

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON 24 NOVEMBER 2016 FROM 7.30 PM TO 8.15 PM**

Committee Members Present

Councillors: Keith Baker (Chairman), Julian McGhee-Sumner, Mark Ashwell, Charlotte Haitham Taylor, Pauline Jorgensen, Anthony Pollock, Malcolm Richards and Angus Ross

Other Councillors Present

Prue Bray
Gary Cowan
Andy Croy
Richard Dolinski
Lindsay Ferris
Clive Jones
Beth Rowland
Rachelle Shepherd-DuBey
Alison Swaddle

75. APOLOGIES

There were no apologies for absence received.

76. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 27 October 2016 were confirmed as a correct record and signed by the Chairman.

In relation to Minute 64.2 Councillor Haitham Taylor requested that in order to improve the flow of the sentence the full stop be removed from the last sentence of the Supplementary Answer.

77. DECLARATION OF INTEREST

Councillor Pauline Jorgensen declared a personal interest in Agenda Item 80, Council Owned Companies Business, by virtue of the fact that her husband was a paid Non-Executive Director of WBC Holdings Ltd. Councillor Jorgensen remained in the meeting during discussions and voted on the matter.

Councillor Anthony Pollock declared a personal interest in Agenda Item 80, Council Owned Companies Business, by virtue of the fact that he was an unpaid Non-Executive Director of Optalis. Councillor Pollock remained in the meeting during discussions and voted on the matter.

78. PUBLIC QUESTION TIME

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

78.1 Imogen Shepherd-DuBey asked the Executive Member for Environment the following question:

Question

The park at Meadow Road, along the Emmbrook, has recently had a cycle lane/footpath built through the middle of it. What consultation was given to the public and the residents

of the area, before this cycle-lane was built right through the area used by children to play ball sports?

Answer

The improvements to the Emmbrook Corridor were required to provide an attractive pedestrian link between the Matthewsgreen Farm development and the new SANG, or country park, to the west of Old Forest Road. The area is owned and managed by Wokingham Borough Council as informal open space and whilst it is used for informal ball games none of it is marked out as playing pitches and it is unlikely that the new footpath will significantly compromise the informal use of this area of public open space in the future.

[At this point in the proceedings Ms Shepherd-DuBey pointed out that the response did not actually relate to the area mentioned in the question. Ms Shepherd-DuBey clarified that her question actually related to the Meadow Road area where Meadow Road shops go up to the bridge.]

Councillor Ross further stated:

The footpath anyway was not designed as a cycleway and the one I am talking about can only be accessed through the existing kissing gates at the site entrance but if it is a different site I do apologise and I will come back to you.

Supplementary Question

It is a different type of footpath. The Meadow Road one is very much quite a substantial path whereas the one I know you are talking about is a footpath.

My question then would be what sort of consultation was done with the local people and what feedback did you get from it?

Supplementary Answer

Obviously as I do not have the reply to the right question I will not attempt to answer that but I will come back to you.

[Note:

The following written response was subsequently provided to the question:

The footway/cycleway formalises what was an existing well used pedestrian tracked route from the existing footway/cycle way located near Heelas Road linking to Meadow Road. This route runs parallel to the Emmbrook but is positioned close to the residential side with a closer link to Perkins Way.

The scheme provides an environmentally friendly surface whilst formalising safer connectivity for pedestrians /cyclists to Barkham and Wokingham via Meadow Road.

This project is part of the highways capital programme and whilst residents and local groups are not normally consulted directly on these types of safety schemes (unless they are directly affected by closures or traffic management), our aspiration is to keep residents informed of all types of work where they might be affected. This is an informal open space which is meant to accommodate a wide variety of uses. Although the path will not preclude children from playing ball sports, we do recognise that in this instance, more could have been done to inform local residents prior to the work commencing.]

78.2 Peter Must asked the Executive Member for Planning and Regeneration the following question:

Question

Given that Network Rail has confirmed to John Redwood MP that it and the Borough Council are planning a permanent footbridge at the Tanhouse crossing to span both the Waterloo and North Downs railway lines, could the Executive Member say what those plans are and when they are to be delivered, especially since the bridge over the Waterloo line is defined as 'temporary'?

Answer

Network Rail originally applied to Wokingham Borough Council to close the crossing permanently and install a stepped footbridge over the Reading to Waterloo Line.

However, it was both the Council and Network Rail's aspiration to provide a fully accessible ramped footbridge over the railway; a step-free structure. As a result Network Rail withdrew its application for permanent closure and funded the temporary footbridge that you see.

