



# **WOKINGHAM BOROUGH COUNCIL**

The Annual Meeting of the **COUNCIL** will be held at the Civic Offices, Shute End, Wokingham, RG40 1BN on **THURSDAY 21 MAY 2015 AT 7.30 PM**

A handwritten signature in black ink, appearing to read 'Andy Couldrick'.

Andy Couldrick  
Chief Executive  
Published on 13 May 2015

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**

***A great place to live, an even better place to do business***

### ***Our Priorities***

**Improve educational attainment and focus on every child achieving their potential**

**Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth**

**Ensure strong sustainable communities that are vibrant and supported by well designed development**

**Tackle traffic congestion in specific areas of the Borough**

**Improve the customer experience when accessing Council services**

### ***The Underpinning Principles***

**Offer excellent value for your Council Tax**

**Provide affordable homes**

**Look after the vulnerable**

**Improve health, wellbeing and quality of life**

**Maintain and improve the waste collection, recycling and fuel efficiency**

**Deliver quality in all that we do**

To: The Members of Wokingham Borough Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
1.	None Specific	<p><b>ELECTION OF MAYOR FOR 2015/16</b> To elect a Mayor for the 2015/2016 municipal year.</p> <p>The outgoing Mayor will address the Council for up to 5 minutes to include any presentations that the Mayor may wish to make.</p> <p>The outgoing Mayor will then call for nominations for the Office of Mayor for 2015/2016.</p> <p>The outgoing Mayor will ask the Council to vote on the nomination(s).</p> <p>At this point in the proceedings the outgoing Mayor and the incoming Mayor will adjourn to the Mayor's Parlour to place the Cloak and Chain of Office on the incoming Mayor.</p> <p>The incoming Mayor to take the chair and make the Declaration of Acceptance of Office as required by Section 83(3) of the Local Government Act 1972.</p> <p>The Mayor to address the Council for up to 5 minutes.</p> <p>The Mayor to present the Past Mayor's Badge to the outgoing Mayor.</p>	
2.	None Specific	<p><b>APPOINTMENT OF DEPUTY MAYOR FOR 2015/2016</b> To appoint a Deputy Mayor for the 2015/2016 municipal year.</p> <p>The Mayor will call for nominations for the Office of Deputy Mayor for 2015/2016.</p> <p>The Mayor will ask the Council to vote on the nomination(s).</p> <p>The Deputy Mayor to make the Declaration of Acceptance of Office as required by Section 83(3) of the Local Government Act, 1972.</p> <p>The Mayor to present the Deputy Mayor's badge of Office to the Deputy Mayor and the Deputy Mayor to address the Council for up to 3 minutes.</p>	

3. **MINUTES**  
To confirm the Minutes of the Meeting of the Council held on 19 February 2015.

4. **APOLOGIES**  
To receive any apologies for absence

5. **DECLARATIONS OF INTEREST**  
To receive any declarations of interest

6. **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](http://www.wokingham.gov.uk/publicquestions)

6.1 Hawkedon;  
Maiden Erlegh Narendra Bahulekar has asked the Executive Member for Children's Services the following question:

This year has seen a substantial increase in the demand for entry level infant school places in Earley, particularly in the middle of Maiden Erlegh. We represent parents who live in the small triangle between Aldryngton, Loddon and Hawkedon Schools, all of which are within a few minutes' walk and whose children were unable to secure a school place at our catchment or preferred schools. You identified the requirement for an increase and have extended Hawkedon School to meet part of that perceived need. Due to high levels of demand for good education for our children, and the effect this is having on local demographics, more places are required than first anticipated. Numbers are unclear but we understand that virtually another form of entry may be required. What action can you take to alleviate our concerns, as parents, and what assurances can we have that suitable places will be found for us within reasonable walking distance of our homes?

6.2 None Specific

Clive Jones has asked the Executive Member for Planning and Highways the following question:

In June 2014 the Liberal Democrat Roads Minister Susan Kramer gave Wokingham Borough Council an extra £728,000 to fix potholes in the Borough. Enough for over 10,000 potholes.

Can you tell me how much of this money has been spent in each ward fixing potholes and how much remains to be spent.

7.

#### **PETITIONS**

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

8. None Specific

#### **REPORT OF THE RETURNING OFFICER - PARLIAMENTARY, BOROUGH AND PARISH ELECTIONS 7 MAY 2015**

29 - 34

The Council's Head of Governance and Improvement Services, as Returning Officer, to report on the Elections held on 7 May 2015.

#### **RECOMMENDATION:**

To note the Returning Officer's report.

9. None Specific

#### **MAYOR'S OR HEAD OF PAID SERVICE'S ANNOUNCEMENTS**

To receive any urgent announcements by the Mayor or Head of Paid Service.

10. None Specific

#### **STATEMENTS FROM THE LEADER OF COUNCIL/EXECUTIVE MEMBERS**

To receive notification from the Leader of his Deputy and the remainder of the Members appointed to the Executive; the scope of their respective portfolios; the terms of delegation to them; and Officers if applicable.  
*(To be tabled)*

The Leader of Council / Executive Members will be allowed to speak for up to 10 minutes in total. The Leader of the Opposition will be allowed to speak for up to 5 minutes.

11.

#### **MEMBER QUESTION TIME**

To answer any member questions

A period of 20 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

11.1 Arborfield;  
Finchampstead  
South

Gary Cowan has asked the Leader of Council the following question:

I was advised by a resident on the 24th February this year that a very substantial tree with a tree preservation order on it located on Sheerlands Road along with a significant established ancient hedgerow and conifer hedge which was approximately 10 foot high and 60 foot long were removed and the following day a substantial 6 foot high fence was erected in their place. The new fence resulted in the removal of two gates which had been there for more than 30 years and were established rights of way.

The following day I notified Wokingham Borough Council of this but my concern is that the problem impacts on several departments within the Council from Highways to rights of way to planning , enforcement, land ownership, Trees and landscape and no doubt legal. In addition the size of the substantial tree meant it may also have required a felling licence which I understand can only be issued by the Forestry Commission.

Due to the many departments involved can I ask you as Leader of the Council would you please take responsibility for ensuring that all the relevant departments investigate this matter and report directly to you as it seems to fall into several Executive members portfolios which could only complicate investigation.

12. None Specific

**POLITICAL BALANCE OF THE COUNCIL AND ALLOCATION AND APPOINTMENT TO SEATS ON COUNCIL COMMITTEES/PANELS/BOARDS**

35 - 46

To receive a report on the political balance of the Council and to appoint to Council Committees/Panels/Boards in accordance with the Groups' wishes as set out in Appendix 1.

Further information relating to nominations will be circulated before or at the meeting.

**RECOMMENDATION:**

That Council:

- 1) having reviewed the representation of the political groups on the Council, confirms that it has 47 Conservative Group Members, 5 Liberal Democrat Group Members, 1 Independent Member and 1 Labour Member (as set out in Para 1.1);
- 2) approves the appointment and composition of Committees and Boards as set out in Para 2.1;

- 3) approves the allocation of seats on Committees and Boards on the basis that, of the 94 seats (as set out in Para 3.5), 83 be allocated to the Conservative Group and 11 be allocated to the Liberal Democrat Group;
- 4) approves the proposals submitted by the respective Group Leaders and that those Members be appointed to the Committees and Boards as set out in Appendix 1;
- 5) agree that the principles of proportionality be applied when Members are appointed to Sub Committees, Panels or Working Groups;
- 6) note the appointment of the Independent Person to assist the work of the Standards Committee as set out in Appendix 1;
- 7) note the elected Member representatives on the Health and Wellbeing Board, as set out in Appendix 1, as nominated by the Leader of Council in accordance with Section 194 of the Health and Social Care Act 2012.

13.	None Specific	<p><b>APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COUNCIL COMMITTEES AND BOARDS 2015/2016</b></p> <p>To appoint Chairmen and Vice-Chairmen of Council Committees and Boards in accordance with the Groups' wishes as set out in Appendix 2.</p> <p>Further information relating to nominations will be circulated before or at the meeting.</p>	<b>47 - 48</b>
14.	None Specific	<p><b>APPOINTMENT TO PANELS/WORKING GROUPS/JOINT COMMITTEES AND VARIOUS BODIES 2015/16</b></p> <p>To consider and approve the appointment of Members to serve on Joint Committees, Various Bodies and Panels/Working Groups in accordance with the Groups' wishes as set out in Appendix 3.</p> <p>Further information relating to nominations will be circulated before or at the meeting.</p>	<b>49 - 52</b>
15.	None Specific	<p><b>APPOINTMENT TO OUTSIDE BODIES 2015/16</b></p> <p>To consider and approve the appointment of Members to serve on Outside Bodies in accordance with the Groups' wishes as set out in Appendix 4.</p> <p>Further information relating to nominations will be circulated before or at the meeting.</p>	<b>53 - 56</b>

To consider proposed changes to the Constitution as put forward by the Constitution Review Working Group.

**RECOMMENDATION:** That Council approves the following amendments to the relevant sections of the Council's Constitution, as put forward by the Constitution Review Working Group:

- 1) Chapter 4.2 – Council Rules of Procedure
  - (a) The addition of a new paragraph to Rule 4.2.15.5 Recorded Votes as follows:

*“A recorded vote will be required on any business relating to approving the budget, setting the council tax or issuing precepts. This also includes any amendments proposed to any of these items of business.”*
  - (b) The addition of a new Rule 4.2.24 Statements from the Council Owned Companies as set out in the report;
- 2) Chapter 4.4 – Committees of the Council – Health and Wellbeing Board
  - (a) Delete “b) Adults Strategic Partnership” from Rule 4.4.44;
  - (b) The following additional paragraph be added:

**“4.4.45 Health and Wellbeing Board Sub-Committees**  
*The Health and Wellbeing Board has the ability to set up sub-committees to undertake any of its functions. The Health and Wellbeing Board will agree the terms of reference and membership of any such sub-committee and any such terms of reference will subsequently be included in the Council's Constitution.”*
- 3) Chapter 5.5 – Protocol for Decision Making by Individual Executive Members  
The addition of the following to Rule 5.5.1:
  - “o) *Designation of a neighbourhood area following consultation with the local Ward Member(s) and appropriate Town or Parish*



*Council.”*

- 4) Chapter 9.2 – Code of Conduct for Councillors  
Revised version of Chapter 9.2 as attached at Appendix 1 to the report;
- 5) Section 11 – Officers  
Revised versions of the following documents as attached at Appendix 2 to the report:

Chapter 11.4 – Officers’ Code of Conduct  
Chapter 11.5 – Officer Employment Procedure Rules  
Chapter 11.6 – Delegated Powers Relating to Staffing Matters

#### **CONTACT OFFICER**

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# Agenda Item 3.

## MINUTES OF A MEETING OF THE COUNCIL

HELD ON THURSDAY 19 FEBRUARY 2015 FROM 8.00 PM TO 10.15 PM

*Present:- Parry Batth, (Deputy Mayor), Mark Ashwell, Keith Baker, Chris Bowring, Prue Bray, David Chopping, Gary Cowan, Michael Firmager, Lindsay Ferris, Kay Gilder, Guy Grandison, Mike Haines, Charlotte Haitham Taylor, John Halsall, Pauline Helliar-Symons, Tim Holton, Philip Houldsworth, Nicky Jerrome, Norman Jorgensen, Pauline Jorgensen, John Kaiser, Dianne King, Abdul Loyes, Tom McCann, Julian McGhee-Sumner, Ken Miall, Philip Mirfin, Stuart Munro, Barrie Patman, Ian Pittock, Anthony Pollock, Malcolm Richards, Angus Ross, Beth Rowland, Rachelle Shepherd-DuBey, Chris Singleton, David Sleight, Chris Smith, Wayne Smith, Bill Soane, Paul Swaddle, Simon Weeks and Bob Wyatt.*

### **74. MINUTES**

The Minutes of the meeting of the Council held on 20 November 2014 and the Extraordinary Meeting of the Council held on 16 January 2015 were confirmed as correct records and signed by the Deputy Mayor.

### **75. APOLOGIES**

Apologies for absence were submitted from Alistair Auty, UllaKarin Clark, Mike Gore, Kate Haines, David Lee, Bob Pitts, Nick Ray, Rob Stanton, Alison Swaddle, Dee Tomlin and Shahid Younis.

### **76. DECLARATIONS OF INTEREST**

Tom McCann declared a Personal Interest on the grounds that his daughter was employed by a company involved with the Wokingham town centre regeneration project.

### **77. PUBLIC QUESTION TIME**

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

#### **77.01 Question**

Clive Jones asked the Leader of the Council the following question:

Given the increasing level of risk associated with the council finances, will you guarantee that all the savings in the budget are achievable?

#### **Answer**

It would be extremely foolish of me to say that I guarantee that every saving will be achieved and at the level stated. I do not think anyone could possibly do that, as many are by definition future events with unknown outcomes at this stage.

What I can say however, is that year on year we continue to come up with substantial savings, totalling £31.3m over the last 5 years and including £8.3m for 2015/2016. We do this by continually finding more efficient ways of delivering services and continually seeking more cost effective solutions in what we do, whilst protecting our services valued by our residents.

We have an extremely strong track record in delivering our savings year on year which is borne out through our impressive financial management record and year on year financial year end results. This shows we not only achieve our financial targets but often exceed

them. It is this strong track record that enables the Council to have a robust all round financial position in times of austerity and cuts to our funding, whilst also achieving for this year a zero percent increase in Council Tax next year.

I believe we will rise to the financial challenges, including the efficiencies, presented in the 2015/2016 budget in the same way we have risen to the challenges presented in previous years; with sound, diligent financial management and effective financial controls.

### **Supplementary Question**

If the savings are not achieved will you resign as Leader of the Council or would you expect your Executive Member for Finance to resign in your place?

### **Supplementary Answer**

No.

### **77.02 Question**

Shaun Hanna asked the Executive Member for Planning and Highways the following question:

I have looked in the Medium Term Financial Plan for information about funding for the Winnersh relief road, half of which is to be funded by the Council. I have not found any reference to the Winnersh relief road at all, even in the section which refers to the vision for the next 10 years. Where in the Medium Term Financial Plan is the Winnersh relief road and its funding shown?

