



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **EXECUTIVE** will be held in David Hicks 1 - Civic Offices, Shute End, Wokingham RG40 1BN on
THURSDAY 26 JULY 2018 AT 7.30 PM

Manjeet Gill
Interim Chief Executive
Published on 18 July 2018

This meeting will be filmed for inclusion on the Council's website.

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WOKINGHAM BOROUGH COUNCIL

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

MEMBERSHIP OF THE EXECUTIVE

Charlotte Haitham Taylor	Leader of the Council
Julian McGhee-Sumner	Deputy Leader and Finance and Corporate Resources
Richard Dolinski	Adults Social Care, Health and Wellbeing
Stuart Munro	Business and Economic Development and Strategic Planning
Pauline Helliar-Symons	Children's Services
Norman Jorgensen	Environment, Leisure and Libraries
Pauline Jorgensen	Housing
Simon Weeks	Planning and Enforcement
Philip Mirfin	Regeneration

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- 18. APOLOGIES**
To receive any apologies for absence
- 19. MINUTES OF PREVIOUS MEETING** 7 - 14
To confirm the Minutes of the Executive Meeting held on 28 June 2018.
- 20. DECLARATION OF INTEREST**
To receive any declarations of interest
- 21. 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 Executive

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
- 21.1 Emmbrook Trevor Sleet has asked the Executive Member for Highways and Transport the following question:

Question
I would like to ask a question regarding the loss of the lollipop lady in Murray Road.

Has a published cost benefit analysis been carried out regarding the cost of the lollipop lady v's that of a installing a pedestrian crossing at this location?

21.2 None Specific Jenny Lissaman has asked the Executive Member for Highways and Transport the following question:

Question

In the Wokingham District Local Plan 1996 - 2006 Policy WT 12: Additional Railway Stations states that: The Council will seek the provision of additional railway stations at Thames Valley Park, and other locations that can serve development and reduce car usage without resulting in net environmental degradation . Interchange facilities and car and cycle parking will be provided as appropriate to each location. Why was the principle of that policy dropped from WBC's 2010 Core Strategy?

22.

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

22.1 None Specific Gary Cowan has asked the Leader of the Council the following question:

Question

It is very confusing for Members never mind the Public to establish the exact payments in total received by members of the Executive and their Deputy's for all the various roles in which they receive payments from within the Council and on outside bodies for example the Fire Service and NED payments. Can the Leader of the Council provide all this information now please?

22.2 None Specific Imogen Shepherd-DuBey has asked the Executive Member for Highways and Transport the following question:

Question

Recently, the Local Government Ombudsman upheld a complaint against Wokingham Borough Council where it had failed to provide suitable transport for a child with additional needs. From what I saw of the case, there seemed to be a number of serious failings in understanding the needs of that child and I would like to know what training and advice is provided to the drivers who provide these school transport services, especially when working with children who need specific care?

Matters for Consideration

23.	Coronation; Emmbrook; Loddon; Maiden Erlegh; Norreys; South Lake; Twyford; Wokingham Without	SCHOOL CROSSING PATROL SERVICE - CONSULTATION REPORT 2018	15 - 30
24.	None Specific	SHAREHOLDERS' REPORT	31 - 38
25.	None Specific	REVENUE MONITORING 2018/19 - QUARTER ONE UPDATE	39 - 54
26.	None Specific	CAPITAL MONITORING 2018/19 - END OF JUNE 2018	55 - 60
27.	None Specific	TREASURY MANAGEMENT OUTTURN 2017-18	61 - 88
28.	None Specific	NEIGHBOURHOOD PLANNING WOKINGHAM AREA DESIGNATION SIGN OFF PROCEDURE	89 - 100
29.	None Specific	DRAFT CENTRAL AND EASTERN BERKSHIRE JOINT MINERALS AND WASTE PLAN	101 - 112
30.	Emmbrook; Norreys	SDL COMMUNITY FACILITY, NORTH WOKINGHAM MATTHEWSGREEN	113 - 126
31.	None Specific	HEALTH AND SAFETY ANNUAL REPORT 2017/18	127 - 138
32.	None Specific	NEW PRIMARY SCHOOL PROVIDER RECOMMENDATION	139 - 144
33.	None Specific	DEVELOPING A MEMORANDUM OF UNDERSTANDING FOR WOKINGHAM INTEGRATED PARTNERSHIP ON HEALTH AND SOCIAL CARE	145 - 186

A decision sheet will be available for inspection at the Council's offices (in Democratic Services and the General Office) and on the web site no later than two working days after the meeting.

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Agenda Item 19.

MINUTES OF A MEETING OF THE EXECUTIVE HELD ON 28 JUNE 2018 FROM 7.30 PM TO 8.10 PM

Committee Members Present

Councillors: Charlotte Haitham Taylor (Chairman), Julian McGhee-Sumner, Richard Dolinski, Stuart Munro, Pauline Helliar-Symons, Norman Jorgensen, Pauline Jorgensen, Simon Weeks and Philip Mirfin

Other Councillors Present

Anthony Pollock
Laura Blumenthal
Gary Cowan
Helen Power
Imogen Shepherd-Dubey
Rachelle Shepherd-Dubey
Shahid Younis

11. COUNCILLOR KEITH BAKER

Councillor Charlotte Haitham Taylor announced that Keith Baker had stepped down from his role as Executive Member for Highways and Transport. On behalf of the Executive Councillor Haitham Taylor expressed thanks for Councillor Baker's contribution to the work of the Council in his Executive role over the past six months.

12. APOLOGIES

There were no apologies for absence received.

Following the resignation of Councillor Baker, Councillor Anthony Pollock attended the meeting in his role as Deputy Executive Member for Highways and Transport. In accordance with legislation Councillor Pollock was able to take part in any discussions but was not entitled to vote.

13. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Executive held on 31 May 2018 were confirmed as a correct record and signed by the Chairman.

14. DECLARATION OF INTEREST

Councillor Norman Jorgensen declared a personal interest in Agenda Item 15 Shareholders' Report by virtue of the fact that his wife was a paid Non-Executive Director of WBC Holdings Ltd. Councillor Jorgensen remained in the meeting during discussions and voted on the matter.

Councillors Pauline Jorgensen and Stuart Munro declared personal interests in Agenda Item 15 Shareholders' Report by virtue of the fact that they were paid Non-Executive Directors of WBC Holdings Ltd. Councillors Jorgensen and Munro remained in the meeting during discussions and voted on the matter.

Councillor Philip Mirfin declared a personal interest in Agenda Item 15 Shareholders' Report by virtue of the fact that he was a paid Non-Executive Directors of Optalis Holdings Ltd. Councillor Mirfin remained in the meeting during discussions and voted on the matter.

Councillor Anthony Pollock declared a personal interest in Agenda Item 15 Shareholders' Report by virtue of the fact that he was a paid Non-Executive Directors of Optalis Holdings Ltd. Councillor Pollock remained in the meeting during discussions but did not vote on the matter as he was in attendance in his role as a Deputy Executive Member.

15. PUBLIC QUESTION TIME

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

15.1 Keith Malvern asked the Leader of the Council the following question:

Question

In the Wokingham Paper of the 31st of May the Leader of the Council is quoted as saying 'The residents sent us a clear message on May 3, we have heard that message and are listening to them. If our residents feel they are not being listened to, then we need to redouble our efforts to show that we have taken on board what they have to say.' How is that compatible with the proposals to take away the remaining school crossing patrollers despite a petition with more than 200 signatures including those from two new Councillors elected on the 3rd of May?

Answer

The petition is due to be debated at full Council in July to ensure that the issues raised in the consultation and the concerns raised by residents are listened to. Following this a report will be considered by the Executive on 26 July. I would stress that until the petition has been properly debated and the report has been to the Executive, we are still considering the matter. That is the transparent and honest way to deal with these issues and is consistent with our commitment to demonstrate to residents that we have taken on board their views when we are making decisions.

Supplementary Question

There is a published intention to construct some crossings, be they zebra crossings, pelican crossings or puffin crossings (perhaps albatross might be more appropriate). That is in the public domain. I was also led to understand that issues relating to redundancy were on the cards. Have these been put on hold and is it the intention to carry on with these crossings?

Supplementary Answer

As I said, we are taking a pause and the costs that you have in the paper front of you are not entirely accurate. The Executive report will give fuller detail and I am sure that you will come along to listen to the debate. In relation to the proposed redundancies, they are subject to consultation at the moment, which is going on longer than was originally proposed.

15.2 Tahir Maher asked the Executive Member for Environment, Leisure and Libraries the following question:

Before the recent council elections, I asked a question about an unnecessary suggestion that the much used Maiden Erlegh library may close. At this Executive, I was informed that the decision was to be held back until June (after the local elections). I ask the Executive and the Council again what is being done to ensure that the much used Maiden Erlegh library is kept open.

Answer

The response to the previous question stated that the decision to end the Council's use of the Maiden Erlegh School site library was taken by Maiden Erlegh School in February 2018 in accordance with the lease arrangements that have been in place for 34 years.

Prior to this the school requested that the Council change the opening hours of the library to be after the end of the school day. This the Council did from 2 January 2018. It was disappointing, therefore, that only a few weeks later the school terminated our lease, closing the library.

In response to your previous supplementary question, I said we intended to bring a paper to the June Executive on our library service and the impact of closing the Maiden Erlegh library. There is a paper at this evening's meeting explaining how the Council continues to meet its statutory obligations to provide a comprehensive and efficient library service for the residents of Wokingham Borough.

The assessment shows that the Council has been successful in providing an increasingly well-used library service for the people who live, work and visit the Borough. The closure of the Maiden Erlegh Library is likely to have only a small impact on residents' ability to access library services due to the close proximity of alternative libraries that are open for substantially longer hours each week.

Finally just to repeat – the decision to close the library was taken by Maiden Erlegh School not me.

Supplementary Question

There will be locations within Maiden Erlegh where the library could be relocated. The Council is spending a huge amount of money redeveloping Wokingham town centre. Surely, we could spend a few hundred thousand on a much needed library for the local community?

Supplementary Answer

Again, just to repeat, it was the school that closed the library, not us. We had no desire to close the library, so you should direct your ire to the school rather than us.

The Lower Earley library is less than a mile away and the Woodley library is about 2.5 miles away, so there are other libraries that serve the area that people can get to. When we started our assessment of the people who use this library we were concerned that there might be a number of vulnerable people who could not get to other libraries. There are 6 pensioners who use the Maiden Erlegh library and no other library. Our library staff are focussing on people like this to assess whether they can still access services.

The vast majority of people who only use the Maiden Erlegh library (there are 171 of them) are pupils of the school and their immediate families, so it is a school issue rather than a community issue. We have been doing lots over the years to increase the footfall in our libraries and have been very successful in doing that. The strategy we have for libraries is working compared to other boroughs where usage of libraries is dropping. We do everything we can to encourage people to use our libraries.

16. MEMBER QUESTION TIME

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

16.1 Gary Cowan asked the Executive Member for Business, Economic Development and Strategic Planning the following question:

Re: IMD 2018/28 Duty to Cooperate: SHMA Methodology, Executive - Individual Member Decisions - Monday, 9th July, 2018 3.00 pm

As this IMD has serious implications for Wokingham and its residents I am very surprised to see it "hidden" in an IMD.

Can you therefore give me an update on it as it is scheduled to be determined in 10 days' time?

Answer

Legislation requires Councils to work together to ensure strategic issues, which cut across local authority boundaries, are properly addressed. I am sure that you know this from your work in this area. With regards to housing, Councils are required in government policy and guidance to identify Housing Market Areas (HMA). These are functional areas which have a relationship in terms of house prices, migration and commuting patterns.

At present this Council, and the other Berkshire local authorities, rely on the Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) as the most up-to-date assessment of housing issues. This identifies two HMAs relevant to the Berkshire local authorities – a Western Berkshire HMA focused on Reading (which includes Wokingham Borough, West Berkshire, and Bracknell Forest in addition to Reading), and an Eastern Berkshire HMA focused on Slough (which includes RBWM and South Bucks in addition to Slough). The identified HMAs were subject to public consultation in 2015 as part of the study's preparation.

To assist local plan processes across Berkshire, each of the Berkshire local authorities has been asked to sign a Memorandum of Understanding (MoU) confirming their continued agreement with the HMA geography. The MoU is not legally binding, but provides a transparent way of recording a working agreement. It can be reviewed at any time.

The MoU does not consider housing numbers. On this we expect the government to introduce a standardised methodology for calculating housing need across England shortly. This will supersede any previous calculation.

The signing of the MoU does not have serious implications for Wokingham Borough and it is certainly not hidden. The MoU simply reflects the facts of how places in Berkshire relate to each other as recommended in a study which has been in the public domain since 2015 and was widely consulted on.

I am due to consider a report on the MoU at a public meeting on 12 July 2018. The report and details of the meeting will be available in the normal way on our website.

Supplementary Question

In relation to my point about information being hidden in IMDs. For example, the Leader of the Council signed an IMD on 4 June which was in your name. The IMD report took a line on supporting SDL building using volume builders as opposed to small and medium sized local builders. I would add that the response to Government was, generally speaking, excellent, but with regard to IMDs why was this crucial Government consultation not part of

a residents' consultation or, for that matter, brought to Council to allow Members to debate it in full and not have it buried in an IMD?

Supplementary Answer

I was aware of the particular consultation you mentioned (Revisions to the National Planning Policy Framework), read the report and talked to Officers about it. We are waiting to receive a response.

That particular IMD would have originally been signed by Councillor David Lee who was leading on that activity, but, as you are aware, he lost his seat, so the Leader signed the IMD. It was important that we got across our thoughts for the Government to consider and they are telling us that they will respond before the summer recess. It is important for us to say whether we agree or not with what they are suggesting.

Of course, Members and the public are able to attend these IMD meetings if they wish and are able to make a contribution.

16.2 Rachelle Shepherd-Dubey asked the Executive Member for Highways and Transport the following question:

There are complaints about OTT Parking enforcement (CPE) at Dinton Pastures for parents dropping off/picking up their children attending scout functions at the Dinton Activity centre. They are not being given 10 minutes to do so. Winnersh 1st Scouts are paying WBC about £6000 a year for use of the building. Why can't some leeway be given?

Answer

Civil Parking Enforcement (CPE) visits generally occur twice daily at the Council Country Parks, once in the morning and once in the evening. In order to establish whether a car has been parked on site for more than the 10 minute grace period, our inspectors routinely take down the registration numbers when they arrive at the site. This appears to have given the impression to a number of parents recently that they were being targeted for parking tickets which was not the case. As far as WBC are aware no parents dropping or picking up their children from Scouts have received parking tickets where they have been parked on the site for less than 10 minutes.

Supplementary Question

The scouts are having problems in attracting adult volunteers because they have to pay for parking in addition to volunteering their time. Since this volunteering is, in effect, a free service which the Council is not paying for, can anything be done to give these volunteers free parking, for example by providing stickers for the time they are volunteering at the Scouts Centre?

Supplementary Answer

I will provide a written response to your supplementary question.

16.3 Imogen Shepherd-DuBey asked the Executive Member for Highways and Transport the following question:

We have recently had a consultation on School Crossing Patrollers, but I do not see when the results will be published? We had the same situation, last year, when we lost several School Crossing Patrollers, but I cannot see that a report was issued containing the results and the responses from the Council.

In the interests of transparency, when will these results be publicly available?

Answer

The Safe School Crossing Patrol consultation report is available on the council's website at www.wokingham.gov.uk/consultations. It is in the Finished Consultations section.

Supplementary Question

There is also a consultation on the Council Budget and we don't appear to have the results of that either?

Supplementary Answer

I cannot comment on consultations outside my remit.

Councillor Haitham Taylor stated that a written response would be provided in relation to the Budget consultation issue.

16.4 Carl Doran asked the Executive Member for Highways and Transport the following question. Due to his inability to attend the meeting a written reply was provided.

Can the Executive Member for Highways please supply a list of road traffic accidents that have occurred on the A4 London Road in Earley, over the last two years?

Answer

There have been 7 collisions during the period 1st March 2016 – 28th Feb 2018 along the London Road in Earley, from its junction with Sutton Seeds Roundabout up to Bath Road, including Shepherd Hill roundabout/gyratory.

Records indicate that these have been either rear end shunts or as a result of drivers failing to look, or give way at the roundabouts. There are no engineering solutions that could be put in place to address this driver behaviour.

16.5 Helen Power asked the Executive Member for Highways and Transport the following question:

I was contacted by a resident regarding a pointless sign recently erected on the Finchampstead Road by the Russley Green junction. I discovered that this sign, along with five others in the Borough, were requested by David Lee, when he was Executive Member for Strategic Highways. They were erected to inform motorists that new roads are being constructed and apparently this also gives a reason why motorists might feel their journey times are increasing due to the roadworks. The signs cost around £430 each, but that doesn't include the installation costs which are likely to be higher than the cost of each sign.

How is it that an Executive Member can get away with this sort of extra expense when the same money would have paid for a school crossing patroller for a year?

Answer

The signs referred to are part of a comprehensive communications plan that aims to increase the flow of information to residents about roadworks, highways improvements and wider transport issues. Part of the plan is to increase awareness of the new roads being built in the borough in order to counter the misconception that new housing is being built without the necessary infrastructure – when in fact we are making what must be one of the largest investments in infrastructure the Borough has seen, with more than £100million allocated for new roads alone. The signs are one of the ways we are

increasing knowledge about the five major roads that are being built to mitigate the impact of new housing and improve the network.

You may also have noticed that we have significantly increased the volume and quality of our text, email and social media updates to keep people informed about road closures and other disruption – in order to help people plan journeys. We have also increased our promotion of non-car means of transport and will be increasing our efforts as the communication plan is further developed.

In relation to the school crossing patrollers, the signs were paid for from capital budget, which could not be used for revenue costs such as school crossing patrollers.

Supplementary Question

This question relates to one person making a financial decision which residents across the Borough think is a waste of money. Will you listen to residents and use their Council Tax to continue to provide services that they want and value, such as school crossing patrollers, rather than frivolous projects such as these signs?

Supplementary Answer

In relation to the issue about spending money on things that residents value, of course that is something we do all the time.

17. SHAREHOLDERS' REPORT

(Councillors Norman Jorgensen, Pauline Jorgensen, Philip Mirfin, Stuart Munro and Anthony Pollock declared personal interests in this item)

The Executive considered a report which provided the budget monitoring position and the operational update for the Council Owned Companies for the period ending 30 April 2018. The report gave details of progress relating to the Council's housing subsidiaries and Optalis which was the provider of choice for Adult Care services.

The Executive Member for Finance and Corporate Services went through the report and responded to Member questions.

In relation to the completion of the Fosters project it was confirmed that residents were now settled in their new homes and were happy with the facilities provided.

In relation to the operation of Optalis, it was confirmed that over the past seven years Optalis had delivered savings to the Council in the region of £6m.

RESOLVED that:

- 1) the budget monitoring position for the month ending 30 April 2018 be noted;
- 2) the operational update for the period to 30 April 2018 be noted.

18. COMPREHENSIVE AND EFFICIENT LIBRARY SERVICE

The Executive considered a report which set out the proposed arrangements for mitigating the impact on the Council and its statutory requirements for the provision of Library Services following notice being served by the Maiden Erlegh School to vacate the Maiden Erlegh School library site.

The Executive Member for Environment, Leisure and Libraries advised the meeting that the Council was continuing to meet its statutory duties to provide a comprehensive and efficient library service for all the residents of the Borough. Following the establishment of the Library Offer in 2016 the Council had implemented self-service in six libraries (with a 50% take-up), relocated the Arborfield library and provided an extra 17 hours of opening time across the Borough. The Council would also be opening new libraries in Shinfield and Arborfield as part of the Strategic Development Locations.

In relation to the closure of the Maiden Erlegh library, it was considered that most of the current service users would be able to relocate to nearby libraries as many residents already used more than one of the Borough's libraries. Residents unable to travel could be served by other means such as the Library home delivery service.

RESOLVED that:

- 1) arrangements to mitigate the impact on the Council and its statutory requirements for the provision of Library services following notice being served by the Maiden Erlegh School to vacate the Maiden Erlegh School library site, as set out in the report, be approved;
- 2) the book purchasing and staffing resource be redeployed across the remaining library sites.

19. WOKINGHAM PRIMARY SCHOOL PLACES STRATEGY 2018

The Executive considered a report setting out a Primary School Places Strategy for the period 2018-2028 which includes proposed actions to ensure that there were sufficient primary school places in the right areas to serve Wokingham Borough's growing communities, outside of the strategic development location associated areas.

The Executive Member for Children's Services informed the Executive that a key element of the new strategy was flexibility. This meant that the Council would be able to respond to fluctuations in demand for school places and ensure that enough places were provided in the right locations across the Borough. The strategy examined the need for additional school places in the short term (3 years), the medium term (5 years) and the long term (10 years). The medium and long term projections indicated the need for additional school places linked to the provision of new housing.

The strategy had been developed using a more scientific approach which meant more effective analysis of data on demand for school places. This meant that problems experienced in earlier years, when quick fixes had to be put in place, would not be repeated.

RESOLVED: That the Wokingham Borough Council Primary School Places Strategy 2018 to 2028 be adopted.

Agenda Item 23.

TITLE	School Crossing Patrol Service – Consultation Report 2018
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	Coronation; Emmbrook; Loddon; Maiden Erleigh; Norreys; South Lake; Twyford; Wokingham Without;
DIRECTOR	Director of Locality and Customer Services - Josie Wragg
LEAD MEMBER	Executive Member for Highways and Transport -

OUTCOME / BENEFITS TO THE COMMUNITY

The findings from the Safe School Crossing consultation are considered by Executive before a decision is taken on the future provision of the service.

The decision would cease the provision of a discretionary service currently consisting of school crossing patrollers currently operating at seven locations across the borough during the morning and afternoon start and finish of the school day only. New crossings will be provided at these locations that will be available to all users at all times.

RECOMMENDATION

That the Executive agree that:

- 1) WBC continue with its proposal to provide safe, permanent crossings at the seven locations that currently have a school crossing patroller, and, following their installation, remove the school crossing patrol service once the permanent crossings are complete as set out in Option 2, Appendix 1 of the report;
- 2) all affected schools are reminded that they have access to the Council's road safety and My Journey teams who can facilitate further road safety training for pupils if requested.

SUMMARY OF REPORT

The Medium Term Financial Plan agreed at Full Council in 2015 to remove funding for the School Crossing Patrol (SCP) service. This has been partially implemented with the removal of eight patrollers last year. It is now proposed to remove the remaining seven patrollers and to replace these with safe crossing facilities.

Despite the previous MTPF decision, options for the future of the SCP service are set out in the report (see Appendix 1). Removing the remaining SCP service will result in a reduction on service, and the council has consulted on this in line with the constitution. The results are set out in the report and have not raised any specific issues or comments that were not anticipated or that should prevent WBC continuing with its proposal to remove the SCP service and provide safe permanent crossings at the seven locations. However, it is acknowledged that this could have some negative implications as SCP are valued by the community. This needs to be balanced against the wider

benefits of the new crossing facilities for a wider proportion of the Council's residents and also the financial benefits of the proposal.

The report provides a summary of comments received from the 393 individual responses received to the public consultation including one objection from Twyford Parish Council in relation to the crossing patrol serving Polehampton Schools. In addition there was an E-Petition set up during the consultation entitled 'Save our School Crossing Patrollers' which ended in June 2018 which had 222 names attached. All comments have been considered and a summary of the key issues raised along with WBC's response is contained at Appendix 2.

A further petition has been received with 1640 names and this will have been debated at the July Full Council Meeting

Background

School Crossing Patrollers (SCP) are currently employed by the Council to help children cross the road safely, primarily to and from school. Some parents may believe the Authority assumes responsibility for the safety of their children on their whole journey to and from school when it provides a SCP. This is a misconception and even where a SCP is provided, parents remain responsible for ensuring their children's safety, just as they do when a zebra crossing or signal controlled crossing is provided. The provision of the School Crossing Patrol service is discretionary and currently provides assisted crossings for pupils of 10 schools within the borough of which there is a total of 55 primary, infant and junior schools and 10 secondary schools.

The council removed funding for the SCP service from the Medium Term Financial Plan (MTFP) agreed at Full Council in 2015. Implementation of this decision was delayed and a 'special item' within the MTFP was agreed for 2017/18 to cover the cost of the service for one final year subject to rolling the unspent balance forward into 2018/19 to fund the reduced service to July 2018. As part of last year's budget setting, a capital bid was approved for a sum of £600,000 to deliver the new or improved permanent crossing facilities at the schools currently served by SCP..

Following a consultation last year, the decision to withdraw the service was partially implemented with the removal of eight patrollers who had been operating at locations that already had a safe formal crossing facility (zebra or signal controlled crossing). This change has been successfully implemented with no recorded increase in safety issues or personal injury accidents. (In the three years previous to the implementation of the changes there were two recorded slight injury accidents during school start and finish times at the controlled crossings. Since the removal of the patrollers at these locations there has been one recorded slight injury).

The SCP service continues to operate at seven sites across the borough. Two further sites are currently vacant. The SCP Service currently employs seven patrollers (1.16 FTE) and a part time designated SCP organiser (0.59 FTE) who recruits, plans and supervises the remaining patrollers.

The affected sites are:

- All Saints Primary School, Norreys Avenue, Wokingham;
- St Paul's Junior & Walter Infant Schools, Murray Road, Wokingham;
- Keep Hatch Primary School, Keephatch Road, Wokingham;
- Willow Bank Infant & Junior School, Duffield Road Woodley;
- South Lake Primary School, Nightingale Road, Woodley;
- Woodley CE Primary School, Hurricane Way, Woodley; &
- Polehampton Infant & Junior School, London Road Twyford.

In addition two sites which are currently unmanned have been assessed for the provision of a formal crossing, namely;

- Oakland's Infant & Junior School, New Wokingham Road, Crowthorne &
- Loddon Primary, Silverdale Road, Earley

At each of these sites, the Council has carried out an assessment with accordance to the processes described in the Road Safety GB document entitled 'School Crossing Patrol Service Guidelines'. Where the assessment has indicated that assistance to cross the road is justified, the Council has proposed suitable formal pedestrian crossing facilities to

be provided. It is proposed that the remaining SCP service will cease once the permanent crossings are complete.

To support the above proposal, a number of options were considered (see Appendix 1)

Analysis of Issues

To support the above proposal, a number of options were considered (see Appendix 1). There are advantages and disadvantages to each of the options proposed but primarily, these are to retain the SCP service, to provide alternative crossing facilities or to provide both. The main issues are the loss of the valued SCP service and any public dissatisfaction with this (see consultation responses section) must be balanced against the benefits of the new permanent crossing that will serve a wider proportion of the borough's residents. Further, the financial implications must be considered and both are set out below.

Consultation

The MTFP decision to remove funding for the SCP service, represents a reduction in service requiring public consultation. Between 22 January and 2 March 2018 public consultation was undertaken about the following proposal:

- End the remaining SCP Services in July 2018 (to coincide with the end of the academic year);
- To allow, design and deliver permanent pedestrian crossings (zebra or signal controlled) before September 2018 (to coincide with the start of the academic year), These works would be funded through the council's capital programme (either within the existing Integrated Transport Capital Programme, through appropriate CIL/S106 funding).

The table below provides details of the number of responses received by the Council in response to this consultation.

School	Number of responses relating to a pupil at school (please note parents could tick more than one school)
All Saints Primary School	5
St Pauls Junior School	157
Walter Infant School	132
Keep Hatch Primary School	103
Willow Bank Junior School	13
Willow Bank Infant	13
South Lake Primary School	Zero
Woodley CofE Primary School	6
Polehampton CofE Infant School	12
Polehampton CofE Junior School	5
No school	7

How children of the respondents get to school	4 or more	3	2	1
Walk, ride, scoot with an adult	14	30	119	117
Walk, ride, scoot on their own	11	4	10	51
Are driven to school	2	5	19	17

What school year respondents' children are in	
Foundation	98
Year one	80
Year two	63
Year three	76
Year four	73
Year five	66
Year six	70

In addition, a response from Twyford Parish Council has been received stating that “Twyford Parish Council object to the withdrawal of the school crossing patroller role”. No further comments were provided by the parish.

Appendix 2 below provides the key issues raised by consultees along with responses from WBC.

Consultation Summary

It is very clear that School Crossing Patrollers at each of the locations are well-respected and valued by those responding, with many commenting that the SCP provides not only assistance for those requiring to cross the road but also additional safeguarding of young road users in general.

Of the 393 individual responses received, 9 were in support of the proposals. Comments included “sounds fine as I can cross the road with my child”; “I am fine with removing SCPs if permanent crossings are in place. Parents can easily handle this”; “[I would] rather the money was spent elsewhere, parents can cross the road” & “a 24 hour road crossing would be safer”.

A large proportion of the other comments related to general road safety issues such as dangerous driving, speeding vehicles and poor parking. Issues such as these are not unique to locations near school crossing patrol sites and ultimately it is drivers' responsibility to drive safely and legally and any concerns relating to poor driving should be reported to the police on the non-emergency number 101. Parking issues can now be dealt with directly by Wokingham Borough Council following the transfer of enforcement powers from the police last October (2017) through Civil Parking Enforcement (CPE). Parking adjacent to schools is a known concern and since the introduction of CPE, the council has prioritised visits by the enforcement officers at schools. The team is relatively small in number and it is therefore not possible to be at every school every day therefore any specific problems relating to parking can be reported to the councils parking enforcement team. The team will then work with the schools to address these issues and target areas of concern in their patrols.

The general safety for children on their journey to school was also raised as a significant concern. However, it is ultimately the responsibility of the parent or carer to ensure their child is safe on the highway. Parents and carers play a vital part in teaching children general road safety and also how to cross the road safely. The council through its Road Safety Education Team also work with schools to provide road safety training and activities and this service will continue.

The zebra crossings and a signal (light-controlled) crossings proposed to serve the schools to replace the SCP are safer places for pedestrians to cross the road. Fundamentally, these facilities will benefit all users 24 hours a day, 7 days a week and not just at school times. The table below gives details of the proposals at each site at the time of writing. Some sites are currently being reviewed to confirm the level of provision is acceptable. As a result of this review some of the proposed crossing treatments may change.

Proposed Crossing Treatment	Location
Zebra Crossing	St Paul's Junior & Walter Infant Schools, Murray Road, Wokingham Keep Hatch Primary School, Keep hatch Road, Wokingham Willow Bank Infant & Junior School, Duffield Road Woodley South Lake Primary School, Nightingale Road, Woodley Woodley CE Primary School, Hurricane Way, Woodley
Traffic Signal Crossing (PUFFIN)	Oakland's Infant & Junior School, New Wokingham Road, Crowthorne Loddon Primary, Silverdale Road, Earley Polehampton Infant & Junior School, London Road Twyford.
Enhancement to existing Crossing location	All Saints Primary School, Norreys Avenue, Wokingham

Financial Information

Annual cost of current SCP service

Year		
Annual cost of SCP service 2018/19	Staff of 7 patrollers (1.16 FTE's) and a part time designated School Crossing Patrol Organiser (0.59 FTE)	£40,000 Revenue
	SCP specific risk assessments	£4,200
Total annual cost		£44,200
Cost year to date		£9,600

Removal of service cost

Redundancy costs	£18,300	Revenue
Crossing facilities	£361,000	Capital

The cost of the School Crossing Patrol service for this current financial year is approximately £44,200 revenue which covers staff and annual risk assessments. Any further works required to mitigate risks identified would be undertaken from the existing traffic management reactive maintenance budgets.

As part of last year's budget setting, a capital bid was approved to enable appropriate new pedestrian crossing facilities at each appropriate school crossing patrol. Appropriate crossing have been designed as per table 2 with an estimated capital cost of £361,000. These new facilities will have a life span of approximately 15-20 years (industry average) before they will require upgrading or replacing.

From an invest-to-save perspective, the cost of the new permanent crossing facilities and removal of SCPs will be cost neutral within eight years of implementation. After eight years, the saving to the Council will be £44,200 per annum.

Conclusion

The SCP service is valued by the community it serves but this is limited in its scope to children attending the local schools and during the beginning and end of the school day. Permanent crossings will serve a wider proportion of the borough's residents through the full day. If the SCP service is removed, the financial cost of providing permanent crossing facilities will be recovered after eight years.