A Memorandum of Understanding between the Council and Network Rail provides that the temporary structure will remain in place until such time as a permanent ramped footbridge (a step-free footbridge) is delivered. The Council's long term plans for a permanent structure over the Waterloo to Reading Line could also see the existing footbridge over the North Downs Line replaced with a ramped footbridge. This would ensure the same level of accessibility across both lines.

The design for the new multi-storey car park at Carnival Pool allows for the end stair/lift tower to tie into a footbridge over the railway in the future and it is anticipated that both the Council and Network Rail would contribute towards the funding of a new bridge.

The Tanhouse Lane crossing is one of four potential footbridge improvements identified on the Council's Community Infrastructure List, the 123 list, but is not currently in the Council's capital programme.

Supplementary Question

What do you mean by temporary – it must have a finite definition?

Supplementary Answer

Temporary is the definition of Network Rail and the Memorandum of Understanding asks us to use reasonable endeavours towards providing the permanent step-free structure. In short it is a longer term aspiration for both Network Rail and Wokingham Borough Council.

79. MEMBER QUESTION TIME

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

79.1 Prue Bray asked the Executive Member for Planning and Regeneration the following question:

Question

Who saw and was able to comment on the bid for the Grazeley Garden Settlement before it was submitted to the DCLG in July this year, within or outside this Council?

Answer

It is a confidential expression of interest and it was lodged with CLG on 28 July 2016 this year to establish a dialogue with the Government in the event that this approach is selected as part of the Local Plan Update. The document is now publicly available at: - <http://www.wokingham.gov.uk/planning-and-building-control/planning-policy/local-plan-update/>

The parties involved in submitting the document can be seen by reference to that document. As is normal practice with such matters lead Officers and Members were party to the process of submission.

Supplementary Question

At the beginning of that statement you said “confidential expression of interest”. Could you tell me where in the prospectus it says it has to be confidential i.e. the Government prospectus that was published in March?

Supplementary Answer

We chose for it to be confidential as we did not want to pre-empt anything in this process because we are obviously at the early stages of reviewing our Local Plan. So we did not want to pre-empt anything else.

79.2 Rachelle Shepherd-DuBey asked the Executive Member for Planning and Regeneration the following question:

Question

Could you please explain how an inspector would not say you have prejudged the local plan with submitting a bid for Grazeley Garden Development using only two developers whilst not providing the same access to other developers?

Answer

This leads on from the previous supplementary question. It is a confidential expression of interest to the Government’s Locally-Led Garden Villages, Towns and Cities Prospectus and it was lodged with CLG on 28 July 2016. This is part of a discussion with Government to establish whether there is any merit in this approach should the public favour this approach as part of the Local Plan Update process. As there is only one submission as part of the call for sites which proposes a Garden Settlement and this is at Grazeley the local plan inspector would see this as a business as usual matter.

Nothing has been decided and therefore the Council cannot be said to have prejudged the Local Plan. The Local Plan Update is at an early stage of development. The Council will be carrying out a further formal consultation with residents and stakeholders during June-July 2017 next year; subject to Executive approval. This consultation will seek views on the Council’s preferred policy approach as well as an assessment of those sites suggested to the Council to consider allocating for different uses.

The Local Plan examination, conducted by a Planning Inspector, is not anticipated to take place until December 2018. Therefore, there is ample opportunity through the process for the full range of views, whether from residents or developers, to be expressed. The Council has already indicated as part of the Call for Sites process that we will contact developers where necessary to provide further additional information.

The expressions of interest relating to the garden settlements referred to welcoming expressions of interest which included support from private sector developers and/or land

owners. Therefore, the Council chose to work with developers to maximise the opportunity for any potential expression of interest to be considered more favourably. Pre-application dialogue is confidential and it is on this basis that the conversations were held and as I said before the submission is public now and is on our website.

Supplementary Question

Did the two developers and the estate approach the Council about the garden settlement or did WBC approach them to have an exclusive deal about the settlement?

Supplementary Answer

As I said before it was part of a pre-application process that the developers paid for and then we saw that opportunity with a two-week deadline and came to the conclusion together.

The Leader of Council stated:

It is not an exclusive arrangement with anyone. There is no exclusivity whatsoever.

79.3 Clive Jones asked the Executive Member for Planning and Regeneration the following question:

Question

At least five local councils have applied to the DCLG for funding to create so called "garden villages". These five made their residents aware of their ideas and initial plans during July and August with press releases and statements. Why did you keep your plans to build 15,000 homes in Grazeley secret from our residents?

Answer

The expression of interest submitted to the Government by the Council on 28 July 2016 is now on our website and I described the address earlier.

