

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON 25 JANUARY 2024 FROM 7.00 PM TO 8.10 PM**

Committee Members Present

Councillors: Stephen Conway (Chair), Prue Bray (Vice-Chair), Rachel Bishop-Firth, David Cornish, Lindsay Ferris, Paul Fishwick, David Hare, Ian Shenton and Imogen Shepherd-DuBey

80. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Executive held on 30 November 2023 were confirmed as a correct record and signed by the Chair, subject to the addition of Andrew Hinchcliff's name in full on page 16 of the agenda papers.

81. DECLARATION OF INTERESTS

The following declarations of personal interest were made by Executive Members in relation to agenda item 88: Shareholders Mid-Year Report 2023-24. These Members did not participate or vote on this item.

- Councillor Prue Bray as a Chair and a Non-Executive Director of Berry Brook Homes, a Non-Executive Director at WBC Holdings Ltd and Chair of Wokingham Homes Limited.
- Councillor Stephen Conway as Chair and a Non-Executive Director of Loddon Homes and Chair of WBC Holdings Ltd
- Councillor David Hare as Chair and a Non-Executive Director of Optalis Ltd.
- Councillor David Cornish as a Non-Executive Director of WBC Holdings Ltd.

82. STATEMENT FROM THE LEADER

The council has been lobbying government for a fairer funding formula, which recognises the true costs of providing Adult and Children's Social Care. The borough's residents share our view that the council needs a fairer deal from government; over a thousand of them wrote to the Secretary of State to point out how the current funding formula disadvantages Wokingham.

The local government minister wrote to me before Christmas acknowledging our arguments and those of the thousand plus residents who wrote in support of our case.

I want to take this opportunity to thank again those residents who took the time and trouble to write.

It looks as though their and our efforts have been rewarded. Yesterday, we learned that the government is going to make additional payments to councils that face the challenge of meeting the rising costs of providing Adult and Children's Social Care.

We do not anticipate that we will receive significant additional support, and it will certainly not remove the need to make savings to meet inflation and growth pressures amounting to some £17.3 million. But it will help.

We believe that our residents' letters played a part in securing this outcome. I'm very grateful for the support they have given their council.

83. PUBLIC QUESTION TIME

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

84. COLIN WATTS HAS ASKED THE EXECUTIVE MEMBER FOR PLANNING AND THE LOCAL PLAN THE FOLLOWING QUESTION:

In Michael Gove's speech to the RIBA conference on 19 December 2023 he presented the updated National Planning Policy Framework (NPPF). Whilst the updated NPPF confirms that the standard method of calculating housing need remains in place, he went to great lengths to make clear that "Local authorities have the comfort of knowing that they need not re-draw the green belt or sacrifice protected landscapes to meet housing numbers".

Therefore, will you confirm that you will take advantage of the updated NPPF and produce an updated Local Plan Update with a significantly lower number of houses compared to the November 2021 version, reflecting that the standard method of calculating housing need has to be adjusted in order to provide greater protection for the green fields in Wokingham Borough.

Answer

As you refer, the government published an updated National Planning Policy Framework in December. Reviewing the NPPF itself, and not a speech, little has changed.

As before, the government will tell councils how many houses should be built though an unchanged algorithm. As before, departure from this algorithm is permitted only in exceptional circumstances, and those circumstances are so rare that the algorithm will apply in almost all cases.

As before, local plans are expected to meet the housing need defined by the algorithm unless the NPPF itself provides a strong reason not to or the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF, which includes the objective of significantly boosting the supply of homes.

The perfectly reasonable proposal from the government to allow homes built in excess of a council's requirement to be deducted from future needs has been removed. This means we cannot take account of the near additional 2,000 homes that have been delivered above our requirement since 2006.

We will continue to make representations to ministers about the unsatisfactory state of national policy, but at the same time we will have to move forward to the final stage of the local plan process to ensure our policies remain effective.

Let me be clear, contrary to the message conveyed by the government, the new NPPF requires housebuilding at a scale which meets their unchanged algorithm.

