policy

This previous version of the Policy was agreed by the Constitution Review Group on 17 September 2020 from which it came into immediate effect. This revised version replaces all previous policies on these subjects.

CHAPTER 9.6 - ANTI-BRIBERY POLICY

9.6.1 Policy Statement: Anti-Bribery

Bribery is a criminal offence under the Bribery Act 2010. Wokingham Borough Council does not pay bribes or offer improper incentives to anyone for any purpose. We do not and will not accept bribes or improper incentives.

9.6.1.1

To use a third party to channel bribes to others is a criminal offence. We do not engage indirectly in or otherwise encourage bribery.

9.6.1.2

We are committed to prevent and detect bribery. We have a zero-tolerance towards bribery and embed anti-bribery compliance within the Council's usual "business processes". We will NOT treat it as a one-off exercise.

9.6.2 Objective of this Policy

This policy provides a consistent framework to enable the Council and Councillors to understand and implement arrangements that enable compliance with the anti-bribery rules.

Alongside related policies and key documents, it will also enable Officers and Councillors to identify and effectively report any actual or potential breaches of those rules.

All personnel, including those permanently employed, temporary agency staff and contractors, are required to:

- a) always act honestly and with integrity and to safeguard the Council's resources for which they are responsible; and
- b) comply with the spirit, as well as the letter, of the laws and regulations of all jurisdictions in which the Council operates, in respect of the lawful and responsible conduct of activities.

9.6.3 Scope of this Policy

This policy applies to all Council activities. For partners, joint ventures, and suppliers, we will require the adoption of principles (and will seek to promote the adoption of formal policies) that are consistent with the principles set out in this policy.

9.6.3.1

Within the Council, the responsibility to control the risk of bribery occurring resides at all levels, in every service.

9.6.3.2

This policy covers all personnel, including all levels and grades, those permanently employed, temporary agency staff, contractors, non-executives, agents, Councillors volunteers and consultants.

9.6.4 Commitment

We commit to:

- a) setting out a clear anti-bribery policy and keeping it up to date.
- b) making all Officers aware of their responsibilities to always adhere strictly to this policy.
- c) training all Officers to recognise and avoid bribery by themselves and others.
- d) encouraging its Officers to be vigilant and to report any suspicions of bribery. We will provide them with suitable channels of communication and make sure sensitive information is treated appropriately.
- e) investigating instances of alleged bribery and helping police and other appropriate authorities in any resultant prosecution.
- f) taking firm action against any individual(s) involved in bribery.
- g) including appropriate clauses in contracts to prevent bribery.

9.6.5 The Bribery Act

We define bribery as 'an incentive or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage'.

9.6.5.1

There are four key offences under the Act:

- a) bribery of another person (section 1).
- b) accepting a bribe (section 2).
- c) bribing a foreign official (section 6); and
- d) failing to prevent bribery (section 7).

9.6.5.2

The [Bribery Act 2010](#) makes it an offence to:

- Offer, promise or give a bribe (Section 1).
- Receive, or accept a bribe (Section 2).
- Section 6 of the Act creates a separate offence of bribing a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business.
- There is also a corporate offence under Section 7 of failure by a commercial organisation to prevent bribery that is intended to obtain or retain business, or an advantage in the conduct of business, for the organisation. An organisation will have a defence to this corporate offence if it can show that it had in place adequate procedures designed to prevent bribery by or of persons associated with the organisation.

9.6.5.3

The guidance states that a “commercial organisation” is anybody formed in the United Kingdom and “it does not matter if it pursues primarily charitable or educational aims or purely public functions. It will be caught if it engages in commercial activities, irrespective of the purpose for which profits are made.” Therefore, the Council is a “commercial organisation”.

9.6.6 Adequate Procedures

Whether the procedures are adequate will be a matter for the courts to decide on a case-by-case basis.

Adequate procedures need to be applied fairly, based on the level of risk of bribery in the organisation. It is for individual organisations to determine fair procedures in the recommended areas of six principles. [The six principles are as follows;](#)

- [Proportionality](#)
- [Top-level commitment](#)
- [Risk Assessment](#)
- [Due diligence](#)
- [Communication](#)
- [Monitoring and Review](#)

These principles are not prescriptive. They are intended to be flexible, and outcome focussed, allowing for the different circumstances of organisations. Small organisations will, for example, face different challenges to those faced by large multi-national enterprises.

The detail of how organisations apply these principles will vary, but the outcome should always be robust and effective anti-bribery procedures.

9.6.7 Proportionate Procedures

An organisation’s procedures to prevent bribery by persons associated with it are equal to the bribery risks it faces and to the nature, scale, and complexity of the organisation’s activities. They are also clear, practical, accessible, effectively implemented and enforced.

9.6.8 Top Level Commitment

The Chief Executive, Directors, the [Assistant Director, Governance](#) (Monitoring Officer), and Councillors are committed to preventing bribery by persons associated with it. Bribery is never acceptable.

9.6.9 Risk Assessment

We will assess the nature and extent of exposure to potential external and internal risks of bribery on its behalf by persons associated with it.

The assessment is periodic, informed and documented. It includes financial risks but also other risks such as reputational damage.

All managers within the Council must ensure that appropriate risk assessments are carried out in relation to the work carried out by their staff.

9.6.10 Due Diligence

We will apply due diligence procedures, taking an equal and risk-based approach, in respect of persons who perform or will perform services for or on behalf of the organisation. This is to mitigate identified bribery risks. All staff involved in managing commercial activities must ensure that appropriate due diligence is carried out before the Council enters a business relationship with another organisation.

9.6.11 Communication (including training)

We will seek to ensure that our bribery prevention policies and procedures are embedded and understood throughout the organisation through internal and external communication, including training that is equal to the risks it faces.

9.6.12 Monitoring and Review

We monitor and review procedures designed to prevent bribery by persons associated with it and make improvements where necessary. We are committed to equal implementation of these principles.

9.6.13 Bribery is not tolerated.

It is unacceptable to:

- a) give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given.
- b) give, promise to give, or offer a payment, gift or hospitality to a government official, agent, or representative to "facilitate" or expedite a routine procedure.
- c) accept payment from a third party that you know, or suspect is offered with the expectation that it will obtain a business advantage for them.
- d) accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return.
- e) retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy.
- f) engage in activity in breach of this policy.

9.6.14 Facilitation Payments

Facilitation payments are unofficial payments made to public officials to secure or expedite actions.

Facilitation payments are not tolerated and are illegal.

9.6.15 Gifts and Hospitality

The Council's Gifts and hospitality policy is included in the Code of Conduct - Officers must make sure:

- a) when acting in an official capacity, they must not give the impression that their conduct both inside and outside work with any person or organisation is

influenced by the receipt of gifts, rewards, and hospitality or any other such consideration.

- b) they think about the circumstances in which offers are made and are aware that they may be regarded as owing a favour in return.
- c) they have permission from their line managers before accepting such offers and are aware that the offers may have to be returned or refused.
- d) that when gifts or hospitality must be declined, those making the offer must be courteously but firmly informed of the procedures and standards operating within the Council; and,
- e) all offers regardless of value and whether or not accepted, must be recorded in the Gifts and Hospitality register.

9.6.15.1

How an employee must react to an offer depends on the type of offer, the relationship between the parties involved, and the circumstances in which the gift or hospitality is offered:

- a) Officers must not be seen to be acting in their own personal interests and need to be careful that their behaviour cannot be misinterpreted.
- b) when receiving authorised gifts/hospitality, Officers must be particularly sensitive as to its timing in relation to decisions which we may be taking affecting those providing the hospitality.
- c) an offer of a bribe or commission made by contractors, their agents or by a member of the public must be reported to the line manager and the [Assistant Director, Governance \(Monitoring Officer\)](#). Hospitality from contractors must also be avoided where Officers / team are singled out for example Christmas lunch etc, this may be perceived as preferential treatment; and
- d) Officers must not accept significant personal gifts from the contractors and outside suppliers. Although the Council may wish to allow Officers to keep insignificant items of token value such as pens, diaries, etc not exceeding the value of £25. The most common form of gift is the offer of wine and chocolates etc. In general, these are shared out among colleagues and provided the offers are reasonable, for example, a single bottle of wine, they may be accepted. It is important that all offers are recorded in the Gifts/Hospitality Register including those that are offered and not accepted. Directors must remind their staff of the process to be followed with regards to gifts and hospitality.

9.6.15.2

No one working for, employed by, or providing services on behalf of the Council is to make, or encourage another to make any personal gain out of its activities in any way. Any person becoming aware of a personal gain being made at the expense of the Council, contractors or the public must follow the Whistleblowing procedures on the Council's website: [Whistleblowing \(wokingham.gov.uk\)](http://Whistleblowing(wokingham.gov.uk))

9.6.15.3

Officers may only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community. Offers to attend purely social or sporting functions may only be accepted when these are part of the life of the community or where the authority should be seen to be represented.

All hospitality must be properly authorised and recorded in the Gifts/Hospitality Register.

9.6.15.4

Officers may accept hospitality when attending relevant conferences and courses where it is clear the hospitality is corporate rather than personal, where consent is given in advance and where it is satisfied that any purchasing decisions are not compromised.

Where visits to inspect equipment, etc. are required, Officers must make sure that their service meets the cost of such visits to avoid putting at risk the integrity of further purchasing decisions.

9.6.15.5

The acceptance of gifts and hospitality may be a subject of criticism placing the Council in a position that it must defend such action. Consequently, it is essential that all offers and details of gifts and hospitality be recorded in the Gifts & Hospitality Register which will be held by the Director or nominated Manager.

9.6.16 Public Contracts and Failure to Prevent Bribery

Under the Public Contracts Regulations 2015 (which gives effect to EU law in the UK), a company is automatically and permanently banned from competing for public contracts where it is convicted of a corruption offence.

Organisations that are convicted of failing to prevent bribery are not automatically banned from participating in tenders for public contracts. This organisation has the discretion to exclude organisations convicted of this offence.

9.6.17 Employee Responsibilities

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the Council or under its control. All Officers are required to avoid activity that breaches this policy.

Officers must:

- a) ensure that they read, understand, and comply with this policy; and
- b) raise concerns as soon as possible if you believe or suspect that a conflict with this policy has occurred or may occur in the future.

As well as the possibility of civil and criminal prosecution, Officers that breach this policy will face disciplinary action, which could result in dismissal for gross misconduct.

9.6.18 Raising a Concern

We are committed to making sure everyone has a safe, reliable, and confidential way of reporting any suspicious activity.

We want all Officers to know how they can raise concerns as we all have a responsibility to help detect, prevent, and report instances of bribery.

If you have a concern regarding a suspected instance of bribery or corruption, please speak up – your information and assistance will help. The sooner you act, the sooner it can be resolved.

9.6.18.1

There are multiple channels to help you raise concerns – these are explained in [Chapter 9.5 the Whistleblowing Policy](#).

Officers who refuse to accept or offer a bribe, or those who raise concerns or report wrongdoing can understandably be worried about the consequences.

We aim to encourage openness and will support anyone who raises a genuine concern in good faith under this policy, even if they turn out to be mistaken.

For the avoidance of doubt, reports made in good faith will, therefore, be treated as Whistleblowing and gain the protection that entails.

9.6.18.2

We are committed to ensuring no one suffers detrimental treatment through refusing to take part in bribery or corruption, or because of reporting a concern in good faith.

If you have any questions about these procedures, please contact the [Assistant Director, Governance](#) (Monitoring Officer).

9.6.19 Other Relevant WBC Policies

[Anti-Fraud and Anti-Corruption Policy, Chapter 9.4](#)

[Anti-Money Laundering Policy, Chapter 9.7](#)

[Officers' Code of Conduct – Constitution: Chapter 11.4](#)

[Whistleblowing Policy, Chapter 9.5](#)

[Procurement and Contract Rules and Procedures \(Constitution - Section 13\)](#)

[Code of Conduct for Councillors - Constitution: Chapter 9.2](#)

CHAPTER 9.7 - ANTI-MONEY LAUNDERING POLICY

9.7.1 Introduction

Money laundering legislation requires local authorities to establish internal procedures to prevent the use of their services for money laundering. Money laundering in the UK is primarily governed by the following legislation:

- a) the Terrorism Act 2000.
- b) the Anti-Terrorist Crime & Security Act 2001.
- c) the Proceeds of Crime Act 2002.
- d) Serious Organised Crime and Police Act 2005.
- e) the Money Laundering, Terrorist Financing and Transfer of Funds (information on the payer) Regulations 2017; and
- f) Anti Money Laundering Act 2018.

9.7.2 Scope of the Policy

This Policy applies to all Officers and contractors of the Council. It sets out the procedures that must be followed to enable the Council to comply with its legal obligations.

9.7.2.1

Officers are instructed to report any suspicions to the appointed Money Laundering Reporting Officer (MLRO) (see section 5.0) and the MLRO will consider whether the circumstances warrant the completion of a 'suspicious activity report' (SAR), which is then sent to the National Crime Agency.

Failure by an Officer to comply with the procedures set out in this Policy may lead to disciplinary action being taken against them in line with the Council's Disciplinary procedures. It may also render them liable to criminal action if their actions have helped to facilitate money laundering or warned the potential money-launderer of the Council's suspicions.

9.7.3 What is Money Laundering?

The legislation is not limited to major organised crimes, but covers proceeds of all crimes, however small. The primary money laundering offences and prohibited acts under the legislation are:

- a) concealing, disguising, converting, transferring criminal property, or removing it from the UK (section 327 of the 2002 Act); or
- b) entering or becoming concerned in an arrangement which you know, or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person (section 328 of the 2002 Act); or
- c) acquiring, using, or possessing criminal property (section 329 of the 2002 Act); or

- d) becoming concerned in an arrangement facilitating concealment, removal from the jurisdiction, transfer to nominees or any other retention or control of terrorist property (section 18 of the Terrorism Act 2000); or
- e) failing to disclose suspected money laundering.

9.7.3.1

The defence to these offences is to be able to show that the person has made an 'authorised disclosure' to an approved person.

Approved persons are Customs Officers, Police Officers, and the Council's MLRO ([Rule 9.7.6.](#)).

9.7.4 Suspicious Activity

Some indications of suspicious activity ~~are: -as detailed on central government's website are:~~

- a) any unusually large cash payments.
- b) any overpayment or duplicate payment in cash where the refund is requested ~~via a different bank account or payment method. by cheque; or~~
- c) if an unconnected 'third party' is involved in any transaction (e.g., someone paying cash to settle someone else's bill).
- ~~d) a customer behaved strangely, or made unusual requests that did not seem to make sense.~~
- ~~e) the transaction the customer wanted to make just did not add up commercially.~~
- f) Persons withholding reasonably requested information e.g. name/address.
- g) Absence of an obvious legitimate source of the funds.
- h) Payments received from overseas that would not normally be expected.

9.7.4.1

The Council must be alert to large amounts of "Cash" accepted as a payment, which would normally arouse suspicion.

9.7.4.2

Officers involved in Treasury Management and cashiering activities are the most likely to encounter attempts to launder money, but all staff must be alert to the possibility.

9.7.4.3

All organisations and each Officer are required by law to try to prevent and to report any attempts to 'launder' money (i.e., to use the proceeds of crime in apparently legitimate business transactions).

9.7.4.4

Potentially, any Officer could be caught by the money laundering provisions if they suspect money laundering and either become involved with it in some way and/or do nothing about it.

9.7.5 The Council's Obligations

Organisations conducting "relevant business" must:

- a) appoint a MLRO to receive disclosures from Officers of money laundering activity (their own or anyone else's).
- b) implement a procedure to enable the reporting of suspicions of money laundering.
- c) maintain client identification procedures in certain circumstances; and
- d) maintain record keeping procedures.

9.7.6 The Money Laundering Reporting Officer (MLRO)

If you have any suspicions, you must contact the MLRO. The Council's nominated MLRO is the Section 151 Officer (Deputy Chief Executive and Director of Resources and Assets).

9.7.7 Disclosure Procedure

Reporting to the MLRO: - Where you know or suspect that money laundering activity is taking/has taken place or become concerned that your involvement in a matter may amount to a prohibited act under the legislation, you must disclose this as soon as practicable to the MLRO.

To gain the protection from prosecution of having made a disclosure, it must be made as soon as reasonably practicable and must be within "hours" of the information coming to your attention, not weeks or months later. Should you not make a prompt disclosure, you may be liable to prosecution.

Disclosure must always be made in writing on the AML1 form, which is available on the shared drive.

9.7.7.1

Once you have reported the matter to the MLRO, you must follow any directions they give you. You must NOT make any further enquiries into the matter yourself.

9.7.7.2

Similarly, at no time and under no circumstances may you voice any suspicions to the person(s) whom you suspect of money laundering, without the specific consent of the MLRO; otherwise, you may commit a criminal offence of "tipping off".

Do not make any reference on a client file to a report having been made to the MLRO. Should the client exercise their right to see the file, then such a note will obviously tip them off to the report having been made and may render you liable to prosecution. The MLRO will keep the appropriate records in a confidential manner.

9.7.7.3

On receipt of the disclosure the MLRO will:

- a) consider the report and make such further enquiries as are necessary to form a view on whether a person is engaged in money laundering.
- b) consider all other relevant information in making this judgement.
- c) ensure that nothing is done which could alert the person or business concerned that a report and an investigation could ensue.
- d) make a report to National Crime Agency, if appropriate, making full notes of the reasons for doing so.
- e) co-operate with any enquiries made by the proper authorities; and
- f) maintain all records of disclosures and reports for at least five years.

9.7.8 Client Identification Procedure

Each area of the Council conducting relevant business where a business relationship is to be established and an account is to be opened or a one-off transaction or series of linked transactions amounting to ~~15,000 Euros (approximately~~ £10,000) or more must maintain procedures which:

- a) require satisfactory evidence of the identity of both internal and external clients at the outset of the matter.
- b) require that if satisfactory evidence of identity is not obtained at the outset of the matter, then the business relationship or one-off transaction(s) cannot precede any further.
- c) recognise the greater potential for money laundering when the client is not present; and
- d) require that where a client appears to act for another that reasonable measures are taken to establish the identity of that person.

Officers involved in Treasury Management must make sure that all dealings are carried out in accordance with the Treasury Management Strategy and Treasury Management Policies which make sure that transactions are only undertaken with approved counterparties.

9.7.9 Record Keeping Procedures

Each area of the Council conducting relevant business must maintain records for at least five years of:

- a) client identification evidence obtained; and
- b) details of all relevant business transactions carried out for clients

The precise nature of the records is not prescribed by law. However, they must be capable of providing an audit trail.

9.7.10 Adoption and Amendment of the Policy

This previous version of the Policy was agreed by the Constitution Review Group on 17 September 2020 from which it came into immediate effect. This revised version replaces all previous policies on these subjects.

9.7.11 Further Information and Advice

For any further information or guidance, please contact the MLRO.

CHAPTER 9.8 – ENFORCEMENT SANCTIONS POLICY

Refer to separate Policy document

CHAPTER 9.9 – ACQUISITION OF COMMUNICATIONS DATA AND USE OF COVERT SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCES POLICY

(Regulation of Investigatory Powers Act 2000/Investigatory Powers Act 2016)

9.9.1 Introduction

Officers and Officers of (and contractors working on behalf of) Wokingham Borough Council (“the Council”) may, during their investigatory, regulatory and enforcement duties, need to make observations of persons in a covert manner, to use a Covert Human Intelligence Source or to acquire Communications Data. These techniques may be needed whether the subject of the investigation is a member of the public, the owner of a business or a Council employee.

By its very nature, this sort of action is potentially intrusive and so it is extremely important that there is a very strict control on what is appropriate. Where such action is needed, it is important that it is properly regulated to comply with Legislation and to protect the individual’s rights of privacy.

