



# WOKINGHAM BOROUGH COUNCIL

A Meeting of the **EXECUTIVE** will be held in David Hicks 1 -  
Civic Offices, Shute End, Wokingham RG40 1BN on  
**THURSDAY 28 MARCH 2019 AT 7.30 PM**

*Heather Thwaites*

Heather Thwaites  
Interim Chief Executive  
Published on 20 March 2019

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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

Julian McGhee-Sumner	Leader of the Council
Pauline Jorgensen	Deputy Leader, Highways and Transport
Stuart Munro	Business, Economic Development and Strategic Planning
Pauline Helliard-Symons	Children's Services
John Halsall	Environment, Leisure and Libraries
Anthony Pollock	Finance, HR and Corporate Resources
Parry Batth	Health and Wellbeing and Adult Social Care
Norman Jorgensen	Housing
Simon Weeks	Planning and Enforcement
Philip Mirfin	Regeneration

ITEM NO.	WARD	SUBJECT	PAGE NO.
105.		<p><b>APOLOGIES</b> To receive any apologies for absence</p>	
106.		<p><b>MINUTES OF PREVIOUS MEETING</b> To confirm the Minutes of the Executive Meeting held 21 February 2019.</p>	7 - 14
107.		<p><b>DECLARATION OF INTEREST</b> To receive any declarations of interest</p>	
108.		<p><b>PUBLIC QUESTION TIME</b> To answer any public questions</p> <p>A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice.</p> <p>The Council welcomes questions from members of the public about the work of the Executive</p> <p>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 <a href="http://www.wokingham.gov.uk/publicquestions">www.wokingham.gov.uk/publicquestions</a></p>	
108.1	<p>Evendons; Finchampstead North; Finchampstead South; Wescott</p>	<p>Adrian Mather has asked the Executive Member for Highways and Transport the following question:</p> <p><b>Question</b> The new southern distributor road will exit at Tesco roundabout on the Finchampstead Road. The Finchampstead Road is already one of the most congested roads in Wokingham, which is regularly</p>	

grid-locked. This new road will likely be used by large commercial vehicles, which will also increase the environmental impact and congestion. How many vehicles does WBC estimate will be added to this grid-locked road at peak-time?

108.2 Shinfield North;  
Shinfield South

Stephen Kitt has asked the Executive Member for Business, Economic Development and Strategic Planning the following question:

**Question**

The recent Shinfield Residents' petition debated in Council shows the alarm Shinfield's residents have. Shinfield has genuine issues around traffic congestion/gridlock, pollution, delayed doctors surgery appointments, hospital access, shortage of green open space and school places in this already over populated area and not all of the new development is completed yet.

What action if any is being taken to resolve these issues before any further development in Shinfield takes place before there is a disaster in the Shinfield area which I see would be the responsibility of Wokingham Borough Council.

108.3 Winnersh

Paul Fishwick has asked the Executive Member for Highways and Transport the following question:

**Question**

The section of King Street Lane Winnersh between Sainsbury's and Allnatt Avenue has been flooded on at least 22 occasions between 26<sup>th</sup> March 2018 and 6<sup>th</sup> March 2019 and on many occasions during dry weather conditions.

This flooding causes surface water to flow into adjacent properties gardens and pedestrians and cyclists find it difficult to travel along the highway without wading through water. The flooding events normally last about 20 to 30 minutes then the water quickly drains away via the gullies and the surface water sewer system.

The Council are aware of this flooding issue but appear to have done nothing about it. What action is the Council taking to stop these regular flooding events?

108.4 Wescott

Keith Malvern has asked the Executive Member for Environment, Leisure and Libraries the following question:

### **Question**

I was very impressed to read the report on page 27 of the latest Wokingham Borough News about the sheer variety of what libraries are doing. '... libraries are changing, because what you want from us is changing'

Many people would be surprised and disappointed to read elsewhere that it is proposed to move the Wokingham library from its current purpose-built location to a new home. What improved facilities will be provided to justify this move?

109.

### **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

109.1 None Specific

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

### **Question**

I asked the Executive Member for Planning and Regeneration on 26-1-2017 the following question but due to my inability to attend the meeting the following written answer was provided to me: Question. With reference to the Judgment in the case of Gladman vs WBC case number Case No: CO/1455/2014 heard in July 2014 what were the implications of the judgement for Wokingham Borough Council, both the pros and the cons?

The reply was lengthy but the final paragraph was "The only thing I can think of is that the MDD challenge has now been superseded by an Objectively Assessed Need (OAN) of our housing numbers – this was reflected in the judgement. This is a technical assessment and evidence base. The Council has not signed up to providing this estimated need. This will be a process addressed through the Local Plan review".

If the Council has not signed up to the Objectively Assessed Need than why has our housing numbers risen from just over 600 in our adopted Core Strategy, which was subject to a full public consultation and a public inquiry, to an ever increasing number nearing 900 now without any public consultation and no public

inquiry?

109.2 Winnersh

Philip Houldsworth has asked the Executive Member for Highways and Transport the following question:

**Question**

The people of Winnersh have waited for over 30 years for the Winnersh Relief Road, now that the land clearance is complete, can we start the construction sooner rather than later and certainly sooner than previously indicated?

**Matters for Consideration**

110.	None Specific	<b>SHAREHOLDERS' REPORT</b>	<b>15 - 26</b>
111.	None Specific	<b>CEMETERY REGULATIONS</b>	<b>27 - 48</b>
112.	None Specific	<b>PROCUREMENT BUSINESS CASE - HOME TO SCHOOL TRANSPORT - COACH SERVICES</b>	<b>49 - 104</b>
113.	None Specific	<b>RE-COMMISSIONING OF THE INTEGRATED SEXUAL AND REPRODUCTIVE HEALTH SERVICE FOR BERKSHIRE WEST</b>	<b>105 - 112</b>

**EXCLUSION OF THE PRESS AND PUBLIC**

The Executive may exclude the press and public in order to discuss the Part 2 sheets of Agenda Item 113 above and to do so it must pass a resolution in the following terms:

That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

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.

**CONTACT OFFICER**

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**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.