### **Answer**

This no doubt leads on from your question about the Winnersh relief road that you asked at the last Council meeting. I do welcome the opportunity to update the Council. As you kindly point out in the question, delivery of the Winnersh relief road is split into two sections.

The section between Lower Earley Way and King Street Lane (Phase 1) will be delivered by the developer of the Hatch Farm Dairies site.

The section between King Street Lane and the Reading Road (Phase 2) will be delivered by the Council.

The Council's 3 year capital programme and capital vision are only intended to represent what the Council funds directly. This being the case the Phase 1 of the Winnersh relief road was not included as it is being delivered by the developer, but I think if you look at the vision you will find that Phase 2 is in there.

We are currently in the process of commissioning the design work on Phase 2 of the road and we would hope to have a planning application ready for some time in 2016. Delivery of Phase 2 of the road is expected to be in conjunction with Phase 1. However this does not predicate the option of Phase 2 being delivered earlier subject to funding being available.

### **Supplementary Question**

I think you have answered my supplementary which was when is work going to start on the planning and design because presumably funding needs to be set aside for that in this year?

## **Supplementary Answer**

That is correct.

### **78. PETITIONS**

There were no petitions received.

### **79. MAYOR'S ANNOUNCEMENTS**

The Deputy Mayor referred Members to the list of engagements attended by the Mayor and Deputy Mayor that had been circulated at the meeting.

The Deputy Mayor highlighted that the Mayor had invited all Members to attend a charity auction at the Martin and Pole auction house on 21 March at 19:00.

Members' attention was also drawn to the Mayor's award for January 2015 which had been awarded to Barbara Teague for services to school governance. The meeting was informed that Barbara had started as a Foundation Governor at Arborfield and Newland Junior School in 1989 and since that time had been heavily involved in the governance of the school including the amalgamation of Arborfield and Newland Junior School and Coombes Infant School to become the Coombes CE Primary School. She retired as a Governor at Christmas 2014 and the Deputy Mayor passed on the thanks of the Council for Barbara's many years of dedicated service.

At the invitation of the Deputy Mayor, Angus Ross addressed the meeting and passed on the best wishes of the meeting to the Mayor who was absent from the meeting.

Councillor Ross then informed Members that he had attended the annual awards ceremony of the British Association of Landscape Industries, (BALI) where the designer and architect of the Dinton Pastures Children's Play, Adam White, the constructors Davis White and the Council as the client had been recognised by the Association. The citation from the Association had referred to the very high levels of professionalism, workmanship and client satisfaction associated with the project. A plaque awarded at the ceremony was presented by Councillor Ross to the Council and he congratulated the Council's Officers who had worked on the project. Councillor Ross closed by commenting that it was great to see so many residents enjoying the play area even in February.

### **80. MEDIUM TERM FINANCIAL PLAN AND ASSOCIATED REPORTS**

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

- the Housing Revenue Account Budget 2015/2018 as set out on Agenda pages 27 to 37;
- the Capital Programme and Strategy 2014/2017 as set out on Agenda pages 38 to 49;
- the Treasury Management Strategy 2014/15 as set out on Agenda pages 50 to 85;
- the Medium Term Financial Plan 2015/2018 - Revenue Budget Submission 2015/2016 Agenda pages 86 to 89, subject to the tabled statutory resolution, Updated Parish Precepts 2015/2016 and Updated Council Tax by Band and Parish 2015/2016.

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

Keith Baker, Leader of the Council, made a statement on the 2015/2016 budget, together with his budget proposals. (Attached at Appendix 1 to these Minutes).

Prue Bray, the Leader of the Opposition, then made her Budget statement on behalf of the Liberal Democrat Group, (Attached at Appendix 2 to these Minutes).

Following these speeches, debate on the four reports comprised within the item began.

During the course of this debate it was proposed and tabled by the Lindsay Ferris that the recommendation under 67.02 Capital Programme and Strategy be amended as follows:

**RECOMMENDATION:**

- 1) That Council approve the Capital Programme and Strategy for 2015/16
- 2) ***Overview and Scrutiny will review the Capital Programme 2016/2018 and report back to the July Council meeting.***

The proposed amendment was seconded by Tom McCann.

After debate the proposed amendment to Item 67.02 was put to the vote and was declared by the Deputy Mayor to have been lost.

Following the loss of the amendment, the debate on the substantive items continued.

**80.01 HOUSING REVENUE ACCOUNT BUDGET 2015/2016**

It was proposed by the Leader of the Council and seconded by Anthony Pollock that the recommendations as set out on Agenda page 27 be approved.

Upon being put to the vote it was:

**RESOLVED:** That

- 1) the Housing Revenue Account Budget be approved;
- 2) Council house dwelling rents be increased by an average 3.34% effective from 1 April 2015;
- 3) garage rents be increased by 2.4% effective from 1 April 2015;
- 4) it be noted that a review of the Shared Equity Rents in 2011 had determined that rents had been kept artificially low in previous years and not increased in line with the terms of the leases. Therefore rents for shared equity properties will gradually increase above inflation for four years to bring the rents in line by 1 April 2016. The increase for 2015/16 will be between 6% and 13% (£3 and £11 per month) depending on the property;
- 5) Tenant Service Charges are set in line with estimated costs;
- 6) the Housing Major Repairs (capital) programme for 2015/16 as set out in Appendix C be approved.

**80.02 CAPITAL PROGRAMME AND STRATEGY 2015/2018**

It was proposed by the Leader of the Council and seconded by Anthony Pollock that the Capital Programme and Strategy 2015/2018 be approved as set out on Agenda page 38.

Upon being put to the vote it was:

**RESOLVED:** That the Capital Programme and Strategy 2015/2018 be approved.

### **80.03 TREASURY MANAGEMENT STRATEGY 2015/2016**

It was proposed by the Leader of the Council and seconded by Anthony Pollock that the recommendations as set out on Agenda page 50 be approved

Upon being put to the vote it was:

**RESOLVED:** That the following elements be approved:

- 1) The Capital Prudential indicators, 2015/16-2017/18;
- 2) The borrowing strategy 2015/16;
- 3) The Annual Investment Strategy 2015/16; and
- 4) The Treasury Indicators: limits to borrowing activity 2015/16.

### **80.04 MEDIUM TERM FINANCIAL PLAN 2015/2018-REVENUE BUDGET SUBMISSION 2015/2016**

It was proposed by the Leader of the Council and seconded by Anthony Pollock that the Medium Term Financial Plan 2015/2018, including the Revenue Budget Submission 2015/2016 and the Statutory Resolution setting out the 2016/2016 Council Tax levels be approved subject to the following tabled amendments:

- 2015/2018-Revenue Budget Submission 2015/2016 – Updated Statutory Resolution, Appendix A, (replacement Agenda pages 88 to 89);
- Updated Parish Precepts 2015/2016, (replacement MTFP page 95);
- Updated Council Tax by Band and Parish, (replacement MTFP page 96).

After further debate, the Deputy Mayor reminded Council that under ‘The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014’ councils were required to hold recorded votes in relation to council tax decisions, including any amendments.

Consequently a recorded vote was taken on the proposed amended recommendations for Item 67.04 – Medium Term Financial Plan 2015/2018 – Revenue Budget Submission 2015/2016.

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mark Ashwell	Prue Bray	Parry Batth
Keith Baker	Lindsay Ferris	
Chris Bowring	Kay Gilder	
David Chopping	Nicky Jerrome	
Gary Cowan	Tom McCann	
Michael Firmager	Beth Rowland	
Guy Grandison	Rachelle Shepherd-DuBey	
Mike Haines		
Charlotte Haitham Taylor		
John Halsall		
Pauline Helliard-Symons		
Tim Holton		

Philip Houldsworth		
Norman Jorgensen		
Pauline Jorgensen		
John Kaiser		
Dianne King		
Abdul Loyes		
Julian McGhee-Sumner		
Ken Miall		
Philip Mirfin		
Stuart Munro		
Barrie Patman		
Ian Pittock		
Anthony Pollock		
Malcolm Richards		
Angus Ross		
Chris Singleton		
David Sleight		
Chris Smith		
Wayne Smith		
Bill Soane		
Paul Swaddle		
Simon Weeks		
Bob Wyatt		

**RESOLVED:** That

- 1) the Medium Term Financial Plan (MTFP) 2015/2018, including the revenue budget submission for 2015/2016 be approved;
- 2) the Statutory Resolution that sets out the 2015/2016 Council Tax levels, (Appendix A) as tabled at the meeting, be approved and that it be noted that at its meeting on 29th January 2015 the Special Council Executive Committee calculated the following amounts for the year 2015/16 in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended by the Localism Act 2011 and the Local Government Finance Act 2012:-
  - (a) 65,157.2 being the amount calculated by the Council, (Item T) in accordance with regulation 31B of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Localism Act 2011 and the Local Government Finance Act 2012), as its council tax base for the year.
  - (b) Part of the Council's area.

Arborfield and Newland	1,259.5
Barkham	1,440.1
Charvil	1,392.4
Earley	11,671.1
Finchampstead	5,653.7
Remenham	317.5
Ruscombe	495.6
St. Nicholas Hurst	1,039.6
Shinfield	4,621.2
Sonning	805.9



Swallowfield	957.0
Twyford	2,944.0
Wargrave	2,078.7
Winnersh	3,800.7
Wokingham Town	14,042.0
Wokingham Without	3,073.3
Woodley	9,564.9
	65,157.2

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which a parish precept relates.

- 3) Calculate that the Council Tax requirement for the Council's own purposes for 2015/2016 (excluding Parish precepts) is £81,199,554.
- 4) That the following amounts be now calculated by the Council for the year 2015/2016 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992, amended by the Localism Act 2011:-
  - (a) £302,945,499 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act taking into account all precepts issued to it by parish councils
  - (b) (£218,186,542) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act
  - (c) £84,758,957 being the amount by which the aggregate at 3(a) above, exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R)
  - (d) £1,300.84 being the amount at 4(c) above (Item R), all divided by 1(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the 'basic amount of its Council Tax for the year (including Parish precepts).
  - (e) £3,559,403 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act (as per the table below).

	2015/16			2014/15			Council
	TAX	PARISH	PARISH	TAX	PARISH	PARISH	Tax
	BASE	PRECEPT	BAND D	BASE	PRECEPT	BAND D	Change
		£	£		£	£	%
Arborfield and Newland	1,259.5	86,280	68.50	1,259.5	86,289	68.51	(0.01)
Barkham	1,440.1	38,342	26.62	1,427.8	38,342	26.85	(0.85)
Charvil	1,392.4	39,451	28.33	1,382.2	38,572	27.91	1.53
Earley	11,671.1	747,387	64.04	11,664.5	735,213	63.03	1.60
Finchampstead	5,653.7	122,410	21.65	5,653.7	122,408	21.65	0.00
Remenham	317.5	21,420	67.46	309.3	21,420	69.25	(2.58)
Ruscombe	495.6	9,766	19.71	487.9	9,766	20.02	(1.55)
St. Nicholas							
Hurst	1,039.6	22,500	21.64	1,022.8	22,500	22.00	(1.62)
Shinfield	4,621.2	277,919	60.14	4,591.3	264,470	57.60	4.41
Sonning	805.9	34,400	42.69	787.5	31,459	39.95	6.85

Swallowfield	957.0	18,540	19.37	956.3	18,303	19.14	1.22
Twyford	2,944.0	58,598	19.90	2,944.0	58,599	19.90	(0.00)
Wargrave	2,078.7	154,937	74.54	2,077.7	152,841	73.56	1.32
Winnersh	3,800.7	107,801	28.36	3,800.7	107,801	28.36	0.00
Wokingham	14,042.0	665,195	47.37	13,600.5	625,492	45.99	3.00
Wokingham Without	3,073.3	143,925	46.83	3,073.3	143,925	46.83	0.00
Woodley	9,564.9	1,010,532	105.65	9,459.9	1,030,349	108.92	(3.00)
Total / <b>Average</b>	65,157.2	3,559,403	<b>54.63</b>	64,498.9	3,507,749	<b>54.38</b>	<b>0.45</b>

- (f) £1,246.21 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special items relates.
- 5) That it be noted that for the year 2015/2016 the Police and Crime Commissioner for the Thames Valley has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below. The Royal Berkshire Fire and Rescue Authority is due to approve its precept on 23rd February 2015, and the provisional precept supplied has been used in the calculation of the council tax figures shown below.
- 6) That the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2015/2016 for each part of its area and for each of the categories of dwellings

#### SUMMARY OF COUNCIL TAX 2015/2016

Valuation Bands								
	A	B	C	D	E	F	G	H
Wokingham Borough Council	830.810	969.270	1,107.740	1,246.210	1,523.150	1,800.080	2,077.020	2,492.420
Thames Valley Police Authority	109.130	127.320	145.510	163.700	200.080	236.460	272.830	327.400
Royal Berkshire Fire Authority	40.440	47.180	53.920	60.660	74.140	87.620	101.100	121.320

#### Aggregate of Council Tax Requirement for each parish and the borough for each part of the Council's area:-

	A	B	C	D	E	F	G	H
Arborfield & Newland	876.48	1,022.55	1,168.63	1,314.71	1,606.87	1,899.02	2,191.19	2,629.42
Barkham	848.56	989.97	1,131.40	1,272.83	1,555.69	1,838.53	2,121.39	2,545.66