Privacy is a right, but in any democratic society, it is not an absolute right. The right to a private and family life, as set out in the European Convention on Human Rights, must be balanced with the right of other citizens to live safely and freely, which is the most basic function that every citizen looks to the state to perform.

Drawing on the principles set out in the Regulation of Investigatory Powers Act 2000 (RIPA), the Investigatory Powers Act 2016 (IPA) and the Data Protection Act 2018, this policy sets out the Council’s approach to Covert Surveillance, the use of Covert Human Intelligence Sources and the acquisition of Communications Data.

The policy also sets out Councillors’ oversight of this area, adopts a set of procedures and appoints appropriate officers to ensure that these areas are properly controlled and regulated.

9.9.2 Policy

All Covert Surveillance, the use of Covert Human Intelligence Sources (informants) and the acquisition of Communications Data by those working for or on behalf of this Council (investigators) will be carried out in accordance with this policy and the associated procedure (the RIPA Procedure).

Any Councillor or Officer who deliberately or recklessly breaches this policy will normally be considered to have committed an act of gross misconduct and will be dealt with accordingly.

9.9.2.1

In so far as the Regulation of Investigatory Powers Act (RIPA) allows, Covert Surveillance and the use of Covert Human Intelligence Sources (informants) will always be subject to the RIPA application process. (This does NOT affect monitoring activities where the actions undertaken do not amount to covert surveillance).

Where Officers wish to undertake covert surveillance or use informants but where RIPA is not available, a similar process of considering the balance and necessity of any such activities must be carried out before the activities are undertaken and approval gained from a RIPA authorising officer.

Officers are instructed to consider when online investigations, where actions go beyond the scope of *open-source* enquiries, would meet the criteria for covert investigations and to obtain relevant authorisations in those cases.

9.9.2.2

When receiving Communications Data, Officers are instructed to use those set out in the IPA and the associated *Communications Data Code of Practice*, unless they are doing so with the consent of the data subject.

DPA requests and other powers may NOT be used to seek the disclosure of Communications Data. Communications data may only be obtained using IPA powers for the applicable crime purpose. (Note that the guidance in the statutory code of practice takes precedence over any contrary content of a public authority's internal advice or guidance.)

9.9.2.3

The Council resolves to maintain membership of the *National Anti-Fraud Network*, so that the relevant sections of the IPA and the associated *Communications Data Code of Practice* may be complied with.

9.9.3 Appointments

The Council appoints the Assistant Director Governance [\(Monitoring Officer\)](#) as the Senior Authorising Officer (SAO) for RIPA purposes and as Senior Responsible Officer (SRO) for all purposes under RIPA and IPA.

9.9.3.1

The Council appoints the Head of Internal Audit and Investigation as the RIPA Monitoring Officer (RMO) to monitor the use of covert techniques within this Council (whether using the RIPA or non-RIPA processes) and reports to Councillors on the activities the policy covers.

They are also directed to make sure that appropriate training is made available to RIPA Authorising Officers (AOs) IPA Verifying Officers (VOs) and applicants when it is needed.

9.9.3.2

The Council directs that only those appointed by this policy as AOs and VOs may authorise covert surveillance, the use of informants or the acquisition of communications data. In so far as is practical and possible, the Council intends that the same Officers should be nominated as both AOs and VOs.

9.9.3.3

The Council appoints Directors and Assistant Directors to meet the training criteria as AOs, subject to a maximum number of six (including the SAO) at any given time. The Council instructs the RMO to maintain a list of all those currently authorised as part of the RIPA/IPA Procedures.

9.9.3.4

For the Council's RIPA authorisations to take effect, they must be approved by a Magistrate. The Chief Legal Officer is instructed to authorise all those who may need to apply to a Magistrate to appear for that purpose for the Council. The RMO is directed to maintain a list, as part of the RIPA Procedures, of all those so authorised.

9.9.3.5

The Council appoints Directors and Assistant Directors who meet the training criteria as VOs, subject to a maximum number of six at any given time. The Council instructs the RMO to maintain a list of all those currently authorised as part of the RIPA/IPA Procedures.

9.9.4 Oversight and Reporting

The RMO shall report to Councillors on the use of RIPA regulated activity by Officers of the Council every six months. Such a report shall be presented to the Councillors (or to such a sub-committee as the Full Council shall deem appropriate to constitute for oversight purposes) by the RMO and the SRO.

The report must not contain any information that identifies specific persons or operations but must be clear about the nature of the operations carried out and the product obtained.

9.9.4.1

Alongside this report, the RMO and SRO will report details of 'non-RIPA' surveillance undertaken, or informants used in precisely the same way.

9.9.4.2

Elected Councillors shall have oversight of the Council's policy and shall review that policy annually should it be deemed by the RMO that significant changes have been made.

At that review (or following any six-monthly report), Councillors shall make such amendments as they deem necessary to the Council's policy and may give such directions as they deem necessary to the RMO and SRO in order to make sure that the Council's policy is followed.

9.9.4.3

Councillors shall not interfere in individual authorisations. Their function is to, with reference to the reports, satisfy themselves that the Council's policy is robust and that it is being followed by all Officers involved in this area. Although it is Councillors who are accountable to the public for council actions, it is essential that there should be no possibility of political interference in law enforcement operations.

9.9.5 RIPA/IPA Procedures

The RMO is instructed to create a set of procedures that provide instruction and guidance for the use of surveillance and informants, and the acquisition of communications data. They are further instructed to maintain and update the RIPA/IPA Procedures, making sure that they continue to be both lawful and examples of best practice.

9.9.5.1

The reference to 'maintain and update' in this section includes the duty to remove AOs/VOs from the list if they cease to be employed in a relevant role or if they no longer satisfy the requirements to be an AO/VO. It also includes the right to add names to that list so long as:

- a) they satisfy the policy and regulatory requirements; and
- b) at no time does the number of AOs exceed six.

If a change is required, in the opinion of the RMO, to comply with this part, they are authorised to make that change without prior approval from any person.

The RMO must report any changes made under this section to Councillors when they undertake their annual oversight of the Policy, as set out above.

9.9.5.2

All managers are required to make sure that their staff understand that covert investigation techniques may only be used in accordance with this policy and the associated procedures.

9.9.6 Training

In accordance with this Code of Practice, AOs/VOs must receive full training in the use of their powers. They must be assessed at the end of the training, to ensure competence, and must undertake refresher training at least every two years.

Training will be arranged by the RMO. Designated Officers who do not meet the required standard, or who exceed the training intervals, are prohibited from authorising applications until they have met the requirements of this paragraph.

AOs and VOs must have an awareness of appropriate investigative techniques, Data Protection and Human Rights Legislation.

9.9.6.1

Those Officers who carry out surveillance work must be adequately trained prior to any surveillance being undertaken. A corporate training programme has been developed to ensure that AOs, VOs, and staff undertaking relevant investigations are fully aware of the legislative framework.

9.9.6.2

Senior management who have no direct involvement with covert investigation will undertake a briefing at least biannually, to make sure that they have a good understanding of the activities that might fall into the definition of covert investigation techniques.

9.9.7 Exceptions, Notes and Complaints

CCTV cameras operated by this Council are not covered by this policy, unless they are used in a way that constitutes covert surveillance; only under those circumstances must the provisions of this policy and the RIPA Procedures be followed.

Interception of communications, if it is done as part of normal business practice, does NOT fall into the definition of acquisition of communications data. (This includes but is not limited to opening of post for distribution, logging of telephone calls, for the purpose of cost allocation, reimbursement, benchmarking, etc.; logging emails and internet access for the purpose of private reimbursement.)

9.9.7.1

To make a complaint about anything to which this policy applies, this should be through the Council's Complaints Procedure.

Any complaint received will be treated as serious and investigated in line with this Council's policy on complaints.

Regardless of this, the detail of an operation, or indeed its existence, must never be admitted to as part of a complaint. This does not mean it will not be investigated, just that the result of any investigation would be entirely confidential and not disclosed to the complainant.

9.9.8 Adoption and Amendment of the Policy

This previous version of the Policy was agreed by the Constitution Review Group on 17 September 2020 from which it came into immediate effect. This revised version replaces all previous policies on these subjects.

APPENDIX 2

To be incorporated in Section 5.7 of the Constitution

DRAFT

WOKINGHAM BOROUGH COUNCIL

SHAREHOLDER COMMITTEE

TERMS OF REFERENCE

1. OVERVIEW

- 1.1 The Shareholder Committee forms part of the overall governance arrangements for Wokingham Borough Council ("**the Council**") in relation to housing companies and other legal entities which are wholly or partly owned or controlled by the Council (including where such control comes about indirectly, such as via a loan agreement) (each a "Subsidiary" and together the "Subsidiaries").

2. MEMBERSHIP

- 2.1 The voting members of the Shareholder Committee will be set to 4 Executive Councillors consisting of:
- 2.1.1 the Leader (as Chair).
 - 2.1.2 Deputy Leader.
 - 2.1.3 Executive Member for Business & Economic Development; and
 - 2.1.4 Executive Member for Finance
- 2.2 Each Shareholder Committee member may nominate an alternate Executive Member to attend a meeting in their place.
- 2.3 An opposition member will be invited to join the Committee as a non-voting member. The main opposition group leader will be invited to nominate their opposition member of the Committee. If the nominated opposition member is unable to attend a meeting of the Committee, they may appoint a substitute member to act in their place at the meeting. The appointment shall only take effect if the Member making the appointment, or in the Member's absence their Group Leader or Political Assistant, notifies the Head of Democratic & Electoral, or their representative, no later than midday of the day of the meeting that they will be unable to attend the meeting and the name of the appointed substitute Member.

- 2.4 The Shareholder Committee will be supported by Council officers as required.
- 2.5 The Shareholder Committee will appoint the Leader as Chair of the Shareholder Committee. If the Chair is not present at the start of a meeting of the Shareholder Committee, those members present will appoint one of the members present to chair that meeting.
- 2.6 Additional advisors, who do not need to be officers or members of the Council, may be invited to attend the Shareholder Committee as required.

3. ROLE OF THE SHAREHOLDER COMMITTEE

- 3.1 The Shareholder Committee will have a role in ensuring proper governance of the Council's housing companies, such role to include:
 - 3.1.1 monitoring information from each Subsidiary, in particular on financial and other risks and escalating such risks within the Council as appropriate.
 - 3.1.2 exercising decisions relating to the Council's role as shareholder, member, owner, lender, or other position of significant control over the Subsidiary, where those decisions have been delegated to the Shareholder Committee; and
 - 3.1.3 making reports and recommendations to the Executive on areas outside of the Shareholder Committee's delegated authority.
- 3.2 It is expected that each housing company will enter into a form of agreement with the Council (whether as owner, controller or lender) setting out the basis of the relationship between them (each a "Memorandum of Agreement").
- 3.3 A detailed description of the Shareholder Committee's role in relation to each housing company will be set out in the relevant Memorandum of Agreement.
- 3.4 Authority to make decisions on behalf of the Council is delegated to the Shareholder Committee for each housing company as follows:
 - Altering in any respect the articles of association of a Subsidiary
 - Altering the rights attaching to any of the shares in a Subsidiary
 - Permitting the registration of any person as a shareholder or member of a Subsidiary
 - Nominating directors to be appointed on the board of a Subsidiary and notifying a Subsidiary to remove directors from its board
 - Increasing the amount of a Subsidiary's issued share capital

- Altering the name of any Subsidiary
- Adopting, reviewing or amending a Subsidiary's Business Plan Where a Subsidiary fails to produce a Business Plan as required by its Memorandum of Agreement, producing that Subsidiary's Business Plan
- Directing the board of a Subsidiary to take or to refrain from taking a particular action

3.5 Any Memorandum of Agreement entered into with a housing company may identify additional decisions which are delegated by Executive to the Shareholder Committee in relation to that Subsidiary only.

3.6 Decisions which are not delegated to the Shareholder Committee in accordance with 3.4 above will be taken through the usual decision-making processes in accordance with the Council's governance and constitutional framework. This will include decisions relating to the issue of loan capital in relation to any Subsidiary and to any approvals relating to any intra-group loans.

4. OPERATION OF THE SHAREHOLDER COMMITTEE

4.1 The Shareholder Committee will meet three times per year, or more frequently if required.

4.2 The quorum for a meeting of the Shareholder Committee is a minimum of 3 members.

4.3 Meetings will be held in public or otherwise in line with the Council's democratic meeting protocol. There may be particular matters or agenda items which are required to be considered in private due to commercial confidentiality, and these will be handled in accordance with the Council's usual democratic protocol.

4.4 Minutes and agendas will be managed and published in accordance with the Council's usual democratic protocol.

4.5 The Shareholder Committee shall make its decisions as follows:

4.5.1 At meetings of its members by consensus of those present, unless any member of the Shareholder Committee requires a vote, in which event a majority decision will be taken with each member of the Shareholder Committee present having a single vote. Advisors and officers present to support the Shareholder Committee will not have a vote. The Chair of the meeting has a casting vote in the event that there is no clear majority; or

- 4.5.2 In cases of urgency, by a decision made by the Leader or by an alternate Executive Member nominated by the Leader.
- 4.6 After each meeting, the Chair shall approve the minutes and authorise the implementation of the Shareholder Committee's decisions, including where relevant the signature of any documents by appropriate Council signatories.
- 4.7 The Shareholder Committee will review the Terms of Reference annually and make any necessary recommendations to Executive.

CHAPTER 5.1 – EXECUTIVE TERMS OF REFERENCE

5.1.1 The Role of the Executive

The Executive (meaning the Leader and such Members as the Leader may appoint) will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

5.1.2 The Membership of the Executive

The Executive will consist of the Leader of the Council together with at least two, but not more than nine, Councillors appointed annually to the Executive by the Leader.

5.1.3 Leader

The Leader will be a Councillor elected to the position of Leader by the Council at the relevant Annual Council Meeting. The Leader will hold office for a period of four years from the date of his/her appointment until the Annual Council meeting following this term (even if the Leader is not re-elected as a Councillor at the most recent elections) or until:-

- a) he/she resigns from the office; or
- b) he/she is suspended from being a Councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
- c) he/she is no longer a Councillor (subject to caveat in [Rule 5.1.3](#)); or
- d) on the expiry date of the Leader's fixed term of office (4 years); or
- e) on the day that he/she is removed from office by resolution of Council.

5.1.4 Deputy Leader and Executive Members

Executive Members including the Deputy Leader shall hold office until

- a) they are removed by the Leader; or
- b) they resign from office; or
- c) they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- d) they are no longer Councillors

If for any reason the Leader is unable to act or the office of Leader is vacant the Deputy Leader must act in his/her place until the appointment of a new Leader by the Council.

5.1.5 Other Executive Members

Other Executive members shall hold office until:

- a) they resign from office; or

- b) they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- c) they are no longer Councillors; or
- d) they are removed from office by the Leader who must give written notice of any removal to the Proper Officer. The removal will take effect two working days after receipt of the notice by the Proper Officer; or
- e) they are removed from office, either individually or collectively, by resolution of the Council; or
- f) at the end of the fixed term of office (12 months.)

5.1.6 Deputy Executive Members

The Leader may appoint Members as he determines to act as Deputy Executive Members. The Leader may also remove any Members from their role as Deputy Executive Member.

Deputy Executive Members will be able to attend meetings of the Executive and, at the invitation of the Leader of the Council, speak on matters which are of relevance to their role.

Deputy Executive Members can be quoted in press releases (on the understanding that each enjoys a special role as an advisor to the Executive and that they are expressing personal opinions and not speaking authoritatively on behalf of the Council.)

Members of the public and Members of the Council will be entitled to put questions to the Deputy Executive Members at meetings of the Council.

The detailed role of the Deputy Executive Members is set out in [Chapter 5.3](#).

5.1.7 Proceedings of the Executive

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in [Chapter 5.4](#) of this Constitution.

5.1.8 Responsibility for Functions

The Proper Officer will maintain a list, contained in Sections 5 and 11 of the Constitution outlining which individual members of the Executive, Committees of the Executive, Officers or joint arrangements are responsible for the exercise of particular Executive functions.

The Leader is responsible for deciding upon the number of Executive Members (up to a maximum of 10 including the Leader) and the responsibility for functions will be agreed and amended by the Leader during the year and will be reported to Council for information during the Leader's statement agenda item.

5.1.9. General Principles of Decision Making

The Executive must make decisions which fall within its delegated powers as approved by the Council. It shall report and/or make recommendations in respect of the matters identified below which are outside its delegated powers.

5.1.9.1 Key Decisions

Under the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 Key Decisions are defined as decisions which:

- a) would result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- b) are significant in terms of its effect on communities living or working in an area comprising two or more Wards.

The Council has decided that significant expenditure or savings are those amounting to above £500,000.

5.1.9.2

The Executive is also responsible for implementing the budget and policy framework agreed by the Council. In doing so it will take decisions in accordance with this framework which are defined as local key significant decisions which:

- a) involve requests for Supplementary Capital or Revenue Estimates;
- b) involve requests for virements over £500,000;
- c) involve the application of Section 106 developers' contributions over £100,000;
- d) involve the acquisition or sale of assets (other than the sale of housing stock) and the rationalisation of assets in the interests of the efficient working of the Council, above the limits delegated to individual Executive Members (see [Chapter 5.5](#));
- e) involve the consideration of schemes included within the Capital Programme agreed by Council where there is significant discretion for options;
- f) involve the addition of a scheme to the Capital Programme not originally included or on a reserve list;
- g) involve the making of a Compulsory Purchase Order;
- h) involve the approval of Service Improvement Plans.

5.1.9.3 Authority to Identify Key Decisions

Deciding which matters constitute Key Decisions will be a matter for the relevant lead Officer to determine in consultation with the relevant Executive Member, having regard to the advice of the Monitoring Officer and Chief Finance Officer as appropriate.

5.1.9.4 Limit on Executive Authority to Incur Expenditure

The Executive may incur expenditure on individual contracts up to a maximum of £5m per annum (subject to a cumulative value of £25m over the life of the contract) and on individual capital schemes up to a maximum of £15m, subject to such expenditure being

within Council approved budgets. Expenditure above these limits must be approved by Council.

5.1.9.5 Decisions Outside the Executive's Authority

The Executive may make any decision which falls within its delegated powers as approved by the Council. However, the Executive shall report and/or make recommendations on:-

- a) any proposals for a change in policy;
- b) any proposals for a significant change in Council strategy which has a bearing on the economic, social or environmental wellbeing of the community;

Such decisions will not be made unless reports have been made available to the public at least five days in advance.

5.1.9.6 Procedure Rules for Taking Key Decisions

A decision-taker may only take a Key Decision in accordance with the requirements of the Executive and Access to Information Rules set out in [Chapters 5.4](#) and 3.2 of this Constitution.

5.1.10 Development of the Budget and Policy Framework

The Executive shall be responsible for:

- a) the development of Council policies or review of existing policies, making recommendations to the Council in respect of policies comprising the Policy Framework (see Chapter 4.1);
- b) developing proposals for a significant change in Council Strategy which has a bearing on the economic, social or environmental wellbeing of the community;
- c) the preparation of documents which together make up the annual Budget for recommendation to Council;
- d) the preparation, monitoring and review of the Capital Programme, Capital Strategy and Asset Management Plan, for recommendation to Council;
- e) making recommendations to Council in respect of items which are contrary to, or not wholly in accordance with, the Budget and Policy Framework, or outside the financial limits set out in [Rules 5.1.9.1](#) and [5.1.9.2](#).
- f) the implementation and monitoring of Treasury Management Policies and practices

5.1.11 Consideration of Other Matters Referred to the Executive

The Executive shall be responsible for:

- a) taking decisions on matters relating to Executive functions referred to it by Officers or at a Member of the Executive's discretion;
- b) approving the level of discretionary fees and charges to be levied in any financial year;

- c) promoting the image and identity of the Council and effective working relations with a wide range of public and private partners;
- d) approving for publication a Forward Programme of Executive business, comprising at least four months work and to be published at least one month in advance of the start of the period the programme covers;
- e) taking the lead role in reviewing and implementing action in respect of the performance of all Council services;
- f) considering reports from the Overview and Scrutiny Committees;
- g) receiving quarterly reports monitoring the Council's budgets.

