

**MINUTES OF A MEETING OF  
THE EXECUTIVE  
HELD ON 21 FEBRUARY 2019 FROM 7.00 PM TO 7.25 PM**

**Committee Members Present**

Councillors: Julian McGhee-Sumner (Chairman), Pauline Jorgensen, Stuart Munro, Pauline Helliar-Symons, John Halsall, Anthony Pollock, Parry Batth, Simon Weeks and Philip Mirfin

**Other Councillors Present**

Keith Baker  
Gary Cowan  
Richard Dolinski  
Philip Houldsworth  
Norman Jorgensen  
Abdul Loyes  
Malcolm Richards  
Angus Ross  
Imogen Shepherd-DuBey  
Rachelle Shepherd-DuBey  
Shahid Younis

**96. APOLOGIES**

There were no apologies for absence received.

**97. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Executive held on 31 January 2019 were confirmed as a correct record and signed by the Leader of Council.

**98. DECLARATION OF INTEREST**

There were no declarations of interest received.

**99. PUBLIC QUESTION TIME**

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

**99.1 Rachel Bishop-Firth asked the Executive Member for Highways and Transport the following question:**

**Question**

The residents on Outfield Crescent are complaining that commuters parking at the entrances at either end of the Crescent are creating a hazard for other road users and pedestrians, particularly children, and could potentially block emergency vehicles. This hazard could be eliminated if the double yellow lines were extended further down the road. What steps do residents need to take to get this to happen?

**Answer**

The issues with commuters parking on the Crescent, as far as illegal parking is concerned, is a matter for the Police. So if you find that they are parking dangerously or parking on corners or anything like that you should report it to the Police. Hazardous parking is definitely a Police matter.

Outfield Crescent itself is an unadopted road and we do not have legal authority to introduce waiting and loading restrictions on it. Despite that, as I said, it is an offence and you should report it to the Police as an obstruction.

### **Supplementary Question**

In that case what action do I need to take or who do I need to take that to, to get action taken?

### **Supplementary Answer**

You need to report it to the Police obviously as it is not an adopted road. We cannot put parking restrictions on it.

## **99.2 Christopher Neale asked the Executive Member for Planning and Enforcement the following question:**

### **Question**

The Council has stated that it seeks to protect the integrity of the Green Belt. However, it is clear from the Judgment of HHJ Angela Morris, that has been upheld by the Court of Appeal (Criminal Division), that the Council has not acted with integrity towards Mr Scott and others. The Council has been adjudged to have acted in a way that was, "unjust and unfair and so offends the court's sense of justice that it must stay the proceedings...to protect the integrity of the criminal justice system (para.93)". It is hard to think of a more serious finding that the Court could have found. Why then, and as reported in the local press, has the Council dismissed out of hand the matter of an internal investigation into the conduct of the relevant Councillors and Officers whose actions gave rise to these findings? I therefore formally request that the Council must reconsider its position - if it is not prepared to do so then please justify fully why it is so dismissive of these findings, as Council Tax payers and people having dealings with the Council, particularly in respect of planning issues, need to be confident that they will be treated in a fair and just way in accordance with the rules of natural justice.

### **Answer**

Wokingham Borough Council is in no way dismissive of the findings or of residents' concerns over this issue. When the Leader of the Opposition asked about this at the last Executive meeting on 31 January I expressly stated that he had raised a valid point and suggested we meet the Head of Planning in order to discuss what lessons could be learnt from these events and I am pleased to say that I have had confirmation of a date back from the Leader of the Opposition. In your question you quote two lines of a very lengthy judgement. I will quote one line from the same judgement: "Other judges may have decided this case differently". Indeed they have done so in several previous cases where the Council has taken similar action against repeated breaches of planning and where the courts have always supported our approach and found in our favour.

I maintain that it is vital that we vigorously protect the Green Belt against unlawful development whilst securing the integrity of the planning process. But am very keen to learn what, if anything, we could have done differently in this case.

However, focussing on court processes misses the point that Wokingham Borough Council has successfully protected the Green Belt from unlawful development and upheld the planning process.

Finally I would remind you that despite the Court of Appeal's judgement both the High Court injunction and the two year suspended prison sentence remain in force.