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)	(£6,000), £361,000	Yes	(Revenue) & Capital
Next Financial Year (Year 2)	(£44,600)	Yes	(Revenue)
Following Financial Year (Year 3)	(£44,600)	Yes	(Revenue)

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

None

List of Background Papers

None

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Service Place

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Options – School Crossing Services

Option	Pros	Cons	Financial implication
1. Retain all seven SCP's and provide no new controlled crossings (status quo)	<p>Continuation of a well-respected and valued community service.</p> <p>Personal assistance to users crossing the road at school times</p>	<p>Ongoing annual revenue cost to provide a discretionary service</p> <p>Only benefits the school community during short periods of the day</p> <p>Annual Safety assessment required at SCP each site</p>	<p>Annual revenue costs of the service £40,000</p> <p>Additional £4,200 for annual H&S risk assessments + associated remedial measures to mitigate any identified risks</p>
2. Remove all SCP's and provide new controlled crossings where appropriate	<p>No Annual H&S risk assessments required at SCP each site</p> <p>New crossings will provide assistance to all users wishing to cross the road at all times of the day</p> <p>No annual revenue costs</p>	<p>One off capital expenditure</p> <p>No School Crossing Patrol Service</p>	<p>Ongoing annual revenue saving of £44,200</p> <p>One off Capital cost of £361,000</p>
3. Assess all SCP locations and retain only those where a SCP is justified, & provide no new crossings	<p>Continuation of a reduced well-respected and valued community service at those sites where the patrollers are retained</p> <p>Personal assistance to users crossing the road at school times</p>	<p>Ongoing annual revenue cost to provide a discretionary service</p> <p>Only benefits the school community during short periods of the day</p> <p>Disestablishment of one site resulting in no crossing</p>	<p>Reduction of one patroller reducing the cost of the service by circa £4,000</p> <p>Reduces cost of annual H&S risk assessments by £600</p> <p>Total annual revenue cost of service circa £39,600</p>

		provision or SCP assistance	
4. Provide appropriate new crossings at all sites and retain all seven SCPs	<p>Continuation of a well-respected and valued community service.</p> <p>Personal assistance to users crossing the road at school times</p> <p>New crossings will provide assistance to all users wishing to cross the road at all times of the day</p>	<p>Ongoing annual revenue cost to provide a discretionary service</p> <p>Patrollers operating on controlled crossings and in the case of signal control will be duplicating resources and may be confusing to drivers</p> <p>Annual Safety assessment required at SCP each site</p> <p>Implications in relation to the decision made last year, may need to re-instate previously disestablished sites</p>	<p>Annual revenue costs of the service £40,000</p> <p>Additional £4,200 for annual H&S risk assessments + associated remedial measures to mitigate any identified risks</p> <p>Capital cost to provide new crossings of £361,000</p> <p>Potential increase in revenue costs to reinstate previous SCP locations circa £50,000</p>
5. Provide appropriate new crossings at all sites and retain 2/3 SCPs	<p>Partial continuation of a well-respected and valued community service.</p> <p>Some personal assistance to users crossing the road at school times</p> <p>New crossings will provide assistance to all users wishing to cross the road at all times of the day</p>	<p>Ongoing annual revenue cost to provide a reduced discretionary service</p> <p>Annual Safety assessment required at retained SCP sites</p> <p>One off capital expenditure</p> <p>Patrollers operating on controlled crossings and in the case of signal control will be</p>	<p>Annual revenue costs of the service £15,000</p> <p>Additional £1500 for annual H&S risk assessments + associated remedial measures to mitigate any identified risks</p> <p>One off Capital cost of £361,000</p>

		<p>duplicating resources and may be confusing to drivers</p> <p>Implications in relation to the decision made last year, may need to re-instate previously disestablished sites</p>	
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Summary of consultation responses and WBC response

Responses relating to All Saints Primary School	
Key Themes	WBC response
Poor driving – speeding in the area	Speed limit enforcement is a matter for Thames Valley Police and any concerns should be reported to them on the non-emergency number 101.

Responses relating to St Paul's Junior School	
Key Themes	WBC response
The SCP is a reassuring and popular figure for parents and children and is part of school community (including comments by two teachers)	It is acknowledged that SCP are popular however, the service they have been employed to provide is to ensure children can cross safely and this would duplicate the function of the Pedestrian Crossing once installed.
The area is heavily used by traffic during school drop-off and pick-up times	Pedestrian Crossings provide safe crossing points and are appropriate for busy roads
Frequent incidence of poor driving– including cars mounting the kerbs	It is drivers' responsibility to drive safely. The Council will ensure all lining, signing and other site aspects are present and in good condition before the start of the new school year (Sept 2018). Matters of poor driving should be directed to the police via the non-emergency number 101.
Pavements too narrow for the volume of pupils	It is parents' and carers' responsibility to ensure the safety of their children on journeys to and from school. SCP's role is to ensure people can cross roads safely not to ensure safety in other areas.
There are significant incidents of poor parking in the area which increases the risk to children	Poor parking is a problem at many schools however it is the responsibility of car driver to ensure they do not park inconsiderately and it is not the responsibility of the SCP to prevent poor/illegal parking. WBC will pass on comments to its Civil Parking Enforcement contractor to investigate and see if additional patrol are required

Responses relating to Walter Infant School	
Key Themes	WBC Response
Frequent incidence of poor driving	<p>It is drivers' responsibility to use the highway in a safe manner and follow the laws of the road. The Council will ensure all lining, signage and other site aspects are present and in good condition before the start of the new school year (Sept 2018)</p> <p>When WBC takes over Civil Parking Enforcement (CPE) from the police later this year it will be able to target problem areas more effectively</p>

There are significant incidents of poor parking in the area which increases the risk to children	Poor parking is a problem at many schools however it is the responsibility of car driver to ensure they do not park inconsiderately and it is not the responsibility of the SCP to prevent poor/illegal parking. WBC will pass on comments to its Civil Parking Enforcement contractor to investigate and see if additional patrol are required
Incidence of children running from parents and need for SCP to help 'crowd control'	It is parents' and carers responsibility to ensure the safety of their children on journeys to and from school. SCP's role is to ensure people can cross roads safely not to ensure safety in other areas.
The area is heavily used by traffic during school drop-off and pick-up times	Pedestrian Crossings provide safe crossing points and are appropriate for busy roads

Responses relating to Keephatch School	
Key themes	WBC response
The SCP is a reassuring and popular figure for parents and children and is part of the school community	It is acknowledged that SCP are popular however, the service they have been employed to provide is to ensure children can cross safely and this duplicates the function of the Pedestrian Crossing
Housing development in the area is leading to increase in traffic on local roads	Pedestrian Crossing provide safer crossing points and are appropriate for busy roads
Poor driving. Speeding is a problem in the area and police have taken action in the past	<p>It is drivers' responsibility to drive safely and legally and any concerns should be reported to the police on the non-emergency number 101.</p> <p>There is a series of traffic calming in place around the school and an enforceable speed limit. Issues regarding noncompliance should be reported to the police on the non-emergency number 101.</p>
SCP are important in encouraging children to walk to school and this may decrease if SCP are removed	There is no reason that the replacement of SCP with a permanent crossing should deter children from walking and WBC provides support to school to encourage their children to walk through Road Safety Education.

Responses relating to Willow Bank Infant and Junior School	
Poor driving – speeding	WBC response
SCP is popular part of the school community	<p>It is drivers' responsibility to drive safely and legally and any concerns should be reported to the police on the non-emergency number 101.</p> <p>The school is in a 20mph zone and can be enforced by the police</p>
SCP are important in encouraging children to walk to school and this may decrease if SCP are removed	There is no reason that the replacement of SCP with a permanent crossing should deter children from walking and WBC provides support to school to encourage their children to walk through Road Safety Education.

SCP are important in encouraging children to walk to school and this may decrease if SCP are removed	There is no reason that the replacement of SCP with a permanent crossing should deter children from crossing and WBC provides support to school to encourage their children to walk through Road Safety Education.
Poor parking is common and obscures views	Poor parking is a problem at many schools however it is the responsibility of car drivers to ensure they do not park inconsiderately and it is not the responsibility of the SCP to prevent poor/illegal parking. WBC will pass on comments to its Civil Parking Enforcement contractor to investigate and see if additional patrol are required

Responses relating to Woodley CofE Primary	
Key themes	WBC response
The SCP is a reassuring and popular figure for parents and children	It is acknowledged that SCP are popular however, the service they have been employed to provide is to ensure children can cross safely and would duplicate the function of the Pedestrian Crossing once installed
The area is heavily used by traffic during school drop-off and pick-up times	Pedestrian Crossings provide safe crossing points and are appropriate for busy roads
The junction where the SCP operates is complicated and it is hard to tell where traffic is going to come from	It is parents' and carers responsibility to ensure the safety of their children on journeys to and from school. The provision of a formal crossing facility will assist all users in crossing the road in the same way a SCP would. As with a school crossing patroller, there is a legal requirement for vehicles to stop either at a red traffic signal or when a person is using a Zebra Crossing.
SCP are important in encouraging children to walk to school and this may decrease if SCP are removed	There is no reason that the replacement of SCP with a permanent crossing should deter children from walking and WBC provides support to school to encourage their children to walk

Responses relating to Polehampton CofE Infant and Junior Schools	
Key themes	WBC response
The area is heavily used by traffic during school drop-off and pick-up times	Pedestrian Crossings provide safe crossing points and are appropriate for busy roads
Some comments supported the proposed change as a safety improvement	Both SCP and permanent crossing provide safe crossing points, however permanent crossing have the advantage of being available 43/7
SCP are important in encouraging children to walk to school and this may decrease if SCP are removed	There is no reason that the replacement of SCP with a permanent crossing should deter children from walking and WBC provides support to school to encourage their children to walk

General responses (and those not relating to a school)	
Poor driving – in particular drivers failing to stop and speeding	<p>It is drivers' responsibility to drive safely.</p> <p>Additional speed reducing measures could be considered at individual sites if problems persist however enforcement is the responsibility of Thames Valley Police and any measure could only be introduced in collaboration with them. Any concerns should be reported to them on the non-emergency number 101.</p>

Agenda Item 24.

TITLE	Shareholder's Report
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None specific
DIRECTOR	Graham Ebers, Director of Corporate Services
LEAD MEMBER	Julian McGhee-Sumner, Executive Member for Finance, 21 st Century Council, Internal Services and Human Resources

OUTCOME / BENEFITS TO THE COMMUNITY

Transparency in respect of Council Owned Companies.

RECOMMENDATION

The Executive is asked to note:

- 1) the budget monitoring position for the month ending 31st May 2018;
- 2) the operational update for the period to 31st May 2018;

SUMMARY OF REPORT

This report is to update the Executive on the performance and progress on those subsidiary companies that the Council has a controlling shareholder interest in.

Housing. The Council has established a group of wholly-owned housing subsidiaries in order to provide much needed affordable housing across the Borough whilst generating a financial return for the Council; this return contributes to the Council's aspiration of becoming increasingly independent of central government support.

The housing group has now become well established and last year Wokingham Housing Limited (WHL) built 123 new homes; these were then sold within the group to Loddon Homes Limited (LHL) and Berry Brook Homes Limited (BBHL) generating a profit of just over £600k. Also in 2017/18, WHL were able to pay off £1 million of its operational loan back to the Council.

WHL is working hard on its future development pipeline, planning to deliver a further 360 new homes over the coming years. Projections are for WHL to construct and deliver between 50 and 75 homes every year, with an annual profit target of at least £1 million.

Adult Care Services. Optalis Group (Optalis) was established to be the Council's provider of choice for Adult Care Services. Its key objectives were to provide safe and good quality Adult Social Care Services commissioned by the Council at a reduced cost and to provide a financial return to the Council. To date a reduction of costs amounting to over £1m per annum costs have been realised and following a recent merger with RBWM, the business has expanded from an annual turnover of £11 million to £40 million. This will

enable Optalis to grow and create further financial returns through economies of scale and allow the company to generate additional streams of income.

Strategy and Objectives of the Council's Subsidiary Companies

There has been no change to the strategy and objectives of any of the Council's subsidiary companies since the last report to Executive in May 2018.

Operational Update

An operational update is provided in section 1 for each of the companies as at 31st May 2018. Any changes to the Directorships of the companies is provided at the end of the relevant company's operational update.

Financial Report

A budget monitoring report is provided in section 2 for each of the companies for May 2018.

BACKGROUND

Housing Group

Operational Report

WHL Schemes In Progress/Under Development:

Summary: WHL delivered 123 new homes in 2017/18, having delivered 138 homes in total since 2011. Another 28 units are currently, or about to be, on site over 6 sites, including 11 units for WBCs HRA.

The decision by the Executive for WHL to deliver for Loddon Homes the Gorse Ride South regeneration scheme, means that along with other opportunities, WHL now has around 360 units in the identified development pipeline. This would provide a net gain of units of around 150 additional homes.

WHL is working closely with WBC to look at what other opportunities might be available to increase the future development pipeline further using Council-owned land and any possible surplus assets.

SITE:	PROGRESS:
Grovelands (6 units)	<ul style="list-style-type: none">The last 3 units have been handed over and the site is moving in to being completed.
Norton Road (9 units)	<ul style="list-style-type: none">Brick/block work to all plots is continuing and scaffolding is going up around the houses so work to the floors can commence.The net valuation is £576.8k against the contract sum of £1.631m – c. 35%.

Pipeline site with planning permission:

SITE:	PROGRESS:
Finch Road (2 units)	<ul style="list-style-type: none"> We are meeting with our Joint Venture partner, Burrwood Developments, imminently to finalise contract details and how to manage the electrical cable across the land of our 2 units. We plan to agree a start on site in late summer.
Middlefields (2 units)	<ul style="list-style-type: none"> We are expecting Resource Building Services to start on site in August.
Tape Lane (11 units for the HRA)	<ul style="list-style-type: none"> Housing Service have approved the appointment of LifeBuild. The final resident recently agreed to move thereby allowing demolition and a final start on site date to be discussed – we are working towards late summer.
Gorrick Square (1 units)	<ul style="list-style-type: none"> We are working to produce the tender documents for sending out to bidders through our small contractors' framework. Our Employers Agent has spoken to each contractor on our small contractors' framework and we are now confident there will be enough interest to support a competitive process around the build contract price.

Changes to Directors:

There have been no changes to WHL company directors since the last report.

Loddon Homes Limited (LHL)

On an operational level, Loddon Homes has been focussing on ensuring WBC Housing Services are working to fill all voids as quickly as possible and that rent arrears management is effective. Progress on reducing voids and managing rent arrears is beginning to happen, and the Board will continue to monitor these areas very closely.

Work is progressing well around the sale of the four shared ownership homes at Elizabeth Road and Barrett Crescent with all four units reserved and moving through the sales process.

Changes to Directors:

There have been no changes to Loddon Homes' company directors since the last report.

Berry Brook Homes Limited (BBHL)

Operationally, Berry Brook undertook its first Phoenix Avenue resident meeting, making sure that resident's concerns around defects management and the housing management provided by WHL and WBC Housing Services are taken into consideration so operational improvements can be implemented. A follow up letter has been written to all residents detailing how improvements will be implemented and what differences they should see as a result of these changes.

We are pleased that all voids have now been filled and the three new units coming over from Grovelands have been let quickly with the first sign up having taken place within the first week following handover.

The Board have also been ensuring rent collection is being undertaken effectively with arrears cases being actively chased. We are working closely with WBC Housing Services to effectively manage the process.

Changes to Directors:

There have been no changes to Berry Brook Homes' company directors since the last report.

2. Financial Report

WBC (Holdings) Group (comprising WBC (H)L, WHL, LHL and BBHL)

WBC Holdings- Profit & Loss									
P:2 May-18	Month			YTD			Full Year		
	May-18	May-18	Variance	May-18	May-18	Variance	May-18	May-18	Variance
	Actual	Budget	£K	Actual	Budget	£K	Forecast	Budget	£K
Income	89	89	0	178	178	0	1,069	1,069	0
Expenditure	(106)	(106)	0	(212)	(212)	0	(1,272)	(1,272)	0
Operating Profit/(Loss)	(17)	(17)	0	(34)	(34)	0	(204)	(204)	0

There were no major variances to budget for WBC (Holdings) Ltd. Assuming schemes complete within budget and planned timescales, the full year forecasted outturns are expected to be in line with budget for WBC Holdings and the sister companies.

Wokingham Housing Limited (WHL)

Wokingham Housing Limited- Profit & Loss									
P:2 May-18	Month			YTD			Full Year		
	May-18	May-18	Variance	May-18	May-18	Variance	May-18	May-18	Variance
	Actual	Budget	£K	Actual	Budget	£K	Forecast	Budget	£K
Income	212	282	(70)	738	645	93			
Expenditure	(235)	(309)	74	(551)	(518)	(33)			
Operating Profit/(Loss)	(24)	(28)	4	187	127	61			

Income & Expenditure:

Income for May 2018 was £212k, which reflected a £70k negative variance due to lower construction revenue from the LHCs than budgeted. This lower income was equally matched with £70k less construction expenditure plus £4k lower overhead expenditure.

The resulting monthly operating loss of £24k reflected a £4k positive variance against profiled budget. The year-to-date operating profit of £187k reflects a positive variance of £61k. This reflects higher profit than budgeted for completed schemes due to strong cost control on the contract build.

At this point in the year, the full year forecast outturn is expected to be in line with budget assuming completed schemes finish within budget and estimated timeframes.

Loddon Homes Limited (LHL)

Loddon Homes Limited- Profit & Loss								
P2: May-18	Month			YTD				
	May-18	May-18	Variance	May-18	May-18	Variance		
	Actual	Budget	£K	Actual	Budget	£K		
Income	25	39	(14)	48	535	(487)		
Expenditure	(34)	(30)	(4)	(56)	(468)	412		
Operating Profit/(Loss)	(9)	9	(18)	(8)	67	(75)		

Income & Expenditure:

Income for May 2018 at LHL reached £25k, which reflects a £13k negative variance. This is due to vacancies at Fosters which are currently being filled. Year-to-date income of £48k reflects a £487 negative variance. This was the result of the budget including profits from shared ownership sales for Elizabeth Road and Barrett Crescent one month after project completion. Demand for the completed properties has been strong, and LHL expects to receive this level of revenue, at a minimum, later in the first half of FY18/19.

Expenditure reached £34k in the month, which reflected a £4k negative variance against budget. This was the result of gross wages not being fully recharged to the other housing companies in the month and should be rectified in the coming months. Year-to-date costs of £56k were £412k below budget, which was a result of the costs of sales for the above shared ownership properties not flowing through the profit & loss statement until sales are completed.

The operating loss of £9k in May 2018 was £18k lower than budget as explained above. The year-to-date operating loss of £8k is £75k below budget, primarily due to shared ownership sales not completing in the period.

Berry Brook Homes Limited (BBHL)

Berry Brook Homes Limited- Profit & Loss								
P2: May-18	Month			YTD				
	May-18	May-18	Variance	May-18	May-18	Variance		
	Actual	Budget	£K	Actual	Budget	£K		
Income	38	43	(5)	76	95	(19)		
Expenditure	(13)	(22)	9	(26)	(43)	17		
Operating Profit/(Loss)	25	21	4	50	52	(2)		

Income & Expenditure:

Income in May 2018 reached £38k, which reflected a £5k negative variance due to a limited number of vacancies at BBHL properties. Year-to-date income of £76k reflected a £19k negative variance, which shows an improvement in filling vacancies in May versus April.

Expenditure reached £13k in the month, which was £9k better than budget. This was due to lower expenditure on direct property costs and overheads. As the properties time out of the 1 year defects period, costs may revert to budget in coming months.

Operating profit in the month of £25k was £4k higher than budgeted, and the year-to-date operating profit of £50k reflects a £2k negative variance against budget.

Adult Care Services Group

1. Operational Report

Optalis Limited

General:

We have received a “good” CQC rating on our residential service as well as an overall “good” rating from Oxfordshire County Council on our extracare housing service.

We are rolling out our technology system for auditing and exploring app technology to capture customer satisfaction on a regular basis

FY17/18 saw a positive end to the year from a financial perspective.

Vacancies are down on a rolling three monthly basis; two points lower than the national average.

Staff turnover has stabilized over the same period, three points lower than the national average.

Staff absenteeism has also declined on a rolling three month basis

Our Google AdWords campaign to support recruitment is driving traffic and on line applications.

Our star awards took place in June to recognise the hard work and dedication of our staff across the organisation. Nominations are submitted throughout the year, based on our core values with a customer award which has been added this year. Nearly 50% of our workforce made nominations.

2. Financial Report

Optalis Group (comprising Optalis Ltd, Optalis Wokingham Ltd and Optalis Holdings Ltd.)

Optalis Limited- Profit & Loss									
P:2 May-18	Month			YTD			Full Year		
	May-18	May-18	Variance	May-18	May-18	Variance	May-18	May-18	Variance
	Actual	Budget	£K	Actual	Budget	£K	Forecast	Budget	£K
Income	3,609	3,826	(217)	7,435	7,621	(186)	66,766	66,766	0
Expenditure	(3,584)	(3,822)	238	(7,410)	(7,614)	204	(66,718)	(66,718)	0
Operating Profit/(Loss)	25	4	21	25	7	18	48	48	0

May 2018 results:

Optalis are reporting a £25k profit for the first two months. This is above budget and split between the RBWM and WBC contracts. A quarterly reconciliation will be taken to align the figures to Contract and therefore there may be adjustments to these figures.

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)	See other financial implications below	Yes	Revenue
Next Financial Year (Year 2)	See other financial implications below	Yes	Revenue
Following Financial Year (Year 3)	See other financial implications below	Yes	Revenue

Other financial information relevant to the Recommendation/Decision

The Council will benefit from reduced costs in commissioning services, the interest and management charges to WBC (Holdings) Ltd and future profits paid out as dividend. These will be factored into the Medium Term Financial Plan under the appropriate service.

Cross-Council Implications

No Cross-Council Implications

List of Background Papers

None

Contact Kajal Patel	Service Resources
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Date 16 Jul 2018	Version No. 1
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Agenda Item 25.

TITLE	Revenue Monitoring Report 2018/19 – End of June 2018
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None Specific;
DIRECTOR	Director of Corporate Services - Graham Ebers
LEAD MEMBER	Executive Member for Finance - Julian McGhee-Sumner

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

Effective management of the Council's finances to ensure value for money for council tax payers, tenants and schools.

RECOMMENDATION

The Executive is asked to:

- 1) note the quarter one position of the revenue budget and the level of balances in respect of the General Fund, Housing Revenue Account, Schools Block and the Authority's investment portfolio;
- 2) note that there are no Carry Forwards estimates to the general fund identified at this stage as shown in Appendix B to the report;
- 3) approve a supplementary estimate of £15,780 for 2018/2019 in relation to the decisions agreed at Personnel Board on 19th June 2018 in relation to the recruitment of Chief Executive post, and note the ongoing full year effect at a cost of £49,120 per year for 2019/2020 onwards;
- 4) approve a supplementary estimate of £67,580 for 2018/2019 in relation to the recommendations at Personnel Board on 19th June 2018 in relation to the restructuring staffing at Tier 2 in People Services, and note the ongoing full year effect at a cost of £94,240 per year for 2019/2020 onwards;
- 5) note the updates on the Adult Social Care action plan and the High Needs Block action plan.

EXECUTIVE SUMMARY

To consider the Revenue Monitoring, General Fund, Housing Revenue Account, Schools Block and Treasury Management Reports. The Executive agreed to consider Revenue Monitoring Reports on a quarterly basis.

The General Fund is reporting an adverse variance of £1,696k (1.3%) against planned spend of £126.4m, Housing Revenue Account a variance of £0k (0%) against a net planned spend of £1.0m and Schools Block an adverse variance of £1,593k (1.2%) against a net planned spend of £136.9m.

Background

General Fund

The table below shows the forecast outturn position for 2018/19 by Directorate. Details of the General Fund summary are shown in Appendix A.

Directorate	2018/2019 - End of Year Position		
	Approved Budget £,000	Forecast Spend £,000	(Favourable) / Adverse Variance £,000
Chief Executive	£5,110	£5,110	£0
Corporate Services	£8,402	£8,402	£0
Customer and Localities	£35,885	£35,885	£0
People Services	£78,586	£80,282	£1,696
Net Expenditure Total	£127,983	£129,679	£1,696

The end of year position represents a forecast variance of £1,696k on the General Fund.

Material areas of favourable / adverse variances include;

Chief Executives – no material variances identified at present.

Corporate Services – no material variances identified at present. Some staffing pressures in benefits and assessment team to cover staff sickness. These pressures are offset by debt management and other savings.

Customer and Localities – no material variances identified at present.

People Services – net adverse variance of £1,696k. This reflects continued significant pressures in adult social care commissioned care and support for Older People and, in particular, Learning Disability. In addition, continued pressures on Home to School Transport reflects the increasing costs associated with SEN services.

While there has been significant investment in Learning Disability budgets in recent years, the number of individuals living longer, and being supported to live independently in the community, has continued to exert budget pressure.

The impact of the national living wage has driven increases in placement prices across the sector. While the number of older people being admitted to care home settings is reducing as more people are supported in their own homes, care home spend has continued to rise reflecting increasing cost of placements.

General Fund

General Fund balances as at 31 March 2019 are estimated to be £5.840m including estimated carry forwards of £0m.

The Statement of General Fund balance is shown in Appendix C.

Housing Revenue Account (HRA)

The Housing Revenue Account reports a forecast variance of £0k against a net planned spend of £1,044k.

No material variances identified at present.

The estimated HRA balance as at the 31st March 2019 is £3,012m. Shown in Appendix D.

Schools Block (Dedicated Schools Grant (DSG))

Schools are funded through a direct grant from Central Government known as Dedicated Schools Grant (DSG). This is used to fund individual schools through an agreed formula, costs associated with Early Years Services, support for children with Special Educational Needs (SEN), and to fund relevant support services. This year the Schools Block reports a forecast variance of £1,593k against a net budgeted spend of £136,925k – this represents 1.2% of the total budget. Shown in Appendix E.

The overspend on the DSG relates to ongoing pressure on the High Needs Block, in particular in relation to placements made out of borough and with independent special schools.

The number of pupils with SEN within Wokingham has risen by almost 15% since 2015/16, with the proportion of those with Social, Emotional and Mental Health or Autistic Spectrum Disorder increasing beyond that seen both nationally and across South East local authorities. Demand for suitable placements has out-stripped that available locally, resulting in an increasing reliance on costly independent and out of borough provision. This in turn has increased pressure on Council funded home to school transport budgets.

As at 31st March 2019, the estimated DSG balance will be a deficit of £1.593m. An action plan to address this deficit is referred to later in this report and involves close working with the DfE.

Investment Portfolio

The authority's investment portfolio shows current investments of £86.4m being invested by the Council. This is made up of £84m invested with approved institutions (e.g. banks, building societies, councils, etc.) and £2.4m invested in daily money market funds.

Supplementary Estimates

Supplementary budget requests have been proposed for the following amounts, following recommendations presented to Personnel Board on 19th June 2018;

1. Recruitment of Chief Executive – following a report which went to Personnel Board on 19th June 2018 with a recommendation to agree to a revised salary range for the Chief Executive position, a supplementary estimate of £15,780 has been proposed for 18/19 and to note the ongoing costs of £49,120* per year for 19/20 onwards (*Subject to pension / national insurance inflation, etc.).
2. Restructuring staffing at Tier 2 in People Services – following a report which went to Personnel Board on 19th June 2018 with a recommendation to note the proposed restructure separating out the statutory duties of Director of Children's Services and Director of Adult Services (DASS) and to agree to revise salary ranges for the Director of Children's Services and Shared Director of Adult Services, a supplementary estimate of £67,580 has been proposed for 18/19 and to note the ongoing costs of £94,240* for 19/20 onwards (*Subject to pension / national insurance inflation, etc.). The supplementary estimates above reflect the expected costs to WBC assuming that the DASS post continues to be shared 50% with RBWM (equal to £81,840 per year).

Adult Social Care Action Plan Update

An Adult Social Care improvement board has been initiated by the Chief Finance Officer and Director of Adult Services from 1st June '18 to identify all possible actions with a view to bringing spend in line with the initial base budget.

Actions underway include:

- extensive reviews of high cost packages of care, and a reduction in double handed care plans where appropriate,
- identification and maximisation of appropriate external funding sources,
- improved use of block contracts, and
- more robust contract management, finance and commissioning processes.

It is currently anticipated to generate cost reductions of £800k - £1m for 2018/2019. This would have the effect of reducing the overall overspend to £796k (using mid-point of savings range).

Detailed monitoring of actions and planned benefits is being taken forward, and updates will accompany future revenue monitoring reports.

High Needs Block (Schools Block Funding) Action Plan

An SEN Strategy Group has been established, chaired by the Assistant Director for Education with input from Finance, Strategic Commissioning, and relevant schools. The group are considering service planning in light of pressure on resources and will identify all possible actions for delivering a balanced budget position and reduce the deficit.

Actions underway include:

- review of banding system for the funding of resource bases
- review and recommissioning of block contracts, and
- costed proposals for the expansion of suitable places within WBC.

Council Officers have invited the Department for Education (DfE) to visit WBC to discuss the pressures experienced and potential solutions, and this meeting is planned for mid-July.

Updates will accompany future revenue monitoring reports.

Analysis of Issues

Effective monitoring of budgets is an essential element of providing cost effective services and enables any corrective action to be undertaken, if required. Many of the budgets are activity driven and can be volatile in nature.

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)	- General Fund £130m - £83,360 Combined supplementary estimates	- Yes - £83,360	Revenue
Next Financial Year (Year 2)	- General Fund £N/A Subject to MTFP review -£143,360 Combined supplementary estimates	Yes - £143,360	Revenue
Following Financial Year (Year 3)	- General Fund £N/A Subject to MTFP review -£143,360 Combined supplementary estimates	Yes - £143,360	Revenue

Other Financial Information

The supplementary estimates above reflect WBCs expected costs assuming that the DASS post is shared 50% with RBWM (equal to £81,840 per year).

The Council will continue to review cost reduction measures to contain expenditure with the overall approved budget.

Stakeholder Considerations and Consultation

Stakeholders should be reassured of the effective management of the Council's resources.

Resourcing and Timeline for Next Steps

Improvement boards have been established with updates being provided to the Executive at the next quarterly revenue monitoring report.

Communication on Decision Made and Implementation

Not applicable, this report provides an update to Executive on the forecast revenue monitoring position.

Timeline for Review and Evaluation

Revenue monitoring reports are reviewed and evaluated on a monthly basis by directorate leadership teams and corporate leadership team (CLT). Executive will be updated in October with the quarter two position. The ASC Improvement board will meet on a regular basis with updates being provided to CLT and Executive.

List of Background Papers

Appendix A – Revenue monitoring report June 2018.

Appendix B – General Fund carry forwards.

Appendix C – Statement of general fund balance.

Appendix D – Housing Revenue Account monitoring report June 2018.

Appendix E – Schools Block monitoring report June 2018.