Meeting our development needs will be challenging, however through the local plan we intend to take the opportunity to deliver the highest quality development for our residents. Of the homes we plan for our aim remains to deliver a greater number of affordable homes than in the past, subject to viability.

We are also working on new policies which will secure more energy efficient homes, improve the safeguarding of our valued landscapes, and identify important local green spaces to be protected from inappropriate development.

It is important therefore, that we progress our local plan to include both the right strategy and the right policies for the future.

Supplementary question:

I share your disappointment that the revised NPPF wasn't clearer, but my supplementary is that in the January edition of Wokingham Today, Pauline Jorgensen, the leader of the Wokingham Conservatives on the council, said that if her party regained control with the Council in May, it would deliver a Local Plan that, amongst other things, would protect our green spaces.

John Redwood recently stated that, and I quote, 'I've worked with a group of MP's to secure the promise from the government that they will not impose mandatory top down targets for numbers of homes to be built. More power will rest with local councils.'

To design a suitable local plan, therefore, is now. Now the time to take the Local Plan Update (LPU) out of local politics and work with Pauline and other conservatives to produce a cross party, agreed LPU with a significantly lower number of houses compared to the November 2021 version.

John Redwood MP and must have not listened to his colleagues at the end when he was spoken to because there is absolutely nothing in the NPPF as you've just indicated, to show that there or will be lower numbers and the only thing that is included is about exceptional circumstances.

Supplementary Answer:

The very first words do say about some changes, but after that there's nothing. So, I think that either he wasn't looking or concentrating enough on the information from his colleagues. So, I'm afraid that I dismissed the John Redwood comments on the issue from Pauline Jorgenson.

We have a cross party working group as was done in the 2021 local plan update, which obviously the Conservative Members are invited to and we have held a number of those meetings.

Their attendance has been relatively low, but they've always had at least one person present at them and we have been discussing a whole number of issues, including energy, local green spaces, which was the last meeting we had and the previous one was about landscape views.

There are a few benefits in the NPPF which help in the neighbourhood Plan area. Particularly for those parishes who can include some housing numbers in their network in their neighbourhood plan so that they can be protected for five years instead of two.

Also, the 5% buffer, which is a figure that's also added to the housing number, has been removed.

But the biggest disappointment, as I mentioned, was the removal of this issue, which was in the draft proposals for the NPPF to allow for over provision in one local plan into the next local plan and in the case of Wokingham borough, our number of houses that we have built in excess of what we have needed to is just under 2000 homes and because the government has not allowed for that in the current version of the NPPF, we cannot take those 2000 houses out of the equation.

85. ANDY BAILEY HAS ASKED THE EXECUTIVE MEMBER FOR PLANNING AND THE LOCAL PLAN THE FOLLOWING QUESTION:

Could the current land classification of Hall Farm site be clarified please. Is it Countryside and is it designated an area of Landscape Value and what protections does this afford?

Answer

The land which forms part of the Loddon Valley or Hall Farm opportunity is situated within the countryside under the adopted Core Strategy local plan which looked to guide development in the period to 2026. In this plan, new housing was directed to new strategic development areas at north and south Wokingham, Shinfield and Arborfield Garrison.

As you may be aware, the land around Hall Farm has been promoted by the landowners for the creation of a new garden village. The next local plan will put in place a strategy for managing development to 2040. The creation of a new garden village at Hall Farm was part of the preferred strategy consulted on in 2021.

I must be clear that the next local plan will need to enable new land to come forward to meet development needs in line with government policy. Alongside this we are also working on new policies which will secure more affordable housing, improve energy efficient of homes, and identify valued landscapes and local green spaces.

Supplementary Question:

Only if you could perhaps explain the criteria that is used to designate the area of landscape value. How does an area become classified as being as landscape?

Supplementary Answer:

It's quite to technical and so I will give you a written response.

86. MEMBER QUESTION TIME

In accordance with the agreed procedure the Chairman invited Members to submit questions to the appropriate Members.

87. COUNCILLOR GARY COWAN HAS ASKED THE EXECUTIVE MEMBER FOR PLANNING AND THE LOCAL PLAN THE FOLLOWING QUESTION:

It was clear from Cllr Ferris's answer to a resident's question at the last Executive meeting that Cllr Ferris has no clear understanding of the Core Strategy which is his key responsibility.