SECTION 8 REGULATORY AND OTHER COMMITTEES

CHAPTER 8.1 - PLANNING COMMITTEE'S TERMS OF REFERENCE

8.1.1

The Planning Committee will carry out functions relating to town and country planning, highways and public rights of way as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations) save for those contained in Part III of the Wildlife and Countryside Act 1981 and those which have not been delegated to the Assistant Director ~~Place and Assistant Director Delivery and Infrastructure Planning~~. The Planning Committee will determine planning applications where the recommendation is to be as follows: -

- a) Approval of ~~new~~-full and outline applications for new dwellings falling into the 'major' category defined by Government with the exception of 1) minerals or waste proposals (see 'e' below For clarification, "full and outline applications" excludes variation (S73 and 73A) and reserved matters applications and, excludes applications where the number of dwellings is 9 or less but the site area is greater than 1 hectare.) ~~minerals and waste proposals (see 'e' below).~~
- b) Approval of any matter the Committee has resolved it wishes to consider.
- c) Approval of the total or substantial demolition of Listed Buildings.
- d) Raising no objection to consultations from other Authorities where such proposals would significantly affect the Borough.
- e) Approval of applications for the creation of new Minerals and or Waste sites.
- f) Approval of major departures from the Development Plan.
- g) Approval of applications where there is a legal agreement with a financial contribution which is contested by the applicant.
- h) Approval of applications submitted by or on behalf of a Borough Councillor.
- i) Approval of applications from, by or on behalf of (either solely or jointly with any other party) the Borough Council for schools which give rise to the employment of any more staff or pupils; or involves a net increase in development of more than 100 sq m. of floorspace at a school.
- j) Determination of any application not in the above categories at the discretion of the ~~Assistant Director Place and Growth or the Lead Specialist Development Delivery or the Lead Specialist Development Management and Enforcement~~Planning.
- k) Approval of applications by or on behalf of a member of staff that has a role or involvement in the planning process, eg anyone working in the Planning or Property sections or a member of the Corporate Leadership Team.

l) Applications where the Ward Member(s), or consultations where the affected Ward Member(s), wish(es) the item to be 'listed'. This is conditional in that the listing must: -

- i) Be in writing and within 21 days of the notification letter;
- ii) state whether it applies if the recommendation is to ~~permit~~ approve or refuse (not both); and
- iii) be accompanied by ~~provide~~ a material planning reason for ~~doing so~~ the request.

m) Applications by any person in respect of a decision to designate / de-designate a building as a Building of Traditional Local Character. This is conditional in that the application must be made within eight weeks beginning with the day on which written confirmation of the decision was issued to the relevant parties (unless a longer period is agreed be either the Chairman of the Planning Committee or the Director Customer and Localities Services).

n) Where an application is refused by the Planning Committee which is subject to reasons for refusal based on Affordable Housing and/or Infrastructure policies, but those reasons were omitted at the time of the decision, the addition of those reasons are delegated to the Director Place and Growth in consultation with the Chairman of the Planning Committee on condition that the delegation is exercised before the issue of the planning decision.

Note: In disputed cases the Chairman of the Planning Committee's decision will be final

Changes to terminology in Chapters 5 and 11 for clarification:

5.2.13.2 [Executive Member for Planning and the Local Plan]

To oversee the production of all documents included within the [Local Plan development plan and supporting plans and guidance](#)

Existing 5.2.13.14 [Executive Member for Planning and the Local Plan]

To ensure delivery of the [current adopted Local Plan development plan](#), including monitoring the [Five-Year Land Supply housing land supply](#).

11.3.9 Director of Place and Growth [delegations]

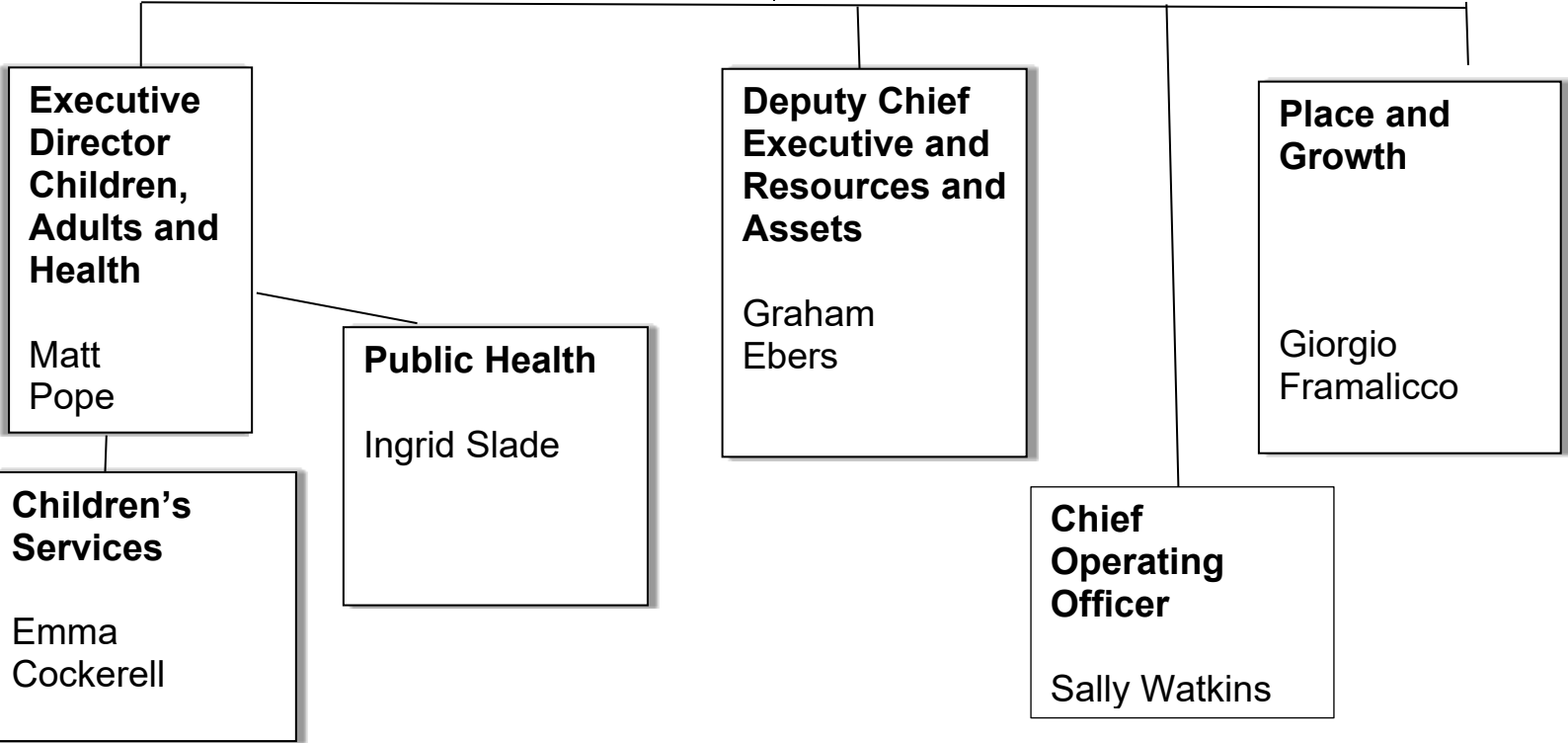
(g) Place shaping strategies such as planning policy, including [the Local Development Framework local plans](#); climate emergency and economic development;

This page is intentionally left blank

APPENDIX 5

**Chief Executive
Susan Parsonage**

Directors



This page is intentionally left blank

TITLE	Audit Committee Annual Report 2023-24
FOR CONSIDERATION BY	Council on 21 March 2023
WARD	None Specific
LEAD OFFICER	Deputy Chief Executive - Graham Ebers

OUTCOME / BENEFITS TO THE COMMUNITY

This is the annual report of the Audit Committee and covers the municipal year 2023/24. The format of the report has been developed to enable the reader to form a view about the effectiveness of the Committee's activities during the year and its oversight of the Assurance and Risk Management Frameworks within which Wokingham Borough Council operates.

RECOMMENDATION

Council is asked to note the Audit Committee's annual report for 2023/24 as agreed at its meeting of 7 February 2024.

SUMMARY OF REPORT

In accordance with CIPFA (The Chartered Institute of Public Finance & Accountancy) Audit Committee Guidelines for Local Authorities 2018, it is recommended practice for an annual public report to be produced and reported to Council demonstrating how the committee has discharged its responsibilities.

Background to Annual report of Audit Committee

A report of the activities of the committee for the financial year 2023/24 has been prepared and is included within Appendix 1.

Compliance with CIPFA's guidance for Local Authority Audit Committees 2018, demonstrates the committee's commitment to high standards and the production of the annual report demonstrates the role the committee exercises in being a key component of good governance for Wokingham Borough Council.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

The work of the Audit Committee spans all aspects of the Council's governance, risk and internal control arrangements.

Public Sector Equality Duty

This is a report for information only.

Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030

There are no specific implications arising from this report.

Reasons for considering the report in Part 2

Not applicable.

List of Background Papers

None

Contact Andrew Moulton

Service Governance

Telephone No Tel: 07747 777298

Email

andrew.moulton@wokingham.gov.uk



WOKINGHAM BOROUGH COUNCIL

Audit Committee Annual Report 2023/24

For approval at Council - 21 March 2024

Foreword by Councillor Rachel Burgess - Chair of Audit Committee

I am pleased to introduce the annual report of the Audit Committee, summarising the contribution the committee made during the 2023/24 Municipal Year to the achievement of good governance, effective internal control, and strong public financial and governance reporting within the Council.

All members of the committee bring a balanced, independent, and objective approach to business of the committee. Two members of the public sit on the committee which further strengthens independence. The committee is well supported by several officers who regularly attend meetings and offer their expertise, and I would like to thank both committee members and officers for their contributions this year.

The committee has provided robust challenge and meaningful review of the Council's arrangements for risk, governance and audit, and in particular has:

- Overseen the production of the Annual Governance Statement for 2022/23 and monitored the progress of improvement actions;
- Received and reviewed in detail assurance reports on the key aspects of the Council's internal control arrangements, including risk management and financial governance, providing robust challenge to our arrangements and monitoring for areas in need of improvement;
- Provided oversight to the Council's internal audit function ensuring it meets the highest standards of good practice, receiving the annual report and opinion alongside regular updates on progress against the internal audit plan, including follow up in relation to limited assurance reviews.
- Monitored progress of the Council's statutory accounts which are subject to completion of the external audit; and
- Received regular updates and formal reports from the Council's External Auditor.

The committee continues to work hard with officers to understand and strengthen governance arrangements across the Council, and to ensure that risks are escalated appropriately. During the year the committee has built upon the cycle of internal control approach to officer reporting introduced in the 20/21 municipal year, with a continued focus, which remains non-political, on ensuring that governance arrangements are robust and that there is appropriate democratic oversight.

The committee seeks to continually improve in its role. Following formal annual evaluation of the committee in February 2023, a number of improvements have been introduced during the year 2023/24. These include the appointment of a second independent member of the committee, closer links and interaction between the committee Chair and the Head of Internal Audit and Investigation including the opportunity for the Committee to meet in private with both the Head of Internal Audit and the External Auditor, a skills audit of committee members, and effective training of members, in particular with regard to risk management and the role of an effective

audit committee. The re-appointment of a committee Chair in 2023/24 who is not a member of the ruling party builds further on previous positive steps towards independence from politically-motivated discussion.

In what are extremely challenging times for local authorities across the country, there is no room for complacency in the Audit Committee, and further improvements are planned for the forthcoming year. The committee continues to adopt a varied work programme informed by a recent study of the Council's "assurance map," receiving annual assurance reports to provide routine oversight of arrangements, but taking a flexible and agile approach, adapting to emerging issues and concerns. We welcome feedback from members, officers, auditors, and the public in pursuit of our aims as a committee and to ensure continual improvement.

Councillor Rachel Burgess

Chair Audit Committee

1. INTRODUCTION

This annual report to Full Council demonstrates the importance the Council places on the authority's governance arrangements. The Chartered Institute for Public Finance and Accountancy (CIPFA) describes the overall aim of good governance as:

“to ensure that resources are directed in accordance with agreed policy and according to priorities that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities”

CIPFA Delivering Good Governance in Local Government Framework 2016 Edition (the Good Governance Framework)

Good governance is ultimately the responsibility of Full Council as the governing body of Wokingham Borough Council. This report provides assurance as to the way in which the Audit Committee has discharged its role to support Full Council in this responsibility.

In addition, the report underpins the Annual Governance Statement, whose production is overseen by the committee, and will be provided to all Members. In particular, the report on the work of the Council's Audit Committee demonstrates how the committee has:-

- Fulfilled its terms of reference;
- Complied with national guidance relating to local government audit committees; and
- Contributed to strengthening risk management, internal control and governance arrangements.

2. COMMITTEE INFORMATION

Role of Audit Committee

The audit committee is appointed by Full Council to support the discharge of its functions in relation to good governance by providing a high-level focus on audit, assurance and reporting. CIPFA defines the purpose of an audit committee as follows:

1. Audit committees are a key component of an authority's governance framework. Their function is to provide an independent and high-level resource to support good governance and strong public financial management.
2. The purpose of an audit committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes. Audit Committees – Practical Guidance for Local Authorities and Police (2018)

The Terms of Reference for the Audit Committee are reviewed regularly against current regulations, CIPFA position statement and guidance for audit committees and best practice in comparable authorities.

The latest review of the Committee's effectiveness took place in February 2024 providing further assurance of compliance against the CIPFA position statement and resulting in further, relatively minor, actions to strengthen effectiveness.

The core functions of the committee, reflected in its Terms of Reference, are to:

- Consider the Council's arrangements relating to the Accounts;
- Consider the Council's arrangements relating to external audit requirements;
- Review the adequacy of policies and practices to ensure compliance with statutory and other guidance;
- Review the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management);
- Consider the Council's arrangements relating to internal audit requirements.

Membership

For the 2023/24 municipal year there were seven elected members and two non-voting independent member appointed to the committee. The Committee was pleased to welcome a second non-voting independent with effect from September 2023:

- Councillor Rachel Burgess (Chair)
- Councillor Mike Smith (Vice Chair)
- Councillor Sam Akhtar
- Councillor David Davies
- Councillor Peter Harper
- Councillor Jordan Montgomery
- Councillor Stephen Newton
- Mike Drake (Independent Member)
- Sandeep Vig (Independent Member) – from September 2023

Independence of the committee

As a Council appointed committee, the Audit Committee is appointed in accordance with the requirements of political balance but, in line with CIPFA guidance and best practice, strives for political neutrality. Michael Drake was appointed in September 2022 as a non-voting Independent Member to the committee with Sandeep Vig appointed in September 2023. The introduction of independent members to the committee has enhanced the independence of the committee as it discharges its

functions. In addition, the professional experience and knowledge of its independent members, gives depth and insight to the robust challenge the committee provides in considering the assurances received.

Knowledge and Skills Framework

Members bring with them a range of knowledge and skills from their working life and elected representative roles to the work of the committee. The skills and knowledge of the committee are further complemented by those of the Independent Members, who has brought with them a wealth of knowledge and experience in an audit setting and applies this knowledge, skill and experience to Wokingham Borough Council. A programme of development has been undertaken during the year to ensure that new members of the committee have the necessary knowledge and skills to discharge the functions of the committee – this has included specific training in Risk Management (November 2023) and more general training from CIPFA on the role and functions of Audit Committees in May 2023.

Further e-briefings have been provided to the committee from, for example CIPFA, to ensure that all Members remain up to date and informed to enable fulfilment of the committee's role.

In addition, the Chair attends meetings of the South East Regional Audit Forum, a body set up to share good practice and topical information with expert speakers.

The committee looks forward to participating in further development opportunities over the 2024/25 municipal year which will commence with an introductory session led by CIPFA in May 2024.

Operation of the committee

The committee has met on five occasions during the year with meeting dates structured around the receipt of annual assurance reports, external and internal audit reporting cycles, and the statutory requirements for production of the Accounts and Annual Governance Statement. This frequency of meetings ensures the committee can fulfil its responsibilities in an efficient and effective way.

All meetings of the committee are streamed live on YouTube to facilitate easy access to the committee for residents, members of the press, and other interested parties.

The committee is supported by several officers who attend regularly and bring expertise in relation to finance, corporate governance, internal audit, legal compliance, and risk management. In addition, during the year the Committee has been attended by the Chief Executive, Deputy Chief Executive (and Chief Finance Officer), and various directors from the Corporate Leadership Team.

The work undertaken by the committee to support their approval of the Annual Governance Statement and Accounts, and in furtherance of the core functions of audit committees identified by CIPFA, is summarised in this section. The Accounts and Annual Governance Statement Council has delegated to the committee the

authority to approve the Council's Annual Governance Statement and the audited Statement of Accounts on behalf of the Council.

The committee considered the 2022/23 Annual Governance Statement in June 2023, and went on to monitor implementation of improvement actions at its November 2023 meeting. As part of its review, the committee considered the Local Code of Corporate Governance, reflecting the seven principles of good governance set out in CIPFA Good Governance Framework.

The committee received regular updates on the auditors' sign off of the 2020/21 Statement of Accounts which took place in summer 2023. During consideration of the accounts the committee sought assurance from officers on matters including the Council's MRP (minimum revenue provision) method for paying debt and received confirmation that the method is recognised in statutory guidance and in line with other authorities. Members also sought and received assurance on changes to the accounting treatment of infrastructure assets.

External Audit

The committee plays a significant role in overseeing the Council's relationship with its external auditors, and takes an active role in reviewing the external audit plan, progress reports and annual report setting out the findings of the value for money review. Ernst & Young (EY) is the Council's current appointed auditor, and will continue for the 2022/23 accounts, after which the appointment will come to an end. EY will be replaced by KMPG as the appointed auditors for the 2023/24 accounts and beyond.

During the year, the committee received regular reports and verbal updates from the external auditor setting out progress against the external audit plan for the 2021/22 and 2022/23 accounts.

At the 7th February meeting, the committee was notified that Wokingham, like many authorities, had been caught in a sector-wide, national issue whereby a significant number of local audits in England are outstanding. The government, working with the Financial Reporting Council (FRC) and other system partners, is taking steps to clear the backlog and put the system on a sustainable footing moving forward.

EY reported that they had written to all clients impacted by the reset including how resources would be prioritised. For Wokingham BC, under these backlog provisions, EY reported that they were not in a position to complete all audit work and would therefore provide disclaimed audit opinions for 2021/22 and 2022/23, and focus its resources on completing the value for money work for those years.

The committee noted its frustration and disappointment that the Council's 2021/22 Accounts and 2022/23 Accounts will likely be subject to a disclaimed auditors' opinion as part of this system-wide reset.

Internal Control

The committee has responsibility for monitoring the effectiveness of the Council's system of internal control and management of corporate risks. Through robust consideration of annual assurance reports in relation to a wide range of internal controls the committee has obtained assurance that relevant systems and processes are documented and defined; clearly communicated; effectively embedded; meaningfully monitored; and reviewed and refined.

Internal Audit

The committee works closely with the internal audit function, both overseeing the independence and effectiveness of the service, and receiving assurance from the service as to the adequacy and effectiveness of the Council's internal control environment.