<b>TITLE</b>	<b>Shareholders' Report</b>
<b>FOR CONSIDERATION BY</b>	The Executive on Thursday, 28 March 2019
<b>WARD</b>	None Specific;
<b>DIRECTOR</b>	Director of Corporate Services - Graham Ebers
<b>LEAD MEMBER</b>	Executive Member for Finance, HR and Corporate Resources - Anthony Pollock

**PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)**

Transparency in respect of Council Owned Companies

**RECOMMENDATION**

The Executive is asked to:

- 1) approve that Optalis Holdings Limited ('OHL') submits regular reports on the operational, financial and strategic performance of the companies in the Optalis group to WBC (Holdings) Limited and that a Wokingham appointed Director of OHL and the Managing Director of Optalis Limited attends the shareholder meetings of WBC (Holdings) Limited;
- 2) approve that the Group Operating Protocol ('GOP') between Wokingham Housing Limited, Loddon Homes Limited and Berrybrook Homes Limited and the Council shall be amended so that the Assistant Director of Housing and Place is recognised by the companies, WBC (Holdings) Limited and the Council as the officer with authority to agree and manage the financial and operational requirements in service contracts between the Council and the housing companies;
- 3) approve that the Assistant Director of Housing and Place shall attend the shareholder meetings of WBC (Holdings) Limited to discharge his overall responsibility to Housing;
- 4) approve that the modifications to the GOP, form and frequency of the reports and attendance by OHL and the AD shall be determined by the Board of WBC (Holdings) Limited;
- 5) note the budget monitoring position for the month ending 31<sup>st</sup> January 2019;
- 6) note the operational update for the period to 31 January 2019.

**EXECUTIVE SUMMARY**

This report is to request that the Executive approves changes to the governance arrangements around decision making and transparency and information exchange between the Council and the Council's wholly owned Councils.

Housing. The Council has established a group of wholly-owned housing subsidiaries in order to provide much both private and affordable housing across the Borough. The

Council is currently recruiting a new Assistant Director of Housing and Place (AD) to ensure that the Council's strategy for housing is formulated and then delivered and receives best value from suppliers whether it is the companies or a third party developer.

The Council as equity shareholder of the companies maintains its strategic oversight through the board of WBC (Holdings) Limited. The Group Operating Protocol (GOP) governs the decision making between the Council and the various companies.

The changes ensure that the AD is properly consulted or commissioned in all decisions on housing delivery that involves the companies. Attendance by the AD at the shareholding board will ensure that Council commissioner's view will be heard by those tasked to ensure delivery by the housing companies.

Adult Care Services. Optalis Limited (Optalis) is the operational delivery company established to be the Council's provider of choice for Adult Care Services. Shareholder oversight of Optalis Limited operates by the board of Optalis Holdings Limited (OHL) which is jointly owned with RBWM and the Executive has appointed three members to OHL as its directors.

The requested changes will improve Council shareholder oversight as the Chairman of OHL and Optalis Limited will be required to report to and meet the Board of WBC (Holdings) Limited

### **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 February 2019.

### **Operational Update**

An operational update is provided in section 1 for each of the companies as at 31<sup>st</sup> January 2019. 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 January 2019.

## **BACKGROUND**

### **Governance**

The Council is the sole shareholder of all the companies in the housing group and joint shareholder of the companies in the Adult Social Care group. Each company operates through its board of directors who are tasked to make a success and act in the best interest of the company for the benefit of the shareholders and by association, the residents of the Borough.

As the Council and the companies have become more mature, the parties have realised that the wholly owned company concept of service deliver doesn't entirely fit within the traditional governance arrangements of the public or private sector but does need to draw on the benefits of both.

The Council realises that it is important that how services are delivered through the companies is just as important as what services are delivered. The Council appreciates that residents expect that the public sector concepts of consultation, transparency and open decision-making must apply irrespective who actually delivers the services.

As such, the adopted governance arrangements are not simply reliant on statute, the provisions of the company's articles or lengthy contractual documents. Common sense and experience has shown that good governance arises through arrangements that actually work in that it is simple, transparent, and obvious to all the parties and that decision making follows agreed processes and procedures. Likewise, strategic oversight and accountability must be seen as being as important as the actual delivery of services.

Two fundamentals of the group governance arrangements are the (i) Group Operating Protocol and (ii) the oversight function of WBC (Holdings) Limited

#### **Group Operating Protocol (GOP)**

The GOP was agreed between the Companies and the Council in April 2015 with the aim that a simple document provides clarity on the methodology of decision making, transparency, consultation, and identifying whom within the organisations has a particular duty and function. The Protocol is a single point of information and clarity between the parties and provides a simple guide as how decisions are made.

#### **WBC (Holdings) Limited**

The Board of WBC (Holdings) Limited consists of members of the Council who are tasked by the Council to exercise the shareholder strategic oversight over the housing companies. The Board meets on a monthly basis and receives reports on the financial and operational performance of the housing companies. The meeting includes relevant officers and Lead members of the Council. The main purpose of the meeting is to formulate and agree the strategic aims of the housing companies and then ensure that the companies deliver to these targets.

### **Housing Group**

The Council is currently recruiting a new Assistant Director of Housing and Place (AD). This position is a fundamental to the Council in delivery of private and affordable housing in the Borough.

The AD's housing role is not only to develop the strategic framework around when and where housing is delivered through the Local Plan process, but also to act as the commissioner for the delivery of Council-led schemes.

It is proposed therefore that the GOP is altered to ensure that the AD is fully engaged and consulted on any decision that impacts on housing delivery. This includes decisions on scheme selection and funding, site selection, grant applications and any arrangements between the Council or companies and third parties. In addition to the GOP, commissioning of services by the Council from the housing companies shall be under a contract of services with clear obligations and deliverables by both the Council and the housing companies.

Further, to ensure that the AD's view is fully heard by the shareholder, that all reports to the Board of WBC (Holdings) Limited are reviewed by the AD and the AD has an opportunity to address the Board.

### **Operational Report**

#### **WHL Schemes In Progress/Under Development:**

Summary: WHL delivered 123 new homes in 2017/18, and have now delivered 141 homes in total since 2011. Another 60 homes have planning permission and are either on site or moving towards being on site.

WHL has around 360 units in the identified development pipeline, including the Gorse Ride Cockayne Court units, which would provide a net gain of units of around 150 additional homes, as 240 of these are on the Gorse Ride South regeneration project.

We continue to look to try and create additional units beyond the above pipeline by working with WBC colleagues, with a number of potential Council owned assets being considered for possible housing development. Beyond this the companies explore other potential development opportunities with private sector partners either as stand-alone sites or joint ventures.