### **Supplementary Question**

I am grateful to hear that you are prepared to take this item forward with the Head of Planning and that is to be welcomed. I do, however, take issue with the statement that it might well have been considered differently by other courts. The reason being that in this instance the Council has been woefully found to be short in terms of complying with the requirements of the law of this country and therefore the Court of Appeal had no difficulty in upholding the decision of Her Honour Angela Morris and that is the important issue here. It is reputational for Wokingham Borough Council and I would submit that it would be in your interest, as much as those of myself as a council tax payer and other residents and the business world at large, for this matter to be fully addressed and then a line drawn under it so that people will have confidence going forward that the Council is acting as Caesar's wife beyond approach. Therefore I would ask you to please reconsider that aspect of your comment?

### **Supplementary Answer**

You may have misunderstood the quote. The quote that "other judges may have decided the case differently" was that pronounced by the Court of Appeal.

Mr Neale clarified that the quote was in the finding of Her Honour Judge Morris but it had been upheld by the Court of Appeal who found nothing wrong with Her Honour's judgement.

Councillor Weeks responded as follows:

I do not disagree that was what the Court said but just to clarify I have already explained that we are having a meeting with the Leader of the Opposition to review it and I would suggest it would be appropriate that we wait until the outcome of those discussions and any conclusion we come from that to see whether it would be appropriate to take it any further.

## **100. MEMBER QUESTION TIME**

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

### **100.1 Rachelle Shepherd-DuBey asked the Executive Member for Highways and Transport the following question:**

#### **Question**

When will the Winnersh Relief Road Part 2 construction begin and when is it scheduled to be completed?

#### **Answer**

The planning permission for Winnersh Relief Road Phase 2, which is the B3030 King Street Lane to A329 Reading Road, was granted in October 2018. Enabling works including vegetation and tree clearance has started and this is due to complete by the end of this month. The main construction is due to start during Autumn 2019 and is programmed to be completed by Summer 2020.

### **Supplementary Question**

Can we actually finish the Winnersh Relief Road part first before starting on the NWDR roundabout? The reason for that is the NWDR will not actually have any road attached to

the roundabout until the road is built for a while. So if we could at least do the Winnersh Relief Road part first the residents can use it in the meantime and then build the NWDR roundabout?

### **Supplementary Answer**

I will take that back to the Officers and see if that is possible.

### **100.2 Gary Cowan asked the Executive Member for Finance, HR and Corporate Resources the following question:**

#### **Question**

Agenda page 135 bullet point 3 refers to the ability for residents to track the progress of their issue as it is resolved by the Council. How will this work in practice?

#### **Answer**

Through the introduction of new technology customers can now report issues or request services online and depending on the type of service they will be able to track progress of their case.

For example, a resident can submit their planning application online using the National Planning Portal. Once we have validated their application they will receive an acknowledgement email with a reference number. This reference number allows the resident to view their planning application via our online Planning Register, where they can track the progress of their case. As their application progresses the status will automatically update on this page until a decision is published.

Also, as part of the new Highways technology, residents will be able to visit our website and report a defect or request for service. The resident can request to receive an update on progress when reporting the issue, they will receive a reference number and a “click here” web link that will route them back to the enquiry on the website, where they can review the activity on their case.

An additional benefit is that residents will be able to upload photos of defects and pinpoint the exact location on a map. If the defect has already been reported, instead of expecting residents to duplicate the report to get feedback, they can subscribe to the “ongoing case” and the resident will be able to track progress through the website.

This is a significant improvement to the quality of our services to our residents.

#### **Supplementary Question**

I welcome that answer and it is very, very, helpful and I would add that my question should not be taken as a criticism of what goes on in this Council. The bottom line is that Century 21 is doing a very good job and is going the right way but the relationship between individual residents and the Council is, I think, being lost in the process. I did ask a question before about the availability of a telephone directory to Members perhaps even on the website. Could I suggest that as a matter of urgency this issue should be passed to Scrutiny to look at? I could have enlarged much more on this if you had wanted me to but obviously not.

#### **Supplementary Answer**

Because this is really part of 21<sup>st</sup> Century Council and the ongoing review of that, I think it will be included in the review of the progress of 21<sup>st</sup> Century Council as Scrutiny

scrutinises that programme. I do not think I would want to send it back specifically but I think it needs to be included in what is already being done.