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Service	Business Services
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REVENUE MONITORING REPORT June 2018

GENERAL FUND SUMMARY

Directorate	End of Year Position			Comment on major areas of estimated over / (underspend)
	Current Approved Budget £,000	Current Forecast £,000	Net over / (under) spend £,000	
Corporate Services	8,402	8,402	0	Some staffing pressures in benefits and assessment team to cover staff sickness. These pressures are offset by debt management and other savings.
Chief Executive	5,110	5,110	0	No material variances identified.
People Services	78,586	80,282	1,696	Continued significant pressures in adult social care commissioned care and support, in particular Learning Disability. In addition, continued pressures on Home to School Transport reflects the increasing costs associated with SEN services and out of borough placements.
Customer and Localities Services	35,885	35,885	0	No material variances identified.
Revenue Expenditure Total	127,983	129,678	1,696	

REVENUE MONITORING REPORT June 2018**CORPORATE SERVICES**

Director: G Ebers

Executive Member for Finance and Corporate Resources: Julian McGhee-Sumner

Service	End of Year Position		
	Current Approved Budget £,000	Current Forecast £,000	Net Over / (Under) Spend £,000
Governance & Improvement			
Expenditure	2,305	2,305	0
Income	(742)	(742)	0
Net	1,563	1,563	0
Business Services			
Expenditure	24,151	24,151	0
Income	(4,943)	(4,943)	0
Net	19,208	19,208	0
Corporate Services			
Expenditure	120	120	0
Income	(212)	(212)	0
Net	(92)	(92)	0
S&C People Commissioning			
Expenditure	806	806	0
Income	(17)	(17)	0
Net	789	789	0
S&C Place Commissioning			
Expenditure	1,427	1,427	0
Income	(22)	(22)	0
Net	1,405	1,405	0
Housing Needs & Benefits - CS			
Expenditure	23,205	23,205	0
Income	(23,480)	(23,480)	0
Net	(275)	(275)	0
Subtotal Excluding Internal and Capital Charges	22,597	22,597	0
Internal and Capital Charges	(14,196)	(14,196)	0
Total	8,402	8,402	0

REVENUE MONITORING REPORT June 2018

CHIEF EXECUTIVES

Chief Executive: M. Gill

Leader of the Council: Charlotte Haitham Taylor

Deputy Leader: Julian McGhee-Sumner

Executive Member, Business and Economic Development and Regeneration: Stuart Munro

Executive Member, Regeneration: Philip Mirfin

Service	End of Year Position		
	Current Approved Budget £,000	Current Forecast £,000	Net Over / (Under) Spend £,000
Chief Executives Office			
Expenditure	2,183	2,183	0
Income	(2,655)	(2,655)	0
Net	(472)	(472)	0
Council Wide Savings			
Expenditure	0	0	0
Income	(211)	(211)	0
Net	(211)	(211)	0
Town Centre Regeneration			
Expenditure	23	23	0
Income	0	0	0
Net	23	23	0
21st Century Council Programme			
Expenditure	1,338	1,338	0
Income	0	0	0
Net	1,338	1,338	0
Subtotal Excluding Internal and Capital Charges	678	678	0
Internal and Capital Charges	4,432	4,432	0
Total	5,110	5,110	0

REVENUE MONITORING REPORT June 2018

PEOPLE SERVICES

Directors: L Humphries & M Sloan

Executive Member, Children's Services: Pauline Helliar-Symons

Executive Member for Adults' Services, Health, Wellbeing and Housing: Richard Dolinski

Service	End of Year Position		
	Current Approved Budget £,000	Current Forecast £,000	Net Over / (Under) Spend £,000
Learning & Achievement			
Expenditure	1,859	1,857	(2)
Income	(569)	(570)	(1)
Net	1,290	1,287	(3)
Social Work & Early Intervention Services			
Expenditure	15,445	15,437	(7)
Income	(1,172)	(1,172)	0
Net	14,272	14,265	(7)
Strategic Commissioning & Central Services			
Expenditure	5,725	5,931	206
Income	(753)	(753)	0
Net	4,972	5,177	206
Adult Social Care - excl. Mental Health			
Expenditure	52,786	54,286	1,500
Income	(10,865)	(10,865)	0
Net	41,921	43,421	1,500
Adult Social Care - Mental Health			
Expenditure	3,004	3,004	0
Income	(296)	(296)	0
Net	2,708	2,708	0
Public Health			
Expenditure	4,998	4,998	0
Income	(5,680)	(5,680)	0
Net	(683)	(683)	0
Housing Needs and Benefits - PS			
Expenditure	912	912	0
Income	(447)	(447)	0
Net	466	466	0
Subtotal Excluding Internal and Capital Charges	64,946	66,642	1,696
Internal and Capital Charges	13,640	13,640	0
Total	78,586	80,282	1,696

REVENUE MONITORING REPORT June 2018**CUSTOMER AND LOCALITIES SERVICES**

Director: J Wragg

Executive Member for Environment, Leisure and Libraries: Norman Jorgensen

Executive Member for Highways and Transport: Keith Baker

Executive Member, Planning and Enforcement: Simon Weeks

Service	End of Year Position		
	Current Approved Budget £,000	Current Forecast £,000	Net Over / (Under) Spend £,000
Community Services			
Expenditure	19,520	19,520	0
Income	(3,187)	(3,187)	0
Net	16,334	16,334	0
Development - SDL's			
Expenditure	1,737	1,737	0
Income	(518)	(518)	0
Net	1,219	1,219	0
Development - Policy & Planning			
Expenditure	452	452	0
Income	0	0	0
Net	452	452	0
Development - Management & Enforcement			
Expenditure	3,231	3,231	0
Income	(1,513)	(1,513)	0
Net	1,718	1,718	0
Building Control			
Expenditure	1,599	1,599	0
Income	(1,575)	(1,575)	0
Net	24	24	0
Highways & Transport			
Expenditure	10,838	10,838	0
Income	(4,268)	(4,268)	0
Net	6,570	6,570	0
Development & Regeneration - MU			
Expenditure	483	483	0
Income	0	0	0
Net	483	483	0
Subtotal Excluding Internal and Capital Charges	26,799	26,799	0
Internal and Capital Charges	9,086	9,086	0
Total	35,885	35,885	0

REVENUE MONITORING REPORT June 2018**GENERAL FUND - CARRY FORWARDS**

	Carry Forwards £,000	Comments
Corporate Services	0	No carry forwards identified at present.
Chief Executives	0	No carry forwards identified at present.
People Services	0	No carry forwards identified at present.
Customer and Localities Services	0	No carry forwards identified at present.
Carry Forwards Total	0	

REVENUE MONITORING REPORT June 2018**STATEMENT OF GENERAL FUND BALANCE**

	£,000	£,000
General Fund Balance (as at 31/3/2018)		(9,124)
Special Items		
18/19 Special Items - One off expenditure	2,738	
18/19 Special Items - One off income	(2,898)	
		(160)
Supplementary Estimates		
People Services - Council Tax Exemption for Care Leavers (Mar '18 Exec)	66	
Chief Executive - Revised salary range for Chief Exec post (Subject to Exec approval)	16	
People Services - Restructuring of Tier 2 in People Services (Subject to Exec approval)	68	
		150
Carry Forwards from 2017/18		
Corporate Services	25	
Chief Executive	273	
People Services	259	
Customer and Localities Services	1,042	
		1,599
Service Variance (including 19/20 carry forwards requests)		
Corporate Services	0	
Chief Executive	0	
People Services	1,696	
Customer and Localities Services	0	
		1,696
General Fund Balance 31/3/2019		(5,840)

REVENUE MONITORING REPORT June 2018

HOUSING REVENUE ACCOUNT

Director: G Ebers

Lead Member, Housing Services: Richard Dolinski

Service	End of Year Position		
	Current Approved Budget £,000	Current Forecast £,000	Net Over / (Under) Spend £,000
Rents			
Expenditure	378	378	0
Income	(14,847)	(14,847)	0
Net	(14,469)	(14,469)	0
Fees & Charges / Capital Finance Charges			
Expenditure	97	97	0
Income	(125)	(125)	0
Net	(28)	(28)	0
Housing Repairs			
Expenditure	2,772	2,772	0
Income	(30)	(30)	0
Net	2,742	2,742	0
General Management			
Expenditure	627	627	0
Income	0	0	0
Net	627	627	0
Sheltered Accommodation			
Expenditure	648	648	0
Income	(409)	(409)	0
Net	240	240	0
Other Special Expenses			
Expenditure	151	151	0
Net	151	151	0
Capital Finance			
Expenditure	6,617	6,617	0
Income	(36)	(36)	0
Net	6,581	6,581	0
Subtotal Excluding Internal and Capital Charges	(4,156)	(4,156)	0
Internal and Capital Charges	4,156	4,156	0
Total	0	0	0

Housing Revenue Account Reserve

	£,000
HRA Reserves as at 31st March 2018	(4,056)
2018/2019 Planned Spend	1,044
2018/2019 Forecast Variance	0
Estimated HRA balance as at 31st March 2019	(3,012)

REVENUE MONITORING REPORT June 2018

SCHOOLS BLOCK MONITORING REPORT

Director: L Humphries

Executive Member, Children's Services: Pauline Helliar-Symons

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	End of Year Position			Comment on major areas of estimated over / (underspend)
	Current Approved Budget £,000	Current Forecast £,000	Net Over / (Under) Spend £,000	
Schools Block				
Schools block including academies (excluding De-delegation)	97,349	97,349	0	No material variances identified.
Early years	11,063	11,063	0	No material variances identified.
High needs block	18,083	19,156	1,073	An increasing proportion of SEN pupils with Social, Emotional & Mental Health and those with Autistic Spectrum Disorder has contributed to the need for costly out of borough placements and independent special schools.
Central Schools Services block includes the Growth fund	1,744	1,737	(7)	Growth fund contingency.
De-delegation services	1,393	1,393	0	No material variances identified.
Other schools grant	7,293	7,293	0	No material variances identified.
Total Schools Budget Expenditure	136,925	137,991	1,066	
Dedicated School Grant (DSG)	(129,633)	(129,633)	0	No material variances identified.
Other school Grants	(7,293)	(7,293)	0	No material variances identified.
Total Schools Block Income	(136,925)	(136,925)	0	
Total in-year over / (under) spend	0	1,066	1,066	
Brought forward (surplus) / deficit balance	0	527	527	Brought forward deficit from 17/18.
Total	0	1,593	1,593	

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Agenda Item 26.

TITLE	Capital Monitoring 2018/19 - end of June 2018
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None Specific;
DIRECTOR	Director of Corporate Services - Graham Ebers
LEAD MEMBER	Deputy Leader - Julian McGhee-Sumner

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

Effective use of our capital resources to meet service investment priorities, offering excellent value for residents' council tax.

RECOMMENDATION

The Executive is asked to note the quarter one position for the capital budget as set out in Appendix A to the report.

EXECUTIVE SUMMARY

To consider the 2018/19 Capital Monitoring Report to the end of June 2018. Executive agreed to consider Capital Monitoring Reports on a quarterly basis. This report is to the end of the 1st quarter, and shows a nil variance forecast against budget.

BACKGROUND

The forecast variance has been arrived at by analysing the actual commitments to date and assessing how expenditure may continue to the end of the year based on the latest information available.

The current approved Capital Budget for year 1 is £222,026k. It is now estimated that £133,787k will be spent this financial year. The remaining budget of £88,239k will be carried forward into 2019/20.

Analysis of Issues

Effective monitoring of budgets is an essential element of providing cost effective services and enables any corrective action to be undertaken, if required.

Uncommitted Capital balances (capital resources received, but not yet allocated to the capital programme) are currently estimated to be £0.5m as at 31st June 2018 (prior to any announcement about funding cuts and on the assumption that the level of capital receipts will be achieved). The estimated capital receipts received for 2018-19 are expected to be £2m.

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)	£133,787k	Yes	Capital
Next Financial Year (Year 2)	£88,239k	Yes	Capital
Following Financial Year (Year 3)			

Other Financial Information

None

Stakeholder Considerations and Consultation

Stakeholders should be reassured of the effective management of the Council's resources.

Resourcing and Timeline for Next Steps

Update will be provide for quarter 2 at October Executive

Timeline for Review and Evaluation

Reports are reviewed on a monthly basis by CLT and reported to Executive at the next quarter.

List of Background Papers

See attached Appendix A, Capital Monitoring Summary Report to May 2018

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Capital Summary Report to End of June 2018

Service	Full Year Budget 2018/19 £000	Profile Year 1 £000	Profile Year 2 £000	Forecast Outturn 2018/19 £000	Proposed Carry Forward 2019/20 £000	Estimated (Under)/Overspend £000	Total Works Complete £000	Comments
Chief Executive	85,860	48,867	36,993	50,367	(1,500)	0	5,751	Explanations of year 2 profile: <ul style="list-style-type: none"> - Strategic Property and Commercial Assets - acquisitions yet to be identified - Town Centre Regeneration - Strategic Acquisition Sites - no current planned acquisitions - Town Centre Regeneration - Elms Field - based on contractor cash flow Explanations of Carry Forward: Previous month's total was zero. Current month material adjustments are: <ul style="list-style-type: none"> - Town Centre Regeneration - CIL contribution on Elms Field
Corporate Services	52,870	28,476	24,394	28,476	0	0	802	Explanations of year 2 profile: <ul style="list-style-type: none"> - Self-Build Project - project requires Executive approval and is some way off starting on site. Some budget may be needed in 18/19 for feasibility & planning. - Central Contingency - Requirement to be reviewed throughout year - Bulmershi swimming pool/Leisure centre - Profile to suit the overall project completion by July 2020, award of Build Contract expected in October 2018 - WBC (Holdings) Ltd Loan - Based on anticipated construction costs split by projects - Gorse Ride Regeneration (Phase 1) - to reflect anticipated construction programme, 50% start-on-site, 50% upon completion Explanations of Carry Forward: Previous month's total was zero. Zero Carry Forward currently forecast
Customer and Localities Services	63,825	43,339	20,486	43,339	0	0	4,198	Explanations of year 2 profile: <ul style="list-style-type: none"> - SCAPE - Road infrastructure (dist. roads etc.) initial costs - Corporate Finance risk assessment of profile: reflecting potential slippage in relation to complexity of schemes - Land Acquisition for Major Road Schemes - Corporate Finance risk assessment of profile: Land purchase cost is based on estimates and is influenced by delivery of road schemes - Strategic Land Purchases - Opportunities to Purchase Land for Strategic Purposes to support delivery of Strategic Development Locations (SDL) - Denmark Street Environmental Improvements - design but no construction planned in 18/19 - Highway Infrastructure Flood Alleviation Schemes - Road raising (£75k) and initial project planning for natural flood risk management (NFRM) scheme but no construction until 19/20 - Highways Carriageways Structural Maintenance - Corporate Finance risk assessment of profile - Safety / Crash Barriers - Specialist resources requirement and access to road space (programming of works not yet planned) Explanations of Carry Forward: Previous month's total was zero. Zero Carry Forward currently forecast
People Services	19,471	13,105	6,366	13,105	0	0	1,538	Explanations of year 2 profile: <ul style="list-style-type: none"> - Basic Needs Primary Programme - reflects the development timetables required to ensure schools can continue to operate safely and effectively while major works occur on their sites (including £550k Spencer's Wood Primary School - scheme development to be delayed in line with emerging pattern of need and other live schemes, £900k Matthews Green - planned start on site date is January 2019) - Investment in Special Education Needs Provision - some SEN projects at early developmental stage (including £178k Southfield School Expansion - Dependant on negotiation on changes to curriculum to better match Wokingham Needs) - Schools Led Enhancement - Delivery of programme determined by schools Explanations of Carry Forward: Previous month's total was zero. Zero Carry Forward currently forecast
Grand Total	222,026	133,787	88,239	135,287	(1,500)	0	12,289	

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Agenda Item 27.

TITLE	Treasury Management Outturn 2017-18
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None Specific;
DIRECTOR	Director of Corporate Services - Graham Ebers
LEAD MEMBER	Executive Member for Finance and Corporate Resources - Julian McGhee-Sumner

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

To inform the Executive and members of the public of the work done to effectively and safely manage the council's cash flow and investments while funding the capital programme.

RECOMMENDATION

The Executive is asked to:

- 1) note that this report was presented to the Audit Committee on 6 June 2018;
- 2) approve and recommend to Council:
 - (a) the Treasury Management Annual Report for 2017/18; and
 - (b) the actual 2017/18 prudential indicators within the report.

EXECUTIVE SUMMARY

This report summarises the Treasury Management operations during 2017/18. It is presented for the purpose of monitoring and review, in accordance with Council's treasury management practices. The Council successfully adhered to all agreed prudential indicators during 2017/18. This reflects the good management of the Council's finances in a challenging environment.

As at 31 March 2018 the Council achieved an average investment return rate of 1.68% including investments in the Council's group companies. Excluding internal investments, the average return on external investments was 0.44% against the London Interbank Bid Rate (LIBID) for 2017/18 of 0.21%, which is a significant favourable variance, particularly in the current financial climate.

No new external borrowing was taken out.

BACKGROUND

The Council's treasury management strategy is largely influenced by capital expenditure. Revenue expenditure is balanced with expenditure matching income, and short term borrowing and deposits. The key driver of the longer term treasury management strategy is capital expenditure and financing.

There are two aspects of treasury performance – debt management and cash investment:

- debt management relates to the Council's borrowing;
- cash investment relates to the investment of surplus cash balances.

External debt as at 31 March 2018 was:

- General fund (non-housing revenue account): £65.5m
- Housing revenue account: £79.8m.

Capital expenditure for 2017/18 was:

- General fund (non-housing revenue account): £83.1m
- Housing revenue account: £5.5m

Investment return for 2017/18 was £1.3m

BUSINESS CASE (Including Options and Evidence of Need)

No options being considered.

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)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other Financial Information
Included above

Stakeholder Considerations and Consultation
Stakeholders should be reassured of the effective management of the Council's resources.

Resourcing and Timeline for Next Steps

Resourcing for the treasury management strategy is from within the existing staffing establishment.

Timeline for Review and Evaluation

The Council's treasury management strategy for 2018/19 has already been approved by full Council in February 2018. It is reviewed by the Audit Committee who will receive a mid-year report in the Autumn, and the outturn report will be circulated to Audit Committee, Executive and Council in Spring/Summer 2019.

List of Background Papers

Appendix A – Treasury management outturn report 2017/18

Appendix B – Prudential and treasury indicators 2017/18

Appendix C – Loan portfolio

Appendix D – Investment portfolio

Appendix E – Economic summary

Appendix F – Glossary of terms

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WOKINGHAM BOROUGH COUNCIL



WOKINGHAM BOROUGH COUNCIL

Treasury Management Outturn Report 2017-18

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1. Introduction

This report presents the Council's treasury position for 2017/18 in accordance with the Council treasury management practices. This is a backward-looking report reviewing performance to 31st March 2018.

The report provides a summary of the economic conditions affecting the Council's investment strategy over the last financial year. It analyses the capital outturn which is a key element of treasury management, driving the borrowing requirement of the organisation. It then shows how the Council has financed its borrowing between internal and external borrowing and how the Council has managed its short-term cash investments.

The Council's treasury management strategy is largely influenced by capital expenditure. Revenue expenditure is balanced with expenditure matching income, and short term borrowing and deposits. The key driver of the longer term treasury management strategy is capital expenditure and financing.

There are two aspects of treasury performance – debt management and cash investment:

- debt management relates to the Council's borrowing;
- cash investment relates to the investment of surplus cash balances.

2. Economic Review

In 2017/18 UK economic growth has fluctuated but has averaged 0.4% in the year. The Bank of England monetary policy has seen a change in November 2017 with an interest rate rise to 0.5%. Inflation has been running higher than the target 2% meaning more rate rises are not expected until 2019. For a more detailed economic summary please look at Appendix E.

3. The Council's Capital Expenditure and Financing 2017/18

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- financed in year, immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need or;
- funded by borrowing (internal or external).

Capital expenditure forms one of the required prudential indicators. Tables 1 and 2 on the following page show the actual capital expenditure and the funding.

Table 1:

General fund capital expenditure and financing	2017/18 Budget £'000	2017/18 forecast outturn @ Sept £'000	2017/18 Outturn £'000
Capital expenditure			
Financed in year	70,322	45,790	56,833
Funded by borrowing (borrowing requirement)	82,527	48,347	26,229
Total	152,849	94,137	83,062

Table 2:

HRA capital expenditure and financing	2017/18 Budget £'000	2017/18 forecast outturn @ Sept £'000	2017/18 Outturn £'000
Capital expenditure			
Financed in year	5,100	5,100	5,516
Funded by borrowing (borrowing requirement)	0	0	0
Total	5,100	5,100	5,516

4. The Council's Overall Borrowing Need

The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). It represents the 2017/18 capital expenditure financed by borrowing, and prior years' unfinanced capital expenditure which has not yet been paid for by revenue or other resources.

The Council's general underlying borrowing need (the CFR) is not allowed to rise indefinitely. The Council is therefore required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. This ensures the general fund pays for the capital asset and is a proxy for depreciation. The total CFR can also be reduced by:

- the application of additional capital financing resources (such as unapplied capital receipts); or
- an additional revenue contribution to the statutory minimum revenue provision (MRP) each year through a Voluntary Revenue Provision (VRP).

This differs from the treasury management arrangements which relates to cash transfers. Short term treasury debt for cashflow purposes can be borrowed or repaid at any time, but this does not change the CFR.

The Council's CFR forecast for 2017/18 year end is shown below, and represents a key prudential indicator. It includes PFI and leasing schemes on the balance sheet, which increase the Council's borrowing need. However no borrowing is actually required against these schemes as a borrowing facility is included in the contract.

Table 3:

Capital financing requirement: General Fund	2017/18 Budget £'000	2017/18 forecast outturn @ Sept £'000	2017/18 Outturn £'000
Opening balance	160,022	160,022	160,022
Capital expenditure funded by Borrowing	82,527	48,347	26,229
Prior year adjustment (Swap funding)	0	0	0
Sub Total	242,549	208,369	186,251
Less Minimum Revenue Provision			
MRP Charge	(3,350)	(3,024)	(3,060)
PFI Principal Charge	(215)	(215)	(302)
Sub Total	(3,565)	(3,239)	(3,362)
Closing Balance	248,984	205,130	182,889
Movement	88,962	45,108	22,867

Table 4:

HRA Capital financing requirement:	2017/18 Budget £'000	2017/18 forecast outturn @ Sept £'000	2017/18 Outturn £'000
Opening balance	90,400	90,400	90,400
Repayment of Loan Principal	(1,750)	(2,548)	(78)
Closing Balance	88,650	87,852	90,322

Table 5

Capital financing requirement: General fund and HRA	2017/18 Budget £'000	2017/18 forecast outturn @ Sept £'000	2017/18 Outturn £'000
Opening balance	250,422	250,422	250,422
Movements	87,212	42,560	22,789
Closing Balance	337,634	292,982	273,211

The in-year increase in the borrowing requirement is due to a large increase in the capital programme for schemes such as the town centre regeneration and forward funding infrastructure spend; this will reduce again when capital receipts from these projects are recovered. It has also increased as a result of the forward funded infrastructure schemes. These will decrease as developer contributions are received.

The council's total CFR of £273.2m was considerably higher than the Council's external borrowing of £147.0m (see table 6 below)

Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. The Council does not borrow all of this money externally but uses some of its internal cash reserves to fund this expenditure. This is referred to as "internal borrowing". This means that the Council's capital financing requirement is higher than its external borrowing figures. External borrowing may be sourced from bodies such as the Public Works Loan Board [PWLB] or the money markets.

5. External borrowing and compliance with treasury limits and prudential indicators

Table 6 demonstrates the outturn for 2017/18 external borrowing.

Table 6:

External Borrowing	2017/18 Budget £'000	2017/18 Outturn £'000
Market	24,000	24,000
PWLB	178,200	120,594
Local Enterprise Partnership	1,000	1,000
Total borrowing	203,200	145,594

During 2017/18, the Council operated within the treasury limits as set out its borrowing treasury management strategy. The position for the prudential indicators is shown in table 7, which is found below. These show that all prudential indicators have been complied with. Further detail on each of these indicators is included in Appendix B.

Table 7:

Prudential Indicator – Debt	Year-end position 2017/18	Does gross borrowing exceed CFR?	Has the limit/boundary been broken
Gross external borrowing	NO		
Authorised limit			NO
Operational boundary for external debt			NO
HRA debt limit			NO
Maturity structure of borrowing			NO
Upper limits on interest rate exposure			NO
The percentage of financing costs set aside to service debt financing costs			NO

In order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (plus the estimates of any additional capital financing requirement for the current and next two financial years). This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allows the Council some flexibility to borrow in advance of its immediate capital needs.

6. Compliance with treasury limits and prudential indicators for investments

The treasury management team ensure the cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing security and liquidity initially before considering maximising investment return. The return on investments contributes to the Council's budget for both the general fund and housing revenue account.

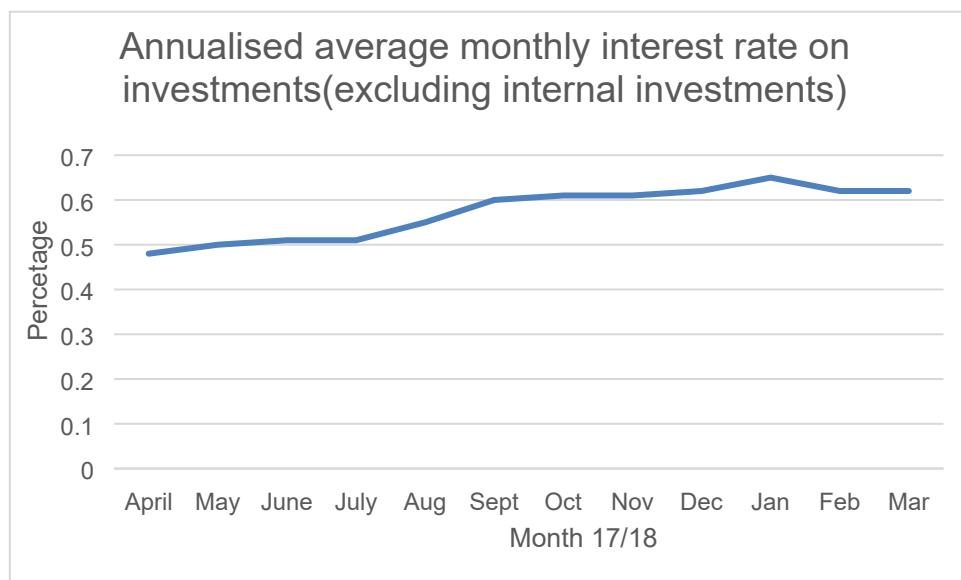
The Council will continue to monitor the economic outlook and money markets to ensure it is able to achieve a yield in line with market expectations whilst ensuring security and liquidity of capital are maintained. Graph 2 below demonstrates the change in investment by type up to 31 March 2018.

Table 8, below shows the counterparties where cash deposits are held. Further detail is available in Appendix D.

Table 8:

Investment Type	Actuals invested	Actuals invested	Actuals invested
	@ 31-03-17 £'000	@ 30-09-17 £'000	@ 31-03-18 £'000
Local Authorities	39,000	63,000	54,000
Fund Managers / Money Markets	12,882	0	6,500
Internal investments (WBC companies and HRA)	22,117	15,961	12,590
Total	70,541	80,536	73,090

Graph 3 on the following page shows an analysis of the rate of return for 2017/18.

Graph 3 Average return on investments

During 2017/18 year the Council operated within the treasury limits as set out in investment strategy. The position for the investment prudential indicators is shown in table 10 and full details are available in appendix B.

The Council also loans money to its portfolio of companies which are classed as internal loans. The average return on the Council's portfolio (excluding internal loans) to 31 March 2018 was 0.44%. This is 0.23% above the average 7-day London Interbank Bid Rate (LIBID) of 0.21%. The average rate of return including internal loans is 1.68%.

Table 9 below, gives a breakdown of returns per type and the annual interest rate received.

Table 9:

Return on Investment	Amount of interest received 2017/18 £'000	Cumulative interest %
Local Authorities	240	0.48%
Fund Managers / Money Markets	34	0.38%
Internal loans	1,061	5.75%
Total	1,335	1.68%

Table 10:
Prudential Indicator – Investment Year-end position @ 31-03-18

Has the limit/boundary been broken **Was the budget achieved at year end**

	NO	
Upper limits on interest rate exposure	NO	
Investment interest received		Yes

7. Conclusion

The Director of Corporate Services confirms that the approved limits and prudential indicators incorporated within the Annual Investment Strategy were not breached during 2017/18 with the prudential indicators. The Council is operating in a stringent financial climate, but is still managing to deliver within budgeted interest levels.

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Prudential and treasury indicators as at 31st March 2018

General fund

Table 1: Prudential indicators capital	2017/18 Budget	Quarter 1 17/18	Quarter 2 17/18	Quarter 3 17/18	Quarter 4 17/18
		Year end forecast	Year end forecast	Year end forecast	Year end Actual
	£'000	£'000	£'000	£'000	£'000
Capital expenditure	152,389	118,944	94,136	88,414	88,578
Capital financing requirement (CFR)	197,975	224,122	205,130	198,804	182,889
Annual change in CFR	78,962	61,140	45,108	44,988	22,867
In year borrowing requirement	82,527	64,444	48,347	48,211	26,229

Table 2: Prudential indicators borrowing	2017/18 Budget	Quarter 1 17/18	Quarter 2 17/18	Quarter 3 17/18	Quarter 4 17/18
		Year end forecast	Year end forecast	Year end forecast	Year end Actual
	£'000	£'000	£'000	£'000	£'000
Ratio of financing costs to net revenue stream	3.17%	3.1%	2.6%	2.48%	2.57%

The percentage of the revenue budget set aside each year to service debt financing costs is shown above. The outturn figure is below budget as a result of favourable returns compared to budget.

This is calculated as follows: financing cost divide by net revenue stream.

As per 2017/18: £3,402 / £132,594 = 2.57%

HRA

Table 3: Prudential Indicators HRA	2017/18 Budget	Quarter 1 17/18	Quarter 2 17/18	Quarter 3 17/18	Quarter 4 17/18
		Year end forecast	Year end forecast	Year end forecast	Year end Actual
	£'000	£'000	£'000	£'000	£'000
Capital expenditure	5,100	5,100	5,909	6,923	4,862
Capital financing requirement (CFR)	90,400	90,400	90,400	90,400	90,400
Annual change in CFR	(1,750)	(2,548)	(2,548)	(2,548)	(78)
In year borrowing requirement	0	0	0	0	0

Table 4:
Prudential indicators borrowing

	2017/18 Budget	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000	£'000
Ratio of financing costs to net revenue stream	18.94%	18.48%	18.48%	18.99%	18.48%

The percentage of the revenue budget set aside each year to service debt financing costs. This is calculated as follows: financing cost divide by total income received

As per budget 2017/18: £2,781 / £15,049 = 18.48%

General Fund & HRA

Table 5:
Prudential indicators – capital expenditure & CFR

	2017/18 Budget	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000	£'000
Capital expenditure	157,949	124,044	99,236	95,337	88,579
Capital financing requirement (CFR)	288,375	318,343	302,181	301,540	273,211
Annual change in CFR	77,212	58,592	42,560	42,440	22,789
In year borrowing requirement	82,527	64,444	48,347	48,211	26,229

Table 6:
Internal borrowing

	2017/18 Budget	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000	£'000
CFR (year end position)	286,625	309,014	292,982	293,863	273,211
Less external borrowing	(203,200)	(145,709)	(145,709)	(145,709)	(145,709)
Less other long term liabilities	(8,600)	(10,000)	(10,000)	(10,000)	(7,060)
Internal borrowing *	74,825	153,305	137,273	138,154	120,442
Movement	0	78,480	62,448	63,329	45,617
% of internal borrowing to CFR	0%	49.61%	46.85%	37.56%	37.78%

Note: * This will be reviewed on a regular basis to make sure we are getting best value for money. The Council is currently using its own cash flow (as rates of return are low), if rates start to increase a new external loan may need to be taken out.

Table 7:
Upper limit - investments only

	2017/18 Budget	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000	£'000
On fixed rate exposures	(80,000)	(68,874)	(79,874)	(76,874)	(56,874)
On variable rate exposures	(40,000)	(18,086)	(25,794)	(15,086)	(1,050)

Table 8: Upper limit - debt only	2017/18 Budget	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000	£'000
On fixed rate exposures	180,000	147,006	147,006	147,006	145,594
On variable rate exposures	40,000	0	0	0	0

Table 9: Internal investments: interest received	2017/18 Budget	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000	£'000
HRA Internal loan from the general fund		(449)	(449)	(449)	(449)
Wokingham Holdings	0	(584)	(884)	(884)	(1,061)
	0	(1,033)	(1,333)	(1,333)	(1,510)

Table 10: Internal investments:	Quarter 1 17/18 Year end forecast	Quarter 2 17/18 Year end forecast	Quarter 3 17/18 Year end forecast	Quarter 4 17/18 Year end Actual
	£'000	£'000	£'000	£'000
HRA Internal loan from the general fund		8,874	8,874	8,874
Wokingham Holdings		17,845	25,193	22,473
Total	26,359	34,067	31,347	21,464

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General Fund Loan portfolio @ 31st March 2018

PWLB/Market	Loan no	Principal £'000	Interest Rate %	Maturity Date
General Fund				
PWLB - GF	485805	976	4.88	01 August 2022
PWLB - GF	488876	2,343	4.95	01 February 2034
PWLB - GF	491320	2,929	3.85	01 August 2051
PWLB - GF	491456	1,431	4.35	30 September 2046
PWLB - GF	491474	5,587	4.40	01 August 2052
PWLB - GF	493309	9,764	4.60	31 March 2054
PWLB - GF	505949	8,000	2.34	31 March 2035
PWLB - GF	505950	4,000	2.37	31 March 2036
PWLB - GF	505948	6,000	2.30	31 March 2034
Market - GF	3b	4,882	4.35	24 February 2077
Market - GF	2c	4,882	4.60	11 January 2077
Market - GF - KA Finanz	1c	4,882	4.88	06 February 2066
Market - GF	4	1,953	3.68	16 February 2066
Market - GF	5	4,882	3.73	19 October 2076
Market - GF	6	1,953	3.77	19 October 2076
Local Enterprise Board		250	0.00	01 December 2018
Local Enterprise Board		750	0.00	01 December 2019
Total		65,464		

Housing Revenue Fund Loan portfolio @ 31st March 2018

PWLB/Market	Loan no	Principal	Interest Rate %	Maturity Date
Housing Revenue Account				
PWLB - HRA	485805	24	4.88	01 August 2022
PWLB - HRA	488876	57	4.95	01 February 2034
PWLB - HRA	491320	71	3.85	01 August 2051
PWLB - HRA	491456	35	4.35	30 September 2046
PWLB - HRA	491474	135	4.40	01 August 2052
PWLB - HRA	493309	236	4.60	31 March 2054
HRA Self Financing	501034	3,482	2.21	28 March 2021
HRA Self Financing	501035	8,516	3.30	28 March 2032
HRA Self Financing	501036	1,988	1.99	28 March 2020
HRA Self Financing	501037	7,231	3.26	28 March 2031
HRA Self Financing	501038	4,199	2.40	28 March 2022
HRA Self Financing	501039	6,378	3.15	28 March 2029
HRA Self Financing	501040	5,415	3.01	28 March 2027
HRA Self Financing	501043	9,276	3.34	28 March 2033
HRA Self Financing	501044	1,000	3.37	28 March 2034
HRA Self Financing	501045	3,744	2.82	28 March 2025
HRA Self Financing	501046	5,981	3.08	28 March 2028
HRA Self Financing	501047	6,789	3.21	28 March 2030
HRA Self Financing	501048	3,971	2.92	28 March 2026
HRA Self Financing	501049	4,116	2.70	28 March 2024
HRA Self Financing	501050	3,484	2.56	28 March 2023
HRA Self Financing	501051	3,098	1.76	28 March 2019
Market - HRA	3b	118	4.35	24 February 2077
Market - HRA	2c	118	4.60	11 January 2077
Market - HRA - KA Finanz	1c	118	4.88	08 February 2066
Market - HRA	4	47	3.68	16 February 2066
Market - HRA	5	118	3.73	19 October 2076
Market - HRA	6	47	3.77	19 October 2076
External		79,792		
WBC General Fund *		8,874	4.5	
Total		88,614		

* Note this is an internal loan from the general fund to the HRA and is not included in the total external loans.