#### **Progress on schemes under construction:**

#### **Pipeline site with planning permission:**

<b>SITE:</b>	<b>PROGRESS:</b>
<b>Norton Road (9 units)</b>	<ul style="list-style-type: none"> <li>The programme is now due to finish in March 2019 instead of February. This is due to delays around getting the water connection in place with South East Water.</li> <li>To date the net valuation is £1,431k against the contract sum of £1.631m – c. 87%</li> </ul>
<b>Middlefields (2 units)</b>	<ul style="list-style-type: none"> <li>The project is close to being water tight, which will help delivery which is expected to be complete by June 2019 and is on target.</li> <li>To date the net valuation is £215k against the contract sum of £457k – c. 47%</li> </ul>

<b>Tape Lane (11 units for the HRA)</b>	<ul style="list-style-type: none"> <li>• Solid progress is being made, although the programme is behind schedule due to delays caused by the utility disconnections, following lengthier decanting of existing residents than expected. Progress is being monitored and an Extension of Time claim is expected to be submitted by the contractor shortly.</li> <li>• To date the net valuation is £476k against the contract sum of £2,121k – c. 22%</li> </ul>
<b>Finch Road (2 Units)</b>	<ul style="list-style-type: none"> <li>• Progress is solid with the scheme on target. The land transfer between Burrwood Homes and WBC is still ongoing and needs to be executed for the land transfer to then take place between WBC and Loddon Homes. The delay around this is down to Land Registry, but is not delaying the build programme. The real impact of the land transfer is the ability of Loddon Homes to be able to claim Homes England start on site grant money until this is resolved.</li> <li>• To date the net valuation is £181k against a contract sum of £477k – c. 38%.</li> </ul>

**Pipeline site with planning permission:**

<b>Gorrick Square (1 unit)</b>	<ul style="list-style-type: none"> <li>• The tender has been returned and it is considerably higher than expected. WHL met with the contractors to discuss if the contract sum can be reduced before the Christmas break. WHL are expecting responses from the contractors' mid-January. WHL have put forward suggestions to WBC to deliver the projects ranging from other ways to fund the project build costs to not undertaking the project at all due to viability.</li> <li>• WBC have met with the parents to keep them informed of the situation.</li> </ul>
<b>Gorse Ride/ Cockayne Ct (c. 46 units)</b>	<ul style="list-style-type: none"> <li>• Demolition of Cockayne Court and the bungalows has taken place and the tender has been returned and is being assessed for the formal award of the contract to enable a start on site in May/ June 2019 as planned.</li> </ul>

There have been no changes to WHL company directors since the last report, although see commentary around Berry Brook Homes' directors which will impact on WHLs directors going forward.

**Loddon Homes Limited (LHL)**

The off-plan sales strategy for the six shared ownership units at Norton Road has paid off with three units being reserved and deposits paid.

All the original voids at Fosters have now been let, although re-lets have now started to occur with two vacancies to fill. All other Loddon Homes properties are let.

Work on updating the five year business plan financials for 2019/20 were presented as a draft to the Loddon Homes Board at its March meeting. This shows the company is profitable from 2019/20 onwards, based on a conservative approach to what schemes will be completed and purchased by Loddon Homes. Due mainly to shared ownership sales, the company is also expecting to generate cash reserves over the five year plan period and we expect to be able to pay WBC (Holdings) Limited dividend payments during this period.

#### Changes to Directors:

There have been further changes to the Loddon Homes' company directors since the last report due to John Kaiser having decided to resign as the Chair and a non-executive director (NED) of the Board. The Holding Company have proposed UllaKarin Clark is made a NED of Loddon Homes, with a view to shadowing the Vice-Chair at the next meeting of the Board, before taking on the role of Chair going forward.

#### **Berry Brook Homes Limited (BBHL)**

The management of existing homes continues to improve through WBCs dedicated Housing Officer beginning to provide a consistent point of contact for residents. Notably Phoenix Avenue came out of defects at the end of January, but there are still a number of outstanding matters to deal with. This will include an assessment of how much retention will be paid back to Hill for defect work that they failed to undertake.

We are progressing work around the Peach Place units that are due to be handed over. In advance of the units becoming available, we are marketing the units and building up a list of applicants interested in renting one of the key worker units. We are also working on calculating the likely service charges for the residential parts of the scheme.

Work on updating the five year business plan financials for 2019/20 are complete and in consequence of what the plan is telling us, we are proposing some changes to the Local Housing Companies' structures where the Board of Berry Brook Homes and WHL are combined and deal with both companies' business at a single meeting, split in two.

#### Changes to Directors:

It is proposed that the two independent NED board members join WHL and Loddon Homes – one going to each sister company Board. This will effectively fill an existing vacancy on the WHL Board and replace one of the Loddon Homes NEDs who is stepping down this summer. Alistair Auty will Chair both companies, with David Chopping stepping down from the Local Housing Company (LHC) Boards after being a great support and champion of the LHCs since WHL first started in 2011.

## 2. Financial Report

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

#### WBC Holdings

P10: Jan-19	WBC Holdings - Profit & Loss								
	Month			YTD			Full Year		
	Jan-19	Jan-19		Jan-19	Jan-19		Jan-19	Jan-19	
	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Forecast	Variance
	£K	£K	£K	£K	£K	£K	£K	£K	£K
Income	62	64	(2)	623	630	(7)	1,068	1,075	(7)
Expenditure	(76)	(81)	5	(759.00)	(787.68)	29	(1,271)	(1,252)	(19)
Operating Profit/(Loss)	(14)	(17)	3	(136)	(158)	22	(203)	(177)	(26)

The YTD Actual Operating Expenditure negative variance of (£22k) includes estimated accruals which will be firmed during this QTR.