As you will see the expression of interest is not a formal bid and it was submitted confidentially. This was in order to establish a dialogue with Government in the event that the Local Plan Update process favoured this approach. This is a business as usual matter to establish the best possible position for our residents in the event that they favour a particular option as part of the plan making process.

As it is also, in parallel, part of a pre-application process it was for the time being a confidential matter as would be normal in these circumstances.

The submissions made by other authorities are more advanced on their individual processes as would have been considered suitable for wider publicity on their own merits, unlike the Grazeley document.

Supplementary Question

As confidentiality was not a requirement from DCLG will you apologise to the residents of Grazeley, Spencer's Wood, Shinfield and all other residents of the Borough who consider that they are adversely affected by this proposal for keeping your proposal secret even though you did not need to?

Supplementary Answer

As I explained earlier confidentiality was a business as normal matter in this case. We will be resubmitting publicly at some point so no apology needed.

79.4 Lindsay Ferris asked the Leader of the Council the following question:

Question

Did you have the necessary authority to submit the proposals for the Grazeley Garden Settlement when they went to the DCLG in July this year?

Answer

The confidential expression of interest to which you refer was submitted with the appropriate authority.

Supplementary Question

Why did you have to go back to your Group to get retrospective agreement from them as you say you had the necessary authority to submit the Grazeley proposals? It would appear you somewhat overstepped your authority. This is an important point and needs an answer.

Supplementary Answer

As we have said before we do not discuss internal workings of our Group they are confidential.

79.5 Gary Cowan asked the Executive Member for Environment the following question:

Question

Subject to agreement to confirm Capital Spend within the 2017/18 budget, Bulmershe Leisure Centre will be demolished and replaced with a new build leisure facility at an estimated cost in the region of £12m.

The Council emphasises its requirement to save £20m over the next three years so is this a right and proper way to spend the council tax payers money and potentially put at risk more deserving causes?

Answer

Thank you for your question which gives me the opportunity again to re-emphasise that no capital spend has yet been agreed for rebuilding or refurbishing Bulmershe Leisure Centre and the recommendation later in the agenda being agreed.

The £20m you refer to as the saving the Council is faced with is revenue, whilst this project, if eventually approved as part of the capital programme is Capital.

I would also like to point out our commitment to the health and wellbeing of our residents and the important part our Leisure Centres play in this. I would also add the financial revenue implications of a 'do nothing' approach. This includes the escalating repair works of a 70s building which it is most likely will become too great a burden to consider to be funded by a leisure provider and will fall to this Council, as revenue.

We are not only providing leisure facilities here for residents but this centre is an integral part of the provision for Bulmershe School and other local schools. Since the Council took the facility back, with a small investment by 1Life and this Council, we have added considerable income with a successful gym and more welcoming environment and adding facilities for GP referrals.

As an example, recently a middle-aged resident who had a severe stroke was told he would need round-the-clock care at home. He was determined he would remain independent and was referred to our long-term conditions gym at Bulmershe, and is now

fully independent of care which the Authority would have had to provide for life. Another example is the number of older people who swim regularly at the pool; who said when we did the public consultation that if it wasn't for the swimming they were convinced they wouldn't be here anymore.

May I remind you that our leisure centres already return £660,000 per annum to the Council funds. There is no subsidy. With a new contract from May 2018, and with a new facility at Bulmershe, this income should increase significantly; if we do go ahead of course.

Supplementary Question

As part of the Administration that kept Grazeley a secret for 18 months and more or less only came clean when the report was leaked. Also as part of the Administration that produced a higher housing number without any consultation and you personally voted for the Leader's recommendation to over-rule the Independent Remuneration Panel recommendations which resulted in all of them resigning and saying in the letter that the decision made by Councillors sets a dangerous precedent that is not in the interest of Wokingham's tax payers. How can you convince the public that your planned consultation and leisure strategy will have any meaning when secrecy seems to be the genetic make-up of this Administration?

Supplementary Answer

I think that is up to the public to decide.

79.6 Beth Rowland asked the Executive Member for Environment the following question:

Question

As Wokingham now has some responsibility for the health of its residents – how far would an eight lane pool in Woodley help towards meeting those responsibilities?