The committee has received and considered regular reports from the Head of Internal Audit and Investigation throughout the year providing updates on progress against the 2023/24 Internal Audit and Investigation Plan, together with information relating to the wider work of the Internal Audit section. The committee are advised of the outcomes of every internal audit review, with greater depth, and follow up reviews, provided in relation to reviews resulting in limited assurance (category 3 level of assurance).

During the course of the 2023/24 municipal year the committee has considered one review (to date) identifying limited assurance overall:

- Information governance
- Right to buy

In June 2023, the committee received and considered the Internal Audit & Investigation Annual Report and noted a satisfactory overall opinion for 2022/23. The committee was satisfied that the work undertaken to support the opinion had been conducted in accordance with an established methodology that promotes quality and conformance with the International Standards for the Professional Practice of Internal Auditing. Assurance on the work of the internal audit team was further bolstered in September 2023 when the results of the external quality assurance review were reported which concluded that the function meet the highest category of assurance in compliance with the Public Sector Internal Auditing Standards (PSIAS).

The committee reviewed and agreed the annual risk-based audit plan for the 2024/25 year in February 2024.

LOOKING FORWARD

The committee will approve its work programme for the 2024/25 municipal year at its June 2024 meeting setting out the receipt of regular update reports and annual assurance reports. Through the continuing receipt of regular reports, the Audit

Committee will provide the usual level of robust challenge to corporate governance and audit practice and procedure across the authority to ensure that our arrangements are up to date and fit for purpose, communicated, embedded and routinely complied with.

This page is intentionally left blank

TITLE	Standards Committee Annual Report 2023/24
FOR CONSIDERATION BY	Council on 21 March 2024
WARD	None Specific
LEAD OFFICER	Graham Ebers, Deputy Chief Executive & Director of Resources and Assets

OUTCOME / BENEFITS TO THE COMMUNITY

The main aim of the Standards Committee is to promote and maintain the highest standards of conduct by elected Members representing the Borough, Town and Parish Councils. Local government impacts the lives of residents every day, providing essential services to those it serves. High standards of behaviour help to build public trust and confidence in public institutions.

RECOMMENDATION

That Council notes the Standards Committee Annual Report for 2023/24.

SUMMARY OF REPORT

The annual report of the Standards Committee for 2023/24 is attached. The report has been developed to enable the residents to form a view about the effectiveness of the Committee's activities during the year and its oversight of the standards framework within which Wokingham Borough Council operates.

The role of the Standards Committee is to promote, monitor and enforce probity and ethical standards amongst elected Members within the Wokingham Borough, including Town and Parish Councillors. The Localism Act 2011 removed the requirement for a national code of conduct and statutory Standards Committees. The Act introduced a locally focussed "light touch" framework for the adoption of a Member Code of Conduct, and processes for the receipt and consideration of complaints. Although not obliged to do so under the terms of the Localism Act, Wokingham Borough Council decided to maintain a dedicated Standards Committee.

The report provides a summary of the Committee's activities during the year, including the number and type of Code of Conduct complaints considered. The Committee also considered national initiatives and examples of best practice.

Background

The Standards Committee Annual Report for 2023/24 is attached.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£Nil	NA	NA
Next Financial Year (Year 2)	£Nil	NA	NA
Following Financial Year (Year 3)	£Nil	NA	NA

Other financial information relevant to the Recommendation/Decision
None.

Cross-Council Implications
The Committee considers complaints from across the Council's activities. Setting high standards of behaviour helps to build trust and confidence in the Council.

Public Sector Equality Duty
The Committee considers the Council's equality duties in the consideration of Code of Conduct complaints.

Climate Emergency – <i>This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030</i>
No direct implications.

List of Background Papers
None

Contact Andrew Moulton – Monitoring Officer	Service Governance
Telephone No Tel: 0118 9746000	Email andrew.moulton@wokingham.gov.uk



WOKINGHAM BOROUGH COUNCIL

Standards Committee

Annual Report

2023/24

Submitted to the Council – March 2024

Introduction by Morag Malvern, Chair of the Standards Committee

I am pleased to present the Annual Report of the Standards Committee for 2023/24.

The main aim of the Standards Committee is to promote and maintain the highest standards of conduct by elected Members representing the Borough, Town and Parish Councils. Local government impacts the lives of residents every day, providing essential services to those it serves. High standards are required in order to demonstrate that key decisions are taken in the public interest and to maintain public confidence in elected Members and officers. Doing things in the right way and in the public interest is critical for public confidence in the bodies that operate on the public's behalf and supports the delivery of essential public services.

Members' conduct should be underpinned by the ethical standards summarised in the seven principles of public life, also known as the Nolan Principles - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. These principles are the basis of the ethical standards expected of public office holders.

The Standards Committee met four times during the year and focussed on ensuring that the Borough Council's policies, as set out in the Member Code of Conduct, were up-to-date, understood and underpinned by best practice. Bearing in mind the significant ongoing challenges facing the Borough, Town and Parish Councils over the year, I am pleased to report that the level of Code of Conduct complaint activity in 2023/24, although showing an increase, still remained at a relatively low level.

At each meeting, the Committee focussed on a specific aspect of the Standards regime in order to ensure that Members were up to speed and aware of the latest developments. The Committee also considered national initiatives including the LGA's Debate Not Hate Campaign and the report of the Jo Cox Civility Commission. Members were keen to ensure that the Committee was aware of new initiatives aimed at ensuring that best practice principles were being adopted, especially at a time when the temperature of political discourse, both nationally and locally, had been raised.

The work of the Standards Committee is supported by three Independent Persons who, as the name suggests, provide an independent perspective to the Borough Council's Monitoring Officer in relation to Code of Conduct complaints. Sadly, one of the Independent Persons – Nick Oxborough – died during the year whilst another – David Comben – has indicated that he will step down from the role following 20 years' service. I would like to record the Committee's thanks for the sage advice provided by Nick and David over many years.

Finally, I would like to record my thanks to the Borough, Town and Parish Members and officers who contributed to the work of the Committee during the year.

**Morag Malvern
March 2024**

1.0 What does the Standards Committee Do?

The role of the Standards Committee is to promote, monitor and enforce probity and ethical standards amongst elected Members within the Wokingham Borough, including Town and Parish Councillors. The Localism Act 2011 removed the requirement for a national code of conduct and statutory Standards Committees. The Act introduced a locally focussed “light touch” framework for the adoption of a Member Code of Conduct, and processes for the receipt and consideration of complaints. Although not obliged to do so under the terms of the Localism Act, Wokingham Borough Council decided to maintain a dedicated Standards Committee.

In addition to maintaining an overview of Code of Conduct complaints against Wokingham Borough Council Members, the Committee is also responsible for overseeing complaints against Town and Parish Councillors. The Committee discharges this duty through regular consideration of update reports from the Monitoring Officer who is responsible for deciding on and dealing with complaints, except for those which are required to be referred to a Hearing Panel of the Standards Committee.

If the complaints process determines that a Town/Parish Councillor is in breach of the Code of Conduct, recommendations will be submitted to the relevant Town/Parish Council as to the appropriate sanction. However it is for the Town/Parish Council to decide what action is to be taken.

Role and Functions

The Standards Committee has the following role and functions:

- a) promoting and maintaining high standards of conduct by elected Members, co-opted members and officers;
- b) assisting the elected Members and co-opted members to observe the Member Code of Conduct;
- c) advising the Council on the adoption or revision of its Member Code of Conduct;
- d) monitoring the operation of the Member Code of Conduct, the Officer Code of Conduct, the Council’s Whistleblowing Policy and any other appropriate codes of conduct and procedures;
- e) advising, training or arranging to train elected Members and co-opted members on matters relating to the Members’ Code of Conduct;
- f) the exercise of (a) to (e) above in relation to the Parish/Town Councils in the Borough and the members of those Parish/Town Councils;
- g) the presentation of an annual report by the Chair of the Standards Committee to Council.

2.0 The Nolan Principles of Public Life

As mentioned earlier, elected Members should seek to carry out their duties in line with a set of principles known as the Nolan Principles. In 1994, Prime Minister John Major established the Committee on Standards in Public Life, chaired by Lord Nolan. The Committee's first report established a set of seven guiding principles for conduct in public life.

The Principles of Public Life apply to anyone elected or appointed to public office, nationally and locally, and everyone appointed to work in local government, the Civil Service, police, courts and probation service, etc. All public office-holders are both servants of the public and stewards of public resources.

The seven Nolan Principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Building on the Nolan Principles, the Local Government Association (LGA) has developed the following general principles specifically for the role of elected Member. In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully

- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of elected Member.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

3.0 **Who Sits on the Standards Committee?**

The Committee is made up of seven Wokingham Borough Council Members. These Members are voting members of the Committee and are appointed on the basis of political proportionality. An elected Member from Wokingham Borough Council chairs the Committee. The Committee also includes three, non-voting, Town and Parish Council representatives. The 2023/24 membership of the Committee was:

Wokingham Borough Council Representatives:

- Morag Malvern (Chair)
- Rachel Burgess (Vice-Chair)
- Sam Akhtar
- Keith Baker (part year)
- Phil Cunnington
- Graham Howe
- Imogen Shepherd-Dubey
- Caroline Smith

Town and Parish Council Representatives

- Sally Gurney (Wokingham Town Council)
- Jackie Jagger (Twyford Parish Council)
- Sheena Matthews (Earley Town Council)

4.0 **Independent Persons**

Under the terms of the Localism Act 2011, Wokingham Borough Council is required to appoint an Independent Person (a member of the public, not a Council Officer or elected Member) whose views must be sought before a Hearing Panel of the Standards Committee takes a decision on an allegation.

The Independent Person's views may also be sought on an allegation prior to that stage. In addition, a Member who is subject of an allegation may seek the views of an Independent Person. Two people are currently acting in the Independent Person role, with one vacancy.

- David Comben
- Paddy Haycocks

- Vacancy

An Independent Person cannot sit as a member of the Standards Committee, but may attend meetings with the same rights as a member of the public.

As outlined above, there will shortly be two vacancies for the Independent Person role. A recruitment process will be undertaken to restore the full complement of Independent Persons for the 2024/25 Municipal Year.

5.0 **Who Supports the Standards Committee?**

The Committee is supported by:

- Andrew Moulton, Assistant Director, Governance and Monitoring Officer
- Neil Allen, Head of Legal and Deputy Monitoring Officer
- Neil Carr, Democratic and Electoral Services Specialist

6.0 **Standards Committee Activity in 2023/24**

During the 2023/24 Municipal Year, 19 Code of Conduct complaints were received – 18 relating to Borough Members and one relating to a Parish Council Member. The Standards Committee considered an update report on the complaints and investigations at each of its meetings. The complaints included:

- alleged failure to declare a prejudicial interest;
- a number of complaints relating to the content of posts on social media;
- alleged use of inappropriate language in an informal meeting;
- a number of complaints alleging disrespect shown to complainants at public meetings.

Of the 19 complaints received, no action was taken in nine cases, one was withdrawn and eight were still under consideration by the Monitoring Officer, in liaison with the Independent Person. In the other case, following an investigation it was concluded that there had been a breach of the relevant “respect” clause of the Code of Conduct. The matter was reported to the Borough’s full Council meeting in November 2023.

As agreed previously, in cases where no action was taken, the complainant and other interested parties received a detailed explanation of the reasoning behind the decision.

At the October 2023 meeting of the Committee, Members asked if there were any trends relating to Member to Member complaints along party lines. It was confirmed that of the 17 complaints received in the year to October, six were submitted by WBC Members. There was no discernible pattern with complaints being from more than one political group. Members also asked whether individuals were making multiple complaints. In 2023/24 there was no evidence of multiple complaints. There were, however, three examples of incidents leading to multiple complaints from different complainants. This could be a factor in the increased number of complaints received compared to previous years.

It is worth reiterating that the number of complaints received should be seen in the context of there being 54 Borough Council Members and over 200 elected Members of Town and Parish Councils across the Borough. Whilst recognising that the level of complaint activity in 2023/24 was relatively low, the Committee continues to recognise the importance of dealing with every complaint seriously and expeditiously.

In addition to discussing complaints activity, the Committee also considered the following issues and national campaigns:

- LGA Debate Not Hate Campaign – the campaign believes that serving in public office is both a privilege and a responsibility. It is working to challenge the abuse local politicians face within the public and political discourse, abuse that can have a negative impact on councillors, their families and local democracy. Through the project, researchers identified key challenges to supporting councillors with these issues, principles for councils to consider, and top tips and good practice case studies to help councils better support councillors prevent and handle abuse and intimidation. The three key challenges were:

Challenge 1: Councillors feel vulnerable to abuse and ill-equipped or supported to handle abuse, harassment and intimidation. Councillors are informed of their risk but have limited knowledge of tools for effective conflict resolution and aftercare.

Challenge 2: Lack of clear process around reporting instances of abuse, harassment and intimidation to the council. Councillors do not know who to turn to when an incident occurs. There is limited understanding about the role and help that supporting officers can provide.

Challenge 3: There is uneven engagement and response from the police to abuse and harassment of councillors. Some police forces are sympathetic, some others are not or consider low-risk abuse as something insignificant. There is limited advice tailored for elected Members in local politics and, on occasions, a lack of understanding of why they need special measures.

In order to understand the issue locally, the Committee commissioned a survey of Wokingham BC Members, with the results due for consideration at the March 2024 meeting. It was then proposed to roll-out the survey to the Town and Parish Councils in the Borough.

- Jo Cox Civility Commission – The Commission takes as its starting point the belief that abuse and intimidation is having a detrimental impact on democracy in the UK. However, addressing the issue is complex and required action across different sectors. The Commission's report made a number of recommendations covering police and security, Parliaments, local government, elections and social media. The recommendations for local government were that:
 - Local authorities should improve risk planning for abuse at council meetings and other events, ensuring high risk events are properly resourced with adequate security;
 - Police should be involved where appropriate and particularly where there is a risk to democratic engagement;

- Councils should pass Motions affirming the principles to address abuse and model good behaviour from the Debate Not Hate toolkit;
- Security and wellbeing resources should be made available for elected Members, with a dedicated point of contact for the escalation of any issues.

7.0 LGA Model Code of Conduct

In December 2020, the Local Government Association (LGA) published a Model Code of Conduct. All councils were required to adopt a local Member Code of Conduct and the Model Code was provided for use by councils as a template to adopt in whole and/or with local amendments should they wish to. It is the role of the Standards Committee to determine whether to recommend the Model Code, amended or otherwise, to full Council for inclusion in the Council's Constitution. Council subsequently agreed to adopt the LGA Model Code with variations proposed by the Standards Committee. The Code of Conduct is subject to continuous review by the Committee.

8.0 Standards Committee – Future Actions

The Standards Committee will continue to make further improvements to the Code of Conduct and its supporting procedures in order to ensure continuous improvement in line with best practice. In so doing it will seek to maintain the credibility and good governance of the Borough, Town and Parish Councils.

The Committee will commission further training and support, as necessary, to underpin high standards of ethical behaviour by elected Members and officers across the Borough. Members will continue to receive training on specific aspects of the Code of Conduct, such as the use and mis-use of social media, to ensure that it remains a living document.

The Committee is keenly aware that high standards of behaviour help to build trust in elected representatives which is crucial to the democratic process. The Committee aims to ensure that the highest standards of behaviour are delivered and complaints are kept to a minimum. Any complaints received, however, will be investigated robustly and fairly within the agreed timeframe.

TITLE	Overview and Scrutiny Committees – Annual Reports
FOR CONSIDERATION BY	Council on 21 March 2024
WARD	None Specific
LEAD OFFICER	Graham Ebers, Deputy Chief Executive & Director of Resources and Assets

OUTCOME / BENEFITS TO THE COMMUNITY

The role of Overview and Scrutiny is to provide independent “critical friend” challenge and to work with the Council’s Executive and other public service providers for the benefit of the residents of the Borough.

RECOMMENDATION

That Council notes the Overview and Scrutiny Annual Reports for 2023/24.

SUMMARY OF REPORT

The role of Overview and Scrutiny is to hold decision makers to account, both inside and outside the Council. The Overview and Scrutiny Committees provide independent “critical friend” challenge to the Council and other public service providers across the Borough.

The Committees also play a role in developing and reviewing policy and ensuring that the Council and its partners are working effectively to improve services for residents, businesses and visitors. Effective scrutiny is an important element of the successful functioning of local democracy.

The Council’s Constitution requires each of the Overview and Scrutiny Committees to submit an Annual Report. The Annual Reports are appended to this report. The Annual Reports give details of the issues considered during the year and the impact of the Scrutiny process on the Council and the wider community.

Background

The Council's Constitution requires the Overview and Scrutiny Committees to submit Annual Reports setting out a summary of activity during the previous year and analysis of the impact of Scrutiny on the Borough.

The Annual Reports for 2023/24 are attached. The reports highlight some of the key challenges facing the Council, the issues considered by the Overview and Scrutiny Committees during the year and Scrutiny's impact on the Council and the wider community.

During 2022/23, the Council commissioned an external review of the Overview and Scrutiny function. The review concluded that the Council had in place the foundations for an effective Overview and Scrutiny system. Following the review, an action plan was developed. Progress against the action plan is monitored by the Overview & Scrutiny Management Committee. Members and officers will continue to make positive changes, in line with best practice, to ensure that Overview and Scrutiny adds value to the democratic process at Wokingham Borough Council.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£Nil	NA	NA
Next Financial Year (Year 2)	£Nil	NA	NA
Following Financial Year (Year 3)	£Nil	NA	NA

Other financial information relevant to the Recommendation/Decision

None.

Cross-Council Implications

The work of the Overview and Scrutiny Committees impacts on all areas of the Council's operations along with other public service providers.

Public Sector Equality Duty

The Council's Equality Plan is scrutinised each year by the Overview and Scrutiny Management Committee. The Overview and Scrutiny Committees also examine Equality Impact Assessments relating to service and policy changes.

Climate Emergency – *This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030*

During 2022/23, a Climate Emergency Overview and Scrutiny Committee was established. The Committee scrutinises progress against the targets in the Council's Climate Emergency Action Plan. The Committee's annual report is set out in the appendix to this report.

List of Background Papers

None

Contact Neil Carr – Scrutiny Officer	Service Governance
Telephone No Tel: 0118 9746000	Email neil.carr@wokingham.gov.uk

This page is intentionally left blank



WOKINGHAM BOROUGH COUNCIL

Overview and Scrutiny Management Committee and Overview and Scrutiny Committees

Annual Reports 2023/24

Produced: February 2024
Received by Council: March 2024

Contents	Page No
Foreword by Councillor Al Neal, Chair of the Overview and Scrutiny Management Committee	3
Section 1 – What is Overview and Scrutiny?	4
Section 2 – Report of the Overview and Scrutiny Management Committee	6
Section 3 – Report of the Children’s Services Overview and Scrutiny Committee	9
Section 4 - Report of the Climate Emergency Overview and Scrutiny Committee	13
Section 5 - Report of the Community and Corporate Overview and Scrutiny Committee	15
Section 6 – Report of the Health Overview and Scrutiny Committee	18
Section 7 - Getting Involved in Overview and Scrutiny	22



**Foreword by Councillor Al Neal,
Chair of the Overview and Scrutiny
Management Committee**

Welcome to the Annual Reports of Wokingham Borough Council's Overview and Scrutiny Committees for 2023/24. The role of Overview and Scrutiny is to hold both internal and external decision makers to account. The Overview and Scrutiny Committees provide independent "critical friend" challenge to the Council and other public service providers. The Committees also play a role in developing and reviewing policy and ensuring that the Council and its partners are working effectively to improve services for residents, businesses and visitors. Effective scrutiny is an important element of the successful functioning of local democracy.