His reply to the resident's supplementary question was factually incorrect and so totally misleading.

His implication that that I was part of the Conservative Administration that put this current plan in place is a complete lie as an Independent Councillor I was not involved in

any administration in the evolution of the current LPU which is the responsibility now of the Lib Dem Administration.

Only they can honour their promise to the public of fighting housing numbers by declaring now they will not support any plans for housing beyond the 15 year plan period as laid down by the Government.

Does he owe myself and the residents a public apology?

Answer

I would like to acknowledge that Cllr Gary Cowan left the Conservative Group to become an Independent Councillor during November 2016, however I have a copy of the Adopted Core Strategy for Wokingham Borough, dated January 2010, signed by Cllr Gary Cowan. This of course is the current Local Plan.

At that time, Cllr Cowan was happy to put houses in North Wokingham, South Wokingham, Barkham, Arborfield Green, Finchampstead, Wokingham Without, Shinfield, Winnersh and other parts North, East, South and West of the Borough. So many dwellings in fact, that between 2011 and 2021, the population of Wokingham Borough grew by over 15%, the third highest in the Country. So, if anyone owes the residents of this Borough an apology it is Cllr Cowan.

Supplementary Question:

My question is, will the new plan have an appendix like the current Appendix 6 which gives the scheduled programme for building the actual housing numbers dictated by government over the planned period?

Supplementary Answer:

We will only be providing the homes that we are obliged to provide.

If we can get the government to change their minds about the overprovision issue that we spoke about, or the lack of it within the NPPF, we would be able to remove 2000 homes from a local plan update.

So, the number that's referred would be less. I am not adding anything to the numbers that are imposed.

If the government goes ahead, then the number we have to provide is higher that if the NPPF had included.

You are quite correct just now as I mentioned that not all properties can be built within the period, and in particular the South Wokingham one in fact hadn't started, hasn't even started.

So, when you start a local plan as we are now in 2024 and one that goes through to 2040, we do not know how the economy will run, how the development will take place and what will happen as to the number of houses.

88. UNREASONABLY PERSISTENT COMPLAINANTS POLICY

The Executive Member for Children's Services reported that this was an update to an existing policy.

The drafting of the updated policy had been subject to the 3C's process. The 3C's stood for Care, which entailed showing empathy to people, Clarity making things easier to understand and Confidence, which entailed being accurate and transparent so that people were able to have trust in the council.

It was noted that the Council would no longer keep a list of vexatious complainants and that further safeguards had been introduced to the process. This involved senior managers being involved in decisions around vexatious complainants, rather than the service area in isolation taking decisions.

It was noted that the policy was rarely used and was very much a last resort for dealing with people who wanted to pursue complaints in a way which was unreasonable.

RESOLVED: That the Executive approved the updated Unreasonably Persistent Complainants' Policy, as attached at Appendix 2 of the agenda papers.

89. REVENUE MONITORING 2022/23 Q3

The Executive Member for Finance reported that inflation had continued to be a problem with spending pressures outstripping predictions, along with increased demand for services. That extra demand had been in excess of £11 million this year, but with actions that had been taken throughout the year, the overspend was currently approximately £3.6 million.

The problems facing the Council, were certainly not unique to Wokingham Borough Council, a number of local authorities had not been able to produce a balanced budget and as result had been issued with a Section 114 notice.

It was fair to say that most councils were showing an unprecedented level of financial distress, particularly if they held responsibility for adult and children's services.

The main area with the largest overspend was children's services and this was mainly due to home to school transport, placements for children with complex needs and support for care leavers. There were also considerable spending pressures for adult services, this was largely due to the increases in market rates for care and the increase in demand for services.

There was an £8.56 million overspend for the Place and Growth directorate. The housing revenue account, which was ring fenced for social housing, had a small overspend of £12,000, largely due to the increase in maintenance costs. The Chief Executive's office, which included HR, customer service, communications, had been able to reduce their expected costs by 106,000 by reducing contractors and holding vacancies open.