Total external borrowing loans @ 31st March 2018

WBC External Borrowing	Actuals @ 30-09-17	Actuals @ 31-03-18
	£'000	£'000
Market	24,000	24,000
PWLB	122,006	120,594
Local Enterprise Partnership	1,000	1,000
Total borrowing	147,006	145,594

Maturity structure @ 31st March 2018

Long Term Borrowing	31st March 2017	31st March 2018	Average rate
	£,000	£,000	%
Between 1 and 2 years	0	2,738	1.99
Between 2 and 5 years	13,767	12,232	2.61
Between 5 and 10 years	21,730	23,323	2.93
Between 10 and 15 years	34,895	40,543	3.36
Between 15 and 20 years	30,676	19,000	2.39
Between 20 and 25 years	0	0	0
Between 25 and 30 years	1,465	1,567	4.35
More than 30 years	42,723	42,843	4.34
Total Long Term	145,256	142,246	
Short Term Borrowing			
less than 1 year	2,130	3,348	1.76
Total Borrowing	147,386	145,594	3.38

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Investment portfolio

Current Investments @ 31st March 2018

Institution	Amount £000	Rate	Maturity Date	Broker
Current lending				
Eastleigh BC	3,000	0.28%	23/04/2018	Sterling
Rugby BC	3,000	0.35%	29/06/2018	Tradition
Rugby BC	2,000	0.35%	13/07/2018	Tradition
Kingston Upon Hull	3,000	0.35%	13/07/2018	Prebon
Leeds CC	5,000	0.35%	25/07/2018	Tradition
Aberdeenshire Council	5,000	0.37%	03/08/2018	Tradition
Broxtowe Council	2,000	0.35%	08/08/2018	Sterling
Salford CC	3,000	0.37%	08/08/2018	Tradition
Barnsley BC	2,000	0.39%	31/10/2018	Prebon
Doncaster Metropolitan Council	3,000	0.39%	01/11/2018	Prebon
Tewkesbury Borough Council	3,000	0.55%	01/11/2018	Tradition
Monmouthshire Council	5,000	0.58%	13/11/2018	Tradition
North Lanarkshire Council	5,000	0.72%	15/11/2018	Prebon
Lancashire CC	5,000	0.65%	15/01/2019	Tradition
Fife Council	5,000	0.68%	05/02/2019	Tradition
54,000				
Money Market Funds / Fund Managers				
Fund Managers		Variable		
Invesco	5,000	Variable		
Deutsche Global (Henderson)		Variable		
Goldman Sachs	1,500	Variable		
Total	6,500			
Grand total				
60,500				

Investments with internal companies		
Wokingham Holdings	12,590	5.75%
Housing Revenue Account	8,874	4.5%
Total	21,464	
		Grand Total 81,964

Economic update

During the calendar year of 2017, there was a major shift in expectations in financial markets in terms of how soon the bank rate would start on a rising trend. After the UK economy surprised on the upside with strong growth in the second half of 2016, growth in 2017 was disappointingly weak in the first half of the year which meant that growth was the slowest for the first half of any year since 2012. The main reason for this was the sharp increase in inflation caused by the devaluation of sterling after the EU referendum, feeding increases into the cost of imports into the economy. This caused a reduction in consumer disposable income and spending power as inflation exceeded average wage increases. Consequently, the services sector of the economy, accounting for around 75% of GDP, saw weak growth as consumers responded by cutting back on their expenditure. However, growth did pick up modestly in the second half of 2017. Consequently, market expectations during the autumn, rose significantly that the MPC would be heading in the direction of imminently raising the bank rate. The minutes of the MPC meeting of 14 September indicated that the MPC was likely to raise the bank rate very soon. The 2 November MPC quarterly inflation report meeting duly delivered by raising the bank rate from 0.25% to 0.50%. The 8 February MPC meeting minutes then revealed another sharp hardening in MPC warnings on a more imminent and faster pace of increases in the bank rate than had previously been expected.

Market expectations for increases in bank rate, therefore, shifted considerably during the second half of 2017-18 and resulted in investment rates from 3 – 12 months increasing sharply during the spring quarter.

PWLB borrowing rates increased correspondingly to the above developments with the shorter term rates increasing more sharply than longer term rates. In addition, UK gilts have moved in a relatively narrow band this year, (within 25 bps for much of the year), compared to US treasuries. During the second half of the year, there was a noticeable trend in treasury yields being on a rising trend with the Fed raising rates by 0.25% in June, December and March, making six increases in all from the floor. The effect of these three increases was greater in shorter terms around 5 year, rather than longer term yields.

The major UK landmark event of the year was the inconclusive result of the general election on 8 June. However, this had relatively little impact on financial markets.

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Glossary of terms

Authorised limit – represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desirable, could be afforded in the short term, but is not sustainable in the longer term.

Boundary limit – is an estimate of the authorised limit but reflects an estimate of the most likely, prudent, but not worst case scenario, without the additional headroom included within the authorised limit to allow for example for unusual cash movements.

Capital financing requirement (CFR) - reflects the Council's underlying need to borrow for a capital purpose. It shows the total estimated capital expenditure that has not been resourced from capital or revenue sources. This requirement will eventually be met by revenue resources through the Minimum Revenue Provision mechanism.

CIPFA prudential code - is a professional code of practice to support local authorities in taking capital investment decisions. Local authorities determine their own programmes for capital investment in fixed assets that are central to the delivery of quality local public services in accordance with the prudential code.

Consumer price index (CPI) - measures changes in the price level of a market basket of consumer goods and services purchased by households.

Ministry for Housing, Communities and Local Government (MHCLG) - is a ministerial department, supported by 12 agencies and public bodies. They are working to create great places to live and work, and to give more power to local people to shape what happens in their area.

European central bank (ECB) - the central bank for the euro and administers monetary policy of the eurozone, which consists of 19 EU member states and is one of the largest currency areas in the world.

Fair value - is defined as the amount for which an asset could be exchanged or a liability settled, assuming that the transaction was negotiated between parties knowledgeable about the market in which they are dealing and willing to buy/sell at an appropriate price, with no other motive in their negotiations other than to secure a fair price

Fed - the Federal Reserve system (also known as the Federal Reserve, and informally as the Fed) is the central banking system of the United States.

Financing cost to net revenue stream - the percentage of the revenue budget set aside each year to service debt financing costs.

Funding for lending scheme (FLS) – was launched by the Bank and HM Treasury on 13 July 2012. The FLS is designed to incentivise banks and building societies to boost their lending to the UK real economy.

Gilt - is a UK Government liability in sterling, issued by HM Treasury and listed on the London Stock exchange.

Gross domestic product (GDP) - is the market value of all officially recognized final goods and services produced within a country in a given period of time(usually the fiscal year).

Local authority lender option borrower option (LOBO) - the underlying loan facility is typically very long-term - for example 40 to 60 years - and the interest rate is fixed. However, in the LOBO facility the lender has the option to call on the facilities at pre-determined future dates, such as every 5 years.

Local enterprise partnerships - are partnerships between local authorities and businesses. They decide what the priorities should be for investment in roads, buildings and facilities in the area.

London interbank bid rate - the rate at which banks will bid to take deposits in Eurocurrency from each other. The deposits are for terms from overnight up to five years.

Monetary policy committee (MPC) - interest rates are set by the bank's monetary policy committee. The MPC sets an interest rate it judges will enable the inflation target to be achieved.

Minimum revenue provision (MRP) - is a provision the council has set-aside from revenue to repay loans arising from capital expenditure financed by Borrowing.

Private finance initiative (PFI) - this is funding public infrastructure projects with private capital.

Public works loan board (PWLB) - is a statutory body operating within the Debt Management Office, an executive agency of HM Treasury.

PWLB certainty rate - a reduced interest rate from PWLB to principal local authorities, which provided required information to government on their plans for long-term borrowing and associated capital spending.

Quantitative easing (QE) - a government monetary policy occasionally used to increase the money supply by buying government securities or other securities from the market. Quantitative easing increases the money supply by flooding financial institutions with capital, in an effort to promote increased lending and liquidity.

Voluntary revenue provision (VRP) – this a discretionary provision to reduce the unfinanced capital expenditure (borrowing) by additional loan repayments.

Agenda Item 28.

TITLE	Neighbourhood Planning Wokingham Area Designation Sign Off Procedure
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None Specific;
DIRECTOR	Director of Corporate Services – Graham Ebers Director of Locality and Customer Services – Josie Wragg
LEAD MEMBER	Executive Member for Business, Economic Development and Strategic Planning - Stuart Munro

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

That Twyford and Wokingham Without Parish Councils will be able to lead on the preparation of Neighbourhood Development Plans that will help to influence development decisions in each respective parish. Delegating the authority to approve future area designations for whole parish applications provides an efficient decision making process which reflects the regulatory requirements.

RECOMMENDATION

It is recommended that the following are agreed by the Executive:

- 1) that Twyford Parish is designated as a Neighbourhood Area;
- 2) that Wokingham Without Parish is designated as a Neighbourhood Area;
- 3) that delegated authority be given to the Director of Locality and Customer Services, in consultation with the Executive Member responsible for strategic planning and the relevant ward members, to determine future applications for Neighbourhood Area designation.

EXECUTIVE SUMMARY

Neighbourhood planning gives communities the power to develop a shared vision for their area. Through a Neighbourhood Plan, communities are able to write planning policies to influence where new homes, shops and offices should be built, have their say on what those new buildings should look like and what infrastructure should be provided.

Where communities wish to take up the opportunities offered by Neighbourhood Plans, they must first apply to be designated as a Neighbourhood Area.

Changes to the Neighbourhood Planning Regulations 2012 (as amended) now mean that where a parish or town council applies for the whole of the area of the parish to be designated as a neighbourhood area, the local planning authority must designate the whole of the area applied for with no requirement for consultation. Twyford and Wokingham Without Parish Councils have recently submitted applications to be designated as Neighbourhood Plan Areas, the first step in the neighbourhood planning process.

It is recommended that the procedure for determining area designations be delegated to the Director of Locality and Customer Services, in consultation with the Executive Member responsible for strategic planning to streamline what is an obligatory process. In the meantime, it is recommended that Executive agree that both Twyford and Wokingham Without Parishes are designated as Neighbourhood Plan Areas in accordance with the mandatory requirements of the relevant regulations.

BACKGROUND

Neighbourhood planning gives communities the power to develop a shared vision for their area. Through a Neighbourhood Plan, communities are able to write planning policies to influence where new homes, shops and offices should be built, have their say on what those new buildings should look like and what infrastructure should be provided. A draft Neighbourhood Plan must be in general conformity with the strategic policies of Wokingham Borough's Core Strategy and Managing Development Delivery Local Plans. Once a Neighbourhood Plan has been through an independent examination and a successful referendum, it must be adopted by the Council and become part of its development plan. The Neighbourhood Plan thereby forms part of the suite of plans which are the primary consideration when making decisions on planning applications.

Where communities wish to take up the opportunities offered by Neighbourhood Plans, they must first apply to be designated as a Neighbourhood Area. In areas with parish or town councils the application must be made by these organisations, although in the preparation of the plan they are expected to work with the wider community.

Designating Neighbourhood Areas

In the past, regulations governing applications for designation as a Neighbourhood Area required the application to be advertised, followed by consideration of whether the areas applied for represented a suitable planning area.

The regulations (Neighbourhood Planning Regulations 2012 (as amended)) have since been altered to streamline the process. Consultation is no longer required. Also, applications for Neighbourhood Areas which relate to a whole parish area must be approved.

Effectively, there is no decision for the local planning authority to make except in very limited and specified exceptions apply¹.

Delegation of authority to designate Neighbourhood Area Applications

Delegated authority is requested to designate future applications for designation as a Neighbourhood Area which relate to whole parish areas, to reflect the regulatory requirements and ensure efficiency in process.

Where applications vary from the parish boundary or where one of the specified exceptions applies, a report will continue to be brought to Executive to consider whether the proposed area reflects a suitable basis on which to plan.

The requested delegation would not remove any decision making ability of Executive.

Twyford and Wokingham Without Parish Councils

At this time, Twyford Parish Council and Wokingham Without Parish Council both wish to prepare neighbourhood plans covering the entirety of their administrative areas and

¹ This is where the area applied for: has already been designated as a neighbourhood area which extends beyond the parish boundary; or forms part of another application that has not yet been determined.

have submitted the necessary applications to be designated as neighbourhood areas. For clarity, these are to be two separate neighbourhood plans, and not a joint plan.

Given that these relate to the whole parish area, as discussed above, Wokingham Borough Council must therefore designate these areas as applied for in line with the Neighbourhood Planning (General) Regulations (as amended 2016).

Recommendation

Delegated authority is requested to designate future applications for Neighbourhood Areas which relate to whole parish areas, to reflect the regulatory requirements and ensure efficiency in process.

Additionally, in the absence of agreed delegation at this point in time, it is recommended that Executive approve the applications from Twyford Parish Council and Wokingham Without Parish Council in accordance with regulatory requirements.

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)	Nil	N/A	N/A
Next Financial Year (Year 2)	Nil	N/A	N/A
Following Financial Year (Year 3)	Nil	N/A	N/A

Other Financial Information

There are no financial implications of the recommendations.

It should be noted that currently funding is made available from government to local planning authorities to assist their supporting communities preparing neighbourhood plans. Funding has previously been received to support the designation of neighbourhood plans, however this is limited to five plans. Wokingham Borough Council has applied for this grant for each of the current five neighbourhood plans under preparation (Shinfield; Arborfield & Barkham; Remenham; Ruscombe and Hurst). No further funding for additional designations is currently available.

Stakeholder Considerations and Consultation

In accordance with Regulations no consultation is required at this stage, as set out in the report. As the plan progresses it will be subject to extensive consultation which will be led by the Neighbourhood Groups until the plan is formally submitted to the Council.

Adopted neighbourhood plans will influence decisions on planning applications. Where neighbourhood plans have been completed, parish and town councils are entitled to

receive a higher percentage of receipts from the Community Infrastructure Fund. The proportion retained by Wokingham Borough Council thereby reduces from 85% to 75%.

The notion of neighbourhood planning sits well alongside the Council's own emerging localities agenda.

Resourcing and Timeline for Next Steps

Neighbourhood Plans are a community initiative so the timetable will be dependent on each Neighbourhood plan group. WBC Officers will engage with the groups to determine when support is needed.

Timeline for Review and Evaluation

The progress of neighbourhood plans is dependent on the Neighbourhood Group. Officers will remain in contact with the respective Groups to monitor progress.

List of Background Papers

Twyford Parish Council application for the designation of a Neighbourhood Plan Area including Parish Neighbourhood Plan Area Map

Wokingham Without Parish Council application for the designation of a Neighbourhood Plan Area including Parish Neighbourhood Plan Area Map

Contact James McCabe	Service Place Commissioning
Telephone Tel: 0118 908 8333	Email james.mccabe@wokingham.gov.uk

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Application for the Designation of a Neighbourhood Plan Area for Twyford Parish

The Neighbourhood Planning (General) Regulations 2012 require Parish Councils which intend to prepare a Neighbourhood Development Plan to submit an application for designation of a neighbourhood area.

Area to be designated

The map attached identifies the area to which this application relates.

Statement

The boundary of the proposed Neighbourhood Plan for Twyford coincides with the civil parish boundary for Twyford Parish Council. This boundary represents the full extent of the Council's area of responsibility in terms of both statutory obligations and discretionary powers to provide services to the people of Twyford. It is therefore considered appropriate for designation as a Neighbourhood Area.

The Parish Council recognises that a Neighbourhood Plan must have regard to the National Planning Policy Framework, be compatible with EU obligations and human rights requirements, and be in general conformity with the strategic policies in the Local Authority's Local Plan. It will not apply to planning applications which have already been approved.

In making this application, Twyford Parish Council is a relevant body for the purposes of Section 61G of the 1990 Act.

Chairman:

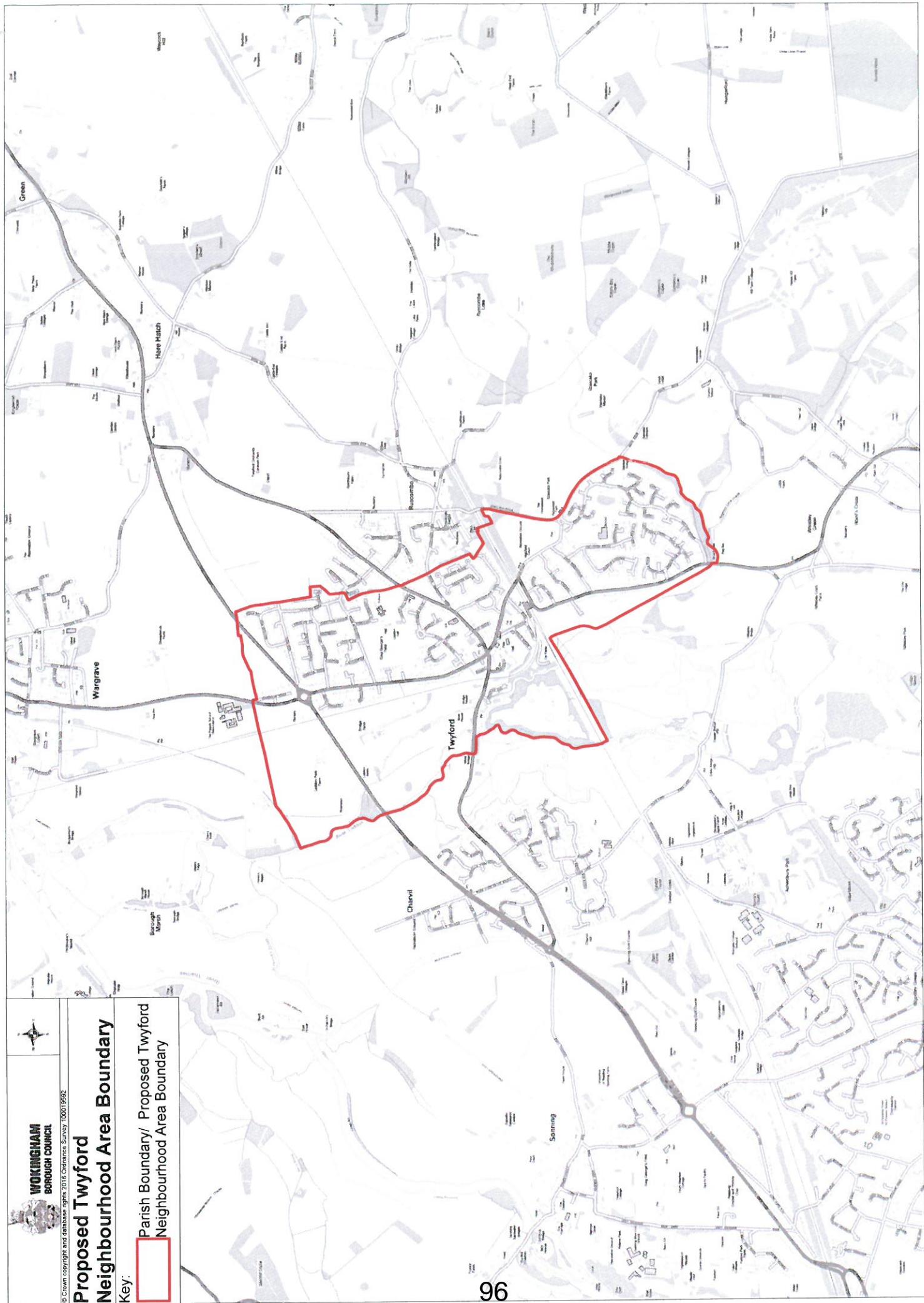
Mr R Mantel

Parish Clerk:

Mrs Lucy Moffatt

Twyford Parish Council

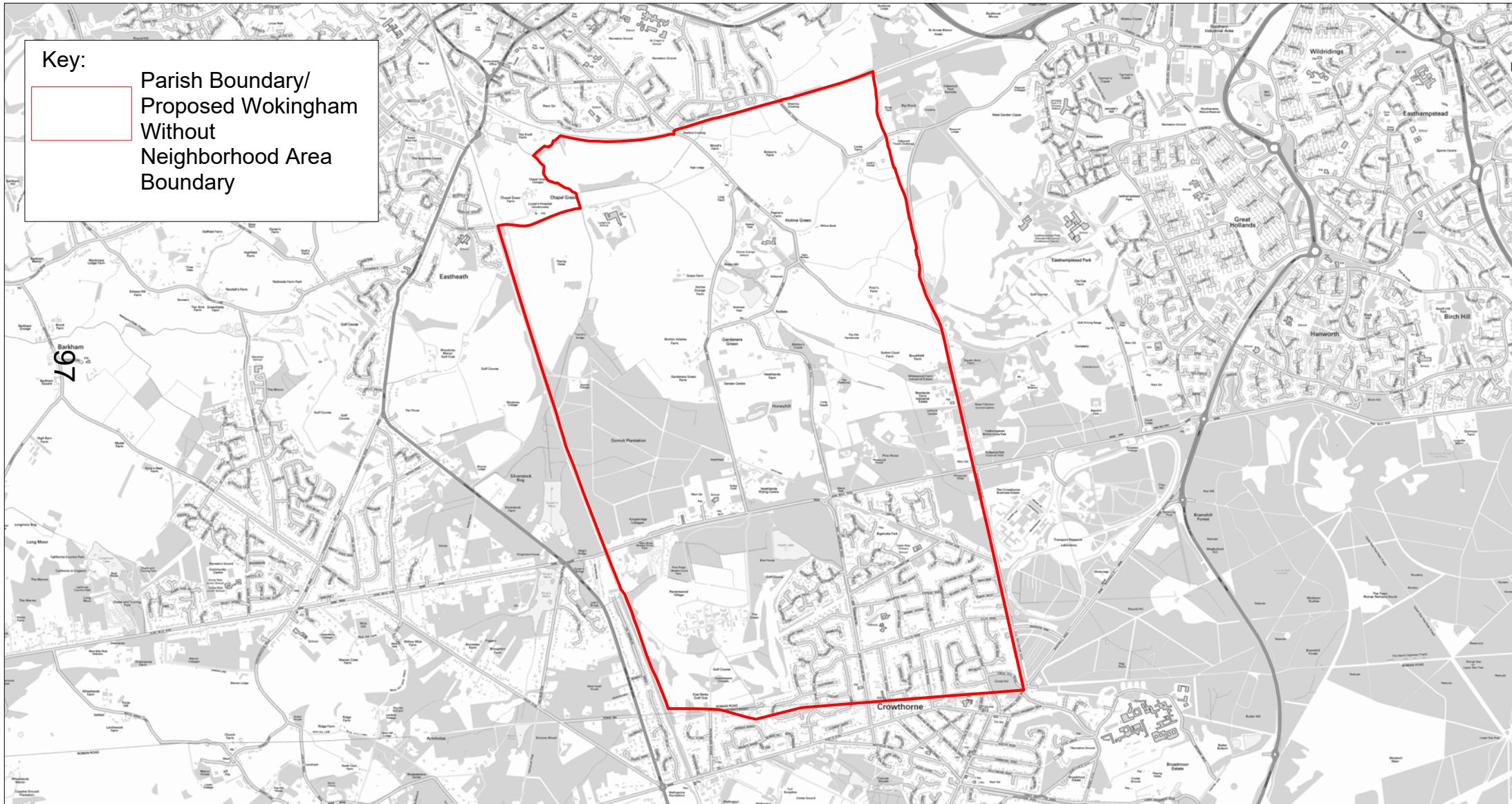
Date: 27.3.2018



Proposed Wokingham Without Neighbourhood Area Boundary

Key:

Parish Boundary/
Proposed Wokingham
Without
Neighborhood Area
Boundary



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Wokingham Without Parish Council

Parish Office, Pinewood Centre,
Old Wokingham Rd
Wokingham, RG40 3AQ
Tel & Fax 01344 771425
www.wokinghamwithout-pc.gov.uk
e mail: admin@wokinghamwithout-pc.gov.uk



Application for the Designation of a Neighbourhood Plan Area for Wokingham Without Parish Council.

Area to be Designated:

The map attached identifies the area to which this application relates.

Statement:

The boundary of the proposed Neighbourhood Plan for Wokingham Without coincides with the civil parish boundary for Wokingham Without Parish Council. This boundary represents the full extent of the Council's area of responsibility in terms of both statutory obligations and discretionary powers to provide services to the people of Wokingham Without, and is therefore considered appropriate for designation as a neighbourhood area.

The Parish Council recognises that a Neighbourhood Plan must have regards to the National Planning Policy framework, be compatible with EU obligations and human rights requirements, and be in general conformity with the strategic policies in the local authority's Local Plan, and will not apply to planning applications which have already been approved.

In making this application Wokingham Without Parish Council is a relevant body for the purposes of Section 61G of the 1990 Act.

Cllr. Ken Newland,
Chairman.

Colin Barlow,
Interim Clerk.

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Agenda Item 29.

TITLE	Draft Central and Eastern Berkshire Joint Minerals and Waste Plan
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None Specific;
DIRECTOR	Director of Corporate Services – Graham Ebers Director of Locality and Customer Services – Josie Wragg
LEAD MEMBER	Executive Member for Business, Economic Development and Strategic Planning – Stuart Munro;

OUTCOME / BENEFITS TO THE COMMUNITY

The Draft Central and Eastern Berkshire Joint Minerals and Waste Local Plan will provide a robust strategy to ensure there is an adequate mineral supply and to ensure the sustainable management of waste. The Draft Plan consultation is the second formal stage of the process, following an Issues and Options consultation in 2017.

RECOMMENDATION

The Executive is asked to:

- 1) approve the Draft Central and Eastern Berkshire Joint Minerals and Waste Plan for public consultation;
- 2) authorise community involvement on the Draft Central and Eastern Berkshire Joint Minerals and Waste Plan and associated supporting documents to take place between August - October 2018;
- 3) authorise the Director of Corporate Services and Director of Locality and Customer Services, in consultation with the Executive Member for Environment and the Executive Member for Business and Economic Development and Strategic Planning to agree minor amendments necessary to the Draft Central and Eastern Berkshire Joint Minerals and Waste Plan and other supporting documents prior to consultation. (Any minor modifications would consist of non-material alterations such as rewording and correction of typing errors).

SUMMARY OF REPORT

This report seeks approval to commence a public consultation on the Draft Central and Eastern Berkshire Joint Minerals and Waste Plan and associated supporting documents. It is intended that consultation on the Draft Plan will be undertaken between August - October 2018. This consultation/community involvement will then feed into the preparation of a revised version of the draft local plan for eventual submission to the Secretary of State.

Wokingham Borough Council is preparing the Joint Central and Eastern Berkshire Minerals and Waste Plan with the Royal Borough of Windsor and Maidenhead, Bracknell Forest Borough Council and Reading Borough Council. The Plan is being

produced in collaboration by Hampshire Services (part of Hampshire County Council). Draft consultation documents are attached, or are available on request. They are at an advanced stage of preparation, but will be subject to some further drafting/amendment prior to being made available as part of the consultation.

The Draft Central and Eastern Berkshire Joint Minerals and Waste Plan follows on from consultation on the Issues and Options stage of local plan preparation which was undertaken during summer 2017. Responses to that consultation along with various factors detailed below have been taken into account in drawing up the Draft Plan.

At this stage of the plan making process evidence is still being gathered and this consultation is an opportunity for local developers, landowners, residents and other interested parties to provide further information that may influence subsequent versions of the plan.

Due to the size of the Draft Plan it has not been included in the agenda. The document can be viewed on the Council's website or a copy obtained from Democratic Services.

Background

The unitary authorities in Berkshire each have responsibility for planning for the future production of minerals and for the management of waste disposal within their administrative area. Since minerals and waste is a strategic matter and is better planned for on a larger geography than an individual unitary authority, Bracknell Forest, Reading, the Royal Borough of Windsor and Maidenhead (RBWM) and Wokingham Councils agreed to work together to prepare a Joint Minerals and Waste Plan. Upon adoption, the Joint Plan will supersede the Replacement Minerals Local Plan for Berkshire (Adopted in 1995 but subject to Alterations in 1997 and 2001) and the Waste Local Plan for Berkshire (1998).

Slough Borough Council is not part of this joint arrangement due to local complications linked to the potential expansion of Heathrow Airport, but will be closely engaged due to the functional links between the areas. West Berkshire Council is preparing a Minerals and Waste Local Plan for its borough.

The draft Plan covers the administrative area of the four Berkshire authorities and will guide minerals and waste decision-making in the Plan area up to 2036. The Councils currently rely on a Replacement Minerals Local Plan for Berkshire (Adopted in 1995 but subject to Alterations in 1997 and 2001) and the Waste Local Plan for Berkshire (1998). These were prepared and adopted by the former Berkshire County Council and are now out of date. Policies in the existing minerals and waste plans for Berkshire were designed to guide development until 2006. 'Saved' policies are still used, but their effectiveness is now very limited.

The preparation of the Joint Plan will need to accord with current planning policy and guidance on minerals and waste. These are contained within the National Planning Policy Framework (NPPF) and the accompanying Planning Practice Guidance along with the Waste Management Plan for England which was published in December 2013, and the National Planning Policy for Waste which was published in October 2014.

The draft Plan provides the opportunity to develop a new spatial strategy for minerals and waste planning in Central and Eastern Berkshire. The draft Plan sets out the strategic direction for mineral extraction and waste management across the four authorities up to 2036. This includes proposing sites for allocation for sand and gravel extraction and for waste management. The draft Plan also includes policies to guide the determination of planning applications for minerals and waste uses.

A consultation on the 'Issues and Options' version of the Joint Plan was undertaken for 6 weeks in June – July 2017. The 'Issues and Options' Consultation was the first formal stage of engagement in the process to move to a fully up to date local plan. Responses have been analysed, alongside an assessment of local circumstances that together have narrowed down the options in identifying draft policies and proposed allocations. A summary report of the representations made at the Issues and Options stage is available on the Joint Minerals & Waste consultation website.¹

¹ www.hants.gov.uk/berksconsult

Analysis of Issues

Plan Proposals

Following the consultation on the Issues and Options stage, a Draft Joint Plan has been prepared. This takes account of the results of consultation at the consultation as well as information put forward in two separate “Call for Sites” exercises. Discussions have been held with a range of planning authorities and other organisations that may be affected by the strategies and policies in the Joint Plan under the requirements for Duty to Co-operate. This has ensured that effective cooperation has been undertaken where there are cross-boundary impacts. The results of these discussions have been taken account of in preparing the Draft Plan.

The Joint Plan builds upon the formerly adopted minerals and waste plans for the Berkshire area, and updates, improves and strengthens the policies to ensure that they are relevant in the period up to 2036. The Draft Joint Plan sets out background and context information relevant to planning for minerals and waste in the Central and Eastern Berkshire area. It sets out various evidence and analysis along with forecasting for future needs for minerals extraction and waste facilities in the plan area. It proposes a spatial vision and a spatial strategy that notes extensive cross boundary movement of minerals and waste materials. For minerals extraction, the spatial strategy is closely aligned with the availability of winnable resources within the plan area.