When thinking of the impact of Overview and Scrutiny I am reminded of those Manc legends, The Smiths, specifically their third single: What Difference Does It Make? In my view, effective Scrutiny has to make a difference and add value to the Council's decision making process by challenging in a constructive way and ensuring that the voice of residents is heard. The Centre for Governance and Scrutiny identifies a number of factors which underpin effective Scrutiny, factors we have focused on over the past year, viz:

- A positive relationship between Overview and Scrutiny and the Executive;
- Timely access to proportionate, high quality information;
- High quality Member training which is incorporated into ongoing Member roles;
- Cross-party chairing or, at least, good cross-party relationships;
- Dedicated officer resourcing.

As we move into 2024/25, we can all see the serious challenges facing the Council and the Borough. The cost of living crisis, high inflation, increasing (often complex) demand for key services, recruitment and retention of key staff, climate emergency and pressure for new development in the Borough have created significant challenges. Across the country, a growing number of councils are struggling to set safe budgets. It is vital, therefore, that Overview and Scrutiny provides effective challenge to ensure that public money is spent wisely on key priorities, that the Council continues to innovate and develop strong partnerships and that our most vulnerable residents receive the support and quality services they need.

The Annual Reports for 2023/24 demonstrate the wide range of issues considered during the year, the range of Scrutiny recommendations made to the Executive and the outcomes for residents across the Borough. The reports reflect the hard work and commitment of residents, community groups, partners, Members and officers who contributed during the year. My thanks go to everyone who made a contribution.

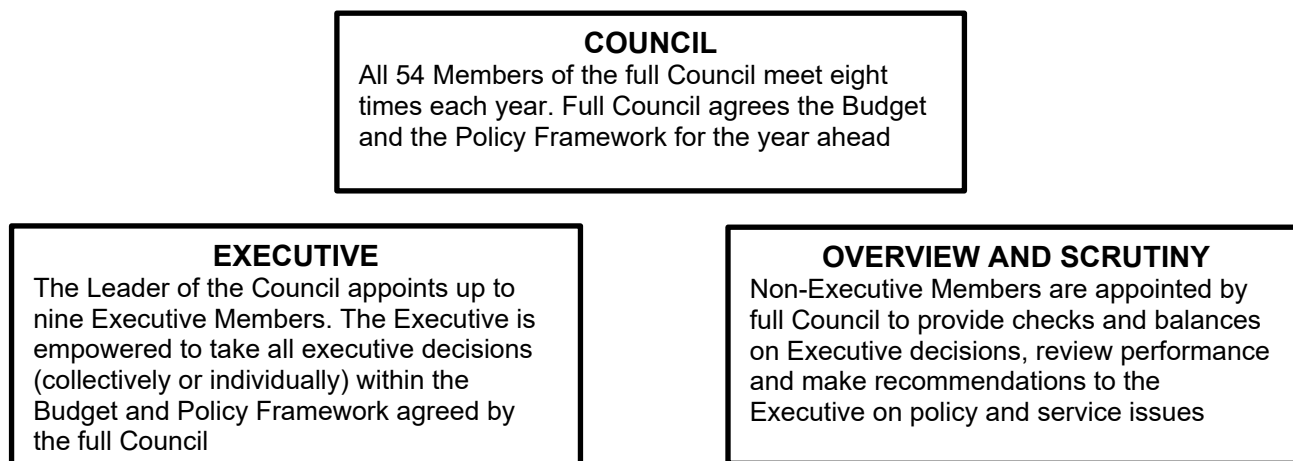
Al Neal

SECTION 1 – WHAT IS OVERVIEW AND SCRUTINY?

Wokingham Borough Council is a large, complex organisation with over a thousand employees and an annual budget of £154m. The Borough’s Community Vision (due to be updated in 2024) is to make the Borough “a great place to live, learn, work and grow and a great place to do business”. The Council makes major strategic decisions which affect the long-term future of the area and its communities. It also makes decisions on a daily basis which affect the lives of some of the Borough’s most vulnerable residents. Other public service providers such as the NHS, Thames Valley Police and the Royal Berkshire Fire and Rescue Service also make key decisions which affect the residents of the Borough. In order to ensure that the Council and other service providers spend public money wisely and make well-informed decisions about key services, it is essential that an effective system of checks and balances is in place.

A distinction is drawn between “Overview” which focuses on the development of policy and “Scrutiny” which looks at decisions that have been made, or are about to be made, to ensure that they are fit for purpose. In this document “Scrutiny” refers to both Overview and Scrutiny. Scrutiny is based on the Parliamentary select committee model of governance where MPs, who are not part of the Government, hold inquiries into issues of public interest and make recommendations for change. In the Council model, the Scrutiny Committees make recommendations for change to the Executive. Scrutiny meetings are held in public. Residents and community groups are encouraged to participate by asking questions and raising issues of community interest for investigation and debate.

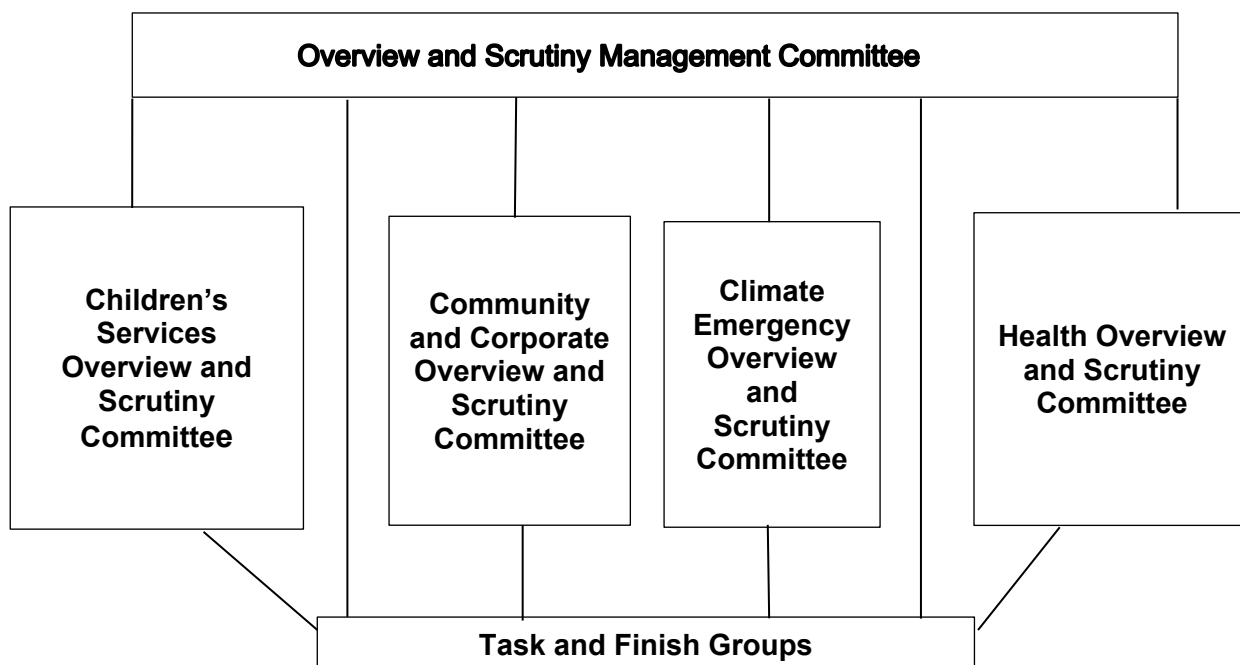
The Council’s Executive takes decisions within the financial and policy framework set by the full Council. Non-Executive Members of the Council (representing each of the political groups) are appointed to the Council’s Overview and Scrutiny Committees to review those decisions and the performance of key services. The relationship between Council, Executive and Overview and Scrutiny is illustrated in the diagram below:



In order to deliver the Overview and Scrutiny function the Council has established the following Committees:

- Overview and Scrutiny Management Committee – responsible for overseeing the Scrutiny function and developing an annual work programme for each of the Committees.
- Children’s Services Overview and Scrutiny Committee – responsible for scrutiny of services relating to schools, safeguarding and child protection, looked after children and children with special educational needs and disabilities (SEND).
- Climate Emergency Overview and Scrutiny Committee – responsible for scrutiny of the Council’s Climate Emergency Action Plan and the ambition to achieve “net zero” by 2030.
- Community and Corporate Overview and Scrutiny Committee - responsible for scrutiny of Council services, crime reduction and community safety and flood risk management.
- Health Overview and Scrutiny Committee (HOSC) – responsible for scrutiny of local NHS bodies, public health arrangements and the work of the Local Healthwatch service.

The Committees consider issues at their regular meetings or by setting up time-limited Task and Finish Groups. The Council’s Overview and Scrutiny structure is illustrated below:



Four Principles of Effective Scrutiny

- Constructive “critical friend” challenge to the Executive and external service providers;
- Channelling the “voice” of the public and representing all the Borough’s residents;
- Members reaching bipartisan conclusions based on the weight of evidence;
- Driving continuous improvement which promotes community wellbeing and quality of life.

Limitations

Scrutiny is not about the investigation of minor matters or individual complaints. The Council has a separate corporate complaints procedure which is used to investigate individual complaints about services. Similarly, Scrutiny does not look at quasi-judicial matters such as planning or licensing issues. Finally, Overview and Scrutiny is not used for raising issues of a party political nature. These matters can be addressed through debate at full Council meetings.

SECTION 2

REPORT OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE



**Al Neal, Chair of the
Overview and Scrutiny Management Committee**

The Overview and Scrutiny Management Committee has three important roles. Firstly, to develop, oversee and monitor the annual work programmes of the Council's Overview and Scrutiny Committees. Secondly to scrutinise a range of issues within its own work programme. Thirdly, to ensure that Scrutiny Members have the relevant skills, training and support to enable them to carry out their important role as scrutineers.

During 2023/24, the Committee scrutinised a number of important issues and emerging policies affecting residents of the Borough. The Committee has now established bi-annual discussions with the Council Leader and Chief Executive to discuss priorities and challenges facing the Council. The Committee also considered the quarterly corporate performance management report on key services, the Council's approach to business change and customer excellence changes to the waste service, consultation and engagement and the implementation and monitoring of Motions approved by Council. In light of significant public concern, the Committee held two sessions with Thames Water representatives, supplemented by a site visit to the treatment plant in Wargrave. The Committee will seek to develop and extend the scrutiny of key external service providers, such as energy providers, in the year ahead.

Looking ahead, the Management Committee will continue to focus on strengthening the Overview and Scrutiny process with further emphasis on work programming, pre-decision scrutiny and policy development. The Committee has recognised the importance of training for Members to enable them to carry out their Scrutiny roles and will seek to ensure that the Member training budget is sufficient, especially as the Council may be inducting a raft of new Members following the all-out elections in May 2024. Members have also recognised the importance of engagement with residents and community groups and will be seeking to generate greater public involvement in Scrutiny. Finally, regular meetings have been set up between the Scrutiny Chairs, Executive Members and Directors in order to ensure that the Executive and Overview and Scrutiny are working together effectively.

I would like to thank the Members, officers, residents, community groups and external experts who contributed their time, effort and insights during the year.

Al Neal

Remit of the Overview and Scrutiny Management Committee

The Overview and Scrutiny Management Committee oversees the Council's Scrutiny function and is responsible for developing and co-ordinating the work programmes and support for the four Overview and Scrutiny Committees. The Committee also has its own extensive work programme, focussing on key strategic issues and the work of key partners.

Membership

Councillor Al Neal (Chair).

Councillors Andrew Mickleburgh (Vice-Chair), Andy Croy, Catherine Glover, Chris Johnson, Norman Jorgensen, Pauline Jorgensen, Adrian Mather, Stuart Munro, Caroline Smith and Alison Swaddle.

Substitute Members: Jane Ainslie, Phil Cunnington, Peter Dennis, Graham Howe, Clive Jones, Morag Malvern, Charles Margetts, Ian Pittock, Rachele Shepherd-DuBey, Bill Soane and Marie-Louise Weighill.

Officer contact: Neil Carr neil.carr@wokingham.gov.uk

Highlights from the Year

Leader and Chief Executive

The Committee has established six-monthly discussions with the Council Leader and Chief Executive. The discussions allow scrutiny of key challenges facing the Council and an opportunity to "horizon scan" in order to identify emerging issues which would benefit from early scrutiny. Issues discussed included the ongoing financial challenges (exacerbated by inflation and the cost of living crisis), increasing levels of demand and complexity in key service areas (especially children's, adults and housing) and inconsistency in partnership working which led to missed opportunities for collaboration and joint funding. Members scrutinised issues such as the new strategic partnership with Reading University, ideas for better partnership working with Town and Parish Councils and the development of an evidence-based approach to lobbying for a fairer funding settlement from the Government.

Performance Management

The Committee received quarterly Performance Management reports setting out details of the Council's performance against a number of financial and operational indicators. Members used the quarterly data to probe on areas of underperformance and select issues for more in-depth scrutiny. The importance of genuinely SMART targets (specific, measurable, achievable, realistic, timely) was stressed. Executive Members were invited to attend the meetings in order to provide evidence on recent service issues based on the most up-to-date information. Performance indicators relating to children's services, health and social care were considered by the relevant Overview and Scrutiny Committee.

Thames Water

The Committee held two sessions with Thames Water representatives during the year. Thames Water outlined the challenges facing the company in light of public criticism about the discharge of sewage into rivers and waterways, water leakage, the handling of customer

complaints and future investment plans. A number of action points were agreed including the sharing of information on leakages, investment plans and the roll-out of smart meters in the Borough. Opportunities for joint working were also agreed such as lobbying on the implementation of the section of the Flood and Water Management Act relating to the responsibility of developers to implement sustainable drainage systems in new housing developments. Members also attended a site visit at the Wargrave sewage treatment plant which provided an insight into some of the challenges facing the company.

Affordable Housing

The Committee scrutinised the draft Affordable Housing Strategy prior to its submission to the Executive. The strategy focussed on identifying need, providing suitable accommodation for vulnerable residents, delivering healthy and safe homes and promoting the development of thriving communities. The aim was to improve housing outcomes whilst helping to address the significant financial challenges facing the Council. Member comments and feedback, including support for changes for key workers in allocations, were fed into the final version.

Waste Collection

The Committee scrutinised proposed changes to waste collection service in the Borough. From the summer of 2024, most households would put out waste in 180 litre black wheeled bins which would be emptied every two weeks. Changes to the service were projected to boost recycling rates from 54% to 64% whilst delivering a revenue saving of c£1m. Members asked a range of questions on issues such as limited access properties, glass recycling, communication with residents and key stakeholders, lost or damaged bins, fly tipping and the factors underpinning the estimated £1m savings. The Committee requested a further briefing in early summer 2024, as the project was nearing full implementation (August 2024).

Member Training

In line with best practice across the country, the Committee recognises the importance of ongoing training and development to ensure that Members' skills and knowledge are constantly upgraded. Members need a sound understanding of key services such as children's, adults, housing and highways in order to carry out effective scrutiny. Due to Budget constraints, only one Member training session was held during the year (Budget Scrutiny) which assisted Members involved in Scrutiny of the Council's Budget process and procedures. Member training will be especially important in the year ahead as it is likely that a number of new Members will be joining the Council following the all-out elections in May 2024.

Scrutiny Impacts

Effective Scrutiny should have a defined impact on the ground, with the Committees making recommendations that make a tangible difference to the work of the Council and other public service providers. Over the past year the following impacts are highlighted:

- Leader and Chief Executive – discussion on key challenges identified opportunities for scrutiny involvement on issues of public interest and helped to ensure that the Executive and Scrutiny are working together in a complementary way.
- Input into service changes – scrutiny of service/policy changes, e.g. waste and affordable housing – the Scrutiny process challenged emerging thinking, leading to better outcomes.
- Thames Water – Scrutiny of an external service provider – an opportunity to provide feedback from residents and explore opportunities for joint working for community benefit.

SECTION 3

REPORT OF THE CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE



Andrew Mickleburgh, Chair of the Children's Services Overview and Scrutiny Committee

The Committee's work is split almost equally between children's social work and educational attainment. As well as monitoring all the recommendations put in place by earlier Committees, the new work that has been carried out is outlined below. This keeps the Committee in touch with how the Service and schools are performing.

During March 2023 the Service received an Inspection of Local Authority Children's Services (ILACS). The Committee was keen to monitor and support the Council's Improvement Plan. The Committee was also involved in the development of policies prior to their adoption by the Executive.

I would like to thank all members of the Committee, and the substitutes for their commitment to and interest in the work that we do, and for all the positive and genuinely useful contributions that they have made.

Andrew Mickleburgh

Remit of the Children’s Services Overview and Scrutiny Committee

The Children’s Services Overview and Scrutiny Committee is responsible for scrutiny and policy development in relation to services for children and young people. This includes schools, early years’ settings and children’s centres, safeguarding and child protection, children in care, care leavers and services for children with special educational needs and disabilities.

Membership:

Councillors: Andrew Mickleburgh (Chairman), Ian Pittock (Vice-Chairman), Jane Ainslie, Anne Chadwick, Phil Cunnington, Graham Howe and Andrew Gray.

Substitute Members:

Councillors: Pauline Helliard-Symons, Morag Malvern, Rachelle Shepherd-DuBey, Chris Johnson, Alison Swaddle, Tony Skuse and Michael Firmager.

Church of England Representative

Fr Richard Lamey

Community Representative

Sarah Clarke – Wokingham SEND Voices

Roman Catholic Representative – one vacancy

Parent Governor - two vacancies

Officer contact: Luciane Bowker

luciane.bowker@wokingham.gov.uk

Highlights from the Year

Key Performance Indicators

The Committee received reports outlining the KPI’s for the Service and regularly monitored their performance. Wokingham has high aspirations and Members have challenged the Service to achieve a high level of performance in all areas of work. Where improvement was needed, the Committee sought to monitor the implementation and development of improvement plans.

Education Updates

The Committee continued to closely monitor the performance of schools and children’s educational attainment.

The Committee has been closely monitoring the development of the Safety Valve Programme. The programme has evolved, and many strands of work are underway. The programme is currently on track to deliver a balanced budget by 2028/29.

The Committee receives regular updates on schools causing concern. Local Ward Members are invited to attend these sessions and take part in the discussions about improvement plans.

The Committee received information about the Ofsted school inspections that took place during the year. The Borough continues to provide an excellent level of education for children and young people attending schools in the Borough. Of particular note is the 'outstanding' Ofsted result achieved by Chiltern Way School. The Committee also closely monitors school places sufficiency across the Borough.

Updates from the Executive Member for Children's Services

The Executive Member for Children's Services, Councillor Prue Bray, was invited and in attendance at most meetings. This gave the Committee an opportunity to be informed of the new trends of work and current priorities. The Committee was therefore able to express its views, early on, in the development of strategies and policies.

Youth Council and SEND Youth Council

The Committee received the SEND Youth Council, who were able to tell the Committee directly about their aspirations and challenges. The Committee valued their representations and invited them to attend on an annual basis.

Overview and Scrutiny of Policies and Strategies

The Committee had an early overview of the following policies: Unaccompanied Asylum Seeking Children Strategy (UASC); Home to School Transport Policy; Young People Housing Strategy and SEND Strategy. Robust, constructive discussions took place, with many recommendations being produced for the Executive's consideration. This approach to overview has been encouraged and supported by the Executive, in recognition of the value that it adds to the work of the Executive.

The Committee reviewed and challenged the following items: Social Worker Recruitment and Retention Strategy; Complaints Review, Impact of the Cost of Living Crisis, and the Holidays, Activities and Food Programme.