#### Wokingham Housing Limited (WHL)

P10: Jan-19	Wokingham Housing Limited - Profit & Loss								
	Month			YTD			Full Year		
	Jan-19	Jan-19		Jan-19	Jan-19		Jan-19	Jan-19	
	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Forecast	Variance
	£K	£K	£K	£K	£K	£K	£K	£K	£K
Income	1,108	365	(743)	3,442	2,328	(1,114)	5,644	3,239	(2,405)
Expenditure	(854)	(411)	443	(3,442)	(2,496)	946	(5,729)	(3,201)	2,528
Operating Profit/(Loss)	254	(46)	(300)	0	(168)	(168)	(85)	38	123

Income for January 2019 at WHL was £366k, which reflected a £743k negative variance due to Norton Road not expected to complete until later in the fiscal year (March). Year-to-date revenues reached £2,328k, which reflected a £1,114k negative variance due to lower construction revenue from the LHCs than budgeted as well as the delayed receipt of income for Norton Road. Full year income is expected to reach £3,239k, reflecting a £2,405k negative variance due to delays to some schemes now expected to start in FY19/20.

The lower monthly income was countered by lower monthly costs of £412k, which were £443k better than budgeted. Year-to-date costs were £2,496k which reflected a £946k positive variance, which reflects the lower construction revenue and delays at Norton Road as explained above. Full year costs are expected to reach £3,081k which reflects a £2,648k positive variance, also mirroring the position of forecasted income.

The operating loss in January 2019 was £46k, which reflected a £300k negative variance against, and the year-to-date loss was £168k, reflecting a £168k negative variance. On a full year basis, a forecasted operating profit of £38k is anticipated based on current delivery of developments, excluding interest charges for the year.

## Loddon Homes Limited (LHL)

Loddon Homes Limited- Profit & Loss									
P10: Jan -19	Month			YTD			Full Year		
	Jan-19	Jan-19		Jan-19	Jan-19		Jan-19	Jan-19	
	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Forecast	Variance
	£K	£K	£K	£K	£K	£K	£K	£K	£K
Income	45	35	(10)	881	949	68	1,310	1,030	(280)
Expenditure	(34)	(28)	7	(747)	(812)	(65)	(1,083)	(898)	184
Operating Profit/(Loss)	11	7	(3)	134	137	3	227	132	(96)

### Income & Expenditure:

Income for January 2019 at LHL reached £45k, which reflected a £10k negative variance. Half of this was due to voids in the month and half was due to the delays at Norton Road. Year-to-date income of £950k reflects a £68k positive variance, due to higher income from shared ownership sales than budgeted as explained in previous months. On a full year basis, income is expected to reach £1,030k, reflecting a £280k negative variance, which is the result of shared ownership sales at Norton Road completing next fiscal year.

Expenditure reached £28k in the month, which was £7k better than budget due to lower property costs and overheads. Year-to-date costs of £812k reflected a £65k negative variance against budget, due to higher first tranche sales resulting in higher cost of sales attributed to the property. On a full year basis, expenditures are forecasted to reach £898k, which are £184k lower than budgeted due to shared ownership sales at Norton Road completing next fiscal year.

The operating profit of £7k in January 2019 reflected a £3k negative variance against budget due to the variances explained above. The year-to-date operating profit of £138k is £3k above budget, due to shared ownership variances explained above. The full year operating profit is forecasted to be £132k (excluding interest and depreciation), which is £96k below budget.

## Berry Brook Homes Limited (BBHL)

P10: Jan-19	Month			YTD			Full Year		
	Jan-19	Jan-19		Jan-19	Jan-19		Jan-19	Jan-19	
	Budget	Actual	Variance	Budget	Actual	Variance	Forecast	Budget	Variance
	£K	£K	£K	£K	£K	£K	£K	£K	£K
Income	49	48	(0)	527	516	(11)	637	675	37
Expenditure	(22)	(21)	2	(221)	(184)	37	(285)	(270)	14
Operating Profit/(Loss)	27	28	1	306	332	26	353	404	52

### Income and Expenditure:

Income in January 2019 at BBHL reached £48k, which was roughly in line with budget. Year-to-date income of £516k reflected a £11k negative variance, which is the result of voids earlier in the year. On a full year basis, income is expected to reach £675k, reflecting a £37k positive variance.

Expenditure reached £22k in the month, which reflected a £2k positive variance against budget. Year-to-date expenditure reached £184k, which was £37k better than budget. Expenditure is expected to reach £270k for the year, reflecting a £14k positive variance against budget. These variances were due to lower direct property costs and tight control of overheads.

Operating profit in the month of £27k was £1k higher than budget, and the year-to-date operating profit of £332k reflects a £26k positive variance against budget. An operating profit of £404k has been forecasted for the full year, which is £52k better than budget.

### **Adult Care Services Group**

Prior to the 3<sup>rd</sup> April 2017, Optalis was a company wholly owned by Wokingham Borough Council. Governance and oversight over the company operated in the same manner as that for the housing company – WBC (Holdings) Limited provided oversight by the Council.

Since 3<sup>rd</sup> April 2017, the Council's shareholder governance has operated in part by the Board of Optalis Holdings Limited (OHL). OHL is a company owned by the Council and the Royal Borough of Windsor & Maidenhead in 55/45 shareholding proportions. The Board of OHL consists of 3 councillors appointed by both Councils. The Board consists of 6 councillors with the chairperson rotating between the Council's appointments every 2 years.

Although this arrangement is considered to be satisfactory, the Council believes that the prior experience and knowledge gained within WBC (Holdings) Limited could be better utilised to provide an oversight function on behalf of the Council. In addition, such oversight would be truly independent of the Adult Social Care companies, where WBC (Holdings) Limited can ensure that all decisions are made mindful of benefit to the Council and that the companies deliver to the operational and financial targets for the Council under the contract for services.

It is proposed that the Council as majority shareholder of Optalis, instructs OHL to provide WBC (Holdings) Limited with the relevant reports and information required for WBC (Holdings) Limited to discharge its shareholder oversight function. Further, at request of WBC (Holdings) Limited, that a Council appointed Director of OHL should attend the Board meeting of WBC (Holdings) Limited together with the Managing Director of Optalis Limited.

## **1. Operational Report**

### **Optalis Limited**

#### General:

Optalis continues to perform well in the challenging environment of Adult social care. Financially we have again reported a surplus and we remain bullish in terms of our forecasted out turn.

We are currently running 12 projects across the business ranging from enhanced GD-PR and quality frameworks, to our InPhase information platform and the roll out of our successful technology based auditor tool for services. Of these, ten are rated as green, highlighting good progress across the organisation.

Our teams, again, delivered a “good” CQC rating following an inspection of our homecare service further underpinning our focus on quality. Workshops are now being planned to look at achieving “outstanding” ratings. We have over the last 12 months moved from a position of 60% requires improvement to 90% good. This is an excellent result and indicative of quality driven organisation.