Significant work had been undertaken to make savings, but the demand and costs continued to increase and were increasing more rapidly than savings could be made.

The Safety Valve agreement in place was predicated on improving services, it included 16 work streams aimed at assisting children at the point at which an additional need was first identified and trying to provide them with help immediately. This not only provided a better outcome for the child, it also created efficiency as a preventative measure and an early intervention.

The Chair emphasised that the approach the Council had adopted was around preventative work, early intervention and critically, investing to save. This required bold decisions to be made, and he commended the Executive Member and all of the executive members for the work they were doing to control budgets. The Chair thanked the Chief Finance officer and all of the Council staff for the work they had put in to control spending, and to reduce deficits.

RESOLVED: that the Executive noted the overall forecast of the current position of the General Fund revenue budget, Housing Revenue Account (HRA) and Dedicated Schools Grant (DSG) illustrated in the Executive Summary and appendices attached to the report in the agenda papers.

90. CAPITAL MONITORING, QUARTER 3

The Executive Member for Finance reported that this report informed the Executive of the progress in delivering its capital programme for the financial year 2023/24. There had been an additional £8.9 million added to the Gorse Ride redevelopment to cover the increasing cost of the remaining lifetime of this project. Section 106 commuted sums from property developments locally would be used to cover the cost of building new social and affordable housing.

An additional £2.9 million for 2023/24 for secondary school expansion was required and this would be funded from Department of Education grants. This needed to be accelerated to ensure there were sufficient places for children in the forthcoming school year.

£250,000 was required for disability property adaptations, which would be funded by the housing revenue account. It was noted that £27.8 million had been saved across the capital programme this year by reassessing spending needs. This included realigning the deployment of electric charging points to match the available grant, releasing budgets that were held to mitigate project risks, and other scheme efficiencies.

The Chair and Executive Member for Finance together thanked officers for their work, the achievement of in excess of £27 million savings was a collective corporate achievement.

RESOLVED that the Executive:

- 1) noted the position of the capital programme at the end of Quarter 3 (to 31 December 2023) as summarised in the report below and set out in detail in Appendix A to the report;
- 2) approved and noted the proposed carry forwards in the capital programme as set out in Appendix B of the report;

- 3) noted that an additional budget of £8,987,586 had been agreed for Gorse Ride Redevelopment to cover additional inflationary costs (materials + labour) estimated over the project life (above original £106m budget). The Executive decision in February 2022 gave delegated authority to the Director of Resources and Assets, in consultation with the Executive Member for Housing and Finance, to approve the use of additional Affordable Housing s106 commuted sums as a contingency against cost and funding variations such as any future design changes and/or fluctuations in costs and values of up to 15% of the cost of the scheme in the event of any other financial impacts.
- 4) approved additional capital budget of £2,920,000 for 2023/24 in relation to the secondary school expansion programme. This is an acceleration of budget previously set out in the Medium Term Financial Plan (MTFP) for use in 2024/25 and funded from DfE capital grants which have been received and available to use.
- 5) approved a supplementary budget of £250,000 for Disabled Adaptations. This is funded in full, from the Housing Revenue Account non-RTB reserve.
- 6) approved a supplementary budget of £93,862 for the Mandatory Disabled Facilities Grant (DFG) project. This is funded in full, from additional ringfenced grant awarded to the Council in the current financial year.

91. CHIEF FINANCE OFFICER'S REPORT

The Executive Member for Finance reported that this was a statutory report from the Chief Financial Officer. The local government finance settlement showed that 65% of the Council's budget was spent on adult social care and children's services, leaving only 45% for everything else, including highways, waste management, parks, libraries and so forth.

In terms of government funding, Wokingham was the lowest funded in Berkshire and the lowest funded across the country per head of population.

The grant calculation was based on low levels of deprivation, which was a poor indicator as it did not reflect actual need.

The Council had been lobbying central government for better funding and the public had been invited to do the same. An example of this had been a recent letter sent to the Ministry of Housing, Communities and Local Government. It particularly highlighted the pressures of inflation, the National Living Wage and the cost of living pressures as well as accommodating refugees.