Action Tracker

The introduction of a regular Action Tracker item to monitor actions arising from discussions has provided much more clarity and accountability.

Scrutiny Impacts

- Improved transparency and accountability across all services.
- Strengthened the Council's lobbying efforts to bid for better funding.
- Helped to shape and influence policies.
- Challenge and support the service to continue improving the outcomes for children and young people in the Borough.

SECTION 4

REPORT OF THE CLIMATE EMERGENCY OVERVIEW AND SCRUTINY COMMITTEE



Andy Croy, Chair of the Climate Emergency Overview and Scrutiny Committee

In July 2019, the Council declared a Climate Emergency. The amended Motion to declare the Emergency was passed unanimously by the Members present. The Council committed to “playing as full a role as possible in achieving a net carbon neutral Wokingham Borough by 2030”. The Council pledged to develop a Climate Emergency Action Plan (CEAP) and to submit annual updates showing progress on individual carbon reduction targets.

The CEAP (published in January 2020) focussed on priority areas for carbon emission reductions, including transport, homes, businesses, waste and behaviour change. The CEAP also set out proposals to generate renewable energy, increase carbon sequestration and strengthen the planning process to deliver carbon neutral construction and infrastructure. Finally, the CEAP included proposals for engagement with residents, schools, businesses and local stakeholders.

After some unnecessary delay which limited the work of the Committee in 2022/23, the Overview and Scrutiny Management Committee finally decided to establish a stand-alone Climate Emergency Overview and Scrutiny Committee which met for the first time in January 2023. The aim of the Committee is to act as a “critical friend” to scrutinise and support the delivery of the CEAP. In so doing, the Committee draws upon the knowledge and experience of Members, officers and external experts in order to develop recommendations which strengthen the Council’s response to the Climate Emergency and ensure progress towards the “net zero” ambition. A summary of the Committee’s work in 2023/24 is set out below.

The CEAP is clear that there is a massive gap between where we are now and achieving carbon neutrality in Wokingham by 2030. This remains true even if every action in the CEAP were actioned this year. It is also clear that the Borough’s limited resources make achieving all the aims of the plan by 2030 highly unlikely, but this has always been the case. However, the Borough is certainly more likely to deliver on some of the promise of the CEAP than it has been in the past.

I would like to thank the Members, officers, partners and other stakeholders who contributed their time, effort and insights during the year.

Andy Croy

Remit of the Climate Emergency Overview and Scrutiny Committee

The role of the Climate Emergency Overview and Scrutiny Committee is to scrutinise and assist with policy development relating to the Council's commitment to play as full a role as possible to reduce the Borough's carbon footprint to be Net Zero by 2030. This involves monitoring the implementation of the Council's Climate Emergency Action Plan (CEAP) including the examples of Climate Emergency "best practice" from other public or private sector organisations.

Membership

Councillor Andy Croy (Chair).

Councillors Chris Johnson (Vice-Chair), Michael Firmager, Catherine Glover, Graham Howe, Norman Jorgensen, Charles Margetts, Al Neal and Ian Pittock,

Substitute Members: Councillors Jane Ainslie, Laura Blumenthal, Anne Chadwick, Andrew Gray, Pauline Helliard-Symons, Clive Jones, Andrew Mickleburgh, Rachelle Shepherd-Dubey and Shahid Younis

Officer contact: Neil Carr neil.carr@wokingham.gov.uk

Highlights from the Year

CEAP 4th Progress Report

The Committee scrutinised the fourth update of the Council's CEAP, reviewing the 10 key priority areas for carbon reduction together with the 100+ actions in the plan. The latest assessment stated that the Borough's carbon footprint was 505 ktCO₂e, with a current projected shortfall in 2030 (after all the actions had been delivered) of 240ktCO₂e.

Consequently, in order to meet the 2030 carbon neutral goal, further actions and resources, as well as strategic embedding of Climate Emergency considerations, would be needed. The Executive Member attended the meeting and informed Members that, for the first time, an action plan had been included in the CEAP to support the development of an Adaptation Plan for the Borough. The CEAP would also be improved to make it more accessible for residents with visual impairments. Members commended the significant progress made on the CEAP whilst noting the challenges ahead.

Climate Emergency Task & Finish Group

The Committee reviewed progress against the recommendations of the Climate Emergency Task & Finish Group which produced reports, with recommendations, to the Executive in 2020 and 2021. In July 2020, the Group proposed 14 recommendations to strengthen the CEAP and make the reporting process more transparent. The 2021 review focused on four key elements of the CEAP: transport, homes, renewable energy and behaviour change. The Group received evidence from internal and external individuals representing the Council, Imperial College London, University of Leeds, National Grid, Giki Zero, University of Reading, Reading Buses, and the Executive Member for Climate Emergency. The results of the 2021 review, including 25 recommendations, were presented to the O&S Management Committee in July 2021. The Committee concluded that all of the Task and Finish Group recommendations were still relevant to the delivery of the current CEAP. The Committee

recommended that the Council work with partners to lobby the Government on issues such as “green skills” shortages and the appropriate strategies and funding needed to address them.

CEAP and the Local Plan Update

The Committee scrutinised progress on the update to the Council’s Local Plan. The update was being prepared in the context of existing national planning policy, guidance and legislation. Its principal aim was to set out the strategy and associated policies for managing future development in the Borough. Members noted that the emerging spatial strategy had been influenced by the CEAP. Officers from the Planning Policy and Climate Emergency teams collaborated to share best practice and monitor progress towards achievement of the CEAP’s goals. The Committee recommended that training be provided for all Members on the links between the Local Plan Update and the CEAP and that the new Local Plan include provisions relating to the delivery of high speed broadband as this would help to reduce travel across the Borough with consequent reductions in carbon emissions.

Barkham Solar Farm

The Committee received regular updates on progress in delivering the Barkham Solar Farm Project. In March of 2023, SSEN had advised that the connection date for the Barkham Solar Farm had been pushed back from 2026 to 2037. Following intense negotiations, SSEN subsequently agreed to a connection date of August 2026. The revised connection offer represented a significant and positive step in the delivery of the solar farm project. An updated business case for the solar farm project was due to be reported to the Committee in February 2024. Members congratulated the Executive Members and officers for the achievement of a 2026 connection date as the solar farm was an important part of achieving the CEAP targets.

CEAP Communications Plan

The Committee scrutinised the draft Climate Emergency Engagement and Communications Plan. The Plan would sit alongside the CEAP and would be used as a guide to work with stakeholders, share ideas and collaborate on communication and engagement initiatives. The plan would also help WBC to consider and develop actions for inclusion in the CEAP that would have the most impact in shifting behavioural change. The Plan aimed to raise the profile of the CEAP, promote dialogue with stakeholders, empower residents and businesses and promote engagement with under-represented groups. Officers confirmed that the Committee’s comments and suggestions would be fed into the final version of the Engagement and Communications Plan.

Scrutiny Impacts

- CEAP – following on from the work of the Climate Emergency Task & Finish Group, the Committee scrutinised key elements of the CEAP (including procurement, planning and highways) testing assumptions and progress against the targets in the key priority areas.
- Communications and Engagement – the Committee emphasised the importance of engagement with all sectors of the community in order to promote understanding and behaviour change which was crucial to the success of the CEAP.
- Solar Farm – constructive challenge and support for the delivery of the Barkham Solar Farm as an important step in the generation of renewable energy in the Borough and an additional income stream for the Council.

SECTION 5

REPORT OF THE COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE



**Chris Johnson, Chair of the
Community and Corporate Overview and Scrutiny Committee**

During the past year, the Committee has continued its focus on the effective delivery of Council services to ensure that they provide value for money for the Borough's Council Taxpayers. Executive Members and officers were invited to attend meetings of the Committee to give evidence and answer questions on priorities and performance.

This year marked the fifth consecutive year that the Committee had looked at the proposed Medium Term Financial Plan (MTFP) in detail, prior to its submission to the Executive and Budget Council meetings. This exercise has continued to add value to the Budget setting process by challenging Executive Members and Directors to explain the rationale for spending proposals in a clear and understandable way. The backdrop to this year's Budget Scrutiny process was the enormous financial challenges facing the Council along with many other councils across the country. Members echoed calls for Government reform to core funding mechanisms to ensure that the levels of demand and cost pressures facing local authorities are considered adequately in determining their levels of funding.

The Committee considered a range of other issues during the year including the annual update from the Community Safety Partnership, proposals to close and repurpose the St. Crispin's leisure centre and progress against the Violence against Women and Girls Action Plan. The Committee established a Task and Finish Group relating to the provision and management of litter bins and noted progress made by the Active Travel Task and Finish Group.

In developing its work programme the Committee is keen to ensure that the "voice" of local residents and community groups plays a bigger part in its deliberations. The Committee recognises that involving residents, community groups and local "experts" in Overview and Scrutiny reduces the risk of a partisan approach as Members are able to hear directly from those stakeholders whose interests they are representing. The Committee will continue to promote greater public involvement in Overview and Scrutiny over the coming year and will share any relevant learning with the other Overview and Scrutiny Committees.

My thanks go to the Members, officers, residents and other stakeholders who took part in our meetings and made valuable contributions during the year.

Chris Johnson

Remit of the Community and Corporate Overview and Scrutiny Committee

The Community and Corporate Overview and Scrutiny Committee is responsible for the scrutiny of internal Council operations (including the Budget setting process) and partnership working across the Borough. It also has responsibilities under the Police and Justice Act 2006 which involves oversight of the operation of the Borough's Community Safety Partnership. The Committee is also responsible for the scrutiny of flood risk management.

Membership

Councillor Chris Johnson (Chair).

Councillors Peter Dennis (Vice-Chair), Laura Blumenthal, David Cornish (part year), Catherine Glover, Norman Jorgensen, Pauline Jorgensen, Charles Margetts, Alistair Neal and Marie-Louise Weighill.

Substitute Members: Councillors Jane Ainslie, Andy Croy, Phil Cunnington, Clive Jones, Stuart Munro, Caroline Smith, Rachelle Shepherd-DuBey, Alison Swaddle and Shahid Younis

Officer contact: Liam Oliff: liam.oliff@wokingham.gov.uk

Highlights from the Year

Medium Term Financial Plan (MTFP) 2024/27

The Committee undertook a detailed review of the Budget process and the emerging 2024/27 MTFP. Executive Members and Directors were invited to attend the meetings to present their Revenue and Capital bids and to explain in detail how the requested funding would be used to support key services. The role of the Committee was to challenge assumptions within the Budget setting process and to encourage key decision makers to think about their proposals from a different perspective. The Committee scrutinised key risks, the modelling of future demand patterns, the achievability of income and savings targets and the evidence supporting key assumptions in the MTFP. The Committee produced a report on its findings which was submitted to the Budget Executive and Council meetings in February 2024. Members also requested an in-year update on the various financial reserves held by the Council.

St Crispin's Leisure Centre

The Committee scrutinised the business case for the proposal to close the St Crispin's Leisure Centre and transfer the asset to the school (the Circle Trust) in order to support the delivery of additional school places. Members asked for greater assurance in relation to protection of the Council's assets, future demand for school places, clarity on operating arrangements and protection for community use in the future. After detailed scrutiny at two meetings, the Committee recommended that the proposals be accepted. The Committee also requested a follow-up report on arrangements at St Crispin's and all other agreements involving schools and leisure facilities in the Borough.

Local Transport Plan 4

The Committee scrutinised the emerging Local Transport Plan 4 (LTP4). Members noted that the key drivers in the plan were to reduce environmental impacts from transport, grow the local economy and create healthy and safe places across the Borough. The Committee also

noted the concerns raised by residents as part of the consultation on the plan. These included the safety of children walking to school, maintenance of roads and footpaths, a lack of travel options and the perception that highways infrastructure was not cycle-friendly. The Committee raised a number of questions and comments which were fed into the development of the LTP4 prior to its submission to the Executive.

Arts and Culture Strategy

The Committee scrutinised the Council's emerging Arts and Culture Strategy. Members noted the priorities in the strategy, including enhancing cultural identity and sense of 'place', developing opportunities for children and young people, supporting economic growth and maximising partnerships and collaboration. The Committee commended officers on developing the strategy and requested that future reports identify which funding bids were in progress, finished, delayed or cancelled. Members also suggested that additional effort be made to advertise ongoing and future engagement with young adults.

Violence against Women and Girls (VAWG)

The Committee considered an update on the Council's VAWG Strategy and the supporting action plan. Members noted the key priorities in the strategy including putting victims at the centre of the process, holding perpetrators to account, safeguarding and supporting victims at every stage and raising local awareness of the issues. Members emphasised the importance of timely data and benchmarking showing progress and requested the inclusion of smart outcomes in the next iteration of the VAWG update. The next update should also provide details of progress against the Anti-Abuse Charter.

Council Housing Companies

The Committee considered a review of the Council's housing companies – Berry Brook Homes, Loddon Homes and Wokingham Housing Ltd. Members scrutinised strategic options for the future development of the companies including the proposal that a Shareholder Committee be established. Members requested a further report giving further details of the structure and timeline for the Shareholder Committee.

Scrutiny Impacts

- Budget setting and the MTFP – the Budget setting process was scrutinised by the Committee in the context of the huge financial challenges facing the Council. Transparency around crucial issues such as the emerging Budget forms an essential part of the checks and balances that Overview and Scrutiny provides. The Committee noted the significant growth pressures in Children's Services and committed to ongoing scrutiny of the service during 2024/25, in conjunction with the Children's Services Overview and Scrutiny Committee.
- Developing positive working relationships with Executive Members and Directors – Executive Members and Directors were invited to attend the Committee's meetings. Answers to Member queries were frank and detailed, providing a solid foundation for transparent Overview and Scrutiny.
- Oversight of key Council services – continued scrutiny and monitoring of key Council services, such as highways, grounds maintenance and the Council's housing companies, to ensure that they are delivering value for money and engaging with residents.

SECTION 6

REPORT OF THE HEALTH OVERVIEW AND SCRUTINY COMMITTEE



**Adrian Mather, Chair of the
Health Overview and Scrutiny Committee (HOSC)**

The new setup of the joint Berkshire West, Oxfordshire, and Buckinghamshire (BOB) Integrated Care System (ICS), with its board (ICB) and partners (ICP) is now in place. Through a joint BOB HOSC, we are participating in the review of the Strategy created by the BOB ICB. Whilst the BOB ICB is still maturing, we want to continue to review its Strategy and the implications for the delivery of health services to our residents in Wokingham Borough.

In addition, the Committee wants to be forward looking. We also want to engage and where possible, support the initiatives from the ICS with its objectives, e.g. to improve outcomes in the population's health, tackle inequalities in health outcomes, experience and patient access.

During the year we have focused on our primary responsibility of scrutinising local health service delivery, including the delivery of social care to our residents, NHS Dental provision, GP practices, GP services and Pharmacy services. There is significant stress on all services, however, we must continue to scrutinize these services.

We continue to work well with Healthwatch Wokingham Borough, the independent consumer champion created to gather and represent the views of residents and have been kept informed of their work and issues of resident concern, at most meetings. We have engaged with one GP Practice Patient Participation Group (PPG) and we would like to engage with more PPG's.

All members of the Committee and their substitutes are invited to attend training to keep up to date with any new legislation and service developments. Training is also arranged during the year should a specific need arise.

I would like to thank the members of the Committee, substitutes, Officers, and other partners who took part in meetings for their contribution throughout the year.

Adrian Mather

Remit of the Health Overview and Scrutiny Committee

The Health Overview and Scrutiny Committee (HOSC) scrutinises issues which relate to the planning, provision and operation of health and wellbeing services in the Wokingham Borough. This includes acute and community health services, adult social care services, family and public health services and health related services commissioned jointly by the Council, health bodies and the voluntary sector.

Membership

Councillor Adrian Mather (Chairman).

Councillors Rachelle Shepherd Dubey, (Vice Chairman), Phil Cunnington, Rebecca Margetts, Alistair Neal, Jackie Rance, Beth Rowland, Tony Skuse, and Shahid Younis

Substitute Members: Jane Ainslie, Andy Croy, Graham Howe, Chris Johnson, Pauline Jorgensen, Morag Malvern, Caroline Smith, Bill Soane, and Alison Swaddle

All attendees at HOSC meetings, including members of the public, may ask questions after each report or presentation is presented.

Officer contact: Madeleine Shopland madeleine.shopland@wokingham.gov.uk

Highlights from the Year

Healthwatch

The Committee are updated at each meeting on the work of the consumer champions, Healthwatch Wokingham Borough. Issues on their 'local watch list' include * Asylum seekers * Accessing GP and NHS dentist appointments; * Dentistry and patients with learning disabilities * Mental health support for children and young people; and * Cost of living crisis.

Adult Social Care Key Performance Indicators

The Committee monitored performance achieved against the Adult Social Care Key Performance Indicators and sought further information about areas of underperformance.

Dental Services

The Committee scrutinised dental services, which continued to be a key concern to residents. At its September meeting, the Committee was updated on dental services in the Borough and in particular, progress being made to improve access to dental services. The Committee asked about access challenges, flexible commissioning and budgets, and workforce.

Building Berkshire Together

Since 2019 the Royal Berkshire NHS Foundation Trust (RBFT) has been placed on the New Hospital Programme as part of the Government commitment to deliver 40 new hospitals by 2030. The Committee has been kept updated on the progress of the Building Berkshire Together project, the options under consideration and the potential challenges and opportunities.

Seasonal vaccinations

At its November meeting the Committee received an update on flu and Covid vaccinations take up. Members sought to better understand the variation in uptake amongst different areas of the community and highlighted the Borough's large Hong Kong population. Members were updated on the communication and engagement work being undertaken to improve take up, particularly amongst harder to reach groups. The Committee requested a breakdown of information at a Borough level to give a clearer picture of vaccination take up amongst Borough residents.

GP contracts

Residents continue to be concerned about access to GP services. Sarah Webster, Executive Director for Berkshire West Place, Abid Irfan, Director of Primary Care, ICB, and Helen Clark, Head of Primary Care, BOB ICB, updated the Committee on the GP 2023/24 contracts and what this meant for Wokingham Borough residents. The Committee was informed of action being taken to improve workforce recruitment and retention, and increased access to appointments. Members expressed concern about access to health facilities for residents in new estates.

Pharmaceutical Services

In July the Committee were briefed by Karen Buckley, Consultant in Public Health, and David Dean, Chief Officer, Community Pharmacy Thames Valley, on local pharmacy services and the Pharmaceutical Needs Assessment. Members probed a number of issues including medication supply and demand, the criteria used to assess the level of need, and enhanced services.

Adult Social Care specialist accommodation

The Committee received a briefing about the successful Adult Social Care Specialist Accommodation project, one of the aims of which was to reduce residential care placements, especially for those with learning disabilities.

Domiciliary care

The Council has a duty to maintain the domiciliary care market and to ensure that care provided is safe and affordable and that there is sufficient choice in the local area. The Committee received an update about domiciliary care services within the Borough at its September meeting.

Adult Social Care Workforce Strategy

The Committee scrutinised the Adult Social Care Workforce Strategy at its November meeting. Members sought information on how recruitment and retention were being addressed, different ways of working and apprenticeships.

Social Care Futures

At its November meeting the Committee received a presentation from social care users regarding how the Council was working with service users to rethink, redesign and reorientate care by adopting the Social Care Futures Charter. Members supported the Council's adoption of the Charter.

Berkshire Coroners Service

The Council contributes financially to the Berkshire Coroner Service. The Committee received a presentation at its January meeting on the service provided and future initiatives.

BOB ICS Transforming Primary Care Executive Summary.

At its January meeting, the Committee engaged with the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care System and considered its draft Transforming Primary Care Executive Summary. The Committee highlighted the need for different ways of engaging with the community, and for the document to be easily accessible. It was suggested that reference be made to the Council's Marmot ambitions.