Our HR team have been actively engaged with teams to co-produce the delivery plan arising from our staff survey. Additionally we are starting to benefit from the apprenticeship levy and developing our behaviours framework as a cornerstone of our values based approach. Our staff retention rates are tracking below 13%, which compares with an industry standard of 29%.

From a growth perspective our pro-active PR and positioning has resulted in enquiries from five local authorities who have heard and seen the success of the Optalis model. As a result of our successes in quality delivery, we have had one local authority who has asked to carry out a quality audit on their behalf for providers who have delivered short of CQC expectations.

Our core website traffic has improved by 42% over the last three months, and we appeared in national and local press every day in January helping recruitment and profile-raising activity.

We are actively discussing new business opportunities with each local authority in line with our strategy.

Customer forums, to support co-production have taken place, and we have introduced “The Person Centred Hour” to staff training which highlights from a customer’s own perspective the little details that can help ensure that the care provided is personalised and meets that person’s needs.

There are no changes to directors to report.

## 2. Financial Report

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

P:10 Jan19	Month			YTD			Full Year		
	Jan-19	Jan-19		Jan-19	Jan-19		Jan-19	Jan-19	
	Budget	Actual	Variance	Budget	Actual	Variance	Budget	Actual	Variance
	£K	£K	£K	£K	£K	£K	£K	£K	£K
Income	3,186	3,816	(630)	37,195	37,612	(417)	66,766	45,916	20,850
Expenditure	(3,182)	(3,808)	626	(37,158)	(37,556)	398	(66,718)	(45,845)	(20,873)
Operating Profit/(Loss)	4	8	(4)	37	56	(19)	48	71	(23)

### January 2019 results:

Optalis YTD results up to Jan 19 are ahead of budget and expected to increase to a full year out-turn of £71k profit.

### Authority

As the recommendation will require further work by officers and the Board of WBC (Holdings) Limited, Executive is requested to give the Board of WBC (Holdings) Limited authority to determine the detail on the arrangements for the recommendations in consultation with the relevant parties. WBC (Holdings) Limited will ensure that the relevant parties are all consulted and their views considered as part of the revised arrangements.

### **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**

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.

### **Stakeholder Considerations and Consultation**

*Not applicable – information report only*

<b>Resourcing and Timeline for Next Steps</b>
<i>Not applicable – information report only</i>

<b>Timeline for Review and Evaluation</b>
<i>Not applicable – information report only</i>

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

<b>Contact</b> Kajal Patel/Sean O'Connor	<b>Service Resources</b>
<b>Telephone</b>	<b>Email</b> <a href="mailto:Kajal.patel@Wokingham.gov.uk">Kajal.patel@Wokingham.gov.uk</a> Sean.oconnor@wokingham.gov.uk

<b>TITLE</b>	<b>Cemetery Regulations</b>
<b>FOR CONSIDERATION BY</b>	The Executive on Thursday, 28 March 2019
<b>WARD</b>	None Specific;
<b>DIRECTOR</b>	Director of Locality and Customer Services - Sarah Hollamby
<b>LEAD MEMBER</b>	Executive Member for Environment, Leisure and Libraries - John Halsall

**PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)**

The Cemetery Regulations that are currently in place date back to 1994. We have reviewed our regulations as recommended by the Institute of Cemetery and Crematorium Management (ICCM) and the revised documents are more explanatory and reflect current processes and expectations more accurately.

**RECOMMENDATION**

To approve the updated regulations relating to Shinfield Cemetery and St Sebastian's Cemetery.

**EXECUTIVE SUMMARY**

The report sets out revised regulations relating to Shinfield Cemetery and St Sebastian's Cemetery in order to bring the Council into line with current regulations.

## **BACKGROUND**

Wokingham Borough Council cemeteries are located at Grovelands Road, Spencers Wood, RG7 1DP (known as Shinfield Cemetery) and St Sebastian's, Heathlands Road, Wokingham, RG40 3AR.

In accordance with Regulation 3 of the Local Authority Cemeteries Order 1977 – General Powers of Management – we are responsible for proper management, regulation and control of our cemeteries.

Due to two key differences between St Sebastian's Cemetery and Shinfield Cemetery we have a regulation note for each.

The difference are that:

- Shinfield Cemetery does not have a brick vault facility
- Shinfield Cemetery can accommodate 24 hour burials and therefore respond to religious needs for swift burial

The revised regulations expand on each element of the 1994 document but intention, direction or any critical issues have not changed.

### **Key differences in regulation**

#### **Coffins**

The 1994 regulations stated that all coffins must be made of wood and all memorials of durable quarried stone.

The updated regulations state that coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc. and that the Council usually permits shroud burial.

#### **Memorial safety**

The 1994 regulations stated that the funeral organiser and stonemason are responsible for ensuring that the memorial and kerbing are erected in a correct and safe manner.

The updated regulations state that only those memorial mason businesses that are NAMM ( National Association of Memorial Masons) or BRAMM (British Register of Accredited Memorial Masons) accredited and those memorial masons that hold a current NAMM/BRAMM fixer license will be able to work in the cemetery. This reflects current practice.

#### **General**

The revised regulations make clear and expand on

- Expectations of behaviours in these two burial grounds
- Responsibilities of grave owners (that reflect current processes)

## 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	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

### Other Financial Information

N/A

### Stakeholder Considerations and Consultation

N/A

### Resourcing and Timeline for Next Steps

N/A

### Timeline for Review and Evaluation

N/A

### List of Background Papers

1. Draft Shinfield Cemetery Regulations
2. Draft St Sebastian's Cemetery Regulations
3. Current regulations 1994

<b>Contact</b> Alison Wood Stephanie Harris	<b>Service</b> Customer and Localities
<b>Telephone</b> 0118 9746554	<b>Email:</b> registrars@wokingham.gov.uk

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# Wokingham Borough Council

## Shinfield Cemetery Regulations

December 2018

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## 1. Introduction

- 1.1. These regulations apply to Shinfield Cemetery owned and managed by Wokingham Borough Council.
- 1.2. Site address: Shinfield, Grovelands Road, Spencers Wood, RG7 1DP

## 2. Contact Details

- 2.1. All funeral bookings, general enquiries and comments regarding the Cemeteries/Burial Grounds should be directed to:

Registration Services (Cemeteries) 0118 9746000

The offices are open from 08.30 to 16.30 Monday to Friday.