Charvil	849.70	991.30	1,132.92	1,274.54	1,557.78	1,841.00	2,124.24	2,549.08
Earley	873.50	1,019.08	1,164.66	1,310.25	1,601.42	1,892.58	2,183.75	2,620.50
Finchampstead	845.24	986.11	1,126.98	1,267.86	1,549.61	1,831.35	2,113.10	2,535.72
Remenham	875.78	1,021.74	1,167.70	1,313.67	1,605.60	1,897.52	2,189.45	2,627.34
Ruscombe	843.95	984.60	1,125.26	1,265.92	1,547.24	1,828.55	2,109.87	2,531.84
St. Nicholas Hurst	845.24	986.10	1,126.98	1,267.85	1,549.60	1,831.34	2,113.09	2,535.70
Shinfield	870.90	1,016.05	1,161.20	1,306.35	1,596.65	1,886.95	2,177.25	2,612.70
Sonning	859.27	1,002.47	1,145.69	1,288.90	1,575.33	1,861.74	2,148.17	2,577.80
Swallowfield	843.72	984.34	1,124.96	1,265.58	1,546.82	1,828.06	2,109.30	2,531.16
Twyford	844.08	984.75	1,125.43	1,266.11	1,547.47	1,828.82	2,110.19	2,532.22
Wargrave	880.50	1,027.25	1,174.00	1,320.75	1,614.25	1,907.75	2,201.25	2,641.50
Winnersh	849.72	991.33	1,132.95	1,274.57	1,557.81	1,841.04	2,124.29	2,549.14
Wokingham Town	862.39	1,006.11	1,149.85	1,293.58	1,581.05	1,868.50	2,155.97	2,587.16
Wokingham Without	862.03	1,005.69	1,149.37	1,293.04	1,580.39	1,867.72	2,155.07	2,586.08
Woodley	901.24	1,051.44	1,201.65	1,351.86	1,652.28	1,952.69	2,253.10	2,703.72

**Aggregate of Council Tax Requirements for each part of the Council's area:**

	A	B	C	D	E	F	G	H
Arborfield & Newland	1,026.05	1,197.05	1,368.06	1,539.07	1,881.09	2,223.10	2,565.12	3,078.14
Barkham	998.13	1,164.47	1,330.83	1,497.19	1,829.91	2,162.61	2,495.32	2,994.38
Charvil	999.27	1,165.80	1,332.35	1,498.90	1,832.00	2,165.08	2,498.17	2,997.80
Earley	1,023.07	1,193.58	1,364.09	1,534.61	1,875.64	2,216.66	2,557.68	3,069.22
Finchampstead	994.81	1,160.61	1,326.41	1,492.22	1,823.83	2,155.43	2,487.03	2,984.44
Remenham	1,025.35	1,196.24	1,367.13	1,538.03	1,879.82	2,221.60	2,563.38	3,076.06
Ruscombe	993.52	1,159.10	1,324.69	1,490.28	1,821.46	2,152.63	2,483.80	2,980.56
St. Nicholas Hurst	994.81	1,160.60	1,326.41	1,492.21	1,823.82	2,155.42	2,487.02	2,984.42
Shinfield	1,020.47	1,190.55	1,360.63	1,530.71	1,870.87	2,211.03	2,551.18	3,061.42
Sonning	1,008.84	1,176.97	1,345.12	1,513.26	1,849.55	2,185.82	2,522.10	3,026.52
Swallowfield	993.29	1,158.84	1,324.39	1,489.94	1,821.04	2,152.14	2,483.23	2,979.88
Twyford	993.65	1,159.25	1,324.86	1,490.47	1,821.69	2,152.90	2,484.12	2,980.94
Wargrave	1,030.07	1,201.75	1,373.43	1,545.11	1,888.47	2,231.83	2,575.18	3,090.22

Winnersh	999.29	1,165.83	1,332.38	1,498.93	1,832.03	2,165.12	2,498.22	2,997.86
Wokingham Town	1,011.96	1,180.61	1,349.28	1,517.94	1,855.27	2,192.58	2,529.90	3,035.88
Wokingham Without	1,011.60	1,180.19	1,348.80	1,517.40	1,854.61	2,191.80	2,529.00	3,034.80
Woodley	1,050.81	1,225.94	1,401.08	1,576.22	1,926.50	2,276.77	2,627.03	3,152.44

- 7) in the event that there are any changes to the provisional precept of the Fire Authority, arising from their precept setting meeting being held on 23 February 2015, the Director of Finance and Resources be delegated authority to enact all relevant changes to the MTFP, Statutory Resolution and council tax levels.

### **81.00 HOUSING STRATEGY 2015-18**

The Council considered a Housing Strategy as set out on Agenda pages 90 to 125 of the Agenda. The Strategy had been considered by the Executive earlier that evening and recommended for adoption by the Council.

It was proposed by John Kaiser that the Housing Strategy 2015-18 be adopted and this was seconded by Bob Wyatt.

Upon being put to the vote it was:

**RESOLVED:** That the Housing Strategy 2015-2018 be approved.

### **82.00 ADOPTION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEME**

The Council considered a Community Infrastructure Levy, (CIL) Charging Scheme as set out on Agenda pages 126 to 152. The proposed scheme had been considered by the Executive earlier that evening and recommended for adoption by the Executive.

Upon being put to the vote it was:

**RESOLVED:** That

- 1) the Examiner's recommendations be accepted by the Council;
- 2) the Community Infrastructure Levy (CIL) Charging Schedule at Appendix A (incorporating the Examiner's recommended modifications) is adopted to come into effect for all planning applications approved on or after 6<sup>th</sup> April 2015;
- 3) the 'Regulation 123' List of Infrastructure Projects for which CIL may be used at Appendix B is approved for publication;
- 4) the Instalment Policy at Appendix C is approved for publication;
- 5) the use of agreements (or other mechanism) to secure CIL in relation to mitigation measures required in order to make the development acceptable and to ensure that the Council complies with the Conservation of Habitats and Species Regulations 2010 (in relation to the requirements of the Birds and Habitats Directive) be agreed;

- 6) the Strategic Director of Environment, in consultation with the Executive Member for Strategic Planning and Highways, be authorised to agree minor amendments to the Charging Schedule and supporting documents prior to publication to assist the clarity of the documents.

### **83.00 TREASURY MANAGEMENT MID-YEAR REPORT 2014/2015**

The Council considered the Treasury Management Mid-Year Report 2014/2015 as set out on Agenda pages 153 to 177. The report had been considered by the Executive earlier and recommended to the Council for approval.

Anthony Pollock proposed that the Treasury Management Mid-Year Report 2014/2015 be approved by the Council and this was seconded by Keith Baker.

Upon being put to the vote it was:

**RESOLVED:** That the Treasury Management Mid-Year Report 2014/2015 be approved.

### **84.00 CHANGES TO THE CONSTITUTION**

The Council considered proposed changes to the Constitution as set out on Agenda pages 178 to 211. The proposed changes had been recommended to the Council for agreement by the Constitution Review Working Group.

It was proposed by Paul Swaddle and seconded by Prue Bray that the proposed changes to the Constitution be agreed.

Upon being put to the vote it was:

**RESOLVED:** That the following amendments to the relevant sections of the Council's Constitution, as put forward by the Constitution Review Working Group, be agreed:

a) Section 4.2.2.1 – Timing and Order of Business

The following to be added to the Council's order of business:

*“o) to receive statements from the Council Owned Companies.”*

b) Chapter 4.4 – Committees of the Council – Audit Committee

A number of minor amendments as set out in the report.

c) Chapter 5.4 – Executive Procedure Rules

Rule 5.4.37 to be amended as follows:

***“Rule 5.4.37 Scope of Questions***

*The Chief Executive and/or **Leader** may reject a question if it: ...”*

d) Chapter 8.4.2 Meetings of the Licensing and Appeals Committee

First sentence to be amended as follows:

*“The Licensing and Appeals Committee shall meet **at least four** times per municipal year, as scheduled in the Timetable of Meetings, as agreed by Council.”*

e) Section 9 – Ethics and Corporate Governance

Revised versions of the following documents as attached at Appendix A to the report:

Chapter 9.4 – Anti-Fraud and Anti-Corruption Strategy

Chapter 9.5 – Whistleblowing Policy and Guidance

Chapter 9.6 – Anti-Bribery Policy

Chapter 9.7 – Anti-Money Laundering Policy

Chapter 9.8 – Prosecution and Sanction Policy

#### **85.00 TIMETABLE OF MEETINGS 2015/2016**

The Council considered the proposed Timetable of Meetings for the 2015/2016 Municipal Year as set out on Agenda page 212.

It was proposed by Pauline Jorgensen and seconded by Julian McGhee-Sumner that the 2015/216 timetable of meetings be approved.

It was then proposed by Prue Bray and seconded by Lindsay Ferris that the Timetable of Meetings be amended to include an additional Council meeting on 21 January 2016.

Paul Swaddle raised a point of order under Rule 4.2.12 (s) of the Council's Rule of Procedure that the proposed amendment should not be accepted on the basis that the Council had considered the issue of an additional Council meeting within the last six months and therefore the amendment was in breach of Rule of Procedure 4.2.11.4 which prohibited the consideration of Motions if they were substantially the same as a Motion considered at a meeting of the Council within the last six months.

#### **86.00 ADJOURNMENT OF THE MEETING**

At this point, 9.55 pm the meeting was adjourned for a short period whilst advice on the constitutionality of the amendment was sought.

#### **87.00 RECOMMENCEMENT OF THE MEETING**

At 10.00 pm the meeting recommenced.

#### **88.00 TIMETABLE OF MEETINGS 2015/2016 CONTINUED**

The Chief Executive informed the meeting that the proposed amendment to the Timetable of Meetings 2015/2016 was considered to be an allowable amendment on the grounds that the proposed amendment was more specific than had been considered at the Extraordinary Council meeting of 29 January 2015.

Upon being put to the vote, the amendment was declared by the Deputy Mayor to be lost. Following the loss of the amendment, the substantive Motion to approve the Timetable of Meetings 2015/2016 as set out in the Agenda was put to the vote.

**RESOLVED:** That the timetable of meetings for 2015/2016 Municipal Year be agreed.

#### **89.00 OUTCOME OF CODE OF CONDUCT COMPLAINT**

The Council considered the result of a Code of Code complaint as determined by a Hearing Panel on 18 December 2014 which had determined that Councillor Chris Singleton had failed to follow the Wokingham Borough Council Code of Conduct.

It was noted that the Constitution required that the matter be reported to the next meeting of the Council following the date of the hearing.

It was proposed by Pauline Helliard-Symons and seconded by Paul Swaddle that it be noted that Councillor Chris Singleton had been found to be in breach of the Members Code of Conduct.

Prue Bray commented that whilst the decision notice in relation to the Hearings Panel had been published on the Council's website it was not easy to find without knowledge of the Council's processes. She made the general point that it in the interests of openness and transparency such decisions should be placed in an area of the website that could be easily searched for.

Upon being put to vote it was:

**RESOLVED:** That the Council notes that Councillor Chris Singleton had been found to be in breach of the Member Code of Conduct.

*These are the Minutes of a meeting of the Council*

*If you need help in understanding this document or if you would like a copy of it in large print please contact one of our Team Support Officers.*

### **Speech by Councillor Keith Baker, Leader of the Council**

This is my first budget following the transfer of the leadership role from Councillor Lee to myself. Nothing prepares you for the complexities in setting a budget in such a difficult financial scenario. In keeping with a long standing tradition I am sure you will be familiar with the fact that Wokingham is the lowest funded authority in the country.

The Officers and my fellow Executive Members have managed to work their magic for yet another year which has resulted in a council tax freeze for next year. I would like to personally thank them all for their supreme efforts. As recent statistics have shown, wages are growing at a faster rate than inflation and this freeze will mean a little less pressure on their disposable income.

This budget is a great platform for increasing prosperity for residents which will in turn contribute to the future of this Borough. For some time this Council has had a clear vision and that is to make our Borough “a great place to live and an even better place to do business”. Core to that vision are a number of threads as follows:

1. To facilitate the regeneration of our towns and villages; as witnessed by the first planning application for Peach Street
2. Create an environment that allows business to thrive; this is occurring by the continuous development of key industrial areas like the Thames Valley Park or the part of Green Park that has the windmill. Incidentally these areas are actually in our Borough and not in Reading!
3. Continue to work with our partners to maintain our outstanding educational achievements; evidenced by improving grades and major building investments like Bulmershe School
4. Deliver well designed developments and strong communities; this is happening through a huge commitment to engagement with residents and their associated organisations. The Strategic Development Location, (SDL) Forums are extremely well established and it is fantastic how local residents are keen to participate in them. It is amazing to see 100 to 200 sometimes even more people regularly attend the Arborfield one for example;
5. Ensure financial viability despite annual funding cuts; no services have been cut whilst freezing council tax and freezing the precept support grant passed onto Parish and Town Councils.
6. Invest in prevention services that maintain our residents’ independence; as witnessed through our extensive involvement in the Health and Wellbeing Agenda.

Tonight you will hear from my fellow Executives Members the details of what we have achieved and what we continue to do to ensure that we make our Borough one of the best places to live in the country. All this has been done after making £8m savings and efficiencies this year which over the last 5 years makes a total of £31m. All achieved without any cuts to services for next year. I believe this is a testament to the ongoing efficiency and careful financial management of the Council by a committed Conservative administration and committed Officers.

But this only relates to the revenue budget. Let me turn to the Capital budget and see what capital investments are planned. Over the next three years the plan is to invest £335m. This clearly shows an ambition and determination to invest in the Borough and to improve the lives of all in our community. This means an investment of £96m for next year



which includes £27m for Children Services and £21m for Health and Wellbeing. Both of these are well ahead of the investment for the Town Centre regeneration. We are investing in affordable housing, schools, extra care housing and other specialist housing for the needs of our community. We are investing in sustainable new communities with the infrastructure and amenities that they need to thrive and we have stopped the majority of inappropriate backland developments.

At this point I would like to pay tribute to our Enforcement Officers who have been outstanding over the last year. They have been consistently winning planning appeals and taking developers to both civil and criminal courts and gaining convictions. They have put a strong marker down to anyone who wishes to flout our policies and the law to say we are not going to let you get away with such actions. My thanks also to all the ward Members who have been fully involved in these actions. They have had a strong part to play as well.

You will hear more about some of the specific projects from the relevant Executive Members later.