Scrutiny Impacts

- Gaining an insight into the key health and social care services that serve the Borough.
- Ensuring that residents' needs are considered as part of the commissioning and delivery of local health services.
- Continuing to work with Healthwatch Wokingham Borough to raise the profile of matters raised by residents.

SECTION 7

GETTING INVOLVED IN OVERVIEW AND SCRUTINY

The Council is committed to making Overview and Scrutiny Committee meetings accessible to all residents of the Borough. A key aim is to increase public involvement in the process and to remove barriers to participation.

Residents can get involved in Overview and Scrutiny by attending meetings - all Overview and Scrutiny meetings are open to the public and are held in the early evening to make attendance easier. In addition, copies of Agenda including reports to be considered are published five working days before each meeting and can be accessed on the Council's website:

www.wokingham.gov.uk/council-and-meetings

During the Covid-19 pandemic, meetings were held virtually using Microsoft Teams. These meetings are accessed via a You Tube link set out on the meeting Agenda. Residents are now able to attend in person or view the meetings on line.

Residents can also elect to receive automatic notification when new Overview and Scrutiny Agenda and Minutes are published.

Each Overview and Scrutiny Committee meeting includes a Public Question Time session which allows residents to raise issues of general interest and/or specific issues relating to the items under consideration. Public questioners are allowed to ask a supplementary question to develop the theme of the original question or react to the initial answer given.

Members of the public are also able to contribute to Scrutiny reviews by giving evidence either as an individual or as part of a community group. Residents can also request that a specific item is considered by Overview and Scrutiny as a review item.

During 2024/25 the Council will continue to use local and social media to raise awareness of issues coming before the Overview and Scrutiny Committees and to allow residents to provide comments and feedback.

The Council's Twitter feed is accessible here: [WokinghamBorough@WokinghamBC](https://twitter.com/WokinghamBC)

If you want to learn more about Overview and Scrutiny or want to discuss a specific issue, please contact Neil Carr, the Council's Scrutiny Officer:

- by telephone: 07889 669359, or
- by email: neil.carr@wokingham.gov.uk or by post:

Democratic Services, Wokingham Borough Council, Shute End, Wokingham, RG40 1BN.

TITLE **Outside Bodies Reports - 2023/24**

FOR CONSIDERATION BY Council on 21 March 2024

WARD None Specific;

LEAD OFFICER Deputy Chief Executive - Graham Ebers

OUTCOME / BENEFITS TO THE COMMUNITY

Councillor representation on Outside Bodies provides insight into the workings of the Council's partner organisations. Representation offers opportunities for additional collaboration, partnership working and facilitates oversight of any funding paid by Wokingham Borough Council to our partners.

RECOMMENDATION

That Council note the reports on Outside Body representation for the 2023/24 municipal year, set out as Annex A to this report.

SUMMARY OF REPORT

Annex A provides submissions from Member representatives on their involvement with Outside Bodies for the 2023/24 municipal year.

Background

Wokingham Borough Council appoints Member representatives to a range of Outside Bodies on an annual basis at its Annual Council meeting. Representatives are appointed to Outside Bodies based on the structure of each individual organisation, such as an observer or a Board Member. Representation on Outside Bodies provides oversight of any funding arrangements between WBC and partner organisations and facilitates additional opportunities for partnership working.

Analysis of Issues

Each Member representative is asked to provide a report outlining the work carried out by each Outside Body during the municipal year and a short explanation as to why, in the Member's opinion, representation should continue or not in the future.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

None

Public Sector Equality Duty

Due regard had been given to WBC's duties under the Equality Act.

Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030

Member representation on Outside Bodies does not impact WBC's climate emergency declaration or associated ambitions.

Reasons for considering the report in Part 2

N/A

List of Background Papers
None

Contact Liam Oliff	Service Governance
Telephone No 0118 974 6000	Email liam.oliff@wokingham.gov.uk

This page is intentionally left blank

NAME OF ORGANISATION	REP(s)	PAGE NO.
Age Concern Twyford & District	Lindsay Ferris	3
Age UK Berkshire	Laura Blumenthal	4
Atomic Weapons Establishment – Local Liaison Committee	Chris Johnson	5-6
Berkshire Maestros	Sarah Kerr	7
Berkshire Museum of Aviation Trust	Tony Skuse	8
Berkshire Pension Fund Advisory Panel	Stephen Newton	9-10
Citizens Advice Wokingham	Rachel Bishop-Firth	11-12
Finchampstead Baptist Church Advisory Board	David Cornish	13
Keep Mobile	Laura Blumenthal	14
Local Government Association General Assembly	Prue Bray, Stephen Conway, Rachelle Shepherd-DuBey and Pauline Jorgensen	15
Mid & West Berks Local Access Forum	Wayne Smith	16
Readibus Management Committee	Mike Smith	17
Royal Berkshire Fire Authority	Rachelle Shepherd- DuBey, Mike Smith, Morag Malvern and Pauline Helliar- Symons	18
Sonning & District Welfare and Educational Trust	Michael Firmager	19
South East Employers	Clive Jones, Stephen Conway, Imogen Shepherd-DuBey and Ian Shenton	20
Standing Conference on Archives	Stephen Conway	21
Strategic Aviation Special Interest Group of the LGA (SASIG)	Pauline Jorgensen	22
Thames Basin Heaths Joint Strategic Partnership	Ian Pittock and Al Neal	23
The Piggott Trust	Graham Howe	24
The Polehampton Charity	Stephen Conway	25
The Poors Land Charity	Jane Ainslie	26
White Waltham Airfield Consultative Committee	Wayne Smith	27
Wokingham Borough Sports Council	Ian Shenton	28
Wokingham Borough Sports Sponsorship Fund	Ian Shenton	28
Wokingham Job Support Centre Management Committee	Andrew Gray	29

Wokingham Volunteer Centre	Rachel Burgess	30-31
Wokingham Waterside Centre	Andy Croy	32
Wokingham Youth Counselling and Information Service (ARC)	Rachelle Shepherd-DuBey	33
Woodley Town Centre Management Initiative	Tony Skuse, Andy Croy and Beth Rowland (Sub)	34-35

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Age Concern (Twyford)	
Name of Member	Lindsay Ferris	
Capacity appointed, e.g. trustee, director, observer etc	Observer	
Number of meetings called to attend	10 meetings	
Number of Meetings attended	5 meetings	
Reasons for not attending, if appropriate	Clash with WBC meetings	
<p>Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.</p> <p>Age Concern Twyford provides facilities for older people to attend during the day. Many activities are arranged during the days including singing, flower arrangements, quiz's etc, as well as providing lunch.</p>		
<p>What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?</p> <p>Yes, I was provided with the appropriate documentation and took part in detailed discussions with the Trustees, during the regular monthly Meetings.</p>		
<p>Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?</p> <p>AGE Concern Twyford is a very effective organisation. Residents become members and make a payment for the services. WBC also sponsor a growing number of residents. They are an increasing partner in providing Adult Social Care functions and a meeting between Age Concern Twyford and WBC Adult Social Services has been arranged to discuss how both parties can work together better to mutual benefit, particularly as demand for these services is on the increase.</p>		
Do you think the Council should continue to be represented on this Outside Body?		Yes
<p>Please state the rationale FOR OR AGAINST having a representative</p> <p>There is a close working relationship between WBC & Age Concern Twyford.</p>		
Please provide any additional information that fellow Members might find useful		

Councillor: L T H Ferris

Dated: 07 Feb 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Age UK Berkshire	
Name of Member	Laura Blumenthal	
Capacity appointed, e.g. trustee, director, observer etc	Observer	
Number of meetings called to attend	0	
Number of Meetings attended	0	
Reasons for not attending, if appropriate	I never received an invite	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year. N/A		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? None		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply? N/A		
Do you think the Council should continue to be represented on this Outside Body?	Yes/No	
Please state the rationale FOR OR AGAINST having a representative		
The Council needs to look into why no invites were received and what contribution they'd like members to make		
Please provide any additional information that fellow Members might find useful		
As above		

Councillor: LAURA BLUMENTHAL

Dated: 06.03.24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	AWE
Name of Member	Christopher Johnson
Capacity appointed, e.g. trustee, director, observer etc	LLC WBC Member Representative
Number of meetings called to attend	3
Number of Meetings attended	1
Reasons for not attending, if appropriate	On overseas deployment with no substitute permitted
<p>Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.</p> <p>Detailed presentations of regulatory functions, assessments and incident reports. Including DEPZ considerations, incident training and community involvement and publications.</p>	
<p>What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?</p> <p>Detailed agendas and updates and prompt notifications</p>	
<p>Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?</p> <p>AWE are very community conscious and meets all of its commitments the councils concerned with this establishments functions. The organisation has taken numerous actions to promote local council targeted aims in regard to Transport, and Climate Emergency and Education.</p>	
Do you think the Council should continue to be represented on this Outside Body?	Yes/No
<p>Please state the rationale FOR OR AGAINST having a representative</p> <p>Representation ensures the aims of WBC are represented to a very important national organisation. It ensures WBC are well briefed on the essential safety activities and considerations that affect the local community. It brings a level of communication that has marked benefits to WBC in its planning functions</p>	

Please provide any additional information that fellow Members might find useful

Attached with this document is the unredacted minutes of the previous meeting, where the fatal incident resulting in the loss of a Balfor Beatty employee. This incident was during construction work and did not involve fissile material. ONR has overarching responsibility for investigation, rather than the HSE as expected elsewhere.

There are additional incidents reported which are also listed in the minutes attached.

Councillor: Chris Johnson

Dated: 4 March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Berkshire Maestros
Name of Member	Sarah Kerr
Capacity appointed, e.g. trustee, director, observer etc	Observer
Number of meetings called to attend	9
Number of Meetings attended	6
Reasons for not attending, if appropriate	Clash of meetings
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.	
Berkshire Maestros continues to provide music lessons to children in Berkshire. Berkshire Maestros is expanding it's offering beyond traditional peripatetic music tuition and music ensembles into projects for social value such as dementia choirs, children in care choirs and other projects and teaching for adults as well as children.	
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?	
We receive detailed agendas and reports prior to each meeting. The organisation has also been going through the process of re-looking at its aims and objectives and I have been involved in this process and able to contribute.	
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?	
Berkshire Maestros is an integral part of providing music tuition in the borough and across the county. It provides a range of services including first access teaching to children in primary schools, and seeks to provide opportunities to children from a diverse range of backgrounds. As outlined above, it is further expanding it's reach which coincides with the Council's vision and priorities, and we are forming an excellent partnership with the organisation.	
Do you think the Council should continue to be represented on this Outside Body?	<u>Yes/No</u>
Please state the rationale FOR OR AGAINST having a representative	
It's important that we work in a joined-up manner and Berkshire Maestros will be integral in helping WBC deliver on it's arts and culture strategy.	
Please provide any additional information that fellow Members might find useful	

Councillor: Sarah Kerr

Dated: 22nd February 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Woodley Aviation Museum	
Name of Member	Councillor Anthony Skuse	
Capacity appointed, e.g. trustee, director, observer etc	Observer	
Number of meetings called to attend	2	
Number of Meetings attended	1	
Reasons for not attending, if appropriate	Overseas	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year. Painting of Aircraft. Parking issues relating to people using their free car park to visit Dinton Pastures.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? Very little and so not really.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply? Not really relevant, operates as an independant outside body. They requested some assistance from the council which we were unable to provide.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative There is some benefit in co ordinating over contentious issues such as parking.		
Please provide any additional information that fellow Members might find useful		

Councillor:
Anthony Skuse

Dated: 5th March 2024

WOKINGHAM BOROUGH COUNCIL
APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM
MUNICIPAL YEAR: 2023-2024

Name of Organisation	Berkshire Pension Fund Advisory Panel
Name of Member	Stephen Charles Newton
Capacity appointed, e.g. trustee, director, observer etc	Representative for Wokingham Borough Council
Number of meetings called to attend	4
Number of Meetings attended	4
Reasons for not attending, if appropriate	
<p>Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.</p> <p>The Advisory Panel meets with the Berkshire Pension Fund Committee and can provide input to the discussion, but Advisory Panel members do not have the right to vote.</p> <p>During the past year the Berkshire Pension Fund Committee has reviewed performance reports and Policies as well as provided direction to the scheme administrators on:</p> <ul style="list-style-type: none"> • Risk Management • Governance • Scheme Administration • Responsible Investment • Communication Strategy • Investment Performance • Investment Pooling <p>There has also been a change in the Head of Pension Fund during the year.</p>	
<p>What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?</p> <p>I completed online training when appointed and also met with the Pension Fund Committee Chair and Head of Pension Fund shortly after my appointment.</p> <p>Other documents are available on the Berkshire Pension Fund website.</p> <p>The Pension Fund Committee Chair and Head of Pension Fund have always welcomed my questions and provided appropriate responses to help with my understanding.</p>	
<p>Please indicate how effective you think the organisation is, e.g. has it met or</p>	

contributed to the Council's Vision and Priorities and give examples to illustrate your reply?

The Berkshire Pension Fund provides pensions for thousands of former and current employees of Wokingham Borough Council as well as other Berkshire councils and bodies.

The Fund agreed a new Investment Strategy prior to my appointment to help bridge the gap between available assets and the anticipated liabilities. Despite the very challenging environment of high inflation increasing the liabilities and high interest rates and low growth impacting investment returns, the Pension Fund has improved the asset:liability ratio during the year.

Scheme Administration has been consistently good.

Governance has been consistently good.

I have been pushing for the Berkshire Pension Fund to complete its historic audits throughout the year. Unfortunately, this has not been completed as the Berkshire Pension Fund is treated as a sub fund of the Royal Borough of Windsor and Maidenhead Council and the Council has not completed its own outstanding audits. I believe that the Royal Borough of Windsor and Maidenhead Council will use the 'backstop' opportunity introduced by the UK Government to avoid completing these audits and I am not happy with this. The failure to complete the outstanding audits has consequences for Wokingham Borough Council and all the other bodies that are employers within the Berkshire Pension Fund in respect of their own historic audits. Requests to be provided with the necessary assurances to close this out as far as Wokingham Borough Council's outstanding audits are concerned, have not been unsuccessful.

Do you think the Council should continue to be represented on this Outside Body?

Yes

Please state the rationale FOR OR AGAINST having a representative

Wokingham Borough Council is a major employer and contributor within the Berkshire Pension Fund.

Please provide any additional information that fellow Members might find useful

I believe that the Berkshire Pension Fund is making progress in addressing its funding needs to meet its liabilities, although this will take a long time.

The Berkshire Pension Fund Committee is carrying out its duties competently and is well led.

It is disappointing that due to the Royal Borough of Windsor and Maidenhead being the Administering Authority that the Audit of the Berkshire Pension Fund will not be completed due to the Royal Borough of Windsor and Maidenhead not completing their outstanding audits and relying on the 'backstop' arrangements introduced by HM Government. This provides a level of risk and uncertainty to all Berkshire Pension Fund employers as well as impacting the ability to complete their own outstanding audits.

Councillor: Stephen Newton

Dated: 11th March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Citizens Advice
Name of Member	Rachel Bishop-Firth
Capacity appointed, e.g. trustee, director, observer etc	Council Representative
Number of meetings called to attend	Two
Number of Meetings attended	One
Reasons for not attending, if appropriate	Suggested meeting was in my work time.
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.	
<p>Wokingham Borough Council commissions Citizens Advice to provide a broad range of advice services to Wokingham Residents through the core contract. This includes employment, family, debt etc. CA are also a member of the Hardship Alliance, run the 'One Front Door' Advice service for residents, and provide key targeted support in a number of areas to fight poverty. Finally, WBC commission CA to provide specialist services such as debt advice to residents who are in arrears on council tax. Because of the support which WBC provide to CA through the core contract, CA are able to develop a number of specialist services such as dedicated energy advice and support to people with emotionally unstable personality disorders.</p>	
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?	
<p>I have worked closely with Citizens Advice for a number of years and have a good background knowledge. We discussed how we could improve and streamline the data provided to the council which the representative could benefit from in turn.</p>	
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?	
<p>CA are a key partner for the council in the provision of a number of critical services to residents. They are on the Hardship Alliance and have been critical in delivering the Cost of Living Crisis response. This includes acting as a partner in distribution of the grant of Household Support Fund money from central government.</p>	
Do you think the Council should continue to be	Yes

represented on this Outside Body?	
Please state the rationale FOR OR AGAINST having a representative	
We continue to work closely with Citizens Advice and a close dialogue is essential.	
Please provide any additional information that fellow Members might find useful	
One Front Door is ending in June 2024 as the temporary government funding originally provided as part of the national Covid response has ended. OFD is a triage service to signpost the additional calls received during the Covid emergency and then the Cost of Living Crisis. The council will continue to fund the core services provided pre-Covid. As laid out in the Tackling Poverty Strategy the council is working to transition the signposting services currently provided by OFD to a sustainable model.	

Councillor:
Rachel Bishop-Firth

Dated:
11th March 2023

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Finchampstead Baptist Church Advisory Board	
Name of Member	David Cornish	
Capacity appointed, e.g. trustee, director, observer etc	Advisory Board Member	
Number of meetings called to attend	3	
Number of Meetings attended	2 (third meeting is on 18/3/24)	
Reasons for not attending, if appropriate	N/A	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
<p>Growing community activities in the Finchampstead Baptist Centre. Focus on managing FBC running costs. Working alongside Gorse Ride redevelopment. Establishment of new Community Centre in Arborfield Green. Advice to Bohunt School on reaching out to youth groups in Arborfield.</p>		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
Good initial conversation with the principal.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
The FBC works closely with young people but also the wider community in the north part of Finchampstead and Arborfield. It has played a key role in visioning the community centre for Arborfield Green.		
Do you think the Council should continue to be represented on this Outside Body?	Yes/No YES	
Please state the rationale FOR OR AGAINST having a representative		
Excellent forum for being in touch with the community grassroots.		
Please provide any additional information that fellow Members might find useful		

Councillor: David Cornish

Dated: 6/3/24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Keep Mobile
Name of Member	Laura Blumenthal
Capacity appointed, e.g. trustee, director, observer etc	Observer
Number of meetings called to attend	5
Number of Meetings attended	1
Reasons for not attending, if appropriate	Conflicts with other meetings and commitments
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year. Staff updates, training, insurance, vehicle maintenance, financial and people supported figures, volunteer numbers.	
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? None. My role was unclear and informal	
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply? It certainly supports people who need it to remain active in the local community, contribute to the local economy and enjoy local parks, clubs high streets and amenities.	
Do you think the Council should continue to be represented on this Outside Body?	Yes/No
Please state the rationale FOR OR AGAINST having a representative For	
Please provide any additional information that fellow Members might find useful It would be beneficial to know what role the member has when attending and what value they can add	

Councillor: LAURA BLUMENTHAL

Dated: 05.03.24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	LGA General Assembly	
Name of Member	Stephen Conway (on behalf of the four nominated councillors)	
Capacity appointed, e.g. trustee, director, observer etc	attender	
Number of meetings called to attend	one	
Number of Meetings attended	one	
Reasons for not attending, if appropriate	N/a	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The LGA Conference provides an opportunity for the nominated councillors attending to learn about best practice in local government and to receive advise on problems affecting all councils.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
An agenda was published in advance of the conference, which enabled the councillors attending to decide which sessions to join.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
The conference was very useful is providing insights into the activities of and challenges faced by other councils.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
An opportunity to learn much of value.		
Please provide any additional information that fellow Members might find useful		
The LGA is a key organization that lobbies on behalf of councils on a non-party basis.		