It would be an extremely challenging time looking ahead, to keep spending within budget, given the national and local context. Any unfunded financial burdens flowing into the year 2025/26 would need to be carefully managed and mitigated.

It was noted that Wokingham was not alone, and all councils were feeling the pressure, particularly if they had responsibility for adult social care and children.

The Executive Member for Children's Services reported that the school's block as set out in the report, showed that schools would see an increase of 5.8%, this was not a blanket figure, every school would not get the same. It was noted that the majority of funding for schools was calculated on a per pupil basis. Some schools would have more pupils this

year than last year and some will have less than last year. Therefore not all schools would get the same increase, but as a guide, 5.8% was roughly correct.

She stated that she was aware of a claim that was being made online by the leader of the opposition that said that mainstream schools were getting an increase and she stated that she was going to be very careful and quote this absolutely accurately:

‘The mainstream schools get an increase of over 10% this year on last.’ That claim is not borne out by the figures and is simply incorrect.

In terms of the Early years funding block, there would be an increase in excess of 58.3%, which on the face of it looked very promising. However, the increases were to cover the changes to entitlement to childcare support. From April 2024, eligible working parents of two year olds would be able to access 15 hours of childcare support. The Executive Member summarised that whilst the Dedicated Schools Grant was being increased, much of the increase was to pay for changes in early years.

Schools would see an increase, but not the percentage rise the Conservatives had claimed, and the special educational needs budget would still be running a deficit next year.

The Executive Member for Children’s Services stated that for all the things that the Council was expected to do and maintain in terms of Children’s Services, as could be seen from page 89 of the report, Wokingham was the third worst funded education system in England. The Schools Forum which met on 10 January provided much more detail on this and could be viewed online.

The Executive noted that the Council retained a very small portion of the money allocated to the schools via the Dedicated Schools Grant, the schools received most of it. The Council received less than 1%.

RESOLVED that the Executive:

- 1) noted the Chief Finance Officer (CFO) report (**Appendix A**) and the issues contained within, including the local government finance settlement and the sections on key risks, and that they consider these when setting the council tax for 2024/25 and agreeing the Council’s medium term financial plan (MTFP);
- 2) supported the Council’s response to the local government finance settlement as set out in **Appendix 6 of the Chief Finance Officer report**.

92. SHAREHOLDERS MID-YEAR REPORT 2023-24

The following declarations of personal interest were made by Executive Members in relation to this agenda item. These Members did not participate or vote on this item.

- Councillor Prue Bray as a Chair and a Non-Executive Director of Berry Brook Homes, a Non-Executive Director at WBC Holdings Ltd and Chair of Wokingham Homes Limited.

- Councillor Stephen Conway as Chair and a Non-Executive Director of Loddon Homes and Chair of WBC Holdings Ltd
- Councillor David Hare as Chair and a Non-Executive Director of Optalis Ltd.
- Councillor David Cornish as a Non-Executive Director of WBC Holdings Ltd.

Councillor Imogen Shepherd-DuBey chaired this item.

The Executive Member for Finance reported that this report was an important element of transparency requirements, it showed the financial performance of Council owned companies.

The governance arrangements for these Council owned companies was currently being reviewed, with a view to providing a more financially sustainable and efficient approach with improved governance.

RESOLVED that the Executive noted:

- 1) The Housing companies' budget and operational position and forecast as at the end of quarter 2 (September) 2023/24 financial year,
- 2) The Optalis budget and operational position and forecast as at the end of quarter 2 (September) 2023/24 financial year

93. AIR QUALITY MANAGEMENT AREAS

The Executive Member for Environment, Sport and Leisure reported that air quality management areas (AQMA) were designated areas determined by the presence of nitrogen dioxide in excess of a government determined limit of 40 micrograms per cubic metres.

After a time period prescribed by Defra, if a designated area did not exceed the determined limit of nitrogen dioxide, the designation must be revoked. Wokingham borough had three air quality management areas. These were Wokingham town centre, Twyford crossroads and the third was alongside the M4, particularly around where it crossed the A329 in Winnersh.

Wokingham's last annual status report was submitted to Defra in June 2023, which covered 2022. Their commentary set out that two of these areas should no longer remain with the designation of air quality management areas.