- 2.2. These Regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

## 3. Admission to the Burial Grounds

- 3.1. The Cemeteries/Burial Grounds are open for visitors every day of the year during the following times:

09.00 to half an hour before sunset.

All visitors and their vehicles are asked to leave the cemetery in good time. No person is permitted to be in the Cemetery outside of the published opening hours without the express permission of the Manager/Clerk.

- 3.2. Our Cemeteries are places of peace and quiet reflection. They are also workplaces. Visitors to the sites are welcome, but are asked to respect the special nature of the sites, the needs of other users, and safety factors. No games, sports, riding of bicycles, skateboards, roller blades or similar are allowed in the burial grounds. No consumption of alcohol or drugs may take place within the burial grounds, and anybody under the effects of such substances will be asked to leave the cemetery immediately.
- 3.3. Any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, headstone, flowers, trees etc, will be required to leave the cemetery immediately and may be the subject of subsequent legal action.
- 3.4. Children under the age of 14 are welcome in the cemetery but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments within the cemetery.
- 3.5. No dogs are permitted in the cemetery with the exception of Guide Dogs, Hearing Dogs or other recognized Assistance Dogs, or with the express permission of the Manager/Clerk.
- 3.6. Vehicles are permitted in the cemetery but must not exceed the speed limit of 10mph and must obey any instructions given to them by an officer of the Council. Vehicles must stick to the main driveways and avoid

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parking so as to cause a nuisance or damage to any graves or grassed areas. The Council or any of its employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the Cemetery.

## **4. General Regulations**

- 4.1. No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the cemetery either in their own time or during their employed hours.
- 4.2. No person shall canvass or solicit business in the burial grounds.
- 4.3. All fees for interments or memorial works must be paid in full to the Council in advance.
- 4.4. The Council will publish a scale of fees and charges annually. Residents of the area will qualify for reduced fees compared to non-residents. A resident is defined as somebody who, immediately prior to their death, was a resident of the Wokingham Borough Council area.
- 4.5. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

## **5. Graves**

- 5.1. Graves are available in the cemetery, which consists of consecrated sections. The selection of grave spaces shall be at the final discretion of the Council, but the wishes of applicants will be met wherever possible.
- 5.2. Every interment shall take place either in a private or public grave. Private graves are graves to which an Exclusive Right of Burial has been issued. Public graves are graves which remain in the ownership of the Council and to which no specific rights have been granted.
- 5.3. The Exclusive Right of Burial for a grave can be purchased for a period of 100 years. The Exclusive Right of Burial also allows a memorial to be placed on the grave.
- 5.4. (The Exclusive Right of Burial cannot be purchased in advance of need, i.e. graves cannot be pre-purchased or reserved). The Exclusive Right of Burial can only be transferred to another person or persons who are entitled and via the legal process adopted by the council.
- 5.5. The Council may also allow the Exclusive Right of Burial to be purchased by a family member before the expiration of the original 100 year period.
- 5.6. Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 9 below.
- 5.7. The types of graves available are Traditional Graves, Cremated Remains Graves and Children's Graves. Traditional Graves can accommodate full memorials including kerbsets and can be planted over the length of

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the grave; Cremated Remains Graves are for the burial of cremated remains only; Children's Graves are reserved for the burial of children under 12.

- 5.8. All graves will be excavated and prepared for interment by the Council's approved contractors only. No other person or company will be allowed to undertake any excavation within the cemetery/burial ground except with the express permission of the Manager/Clerk. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.

## 6. Coffins

- 6.1. Coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc. The council usually permits shroud burial.

## 7. Booking of Interments

- 7.1. A provisional booking for a funeral may be made by telephone to the Council Offices.
- 7.2. The provisional booking should be followed up by the submission of a completed Notice of Interment/Burial to the Council Offices at least 48 working hours in advance of the intended date and time of the funeral. Receipt of the fully and correctly completed Notice of Interment/Burial will act as confirmation of the provisional booking.
- 7.3. In respect of private graves, the deed of grant for the exclusive right of burial will be registered in the name of the applicant for the burial indicated on the notice of interment/burial and signed by that person.
- 7.4. The **exact size** of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, together with any other pertinent information relating to its size and shape (eg locking bar handles, casket shape, wicker coffin etc). The Council will subsequently add a suitable amount to the given size in order to determine the dimensions of grave to be excavated.
- 7.5. As much information relating to the funeral as possible must be given to the Council in advance, especially if it is unusual, eg large number of mourners expected, motorbike cavalcade, jazz band, piper etc.
- 7.6. If the grave is purchased and is to be reopened for a further interment, the written permission of the registered grave owner must be given, except where the burial is that of the registered grave owner.
- 7.7. It is the responsibility of the person making the funeral arrangements to ensure that any memorial on the grave is removed from it at least 48 working hours prior to the date and time of the funeral.
- 7.8. The Certificate given by the Registrar of Births and Deaths or an order of the Coroner must be delivered to the Council Offices prior to the funeral.
- 7.9. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance.

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## **8. Interments**

- 8.1. Funerals will normally only be permitted Monday to Friday 09.30 – 16.00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside of these times subject to additional cost.
- 8.2. To meet the religious and cultural needs of faith communities requiring a same day or short notice burial, we also offer an out of hour's burial service. This service is available from Monday to Friday 17.00 – 9.00am, and on weekend days and public holidays this can be accessed by phoning 0800 212 111
- 8.3. All funerals will be subject to the control of the Council's designated officer.
- 8.4. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.
- 8.5. Services in the cemetery must not exceed 60 minutes, unless special arrangements for a longer time have been made with the Manager/Clerk.
- 8.6. It is the responsibility of the person making the funeral arrangements to organize a Minister or Officiant for the funeral if one is required.
- 8.7. Any floral tributes from the funeral will be placed on top of the grave following backfilling, and will remain in situ for a minimum of 10 days before being cleared by Council staff (unless family have already removed them).