In response to Gary Cowan's query about whether a telephone directory of Council Officers could be provided for members of the public Councillor Pollock responded as follows:

I think you are being disingenuous. One of the points of 21<sup>st</sup> Century Council is that there are people at the end of a telephone to answer residents' queries and that we try and protect specialists so that they can get on with their specialist roles. We have more people who can answer more of the questions of residents so there is nothing in 21<sup>st</sup> Century Council that seeks to disenfranchise anyone who is unable to use the new technology and we are thoroughly committed to ensuring that all of our residents are able to access our services. So I think you misunderstand there. I think the question around the technology and the question around how it works in practice, how people who cannot use it, is the role of Scrutiny as they scrutinise the 21<sup>st</sup> Century programme.

### **100.3 Imogen Shepherd-DuBey asked the Executive Member for Health and Wellbeing, Adult Social Care and Housing the following question:**

#### **Question**

Many of the rental garages in the Wokingham Borough Council area are in a very poor state. Often with warped woodwork, leaking roofs and peeling paint. In Agenda item 99, it is stated that the garage rents will be going up by 3.70%. Could you please reassure that this money is being spent on maintenance of these garages and not other projects?

#### **Answer**

Yes I can confirm that any additional income will go to the Housing Revenue Account that is used to manage and maintain those garages.

As you rightly point out many garages are in a very poor condition, approximately 139 are unlettable due to their condition.

In the next financial year the Housing Team have earmarked £100,000 to continue the ongoing work to either refurbish those garages where it is viable to do so, or demolish those garage blocks that are beyond economical repair.

Where there have been demolitions in the past some of the sites have been developed for much needed affordable housing and those that have not been developed have been converted to open parking. Where this has occurred, it has been well received by the tenants, the residents and Ward Members.

#### **Supplementary Question**

It is good to hear and I am hoping that these garages will get a coat of paint. Will there be a plan of action for all of these garages?

#### **Supplementary Answer**

I would suspect that there would be a plan and I can confirm that.

### **101. HOUSING REVENUE ACCOUNT BUDGET 2019/20**

The Executive considered a report setting out the proposed Housing Revenue Account Budget for 2019/20.

When introducing the report the Executive Member for Health and Wellbeing explained that the Housing Revenue Account (HRA) was a ring fenced account which meant that it must be self-financing and expenditure must be paid for by the tenants through rent and service charges. In addition HRA expenditure could not be funded by council tax and similarly HRA income should not be used to pay for general fund services.

Following a query by Councillor Weeks Councillor Bath confirmed that in accordance with the Government's previous requirement, which was introduced in 2015, the Council had been obliged to reduce council house rents by 1% over the last three years however this was the final year that the Council had to do so.

**RESOLVED** that Council be recommended to approve:

- 1) the Housing Revenue Account budget;
- 2) Council house dwelling rents be reduced by 1% effective from April 2019 in line with the Welfare Reform and Work Act 2015;
- 3) garage rents be increased by 3.70% effective from April 2019 in line with Council fees and charge;
- 4) Shared Equity Rents will be increased by 3.27% based on September RPI, effective from April 2019;
- 5) Tenant Service Charges are set in line with estimated costs.
- 6) the Housing Major Repairs (capital) programme for 2019/20 as set out in Appendix C.
- 7) Sheltered room guest charges increase from £9.00 per night to £9.50 per night.

## **102. CAPITAL PROGRAMME AND STRATEGY 2019/22**

The Executive considered a report setting out the proposed Capital Programme and Strategy for 2019/22.

The Executive Member for Finance went through the report and advised Members that there was one correction on page 44 of the agenda in that the Council planned to make capital investment of £486 million over the next three years and not "£484 million over the next 10 years" as stated in the covering report.

Councillor Pollock commented that although the Capital Programme was ambitious it was one he believed was affordable, prudent and sustainable and highlighted a number of areas where improvements would be made to services provided to residents.

**RESOLVED** that Council be recommended to:

- 1) approve the Capital strategy for 2019/22 - Appendix A;
- 2) approve the 3 year capital programme 2019/22 – Appendix B;
- 3) note the draft vision for capital investment over the next 10 years - Appendix C;

- 4) approve the developer contributions S106 and CIL as set out in Appendix D. The S106 and CIL values are estimated and approval is sought up to the scheme budget;
- 5) note the commercial activities of the Council – Appendix E.