Our Economic Development Officer has been very busy over this last year continuing the program started last year where unemployed residents receive training to understand how to set up their own businesses. The aim is for them to become more independent and to realise their potential by taking control of their lives rather than remaining dependent on unemployment benefits. These individuals will be the small businesses of tomorrow and a few of them will become big business within the next decade. Their initiatives will not only help themselves but ultimately become a gateway for others to get onto the employment ladder.

We will continue to help our residents retain their independence through support to stay in their own homes instead of moving into residential care. The provision of excellent specialist housing for those with learning disabilities will give them homes for life in the community which are near to their family and friends.

Our companies continue to stabilise and develop with process changes already in place including the additional constitutional reporting to council which we will debate under agenda item 71. A prime example is Wokingham Housing Limited which will have investments of £12m in each of the next two years primarily for the development of the replacement for Eustace Crescent and Fosters in Woodley.

This is indeed an ambitious, bold and achievable budget, but we owe it to our residents to invest in our community to help them steer out of financial difficulties to a more prosperous and brighter future. Each year it is getting harder and harder to keep the council tax low, but we will continue to do this to the best of our ability. However, we are now moving into a political environment that has never been experienced before with political uncertainty to the fore. Who knows what the landscape will be after May and the financial changes that may bring.

I would like to close by saying that we have the lowest known staff to resident's ratio which means we have good productivity from our staff. We are also have one of the highest tax collecting councils. All this on the back of being the lowest funded authority in the country.

### **Speech by Prue Bray, Leader of the Liberal Democrat Group**

I want to thank Officers from all over the Council who have worked hard to supply the answers to the large number of detailed questions we have been asking over the past 13 days.

The reason why all those detailed questions had to be asked in the last 13 days is that is how short a period we have had access to the budget papers. I think we heard from Councillor Keith Baker how difficult and complex it is to prepare a budget, think how difficult and complex it is to assess what the administration has done in 13 days. We knew what the level of government grant was, because that is a figure published in December. We were briefed in January on where the pressures are, and also had an idea of some of the major building projects that were in the pipeline. But until 13 days ago we had no access to any information whatsoever about how the administration is planning to spend the council's money from next April.

Most other councils do not operate in this manner. As an example, in Reading, the council openly published possible budget options and their implications in detail as long ago as September. It is not just opposition councillors who are shut out of the process. So are the public. But, Hallelujah this may be the final year that this is the case, because in answer to a question from Councillor Lindsay Ferris at the Executive earlier today we were told that there is going to be some kind of consultation and open discussion on the budget next year. So let us hope

**Point of clarification from Councillor Keith Baker:** I did not actually say it would be next year. Hopefully it will be next year, but there are a lot of things to discuss.

### **Continuation of Speech from Prue Bray, Leader of the Liberal Democrat Group**

Oh dear Councillor Baker you have just spoilt my entire evening. I thought that finally we were going to get somewhere. Let us hope that it will be next year, otherwise you will be listening to me say this again. Let us hope that whatever engagement there is sensible and at the right level.

A couple of days ago on twitter a Conservative councillor suggested I was patronising for saying that some information about cost should be included in the Carnival Pool area consultation that is going on at the moment. On the contrary, it is patronising to believe that the public are not capable of understanding figures, and well beyond patronising to consult the public as if they can have whatever they want, even when it may turn out to be un-fundable pie in the sky.

When you have only had the budget papers for a few days, it is extremely difficult to get fully to grips with what the administration has put in them. And that is probably the point. The Conservatives look on this budget meeting as some sort of political game: how to disadvantage the opposition. The irony is that as revenue funding gets tighter and tighter it is less and less in the Conservatives' own interests to keep the budget secret. Doing so means that everything in the budget is down to them, not just the good things, supposing there are some, but all the bad things too.

So let us have a look at what is in the budget. One of the things is a long list of savings for next year— a list of over £8m. Some are savings of hundreds of thousands of pounds on big ticket items such as adult social care, and residential placements for children, but

there is a very long tail that goes all the way down to things like £15,000 extra from car park charges at the country parks, and £1,000 from library printing costs. Some of this long list of savings – both the big ones and the small ones - are going to be very hard to deliver. It is very unclear to us that they are all achievable. In the case of social care it is not just we that have doubts. At last week's Health and Wellbeing Board in the Agenda was included a response to a Local Government Association survey on the Care Act. In response to a question which says '*How confident is your council that there is sufficient money within its budget for implementation in 2015/2016?*' the answer was '*Not at all confident*'.

Because we do not believe that all these savings are necessarily achievable, although we do think that Officers will do their best to achieve them as they always do and would like to salute the Officer core who are as was said are in the lowest funded unitary authority in the country with the lowest ratio of staff to residents in the country and extremely under pressure and we do wish them to know how much we appreciate the hard work that they do for this Council. But nevertheless this is going to be a tough budget to deliver. We do not think it is achievable and we cannot support the revenue budget submission.

The really disappointing thing for us is that this still looks like a budget based on shaving costs. Indeed, I think that Councillor Baker referred to efficiencies already this evening. We thought that the Conservatives were beginning to understand that salami-slicing services is unsustainable, because if you are salami slicing eventually you run out of sausage. The Council needs to think more radically: more sharing with other councils to save costs and provide resilience; delivering services in different ways through partnership working and use of technology. Wokingham Housing Limited has already been briefly referred to, it may be beginning to find its feet, although we still have some concerns. But otherwise we can see few signs in this revenue budget of progress in the direction of the radical change that is needed. Councillor Baker referred to the political uncertainty. Nobody knows what is going to happen in May or what colour of government we are going to have or in fact, what coalition government we are going to have. It is going to be very tough, but we need to respond to that with radical change not with more salami slicing.

And there is the Capital Programme – and specifically the Wokingham town centre regeneration. This time last year we were discussing a total cost of regeneration of £95m – of which approximately £15m had already been spent, leaving £81,901,000 to be spent. That is an exact figure by the way that I totted up from elements published in last year's Medium Term Financial Plan. From looking at this year's figures, including carry forwards and what has been spent in the meantime, that £81,901,000, which was far too much already, has grown to a quite staggering £124,029,000. That's an increase of £42,128,000 or over 50%. I will say that again. Over 50%. The Wokingham town centre regeneration has become Frankenstein's monster, growing out of control. So much scrimping and saving in the service budgets and yet caution has been thrown to the wind with regard to capital spend.

Earlier on I referred to being attacked on Twitter for suggesting that the public should be informed of costs when being consulted on the possibilities for the Carnival Pool area. All becomes clear now, does it not? The Conservatives are way past caring about the cost of regeneration. They have started believing in the magic money tree.

The latest idea is a boutique cinema on Elms Field. Lovely idea, but is it commercially viable? Who knows? The next thing you know it will be a branch of Harrods with a gold plated statue of the burgers of Wokingham in front of it. Is there no-one in the

Conservative group who thinks it is time to get this back under control? Is there no-one in the Conservative group who can engage sensibly with residents on what they actually want from their town? Is there no-one in the Conservative group who cares about the way all the resources of the Council are being sucked into this sprawling monster of a scheme, leaving the rest of the Borough with nothing for the foreseeable future? No regeneration for any of the other towns or villages.

Never mind what else is in the capital programme, there is no way on earth we are going to vote for a 50% increase in the cost of the regeneration of Wokingham town. This capital programme needs a serious rethink.

# Agenda Item 8.

<b>TITLE</b>	<b>Report of the Returning Officer – Parliamentary, Borough and Parish Elections 7 May 2015</b>
<b>FOR CONSIDERATION BY</b>	Council on 21 May 2015
<b>WARD</b>	None Specific
<b>LEAD OFFICER</b>	Andrew Moulton, Head of Governance and Improvement Services

## **OUTCOME / BENEFITS TO THE COMMUNITY**

To inform Council of the process and the results of the recent Borough Council elections.

## **RECOMMENDATION**

That Council notes the report.

## **SUMMARY OF REPORT**

On 7 May 2015 elections were held for the Borough Council, town and parish Councils and the UK Parliament election for the Wokingham Constituency.

Planning for the elections this year was made more complex due to cross boundary issues with the Parliamentary elections, the combined elections, and also the introduction of Individual Electoral Registration.

Overall, the processes run by Wokingham BC were undertaken efficiently and effectively. There were some concerns raised by Wokingham Borough residents residing in parts of the Borough where the Parliamentary elections were administered by other Councils.

Feedback has been received at most stages of the elections process which will be reviewed and, where appropriate, built into the planning for future elections.

## **Background**

### **1. Introduction**

- 1.1 On 7 May 2015, multiple elections were held for the Borough Council, town and parish Councils, and the UK Parliament election for the Wokingham constituency.
- 1.2 90 candidates contested 18 seats on the Borough Council in 18 wards. Of those the representation of the various parties was as follows:
  - 18 Conservative
  - 18 Green Party
  - 17 Liberal Democrat
  - 18 Labour
  - 2 Trade Unionists and Socialists Against Cuts
  - 17 UKIP
- 1.3 Elections were also held across 24 wards for Earley Town Council, Wokingham Town Council, and Woodley Town Council.
- 1.4 UK Parliamentary Elections are held every 5 years. There are four constituencies within the Wokingham Borough:
  - Wokingham
  - Bracknell (administered by Bracknell Forest BC)
  - Maidenhead (administered by Royal Borough Windsor & Maidenhead)
  - Reading East (administered by Reading BC)

Each constituency returns one MP to the House of Commons.

### **2. The Election Process**

- 2.1 Planning for elections takes place many months in advance of election day. This year, the planning process was made more complex due to cross boundary issues with the Parliamentary elections (see paragraph 1.4 above), the combined elections and also the introduction of Individual Electoral Registration.
- 2.2 The nomination arrangements were complex. However, the procedure ran smoothly overall with positive feedback from some quarters.
- 2.3 A major impact this year was the number of late registrations and also the numbers of postal votes requested and the associated verification processes to confirm voter identity. Significant numbers of postal votes were issued and returned. Whilst there were no major problems, the volumes caused a significant call on resources with verification of personal identifiers taking place for the two weeks prior to polling day.
- 2.4 On the day of the poll 67 (in the Wokingham constituency) polling stations were in use during the polling hours of 7am to 10pm. Visiting/inspecting officers attended all polling stations to ensure that all statutory procedures were adhered

to under the Representation of the People Acts, and also that access arrangements were adequate for disabled voters and that health and safety aspects were covered. Feedback from this process will be used to help improve further the arrangements for future elections.

- 2.5 The counts for the elections took place in one centralised location at Loddon Valley Leisure Centre. On Thursday 7<sup>th</sup> May the verification of all ballot boxes took place followed by the Wokingham Parliamentary constituency election count. The result was declared at 5.45am on 8<sup>th</sup> May. On Saturday 9<sup>th</sup> May the count for the Borough and Parish elections took place. Both counts were undertaken with no major problems. Again, all feedback received about the venue and count process is being taken into account to improve future processes.
- 2.6 At the elections in May 2015 over 550 casual election jobs were staffed and I would like to thank all Presiding Officers, Poll Clerks, counting and postal vote opening staff, supervisors, and the Electoral Services team who carried out this important task.

### 3. Election Results

- 3.1 Full details of the Borough election results, including the turnout figures in each ward, are set out in Appendix A.

### 4. Conclusion

- 4.1 The election process was dealt with both effectively and efficiently. The election process was made more complex as a consequence of having to run the UK Parliamentary election alongside the local elections, as the UK Parliamentary election had to be given priority.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	There are no financial implications associated with this report		
Next Financial Year (Year 2)			
Following Financial Year (Year 3)			

### Other financial information relevant to the Recommendation/Decision

There are no other financial implications associated with this report.

<b>List of Background Papers</b>
None

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<b>Date</b> 11 May 2015	<b>Version No.</b> 1



## ELECTION OF BOROUGH COUNCILLORS

7 MAY 2015

## RETURN OF COUNCILLORS ELECTED

Ward	Turnout by Ward	Name	Political Party	Ret't Date
Barkham	71%	John Kaiser	Con	2019
Bulmershe and Whitegates	70%	Shahid Younis	Con	2019
Coronation	75%	Kate Haines	Con	2019
Emmbrook	75%	Philip Mirfin	Con	2019
Evendons	72%	Chris Bowring	Con	2019
Hawkedon	68%	Tim Holton	Con	2019
Hillside	72%	Norman Jorgensen	Con	2019
Loddon	69%	Abdul Loyes	Con	2019
Maiden Erlegh	71%	David Chopping	Con	2019
Norreys	69%	Alistair Auty	Con	2019
Shinfield North	60%	Parry Batth	Con	2019
Shinfield South	69%	Anthony Pollock	Con	2019
Sonning	73%	Mike Haines	Con	2019
South Lake	74%	Laura Blumenthal	Con	2019
Twyford	76%	John Jarvis	Con	2019
Wescott	72%	Julian McGhee-Sumner	Con	2019
Winnersh	67%	Philip Houldsworth	Con	2019
Wokingham Without	74%	David Sleight	Con	2019

Overall turnout for Election = 71%

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<b>TITLE</b>	<b>Political Balance of the Council and Allocation of and Appointment to Seats on Committees and Boards</b>
<b>FOR CONSIDERATION BY</b>	Council on 21 May 2015
<b>WARD</b>	None Specific
<b>LEAD OFFICER</b>	Andrew Moulton, Head of Governance and Improvement Services

## **OUTCOME / BENEFITS TO THE COMMUNITY**

That the Council decides on the composition of its Committees and makes appointments to them as specified in Rule 4.1.3e) of its Constitution. This will ensure that members of the public are provided with information on which Members are appointed to the Council's various Committees etc.