## **9. Memorials**

- 9.1. The Council has adopted a Management of Memorials Policy dealing with current and future memorial installations, safety inspections and making safe unstable memorials. Masons carrying out work in the burial grounds must comply with the Council's Management of Memorials Policy. (attached)
- 9.2. All memorials fixed in the cemetery/burial ground must comply with British Standard 8415 (Latest version) and the BRAMM (British Register of Accredited Memorial Masons) Blue Book (Latest version attached).
- 9.3. Ground anchors and fixing systems used in the construction of memorials must have a certificate of compliance with BS8415 (Latest version).
- 9.4. Only those memorial masons businesses that are NAMM (National Association of Memorial Masons) or BRAMM accredited, and those memorial masons that hold a current BRAMM Fixer Licence, will be able to work in the cemetery. Fixers who do not hold a BRAMM Fixer Licence will only be permitted to work under the direct supervision of a mason who holds a BRAMM Fixer Licence.
- 9.5. Memorials will only be permitted on purchased graves. No memorial will be permitted on a public grave.

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- 9.6. Memorials other than those fixed by a BRAMM accredited memorial mason are not allowed. Fences cannot be erected around a grave nor the space defined other than through planting of suitable plants or the installation of proper kerbsets by a BRAMM accredited memorial mason.
- 9.7. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Manager/Clerk on the appropriate form supplied by the Council. The grave owner must sign the form to give their permission for the proposed memorial/works. On approval by the Council a permit will be issued to the responsible Memorial Mason.
- 9.8. Memorials must be constructed of materials suitable to the environment and period of grave lease. The Council reserves the right to reject an application for any memorial that it deems unsuitable.
- 9.9. The maximum height of memorials is 3', the maximum width is 2' and the depth is 12". The memorial must be a minimum of 3" thick. The Council will also consider the installation of kerbsets if they are constructed to current recognized industry standards. On cremated remains and children's graves the maximum height of a memorial is 2' and the maximum width 18".
- 9.10. The memorial mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 1" high. No trademark, phone number or other advertising will be allowed. The memorial mason must also inscribe the grave number towards the bottom right hand side of the reverse of the memorial in letters not exceeding 1" high. On kerbstones the grave number must be inscribed on the right hand side of the foot kerb.
- 9.11. Memorial masons must remove all arisings from the cemetery at the conclusion of their work, and must leave the area in a tidy condition. It is not possible for memorials to be stored in the cemetery prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason appointed to remove the memorials prior to the grave being excavated.

## **10. Care of Graves and Memorials**

- 10.1. All memorials are erected at the sole responsibility of the owner and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls in to disrepair, and to recover any expenses from the registered owner. The Council will undertake routine safety checks on all memorials, and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a period of 6 months from the date of the letter to effect the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.
- 10.2. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
- 10.3. All flower holders or other items left on graves must be made of non-breakable material. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any damage to them howsoever

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caused. The Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the cemetery or which interfere with the Council's maintenance of the site.

Grave owners will **not** be permitted to place personal items on either side of the memorial and/or on a one foot strip to the front of the memorial. Grave owners are requested to adhere to this rule so as to enable maintenance of the grass areas without risk of damaging any personal items.

- 10.4. No trees may be planted on graves. Only suitable planting such as annual bedding or small shrubs only will be permitted on traditional graves. The Council may remove any plants that it considers unsuitable or that infringe on other grave spaces or interfere with the Council's maintenance work.

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**WOKINGHAM  
BOROUGH COUNCIL**

# **Wokingham Borough Council**

## **St Sebastian's Cemetery Regulations**

December 2018

## 1. Introduction

- 1.1. These regulations apply to St Sebastian's Cemetery owned and managed by Wokingham Borough Council.
- 1.2. Site address: St Sebastian's, Heathlands Road, Wokingham, RG40 3AR

## 2. Contact Details

- 2.1. All funeral bookings, general enquiries and comments regarding the Cemeteries/Burial Grounds should be directed to:

Registration Services (Cemeteries) 0118 9746000

The offices are open from 08.30 to 16.30 Monday to Friday.

- 2.2. These Regulations are in addition to the provisions of the Local Authorities Cemeteries Order 1977 and any other appropriate regulations currently in force.

## 3. Admission to the Burial Grounds

- 3.1. The Cemeteries/Burial Grounds are open for visitors every day of the year during the following times:

09.00 to half an hour before sunset.

All visitors and their vehicles are asked to leave the cemetery in good time. No person is permitted to be in the Cemetery outside of the published opening hours without the express permission of the Manager/Clerk.

- 3.2. Our Cemeteries are places of peace and quiet reflection. They are also workplaces. Visitors to the sites are welcome, but are asked to respect the special nature of the sites, the needs of other users, and safety factors. No games, sports, riding of bicycles, skateboards, roller blades or similar are allowed in the burial grounds. No consumption of alcohol or drugs may take place within the burial grounds, and anybody under the effects of such substances will be asked to leave the cemetery immediately.
- 3.3. Any person creating a nuisance or a disturbance, such as interfering with a funeral, grave, headstone, flowers, trees etc, will be required to leave the cemetery immediately and may be the subject of subsequent legal action.
- 3.4. Children under the age of 14 are welcome in the cemetery but must be supervised by a responsible adult. It is particularly important that children are not allowed to climb on any monuments within the cemetery.
- 3.5. No dogs are permitted in the cemetery with the exception of Guide Dogs, Hearing Dogs or other recognized Assistance Dogs, or with the express permission of the Manager/Clerk.
- 3.6. Vehicles are permitted in the cemetery but must not exceed the speed limit of 10mph and must obey any instructions given to them by an officer of the Council. Vehicles must stick to the main driveways and avoid parking so as to cause a nuisance or damage to any graves or grassed areas. The Council or any of its

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employees cannot accept responsibility for the loss or damage to any vehicle or its contents whilst in the Cemetery.

## **4. General Regulations**

- 4.1. No employee of the Council is allowed to take any gratuity, or to undertake paid private work of any kind in connection with the cemetery either in their own time or during their employed hours.
- 4.2. No person shall canvass or solicit business in the burial grounds.
- 4.3. All fees for interments or memorial works must be paid in full to the Council in advance.
- 4.4. The Council will publish a scale of fees and charges annually. Residents of the area will qualify for reduced fees compared to non-residents. A resident is defined as somebody who, immediately prior to their death, was a resident of the Wokingham Borough Council area.
- 4.5. The Council reserves the right to amend these regulations and to deal with any circumstances or contingency not provided for in the regulations as necessary.