Answer

Thank you for your question. It gives me an opportunity to set out the health benefits of the Council's aspirations for leisure services which are set out in the draft Leisure Strategy which is currently out for open public consultation until 23 December. The aims of the Strategy are to:

- be an Authority which promotes opportunities for all residents to be active and to participate in sporting and leisure activities to improve health and wellbeing, in high quality facilities or environments;
- enable an increase in the proportion of the adult population achieving the Chief Medical Officer's physical activity guide;
- support the aims of the Childhood Obesity Plan;
- maintain leisure centre provision through a model of community facilities, both wet and dry, in each of the Borough's main localities; the three towns of Wokingham, Woodley, and Earley with Arborfield and Ryeish Green facilities being added to the Borough's leisure assets in the near future;
- enable the provision of other facilities across the Borough which offer multiple use and not exclusivity for one group or activity and which make use of the Borough's open green spaces;
- support the contribution made by voluntary organisations; and
- deliver services and facilities which cover their delivery and maintenance costs, providing a significant and maximised income for the Council, value for the

Council Tax payer and maximum return on investment and fair levels of charging for the population.

As can be seen, many aims have promoting and improving the health of our residents at their heart. In essence, maintaining a leisure centre at Bulmershe which contains: swimming pools; a sports hall; gym and fitness studios will maintain, and with a new or better facility, expand opportunities for our residents to participate in the types of physical activity which benefit both mental and physical health. In addition, the specialist equipment and services provided to people with long term health conditions can be shown to directly impact positively on the likelihood of some of these people requiring Council-funded social care. As a facility which has shared use with Bulmershe School, the centre and its swimming pool contribute to the health of children and young people, and through swimming lessons, on their safety also. The use of the pool and other facilities by community groups and sports clubs provides further opportunity for their members to maintain and improve their levels of fitness and health.

On the issue of the pool having eight lanes; this is one of the options put before us. We have an option of a six lane pool; and the refurbish option would include a pool of the current size, which has five lanes. The number of lanes in the new build options is subject to Executive consideration of the cost-benefits of these different options, which include the build costs and running costs set against the estimated revenue earnings from the management fee provided by the operator. They are also separately subject to the planning process, and the design of an acceptable scheme for what is in reality a small site for such an operation as a leisure centre. May I stress that no capital spend has yet been agreed for rebuilding or refurbishing Bulmershe Leisure Centre.

Supplementary Question

That was a very comprehensive reply and one I was pleased to hear from you. As you know if it hadn't been for Woodley Town Council then the pool would not be there now for you to develop and we would be starting from scratch if you were to put a pool in Woodley. This means that Woodley residents were double rated for many years as they paid their leisure bill to Wokingham and to Woodley Town Council.

When the leisure contract was put in place several years ago, or many years ago now, Woodley Town Council also asked that the pool be included in it and Wokingham turned it down. I believe because of that Woodley now deserves the best and I think an eight lane pool will provide the best return for money and the best return for the residents of the Borough and I would urge you all to look at that carefully tonight and hopefully choose it.

Will you choose it?

Supplementary Answer

That will be up to my colleagues a bit later.

80. COUNCIL OWNED COMPANIES' BUSINESS

(Councillors Pauline Jorgensen and Anthony Pollock declared personal interests in this item)

The Executive considered a report setting out the budget monitoring position for the month ending 30 September 2016 and the operational update for the period to 31 October 2016 of the Council Owned Companies.

The Leader of Council advised the meeting that Optalis was concentrating on the merger with the Royal Borough of Windsor and Maidenhead which was on track. In relation to the Wokingham Housing Ltd the Phoenix Avenue project was well underway and work on Fosters Extra Care Home had started.

RESOLVED That:

- 1) the budget monitoring position for the month ending 30 September 2016 be noted;
- 2) the operational update for the period to 31 October 2016 be noted.

81. BULMERSHE LEISURE CENTRE FUTURE OPTIONS

The Executive considered a report setting out future options for Bulmershe Leisure Centre.

The Executive Member for Environment informed the meeting that although investment had been made to improve the facility the building still required further work. Intensive consultation on possible options/ideas had been carried out with the public, users and the school and a full condition survey had also been carried out.

Councillor Ross went through the various options outlined in the report which included refurbishment of the current facility or a new build option with either six or eight lanes and also highlighted the constraints of the site.

Councillor Ross advised that the preferred option was to rebuild the facility and highlighted that although the recommendation was to build a six lane facility a decision on whether to build a six or eight lane facility would be confirmed. It was noted that the difference in capital costs and the constraints of the site meant that currently an eight lane facility was not financially viable.

It was also highlighted that the recommendation was subject to confirmation of the capital spend being included in the 2017/18 budget.

Councillor Jorgensen queried what would happen if the contractor subsequently found that the income was not at the level they had expected and they ended up making a loss and asked if there would be something in the contract to protect the Council. It was confirmed that if the contractor made a loss it would be their issue to address and not the Councils.

Councillor McGhee-Sumner asked if there had been any communication with Reading over their leisure facility proposals as outlined in the report. Councillor Ross confirmed that Wokingham's figures had been worked out on the basis of the income that would come from Wokingham Borough residents and an eye would be kept on the progress of Reading's ventures.