## **RECOMMENDATION**

That Council:

- 1) having reviewed the representation of the political groups on the Council, confirms that it has 47 Conservative Group Members, 5 Liberal Democrat Group Members, 1 Independent Member and 1 Labour Member (as set out in Para 1.1);
- 2) approves the appointment and composition of Committees and Boards as set out in Para 2.1;
- 3) approves the allocation of seats on Committees and Boards on the basis that, of the 94 seats (as set out in Para 3.5), 83 be allocated to the Conservative Group and 11 be allocated to the Liberal Democrat Group;
- 4) approves the proposals submitted by the respective Group Leaders and that those Members be appointed to the Committees and Boards as set out in Appendix 1;
- 5) agree that the principles of proportionality be applied when Members are appointed to Sub Committees, Panels or Working Groups;
- 6) note the appointment of the Independent Person to assist the work of the Standards Committee as set out in Appendix 1;
- 7) note the elected Member representatives on the Health and Wellbeing Board, as set out in Appendix 1, as nominated by the Leader of Council in accordance with Section 194 of the Health and Social Care Act 2012.

## **SUMMARY OF REPORT**

The Local Government and Housing Act 1989 contains provisions relating to political balance on Committees and Sub Committees and seats therefore have to be allocated to them in proportion to the representation of political groups on the Council and the wishes of the political groups.

In accordance with Rule 4.1.3e) of the Constitution the Council is required to decide on the composition of Committees and make appointments to them.

Members are therefore asked to note the political balance of the Council and consider the allocation of and appointment to seats on Committees and Boards for the 2015/16 Municipal Year.

## Background

### 1. Political Groups

1.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Councillors have given notice to the Chief Executive of their wish to be regarded as members of the political groups as set out below:

<b>Conservative Political Group</b>	<b>Liberal Democrat Political Group</b>
Mark Ashwell	Prue Bray
Alistair Auty	Lindsay Ferris
Keith Baker	Tom McCann
Parry Batth	Beth Rowland
Laura Blumenthal	Rachelle Shepherd-Dubey <b>5/54</b>
Chris Bowring	
David Chopping	
UllaKarin Clark	
Gary Cowan	
Michael Firmager	
Michael Gore	
Guy Grandison	
Kate Haines	
Mike Haines	
Charlotte Haitham Taylor	
John Halsall	
Pauline Helliard-Symons	
Tim Holton	
Philip Houldsworth	
John Jarvis	
Norman Jorgensen	<b>Independent Member</b>
Pauline Jorgensen	Nick Ray
John Kaiser	
Dianne King	
David Lee	<b>Labour Member</b>
Abdul Loyes	Nicky Jerrome
Julian McGhee-Sumner	
Kenneth Miall	
Philip Mirfin	
Stuart Munro	
Barrie Patman	
Ian Pittock	
Robert Pitts	
Anthony Pollock	
Angus Ross	
Malcolm Richards	
Chris Singleton	
David Sleight	
Chris Smith	
Wayne Smith	
Bill Soane	
Rob Stanton	
Alison Swaddle	

Paul Swaddle	
Simon Weeks	
Bob Wyatt	
Shahid Younis	<b>47/54</b>

## 2. Appointment and Composition of Committees

2.1 In accordance with Rule 4.1.3e) of the Constitution the Council is required to decide on the composition of Committees and make appointments to them. It is therefore proposed that Council appoint the following Committees and Boards and agree their composition:

<b>Committees/Boards</b>	<b>Number of Seats</b>
Audit Committee	6
Licensing and Appeals Committee	14
Overview and Scrutiny Management Committee	12
Children's Services Overview and Scrutiny Committee	8
Community Partnerships Overview and Scrutiny Committee	8
Corporate Services Overview and Scrutiny Committee	8
Health Overview and Scrutiny Committee	10
Personnel Board	7
Planning Committee	9
Special Council Executive Committee	6
Standards Committee	6
<b>Total number of seats where Political Balance applies</b>	<b>94</b>
Health and Wellbeing Board	4

2.2 The total number of seats on Committees and Boards is therefore 94 given that the Health and Wellbeing Board falls outside the provisions of Section 15(5) of the Local Government and Housing Act 1989. Please note that elected Member representatives on the Board are nominated by the Leader of Council in accordance with Section 194 of the Health and Social Care Act 2012.

## 3. Allocation of Seats

3.1 As set out in Para 1.1 the political balance of the Council currently stands as follows:

	<b>Number of Members</b>	<b>Political Composition %</b>
Conservative Group	47	87.00%
Liberal Democrat Group	5	9.30%
Independent Member	1	1.85%
Labour Member	1	1.85%
	<b>54</b>	<b>100%</b>

3.2 In allocating seats on Committees, the Council must give effect, so far as reasonably practical, to the principles contained in Section 15(5) of the Local Government and Housing Act 1989 which is summarised below:

- a) Not all seats on any Committee are to be allocated to the same political group;
- b) The majority of seats on any Committee must be allocated to the majority Group;
- c) Subject to a) and b) above, the number of seats on ordinary Committees must be allocated to each political Group in the same proportion as their representation on the Council;
- d) Subject to a) and c) above, the number of seats on any Committee must be the same proportion as the political Groups representation on full Council.

3.3 To qualify two or more Members must form a Group. As the Independent Member and the Labour Member have decided that they wish to dissolve the Independent Labour Group they are therefore not entitled to be included in the calculation of seats.

3.4 As a consequence of paragraph 3.3 and in accordance with 3.2d) above the number of seats on ordinary Committees will be allocated in the same proportion as the political Groups' representation on full Council which is:

Conservative Group	= 90.4%
Liberal Democrat Group	= 9.6%
<b>Total</b>	<b>100%</b>

3.5 Therefore In accordance with Section 15(5) of the Local Government and Housing Act 1989, and taking account of the fact that not all seats on any Committee can be allocated to the same political group, it is intended that the 94 seats set out in Para 2.1 be allocated to each Group as follows:

Conservative Group	= 83
Liberal Democrat Group	= 11
<b>Total</b>	<b>94</b>

3.6 The seats on Committees and Boards will therefore be allocated as follows:

<b>Committee/Panels/ Board</b>	<b>No of Seats</b>	<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
Audit Committee	6	5	1
Licensing and Appeals Committee	14	13	1
Overview and Scrutiny Management Committee	12	11	1
Children's Services Overview and Scrutiny Committee	8	7	1

Community Partnerships Overview and Scrutiny Committee	8	7	1
Corporate Services Overview and Scrutiny Committee	8	7	1
Health Overview and Scrutiny Committee	10	9	1
Personnel Board	7	6	1
Planning Committee	9	8	1
Special Council Executive Committee	6	5	1
Standards Committee	6	5	1
<b>Total</b>	<b>94</b>	<b>83</b>	<b>11</b>

#### 4. Appointment to Committees

4.1 Attached at Appendix 1 is a list of Committees and Boards to which Members will be appointed for the 2015/16 Municipal Year. Further information relating to nominations by the respective Group Leaders will be circulated before or at the meeting.

4.2 The principles of proportionality should also be applied when Members are appointed to Sub Committees, Panels or Working Groups.

#### Analysis of Issues

There are no other issues associated with this decision.

#### FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	There are no financial implications associated with this report		
Next Financial Year (Year 2)			
Following Financial Year (Year 3)			

#### Other financial information relevant to the Recommendation/Decision

There are no other financial implications associated with this report.

#### List of Background Papers

The Local Government and Housing Act 1989  
The Health and Social Care Act 2012  
The Council's Constitution

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<b>Date</b> 12 May 2014	<b>Version No.</b> 2



## APPOINTMENT TO COMMITTEES AND BOARDS 2015/16

<b>Audit Committee – 6 Seats</b>	
<i>Members of the Executive or Overview and Scrutiny Committees cannot sit on the Audit Committee</i>	
<b>Conservative Group (5)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	

<b>Health and Wellbeing Board – 4 Seats</b>	
<i>(Political balance rules are not applicable)</i>	
<i>(Only requires noting as elected Member Representatives are nominated by the Leader of Council)</i>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1 Leader of Council	1
2 Executive Member for Children's Services	
3 Executive Member for Health and Wellbeing	

<b>Licensing and Appeals Committee – 14 Seats</b>	
<b>Conservative Group (13)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	

<b>School Transport Appeals Panel – 6 Members</b>	
<i>(must be members of the Licensing and Appeals Committee)</i>	
<b>Conservative Group (5)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	

<b>Overview and Scrutiny Management Committee – 12 Seats</b>	
1) <i>Members of the O&amp;S Management Committee cannot sit on the Audit Committee.</i>	
2) <i>The O&amp;S Management Committee must include the Chairmen and Vice Chairmen of the four O&amp;S Committees</i>	
<b>Conservative Group (11)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	

<b>Substitute Members</b>	
<b>Conservative Group (2)</b>	<b>Liberal Democrat Group (2)</b>
1	1
2	2

### **Children's Services Overview & Scrutiny Committee – 8 Seats**

- 1) *Members of this Committee cannot sit on the Audit Committee.*
- 2) *The Chairman and Vice Chairman of the Committee must be members of the Overview and Scrutiny Management Committee*

<b>Conservative Group (7)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	

#### **Substitute Members**

<b>Conservative Group (2)</b>	<b>Liberal Democrat Group (2)</b>
1	1
2	2

### **Community Partnerships Overview and Scrutiny Committee – 8 Seats**

- 1) *Members of this Committee cannot sit on the Audit Committee.*
- 2) *The Chairman and Vice Chairman of the Committee must be members of the Overview and Scrutiny Management Committee*

<b>Conservative Group (7)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	

#### **Substitute Members**

<b>Conservative Group (2)</b>	<b>Liberal Democrat Group (2)</b>
1	1
2	2

**Corporate Services Overview & Scrutiny Committee – 8 Seats**

- 1) *Members of this Committee cannot sit on the Audit Committee.*
- 2) *The Chairman and Vice Chairman of the Committee must be members of the Overview and Scrutiny Management Committee*

<b>Conservative Group (7)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	

**Substitute Members**

<b>Conservative Group (2)</b>	<b>Liberal Democrat Group (2)</b>
1	1
2	2

**Health Overview and Scrutiny Committee  
– 10 Seats**

- 1) *Members of this Committee cannot sit on the Audit Committee.*
- 2) *The Chairman and Vice Chairman of the Committee must be members of the Overview and Scrutiny Management Committee*

<b>Conservative Group (9)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	
8	
9	

**Substitute Members**

<b>Conservative Group (2)</b>	<b>Liberal Democrat Group (2)</b>
1	1.
2	2.

<b>Personnel Board – 7 Seats</b>	
<b>Conservative Group (6)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	

<b>Substitute Members</b>	
<i>(to substitute for members of the Personnel Board in relation to the appointment or dismissal of or disciplinary action in respect of 1<sup>st</sup> and 2<sup>nd</sup> tier Officers)</i>	
<b>Conservative Group (8)</b>	<b>Liberal Democrat Group (4)</b>
1	1
2	2
3	3
4	4
5	
6	
7	
8	

<b>Planning Committee – 9 Seats</b>	
<b>Conservative Group (8)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	
8	

### Special Council Executive Committee – 6 Seats

*The Mayor and Deputy Mayor of the Council will automatically be members of this committee. There will therefore need to be four other Members appointed and the Mayor and Deputy Mayor will count against their political party's allocation.*

<b>Conservative Group (5)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	

### Substitute Members

<b>Conservative Group (1)</b>	<b>Liberal Democrat Group (1)</b>
1	1

### Standards Committee – 6 Seats

<b>Conservative Group (5)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	

### Independent Persons

1	David Comben
2	

## Appendix 2

### APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COUNCIL COMMITTEES AND BOARDS 2015/16

<b>Audit Committee</b>	
Chairman	
Vice-Chairman	

<b>Licensing and Appeals Committee</b>	
Chairman	
Vice-Chairman	

<b>Overview and Scrutiny Management Committee</b>	
Chairman	
Vice-Chairman	

<b>Children's Services Overview and Scrutiny Committee</b>	
Chairman	
Vice-Chairman	

<b>Community Partnerships Overview and Scrutiny Committee</b>	
Chairman	
Vice-Chairman	

<b>Corporate Services Overview and Scrutiny Committee</b>	
Chairman	
Vice-Chairman	

<b>Health Overview and Scrutiny Committee</b>	
Chairman	
Vice-Chairman	

<b>Personnel Board</b>	
Chairman	
Vice-Chairman	

<b>Planning Committee</b>	
Chairman	
Vice-Chairman	

<b>Special Council Executive Committee</b>	
Chairman	
Vice-Chairman	

<b>Standards Committee</b>	
Chairman	
Vice-Chairman	



### APPOINTMENT TO PANELS / WORKING GROUPS / JOINT COMMITTEES AND VARIOUS BODIES 2015/16

<b>Adoption Panel – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Borough / Parish Working Group – 5 Members</b>	
<b>Conservative Group (4)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	

<b>Standing Deputies – 3 Members</b>	
<b>Conservative Group (2)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	

<b>Commuted Sums Advisory Panel – 5 Members</b>	
<i>Executive Member with responsibility for Affordable Housing cannot be a member of this Panel</i>	
<b>Conservative Group (4)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	

<b>Constitution Review Working Group – 4 Members</b>	
<b>Conservative Group (3)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	

<b>Corporate Parenting Board – 10 Members</b>	
<b>Conservative Group (9)</b>	<b>Liberal Democrat Group (1)</b>
1	1
2	
3	
4	
5	
6	
7	
8	
9	

<b>Fostering Panel – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Highwood Management Conference – 2 Members</b>	
<i>1 Member from Conservative Group and 1 Member from Liberal Democrat Group</i>	
<b>Conservative Group (1)</b>	<b>Liberal Democrat Group (1)</b>
1	1

<b>Joint Waste Disposal Board – 2 Members</b>	
<i>Must be Executive Members</i>	
<b><i>For Information Only: Appointed for four years to 30 June 2018</i></b>	
<b>Conservative Group</b>	
1	Executive Member for Environment
2	Executive Member for Finance

<b>School Admissions Forum – 2 Members</b>	
<i>1 Member from Conservative Group and 1 Member from Liberal Democrat Group</i>	
<b>Conservative Group (1)</b>	<b>Liberal Democrat Group (1)</b>
1	1