The only air quality management area to remain was therefore Wokingham town centre. The Executive Member reported that whilst the Council could take the view that they would continue with monitoring in those areas, DEFRA had the power to override this and revoke AQMA's. It was noted that Wokingham's air quality monitoring was in tandem with the Public Protection partnership and therefore West Berkshire and Bracknell were included within this. Both of those authorities were also revoking AQMA's following DEFRA reports.

Executive Members raised that the figures referred to by DEFRA were from 2022, there had been significant changes in traffic flows since then particularly at the Twyford Cross

roads. It could be said to have returned to pre-pandemic levels. The volume of electric cars had also increased significantly.

In response to queries from Executive Members it was reported that periodic monitoring would continue at the Twyford Crossroads as well as alongside the M4. If any areas exceeded DEFRA levels in the future, the Council would push for the redesignation of these areas.

Executive Members queried the frequency of monitoring for the areas where the AQMA was to be revoked. The Executive Member for Environment, Sport and Leisure advised that he did not have this information but stated that this could be determined by the Council.

RESOLVED that the Executive:

- 1) approved commencement of the revocation process in respect of the Air Quality Management Area Order (AQMA) in Twyford Town Centre.
- 2) approved commencement of the revocation process in respect of the Air Quality Management Area Order along the M4 motorway.
- 3) delegated responsibility to the Director of Place and Growth in consultation with the Executive Portfolio Holder to progress the revocation process to conclusion of revocation of the Orders (in conjunction with legal services).
- 4) noted that relevant stakeholders including the Act's statutory consultees will be informed of the revocations.
- 5) noted that the revocations, will impact on the review and update of the Air Quality Action Plan for Wokingham Borough Council (which will be subject to separate development and consultation in accordance with the Act)
- 6) noted that Wokingham Borough Council will retain a statutory responsibility to have an up-to-date Air Quality Action Plan, as an AQMA will be retained for Wokingham Town Centre, but that under the LAQM framework an Air Quality Strategy is not a statutory requirement, where a Council has a statutory responsibility to have an Air Quality Action Plan.

94. ANNUAL HEALTH & SAFETY REPORT 2022-23

The Executive Member for Equalities, Inclusion & Fighting Poverty reported that the corporate health and safety team had moved into HR. This report therefore now fell within her portfolio. She was pleased to see that the report outlined a number of ways that the borough, health and safety experts were working with the HR business partners to protect the health and wellbeing of Council staff.

The Council's approach focused on the identification and management of risk at the earliest possible opportunity to prevent incidents.

The Council encouraged all staff to flag any concerns or near misses that they had and any incidents which occur, no matter how small. There was huge power in investigating near misses so that root causes could be understood and fixed to prevent future incidents.

The results of this approach were impressive, from a recent peak of 703 reported incidents in 2019/20, to 296 in 2022/23. It was noted that another contributor to this was an increase in the numbers of staff who worked from home, where this arrangement is appropriate.

The HR team are currently working on a modern workforce strategy which would provide a robust structure for Wokingham. Working arrangements were based on resident needs and providing staff with flexibility where this was appropriate.

There was also considerable effort dedicated to protecting employees from musculoskeletal problems and from stress.

There were two serious incidents, requiring Investigations and the lessons for these investigations have been identified, and were being implemented.

There were two major initiatives planned for this year, which would have a positive effect on the health and safety of residents. The first was the Housing Compliance health check and the second was the Health and Safety assurance programme.

It was regrettable that there had been an increase in verbal abuse against council employees over the last three years. A large volume of staff worked in areas where there were some very difficult and very emotive issues at play. Areas such as school admissions, fines and housing provision were examples of this.

It was important to ensure that staff made it a priority to protect themselves in frontline roles. There had been a lot of effort in in the last few years to encourage staff to report incidents, particularly the most serious incidents, to be able to understand why these incidents happen and to put steps in place to protect staff.

RESOLVED that the Executive noted the internal health and safety performance for 2022/23; and the priorities in the report which have informed the action plan for 23/24 and will shape the action plan for the next municipal year.