The Draft Joint Plan (previously referred to as ‘the Preferred Options’) is a key part in the preparation process. It identifies and sets out the following subjects for the period up to, and including, the year 2036:

- The long term Spatial Vision and Strategic Objectives for minerals and waste in Central and Eastern Berkshire;
- The delivery strategy for minerals and waste planning that identifies how the objectives will be achieved through development policies in the plan period;
- The Development Management (DM) policies that will be used when the Local Planning Authorities make decisions on planning applications; and
- How each policy will be implemented and monitored by the Central and Eastern Berkshire Authorities to ensure their effectiveness.

The vision of the plan seeks to ensure, working with other authorities and bodies, the maintenance of a steady and adequate supply of minerals, whilst maximising the contribution that minerals development can bring to local communities, the economy and the natural environment. The vision further intends that waste will be managed in a sustainable way, in accordance with the waste hierarchy. It seeks to ensure the delivery of the best environmental solution to waste management. The Draft Joint Plan will also ensure that the full extent of social, economic and environmental benefits of minerals and waste development are captured, contributing to and enhancing quality of life and living standards within the area, whilst minimising impacts on the natural environment.

The Draft Joint Plan sets out a range of policies for both minerals and waste planning. For minerals these include policies covering the spatial strategy, the safeguarding of mineral resources and minerals infrastructure, managing the supply of sand and gravel, and supporting the supply of chalk and clay and of recycled and secondary aggregates. Policy also provides support for aggregate wharves or rail depots. For waste planning the policies include an overall strategy policy, safeguarding policies for waste management facilities, the provision of additional waste infrastructure capacity and a

policy to control the re-working of landfill sites. The document also contains a series of development management policies which provide a framework for dealing with planning applications. These include policies on sustainable development, climate change, various environmental protection, restoration of workings, protecting public health, safety and amenity, water and flooding, transport, design and ancillary development.

Proposed Site Allocations

The Draft Joint Plan proposes the allocation of a number of strategic sites to enable the delivery of the vision, based on assessments of areas promoted through the 'Call for Sites' exercise.

At this stage of the plan making process evidence is still being gathered and this consultation is an opportunity for local developers, landowners, residents and other interested parties to provide further information that may influence subsequent versions of the plan.

Minerals Extraction

Locations for sand and gravel extraction are set out in policy M4 of the Draft Joint Plan. Minerals extraction can only take place in areas where geological surveys have determined minerals are located. The geology of central and eastern Berkshire shows that winnable mineral deposits are predominantly located in Wokingham Borough and RBWM. Some deposits are located in Reading and Bracknell Forest, but the extent of these deposits is much smaller, and are located in built up areas where extraction is not possible. The Draft Joint Plan proposes the extraction of remaining reserves at three sites in RBWM:

- Horton Brook Quarry, Horton
- Riding Court Farm, Datchet
- Sheephouse Farm, Maidenhead

In addition to extensions to existing works at:

- Poyle Quarry, Horton

Four additional sites are also proposed for sand and gravel extraction:

- Poyle Quarry, Horton
- Bridge Farm, Arborfield
- Water Oakley, Holyport
- Ham Island, Old Windsor

Bridge Farm, Arborfield

Policy 'M4 Locations for sand and gravel extraction' of the Draft Joint Plan proposes the allocation of Bridge Farm, Arborfield for the extraction of 3.6 million tonnes of sand and gravel. Extraction is proposed in phases across the 190Ha site over a number of years.

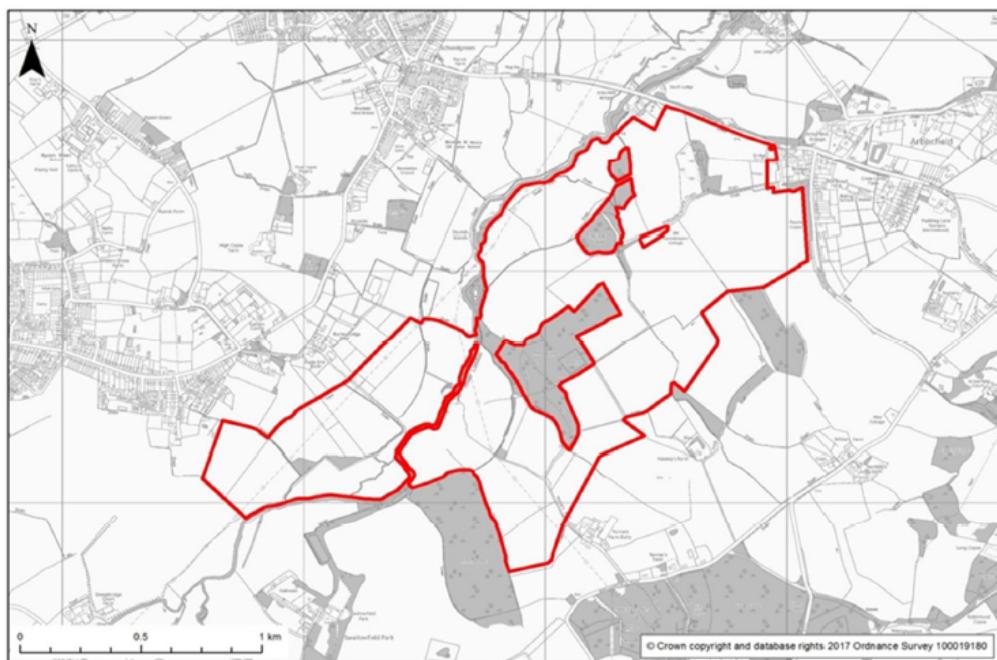
Bridge Farm is a proposed site allocation due to its good connectivity to the strategic road network, and can make a significant contribution to the supply of sand and gravel for use in the plan area over the long term. Minerals are widely used in house building, so the site will help to reduce HGV movements on the road network in the borough, as fewer minerals will need to be imported from other areas.

The ‘Development Considerations’ section of the Draft Joint Plan draws particular attention to the need to consider visual impacts, the adjacent Local Wildlife Site (LWS) and the need for a transport assessment. Once extraction has ended, the site will be restored to agriculture, lowland meadow and wetlands with enhanced public access. The site is currently subject to a planning application that proposes minerals extraction, where the detailed elements of the proposal are being considered by officers.²

The ‘Minerals Proposals Study’ background document states the site had previously been identified as a proposed site in the Joint Minerals and Waste Development Framework – Detailed Minerals and Waste Development Control Policies and Preferred Areas Development Plan Document (2008) for the extraction of sharp sand and gravel. This document formed part of the evidence base to support the Berkshire Minerals and Waste Core Strategy, which was withdrawn in 2010.³

No further new sites are proposed for mineral extraction in Wokingham Borough. Appropriate locations for new sites for minerals extraction will be determined through planning applications and consideration of the relevant development management policies.

Bridge Farm, Arborfield



Waste Management

The draft Plan seeks to provide and/or facilitate sustainable management of waste for the plan areas. However, the existing movements of waste to treatment facilities outside of central and eastern Berkshire means continual working with waste planning authorities outside the plan area is required. The Smallmead Waste Management Centre in Reading and Longshot Lane, Bracknell provide facilities for residents of

² Application Number 170433.

³ The Plan was being prepared by the Joint Strategic Planning Unit (JSPPU) that was responsible for the production of minerals and waste development documents for the 6 unitary authorities of Berkshire at the time.

Wokingham, Reading and Bracknell Forest as part of the Re3 contract, which is currently contracted to 2032.

Sites for additional waste management infrastructure are set out in policy D4 of the Draft Joint Plan. Waste management sites can be located on different types of land depending on the type of facilities and the proposed activity. Six sites are proposed for allocation for waste management:

- Planners Farm, Brock Hill
- Horton Brook Quarry, Horton
- The Compound, Pinkney's Green, Maidenhead
- Berkyn Manor Farm, Horton
- Star Works, Knowl Hill
- Datchet Quarry/Riding Court Farm, Datchet.

This does not mean that planning permission will automatically be granted for these sites but that the locations provide sustainable development subject to development considerations being addressed. However, these sites are not sufficient to meet the future waste requirements of Central and Eastern Berkshire up to the end of the plan period, and it is therefore expected that further new sites will come forward through market led delivery. The Draft Joint Plan has also identified a number of industrial estates in Reading, Bracknell Forest and Wokingham boroughs that would be potentially suitable for waste uses. These are not named in the policy or supporting text but are discussed in more detail in the Background Document, "Waste: Proposal Study."

Star Works, Knowl Hill

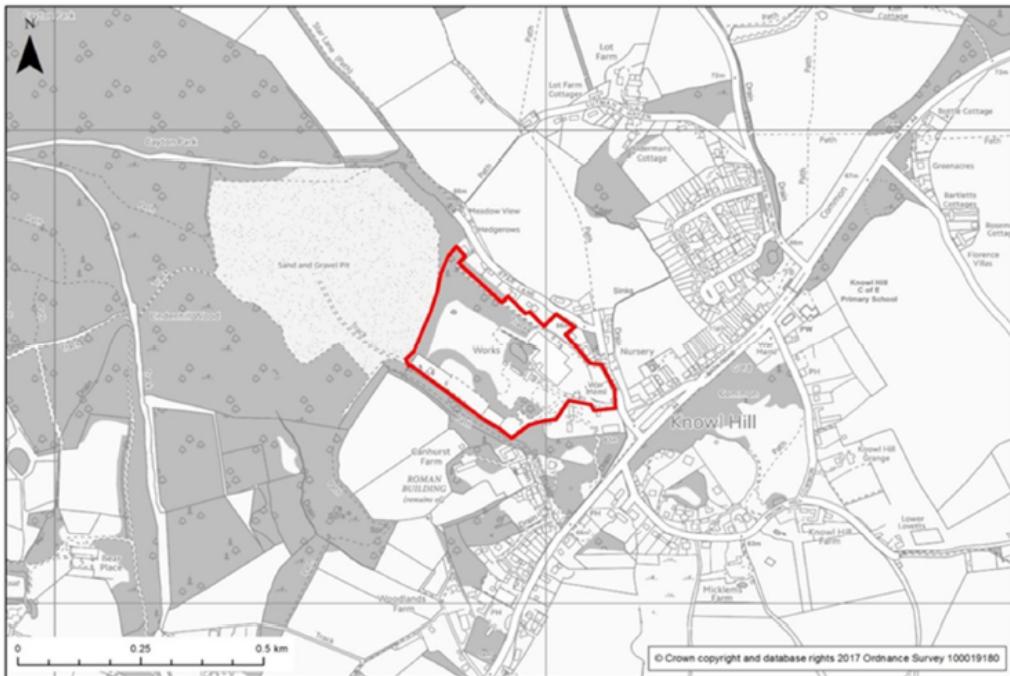
Policy 'W4 Locations and sites for waste management' of the Draft Joint Plan proposes the allocation of Star Works, Knowl Hill⁴ for the continued use of waste collection and treatment, with potential recovery operations and an increase in capacity of up to 100,000 tonnes per annum. The proposed allocation does not include further landfill operation. The 5.22Ha site is in existing use as a waste collection and treatment facility with adjacent landfill operations that are due to be completed by 2020/21. The Draft Joint Plan draws particular attention to the need to consider the adjacent ancient woodland, reinforcement of site boundaries, and the need for a transport assessment.

Star Works is a proposed site allocation as it is considered to have good connectivity to the road network, is an operational waste site and there are no overriding environmental constraints for a suitable waste use or expansion if further mitigation is implemented. The site was also previously allocated as Preferred Area 12 (Star Works) within the Waste Local Plan for Berkshire (1998).

No further sites are proposed for waste management in Wokingham Borough.

⁴ The site is located in Wokingham Borough, but is on the administrative border with RBWM

Star Works, Knowl Hill



Governance

The governance for the preparation of the Joint Plan is headed by a Joint Board with representation from each of the authorities made up of portfolio holders and one additional representative. The Board acts as an advisory body for the preparation of the plan. The Board met on 1st February 2018 to consider the Draft Joint Plan, and received a presentation on its contents, in addition to providing comments on the strategy and the proposed strategic sites.

Supporting Evidence and Consultation

The Draft Central and Eastern Berkshire Joint Minerals and Waste Plan, and various associated documents, are now being finalised for approval by each of the authorities. The other joint authorities will consider the Draft Joint Plan in committees which will meet during June and July 2018. Subject to approval by all 4 joint authorities, it is intended to formally consult on the Draft Joint Plan and various associated documents between August - October 2018.

The Draft Joint Plan refers to a number of separate studies detailed in the 'List of background papers' section. All documentation will be available to view and download from the Joint Plan consultation website⁵. Draft versions of these documents are available to Councillors on request. Finalised versions will be made available via the Council's website as part of the consultation.

Consultation will be undertaken jointly by Hampshire Services with the four local authorities. The consultation seeks responses from all interested parties on the content of the plan, including the proposed strategic, policies and site allocations.

The consultation exercise is being designed to meet the policies and practice set in the Statement of Community Involvement adopted by each of the local authorities.

⁵ www.hants.gov.uk/berksconsult

Consultation will be undertaken with a wide range of parties, including those on the Council's Local Plan consultation database, during August and September 2018. The consultation will involve sending emails/ letters to individuals, organisations, councillors, and internal officers along with public exhibitions that are currently being planned, where officers will be available to answer questions. Advertising and details will be placed on the WBC website. The results of the consultation will be reported in a Consultation Summary Report, produced following the close of the consultation.

Representations made in response to the Draft Joint Plan consultation document, SA/SEA report and other relevant documentation will be given due consideration in the preparation of the next stage document, the pre-submission draft plan, for which approval is programmed to be sought at the end of 2018/in the early part of 2019.

Approval for the Draft Joint Plan, and for other documents that will inform the plan, is sought from Executive. As work on these documents is on-going, delegated authority is sought for the final versions to be agreed by the Interim Director of Environment and Director of Corporate Services in consultation with the Executive Member for Business and Economic Development and Strategic Planning. Executive is also requested to authorise the undertaking of the community involvement described in this report.

Other Options Considered

There is no realistic alternative option that could be considered for taking the Joint Plan forward to adoption. The only other option now available is not to progress the plan any further. This is not recommended.

Timetable

The timetable for the preparation of the Joint Plan was originally agreed by Executive in July 2016, when the Local Development Scheme (LDS) was produced. Since then, Hampshire Services has prepared the initial evidence base in order to produce the Issues and Options consultation document. Two 'Call for Sites' consultations have taken place which invited landowners, developers, members of the public and any other organisations to promote sites for minerals or waste development.

Risk Management

The main risk is whether the Joint Plan is ultimately found to be 'legally compliant' and 'sound' by a Planning Inspector who will conduct an independent public examination.

Legal Compliance

In producing the Joint Plan, each local authority and Hampshire Services has to assess whether the document was compatible with the legal requirements associated with plans of the authority. This included the Town and Country Planning (Local Development) (England) Regulations 2012; the Environmental Assessment of Plans and Programmes Regulations 2004; the Conservation of Habitats and Species Regulations 2010; the Human Rights Act; compliance with Directives of the European Commission and subsequent UK Regulations and ensuring that no segment of the Borough's community was likely to be unfairly penalised.

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)	£61k	Yes – there is £300k in the budget, which will cover the cost of the Joint Plan. N.B. some of this will be beyond the 3 year period. Costings for the examination are estimated and are subject to change.	Revenue
Next Financial Year (Year 2)	£61k		
Following Financial Year (Year 3)	£61k		

Other financial information relevant to the Recommendation/Decision

The table above sets out the project costs associated with producing the Draft Joint Plan.

This is a multi-year project and therefore the costs will be spread across a number of financial years, the exact timing of which will be subject to external influences such as the Planning Inspectorate's availability for the Public Examination. The profile of the budget may vary according to other factors but can be covered by existing agreed budget, based on estimated costs for the examination process

Stakeholder Considerations and Consultation

This is a joint plan which covers the local authorities of Wokingham Borough, Reading Borough, Bracknell Forest Borough and the Royal Borough of Windsor and Maidenhead, and therefore the plan has strategic implications. The plan principally focuses on minerals and waste matters but this will also need to consider impact on other topic areas, i.e. highways; biodiversity; cleaner and greener. As such, other services are involved in the production of the Joint Plan and supporting information. It is also important to consider linkages to the Local Plan Update (LPU) that is currently underway. Public consultation with residents, businesses, landowners and other interested parties will take place as set out in the report.

Resourcing and Timeline for Next Steps

Hampshire Services have sufficient resources in place to progress the draft joint Plan to the next stage, called the Pre-submission Draft Joint Plan. This next consultation is anticipated to take place in early 2019. The timing will to an extent be dependent on the number of representations received during the consultation on the Draft Joint Plan, and the issues raised.

Timeline for Review and Evaluation

Once the public consultation has ended all representations submitted will be analysed in order to determine whether any changes to the Draft Joint Plan are required, which may

include further evidence gathering. This will take place prior to the publication of the Pre-submission Draft Joint Plan, anticipated in early 2019.

List of Background Papers

- *Minerals Background Study*: updated since its original publication as part of the Issues and Options consultation undertaken during summer 2017;
- *Waste Background Study*: updated since its original publication as part of the issues and Options consultation undertaken during summer 2017;
- *Interim Strategic Environmental Assessment Report*: This incorporates the Sustainability Appraisal and sets out the assessment of how policies and sites ensure that the Joint Plan will not have any significant impacts on the Central & Eastern Berkshire environment, communities and economy.
- *Habitats Regulation Screening Report*: sets out the assessment of potential impacts of the policies and sites on European designated habitats.
- *Safeguarding Study*: This considers the safeguarding of mineral resources and associated infrastructure, including that associated with waste management;
- *Duty to Cooperate Statement*: sets out the key strategic issues that have been identified how the Joint Authorities have worked with other councils, public bodies and other organisations to address these issues and maximise the effectiveness of the Joint Plan.
- *Strategic Transport Assessment (STA)*: documents key transport evidence and sustainability issues;
- *Strategic Landscape and Visual Assessment*: overview of the likely impact on visual and landscape character of each of the proposed site allocations in the Draft Joint Plan;
- *Restoration Study*: sets out the provision of effective, deliverable measures for appropriate restoration, aftercare and after-use;
- *Waste: Proposal Study*: details how new and enhanced waste management infrastructure will be provided in suitable locations across the plan area;
- *Minerals: Proposal Study*: considers viable proposals for Sharp Sand and Gravel extraction and Minerals infrastructure;
- *Consultation Strategy* – sets out how communities and key stakeholders will be consulted during the plan-making process;
- *Equalities Impact Assessment* – sets out how the Joint Plan will be assessed during preparation stages to ensure it is not having an impact of particular sectors of Central & Eastern Berkshire's communities;
- *Strategic Flood Risk Assessment* – sets out the flood risks associated with the Plan area and the findings of assessments of the proposed site allocations.
- National Planning Policy Framework (2012) -
<https://www.gov.uk/government/publications/national-planning-policy-framework--3>
- National Planning Practice Guidance - <http://planningguidance.communities.gov.uk/>
- Waste Management Plan for England -
<https://www.gov.uk/government/publications/waste-management-plan-for-england>
- National Planning Policy for Waste -
<https://www.gov.uk/government/publications/national-planning-policy-for-waste>

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Agenda Item 30.

TITLE	SDL Community Facility, North Wokingham Matthewsgreen
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	Emmbrook; Norreys;
DIRECTOR	Director of Locality and Customer Services – Josie Wragg
LEAD MEMBER	Executive Member for Business, Economic Development and Strategic Planning - Stuart Munro

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

Delivery of new community facilities within North Wokingham, in line with the Shaping Our New Communities strategy.

RECOMMENDATION

It is recommended that Executive resolve to:

- 1) agree in principle the Heads of Terms for the agreement with Kings Church Wokingham to be the operator for the Matthewsgreen Community Centre; and
- 2) agree that subject to 1) being satisfactorily concluded, a final agreement with Kings Church Wokingham will be written and approved by the Director of Locality and Customer Services and the Executive Member for Business, Economic Development and Strategic Planning.

EXECUTIVE SUMMARY

The new neighbourhood centre within the North Wokingham Strategic Development Location (SDL) will have a joint primary school / community centre. The reserved matters planning application for the building was approved by the Planning Committee in February 2018.

In line with a recommendation for partnership management for the new SDL community centres in the Shaping Our New Communities strategy, the Council invited expressions of interest to manage the new Matthewsgreen community centre, following engagement with the local community and interested stakeholders.

Kings Church Wokingham (KCW) was selected to be the provider for the new community centre by the Council's Executive Committee on 22 February 2018. KCW's proposal includes an addition to the building. Planning consent was granted for the addition on 7 June 2018.

The KCW addition to the building will provide local residents an enhanced community centre, with the addition of a café and some additional office space.

The community centre will serve the local community with preference given to local people and organisations. KCW would have use of the facility on Sundays for faith activities. This approach already happens successfully in other parts of the borough and is consistent with the principles detailed in the Shaping Our New Communities document.

The attached draft Heads of Terms state that the lease will be for 30 years, for an annual rent of £1, that the premises will be used as a community centre consistent with the principles outlined in the 'Shaping Our New Communities Strategy' section 2.2, that the community use will be monitored by the Council and that KCW will pay for the cost of the addition.

The draft Heads of Terms will be finalised by the end of September 2018, once the Council knows the total cost of the KCW addition to the community centre.

The Council's Executive selected Kings Church Wokingham to be the operator for the Matthewsgreen Community Centre at their February 2018 meeting, with further details on the agreement with KCW still to be agreed.

The purpose of this report is to provide further detail on the Heads of Terms and the lease agreement.

Heads of Terms

The draft Heads of Terms for Agreement to Lease relating to the Community Centre is included in full with this report. Below is a summary of the relevant points.

The Land and Building

The lease would cover only the part of the joint community centre and school building that is to be exclusively used as a community centre, shown verged in blue on the attached plans. The community centre would also have access to the car park, which is discussed in a later section.

Term and Rent

The lease would run for 30 years, for an annual rent of £1. As KCW will be making a significant investment in the building, a 30 year lease for a peppercorn rent is appropriate. Once the lease expires, any new agreement will be covered by the Landlord and Tenant Act legislation, which would revert to a fair market rent for the use at the time.

Repair and Decoration

KCW would be responsible for the repair and decoration of the interior of the building and the exterior decoration. Because the building is shared with the primary school, the Council will be responsible for all repair and maintenance of the exterior of the building. KCW will be required to contribute the fair and reasonable costs pro rata for the repair and maintenance.

Community Use

The building will be restricted to use as a community centre consistent with the principles outlined in section 2.2 of the 'Shaping Our New Communities Strategy'. KCW will be required to submit annual reports to the Council to ensure the community use is consistent with the 'Shaping Our New Communities Strategy'. An internal governance group will be created to review the reports and monitor the community use of the centre. If the use of the centre is not in line with our requirements for a community centre, the Council has the ability to terminate the lease.

Parking and Access

The Council will keep ownership of the carpark adjoining the community centre and the primary school. The school will have exclusive access to part of the carpark (marked on the attached drawings) Monday to Friday from 7am to 6pm during school term time. The rest of the carpark will be available for users of the community centre, as well as for the future retail centre across the road. The Council will keep ownership of the carpark and charge a nominal amount to the community centre and the school for maintenance.

A right of access will be granted to the community centre through the carpark to users of the community centre.

Completion Date

As KCW is investing a significant amount in the building, if the work is not completed by the beginning of September 2020, unless due to delays caused by KCW, the Council will pass along up to 20% of any fees the contractor will be required to pay for the late completion. The works are actually scheduled to be complete by 1 July, which provides a two month grace period.

Timeline

Planning consent has been granted for the entire project and the Council's tender process began in late March. The contract is expected to be awarded in September. Detailed design work will then begin, with construction expected to start at the end of the year. The building is expected to be completed in time for the September 2020 school year.

The Council's Corporate Strategy/Vision

The lease terms are consistent with the Council's corporate strategy and vision. A new community centre in the North Wokingham SDL will make Wokingham Borough a more attractive place to live, work and do business. The investment Kings Church Wokingham will be making in the community centre will improve the amenity value of the community centre for local residents.

Revenue and capital budgets over the next 3 years

KCW are proposing to invest up to £1m in the community centre, which will add a cafe and additional meeting rooms to the facilities available to the community.

The cost of building the joint primary school / community centre is funded primarily through developers' contributions and is budgeted for in the capital programme.

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)	None		
Next Financial Year (Year 2)	None		
Following Financial Year (Year 3)	None		

Other Financial Information

None

Stakeholder Considerations and Consultation

The community centre has been discussed at a number of the North Wokingham community forums, including most recently the June 2018 forum where Kings Church Wokingham presented their approved plans. The residents attending the forum were positive about the enhanced community centre, with some residents already discussing hiring the new centre and different uses they would like to see offered.

Resourcing and Timeline for Next Steps

The Council's legal team will prepare the final Heads of Terms, to be approved by the Director of Locality & Customer Services and the Executive Member for Business, Economic Development and Strategic Planning. This will be complete by September 2018.

Timeline for Review and Evaluation

Not applicable

List of Background Papers

Draft Heads of Terms, with site plan drawing

Contact Rebecca Bird	Service Customer and Localities
Telephone Tel: 0118 974 6456	Email rebecca.bird@wokingham.gov.uk

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**WOKINGHAM
BOROUGH COUNCIL**

Heads of Terms

for

Agreement to Lease

relating to

Community Centre

10th May 2018

**Subject to Contract and All Necessary Council Approvals
Subject to Approval of Planning Application ref: 180959**

1)	LEASE:	
2)	Landlord	Wokingham Borough Council, P.O Box 151 Civic Offices, Wokingham, Berkshire. RG40 1WH
3)	Tenant	Kings Church Wokingham
4)	Premises	All that land and buildings comprising the area as shown edged pink on the attached plan showing the Community Facility / Kings Church demise as part of planning application no. 180959.
5)	Landlord's Land and Building	Of which the Premises forms part, as shown verged blue on the plan attached.
6)	Term	Thirty years
7)	Term Commencement	(See Agreement to Lease below)
8)	Rent	£1
9)	Rent Free Period	Not Applicable

10)	Rent Payment	Not Applicable
11)	Rent Review Date	Not Applicable.
12)	VAT	Due on all outgoings at prevailing rate
13)	Rates	Tenant to pay direct to the rating authority.
14)	Internal Repair	The Tenant shall keep the interior of the Premises in good repair decoration and condition
15)	External Repair	The Landlord shall maintain the exterior and structure of the Premises including the floor slabs, foundations and other structural elements of the premises, in good and substantial repair.
16)	External Redecoration	<p>The Tenant shall keep the external decorative finishes of the Premises in good repair decoration and condition including the doors, door frames, door furniture, windows and window frames using a colour scheme to be approved by the Landlord.</p> <p>The tenant shall decorate those parts of the exterior of the Premises in the last three months of the Term (however it may terminate) with two coats of good quality paint or varnish, or other suitable material of good quality, in a proper and workmanlike manner.</p>
17)	Landlord's Fire Alarm	The Landlord's communal fire alarm panel located in the main School Entrance Lobby serving the Landlord's building to be maintained by the Landlord subject to cost recovery pro-rata from all related tenant units.
18)	Tenant's Fire Alarm	The individual fire alarm devices within and serving only the Premises (including network cables, sensors, call points and sounders) to be maintained by and at the cost of the Tenant in good condition at all times so as to ensure that the performance of the Landlord's fire alarm is not compromised on account of want of repair to the Tenant's fire alarm.
19)	Signage	In respect of the exterior of the building, subject to the Landlord's prior written consent as to wording, branding and form. Such consent to be solely at the Landlords discretion.
20)	Yielding Up	Reinstate all Tenant alterations unless and to the extent notified to the contrary by the Landlord at least 3 months prior to the expiry date and yield up vacant possession of the Premises to the Landlord's reasonable satisfaction.

21)	Permitted Use	Use Class D2 of the Town and Country Planning (Use Classes) Order 1987 The premises will be used as a Community Centre consistent with the principles of outlined in the 'Shaping Out New Communities Strategy, Section 2.2. (Copy attached). KCW will submit annual reports to the Council providing details of the Community Use and benefits of the Centre. The Council will review the community use of the centre every five years via a Governance Advisory Group.
22)	Governance Advisory Group	Internal Governance Group consisting of appropriate Wokingham Borough Council officers.
23)	Restriction on use	To comply with the Permitted Use only.
24)	Alterations	a) External and structural - prohibited. b) Internal, non-structural, - subject to prior written consent of the landlord and reinstatement.
25)	Assignment	Whole only subject to Landlord's written consent such consent to be solely at the Landlords discretion.
26)	Sub Letting	Whole only subject to Landlord's written consent such consent to be solely at the Landlords discretion.
27)	Tenant's Break Option	None
28)	Insurance	a) Landlord insures the structure fabric and loss of rent and the Tenant reimburses the premium pro-rata annually in advance. b) Tenant shall maintain Public Liability Insurance at all times and provide evidence to the Landlord on demand.
29)	Indemnities	Tenant to indemnify the Landlord against any loss, cost or claim arising from the Tenant's occupation and use of the premises.
30)	Rights Reserved	Landlord's reasonable access over the property to inspect and carry out surveys and/or testing at any time throughout the term of the lease.
31)	Rights Granted	1) Tenant to have shared use of the car park, as shown hatched blue on the plan attached, subject to the following conditions: i) 2) Tenant right to free and uninterrupted passage of services to and from the Premises through any conduits serving the Premises.