<b>Schools Forum – 1 Member</b>	
<i>1 representative of the Local Education Authority. Under Regulations the Executive Member with responsibility for Education and the Mayor <b>are not</b> eligible for appointment to the forum. (Note: They may attend as non-voting observers)</i>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Secure Accommodation Panel – 1 Member and Substitutes</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Substitutes</b>
Any Member of the Corporate Parenting Panel

<b>Standing Advisory Council on Religious Education – 2 Members</b>	
<i>1 Member from Conservative Group and 1 Member from Liberal Democrat Group</i>	
<b>Conservative Group (1)</b>	<b>Liberal Democrat Group (1)</b>
1	1

## STRATEGIC PARTNERSHIPS

<b>Business, Skills and Enterprise Partnership – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Community Safety Partnership – 2 Members</b>	
<i>1 Member from Conservative Group and 1 Member from Liberal Democrat Group 1 Member must be the Police and Crime Representative</i>	
<b>Conservative Group (1)</b>	<b>Liberal Democrat Group (1)</b>
1	1

<b>Place and Community Partnership – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Tenant and Landlord Improvement Panel – 2 Members</b>	
<i>1 Member from Conservative Group and 1 Member from Liberal Democrat Group</i>	
<b>Conservative Group (1)</b>	<b>Liberal Democrat Group (1)</b>
1	1

<b>Thames Basin Heaths Joint Strategic Partnership – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Substitutes (1)</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Thames Valley Police and Crime Panel – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Wokingham Giving Partnership – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

<b>Wokingham Learning Disability Partnership Board – 1 Member</b>	
<b>Conservative Group</b>	<b>Liberal Democrat Group</b>
1	1

# Agenda Item 15.

Appendix 4

## REPRESENTATIVES ON OUTSIDE BODIES 2015/16

1 Member to be appointed on an annual basis unless otherwise stated

Organisation	Conservative Nomination	Liberal Democrat Nomination	Independent Member /Labour Member Nomination
Age UK Berkshire			
Age UK Twyford and District			
Atomic Weapons Research Establishment - Local Liaison Committee			
Berkshire Healthcare NHS Foundation Trust			
Berkshire Maestros			
Berkshire Museum of Aviation			
Berkshire Pension Fund Advisory Panel			
Blackwater Valley Countryside Partnership Management Committee			
Bracknell and Wokingham College <i>(Note: appointment is for 4 years)</i>	<b>For Information only: Rob Stanton appointed until May 2017</b>		
Finchampstead Baptist Church Advisory Board <i>(Member should be a ward member from either Finchampstead North or Finchampstead South)</i>			

Organisation	Conservative Nomination	Liberal Democrat Nomination	Independent Member /Labour Member Nomination
Keep Mobile			
Local Government Association (LGA) General Assembly (3 Members)	1. 2. 3.	1. 2. 3.	1. 2. 3.
Mid & West Berks Local Countryside Access Forum <i>(Note: appointment is for 3 years)</i>	<b>For information only: Angus Ross appointed until May 2017</b>		
Readibus Management Committee			
Royal Berkshire Fire Authority <i>(5 Members - 4 Conservative, 1 Liberal Democrat)</i>	1. 2. 3. 4.	1.	N/A
Royal Berkshire Hospital Foundation Trust - Board of Governors			
Sonning & District Welfare and Educational Trust			
South East Reserve Forces and Cadets Association			
Standing Conference on Archives			
Strategic Aviation Special Interest Group of the Local Government Association (SASIG)			
Thames Valley Berkshire City Deal Joint Committee and Thames Valley Berkshire	<b>For information only: The Leader of Council, in consultation with the Chief Executive, will agree the representation at meetings of these bodies</b>		

Organisation	Conservative Nomination	Liberal Democrat Nomination	Independent Member /Labour Member Nomination
Local Enterprise Partnership Ltd			
The Piggott Trust			
The Polehampton Charity <i>Rosemary Pratt was originally appointed until October 2016 however due to the Charity's rules Mrs Pratt will no longer be eligible to be the Council's representative; with effect from July 2015. The Council therefore needs to appoint a new representative from July 2015.</i>			
The Poors Land Charity (appointment is for 4 years)	<b>For Information only: Mrs Hutchinson appointed until May 2018</b>		
South East Employers (SEE) Full Committee (2 Members)	1. 2.	1. 2.	1. 2.
<i>Substitutes</i>	1. 2.	1. 2.	1. 2.
White Waltham Airfield Consultative Committee			
Wokingham and District Association for the Elderly			
<i>Substitutes</i>			
Wokingham and District Citizen's Advice Bureau			
Wokingham Borough Sports Council			

<b>Organisation</b>	<b>Conservative Nomination</b>	<b>Liberal Democrat Nomination</b>	<b>Independent Member /Labour Member Nomination</b>
Wokingham Borough Sports Sponsorship Fund			
Wokingham Job Support Centre Management Committee			
Wokingham Volunteer Centre			
Wokingham Waterside Centre			
Wokingham Youth Counselling & Information Service (ARC)			
Woodley Town Centre Management Initiative (2 Members, 1 Substitute)	1. 2.	1. 2.	1. 2.
<i>Substitute</i>			
Woodley Volunteer Centre			



<b>TITLE</b>	<b>Changes to the Constitution</b>
<b>FOR CONSIDERATION BY</b>	Council on 21 May 2015
<b>WARD</b>	None Specific
<b>LEAD OFFICER</b>	Andrew Moulton, Head of Governance and Improvement Services

## **OUTCOME / BENEFITS TO THE COMMUNITY**

Reviewing the Council's Constitution on a regular basis ensures that it is relevant and fit for purpose.

## **RECOMMENDATION**

Council is recommended to agree the following amendments to the relevant sections of the Council's Constitution as put forward by the Constitution Review Working Group:

### 1) Chapter 4.2 – Council Rules of Procedure

- (a) The addition of a new paragraph to Rule 4.2.15.5 Recorded Votes as follows:

*“A recorded vote will be required on any business relating to approving the budget, setting the council tax or issuing precepts. This also includes any amendments proposed to any of these items of business.”*

- (b) The addition of a new Rule 4.2.24 Statements from the Council Owned Companies as set out in the report;

### 2) Chapter 4.4 – Committees of the Council – Health and Wellbeing Board

- (a) Delete “b) Adults Strategic Partnership” from Rule 4.4.44;

- (b) The following additional paragraph be added:

***“4.4.45 Health and Wellbeing Board Sub-Committees***

*The Health and Wellbeing Board has the ability to set up sub-committees to undertake any of its functions. The Health and Wellbeing Board will agree the terms of reference and membership of any such sub-committee and any such terms of reference will subsequently be included in the Council's Constitution.”*

### 3) Chapter 5.5 – Protocol for Decision Making by Individual Executive Members

The addition of the following to Rule 5.5.1:

*“o) Designation of a neighbourhood area following consultation with the local Ward Member(s) and appropriate Town or Parish Council.”*

- 4) Chapter 9.2 – Code of Conduct for Councillors  
Revised version of Chapter 9.2 as attached at Appendix 1 to the report;
- 5) Section 11 – Officers  
Revised versions of the following documents as attached at Appendix 2 to the report:
- Chapter 11.4 – Officers’ Code of Conduct  
Chapter 11.5 – Officer Employment Procedure Rules  
Chapter 11.6 – Delegated Powers Relating to Staffing Matters

#### **SUMMARY OF REPORT**

Chapter 1.1.4 of the Council’s Constitution states that the Monitoring Officer will monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect.

The report contains a number of proposed amendments to various sections of the Constitution.

## Background

### Section 4 – The Council Meeting

#### 1. Chapter 4.2 – Council Rules of Procedure

a) **Rule 4.2.15.5 Recorded Vote:** The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2014 introduced a mandatory requirement for local authorities to amend their Council Procedure Rules to include the provision to require a recorded vote when agreeing the budget, setting council taxes or issuing precepts, and also on any amendments proposed on any of these matters. The purpose of this change is to provide residents with the opportunity to see how their councillors voted on decisions relating to expenditure on local services and council tax levels. Whilst the Council has complied with this regulation at the 2014 and 2015 budget meetings the change to the Council Procedure Rules has so far not been implemented.

It is therefore proposed to add a new paragraph to Rule 4.2.15.5 Recorded Vote as follows:

*“A recorded vote will be required on any business relating to approving the budget, setting the council tax or issuing precepts. This also includes any amendments proposed to any of these items of business.”*

b) **Rule 4.2.24 Statements from the Council Owned Companies:** Council agreed at its meeting in February 2015 that a standing item be included on all future Council agendas relating to “statements from the Council Owned Companies.” In order to formalise the amount of time given to this item it is proposed to add a new Rule 4.2.24 as follows:

**“4.2.24 Statements from the Council Owned Companies**

*At each Ordinary meeting of the Council, provision shall be made for Directors of the Council Owned Companies to make statements to the Council.*

*These statements shall primarily be to advise the Council of items of interest which have been dealt with by the Companies recently or are due to be dealt with in the near future. Speeches of a party political nature will not be allowed.*

*When making such a statement, no Director, except with the consent of the Council, shall speak for more than 3 minutes.*

*The time allowed for statements under this rule shall not exceed 10 minutes.”*

The current Rules 4.2.24 to 4.2.27 to be renumbered accordingly.

## **2. Chapter 4.4 – Committees of the Council – Health and Wellbeing Board**

a) **Rule 4.4.44 Health and Wellbeing Board Partnership Groups:** Delete the following Partnership Group as it is no longer in existence:

*“b) Adults Strategic Partnership”*

b) **New Rule 4.4.45 Health and Wellbeing Board Sub-Committees:** The Health and Wellbeing Board wish to have the ability to set up a Health and Wellbeing Board sub-committee to act as a Programme Board to manage the planning of local primary care infrastructure up to 2026. The Board would also like to have authority to agree the terms of reference and membership of this sub-committee and any further sub-committees that it may wish to set up in the future and include any such terms of reference in the Constitution. Inclusion in the Constitution will provide transparency of the areas covered by this and any future sub-committees.

The Health and Wellbeing Board are therefore asking for the following new paragraph to be added and the current Rules 4.4.45 and 4.4.46 subsequently renumbered:

### ***“4.4.45 Health and Wellbeing Board Sub-Committees***

*The Health and Wellbeing Board has the ability to set up sub-committees to undertake any of its functions. The Health and Wellbeing Board will agree the terms of reference and membership of any such sub-committee and any such terms of reference will subsequently be included in the Council’s Constitution.”*

## **Section 5 – The Executive**

### **3. Chapter 5.5 – Protocol for Decision Making by Individual Executive Members**

As a result of the Department for Communities and Local Government introducing an eight week time limit to determine neighbourhood area applications the Executive, at its meeting on 26 March 2015, agreed that in future decisions to designate a neighbourhood area be dealt with by an Individual Executive Member Decision (IEMD).

The Leader of Council also requested that as part of the new process full consultation should be undertaken with the local Ward Member(s) and appropriate Town or Parish Council.

It is therefore proposed to add the following to Rule 5.5.1 List of Items that are Delegated to Individual Executive Members:

*“o) Designation of a neighbourhood area following consultation with the local Ward Member(s) and appropriate Town or Parish Council.”*

## **Section 9 – Ethics and Corporate Governance**

### **4. Chapter 9.2 – Code of Conduct for Councillors**

The Standards Committee, at its meeting on 2 April 2015, considered a revised Code of Conduct for Councillors which it agreed to go forward to Council for adoption. A copy of

the proposed Chapter 9.2 is attached at Appendix 1.

## **Section 11 – Officers**

### **5. Chapters 11.4 Officers’ Code of Conduct; 11.5 Officer Employment Procedure Rules and 11.6 Delegated Powers Relating to Staffing Matters**

Following a review by a number of Officers, including the Service Manager HR, of the Officers’ Code of Conduct and matters relating to employment and staffing matters a number of changes were made to the current version in order to align the document with current practice and identify any anomalies. Changes to legislation, including the recent changes to regulations relating to the disciplinary and dismissal process for senior local authority staff, have also been incorporated.

The following revised Chapters are attached at Appendix 2:

- Chapter 11.4 – Officers’ Code of Conduct
- Chapter 11.5 – Officer Employment Procedure Rules
- Chapter 11.6 – Delegated Powers Relating to Staffing Matters

## **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context***

	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**

There are no financial implications arising from this report.

### **Cross-Council Implications**

None

### **List of Background Papers**

The Council’s Constitution  
Minutes from the Audit Committee meeting held on 9 December 2014

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<b>Date</b> 11 May 2015	<b>Version No.</b> 2

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## CHAPTER 9.2 - CODE OF CONDUCT FOR COUNCILLORS

### 9.2.1 Introduction

This Code of Conduct applies to Councillors and Co-opted Members whenever they are acting as a Member or as a representative of the Council or when they claim to act or give the impression of acting as a representative of the Council.

It does not apply to when the Councillor or Co-opted Member is acting in a private capacity.

When carrying out their public role, Councillors and Co-opted Members should always have regard to the seven principles of public life. These are: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Councillors and Co-opted Members should also read the Code of Conduct together with the Member/Officer Protocol and other sections of the Council's Constitution relating to ethical and financial probity.

Any person may make a complaint if a Councillor or Co-opted Member does not act in accordance with this Code. The Local Government Ombudsmen may also regard a breach of the Code as incompatible with good administration, and may make a finding of maladministration by the Council in some circumstances. It is the Councillor and Co-opted Member's sole responsibility to comply with the Code.

A Members' Interest form is provided by the Monitoring Officer to register interests. It should be noted that the form will be published on the Council's website. When a Councillor or Co-opted Member declares an interest at a meeting of the Council, they should be aware that this will be noted in the Minutes of the Meeting, which is a public document, and also on the Member's page on the website.

If any Councillor or Co-opted Member is unsure about any part of the Code of Conduct, they are urged to seek advice from the Monitoring Officer or Deputy Monitoring Officer.