In response to a query from Councillor Haitham Taylor Councillor Ross confirmed that the Council had and would continue to work very closely with Bulmershe School as the facility was a major part of their provision as well as also taking into account the requirements of the operator and local residents to ensure that all the needs were matched. It was noted that with regard to the capital spend the Council had a number of projects it needed to bring forward and the leisure centre here and at Ryeish Green had to be set against the requirements of other projects.

RESOLVED That:

- 1) subject to agreement to confirm Capital Spend within the 2017/8 budget, Bulmershe Leisure Centre will be demolished and replaced with a new build leisure facility containing sports hall; swimming pools, gym and fitness studio, as per Option 2, subject to 2) below. Also, subject to agreement above, to agree timescales, the closure of the current centre being no later than at the end of the current management contract with 1 Life as of 30th April 2018, starting on the demolition during May 2018;
- 2) it be noted that confirmation will be required on whether to build the main 25m swimming pool with 6 or 8 Lanes. It is recommended that a 6 lane facility is built. The projected revenue income shows little difference to the 8 lane pool but substantial difference in capital costs.
- 3) the release of S106 developer contributions towards the cost of the scheme up to the value of the project budget be approved. £870k of developer contributions have been identified to date.

Councillor Keith Baker requested that his abstention when the vote was taken be recorded.

82. HIGHWAY ASSET MANAGEMENT POLICY AND STRATEGY

The Executive considered a report setting out a proposed Highway Asset Management Policy and Strategy.

The Executive Member for Highways and Transport explained that the Council had a large inventory of highways related assets eg roads, pavements, footpaths, car parks, street lights and furniture etc and all of these assets needed to be identified and have an assigned value. They also needed to be serviced and on occasions repaired or modified. In order to be aware of what the Council owned and what it cost and the plans for longer term development for future usage a properly organised list or database needed to be established with a set of procedures and standards to manage it.

The Council had started this process a number of years ago however the Government had now specified that every local authority should undertake, adopt and embed a Highway Asset Management Policy and Strategy and if the Council did not conform to this requirement it could affect future grants and financial support schemes related to highways.

Given the increased interest in allocating funds to recognise the effect of flooding on roads Councillor Ross reminded Members that road drains, gullies ditches etc were also are part of this programme.

RESOLVED: That the Highway Asset Management Policy and Strategy, as set out in the agenda, be approved and implemented within existing service budgets.

83. FEES AND CHARGES

The Executive considered a report setting out proposed fees and charges for Council services.

The Executive Member for Economic Development and Finance clarified that a decision was taken last year to bring the uprating of fees and charges to the November meeting in

order that they could be implemented as early as possible. It was noted that all the fees and charges had been considered by the relevant Executive Members.

Councillor Ross advised that rather than impose a blanket 1.9% increase all the fees and charges for his area of responsibility had been benchmarked and part of the timing benefit was that there were certain items eg fishing licences which would not want to be changed in the middle of the season.

RESOLVED: That the schedule of fees and charges, as set out in Appendix A to the report, to be effective from the dates listed on the schedule be approved.

84. PUBLIC PROTECTION SHARED SERVICE

The Executive considered a report relating to the setting up of a shared service arrangement for the delivery of Public Protection services with Bracknell Forest and West Berkshire Councils commencing January 2017.

Members were informed by the Executive Member for Resident Services that a shared service for Public Protection was currently in place with West Berkshire and the intention was to extend this to include Bracknell Forest Council. The opportunity was also being taken to change the way the contract was managed to ensure that Wokingham had more direct control of the three-way service than with the previous contract. Councillor Jorgensen asked Members to advise her of any issues they had with the shared service as it was intended to keep a closer eye on how it was operated and any concerns would be investigated..

Members were pleased to note the intention to set up a formal joint committee to oversee the contract.

RESOLVED That:

- 1) Wokingham Borough Council enter into a shared service arrangement for the delivery of Public Protection services with Bracknell Forest Council and West Berkshire Council (host) commencing January 2017;
- 2) the Borough Solicitor, in consultation with the Director of Resources and Executive Member for Resident Services be delegated authority to finalise Inter Authority Agreement between the three Councils;
- 3) WBC Executive functions in respect of public protection be delegated to the Joint Committee with West Berkshire Council (host) and Bracknell Forest Council through the Public Protection Partnership (PPP) and to enable the joint Committee to further delegate the operational functions to the managers of the shared service.
- 4) the fees and charges (based on a cost recovery basis) for the Public Protection Shared Services as set out in Appendix 3 be agreed.