	Service Charge	Tenant to contribute the fair and reasonable costs pro rata properly incurred in managing maintaining and repairing the Landlord's Land and Building (as shown verged blue on plan attached). Such payments to be budgeted and apportioned annually in advance and payable on account, quarterly in advance.
32)	Security of Tenure	Landlord and Tenant Act 1954 part II to apply.
33)	AGREEMENT for LEASE:	
34)	Landlord Obligations	<ul style="list-style-type: none"> a) Carry out the Landlords Works b) Grant the Lease
35)	Tenant Obligations	<ul style="list-style-type: none"> a) To pay to the landlord a sum to be determined in negotiation by the Landlord and Tenant at a date to be agreed by Landlord and Tenant. b) Fit out the Premises ready to occupy and operate. c) Discharge any planning conditions arising out of the planning applications (ref) and meeting of all costs in this regard.
36)	Landlord Works ("LW")	<ul style="list-style-type: none"> a) Construction of Matthewsgreen Primary School and Community Facility, as detailed in planning application ref No.180959.
37)	Conduct of LW	<p>Landlord shall commence and diligently progress the LW as soon as practicable after the date of this Agreement :</p> <ul style="list-style-type: none"> a) In a good and workmanlike manner b) Employing a reputable building contractor c) Under the proper supervision of a competent surveyor d) Not using any deleterious materials e) In accordance with Building Regulations and good practice
38)	LW Target Date	<p>The Landlord shall use reasonable endeavours to complete the LW by 1st September 2020.</p> <p>If the LW are not completed by 1st September 2020, Kings Church Wokingham will be entitled to receive up to 20% of any LAD fees the contractor is required to pay the Landlord.</p> <p>Save for any delays caused (wholly or partly) by the Tenant, shall not give rise to compensation payment(s) from the Council to the Tenant.</p>

39)	Completion of LW	<ul style="list-style-type: none"> a) The Landlord shall provide 3 working days noticedays' notice to the Tenant of its intention to certify that the LW are complete and invite the tenant to attend a joint inspection of the works b) If the Tenant declines or fails to attend the inspection shall proceed regardless c) If the Tenant attends the inspection the Tenant shall be entitled to make representations to the Landlord concerning any defect or incomplete item of the LW and the Landlord shall have proper regard to those representations d) The Landlord shall prepare and issue a snagging list of any defective or incomplete works (if any) to the contractor and to the Tenant e) On completion of the snagging works the Landlord shall serve a Completion Notice on the Tenant
40)	Lease Completion	5 working days after the Completion Notice or earlier by agreement
41)	Term Start Date	The date on which the lease is completed
42)	Tenant Fit Out	<ul style="list-style-type: none"> a) The Tenant shall commence fit out works as soon as possible and in any event within 10 working days of Lease Completion and thereafter diligently pursue and complete the works to the Landlord's reasonable satisfaction using all reasonable endeavours to do so within 25 working days. b) The Tenant shall notify the Landlord immediately upon completion of fit out works and invite the Landlord to inspect and comment upon the fit out works before opening for trade.
43)	Long Stop Date	If the new lease has not been completed by 30 th September 2020 either party shall be entitled to serve 10 working days noticedays' notice on the other of its intention to determine this Agreement without any further rights or obligations.
44)	Conditionality	<ul style="list-style-type: none"> a) Landlord board approval b) Tenant confidentiality at all times before and during term of lease
45)	Target Timetable	<ul style="list-style-type: none"> a) Tenant sign and return Heads of Terms by b) Landlord solicitor issue draft documents by c) Complete Agreement for Lease by
46)	Fees and Costs	Each party to bear their own legal and professional fees.
47)	Documentation	Agreement to Lease Lease and plans Licence for Tenant fit out
48)	Landlord's Solicitor	Shared Legal Services

		c/o Wokingham Borough Council, Civic Offices Shute End, Wokingham, RG40 1WH DX33506 WOKINGHAM FAO Gareth Rees Gareth.rees@wokingham.gov.uk
49)	Tenant's Solicitor	To be confirmed
50)		

Heads of Terms Approved (subject to contract) by the prospective Tenant:-

Signature (TENANT) *Name*

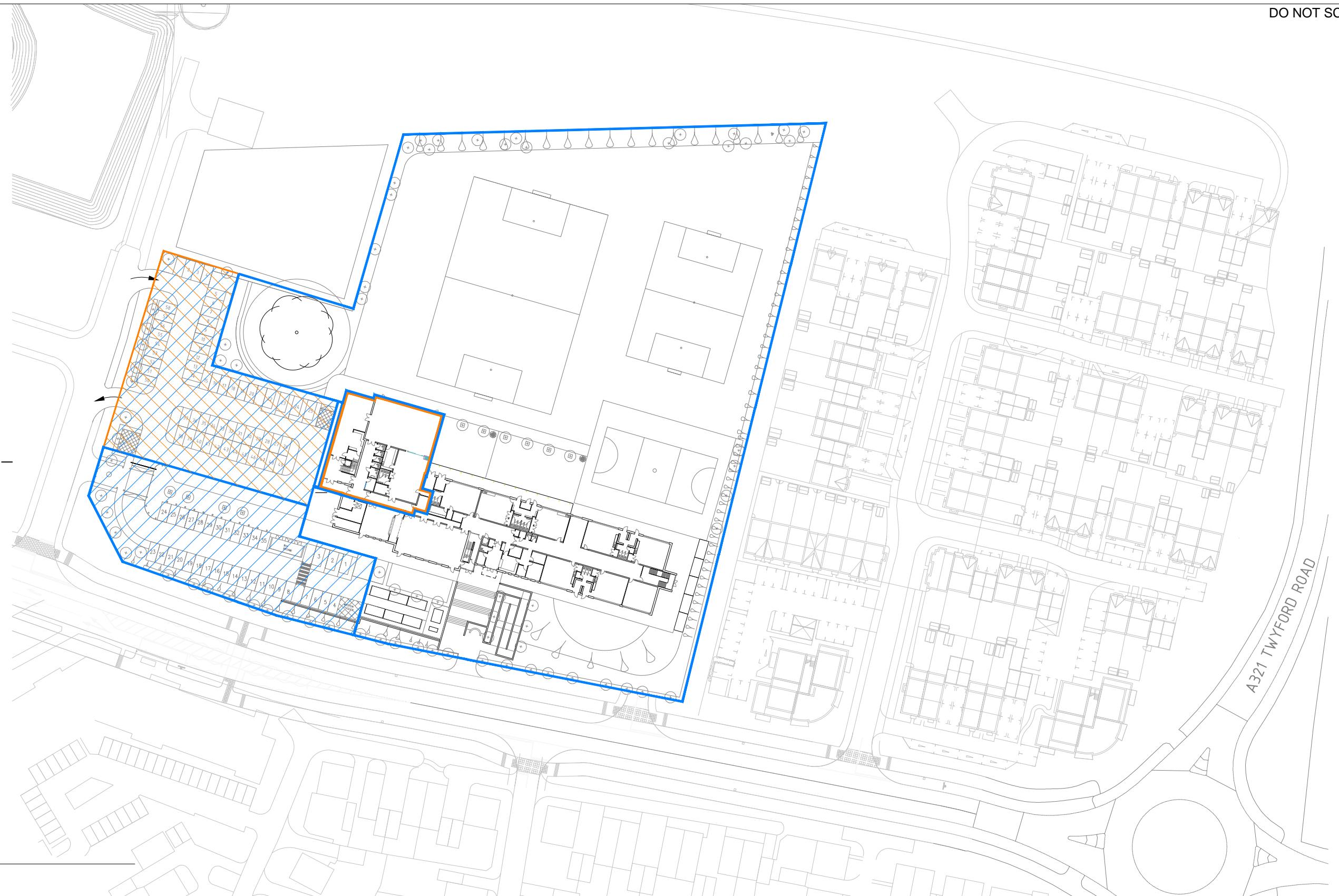
Status *Date*

0 10 100
Millimetres

DO NOT SCALE

125

01 Site Demise Plan
SCALE 1:500



KEY	
	Site Boundary
	School Demise
	Community Facility Demise
	Shared School, Community & Local Retail Centre Parking
	Parking for exclusive use by School between 7am & 6pm School term time

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:

CONSTRUCTION

MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement

Drawing Status
FOR INFORMATION

S2

Project Title
MATTHESGREEN PRIMARY SCHOOL AND COMMUNITY FACILITY

ATKINS

Atkins Ltd
Euston Tower
286 Euston Road
London
NW1 3AT
UK
Tel: +44 (0)20 7121 2000
www.atkinsglobal.com

Drawing Title
SITE DEMISE PLAN COMBINED

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Client

WOKINGHAM BOROUGH COUNCIL

Scale 1:500 @ A1	Designed WBC	Drawn EL	Checked JW	Authorised RC
Original Size A1	Date 24/05/18	Date 15/06/18	Date 18/06/18	Date 18/06/18
Drawing Number 5147552-ATK-01-00-DR-A-1000				
Revision P1				

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Agenda Item 31.

TITLE	Health and Safety Annual Report 2017/18
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None Specific
DIRECTOR	Director of Corporate Services - Graham Ebers
LEAD MEMBER	Norman Jorgensen, Executive Member for Environment, Leisure and Libraries

OUTCOME / BENEFITS TO THE COMMUNITY

The Council has a legal duty to protect the health and safety of employees and other people who come into contact with its undertakings e.g. customers, pupils, contractors etc.; the standard set by law for employers is to do what is considered to be 'reasonably practicable'.

The effective management of health and safety is an essential part of good corporate governance. Furthermore, the active management of accidents at work is essential, not only to protect people from harm but to also minimise financial loss through employee absences and other direct and indirect related costs.

The legal responsibility and accountability for health and safety lies with the employer. In addition to staff working in the services, the Authority is the employer in the case of community and community special schools, voluntary controlled schools, maintained nurseries and pupil referral units. In respect of foundation schools, voluntary aided schools, academies and free schools the Governing Body is the employer.

This report does not include the health and safety performance of Wokingham Borough Council wholly owned subsidiaries. Operating as separate companies their respective boards monitor and review their own internal health and safety performance.

RECOMMENDATION

The Executive is requested to:

- 1) note the corporate health and safety performance for 2017/18; and
- 2) endorse the approach described and the health and safety priorities for the current municipal year 2018/19.

EXECUTIVE SUMMARY

Whilst not a statutory report, the preparation and issue of an annual health and safety report by a local authority (a health and safety regulator in its own right) in respect of its own internal health and safety reflects good practice and provides assurance to senior levels of the organisation.

In overall terms the health and safety performance across the entire organisation (both schools and services) during 2017/18 can be viewed as positive in that the number of serious incidents i.e. those that require notification to the Health and Safety Executive (HSE) under The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) reduced for the fourth year running to the figure of one.

However, there can be no complacency, efforts to reduce the risks associated with our work activities never cease.

Incident reporting by employees in schools went up in 2017/18 by 41% over the previous year from 220 incidents to 311. This increase was directly attributable to one special school who initiated a positive drive to achieve total reporting in order to ensure their risk prevention strategies designed to protect the health and safety of staff and pupils alike are kept up to date and well informed.

The number of incident reports raised by service employees saw a 40% decrease over the previous year from 56 incidents to 36. Whilst a decrease in headcount within the services will likely have played a part in this reduction, generally speaking a fall in incident reporting does not necessarily equate to there being less accidents in the workplace. There could be other reasons behind why employees have not made a formal report of an incident hence efforts are ongoing to raise employee awareness of incident reporting requirements and the important reasons for doing so.

No enforcement action was taken against the Council for health and safety breaches during 2017/18.

Background

The Health and Safety Annual Report 2017/18 is a high level report that looks back at internal health and safety performance during that twelve month period, highlighting the main achievements over the year and outlining key priorities for the current year.

The annual report is transparent; it provides stakeholders with information on health and safety performance to enable an understanding of the key issues facing Council staff together with assurance to the Executive that the main risks have been identified, appropriately prioritised and are being adequately addressed.

The annual report is reviewed internally by various management and staff consultation groups. The Corporate Leadership Team, along with the central employee consultation forums for services and schools, receive supplementary information in the form of statistical charts with data breakdowns, for example, by work area and hazard type to aid analysis, identification of trends and patterns and to support the ongoing development of suitable risk prevention strategies.

Analysis of Issues – Services

- For the second year in a row a total of one statutory notification in respect of the services workforce was made to the HSE in 2017/18 under RIDDOR. Tasked with collecting newspapers from a local newsagent for use in a community library, a library assistant slipped and fell on an icy pathway fracturing an ankle. Procedures have since changed in that newspapers are now delivered.
- The Council's reportable injury rates for employees are considerably lower than the most recently published national average for comparable sectors. Every Council RIDDOR incident is subjected to a comprehensive corporate investigation with an action plan drawn up and progressed to prevent a recurrence.
- A total of 36 incident reports were raised by service staff during 2017/18, a decrease of 40% over the previous year. A decrease in incident reporting should not be viewed solely as a positive indicator of performance. There can be a number of factors affecting incident reporting by employees including lack of awareness of the organisation's incident reporting policy; being unfamiliar with the incident reporting system; and not recognising the benefits of reporting minor/near miss events towards future accident prevention. Efforts to raise employee awareness of incident reporting and to encourage greater reporting continue.
- All bar one of the total 36 incidents reported by service employees fell into the classifications of minor or no injury incident.
- 47% of the service employee incident reports were raised by staff working at the Bridges Resource Centre and were in connection with the provision of care for children and young persons with special needs that are often complex. A strong incident reporting culture is essential to the effective protection of staff and the children and young persons accessing the service alike.
- 2017/18 saw service employees report 7 incidents relating to slips, trips or falls on the same level, a figure very similar to 2016/17. 4 slip incidents were as a consequence of weather conditions where pathways were slippery underfoot. The

number of housekeeping related slip and trips reduced from 5 incidents in 2016/17 to one in 2017/18. This improvement in performance could in part be due to the organisation's continued focus on the importance of maintaining good housekeeping practice to aid accident prevention. Efforts to raise employee awareness in this respect continue with the introduction of a more structured approach to hazard spotting inspections in the workplace due to be implemented in Autumn 2018.

- In terms of violence at work there was one report in 2017/18 of an employee being physically assaulted by a member of the public. Although minor in nature, there was the potential for a more serious outcome; risk assessments have been strengthened. Two incidents involving verbal abuse against staff were reported. It is considered likely there is a degree of underreporting of these types of incidents by service staff hence initiatives to increase violence at work reporting awareness are underway.

Analysis of Issues – Services (continued)

- RIDDOR requires for work related injuries involving members of the public to be reported where the injured person was taken straight to hospital for treatment. There were no RIDDOR notifications during 2017/18 in respect of members of the public being harmed in connection with the Council's service delivery.
- The 2017/18 annual report highlights completion of various internal reviews of health and safety management aimed at determining where arrangements could be further improved and strengthened.

Analysis of Issues – Schools

- The Health and Safety Annual Report 2017/18 excludes data for schools which converted to academy status during the performance year.
- There were no RIDDOR reports in respect of serious injuries sustained by school employees in 2017/18.
- A total of 311 incident reports were raised by employees in the Council's schools during 2017/18, an increase of 41% over the previous year. This increase can be directly attributed to Addington School which caters for pupils with moderate, severe or profound learning needs many of whom have associated sensory motor and/or behaviour difficulties including autism spectrum disorder (ASD). Addington School's incident reports more than doubled from 133 in 2016/17 to 270 during 2017/18 with the outcome of those incidents involving injury mostly being of a minor nature e.g. a scratch, bruise or temporary discomfort. A positive reporting culture is critical to the ongoing development of tailored pupil behaviour and support plans designed to protect staff and pupils alike. New admissions to the school and pupils returning after breaks can bring about a higher number of incident reports as the pupils settle in. Staff are trained in Team Teach methods, a highly regarded training programme aimed at managing challenging behaviours through positive interventions; training in these key skills is repeated and refreshed periodically.
- Reports of slips, trips and falls on the same level in 2017/18 fell by 33% from the previous year. In terms of the severity of outcome, a total of 12 of the 16 reports of slips, trips and falls on the same level in 2017/18 were minor with no medical attention necessary or need for first aid treatment.

- Slip and trip trends included hazards such as toys or equipment left on the floor, wet and slippery floors and staff running after pupils. Slips and trips are a common cause of injury in the education sector and the involvement of employees is an essential part of accident prevention. The Schools' Workforce and Health and Safety Committee continues to be the lead in respect of this and other safety initiatives.
- There were no school related RIDDOR notifications during 2017/18 in respect of persons who are not employees.
- The 2017/18 annual report highlights the completion of a fresh round of fire risk assessments across the Council's schools together with a focus on asbestos management, both at a local level and centrally.

Health and Safety Priorities for 2018/19

- Violence at work towards Council employees (including threats and abuse directed at our staff through social media and other remote channels) together with the potential risks faced by lone workers.
- Continuing the work to simplify health and safety guidance and processes, enabling a self-service approach wherever possible and ensuring our people are equipped with the necessary skills they need to safely deliver services.
- Undertaking the Seeking Health and Safety Assurance programme in schools; a two stage process involving self-evaluation of compliance at local level alongside securing assurance for the Council that key risks are being effectively controlled.

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	Yes	
Next Financial Year (Year 2)	0	Yes	
Following Financial Year (Year 3)	0	Yes	

Other Financial Information

None

Stakeholder Considerations and Consultation

Not applicable

Resourcing and Timeline for Next Steps

Not applicable

Timeline for Review and Evaluation

Not applicable

List of Background Papers

The Management of Health and Safety at Work Regulations 1999 and 'Managing for Health and Safety' (HSG65), a guide for employers published by the HSE.
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Health and Safety in Wokingham Borough Council

**Annual Report
2017/18**

Foreword

As an organisation we take health and safety seriously and are committed to the continuous development and improvement of our health and safety management system. With that aim in mind, and as part of our overall governance arrangements, at this time each year we revisit and review our internal health and safety performance across the preceding twelve months and, taking that information into account and the lessons we have learned along the way, agree our current priorities for health and safety.

The programme involving the implementation of a new model of working and organisation for the Council is well underway and is bringing with it many benefits to our customers. The Council's investment in new technology is also enabling our employees greater self-reliance and by streamlining processes the burdens relating to bureaucracy are being systematically tackled and removed. Health and safety is part and parcel of our change programme and as we move forward we continue to ensure our approach to health and safety management remains both sensible and proportionate in relation to the work-related risks we face.



Manjeet Gill
Interim Chief Executive
Wokingham Borough Council

Introduction

Wokingham Borough Council has a well established health and safety management system in place that reflects the 'Plan, Do, Check, Act' approach recommended by the Health and Safety Executive (HSE). Our framework for managing health and safety includes:

- defined roles and responsibilities for health and safety
- consultation with employees on health, safety and welfare matters
- designated health and safety leads at Director and Executive level
- in-house health and safety professionals on hand to provide advice
- health and safety policies and guidance
- tailored health and safety training programmes
- investigations into the causes of accidents, incidents and near misses
- arrangements for the monitoring and review of health and safety performance both centrally and at local level

Scope

This report relates to the Council's own health and safety performance during the period between April 2017 and March 2018. It covers our workforces in the services and those schools where the Council is the employer which is the case for community schools including special schools, voluntary controlled schools, maintained nursery schools and pupil referral units.

Incident Reports

Employees are encouraged to report all incidents at work, regardless of the outcome or severity of the resulting injury, enabling each of those incidents to be investigated in a proportionate way and for suitable remedial action to be taken to prevent a recurrence. In broader terms this data enables the identification of patterns and trends leading to the more effective control of risks relating to work and improvements in safety overall.

Incident Reports – Services

Table 1 shows the total number of incident reports raised by service employees during the 2017/18 performance year along with a breakdown by type.

TABLE 1 - Service Employee Incidents	
Type	2017/18
Deaths	0
RIDDOR - specified injury	1
RIDDOR – over 7 day injury	0
Minor injury	29
Near miss events	4
Verbal abuse	2
Work related ill health	0
Total	36

Note I: 2017/18 service employee numbers = 1,080

Note II: RIDDOR - The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

The one service employee incident that met the requirements of The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 related to a fractured ankle as a result of a slip on an icy path whilst collecting the newspapers for a community library. Following investigation additional control measures were put in place to help prevent a recurrence.

To provide a benchmark, the national statistics produced by the HSE for employees working in public administration in 2016/17 gave an average RIDDOR reported injury rate of 237 per 100,000 employees; using the same formula the Council's reportable injury rate for employees working within its service areas during 2017/18 would be considerably lower at 93 per 100,000 employees.

Minor injury outcomes were the case for 29 of the 36 incidents reported by service employees. With bruising, cuts, sprains and strains being the typical injuries, two thirds of these incidents did not require first aid treatment. With four reports of near miss events, these incidents did not result in injury or damage; however, as an important part of our management of risk they presented the organisation with opportunities to learn lessons to help prevent future harm.

Slips and trips accounted for 19% of reported incidents in 2017/18, a figure very similar to the previous year. Weather related conditions and hazards featured as the only discernible trend. Slips, trips and falls due to poor housekeeping saw an 80% reduction over the previous year; this decrease could to some degree be due to an employee awareness raising campaign promoting good housekeeping practice. This workplace hazard remains a priority and actions to help prevent these avoidable slips, trips and falls continue.

Table 2 below provides for a comparison across a three year period using an incidence rate per 100 employees, a method that allows for fluctuations in employee numbers.

TABLE 2 - Incidence Rate for the Services Workforce			
Year	2015/16	2016/17	2017/18
Incidence rate per 100 employees	3.8	5.2	3.3

Compared to the previous year the 2017/18 incidence rate for the services workforce fell. Whilst a reduction in incidents at work could be viewed in a positive manner our organisation is not complacent. Efforts to raise awareness amongst employees of the importance of incident reporting are ongoing, particularly in respect of verbal abuse and threats made against our staff.

Incident Reports – Schools

Table 3 shows the total number of incident reports raised by school employees during the 2017/18 performance year along with a breakdown by type.

TABLE 3 - School Employee Incidents	
Type	2017/18
Deaths	0
RIDDOR - specified injury	0
RIDDOR – over 7 day injury	0
Minor injury	294
Near miss	17
Work related ill health	0
TOTAL	311

Note I: 2017/18 school employee numbers = 2,705

Note II: Figures exclude academy conversions during 2017/18

There were no RIDDOR notifications raised for school employees across 2017/18. For information purposes, the most recent statistics published by the HSE which relate to 2016/17 give a reportable injury rate of 139 injuries per 100,000 employees for the education sector nationally.

Minor injuries made up the vast majority of incidents reported by school employees; the remainder of reports resulted in no injury but had the potential to do so. A high proportion of the incident reports raised by school employees related to a special school where the varied and often complex needs of pupils can lead to challenging behaviors. A total reporting approach is essential in supporting the school's care strategy; by gathering and feeding this vital information into the dynamic care and behaviour plans for individual pupils it assists in helping to protect all parties. Training employees in behaviour management and intervention techniques features as another key strand of the school's health and safety strategy.

Slips, trips and falls on the same level decreased for schools by a third from the previous year. There were several trends of note; weather related conditions, spills on floors and poor housekeeping. Slips and trips are considered avoidable and are regarded nationally as a key hazard across educational premises. Efforts continue centrally to support schools to proactively manage the risks relating to slips and trips and to drive employee awareness raising initiatives

To enable a comparison of incidents against previous years that takes into account the fluctuating employee numbers in schools, the data in Table 4 below is shown as an incidence rate per 100 employees.

TABLE 4 - Incidence Rate for the Schools Workforce			
Year	2015/16	2016/17	2017/18
Incidence rate per 100 employees	12.2	8.5	11.5

The increase in the number of school incident reports in 2017/18 against the previous year was directly related to a drive by a special school to boost incident reporting amongst their employees.

Non Employee RIDDOR Reports

There were no RIDDORs in 2017/18 in respect of non-employees i.e. members of the public including pupils injury incidents of a work-related nature.

Performance Related to Enforcement Action

During 2017/18 no Improvement Notices or Prohibition Notices were served on the Council by the HSE nor was any other type of enforcement action taken against the Council for breaches of statutory health and safety duties.

2017/18 – Key actions

Audit: the commissioning of an internal audit to gain assurance that the leadership and control of health and safety management at senior level meets with required standards. It was concluded that overall the health and safety controls are effective with leadership that is strong and committed to good health and safety practice. Robust plans have been put in place ensure that areas identified for improvement are followed up with actions implemented and their effectiveness monitored.

Fire safety: a fresh round of fire risk assessments was completed for all workplace types and the Council's fire safety policy subjected to a comprehensive review.

Building management: reviews were undertaken centrally to ascertain the effectiveness of the day-to-day management of satellite workplaces; feedback was sought from local managers regarding the issues they face that create challenge. An improvement plan was developed in response and is being taken forward.

Looking forward – health and safety priorities for 2018/19

To continue the work to:

- simplify processes, supporting employee self-service and self-reliance
- focus on the development of managers and staff through training in health and safety
- engender a culture that delivers good health and safety in a way that is both sensible and proportionate

Personal safety at work: to protect the health and safety of our employees by:

- strengthening lone working arrangements and working practices
- reviewing the risks associated with violence at work ensuring the adequacy and effectiveness of the existing measures in place to prevent or control those risks

Seeking health and safety assurance programme in schools: to deliver a risk based review of health and safety management in schools to:

- support our schools to develop greater health and safety competency at a local level and enable self-evaluation of compliance; and
- provide the Council with assurance that key health and safety risks are being adequately controlled.

Agenda Item 32.

TITLE	New Primary School Provider Recommendation
FOR CONSIDERATION BY	The Executive on 26 th July 2018.
WARD	None Specific
DIRECTOR	Acting Director of Children's Services – Lisa Humphreys
LEAD MEMBER	Executive Member for Children's Services - Pauline Helliar-Symons

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

In accordance with “Improve educational attainment and focus on every child achieving their potential”, the proposals work to secure the timely appointment of Academy Trusts to run three new schools.

RECOMMENDATION

That authority is delegated to the Acting Director for Children's Services, in consultation with the Lead Member for Children's Services, to determine which Academy Trusts should be recommended to the Regional Schools Commissioner to run new primary schools in Shinfield (Shinfield West), Arborfield (Arborfield Green), and Wokingham Town (Matthews Green).

EXECUTIVE SUMMARY

Three new primary schools are in development. The first, in Shinfield, is planned to open in 2019. The others (in Arborfield and Wokingham Town respectively), are on track to open in 2020. This report seeks the granting of delegated authority to the Acting Director for Children's Services, in consultation with the Lead Member for Children's Services, to enable decisions to achieve the timely appointment of Academy Trusts to run the schools, if they are opened as new schools.

The final decision on the appointment of a school provider resides with the Secretary of State for Education. The role of the local authority is to seek expressions of interest, and make recommendations concerning who should run a school to the Secretary of State for Education for their consideration.

Delegation of authority to make recommendations helps ensure decisions can be made in a timely manner. This is particularly beneficial regarding the Shinfield West School to enable the provider to be appointed sufficiently early to ensure the school can be offered as part of the 2019 Reception place admissions round (which commences in the Autumn term 2018). The school had previously been allocated to the Floreat Education Academy Trust, but this trust withdrew its offer of sponsorship earlier this year.

Providing early decisions will ensure that parents have the information they require to make the best decision for their children. It will also guard against too few applicants to make the school viable, which could have an adverse effect on our ability to make suitable local offers to children moving into the new developments.

BACKGROUND

The Council has a duty to ensure there are sufficient school places. Where additional places are required, they can be provided through expansion or the creation of new schools.

The Council has a detailed infrastructure programme which sits alongside the planning strategy as set out in the Council's adopted Core Strategy and Managing Development Delivery Local Plans. The strategy focuses most new housing to four Strategic Development Locations (SDLs). The associated infrastructure plans for each SDL includes for the provision of new schools. In all seven new primary schools are planned across the four SDLs. The first new primary school (Floreat Montague Park) opened in 2016. Three additional new primary schools are due to open over the next few years: in Shinfield in 2019, and in Arborfield and Wokingham Town in 2020.

The remaining three schools (these are second schools in the South Wokingham, South of the M4 and South Wokingham SDLs) will open once it is clear there will be sufficient demand to make the schools viable.

This report seeks the agreement of Executive to secure the appointment of Academy Trusts to run the three new primary schools. Starting the appointment process now will ensure providers are in place if they are opened as new schools.

It should be noted that if school places are proposed to be created through the expansion of an existing community school on to a satellite site, consideration will be subject to a separate report to Executive.

Appointing a provider

Section 6A (the 'free school presumption') of the Education and Inspections Act 2006 (introduced by the Education Act 2011) requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish an academy (free school). Only the Secretary of State for Education, acting through their appointed Regional Schools Commissioner, has the authority to enter into Funding Agreements for these schools.

The role of the local authority is therefore not to appoint a provider. A local authority may, however make recommendations concerning who should run a school to the Secretary of State for Education for their consideration.

Delegation of authority is sought Director for Children's Services, in consultation with the Lead Member for Children's Services to make a recommendation on the Council's preferred provider to run the school. This is requested to ensure the decision can be made in a timely manner.

The Shinfield West School in particular needs a rapid process to enable the provider to be appointed sufficiently early to ensure the school can be offered as part of the 2019 Reception place admissions round (which commences in the Autumn term). The school had previously been allocated to the Floreat Education Academy Trust, but this trust withdrew its offer of sponsorship earlier this year. By delegating authority the recommendation can be made weeks before the first opportunity to present the findings to Executive (end September 2018). This enables the RSC to make an earlier decision

so parents can be informed of the successful provider at the earliest possible opportunity. This will in turn enable the successful provider to make their case to parents before they have selected the schools they intend to express preferences for, for their children. Parents will therefore have the information to make the best decision for their children. Otherwise there is a risk that there will be too few applicants to make the school viable, which could have an adverse effect on our ability to make suitable local offers to children moving into the new developments.

While the other schools are not as urgent, there are still good reasons to complete the process to appoint providers in the short term:

- Firstly, the DfE has an expectation that the assessments of each application should be sent to the Secretary of State at the earliest opportunity, including the scoring for each proposal. This assessment will enable the RSC, on behalf of the Secretary of State, to decide on the most suitable proposer to take forward the new free school.
- Secondly, it will be important for any new sponsor to begin to establish a presence in the area, to build trust with parents. It would be preferable for this commence during the 2018/19 academic year, so parents fully understand the school offer before September 2019, the point at which parents receive the admissions brochure and start to consider which schools to express preferences for.
- Thirdly, if alternative models (such as school expansion onto a satellite site) are explored, but are not successful, it will be important to be able to progress the decision quickly to ensure the problems identified above in connection with the Shinfield West project are avoided.
- Finally, the more time the successful proposer has to make arrangements the better these are likely to be. School staff, for example, have fixed resignation dates and if a trust wishes to appoint an existing head to run a new school, starting in the summer term, they will need to be appointed before 31st January so they can give appropriate notice. Later appointment could either compromise the range of candidates or reduce the time a new head can commit before the school opens in September.

BUSINESS CASE (Including Options and Evidence of Need)

This report is concerned with the mechanism to appoint a body to run new schools, not whether or not the schools are required. The schools are a long-standing commitment by the council as part of the infrastructure supporting its adopted Core Strategy. The timing of the schools was dealt with by the Wokingham Borough Primary School Places Strategy 2018 to 2028.

When additional capacity is required there are two ways in which this can be achieved:

- existing schools can expand,
- new schools can open.

School expansion is a reasonable approach where the scale of additional need can be met on existing sites or if a satellite site can be opened. The scale of the SDL developments and the sites of the schools nearby precludes the option of on-site expansion for long-term SDL needs. Expansion on a satellite site is a valid option, provided it is clear this is a genuine expansion and not a new school in all but name. There are a number of tests established by the DfE, including the necessity to serve the same community, the integration of the student and staff body and single governance

arrangements across both sites, which would need to be satisfied though, before this option can be considered.

Two of the three proposed schools (Shinfield West and Matthews Green) are on sites where the nearest schools are separate infant and junior schools on constrained sites (so could not expand sufficiently on their existing sites). While they could satisfy the test of serving the same community to operate satellite sites, they could not satisfy the other requirements (integrated student and staff bodies and single governance arrangements) without major change, as the new schools will be built as single, integrated primary schools.

The third school, in the Arborfield SDL, does offer the prospect of a legitimate satellite site bid (because the community is already served by local primary schools), and officers will explore this further, bringing forward proposals if it is clear they will help create the most sustainable, highest quality local provision.

As noted above when a new school is required, the statutory position is that the Council must follow the Free School Presumption process. The process is prescribed and there is little opportunity to vary from it. Under the Free School Presumption process the Council's role is to offer the opportunity to submit expressions of interest to potential providers (current and possible future Academy Trusts), to evaluate the proposals and to make recommendations to the Regional Schools Commissioner.

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)	NIL	N/A	N/A
Next Financial Year (Year 2)	NIL	N/A	N/A
Following Financial Year (Year 3)	NIL	N/A	N/A

Other Financial Information

The financial implications of opening new schools are dealt with in other reports. The selection process itself has no direct financial implication.

Stakeholder Considerations and Consultation

The underlying Wokingham Borough Council Primary School Places Strategy 2018 to 2028 has been the subject of ongoing consultation through the Council's on-line consultation arrangements. The individual school proposals will be the subject of statutory consultation exercises.

Resourcing and Timeline for Next Steps

Capital and revenue resources are the subject of separate reports. The Capital costs of the schemes are part of the adopted Medium Term Financial Plan. The revenue costs will fall to the Dedicated Schools Grant Growth Fund, which will be considered by the Schools Forum at an appropriate date.

Communication on Decision Made and Implementation

The decision will be communicated to potential Academy Sponsors through the published new Free School Presumption Specification documents for each school project.

Timeline for Review and Evaluation

The approximate time line is:

Shinfield West Primary School – recommendation to RSC – August 2018, decision October 2018, school opens September 2019

Matthews Green Primary School – recommendation to the RSC late Autumn 2018, decision – Spring 2019, school opens September 2020

Arborfield Primary School – recommendation to the RSC (if required) – Spring 2019, decision Summer term 2019, school opens 2020

List of Background Papers

Wokingham Borough Primary School Places Strategy 2018 to 2028.

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Agenda Item 33.

TITLE	Developing a Memorandum of Understanding for Wokingham Integrated Partnership on Health and Social Care
FOR CONSIDERATION BY	The Executive on 26 July 2018
WARD	None specific
DIRECTOR	Interim Director of Adult Social Services – Martin Sloan
LEAD MEMBER	Executive Member for Adult Social Care - Richard Dolinski

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

The purpose of this Memorandum of Understanding (MoU) is to set out how the Wokingham Integrated Partnership will work together over the next year within a ‘shadow’ Partnership.

This MoU is made between the following Partners: Wokingham Borough Council, NHS Berkshire West Clinical Commissioning Group, Berkshire Healthcare NHS Foundation Trust, Wokingham GP Alliance and Royal Berkshire NHS Foundation Trust

This MoU is not legally binding, it is a statement of joint intent which indicates the broad principles that the Partners will seek to apply when making decisions.

RECOMMENDATION

That Executive agree and endorse the Memorandum of Understanding (MoU) between the following partners: Wokingham Borough Council, Berkshire West CCG (Wokingham Locality), Berkshire Healthcare NHS Foundation Trust, Wokingham GP Alliance and Royal Berkshire NHS Foundation Trust.

EXECUTIVE SUMMARY

The purpose of this paper is to present and gain sign off of the Memorandum of Understanding (MoU) (Appendix 1) developed between Wokingham Borough Council, Berkshire West CCG (Wokingham Locality), Berkshire Healthcare NHS Foundation Trust, Wokingham GP Alliance and Royal Berkshire NHS Foundation Trust, for the provision of integrated adult health and social care services.