### **103. TREASURY MANAGEMENT STRATEGY 2019/22**

The Executive considered a report setting out the proposed Treasury Management Strategy for 2019/20-2021/22.

The Executive Member for Finance introduced the report and advised the meeting that the Strategy formed part of the Council's affordability and sustainability calculations because it linked through to the Capital Programme and demonstrated how the projects would be funded. It also showed that the Programme was being funded on a safe and sustainable basis. In addition the Strategy sets out the Council's investments and Councillor Pollock explained that because money was often received in advance of projects due to be undertaken this money was used efficiently and effectively. He further reported that the Council continued to take a cautious approach to investments and all investments were linked to UK assets.

**RESOLVED** that Council be recommended to approve the following:

- 1) Capital Prudential indicators, 2019/20;
- 2) Borrowing strategy 2019/20;
- 3) Annual Investment Strategy 2019/20;
- 4) Flexible use of capital receipts strategy;
- 5) MRP policy; and
- 6) Treasury indicators: limits to borrowing activity 2019/20.

### **104. MEDIUM TERM FINANCIAL PLAN 2019/22 REVENUE BUDGET SUBMISSION 2019/20**

The Executive considered a report setting out a proposed Medium Term Financial Plan for 2019/22 and the Revenue Budget Submission for 2019/20.

The Leader of Council informed the meeting that since the publication of the agenda two amendments to the Medium Term Financial Plan (MTFP) had been received: the precept for the Police and Crime Commissioner for the Thames Valley had now been confirmed as £14,476,050 rather than the provisional figure of £14,476,029; and the total 2019/20 precept for Winnersh Parish Council had also now been confirmed as £137,314 rather than the provisional figure of £137,325 as set out in the MTFP papers.

The Executive Member for Finance highlighted a number of areas in the MTFP document including the Summary of Budget Movements table for 2019/20, as set out on page 129 of the agenda, which documented changes to various budget lines and also showed the investments and savings that were being made in Council services.

Councillor Pollock also reiterated that the Council did not receive any Revenue Support Grant from the Government and was almost wholly financed by council tax. He felt that the fact that the Council was not cutting services and was in fact investing in and improving services was a great credit to the work of Members and Officers.

**RESOLVED** that:

- 1) Council be recommended to approve the Medium Term Financial Plan (MTFP) 2019/22, including the budget submission for 2019/20 and the changes put forward at the meeting;
- 2) the amended schedule of fees and charges as set out in Appendix B to the report, to be effective from the dates listed on the schedule, be approved.

#### **105. 21ST CENTURY COUNCIL - UPDATE**

The Executive considered a report which provided an update of the 21<sup>st</sup> Century Council Programme.

Members were informed by the Executive Member for Finance that the Programme was very important to the Council as it would ensure that service delivery was brought into the 21<sup>st</sup> Century eg by improving the availability of, and access to, Council services through digital channels. In addition it was noted that in relation to the Programme's £4m savings target it was expected that at the end of financial year 2019/20 the Programme would have secured £3m per annum worth of savings. The further £1m savings outstanding, related to Peoples' Services, would be dealt with as part of a wider set of efficiency and growth plans within the Medium Term Financial Plan and was expected to be delivered in the next 12 months through the work of the Adults' and Children's Improvement Boards.

**RESOLVED:** That the progress in implementing the 21<sup>st</sup> Century Council programme and the fact that future updates will be reported as part of the ongoing Revenue Monitoring Executive reports, as part of a broader Council wide continuous improvement programme be noted.

#### **106. STATEMENT OF COMMUNITY INVOLVEMENT**

The Executive considered a report relating to a proposed Statement of Community Involvement document which sets out how consultation will take place with the community on planning policy documents and planning applications.

Members were informed by the Executive Member for Planning and Enforcement that the Council was required to review and update it's Statement of Community Involvement document in order to keep it up to date and aligned with current thinking and guidance from the Government.

**RESOLVED** that:

- 1) the Statement of Community Involvement 2019 be adopted for use in consultation on planning matters;
- 2) the supporting Consultation Statement and Adoption Statement are noted and published on the Council's website.