There are three areas to the Code of Conduct:

- 1 Rules about registration of Disclosable Pecuniary Interests and Personal Interests with the Monitoring Officer, using the Members Interest Form (rule 9.2.3)
- 2 Rules about declaring interests in meetings where items on the agenda conflict with those interests (rules 9.2.4, 9.2.5 and 9.2.6)
- 3 Rules about general behaviour (rule 9.2.8)

## **9.2.2 Interpretation**

- “Co-opted Member” means a person who is a member of any committee or sub-committee of the Council or is a member of and represents the authority on any joint committee of the Council and who is entitled to vote on any question which falls to be decided at any committee or sub-committee.
- “Councillor” means a Member or Co-opted Member of this Council.
- “Meeting” means any meeting of:
  - a) the Council;
  - b) the Executive of the Council, including when making an Individual Executive Decision;
  - c) any of the Council’s or the Executive’s committees, sub-committees, joint-committees, joint sub-committees, or area committees;
- “Member” includes a co-opted Member and an appointed Member of this Council

## **9.2.3 Registration of Disclosable Pecuniary Interests and Personal Interests**

### **9.2.3.1**

Within 28 days of this Code being adopted by the Council, OR the Councillor’s election, OR the Co-opted Member’s appointment (whichever is later) Councillors must register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.

### **9.2.3.2**

Upon the re-election of the Councillor or the re-appointment of the Co-opted Member, Councillors must within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.

### **9.2.3.3**

Councillors must register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of the change.

### **9.2.3.4**

Councillors need not register any interest which the Monitoring Officer agrees is a ‘sensitive interest’ A sensitive interest is one which, if made public, could lead to the Councillor or a person connected to a Councillor being subject to violence or intimidation.

## **9.2.4 Declaration of Disclosable Pecuniary Interests at meetings**

**9.2.4.1** Where a matter arises at a meeting which relates to an interest in Appendix A, Councillors must do the following:

**9.2.4.2** They should declare their interest at the beginning of the meeting when asked to do so by the Chairman or Mayor, or if not then, they must do so before the matter is discussed. They must do so regardless of whether or not the interest is registered in their Members Interest form.

**9.2.4.3** Where a matter arises at a meeting which is a sensitive interest as defined under rule 9.2.3.4 Councillors do not have to declare the exact nature of their



interest but must follow the rules regarding non-participation, in rules in 9.2.4.4 and 9.2.4.5 below

**9.2.4.4** When the item is introduced at the meeting, Councillors may continue to attend the meeting but only for the purpose of making representations, answering questions or giving evidence provided that the public are also allowed to attend the meeting for the same purpose.

**9.2.4.5** They must then leave the room before the matter is discussed and voted upon.

## **9.2.5 Declaration of Personal Interests at meetings**

**9.2.5.1** Where a matter arises at a meeting which relates to or affects an interest in Appendix B or a financial interest of the Councillor, a friend, relative or close associate (and it is not a Disclosable Pecuniary Interest listed in Appendix A), Councillors must do the following:

**9.2.5.2** They should declare the interest at the beginning of the meeting when asked to do so by the Chairman or Mayor as a “Personal Interest” or if not then, they must do so before the matter is discussed or voted upon. They must do so regardless of whether or not the interest is registered in their Members Interest form.

**9.2.5.3** Where a matter arises at a meeting which is a sensitive interest as defined under rule 9.2.3.4 Councillors do not have to declare the exact nature of their interest

**9.2.5.4** They may however participate in the discussion and vote on the matter, subject to rule 9.2.6 below.

## **9.2.6 Declaration of Prejudicial Interests at meetings**

**9.2.6.1** Where the matter affects the declared interest under rule 9.2.5.1 more than the majority of people in the area affected by the decision, and a reasonable member of the public would think the Councillor’s view of the public interest would be adversely affected, the Councillor must do the following:

**9.2.6.2** They should declare this as a Prejudicial interest at the beginning of the meeting when asked to do so by the Chairman or Mayor, or if not then, they must do so before the matter is discussed.

**9.2.6.3** Where a matter arises at a meeting which is a sensitive interest as defined under rule 9.2.3.4 Councillors do not have to declare the exact nature of their interest but must follow the rules regarding non-participation, in rules 9.2.6.4 and 9.2.6.5 below.

**9.2.6.4** When the item is introduced at the meeting, Councillors may continue to attend the meeting but only for the purpose of making representations, answering questions or giving evidence provided that the public are also allowed to attend the meeting for the same purpose.

**9.2.6.5** They must then leave the room before the matter is discussed or voted upon.

## **9.2.7 Dispensations**

**9.2.7.1** On a written request, the Monitoring Officer or Deputy Monitoring Officer may grant a Councillor a dispensation to participate in a discussion and/or vote on a matter at a meeting where they would otherwise not be allowed to if the Monitoring Officer or Deputy Monitoring Officer believes that the number of Councillors otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the Councillor to take part or it is otherwise appropriate to grant a dispensation. The dispensation will last no longer than 4 years from the date of the dispensation.

## **9.2.8 Behaviour**

### **9.2.8.1**

Councillors must not behave such a way that a reasonable person would regard as disrespectful to others.

### **9.2.8.2**

Councillors must not act in a way which a reasonable person would regard as bullying, or in any way which is intimidating to others.

### **9.2.8.3**

Councillors must not seek to improperly confer an advantage or disadvantage on any person.

### **9.2.8.4**

Councillors must only use the resources of the Council when undertaking Council business.

### **9.2.8.5**

Councillors must not disclose information which is confidential or where disclosure is prohibited by law, unless he or she has the consent of the person authorised to give it, or he or she is required by law to do so.

### **9.2.8.6**

Councillors must respect the impartiality of officers and not put undue pressure on them.

### **9.2.8.7**

Councillors must not do anything which may cause their Council to breach any of the equality enactments (as defined in the Equality Act 2010).

### **9.2.8.8**

Councillors must notify the Monitoring Officer of any gifts or hospitality worth more than an estimated value of £25 which the Councillor has received by virtue of his or her office or any gifts or hospitality worth more than an estimated value of £25 which they have been offered but which they subsequently declined.

**APPENDIX A  
DISCLOSABLE PECUNIARY INTERESTS**

Interests defined by regulations made under s30(3) of the Localism Act 2011 and described in the table below.

(In the extracts from the Regulations below, ‘M’ means you and ‘relevant person’ means you and your partner). “Partner” means a spouse or civil partner of M, or a person with whom M is living as husband and wife or a person with whom M is living as if they were civil partners

<b>Subject</b>	<b>Prescribed description</b>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M’s knowledge)— a) the landlord is the relevant authority; and b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— a) that body (to M’s knowledge) has a place of business or land in the area of the relevant authority; and b) either—  i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

	<p>ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
--	--

These descriptions on Disclosable Pecuniary Interests above are subject to the following definitions;

The Act	means the Localism Act 2011
Body in which the relevant person has a beneficial interest	means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;
Director	includes a member of the committee of management of an industrial and provident society;
Land	excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;
M	means a member of a relevant authority;
Member	includes a co-opted member;
Relevant authority	means the authority of which M is a member;
Relevant period	means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;
Relevant person	means M or any other person referred to in section 30(3)(b) of the Act;
Securities	means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**IMPORTANT NOTE:**

Under s34 of the Localism Act 2011 it is a criminal offence if a Member or co-opted Member:

- a) fails to notify the Monitoring Officer of any Disclosable Pecuniary Interest within 28 days of election;
- b) fails to disclose a Disclosable Pecuniary Interest at a meeting of the Council if that interest is not included on the register;

- c) participates in any discussion or vote on a matter in which they have a Disclosable Pecuniary Interest;
- d) fails to notify the Monitoring Officer within 28 days of a Disclosable Pecuniary Interest that is not included on the register that they have disclosed to a meeting;
- e) as an Executive Member discharging a function acting alone i.e. an Individual Executive Member Decision, and having a Disclosable Pecuniary Interest in such a matter, fails to notify the Monitoring Officer within 28 days of the interest;
- f) As an Executive Member discharging a function acting alone, i.e. an Individual Executive Member Decision, and having a Disclosable Pecuniary Interest in such a matter, participates in any steps, or further steps in relation to the matter.
- f) knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a Disclosable Pecuniary Interest or in disclosing such an interest to a meeting.

## APPENDIX B REGISTERED PERSONAL INTERESTS

Councillors must register:

- i) any body of which the Councillor is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- ii) any body
  - exercising functions of a public nature; or
  - directed to charitable purposes; or
  - one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
  - of which the Councillor is a member or in a position of general control or management;

**CHAPTER 11.4 - OFFICERS' CODE OF CONDUCT****11.4.1 Policy Statement**

The Council believes that it is essential for standards of conduct at work to be maintained to ensure delivery of quality services and also to protect the well-being of all its employees and clients/customers/service users. The following policy will make sure that all employees are aware of the standards set by the Council. The Council is committed to carry out its business in a fair, open and honest way

**11.4.1.1**

Full details are described in the "Policy for Conduct and Personal Behaviour". Managers also need to make employees aware of additional policy and guidance within their departments. This policy does not include the Code of Conduct for Members.

**11.4.2 Purpose**

The purpose of this policy is to establish, and encourage all employees to achieve, high standards of conduct at work, and to help provide a fair and consistent way of dealing with alleged failures to observe them.

**11.4.2.1**

All employees of Wokingham Borough Council are expected to give the highest possible standard of service to the public. Employees should conduct themselves with integrity, impartiality and honesty. They should give honest and impartial advice to councillors, fellow employees and customers/clients. Breaches of conduct and personal behaviour will be dealt with under the Policy and Guidance for Discipline.

**11.4.3 Scope**

The policy applies to all employees and temporary/casual workers of Wokingham Borough Council, Contractors, agency workers and volunteers with the exception of staff employed in schools (teaching and non-teaching). These latter staff are covered by a separate procedure.

**11.4.4 Equal Opportunities**

Our Equal Opportunity Policy reflects one of the Council's core values. All employees are entitled to fair treatment by others, and to be treated with respect and dignity. In return, they are expected to treat others in this way.

**11.4.5 Procedure Description**

The policy and procedure for conduct consists of the following components:

- a) confidentiality
- b) political neutrality;
- c) additional activities;
- d) conflict of interest;
- e) gifts and hospitality; and

- f) personal behaviour.

#### **11.4.6 Confidentiality**

In the course of their work, employees will have access to and be entrusted with confidential information in respect of the clients, business and finances of the Council and their dealings, transactions and affairs. Employees shall keep all such “confidential information” strictly private and confidential and under the terms of their contract shall not during or after the period of their employment, divulge to any person whatever or otherwise make use of, any such confidential information except:

- (a) in the proper course of their duties, or
- (b) unless the Council has decided to carry out the defence on their behalf, as necessary to defend an employee in any claim, suit or proceeding brought against them with respect to, arising out of, in consequence of, or in any way related to their employment.
- (c) In the event a court, litigant or governmental body requests or requires disclosure of anything protected by this sub paragraph, the employee from whom disclosure is sought shall immediately give written notice to the Council.

#### **11.4.7 Political Neutrality**

Employees provide a service to the Council as a whole. It follows they must treat all Councillors equally and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected..

#### **11.4.8 Additional Activities**

Employees who have more than one employment (either inside or outside the Council) should seek approval before undertaking another job, employees must also inform their “primary” manager of other work undertaken so that the total level of work undertaken can be monitored. . The policy does not bar all outside work, however, all employees must be clear about their contractual obligations and must not take outside employment that conflicts with or damages the Council’s interests or reputation

#### **11.4.9 Conflict of Interest**

The Council expects its employees to give the highest possible standard of service to the public and to avoid any situation where private and Council interests may conflict. Employees must declare in writing to their line manager any financial and/or non-financial interest that may potentially conflict or be seen to conflict with the Council’s interests.

#### **11.4.10 Gifts and Hospitality**

Employees must not accept any gift, inducement or reward, including hospitality, for showing favour or disfavour to any person or other organisation. It is the responsibility of the person receiving the favour to prove that it was not received dishonestly. All offers whether or not approved to be accepted must be recorded. Under the Bribery Act (2010) it is an offence to offer or receive bribes or improper inducements for any purpose.

**11.4.10.1** The Council defines bribery as ‘an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage’. 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 Audit. Hospitality from contractors should also be avoided where employees/team are singled out for example Christmas lunch etc, this may be perceived as preferential treatment. However, managers may wish to allow employees to keep insignificant items of token value such as pens, diaries, etc not exceeding the value of £25.

It is important that all offers are recorded including those that are offered and not accepted.”

#### **11.4.11 Personal Behaviour**

This policy is fundamental to the conduct of employees in the course of their duties. It is the Council's policy that any employee who fails to observe the expected standards of behaviour and who impedes the service to our customers or brings the Council into disrepute, may be liable to disciplinary action.

##### **11.4.11.1**

The Policy and Guidance for Discipline will be initiated where any employee is found to be in breach of this Policy. If an employee is found guilty of gross misconduct he or she may face dismissal. Expectations with regard to personal behaviour are detailed in the policy under the following subject areas:

Absence from work	Poor timekeeping
Negligence	Refusal to obey a reasonable instruction
Social behaviour	Occupational Drivers
Alcohol/drugs	Smoking
Health & safety	Fraud & Corruption
Private use of official facilities	Security Compliance
Council Property	Deductions from Salary
Reporting arrests, prosecutions, etc.	False statements
Discrimination	Derogatory Statements
Harassment/bullying	Abuse of E-mail/Internet
Data Protection Policy and Guidance	

## **CHAPTER 11.5 – OFFICER EMPLOYMENT PROCEDURE RULES**

### **11.5.1 Recruitment and Appointment**

#### Declarations

- a) The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or Officer of the Council; or of the partner of such persons.
- b) No candidate so related to a Councillor or an Officer will be appointed without the authority of the relevant Director or an Officer nominated by him/her.

#### **11.5.1.1**

##### Seeking support for appointment.

- a) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- b) No Councillor will seek support for any person for any appointment with the Council.

### **11.5.2 Recruitment of Head of Paid Service, Directors, S151 Officer and Monitoring Officer**

Where the Council proposes to appoint any of the aforementioned and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

- a) draw up a job description and person specification:
- b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- c) make arrangements for a copy of the job description and person specification to be sent to any person on request.