BACKGROUND

The Partners intend to ensure integrated, high quality, affordable and sustainable health and care services are delivered in the most appropriate way for all adults resident in Wokingham Borough. The services currently in scope of this Partnership are:

- Community Nursing
- Intermediate Care
- Adult Social Care
- Primary Care
- Optalis Brokerage and Support
- Step-Up Beds
- Time to Decide Beds
- Community Navigators
- Public Health
- and any other area which the Partners collectively wish to include in scope

BUSINESS CASE (Including Options and Evidence of Need)

1. Introduction

1.1 Wokingham residents need health, social care, housing and other public services to work seamlessly together to deliver high quality care, value for money and safe care. More joined up services will help Wokingham and the Berkshire West system improve the health and care of local population. The overarching aim is to create an integrated health and care system for our population, which is sustainable for the long term.

1.2 Wokingham have been working on integrating Adult Health and Social Care through the Better Care Fund since 2014 and have successfully been able to integrate Urgent Health and Social care services during this time period which has led to maintaining performance on Delayed Transfers of Care (DTocs) and placements for permanent residential care. Our programme has been nominated for graduation status, in recognition as a leading centre in England for health and social care integration and which supports the acceleration of our aspirations.

1.3 Although significant strides have been made to improve quality and safety in most services, and building capacity within our programme of integration, the financial position across the system has deteriorated. Within this changing context, the original Better Care Fund Programme, whilst still contributing significantly to our collective vision, now needs to be enhanced and supplemented by a fuller consideration of what else can be done to address the full scope of system challenges.

1.4 Our Better Care Fund Programme submission for 2017 to 2019 set out the future for health and care services in Wokingham and to build on our success in Wokingham to date through enhanced governance, aligning with the emerging Berkshire West Integrated Care System (ICS). It proposes to bolster the existing Section 75 Partnership (between commissioners only) through a Wokingham Integrated Partnership (between commissioners and statutory providers) Memorandum of Understanding (MoU).

1.5 This is seen as a potentially helpful and necessary vehicle to cement our partnership working and provide a framework to mobilise our effort; and remove the barriers to integration necessary to achieve our aspirations.

1.6 Agreement was given in principle by partner organisations and Wokingham's Health and Wellbeing Board to establish a 'shadow' Partnership from April 2018 (operating under the collective description of Wokingham Integrated Partnership) subject to agreement of a supporting Memorandum of Agreement (MoU).

1.7 This paper sets out a Memorandum of Understanding (MoU) to build the foundation for, and define, our next phase of development during the shadow period. It is intended to provide a clear signal of intent for our direction of travel and the work programme to support this. It also sets out the high level implications for leadership, decision making and governance during the 'shadow' period.

1.8 The distinction between what we are proposing is in place from 1st April 2018 during the 'shadow' phase and what we might over time move to, is set out, with the work programme (Wokingham BCF Programme Plan/Roadmap to 2020) necessary to support this. The work programme builds in a number of 'gateways' where further Board approval would be needed to enable movement to the next phase. This will require ongoing refinement and consideration of the MoU as we mature and develop our shared approach.

1.9 This version of the MoU, therefore, is intended to be 'light touch'. It is seeking commitment and sign up from partner organisations to the next phase of work and how we work with each other over the next year, rather than a formal binding agreement. It has no legal status.

2. Purpose of the MoU

2.1 The purpose of this MoU is to set out how the Wokingham Integrated Partnership will work together over the next year within a 'shadow' Partnership. The MoU seeks to describe:

- Our ambition – what we are trying to achieve and why;
- What a 'shadow' Partnership is and its scope and purpose;
- The governance that will be in place from the 1st April 2018 and implications for accountability to individual partner Boards;
- A summary of our collective work programme including a proposed timetable for the further development and implementation of Partnership arrangements. This includes work to scope the options for future organisational delivery vehicles;
- How we develop our joint leadership arrangements in support of the delivery of our shared programme of work, and a proposed framework for considering this.

2.2 It will support the further development of partnership structures to create stronger collaboration across public services; the opportunity to place integration of health and social care services at the heart of a wider reform agenda for public services; to create the framework where new incentives and flexibilities can help address many of these challenges;

2.3 It will reduce the impact of fragmented leadership structures which creates an inability to focus on place, and regulation that focuses on institutional outcomes not systems and communities.

2.4 This MoU is not exhaustive and is not intended to be legally binding between any of the partners. Accountability during the shadow period remains with partner organisations and will be discharged through the nominated members of partner organisations on the shadow Wokingham Leader Partnership Board supported by a shared Mandate set out within the MoU.

2.5 Any further changes to the governance will need to be approved by Partner Boards and supported by a refinement of the MoU.

2.6 All Partners to the current Better Care Fund programme are encouraged to sign up to the MoU at this stage.

2.7 The MoU provides a framework to describe the changes that are necessary to all elements of the system including both provision and commissioning in order to establish a Partnership.

2.8 The MoU aims to remove the artificial barriers between primary care, secondary care, social care, self-care and social support.

3. Key Points

3.1 We recognise the need to align our integration approach with the Berkshire West Integrated Care System, as a key locality focus for the Berkshire, Oxfordshire and Buckinghamshire (BOB) STP.

3.2 The Social Care Institute for Excellence Logic Model (2018)¹, which has been adopted by NHS England, describes 9 key enablers to successful integration. By introducing a Partnership it will support Wokingham's ability to strengthen these and delivery better integrated care and services. The 5 enablers the Partnership supports are:

1. Strong, system-wide governance and systems leadership
2. Joined-up regulatory approach
3. Pooled or aligned resources
4. Joint commissioning of health and social care
5. Integrated workforce: joint approach to training and upskilling of workforce

3.3 The main aims for our approach is to develop a Partnership that can:

- hold partners to account for outcomes
- hold partners to account for streamlining the delivery of patient care across the gaps between service providers
- shift the flow of money between partners
- drive and deliver efficiency and/or cashable savings

3.4 It enables the collaboration of commissioners and providers together around a common aspiration for joint working across the system. It sets out a number of shared objectives and principles, and a set of shared governance allowing commissioners and providers to come together to take decisions.

3.5 It should be noted that, as an MoU, the document sets out the broad principles that the parties have agreed, the objectives, a proposed governance structure and a timeline for implementation. It does not make any changes to the statutory accountabilities or duties of local authorities or CCGs nor will the accountabilities or existing financial flows to CCGs or local authorities be affected.

¹ <https://www.scie.org.uk/integrated-health-social-care/measuringprogress/scorecard/developing#logicmodel>

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)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other Financial Information

N/A

Stakeholder Considerations and Consultation

All partners have been consulted.

Resourcing and Timeline for Next Steps

A 'shadow' Partnership from April 2018

Timeline for Review and Evaluation

Annual review

List of Background Papers

N/A

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DATE: 18th June 2018

- 1. NHS BERKSHIRE WEST CLINICAL COMMISSIONING GROUP,
WOKINGHAM LOCALITY**
- 2. WOKINGHAM BOROUGH COUNCIL**
- 3. BERKSHIRE HEALTHCARE NHS FOUNDATION TRUST**
- 4. WOKINGHAM GP ALLIANCE**
- 5. ROYAL BERKSHIRE NHS FOUNDATION TRUST**

**MEMORANDUM OF UNDERSTANDING
FOR THE DEVELOPMENT OF AN INTEGRATED PARTNERSHIP FOR THE
WOKINGHAM BOROUGH HEALTH AND SOCIAL CARE ECONOMY**

Version Control

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1	29/3/18	1.0	Rhian Warner	1 st draft for PMO comments
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4	2/5/18	1.3	Rhian Warner	Final Draft for Approval at Exec Boards
5	12/6/18	1.4	Rhian Warner	Addition of Voting rights and quorum into main body of MoU, minor amendments to WLPB ToR, renumbered
6	18/6/18	1.5	Rhian Warner	Amendments to ToR WLPB and WMPB to reflect MoU body information

Approval History

Approval Committee	Date Discussed	Comments
Wokingham Leader Partnership Board	1/5/18	Final Draft Approved
Wokingham Borough Council - CLT		For Approval
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Berkshire West CCG Governing Body	TBC	For Approval – planned end of June
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BW10 Integration Board	27/6/18	For Information – Planned for 27/6/18
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Date: 18th June 2018

This Memorandum of Understanding (MoU) is made between the following Partners:

1. NHS BERKSHIRE WEST CLINICAL COMMISSIONING GROUP of 57-59 Bath Road, Reading, RG30 2BA (the "**CCG**");
 2. WOKINGHAM BOROUGH COUNCIL Civic Offices Shute End Wokingham Berkshire RG40 1BN (the "**Council**")
 3. BERKSHIRE HEALTHCARE NHS FOUNDATION TRUST of Fitzwilliam House, Skimmed Hill Lane, Bracknell, Berkshire, RG12 1BQ ("**BHFT**")
 4. WOKINGHAM GP ALLIANCE of Number 22 Mount Ephraim, Tunbridge Wells, Kent, TN4 8AS ("**WGPA**")
 5. ROYAL BERKSHIRE NHS FOUNDATION TRUST of London Road, Reading, RG1 5AN ("**RBFT**")
- I. This MoU is not legally binding, it is a statement of joint intent which indicates the broad principles that the Partners will seek to apply when making decisions.
- II. The Partners acknowledge the need to keep this document under review and consider as and when necessary, further flexible arrangements between Partners.

BACKGROUND

- a) The Better Care Fund (BCF) has been established by the Government to provide funds to local areas to support the integration of health and social care and to seek to achieve the National Conditions and Local Objectives. It is a requirement of the Better Care Fund that the CCG and the Council establish a pooled fund for this purpose.
- b) Section 75 of the National Health Services Act 2006 gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions. Enhancing the Section 75 by way of joint working under this MoU enables the local authority and clinical commissioning groups to include additional Partners from the local system.
- c) In entering into and performing their obligations under this MoU, the Partners are working towards further strengthening Wokingham's whole system approach through effective governance, with a clear understanding of the commissioner/provider relationship with the move to partnership working. The

MoU will provide a robust contracting, commissioning and governance model that allows all Partners to work at the scale required to deliver integrated care for Wokingham's population.

- d) This MoU is focussed on how the Partners may tackle a number of significant operational, clinical and financial challenges for residents in Wokingham Borough. These significant operational, clinical and financial challenges include: providers coming under increasing financial, performance and quality pressures, demand management programmes with variable levels of success, workforce issues in recruitment across health and social care, and commissioners facing significant affordability pressures given the current configuration of services.
- e) The Partners intend to ensure integrated, high quality, affordable and sustainable health and care services are delivered in the most appropriate way for all adults resident in Wokingham Borough. The services in currently in scope of this Partnership are:
 - Community Nursing
 - Intermediate Care
 - Adult Social Care
 - Primary Care
 - Optalis Brokerage and Support
 - Step-Up Beds
 - Time to Decide Beds
 - Community Navigators
 - Public Health
 - and any other area which the Partners collectively wish to include in scope
- f) The Partners as both providers and commissioners of healthcare in Wokingham Borough are challenged to ensure the provision of high quality care to an ageing and growing population, within its financial envelope. This MoU is an integral part of the vision to promote integrated services that deliver personalised care and it is anticipated that this MoU will facilitate these objectives. The aims and benefits of the Partners in entering in to this MoU are to:
 - increase the emphasis on primary prevention, health and wellbeing and ensuring integrated, high quality, affordable and sustainable health and care services are delivered in the most appropriate way;
 - improve quality of care through better outcomes and experience for patients and achieving constitutional standards and meet the BCF National Conditions and Local Objectives; and
 - operate a financially sustainable system by making more effective use of resources through the establishment and maintenance of a pooled fund for revenue expenditure on the Individual Schemes.
- g) Over the period of this MoU, the Partners will work together positively and in good faith in accordance with the Partnership Shared Principles (below) to achieve the Partnership Objectives (set out in Schedule 1).

- h) This MoU supplements and operates in conjunction with existing Services Contracts between the one or more of the Commissioner Partners and each of the Provider Partners.
- i) The Partners and Wokingham Integrated Partnership will ensure that whilst developing integrated services for Wokingham, which aligns with the direction of the Partners organisations and the Berkshire West system.
- j) The CCG has the responsibility for commissioning health services pursuant to the 2006 Act in the Wokingham Borough.
- k) The Council has responsibility for commissioning and/or providing social care services on behalf of the population of the Wokingham Borough.
- l) BHFT has the responsibility for delivering community health services.
- m) WGPA has the responsibility for delivering primary care services.
- n) RBFT has the responsibility for delivering acute care health services.

PARTNERSHIP SHARED PRINCIPLES

This MoU includes a range of principles which partners have agreed to apply. These are summarised below:

- a) work towards a shared vision of integrated service provision;
- b) commit to delivery of system outcomes in terms of clinical matters, patient experience and financial matters;
- c) commit to common processes, protocols and other system inputs;
- d) commit to work together and to make system decisions on a best for users and the Wokingham pound basis;
- e) take responsibility to make unanimous decisions on a 'Best for Service' basis;
- f) always demonstrate the Service Users' best interests are at the heart of our activities;
- g) adopt an uncompromising commitment to trust, honesty, collaboration, innovation and mutual support;
- h) establish an integrated collaborative team environment to encourage open, honest and efficient sharing of information, subject to competition law compliance;
- i) adopt collective ownership of risk and reward, including identifying, managing and mitigating all risks in performing respective obligations;
- j) co-produce with others, especially service users, families and carers, in designing and delivering the services.

OPERATIVE PROVISIONS

1. Definitions and Interpretation

- 1.1 In this MoU, save where the context requires otherwise, the words, terms and expressions identified in section 1.3 below shall have the meanings as described.
- 1.2 In this MoU, unless the context requires otherwise, the following rules of construction shall apply:
- 1.2.1 a reference to a “Partner” is a reference to a partner to this MoU and includes its personal representatives, successors or permitted assigns and a reference to “Partners” is a reference to all partners to this MoU;
 - 1.2.2 a reference to a statute or statutory provision is a reference to such statute or provision as amended or re-enacted. A reference to a statute or statutory provision includes any subordinate legislation made under that statute or statutory provision, as amended or re-enacted;
 - 1.2.3 any phrase introduced by the terms “including”, “include”, “in particular” or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms; and
 - 1.2.4 a reference to writing or written includes faxes and e-mails.

1.3 Definitions

Berkshire West 10 Delivery Group means the body which has responsibility for operational delivery of the Berkshire West Integration Programme.

Berkshire West 10 Finance Sub Group means the subordinate body of the Berkshire West 10 Delivery Group which has delegated responsibility for the overall financial management of the Berkshire West 10 Integration Programme.

Berkshire West Integrated Care System (“ICS”) means the partnership of local NHS organisations (both Commissioners and Providers) with collective responsibility for resources and population health in Berkshire West , providing joined up, better co-ordinated care.

Better Care Fund means the Better Care Fund as described in NHS England Publications Gateway Ref. No.00314 and NHS England Publications Gateway Ref. No.00535 as relevant to the Partners.

Change in Law means the coming into effect or repeal (without re-enactment or consolidation) in England of any law, or any amendment or variation to any law, or any judgment of a relevant court of law which changes binding precedent in England after the date of Commencement.

Commencement Date means 00:01 hrs on 1st June 2018.

Commissioner Partner means each of the CCG and the Council and references to “Commissioner Partners” shall be construed accordingly

Confidential Information means information, data and/or material of any nature which any Partner may receive or obtain in connection with the operation of this MoU and the Services and:

- (a) which comprises personal data or sensitive personal data or which relates to any patient or his treatment or medical history;
- (b) the release of which is likely to prejudice the commercial interests of a Partner or the interests of a Service User respectively; or
- (c) which is a trade secret.

Ethical Wall means an environment in which a Partner is isolated from particular information to avoid a conflict of interest or to protect another Partner's sensitive information.

Health and Wellbeing Board means the Health and Wellbeing Board established by the Council pursuant to Section 194 of the Health and Social Care Act 2012.

Individual Scheme means one of the schemes which is agreed by the Partners to be included within this MoU using the powers under Section 75 as documented in a Scheme Specification.

Partner means each of the CCG, the Council, GP Alliance, RBFT and BHFT and references to "Partners" shall be construed accordingly.

Provider Partner means a provider of any Services commissioned under the arrangements set out in this MoU, with the exception of the CCG.

Services means such health and social care services as agreed from time to time by the Partners as commissioned under the arrangements set out in this MoU and more specifically defined in each Individual Scheme specification.

Services Contract means an agreement for the provision of Services entered into with a Provider by one or more of the Partners in accordance with the relevant Individual Scheme.

Service Users means those individual for whom the Partners have a responsibility to commission the Services.

The Wokingham Integrated Partnership and the Wokingham Leader Partnership Board ("WLPB") means the group responsible for review of performance and oversight of this MoU as set out in Schedule 2.

Wokingham Management Partnership Board ("WMPB") means the group responsible for the day to day leadership, management and support of the activities of the Wokingham Integrated Partnership in accordance with the Partnership Shared Principles in order to meet the Key Objectives agreed by the WLPB.

2. Purpose and Effect of MoU

2.1 The Partners have agreed to work together on behalf of patients and the population to deliver the best possible experience and outcomes within the

available resources for Wokingham Borough. The intention is for the Partners to organise themselves around the needs of the Wokingham Borough population rather than planning at an individual organisational level so as to deliver more integrated care for patients.

- 2.2 The Partners wish to record the basis on which they will collaborate with each other on the Wokingham Integrated Partnership in this MoU.
- 2.3 This MoU sets out:
 - 2.3.1 the key objectives for the development of the Wokingham Integrated Partnership;
 - 2.3.2 the principles of collaboration;
 - 2.3.3 the governance structures the Partners will put in place; and
 - 2.3.4 the respective roles and responsibilities the Partners will have during the development of the Wokingham Integrated Partnership.
- 2.4 The Partners agree that, notwithstanding the good faith consideration that each Partner has afforded the terms set out in this MoU, save as provided in paragraph 2.5 below, this MoU shall not be legally binding.
- 2.5 Paragraphs 13, 15 and 16 shall come into force from the date hereof and shall give rise to legally binding commitments between the Partners.
- 2.6 In addition to this MoU the Partners have developed the following additional documents to manage the relationships and any sharing of information between them:
 - (i) a confidentiality agreement (Schedule 3);
 - (ii) a protocol to manage conflicts of interest between the Partners; and to manage the sharing of information in accordance with information governance principles and competition law requirements (Schedule 4).

3. Key Objectives

- 3.1 The Partners shall undertake the development of the Wokingham Integrated Partnership to achieve the key objectives set out in Schedule 1.
- 3.2 The Partners acknowledge that the current position with regard to the Wokingham Integrated Partnership is set out in Schedule 1.

4. Principles of Collaboration

- 4.1 The Partners agree to adopt the following principles when carrying out the development of the Wokingham Integrated Partnership:
 - 4.1.1 collaborate and co-operate. Establish and adhere to the governance structure set out in this MoU to ensure that activities are delivered and actions taken as required to deliver change collectively;
 - 4.1.2 be accountable. Take on, manage and account to each other and the wider system e.g. The Berkshire West 10 and ICS for performance of the respective roles and responsibilities set out in this MoU;
 - 4.1.3 be open. Communicate openly about major concerns, issues or opportunities relating to the Partnership and be transparent adopting an

- open book approach wherever possible (acknowledging the Partners requirements under paragraph 4.1.4 below);
- 4.1.4 adhere to statutory requirements and best practice. Comply with applicable laws and standards including procurement rules, competition law, data protection, information governance and freedom of information legislation;
- 4.1.5 act in a timely manner. Recognise the time-critical nature of the Partnership and respond accordingly to requests for support;
- 4.1.6 manage stakeholders effectively with a clear intention to engage with all relevant stakeholders in the development of the Partnership and to look towards the future
- 4.1.7 deploy appropriate resources. Ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this MoU; and
- 4.1.8 act in good faith to support achievement of the Key Objectives and compliance with these Shared Principles and to develop appropriate “Rules of Engagement” between stakeholders in the Partnership.

5. Governance and reporting

- 5.1 Overall strategic oversight of partnership working between the Partners is vested in the Wokingham Health and Wellbeing Board, which for these purposes shall make recommendations to the Partners as to any action it considers necessary.
- 5.2 The Partners have established the Wokingham Leader Partnership Board (WLPB) to provide strategic direction to the Partnership, to manage risk and to hold to account the Wokingham Management Partnership Board (WMPB) for the performance of the Partnership such that it achieves the objectives set for it. The current strategic areas include the Better Care Fund programme and the projects associated with it. The WLPB is accountable to the Wokingham Health and Wellbeing Board and will report progress on the Better Care Fund individual schemes and on any other pooled funds.
- 5.3 The WMPB has been established to provide the day to day senior management of the Partnership and Provider services, particularly in respect of the delivery of plans to achieve the objectives and strategies agreed by the WLPB, and to manage performance and risk.
- 5.4 The WLPB is based on a joint working group structure. Each voting member of the WLPB shall be an officer of one of the Partners and will have individual delegated responsibility from the Partner employing them to make decisions which enable the WLPB to carry out its objectives, roles, duties and functions as set out in this clause 5 and Schedule 2.
- 5.5 The terms of reference of the WLPB as regards this MoU shall be as set out in Schedule 2.
- 5.6 The terms of reference of the WMPB as regards this MoU shall be set out in Schedule 2.

- 5.7 Each Partner has secured internal reporting arrangements to ensure the standards of accountability and probity required by each Partner's own statutory duties and organisation are complied with.
- 5.8 The WLPB shall be responsible for the overall approval of the Wokingham hosted Individual Schemes within the Wokingham Better Care Fund and for any other pooled funds covered by this MoU.
- 5.9 Each Individual Schemes schedule shall confirm the governance arrangements in respect of the Individual Scheme and how that Individual Scheme is reported to the WLPB; the Berkshire West 10 Delivery Group; the Berkshire West 10 Finance Sub Group and the Wokingham Health and Wellbeing Board.

6 Voting rights and Quorum at Meetings

6.1 The WLPB will be quorate if three quarters of its voting members are present, subject to the members present being able to represent the views and decisions of the Partners who are not present at any meeting.

6.2 No matter will be recommended at any meeting unless all WLPB members are in agreement. If not all members are present at a meeting decisions will be ratified via telephone or email following the meeting. A quorum will not be present unless at least one (1) WLPB member from CCG, Council, BHFT, RBFT and the WGPA WLPB members are in attendance.

7. Dispute Resolution

- 7.1 In the event of a dispute between the Partners arising out of this MoU, any Partner may serve written notice of the dispute on the other Partner, setting out full details of the dispute, a copy of which should be received by the Chair of the WLPB.
- 7.2 The Chair shall meet in good faith as soon as possible and in any event within ten (10) days of notice of the dispute being served pursuant to clause 7.1, at a meeting convened for the purpose of resolving the dispute.
- 7.3 The Partners agree that the WLPB, on a 'Best for Services' basis, may determine whatever action it believes is necessary including the following:
 - (a) If the dispute remains after the meeting detailed in clause 7.2 has taken place, the Partners' respective Chief Executives or nominees shall meet in good faith as soon as possible after the relevant meeting and in any event with fourteen (14) days of the date of the meeting, for the purpose of resolving the dispute.
 - (b) If the dispute remains after the meeting detailed in clause 7.3 (a), it may select an independent facilitator to assist with resolving the dispute; and the independent facilitator shall:
 - (i) be provided with any information he or she requests about the dispute;

- (ii) assist the WLPB to work towards a consensus decision in respect of the dispute;
 - (iii) regulate his or her own procedure and, subject to the terms of this MoU, the procedure of the WLPB at such discussions;
 - (iv) determine the number of facilitated discussions, provided that there will be not less than three and not more than six facilitated discussions, which must take place within 20 business days of the independent facilitator being appointed; and
 - (v) have its costs and disbursements met by the Commissioner Partners.
- (c) If the independent facilitator cannot facilitate the resolution of the dispute, the dispute must be considered afresh in accordance with this clause 7 and only after such further consideration again fails to resolve the dispute, the WLPB may decide to:
- (i) refer the matter within seven days for independent arbitration to the Institute of Arbitrators. The Partners will co-operate with any person appointed as Arbitrator whose decision shall be final and binding on the Partners and any costs will be paid as determined or in the absence of such determination such costs will be shared equally.
 - (ii) terminate the Partnership; or
 - (iii) agree that the dispute need not be resolved.

7.3 Nothing in the procedure set out in this clause 7 shall in any way affect either Partner's right to terminate this MoU in accordance with any of its terms or take immediate legal action.

8. Conflicts of interest

The Partners agree that they will:

8.1 disclose to each other the full particulars of any real or apparent conflict of interest which arises or may arise in connection with this MoU or the Partnership, immediately upon becoming aware of the conflict of interest whether that conflict concerns the Partners or any person employed or retained by the Partners for or in connection with the Wokingham Integrated Partnership; and

8.2 not allow themselves to be placed in a position of conflict of interest or duty in regard to any of their rights or obligations under this MoU (without the prior consent of the other Partners) before participating in any action in respect of that matter; and

8.3 comply with the terms of any agreed conflict of interest protocol in relation to the operation of the Wokingham Integrated Partnership.

9. Reserved Matters

9.1 The Partners acknowledge that each of the Commissioner Partners is required to comply with various statutory duties as commissioners. Therefore, notwithstanding any other provision of this MoU or any Services Contract, each of the Commissioner Partners must be free to determine the following matters as they see fit. Each of the Commissioner Partners will strive to achieve a consensus and an alignment amongst the Partners, but the Partners recognise

that, ultimately, each of the Commissioner Partners must be free to determine the following ‘Reserved Matters’:

- (a) any Mandatory Change required to be implemented by the Commissioner Partners under the Change Procedure;
- (b) any matter upon which the Commissioner Partners may be required to submit to public consultation or in relation to which the Commissioner Partners may be required to respond to or liaise with a local Healthwatch organisation;
- (c) any matter which requires the Commissioner Partners to invest further monies in respect of the Services, or under the Services Contracts or under this MoU.

9.2. The Partners agree that:

- (a) the ‘Reserved Matters’ are limited to the express terms of clause 9.1;
- (b) the ‘Reserved Matters’ shall not be exercised so as to require a Provider Partner to breach any regulatory obligations (including for any Provider Partner that is an NHS Foundation Trust the terms of its NHS Provider Licence) or to breach any legislative requirements including the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010;
- (c) the WLPB may not make a final decision on any of the matters set out in clause 9.1(a) and 9.1(b), which are reserved for determination by the Commissioner Partners only;
- (d) where exercising a ‘Reserved Matter’ under clause 9.1(c) to 9.1(f), and subject to any need for urgency because to act otherwise would result in the Commissioner Partners breaching their statutory obligations, the Commissioner Partners will first consult with the WLPB in respect of its proposed exercise of a ‘Reserved Matter’;
- (e) should the need arise, a Commissioner Partner will give a written notice to the WLPB that it is exercising a ‘Reserved Matter’; and
- (f) if a decision in respect of any ‘Reserved Matter’ is notified to the WLPB, We will implement that decision as if it were a decision of the WLPB.

10. Future involvement and addition of Partners

10.1 Where a Partner or Partners wish to admit a new person or organisation to be a Partner under this MoU, such a proposal shall be considered at the next WLPB meeting.

10.2 The relevant Partner or Partners that wish to admit a new person or organisation shall serve a written notice on the WLPB setting out the details of:

- (a) the proposed new person or organisation (where known);
- (b) reasons and rationale for the proposed admission of a new person or organisation;
- (c) the likely impact on the Services; and
- (d) the likely impact on the payments to be made under the Section 75 Agreement.

10.3 Following receipt of the notice referred to in clause 10.2 the WLPB shall then consider the proposal and decide what actions (if any) need to be taken, in terms of varying this MoU, for example.

11. Competition and Procurement Compliance

- 11.1 Partners will provide to each other all information that is reasonably required in order to achieve the Wokingham Integrated Partnership outcomes and to design and implement changes to the ways in which services are delivered (and where the services are delivered from).
- 11.2 Partners will have responsibilities to comply with competition laws, and Partners acknowledge that Partners will all comply with those obligations. Partners will therefore make sure that partners share information, and in particular competition sensitive information, in such a way that is compliant with competition law.
- 11.3 No matter what else is written in the MoU, Provider Partners will ensure that they provide the Commissioner Partners with all financial cost resourcing, activity or other information as the Commissioner Partners may require so that the Commissioner Partners can be satisfied that the Wokingham Integrated Partnership outcomes, in particular those of a financial nature, are being satisfied. This is in relation only to the services in the pooled fund.
- 11.4 The Partners will make sure the WLPB establishes appropriate ethical walls between and within the Provider Partners so as to ensure that competition sensitive information and confidential information are only available to those members of the Provider Partners who need to see it for the purposes of the Wokingham Integrated Partnership and for no other purpose whatsoever so partners do not breach competition law.
- 11.5 It is accepted by the Wokingham Integrated Partnership that the involvement of the Provider Partners is likely to give rise to situations where information will be generated and made available to the Provider Partners, which could give the Provider Partners an unfair advantage in competitions which may be capable of distorting such competitions (for example, disclosure of pricing information or approach to risk may provide one Provider Partner with a commercial advantage over a separate Provider Partner).
- 11.6 The Provider Partners therefore recognise the need to manage the information referred to in clause 11.6 above in a way which maximises their opportunity to take part in competitions by putting in place appropriate procedures, such as Ethical Walls.
- 11.7 A Provider Partner will have the opportunity to demonstrate to the reasonable satisfaction of the Commissioner Partners in relation to any competitive procurements that the information it has acquired as a result of its participation in the Partnership, other than as a result of a breach of this MoU, does not preclude the Commissioner Partners from running a fair competitive procurement in accordance with the Commissioner Partners' legal obligations.
- 11.8 Notwithstanding clause 11.7 above, the Commissioner Partners reserve their rights to take such measures as they consider necessary in relation to such

competitive procurements in order to comply with their obligations under legislation (for example, the public contract regulations 2015 and the National Health Service (procurement, patient choice and competition) (no 2) regulations 2013) including, but not limited to, excluding any potential bidder from the competitive procurement in accordance with the laws governing that competitive procurement.

- 11.9 Nothing in this MoU shall absolve any of the Provider Partners from their obligations under each service contract, particularly in relation to ensuring that the services are provided in accordance with the requirements of the relevant service contract.
- 11.10 Where there are any patient safety incidents or information governance breaches relating to the services, for example, the Provider Partners shall ensure that they each comply with their individual service contract and, where required by the Commissioner Partners, work collectively and share all relevant information to that patient safety incident or information governance breach (or other similar issue) for the purposes of any investigations and/or remedial plans to be put in place, as well as for the purposes of learning lessons in order to avoid such patient safety incident or information governance breach in the future.
- 11.11 Without prejudice to any obligations in the service contracts, the Provider Partners shall each notify the WLPB of any serious incident that has arisen in connection with the relevant Provider Partner's involvement in providing the services set out in the service contract, without delay and no longer than two (2) business days of that serious incident taking place.

12. Term and Termination

Each of the Partners acknowledges and confirms that as the date of this MoU all Partners have obtained all the necessary authorisations to enter into this MoU.

- 12.1 This MoU shall come into force on the Commencement Date, the date of signature by all the Partners, and shall continue until terminated by a Partner in accordance with paragraph 12.2 below.
- 12.2 This MoU shall continue until it is terminated in accordance with clause 12.5
- 12.3 The duration of the arrangements for each Individual Scheme shall be as set out in the relevant scheme specification in the Section 75 Agreement.
- 12.4 The MoU continues subject to an annual review by the partners.
- 12.5 Any Partner may terminate this MoU by giving at least 3 months' notice in writing to the other Partners.

13. Variation

- 13.1 This MoU may only be varied by written agreement of the Partners and signed by, or on behalf of, each of the Partners.

14. Charges and liabilities

- 14.1 Except as otherwise provided, the Partners shall each bear their own costs and expenses incurred in complying with their obligations under this MoU including in respect of any losses or liabilities incurred due to their own or their employee's actions.
- 14.2 No Partner intends that any other Partner shall be liable for any loss it suffers as a result of this MoU.

15. Exclusion of Partnership and Agency

- 15.1 Nothing in this MoU shall create or be deemed to create a partnership under the Partnership Act 1890 or the Limited Partnership Act 1907, a joint venture or the relationship of employer and employee between the Partners or render either Partner directly liable to any third party for the debts, liabilities or obligations of the other.
- 15.2 Except as expressly provided otherwise in this MoU or where the context or any statutory provision otherwise necessarily requires, no Partner will have authority to, or hold itself out as having authority to:
 - 14.2.1 act as an agent of the other;
 - 14.2.2 make any representations or give any warranties to third parties on behalf of or in respect of the other; or
 - 14.2.3 bind the other in any way.

16. Counterparts

- 16.1 This MoU may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original of this MoU, but all the counterparts shall together constitute the same agreement.
- 16.2 The expression "counterpart" shall include any executed copy of this MoU transmitted by fax or scanned into printable PDF, JPEG, or other agreed digital format and transmitted as an e-mail attachment.
- 16.3 No counterpart shall be effective until each Partner has executed at least one counterpart.