Councillor: Stephen Conway

Dated: 4 March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Mid and West Berks Local Access Forum	
Name of Member	Wayne Smith	
Capacity appointed, e.g. trustee, director, observer etc	Member	
Number of meetings called to attend		
Number of Meetings attended		
Reasons for not attending, if appropriate	All meetings are during the day and it's impossible with a day job.	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
We are well represented and yes very important.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
Very important group but needs someone who is available during the day.		
Please provide any additional information that fellow Members might find useful		

Councillor: Wayne Smith

Dated: 10/3/24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Readibus	
Name of Member	Mike Smith	
Capacity appointed, e.g. trustee, director, observer etc	Board Director	
Number of meetings called to attend	6	
Number of Meetings attended	3	
Reasons for not attending, if appropriate	Clashes with 2 Wokingham Borough Full Council meetings and 1 Royal Berks Fire and Rescue Service Management Committee budget meeting – note I am the RBFRS Lead on Finance. meetings	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
As a Board member, we receive and advise on reports from the General Manager and take strategic decisions.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
Comprehensive Board papers and minutes of previous meetings as would be expected of a properly constituted Board of a Charity.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
READIBUS provides much need mobility to those with limited ability to get out of their dwellings without assistance, funded by WBC concessionary bus passes particularly for the elderly to a total of £65,000. As such it really helps those that need help most in a highly cost effective manner and helps WBC avoid excessive Adult Social Care costs if it had to provide similar services directly.		
Do you think the Council should continue to be represented on this Outside Body?	Yes/No	
Please state the rationale FOR OR AGAINST having a representative		
Wokingham provides grant funding of the services of a significant value, therefore it is appropriate to have a seat on the board of the charity		
Please provide any additional information that fellow Members might find useful		
READIBUS provides a point to point service taking those with mobility issues to hospital and GP appointments, shopping trips and much more and is somewhat unique. It is highly cost effective and has been providing the service for decades. It's main customer of Reading Borough Council but a significant number of Wokingham residents benefit.		

Councillor: MH SMITH

Dated: 27 Feb 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Royal Berkshire Fire and Rescue Service	
Name of Member	Rachelle Shepherd-DuBey	
Capacity appointed, e.g. trustee, director, observer etc	Wbc Representative	
Number of meetings called to attend	50	
Number of Meetings attended	48	
Reasons for not attending, if appropriate	On holiday for two days	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
Automatic Fire alarm activation, response times to fires, dealing with fires in tall buildings, improving sustainability in the fire service,		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
I received regular briefing in my area from officers and attended Fire authority meetings and had discussions about electric cars fire risks after accidents. Also discussions and briefings of EDI especially in conversions of dormitories to individual rooms for privacy. Also the of replacement of petrol powered vehicles to electric vehicles rather than petrol and provision of solar panels on fire stations and electric charging points at stations.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
They are important for the safety of Wokingham from fires in buildings and help with road accidents and the provision of safe and well visits which helps with Adult Social care		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
With the extent of more home building continuing in the Borough we need to know about safety of buildings and residents		
Please provide any additional information that fellow Members might find useful		
RBFRS		

Councillor: Rachelle Shepherd-DuBey

Dated: 04/03/2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Sonning & District Welfare and Educational Trust	
Name of Member	Michael Firmager	
Capacity appointed, e.g. trustee, director, observer etc	Member	
Number of meetings called to attend	2	
Number of Meetings attended	1	
Reasons for not attending, if appropriate	Clash with a Wokingham Borough Council meeting	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The Trust provides welfare support for individuals in need or distress over the area of the old Parish of Sonning by means of grants.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
None.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
It is effective in what it does, especially during these hard economic times.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
This should continue because the Trust provides an effective and necessary function.		
Please provide any additional information that fellow Members might find useful		

Councillor: Michael Firmager

Dated: 11 February 2024

WOKINGHAM BOROUGH COUNCIL
APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM
MUNICIPAL YEAR: 2023-2024

Name of Organisation	South East Employers organisation	
Name of Member	Clive Jones	
Capacity appointed, e.g. trustee, director, observer etc	Observer	
Number of meetings called to attend	1	
Number of Meetings attended	1	
Reasons for not attending, if appropriate		
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
There are very regular and informative updates from the organisation that cover topical political events.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
None		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
It's a very good place for information.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
The amount of information coming out of the organisation makes it worthwhile.		
Please provide any additional information that fellow Members might find useful		

Councillor: Clive Jones

Dated: 5th March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Standing Conference on Archives	
Name of Member	Stephen Conway	
Capacity appointed, e.g. trustee, director, observer etc	WBC representative	
Number of meetings called to attend	four	
Number of Meetings attended	three	
Reasons for not attending, if appropriate	On holiday	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The Standing Conference on Archives oversees the activities of the Berkshire Record Office (Now Royal Berkshire Archives). It comprises representatives of all six Berkshire unitary councils, archives staff, and users.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
Agendas are published in advance, and I meet with the chief archivist before the meeting for a briefing (I am the chair).		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
The standing conference gives the six Berkshire unitary councils (which fund the record office) to oversee its activities.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
The conference provides an opportunity to make sure Wokingham's contribution is value for money.		
Please provide any additional information that fellow Members might find useful		
The standing conference was established when the old county council was abolished.		

Councillor: Stephen Conway

Dated: 4 March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Strategic Aviation Special Interest Group of the LGA (SASIG)	
Name of Member	Pauline Jorgensen	
Capacity appointed, e.g. trustee, director, observer etc	Member	
Number of meetings called to attend	2 online	
Number of Meetings attended	2	
Reasons for not attending, if appropriate		
<p>Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year. SASIG produces a large body of reference material and advises consultation responses related to aviation and future technology.</p>		
<p>What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? Yes, but large volumes of it was not directly relevant to our area being more concerned with matters relating to technological developments, slots etc.</p>		
<p>Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply? I think it's very effective as an expert body, but I am not sure it is worth retaining Membership.</p>		
Do you think the Council should continue to be represented on this Outside Body?		No
<p>Please state the rationale FOR OR AGAINST having a representative Whilst it is interesting it seems largely only directly relevant to councils nearer to airports.</p>		
Please provide any additional information that fellow Members might find useful		

Councillor: Pauline Jorgensen

Dated: 11/2/24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Thames Basin Heaths Joint Strategic Partnership	
Name of Member	Ian Pittock	
Capacity appointed, e.g. trustee, director, observer etc	Board Member	
Number of meetings called to attend	3	
Number of Meetings attended	3 incl 1 which was an investment working group	
Reasons for not attending, if appropriate	N/A	
<p>Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.</p> <p>Direct management of the Thames Basin Heath Special Protection Area, its maintenance and improvements. It takes the funds provided to 6 local authorities by housing developers and invests these to ensure financing for 80 years from receipt.</p>		
<p>What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?</p> <p>Briefing papers were provided, along with last year's board papers. The previous member, David Cornish, also provided a briefing. This was sufficient.</p>		
<p>Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?</p> <p>The organisation works very well, the area is well maintained and a range of improvements are in hand. A publicity campaign exists to encourage use of the area, along with the SANGS run by the local authorities. The indication is that the funds will last for the 80 years.</p>		
<p>Do you think the Council should continue to be represented on this Outside Body?</p>		Yes/No YES
<p>Please state the rationale FOR OR AGAINST having a representative</p> <p>WBC has £millions invested by the Board and resident's benefit from the well maintained area of nature.</p>		
<p>Please provide any additional information that fellow Members might find useful</p> <p>The TBHSPA exists to protect ground nesting birds that would be damaged by an increasing local population, it came from a European Commission Directive and is now enshrined in UK law.</p>		

Councillor: Ian Pittock

Dated: 28 February 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	The Piggott Trust	
Name of Member	Graham Howe	
Capacity appointed, e.g. trustee, director, observer etc	Trustee	
Number of meetings called to attend	2	
Number of Meetings attended	2	
Reasons for not attending, if appropriate	n/a	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The trust was formed nearly 100 years ago to make chargeable disbursements to local pupils and students to aid their educational advancement.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
As an ongoing Trustee, now appointed independently of the WBC I have had a full briefing on the Trust Deeds, assets and finances of the Piggott Trust		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
The Piggott Trust, along with WBC concerns itself with the affordability advancement of education for all local children. The Trust also owns the land the Wargrave schools occupy.		
Do you think the Council should continue to be represented on this Outside Body?	Yes/No - YES	
Please state the rationale FOR OR AGAINST having a representative		
It keeps WBC informed of local on the ground needs of local children as regards their affordability of educational needs.		
Please provide any additional information that fellow Members might find useful		

Councillor: Graham Howe

Dated: 5th March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Polehampton Charity	
Name of Member	Stephen Conway	
Capacity appointed, e.g. trustee, director, observer etc	WBC representative and trustee	
Number of meetings called to attend	six	
Number of Meetings attended	five	
Reasons for not attending, if appropriate	Clash with WBC meeting	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The Polehampton Charity makes charitable donations to residents of Twyford, Ruscombe, and Charvil to help with cases of financial hardship.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
Agendas are published in advance. Email exchanges between meetings allow for the approval of urgent matters.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
The Polehampton Charity works with the Hardship Alliance to help deliver aid to those in need. It has entered into a long-term lease arrangement with the council to enable it to open a new library in Twyford, in an historic building owned by the Polehampton Charity.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
The Polehampton Charity helps residents in the northern part of the borough and it makes sense to coordinate its activities with those of the Hardship Alliance.		
Please provide any additional information that fellow Members might find useful		
The Polehampton Charity has been dispensing support for the local community for more than three-hundred years.		

Councillor: Stephen Conway

Dated: 4 March 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	The Poores Land Charity	
Name of Member	Jane Ainslie	
Capacity appointed, e.g. trustee, director, observer etc	Trustee	
Number of meetings called to attend	Monthly	
Number of Meetings attended	6 (3 missed)	
Reasons for not attending, if appropriate	Missed due to work commitments and annual leave	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The Poores Land Charity manages almshouses in Woodley along with a flat for people facing financial hardship.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
A very detailed folder with annual accounts, a background to the charity, minutes of the last meeting and copies of the Almshouse Association Magazine that gives a broader context to the role of Almshouses.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
<ul style="list-style-type: none"> • Enriching lives – provides security for those facing financial hardship enabling them to have time to focus on work, family and interests • Safe, strong communities – many of the people supported by The Poores Land Charity otherwise face a vulnerable time in insecure accommodation or sofa surfing. The Almshouse provides a much safer, secure home. • Right homes, right places – a lifeline for those unable to afford their own home 		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
The Poores Land Charity supports local residents facing financial hardship. Having a representative of the council improves access as needed.		
Please provide any additional information that fellow Members might find useful		

Councillor: Jane Ainslie

Dated: 05.03.24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	White Waltham Airfield Consultative Committee	
Name of Member	Wayne Smith	
Capacity appointed, e.g. trustee, director, observer etc	Member	
Number of meetings called to attend	4	
Number of Meetings attended	3	
Reasons for not attending, if appropriate	Day Job- Work	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
General updates on Airport activities.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
Yes		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
More important to Royal Borough, but useful to understand any changes.		
Do you think the Council should continue to be represented on this Outside Body?	Yes/No	
Please state the rationale FOR OR AGAINST having a representative		
Future developments.		
Please provide any additional information that fellow Members might find useful		

Councillor: Wayne Smith

Dated: 10/03/24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Wokingham Borough Sports Council (WBSC) Wokingham Borough Sports Sponsorship Fund (WBSSF)
Name of Member	Ian Shenton
Capacity appointed, e.g. trustee, director, observer etc	Committee Member
Number of meetings called to attend	None
Number of Meetings attended	None
Reasons for not attending, if appropriate	N/A
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year. N/A.	
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? N/A	
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply? The organisation's effectiveness has been under review, with consideration being given to refocus support on the Junior Hardship Fund (providing help with memberships fees, equipment etc) and the Inclusivity and Diversity Project Fund (to assist the setup of teams). That will open up wider opportunities.	
Do you think the Council should continue to be represented on this Outside Body?	Yes, if it continues as an outside body.
Please state the rationale FOR OR AGAINST having a representative Should it continue as an outside body, the objective would be to break down barriers that exist preventing a wider cross-section of residents from taking part in physical activity and sport, and so the council should be represented.	
Please provide any additional information that fellow Members might find useful	

Councillor: I C Shenton

Dated: 16/02/2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Wokingham Job Support Centre Management Committee	
Name of Member	Andrew Gray	
Capacity appointed, e.g. trustee, director, observer etc	Trustee	
Number of meetings called to attend	2	
Number of Meetings attended	1	
Reasons for not attending, if appropriate	One meeting fell during the working day and I had work commitments.	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
<p>Wokingham Job Support Centre support adults in applying for jobs and writing and targeting CVs. They work with a number of residents giving targeted support to help secure jobs, particularly for residents who may face particular barriers to entering the job market.</p>		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?		
<p>I went to one initial meeting to discuss the aims and objectives of the organisation and see some of the work they do. They discussed future plans and the challenges faced with the organisation and how they have used funding in their organisation.</p>		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
<p>The organisation does contribute towards the council's vision in making a positive contribution to residents in the borough seeking support with finding and applying for jobs. Their work is well targeted and supports the borough's wider economy.</p>		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
<p>The organisation received some financial support from WBC so it is useful to have the link with WBC.</p>		
Please provide any additional information that fellow Members might find useful		

Councillor: Andrew Gray

Dated: 18/02/24

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Wokingham Volunteer Centre
Name of Member	Rachel Burgess
Capacity appointed, e.g. trustee, director, observer etc	Representative/observer
Number of meetings called to attend	0
Number of Meetings attended	0
Reasons for not attending, if appropriate	NB this role does not sit on the broad of trustees so there was no <i>requirement</i> to attend any meetings
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.	
<p>The key areas covered by Wokingham Volunteer Service are:</p> <ul style="list-style-type: none"> - Volunteer brokerage service; - Green n Tidy gardening service for older and vulnerable residents; - Community transport scheme, helping older residents to get to medical appointments or other activities. 	
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?	
<p>Key developments:</p> <ul style="list-style-type: none"> - 2024 represents the organisation's 50th anniversary year and an event is being planned in August 2024 to celebrate volunteers over the years; - Due to a very high waiting list for the Green n Tidy gardening service the decision has been taken to expand the service in order to reach more people in need. This has involved a new van and an expanded team of volunteers; - A well-run and well-attended Volunteer Fair was held in February 2024 which I attended; - An Annual Public Meeting was held in October 2024 celebrating past achievements as well as looking ahead; - Updates were provided to me by the Chief Officer regarding the board of trustees, policies and funding. 	

Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?

The organisation has contributed to the Council's vision and priorities, in particular with regard to:

- Enriching lives
- Safe, strong communities
- A clean and green borough

This has been achieved through its three main activities:

Volunteering

The charity works effectively to promote and recruit volunteers for local charities, through its volunteering portal, a matching service and by holding regular recruitment fairs.

Green 'n' Tidy

Green 'n' Tidy provides a basic gardening service for elderly, disabled or vulnerable residents of Wokingham Borough who cannot maintain their own properties.

Having joined in with sessions previously, I am extremely impressed by this operation – the well-motivated teams of volunteers are valued by residents not just for their gardening skills but also for their friendly interactions with residents, some of whom may experience loneliness and social isolation. This is an excellent team that provides a valuable service for residents, and I am very pleased to see it has recently expanded.

Community Transport

The Community Transport schemes provides a personal service to support to older and vulnerable residents, helping them get to medical appointments or other activities. This also contributes to improvements in mental and physical health through reducing loneliness and isolation, in particular now the service has been extended to cover social activities.

Do you think the Council should continue to be represented on this Outside Body?

Yes/No

Please state the rationale FOR OR AGAINST having a representative

The charity provides some valuable services in our community, and it is important for the Council to have this link into the charity and its activities, to ensure partnership working continues to be effective.

Please provide any additional information that fellow Members might find useful

Councillor: Rachel Burgess

Dated: 19 February 2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Wokingham Waterside Centre
Name of Member	Andy Croy
Capacity appointed, e.g. trustee, director, observer etc	Director
Number of meetings called to attend	4
Number of Meetings attended	3
Reasons for not attending, if appropriate	Personal reasons
<p>Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.</p> <p>Fee structure Possible loss of land to green spaces Replenishing assets Other organisations use of facilities Charitable work Events</p>	
<p>What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role?</p> <p>A tour and document pack.</p>	
<p>Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?</p> <p>No evidence of awareness of WBC visions and priorities BUT the service and opportunities it provides (on the Thames) are unique in the Borough.</p>	
Do you think the Council should continue to be represented on this Outside Body?	Yes
<p>Please state the rationale FOR having a representative</p> <p>The Waterside Centre is a significant recreational asset owned by the Borough.</p>	
<p>Please provide any additional information that fellow Members might find useful</p>	

Councillor: Andy Croy

Dated: 11.03.2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	ARC Youth counselling	
Name of Member	Rachelle Shepherd-DuBey	
Capacity appointed, e.g. trustee, director, observer etc	Member of the Executive	
Number of meetings called to attend	6	
Number of Meetings attended	4	
Reasons for not attending, if appropriate	Conflicting council meetings	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year. Counselling in schools, working with young people, inability of CAMS to meet demand.		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? Yes, i was previously a BACP trained counsellor		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply? Very effective helping young people to deal with serious mental health issues since CAMHS is unable to keep up with the demand. It helps young people deal with issues so they can prosper.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
Please provide any additional information that fellow Members might find useful		

Councillor: Rachelle Shepherd-DuBey

Dated: 06/03/2024

WOKINGHAM BOROUGH COUNCIL

APPOINTMENT TO OUTSIDE BODIES ANNUAL FEEDBACK FORM

MUNICIPAL YEAR: 2023-2024

Name of Organisation	Woodley Town Centre Management Initiative	
Name of Member	Andy Croy & Tony Skuse	
Capacity appointed, e.g. trustee, director, observer etc	Member	
Number of meetings called to attend	4 and 4	
Number of Meetings attended	3 and 2	
Reasons for not attending, if appropriate	Family reasons	
Please give a brief synopsis of the key areas covered by the Outside Body during the past Municipal Year.		
The support of activities and events in Woodley Town. Consideration of a Business Improvement District Consideration of ASB in the precinct, steps to be taken and steps to procure a suitable CCTV		
What background /briefing information did you receive from the organisation on its constitution, aims, objectives etc and was it sufficient to enable you to carry out your appointed role? None.		
Please indicate how effective you think the organisation is, e.g. has it met or contributed to the Council's Vision and Priorities and give examples to illustrate your reply?		
I can see no evidence of any awareness of the WBC visions and priorities BUT the WTCMI is clearly a champion and partner is achieving the best possible future for Woodley Town and has value in that respect.		
Do you think the Council should continue to be represented on this Outside Body?	Yes	
Please state the rationale FOR OR AGAINST having a representative		
The Borough provides some funding. Many of the issues raised at WTCI may have – or are perceived to have – a Borough dimension. It is vital someone is there who can bring to balance to the discussions which can take on an anti WBC flavour.		
Please provide any additional information that fellow Members might find useful		
The WTCMI has an open structure, meaning anyone can turn up and talk, which can be very useful. Much of the meeting is taken up with Executive detail, such as going through a financial update, rather than items that are of interest to the public.		

Woodley Town Council is heavily represented so it often feels like an “arms-length” version of WTC, it allows WTC to say “Ahh..that is WTCMI” , while WTCMI itself is so starved of funds it cannot take any but the most basic actions without extra funding from other bodies.

The representations made by Woodley Town Councillors make also reflect the politics of Woodley. In particular the tacit support (agenda time) given the Conservative petition on car parking changes was clearly an inappropriate use of the time of the meeting.

Members on this group have to be prepared to challenge what may be the accepted narrative in the room.

Councillor: Andy Croy

Dated: 11.03.2024

This page is intentionally left blank