### **11.5.3 Permanent Appointment of Head of Paid Service, S151 Officer and Permanent or Interim appointment of Monitoring Officer**

- a) Executive will be informed of Personnel Board's decision and given opportunity to object to appointment then:
- b) Personnel Board make the recommendation to approve the appointment to Council

#### **11.5.4 Appointment of Directors and the Interim Appointment of the Head of Paid Service and S151 Officer**

- a) Executive will be informed of Personnel Board's decision and given the opportunity to object to the appointment then:.
- b) Subject to no objections, Personnel Board make appointment.

#### **11.5.5 Interim Appointment of Directors**

The Head of Paid Service will appoint on an interim basis a Director for a period not exceeding 12 months, pending permanent replacement.

#### **11.5.6 Other Appointments**

- a) **Officers below Director.** Appointment of Officers below Director (is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors. The exception to this is;
- b) **Assistants to Political Groups.** Appointment of an assistant to a political group shall be made in accordance with the Council's recruitment procedure and involve that political group in the selection process and decision.

#### **11.5.7 Disciplinary Process to be followed for the Head of Paid Service, Monitoring Officer and Section 151 Officer**

- a) **Suspension.** The Head of Paid Service, Monitoring Officer and S151 Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months. The decision to suspend will be taken by the Leader of Council in consultation with the remaining Statutory Officers and with advice from the Service Manager, Human Resources.
- b) **Final Decision.** A final decision on whether or not to approve a proposal to dismiss the relevant Officer will be taken by full Council who must consider:
  - (1) any advice, views or recommendations from an Independent Panel;
  - (2) the conclusions of any investigation into the proposed dismissal; and
  - (3) any representations from the Officer concerned.
- c) **Independent Panel.** An Independent Panel will be set up at least 20 working days prior to the relevant full Council meeting to investigate the alleged misconduct. Independent persons who have been appointed for the purposes of the Members' conduct regime under section 28(7) of the Localism Act 2011 will be invited to form an Independent Panel. The Independent Panel will be formed if two or more independent persons accept the invitations which should be issued in accordance with the following priority order:
  - (1) an independent person who has been appointed by the Council and who is a local government elector;
  - (2) any other independent person who has been appointed by the Council; and
  - (3) an independent person who has been appointed by another council or councils.

### **11.5.8 Disciplinary Process to be followed for other Director level positions**

- a) **Suspension.** Other Directors may also be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months. The decision to suspend will be taken by the Chief Executive with advice from the Service Manager, Human Resources. The Chief will inform the Leader of Council.
- b) **Final Decision.** A final decision on whether or not to approve a proposal to dismiss the relevant Officer will be taken by Personnel Board who must consider:
  - (1) any advice, views or recommendations from the Investigating Officer;
  - (2) the conclusions of any investigation into the proposed dismissal; and
  - (3) any representations from the Officer concerned.
- c) **Investigation.** Internal Audit will conduct the investigation.

### **11.5.9 Disciplinary action for positions below Director level**

Councillors will not be involved in the disciplinary action against any Officer below Director except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Council's disciplinary, capability and related procedures, as adopted from time to time.

## **CHAPTER 11.6 – DELEGATED POWERS RELATING TO STAFFING MATTERS**

All the following delegated powers are subject to, and are exercised in accordance with the Council's Rules of Procedure and Contract and Financial Regulations and within the Council's policies and procedures and agreed budgets. This document applies to all non-schools Services.

Officers occupying a post with specific delegation as outlined below must decide to what extent they will assign in writing the powers delegated to them to another responsible Officer for whom they will always be accountable.

Any delegation made to a Director may also be exercised by the Chief Executive.

### **11.6.1 Directors**

The term "Director" relates to Officers who report directly to the Chief Executive; with the exception of the Head of Governance and Improvement Services and the Head of Town Centre Regeneration who also report directly to the Chief Executive but are Heads of Service.

### **11.6.2 Head of Service**

The term "Head of Service" (3<sup>rd</sup> tier) relates to Officers who report directly to Directors.

### **11.6.3 Budget Manager**

The Budget Manager has approval for staffing matters within budget.

### **11.6.4 Transacting delegations**

11.6.4.1 In all cases in the event that the Service Manager, Human Resources is not available a nominated Human Resources Business Partner will substitute.

11.6.4.2 Once a decision has been made in line with the appropriate delegation the decision should be transacted in accordance with the current procedures.

11.6.4.3 Any decisions that result in additional expenditure that exceeds currently agreed budgets has to be agreed by Executive via a Supplementary Estimate.

### 11.6.5 Delegations

All the delegations below are subject to being used in line with the relevant policy.

Subject	Level	Responsibility/Delegated Power
<b>11.6.5.1 Terms &amp; Conditions of employment</b>	<b>To determine changes to terms and conditions of employment of all non-teaching staff</b>	Personnel Board – recommendations are in consultation with Chief Executive and Section 151 Officer  Recommendation must be made to Executive where there are budget implications  Process managed by Service Manager, Human Resources
<b>11.6.5.2 HR Policy</b>	<b>New or revised policy with significant staff impact and/or budgetary implications</b>	Personnel Board  Recommendation must be made to Executive where there are budget implications  Process managed by Service Manager, Human Resources
	<b>New or revised policy due to statutory requirement</b>	Chief Executive,  Inform Personnel Board  Process managed by Service Manager, Human Resources
	<b>Revised policy to reflect best practice and/or process improvement with little or no staff impact and no additional cost</b>	Director, Finance & Resources  Process managed by Service Manager, Human Resources
<b>11.6.5.3 Appointment</b>	<b>Permanent Head of Paid Service (Chief Executive)</b>	Executive to be informed of Personnel Board's decision and given opportunity to object to appointment then:

		Personnel Board make recommendation to Council Process managed by Service Manager, Human Resources
	<b>Interim Chief Executive, Permanent Directors &amp; Monitoring Officer</b>	Executive will be informed of Personnel Board's decision and given opportunity to object to appointment.  Subject to no objections, Personnel Board make appointment with the exception of the Monitoring Officer where Personnel Board will make a recommendation to Council.  Process managed by Service Manager, Human Resources
	<b>Interim Appointment of Directors &amp; Monitoring Officer</b>	Chief Executive – where it applies to internal competition and it is not likely to be more than 12 months before re-appointment.. In relation to the Interim Appointment to the role of Monitoring Officer the Chief Executive will make a recommendation to Council.  Process managed by Service Manager, Human Resources
	<b>All other Employees</b>	Budget manager - agree the recruitment and appointment of staff within budget and to create delete or change posts within budget and in line with HR Policy.
<b>11.6.5.4 Appraisals</b>	<b>Chief Executive</b>	Leader of the Council, Mayor, and Leader of the Opposition
	<b>All other Employees</b>	Line Manager
<b>11.6.5.5 Suspension</b>		
<b>11.6.5.6 Dismissal (excluding redundancy)</b>	<b>Chief Executive (Head of Paid Service)</b>	Personnel Board to carry out dismissal.
	<b>Director, Finance &amp; Resources (S151</b>	Full Council must approve dismissal and after representation from

	<b>Officer) Head of Governance &amp; Improvement Services (Monitoring Officer)</b>	<p>the Officer being dismissed which will constitute the appeal.</p> <p>Advice provided by Service Manager, Human Resources</p>
	<b>Other Directors</b>	<p>Delegated to Personnel Board by the Executive.</p> <p>HR inform Executive to give them opportunity to object to dismissal.</p> <p>Appeal heard by another Council Committee. Members with previous involvement must not be part of this committee, except to give evidence. Membership of the committee will reflect the political balance of the Council</p>
	<b>Heads of Service</b>	<p>Hearing and Dismissal: Director (with advice from HR Business Partner)</p> <p>Appeal: Chief Executive (with advice from Service Manager, HR)</p>
<b>11.6.5.7 Grievance (raising)</b>	<b>Chief Executive</b>	<p>Hearing and Dismissal: Hearing to be conducted by manager two levels above employee and decision to be agreed by appropriate Head of Service if not involved in hearing with advice from HR Consultant</p> <p>Appeal: Director with advice from HR Business Partner</p> <p>Raises to and responsible for investigation: S151/Monitoring Officer <del>Statutory Officer</del></p> <p>Hearing: Independent Panel</p> <p>Appeal: Leader with Personnel Board. Any members with previous involvement must not be part of this committee, except to give evidence.</p> <p>Advice: Service Manager, Human Resources</p>



	<b>S 151 Officer Monitoring Officer</b>	<p>Raises to &amp; responsible for investigation: Chief Executive</p> <p>Hearing: Chief Executive</p> <p>Appeal: Leader who will send to Personnel Board for determination</p> <p>Advice: Service Manager, Human Resources</p>
	<b>All Other employees</b>	In accordance with the Grievance Procedure
<b>81</b>	<b>11.6.5.8 Grievance (against)</b>	
	<b>Chief Executive</b>	<p>Raises to &amp; responsible for investigation: Leader, with the support of Service Manager, Human Resources</p> <p>Investigated by: Independent Investigator</p> <p>Hearing: Leader</p> <p>Appeal: Personnel Board</p>
	<b>Directors &amp; Monitoring Officer</b>	<p>Raises to &amp; responsible for investigation: Chief Executive, with the support of Service Manager, Human Resources</p> <p>Hearing: Chief Executive</p> <p>Appeal: Leader who will send to Personnel Board for determination</p>
	<b>All other employees</b>	In accordance with the Grievance Procedure
<b>11.6.5.9 Redundancy</b>	<b>Directors</b>	<p>Chief Executive following consultation with Personnel Board and S151 Officer.</p> <p>Director at risk of redundancy has right to make representation to Personnel Board as part of consultation</p>

		Advice: Service Manager, Human Resources
	<b>All other employees</b>	<p><b>5 or less within budget</b> Jointly agreed by S151 Officer &amp; appropriate Director.</p> <p>Advice from HR BP or Consultant</p>
		<p><b>Above 5 within budget</b> <u>As above plus in consultation with Lead Member for HR/Chair of Personnel Board</u></p> <p><u>Advice from HR Business Partner</u></p>
		<p><b>Outside of budget</b> As above plus refer to section 11.6.4.3</p> <p>Advice from HR Business Partner</p>
<b>11.6.5.10 Early Retirement Discretions</b>	<b>Use of employer discretions where there are no enhancements under the LGPS Regulations 2013 &amp; Organisational Change Policy,</b>	<p>S151 Officer &amp; Director of appropriate Service.</p> <p>Advice from HR Business Partner</p>
	<b>Recommendations on augmentation of payments</b>	<p><b>Within budget</b> Personnel Board</p> <p><b>Outside budget</b> Personnel Board make a recommendation to Executive where there are budget implications. A supplementary estimate must be made by the relevant budget manager.</p> <p>Advice from HR Business Partner/HR Consultant</p>

	<b>Flexible Early Retirement</b>	<p><b>With no additional cost in line with policy</b> Budget Manager in consultation with Director of Service</p> <p><b>With additional cost still in line with policy</b> Budget Manager in consultation with Director of Service and S151 Officer. HR must inform Personnel Board</p>
<b>11.6.5.11 Structures</b> <i>Where this relates to a reduction in staffing numbers please see section 11.6.5.9</i>	To approve overall strategy for organisation and staffing structures.	Chief Executive and Lead Member
	To approve overall organisation structure.	Chief Executive and Lead Member in consultation with Directors (advice from Service Manager, Human Resources)
	To approve service level staffing structures that require a formal consultation period.	Director Advice from HR Business Partner or Consultant
<b>11.6.5 .12 Pay progression</b>	Chief Executive	<p>Recommendation: Leader of the Council Approval: Personnel Board</p> <p>Advice from Service Manager, Human Resources</p>
	Directors & Monitoring Officer	<p>Recommendation: Chief Executive Approval: Personnel Board</p> <p>Advice from Service Manager, Human Resources</p>

84	Pay policy for Chief Executive, Directors & Monitoring Officer	Personnel Board with advice from Service Manager, Human Resources
	Dealing with salary and pay progression outside of the published pay scales	Chief Executive, appropriate Director and Section 151 Officer. Advice from Service Manager, Human Resources
	Dealing with salary and pay progression in line with published pay scales	In line with relevant policies
	Honorariums, Acting Up payments, High Mileage Allowance and Market Supplements	In line with relevant policies
	To accelerate salary increments within budget or withhold salary increments.	Budget Manager Advice from Human Resources
	Performance Related Pay	Refer to current scheme guidance
	Career Grade Progression	Head of Service

<b>11.6.5.13 Sick Pay</b>	Agree conversion of any period of sick pay entitlement from half to full pay. Agree the extension of sick pay beyond the aggregate of full and half pay.	Budget Manager in consultation with Director
	Agree recovery of sick pay where employee has been off sick due to their own misconduct	Budget Manager in consultation with Director
<b>11.6.5.14 Leave</b>	<b>Annual Leave</b> Carry over leave in excess of 5 days Pay in lieu of leave instead of carry over To authorise payment of outstanding leave on termination.	Line Manager, subject to compliance with Working Time Directive Budget Manager & Director, subject to compliance with Working Time Directive Budget Manager
	<b>Compassionate Leave</b> Compassionate leave beyond provisions of policy	Budget Manager in consultation with Director

	<p><b>Sabbatical</b> (unpaid leave up to 12 months for personal/ professional development)</p> <p><b>Career Break</b> (unpaid leave for 1 – 3 years).</p> <p>Other shorter periods of Unpaid leave</p>	Budget Manager in consultation with Director
	<p><b>Other Unpaid Leave</b></p>	Line Manager
11.6.5.15 <b>Secondments</b>	To agree secondments outside and into WBC.	Head of Service
	To agree secondments within WBC	Budget Manager
11.6.5.16 <b>Political Activity</b>	To authorise “Political Activity” for post holders in politically restricted posts	Standards Committee
11.6.5.17 <b>Health &amp; Safety</b>	To ensure compliance with Health and Safety at Work Regulations and other legislation.	Chief Executive & Directors