17. Governing Law and Jurisdiction

- 17.1 This MoU shall be governed by and construed in accordance with English law and each Partner agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

IN WITNESS WHEREOF this MoU has been executed by the Partners on the date of this MoU.

Signed by

NHS Berkshire West Clinical Commissioning Group

Name:

Title:

Signed by

Wokingham Borough Council

Name:

Title:

Signed by

Berkshire Healthcare NHS Foundation Trust

Name:

Title:

Signed by

Wokingham GP Alliance

Name:

Title:

Signed by

Royal Berkshire NHS Foundation Trust

Name:

Title:

Schedule 1

Part 1: The Wokingham Integrated Partnership

In its first year the Wokingham Integrated Partnership will need to achieve the following key deliverables:

1. The production of Wokingham's Roadmap to 2020.
2. Development and publication of Wokingham's Integration Position Statement.
3. Delivery against year 1 plans in the Roadmap

The deliverables will be supported by focussing on the agreed quadruple aims:

1. Further develop Partnership Working
2. Further improving the Quality of Care that we provide
3. Improving the Health of the Population
4. Securing the Value and Financial Sustainability of health and social care services we provide

Part 2: The Key Objectives

The Partnership Objectives agreed by the Partners are to deliver sustainable, effective and efficient Services with significant improvements over the Term. In particular the Partners have agreed the following:

To further strengthen the whole system approach through effective governance, with clear understanding of the commissioner/provider relationship

The Partners have three key objectives for the Wokingham Integrated Partnership:

- a) to increase the emphasis on primary prevention, health and wellbeing and ensuring integrated, high quality, affordable and sustainable health and care services are delivered in the most appropriate way;
- b) to improve quality of care through better outcomes and experience for patients and achieving constitutional standards and meet the BCF National Conditions and Local Objectives; and
- c) to operate a financially sustainable system by making more effective use of resources through the establishment and maintenance of a pooled fund for revenue expenditure on the Schemes.

The Provider Partners acknowledge and accept that the WLPB may seek to shift activity and service specifications under the respective Services Contracts in order to achieve the Partnership Objectives. The Partners will utilise the provisions,

mechanisms and flexibilities in the Services Contracts to effect the necessary changes in service specifications, activity plans, etc.

The Partners acknowledge that they will have to make decisions together in order for the Partnership to work effectively and, except for the 'Reserved Matters' listed at clause 8.1 in this schedule, will work together on a 'Best for Service' basis in order to achieve the Partnership Objectives.

SCHEDULE 2 PARTNERSHIP GOVERNANCE

1. Wokingham Leader Partnership Board (WLPB)

- 1.1 We all agree to establish the WLPB. For the avoidance of doubt the WLPB shall not be a committee of any Partner or any combination of Partners.
- 1.2 The WLPB is the group responsible for leading the Partnership. The WLPB will hold to account the WMPB. It will have other duties and the authority and accountability defined in its Terms of Reference (ToR).
- 1.3 The ToR for the WLPB shall be as set out in Part 1 of Schedule 2 (WLPB – Terms of Reference).

2. Wokingham Management Partnership Board (WMPB)

- 2.1 We agree to establish the WMPB which will be responsible for managing the Partnership and the delivery of the Services. For the avoidance of doubt the WMPB shall not be a committee of any Participant or any combination of Participants.
- 2.2 The ToR for the WMPB shall be as set out in Part 2 of Schedule 2 (WMPB – Terms of Reference).

3. Partnership Programme Manager

- 3.1 We agree that the Partners will engage an individual to undertake programme management on behalf of the Partners (the "Partnership Programme Manager").
- 3.2 We agree that the detailed responsibilities / job description for the Partnership Programme Manager shall be determined by the WLPB. The Partnership Programme Manager will report regularly (no less than every month) to the WLPB.
- 3.3 We will be bound by the actions and decisions of the WLPB and the WMPB and the Partnership Programme Manager carried out in accordance with this MoU.

4. Admitting New Partners

- 4.1 Where a Partner or Partners wish to admit a new person or organisation to be a Partner under this MoU, such a proposal shall be considered at the next WLPB meeting.
- 4.2 The relevant Partner or Partners that wish to admit a new person or organisation shall serve a written notice on the WLPB setting out the details of:
 - (a) the proposed new person or organisation (where known);
 - (b) reasons and rationale for the proposed admission of a new person or organisation;
 - (c) the likely impact on the Services; and
 - (d) the likely impact on the payments to be made under Section 75, schedule 3 (Risk Share and Overspends)
- 4.3 Following receipt of the notice referred to in clause 4.2 the WLPB shall then consider the proposal and decide what actions (if any) need to be taken, in terms of varying this MoU, for example.
- 4.4 Post-termination – The WLPB and WMPB shall continue to operate in accordance with this Schedule following any termination of this MoU but shall endeavour to ensure that the benefits of any contracts are received by the Partners in the same proportions as their respective contributions at that time.

PART 1 **WOKINGHAM LEADER PARTNERSHIP BOARD – TERMS OF REFERENCE**

1.1 Purpose

The Wokingham Leader Partnership Board (WLPB) has been established to lead the development of and provide strategic direction to the Wokingham Integrated Partnership (in accordance with the Shared Principles) in order to meet the Key Objectives. To manage risk and to hold to account the Wokingham Management Partnership Board (WMPB) for the performance of the Partnership such that it achieves the objectives set for it. WLPB is a sub-partnership of the Wokingham Health and Wellbeing Board and will send reports to every board meeting.

The Partnership will provide a financial and governance framework for the delivery of the Better Care Fund and is responsible for the business and overall performance of BCF projects within Wokingham's Health and Social Care Integration programme as well as informing and leading Wokingham's contribution to Berkshire West 10 integration work. The relationship with the BW10 governance is illustrated in the diagram on page 7 of the ToR document.

WLPB will also be represented at the Berkshire West 10 Integration Board and will receive reports on Berkshire West schemes as well as reporting on delivery of the WLPB objectives.

1.2 Status and Authority

- 1.2.1 The Partnership is established by the Partners, who remain sovereign organisations, to provide a financial and governance framework for the delivery of the Services. The Partnership is not a separate legal entity, and as such is unable to take decisions separately from the Partners or bind its Partners; nor can one or more Partners 'overrule' any other Partner on any matter (although all Partners will be obliged to comply with the terms of the MoU).
- 1.2.2 The MoU establishes the WLPB to lead the Partnership on behalf of the Partners. As a result of the status of the Partnership the WLPB is unable in law to bind any Partner so it will function as a forum for discussion of issues with the aim of reaching consensus among the Partners.
- 1.2.3 The WLPB will function through engagement between its members so that each Partner makes a decision in respect of, and expresses its views about, each matter considered by the WLPB. The decisions of the WLPB will, therefore, be the decisions of the Partners, the mechanism for which shall be authority delegated by the Partners to their representatives on the WLPB.
- 1.2.4 Each Partner shall delegate to its representative on the WLPB such authority as is agreed to be necessary in order for the WLPB to function effectively in discharging the duties within these ToR. The Partners shall ensure that each of their representatives has equivalent delegated authority. Authority delegated by the Partners shall be defined in writing and agreed by the Partners, and shall be recognised to the extent necessary in the Partners' own schemes of delegation (or similar).
- 1.2.5 The Partners shall ensure that the WLPB members understand the status of the WLPB and the limits of the authority delegated to them.
- 1.2.6 Delegated authority - The WLPB voting membership are authorised within the limit of delegated authority for its members (received through their respective organisation's execution of the MoU) to:
 - a) authorise commitments up to the aggregate contributions of the Partners to any Pooled Fund
 - b) authorise a Commissioner Partner to enter into any contract for services necessary for the provision of Services under an Individual Scheme
 - c) authorise additional/new schemes, modify or terminate existing schemes; and
 - d) the wiring of funds between pools, up to the aggregate contributions of the Partners to the Pooled Funds

1.3 Shared Principles

Our shared principles are:

- a) working towards a shared vision of integrated service provision;
- b) committing to delivery of system outcomes in terms of clinical matters, patient experience and financial matters;

- c) committing to common processes, protocols and other system inputs;
- d) committing to work together and to make system decisions on a best for users and the Wokingham pound basis;
- e) taking responsibility to make unanimous decisions on a Best for Service basis;
- f) always demonstrate the Service Users' best interests are at the heart of our activities;
- g) adopting an uncompromising commitment to trust, honesty, collaboration, innovation and mutual support;
- h) establishing an integrated collaborative team environment to encourage open, honest and efficient sharing of information, subject to competition law compliance;
- i) adopting collective ownership of risk and reward, including identifying, managing and mitigating all risks in performing respective obligations;
- j) co-producing with others, especially service users, families and carers, in designing and delivering the services.

1.4 Responsibilities

1.4.1 The WLPB will:

- a) ensure alignment of all organisations to Wokingham's Integrated Health and Social Care System vision and objectives;
- b) promote and encourage commitment to the Partnership Principles and Partnership Objectives amongst all Partners;
- c) formulate, agree and ensure that implementation of strategies for achieving the Partnership Objectives and the management of the Partnership;
- d) discuss strategic issues and resolve challenges such that the Partnership Objectives can be achieved;
- e) respond to changes in the operating environment, including in respect of national policy or regulatory requirements, which impact upon the Partnership or any Partners to the extent that they affect the Partners' involvement in the Partnership;
- f) agree policy as required;
- g) agree performance outcomes/targets for the Partnership such that it achieves the Partnership Objectives;
- h) determine the Terms of Reference for the WMPB.
- i) review the performance of the Partnership, holding the WMPB to account, and determine strategies to improve performance or rectify poor performance;
- j) ensure that the WMPB identifies and manages the risks associated with the Partnership, integrating where necessary with the Partners' own risk management arrangements;
- k) generally ensure the continued effectiveness of the Partnership, including by managing relationships between the Partners and between the Partnership and its stakeholders;
- l) ensure that the Partnership accounts to relevant regulators and other stakeholders through whatever means are required by such regulators or are determined by the WLPB, including, to the extent relevant,

- integration with communications and accountability arrangements in place within the Partners;
- m) address any actual or potential conflicts of interests which arise for members of the WLPB or within the Partnership generally, in accordance with a protocol to be agreed between the Partners (such protocol to be consistent with the Partners' own arrangements in respect of declaration and conflicts of interests, and compliant with relevant statutory duties);
 - n) oversee the implementation of, and ensure the Partners' compliance with, this MoU and all other Services Contracts;
 - o) review the governance arrangements for the Partnership at least annually.
- 1.4.2 The Partners agree to adopt the following principles when carrying out the development of the Wokingham Integrated Partnership:
- a) collaborate and co-operate. Establish and adhere to the governance structure set out in this MoU to ensure that activities are delivered and actions taken as required to deliver change collectively;
 - b) be accountable. Take on, manage and account to each other and the wider system e.g. The Berkshire West 10 and ICS for performance of the respective roles and responsibilities set out in this MoU;
 - c) be open. Communicate openly about major concerns, issues or opportunities relating to the Partnership and be transparent adopting an open book approach wherever possible (acknowledging the Partners requirements under paragraph d below);
 - d) adhere to statutory requirements and best practice. Comply with applicable laws and standards including procurement rules, competition law, data protection, information governance and freedom of information legislation;
 - e) act in a timely manner. Recognise the time-critical nature of the Partnership and respond accordingly to requests for support;
 - f) manage stakeholders effectively with a clear intention to engage with all relevant stakeholders in the development of the Partnership and to look towards the future
 - g) deploy appropriate resources. Ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this MoU; and
 - h) act in good faith to support achievement of the Key Objectives and compliance with these Principles and to develop appropriate "Rules of Engagement" between stakeholders in the Partnership.

1.5 Accountability

- 1.5.1 The WLPB is accountable to the Partners and to address all regulatory requirements and accountability to relevant stakeholders.
- 1.5.2 The minutes of the WLPB will be sent to the Partners within one week following each meeting.

- 1.5.3 The minutes shall be accompanied by a report on any matters which the Chair considers to be material. It shall also address any minimum content for such reports agreed by the Partners.

1.6 Membership and Quorum

- 1.6.1 Each Partner will appoint one WLPB member and the Partners will at all times maintain their WLPB members on the WLPB. A Partner may remove or replace any of their respective WLPB Members at any time subject to the consent of the other WLPB Members, such consent not to be unreasonably withheld or delayed.
- 1.6.2 Unless otherwise agreed in writing by the WLPB, any such appointment or removal will take effect upon service of a notice in writing by the relevant Partner on the other Partners.
- 1.6.3 With respect to the matters contained in this MoU, the voting membership of the WLPB will comprise:
- a) Director of Operations from NHS Berkshire West CCG, Wokingham Locality
 - b) Director of People Services from Wokingham Borough Council
 - c) Locality Director from Berkshire Healthcare Foundation Trust
 - d) Medical Director from Wokingham GP Alliance
 - e) Director of Operations, Networked Care, Royal Berkshire NHS Foundation Trust
- (N.B. as part of the formal annual review of the ToR, voting membership should be an employee from each of the above organisations with the appropriate authority and therefore may be subject to change)
- 1.6.4 The following persons may attend meetings of the WLPB as advisors/observers but will not have voting rights:
- a) Partnership Programme Manager
 - b) Partnership Finance Lead
 - c) Partnership Project Support Officer
 - d) Chief Executive from Optalis
 - e) Deputy Chief Executive from Wokingham Borough Council
 - f) Locality Clinical Lead from NHS Berkshire West CCG, Wokingham Locality
 - g) BW10 Programme Manager
- 1.6.5 Other members/attendees may be co-opted as necessary.
- 1.6.6 The WLPB will be quorate if three quarters of its voting members are present, subject to the members present being able to represent the views and decisions of the Partners who are not present at any meeting.
- 1.6.7 No matter will be recommended at any meeting unless all WLPB members are in agreement. If not all members are present at a meeting decisions will be ratified via telephone or email following the meeting. A quorum will not be

present unless at least one (1) WLPB member from CCG, Council, BHFT, RBFT and the WGPA WLPB members are in attendance.

- 1.6.8 Subject to the prior approval of the WLPB, any Leader Board Member may, appoint an alternate WLPB member to act on their behalf. An alternate WLPB member will be entitled to attend and be counted in the quorum at which the WLPB member appointing them is not personally present and do all the things which their appointing WLPB member is entitled to do.
- 1.6.9 The Partners will all ensure that, except for urgent or unavoidable reasons that their respective WLPB members (or their appointed alternate) attend and fully participate in the meetings of the WLPB.

1.7 Conduct of Business

- 1.7.1 Meetings will be held monthly.
- 1.7.2 The WLPB members shall agree and appoint a person with suitable experience to be the Chair of the WLPB (the 'Chair') and until such appointment is made the role of Chair shall be filled by the nominated CCG member (who will also act as a member of the WLPB).
- 1.7.3 Where the Chair is absent, the Deputy Chair shall take on the role of the Chair.
- 1.7.4 The agenda will be developed in discussion with the Chair. Circulation of the meeting agenda and papers via email will take place one week before the meeting is scheduled to take place. In the event members wish to add an item to the agenda they need to notify the Partnership Programme Manager who will confirm this with the Chair accordingly.
- 1.7.5 At the discretion of the Chair business may be transacted through a teleconference or videoconference provided that all members present are able to hear all other parties and where an agenda has been issued in advance.
- 1.7.6 At the discretion of the Chair a decision may be made on any matter within these ToR through the written approval of every member, following circulation to every member of appropriate papers and a written resolution. Such a decision shall be as valid as any taken at a quorate meeting but shall be reported for information to, and shall be recorded in the minutes of, the next meeting.

1.8 Decision Making and Voting

- 1.8.1 The WLPB will aim to achieve consensus for all decisions of the Partners.
- 1.8.2 Decisions pertaining to the provision of Services and Individual Schemes within the MoU shall be made by unanimous agreement of the voting membership. Where unanimity is not reached then the decision in question

will in the first instance be referred to the next meeting of the group. If no unanimity is reached on the second occasion it is discussed then the matter shall be dealt with in accordance with the dispute resolution procedure set out in the MoU.

1.8.3 Where one or more of the following criteria is met a decision may be made outside of a formal WLPB meeting, subject to the unanimous agreement of all partners:

- a) The delay in decision making is anticipated to have a significant detrimental impact on one or more partner organisations ability to deliver their integration programme objectives; and / or,
- b) The financial impact or expenditure is not anticipated to exceed £50,000

1.8.4 Decisions made in this manner must be accompanied by a retrospective business case at the next scheduled WLPB meeting to ensure a suitable audit trail and record of decisions made. Where unanimity cannot be reached clause 4.7.4 will apply.

1.9 Conflicts of Interests

1.9.1 The members of the WLPB must refrain from actions that are likely to create any actual or perceived conflicts of interests.

1.9.2 The WLPB shall develop and approve a protocol for addressing actual or potential conflicts of interests among its members (and those of the WMPB). The protocol shall at least include arrangements in respect of declaration of interests and the means by which they will be addressed. It shall be consistent with the Partners' own arrangements in respect of conflicts of interests, and any relevant statutory duties.

1.10 Confidentiality

1.10.1 Information obtained during the business of the WLPB must only be used for the purpose it is intended. Particular sensitivity should be applied when considering financial, activity and performance data associated with individual services and institutions. The main purpose of sharing such information will be to inform new service models and such information should not be used for other purposes (e.g. performance management, securing competitive advantage in procurement).

1.10.2 Members of WLPB are expected to protect and maintain as confidential any privileged or sensitive information divulged during the work of the Partnership. Where items are deemed to be privileged or particularly sensitive in nature, these should be identified and agreed by the Chair. Such items should not be disclosed until such time as it has been agreed that this information can be released.

1.11 Support

- 1.11.1 Support to the WLPB will be provided as part of a programme management approach.
- 1.11.2 The programme structure and supporting work groups will be developed and agreed as part of the WLPB work plan.

1.12 Review

- 1.12.1 These WLPB ToR will be formally reviewed annually in April.

PART 2

WOKINGHAM MANAGEMENT PARTNERSHIP BOARD – TERMS OF REFERENCE

1.1 Purpose

The Wokingham Management Partnership Board (WMPB) will be responsible for the day to day leadership, management and support of the activities of the Wokingham Integrated Partnership in accordance with our Shared Principles in order to meet the Key Objectives agreed by the WLPB. The focus of the WMPB is to have a tactical level of detail, ensuring the processes are in place to support high quality outcomes for services and the population of the Wokingham Borough.

1.2 Shared Principles

Our shared principles are:

- a) working towards a shared vision of integrated service provision;
- b) committing to delivery of system outcomes in terms of clinical matters, patient experience and financial matters;
- c) committing to common processes, protocols and other system inputs;
- d) committing to work together and to make system decisions on a best for users and the Wokingham pound basis;
- e) taking responsibility to make unanimous decisions on a Best for Service basis;
- f) always demonstrate the Service Users' best interests are at the heart of our activities;
- g) adopting an uncompromising commitment to trust, honesty, collaboration, innovation and mutual support;
- h) establishing an integrated collaborative team environment to encourage open, honest and efficient sharing of information, subject to competition law compliance;
- i) adopting collective ownership of risk and reward, including identifying, managing and mitigating all risks in performing respective obligations;
- j) co-producing with others, especially service users, families and carers, in designing and delivering the services.

1.3 Key Objectives

The Partnership Objectives agreed by the Partners are to deliver sustainable, effective and efficient Services with significant improvements over the Term. In particular the Partners have agreed the following:

To further strengthen the whole system approach through effective governance, with clear understanding of the commissioner/provider relationship

The Partners have three key objectives for the Wokingham Integrated Partnership:

- a) to increase the emphasis on primary prevention, health and wellbeing and ensuring integrated, high quality, affordable and sustainable health and care services are delivered in the most appropriate way;

- b) to improve quality of care through better outcomes and experience for patients and achieving constitutional standards and meet the BCF National Conditions and Local Objectives; and
- c) to operate a financially sustainable system by making more effective use of resources through the establishment and maintenance of a pooled fund for revenue expenditure on the Schemes.

1.4 Status and authority

- 1.4.1 The Wokingham Integrated Partnership is established by the Partners, who remain sovereign organisations, to provide a financial and governance framework for the delivery of the Services. The Partnership is not a separate legal entity, and as such is unable to take decisions separately from the Partners or bind its Partners; nor can one or more Partners 'overrule' any other Partner on any matter (although all Partners will be obliged to comply with the terms of the MoU).
- 1.4.2 The MoU establishes the WMPB to manage the Partnership on behalf of the Partners. As a result of the status of the Partnership the WMPB is unable in law to bind any Partner so it will function as a forum for discussion of issues with the aim of reaching consensus among the members.

1.5 Partners

- 1.5.1 The WMPB will function through engagement between its members so that each Partner makes a decision in respect of, and expresses its views about, each matter considered by WMPB. The decisions of the WMPB will, therefore, be the decisions of the Partners, the mechanism for which shall be authority delegated by the Partners to their representatives on the WLPB.
- 1.5.2 Each Partner shall delegate to its representative on the WMPB such authority as is agreed to be necessary in order for the WMPB to function effectively in discharging the duties within these ToR. The Partners shall ensure that each of their representatives has equivalent delegated authority. Authority delegated by the Partners shall be defined in writing and agreed by the Partners, and shall be recognised to the extent necessary in the Partners' own schemes of delegation (or similar).
- 1.5.3 The Partners shall ensure that the WMPB members understand the status of the WMPB and the limits of the authority delegated to them.

1.6 Responsibilities

- 1.6.1 The WMPB will:
 - a) promote and encourage commitment to the Partnership Principles and Partnership Objectives amongst all Partners;
 - b) implement strategies agreed by the WLPB to achieve the Partnership Objectives;
 - c) identify and escalate to the WLPB strategic issues and resolve challenges such that the Partnership Objectives can be achieved;

- d) implement decisions of the WLPB in response to changes in the operating environment, including in respect of national policy or regulatory requirements, which impact upon the Partnership or any Partners to the extent that they affect the Partners' involvement in the Partnership;
- e) make recommendations to WLPB for its approval or rejection on how services could be better delivered;
- f) provide clinical, professional and managerial leadership with regard to the services;
- e) manage the performance of the Partnership, accounting to the WLPB in this respect; supplying to the WLPB on a monthly basis the financial and activity information as required under this MoU.
- f) identify and manage the risks associated with the Partnership, integrating where necessary with the Partners' own risk management arrangements;
- g) implement arrangements through which the Partnership accounts to relevant regulators and other stakeholders through whatever means are required by such regulators or are determined by the WLPB, including, to the extent relevant, integration with communications and accountability arrangements in place within the Partners;
- h) address any actual or potential conflicts of interests which arise for members of the WMPB or within the Partnership generally, in accordance with a protocol to be agreed between the Partners (such protocol to be consistent with the Partners' own arrangements in respect of declaration and conflicts of interests, and compliant with relevant statutory duties).

1.7 Accountability

1.7.1 The WMPB is accountable to the WLPB.

1.7.2 The minutes of the WMPB will be sent to the members and WLPB within 1 week following each meeting.

1.7.3 The minutes shall be accompanied by a report on any matters which the Chair considers to be material. It shall also address any minimum content for such reports agreed by the WLPB.

1.8 Membership and Quorum

1.8.1 Each Partner will appoint and will at all times maintain WMPB member(s) on the WMPB. The Partnership Programme Manager (when acting as WMPB member) shall also act as the Chair of the WMPB and as the formal link between the WMPB and WLPB. Any Partner may remove or replace its WMPB member(s) by notice in writing to the other Partners at any time.

1.8.2 The WMPB Team will comprise:

- a) Partnership Programme Manager
- b) Head of CHASC
- c) Assistant Director of Integrated Adult Health and Social Care/Head of WISH
- d) Head of Head of Urgent Access Services, BHFT
- e) Head of CMHT, WBC/BHFT
- f) Head of Operations, Optalis
- g) Business Development Manager, Wokingham GP Alliance
- h) General Manager, Involve

- i) Head of Service, Royal Berkshire NHS Foundation Trust
- j) Public Health Consultant, Public Health, WBC
- k) Representative, Healthwatch, Wokingham

1.8.3 The following persons may attend meetings of the WMPB as observers but will not participate in decisions:

- a) Service Transformation Lead for CHASC, BCF Programme
- b) Partnership Project Support Officer
- c) Partnership Finance Lead

1.8.4 Other members/attendees may be co-opted as necessary, including:

- a) Category Manager – Housing Operations, WBC

1.8.5 The WMPB will be quorate if two thirds of its members are present, subject to the members present being able to represent the views and decisions of the Partners who are not present at any meeting.

1.8.6 Subject to the prior approval of the WMPB, any WMPB member may appoint an alternate WMPB member to act on their behalf. An alternate WMPB member will be entitled to attend and be counted in the quorum at which the WMPB member appointing him is not personally present and do all the things which his appointing WMPB member is entitled to do.

1.8.7 The Partners will each ensure that, except for urgent or unavoidable reasons, their respective WMPB member (or their appointed alternate) attends and fully participates in all of the meetings of WMPB.

1.8.7 The WMPB will be chaired by Partnership Programme Manager (the ‘Chair’) and Assistant Director of Adult Health and Social Care will be the Deputy Chair.

1.8.8 Where the Chair is absent, the Deputy Chair shall take on the role of the Chair.

1.9 Conduct of Business

1.9.1 Meetings will be held monthly.

1.9.2 The agenda will be developed in discussion with the Chair. Circulation of the meeting agenda and papers via email will take place one week before the meeting is scheduled to take place. In the event members wish to add an item to the agenda they need to notify Partnership Programme Manager and will confirm this accordingly.

1.9.3 At the discretion of the Chair business may be transacted through a teleconference or videoconference provided that all members present are able to hear all other parties and where an agenda has been issued in advance.

1.9.4 At the discretion of the Chair a decision may be made on any matter within these ToR through the written approval of every member, following circulation

to every member of appropriate papers and a written resolution. Such a decision shall be as valid as any taken at a quorate meeting but shall be reported for information to, and shall be recorded in the minutes of, the next meeting.

1.10 Decision Making and Voting

- 1.10.1 The WMPB will aim to achieve consensus for all decisions of the Partners.
- 1.10.2 Each WMPB member (or its alternate) will have an equal say in discussions and will look to agree recommendations on the basis of the Shared Principles.
- 1.10.3 To promote efficient decision making at meetings of the WMPB it shall develop and approve detailed arrangements through which proposals on any matter will be developed and considered by the Partners with the aim of reaching a consensus. These arrangements shall address circumstances in which one or more Partners decide not to adopt a decision reached by the other Partners.

1.11 Conflicts of Interests

- 1.11.1 The members of WMPB must refrain from actions that are likely to create any actual or perceived conflicts of interests.
- 1.11.2 The WMPB shall adopt and comply with the protocol for addressing conflicts of interests as approved by the WLPB (Schedule 4).

1.12 Confidentiality

- 1.12.1 Information obtained during the business of the WMPB must only be used for the purpose it is intended. Particular sensitivity should be applied when considering financial, activity and performance data associated with individual services and institutions. The main purpose of sharing such information will be to inform new service models and such information should not be used for other purposes (e.g. performance management, securing competitive advantage in procurement).
- 1.12.2 Members of WMPB are expected to protect and maintain as confidential any privileged or sensitive information divulged during the work of the Partnership. Where items are deemed to be privileged or particularly sensitive in nature, these should be identified and agreed by the Chair. Such items should not be disclosed until such time as it has been agreed that this information can be released.

1.13 Support

- 1.13.1 Support to WMPB will be provided as part of a programme management approach.
- 1.13.2 The programme structure and supporting work groups will be developed and agreed as part of the WMPB work plan.

1.14 Review

1.14.1 These WMPB ToR will be formally reviewed annually in April.

SCHEDULE 3 CONFIDENTIALITY

- 1.1 In respect of any Confidential Information a Partner receives from another Partner (the "Discloser") and subject always to the remainder of this Schedule 3, each Partner (the "Recipient") undertakes to keep secret and strictly confidential and shall not disclose any such Confidential Information to any third party, without the Discloser's prior written consent provided that:
 - 1.1.1 the Recipient shall not be prevented from using any general knowledge, experience or skills which were in its possession prior to the Commencement Date; and
 - 1.1.2 the provisions of this Schedule 3 shall not apply to any Confidential Information which:
 - (a) is in or enters the public domain other than by breach of the MoU or other act or omission of the Recipient; or
 - (b) is obtained by a third party who is lawfully authorised to disclose such information.
- 1.2 Nothing in this Schedule 3 shall prevent the Recipient from disclosing Confidential Information where it is required to do so in fulfilment of statutory obligations or by judicial, administrative, governmental or regulatory process in connection with any action, suit, proceedings or claim or otherwise by applicable Law.
- 1.3 Each Partner:
 - 1.3.1 may only disclose Confidential Information to its employees and professional advisors to the extent strictly necessary for such employees to carry out their duties under the MoU; and
 - 1.3.2 will ensure that, where Confidential Information is disclosed in accordance with clause 1.3.1, the recipient(s) of that information is made subject to a duty of confidentiality equivalent to that contained in this Schedule 3;
 - 1.3.3 shall not use Confidential Information other than strictly for the performance of its obligations under this MoU

SCHEDULE 4

CONFLICTS OF INTEREST, TRANSPARENCY AND ETHICAL WALLS

1.1. Conflicts of Interest

The Partners shall comply with this schedule 4 for identifying and managing conflicts of interest as set out in this schedule 4 in points 1.1.1 and 1.2.1

- 1.1.1 The Partners agree to comply with the Policies of each organisation (as amended from time to time).
1. 1.2 In the event of a conflict those of the designated Host Authority shall prevail.

1.2. Transparency and Ethical Walls

1.2.1 Partners will provide to each other all information that is reasonably required in order to achieve the partnership outcomes and to design and implement changes to the ways in which services are delivered (and where the services are delivered from).

1.2.2 . Partners will have responsibilities to comply with competition laws and partners acknowledge that partners will all comply with those obligations. Partners will therefore make sure that partners share information, and in particular competition sensitive information, in such a way that is compliant with competition law.

1.2.3. No matter what else is written in the provider partners will ensure that they provide the commissioner partners with all financial cost resourcing, activity or other information as the commissioner partners may require so that the commissioner partners can be satisfied that the partnership outcomes, in particular those of a financial nature, are being satisfied.

1.2.4. The partners will make sure the partner leadership team establishes appropriate ethical walls between and within the provider partners so as to ensure that competition sensitive information and confidential information are only available to those members of the provider partners who need to see it for the purposes of the partnership and for no other purpose whatsoever so partners do not breach competition law.

1.2.5. It is accepted by the partnership that the involvement of the provider partners in the partnership is likely to give rise to situations where information will be generated and made available to the provider partners, which could give the provider partners an unfair advantage in competitions which may be capable of distorting such competitions (for example, disclosure of pricing information or approach to risk may provide one provider partner with a commercial advantage over a separate provider partner).

1.2.6 The provider partners therefore recognise the need to manage the information referred to in clause 1.2.5 above in a way which maximises their opportunity to take part in competitions by putting in place appropriate procedures, such as ethical walls.

1.2.7 A provider partner will have the opportunity to demonstrate to the reasonable satisfaction of the commissioner partners in relation to any competitive procurements that the information it has acquired as a result of its participation in the partnership, other than as a result of a breach of this MoU, does not preclude the commissioner partners from running a fair competitive procurement in accordance with the commissioner partners' legal obligations.

1.2.8 Notwithstanding clause 1.2.7 above, the commissioner partners reserve their rights to take such measures as they consider necessary in relation to such competitive procurements in order to comply with their obligations under legislation (for example, the public contract regulations 2015 and the national health service (procurement, patient choice and competition) (no 2) regulations 2013) including, but not limited to, excluding any potential bidder from the competitive procurement in accordance with the laws governing that competitive procurement.

1.2.9 Nothing in this MoU shall absolve any of the provider partners from their obligations under each service contract, particularly in relation to ensuring that the services are provided in accordance with the requirements of the relevant service contract.

1.2.10 Where there are any patient safety incidents or information governance breaches relating to the services, for example, the provider partners shall ensure that they each comply with their individual service contract and, where required by the commissioner partners, work collectively and share all relevant information to that patient safety incident or information governance breach (or other similar issue) for the purposes of any investigations and/or remedial plans to be put in place, as well as for the purposes of learning lessons in order to avoid such patient safety incident or information governance breach in the future.

1.2.11 Without prejudice to any obligations in the service contracts, the provider partners shall each notify the partner leadership team of any serious incident that has arisen in connection with the relevant provider partner's involvement in providing the services set out in the service contract, without delay and no longer than two (2) business days of that serious incident taking place.

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