## **5. Graves**

- 5.1. Graves are available in the cemetery, which consists of consecrated sections. The selection of grave spaces shall be at the final discretion of the Council, but the wishes of applicants will be met wherever possible.
- 5.2. Every interment shall take place either in a private or public grave. Private graves are graves to which an Exclusive Right of Burial has been issued. Public graves are graves which remain in the ownership of the Council and to which no specific rights have been granted.
- 5.3. The Exclusive Right of Burial for a grave can be purchased for a period of 100 years. The Exclusive Right of Burial also allows a memorial to be placed on the grave.
- 5.4. (The Exclusive Right of Burial cannot be purchased in advance of need, i.e. graves cannot be pre-purchased or reserved). The Exclusive Right of Burial can only be transferred to another person or persons who are entitled and via the legal process adopted by the council.
- 5.5. The Council may also allow the Exclusive Right of Burial to be purchased by a family member before the expiration of the original 100 year period.
- 5.6. Memorials will only be permitted on purchased graves. Memorials must conform to the regulations given at 9 below.
- 5.7. The types of graves available are Traditional Graves, Brick Vaults (1½ plots), Cremated Remains Graves and Children's Graves. Traditional Graves and Brick Vaults can accommodate full memorials including kerbsets and can be planted over the length of the grave; Cremated Remains Graves are for the burial of cremated remains only; Children's Graves are reserved for the burial of children under 12.

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- 5.8. All graves will be excavated and prepared for interment by the Council approved contractors only. No other person or company will be allowed to undertake any excavation within the cemetery/burial ground except with the express permission of the Manager/Clerk. The depth of each grave will be determined by the Council in accordance with the provisions of the Local Authorities Cemeteries Order 1977.

## 6. Coffins

- 6.1. Coffins and urns for burial must be made from suitable bio-degradable materials such as wood, wicker, cane, bamboo, wool, cardboard etc. The council usually permits shroud burial.

## 7. Booking of Interments

- 7.1. A provisional booking for a funeral may be made by telephone to the Council Offices.
- 7.2. The provisional booking should be followed up by the submission of a completed Notice of Interment/Burial to the Council Offices at least 48 working hours in advance of the intended date and time of the funeral. Receipt of the fully and correctly completed Notice of Interment/Burial will act as confirmation of the provisional booking.
- 7.3. In respect of private graves, the deed of grant for the exclusive right of burial will be registered in the name of the applicant for the burial indicated on the notice of interment/burial and signed by that person.
- 7.4. The **exact size** of the coffin, casket or container must be given in writing to the Council as soon as possible after the provisional booking, together with any other pertinent information relating to its size and shape (eg locking bar handles, casket shape, wicker coffin etc). The Council will subsequently add a suitable amount to the given size in order to determine the dimensions of grave to be excavated.
- 7.5. As much information relating to the funeral as possible must be given to the Council in advance, especially if it is unusual, eg large number of mourners expected, motorbike cavalcade, jazz band, piper etc.
- 7.6. If the grave is purchased and is to be reopened for a further interment, the written permission of the registered grave owner must be given, except where the burial is that of the registered grave owner.
- 7.7. It is the responsibility of the person making the funeral arrangements to ensure that any memorial on the grave is removed from it at least 48 working hours prior to the date and time of the funeral.
- 7.8. The Certificate given by the Registrar of Births and Deaths or an order of the Coroner must be delivered to the Council Offices prior to the funeral.
- 7.9. The Council will determine the appropriate fees to be paid for the funeral, which must be paid fully in advance.

## 8. Interments

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- 8.1. Funerals will normally only be permitted Monday to Friday 09.30 – 16.00 (excluding Bank or other Public Holidays). It may be possible to arrange funerals outside of these times subject to additional cost.
- 8.2. All funerals will be subject to the control of the Council's designated officer.
- 8.3. The time appointed for an interment must be punctually observed. The Council reserves the right to delay a late arriving funeral in the event that it impacts on another service.
- 8.4. Services in the cemetery must not exceed 60 minutes, unless special arrangements for a longer time have been made with the Manager/Clerk.
- 8.5. It is the responsibility of the person making the funeral arrangements to organize a Minister or Officiant for the funeral if one is required.
- 8.6. Any floral tributes from the funeral will be placed on top of the grave following backfilling, and will remain in situ for a minimum of 10 days before being cleared by Council staff (unless family have already removed them).

## **9. Memorials**

- 9.1. The Council has adopted a Management of Memorials Policy dealing with current and future memorial installations, safety inspections and making safe unstable memorials. Masons carrying out work in the burial grounds must comply with the Council's Management of Memorials Policy. (attached)
- 9.2. All memorials fixed in the cemetery/burial ground must comply with British Standard 8415 (Latest version) and the BRAMM (British Register of Accredited Memorial Masons) Blue Book (Latest version attached).
- 9.3. Ground anchors and fixing systems used in the construction of memorials must have a certificate of compliance with BS8415 (Latest version).
- 9.4. Only those memorial masons businesses that are NAMM (National Association of Memorial Masons) or BRAMM accredited, and those memorial masons that hold a current BRAMM Fixer Licence, will be able to work in the cemetery. Fixers who do not hold a BRAMM Fixer Licence will only be permitted to work under the direct supervision of a mason who holds a BRAMM Fixer Licence.
- 9.5. Memorials will only be permitted on purchased graves. No memorial will be permitted on a public grave.
- 9.6. Memorials other than those fixed by a BRAMM accredited memorial mason are not allowed. Fences cannot be erected around a grave nor the space defined other than through planting of suitable plants or the installation of proper kerbsets by a BRAMM accredited memorial mason.
- 9.7. Before any memorial may be erected or works undertaken to an existing memorial, an application must be submitted to the Manager/Clerk on the appropriate form supplied by the Council. The grave owner must sign the form to give their permission for the proposed memorial/works. On approval by the Council a permit will be issued to the responsible Memorial Mason.

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- 9.8. Memorials must be constructed of materials suitable to the environment and period of grave lease. The Council reserves the right to reject an application for any memorial that it deems unsuitable.
- 9.9. The maximum height of memorials is 3', the maximum width is 2' and the depth is 12". The memorial must be a minimum of 3" thick. On traditional graves and Brick Vaults the Council will consider applications for larger memorials subject to them being satisfied that the installation is compliant with current recognized industry standards. The Council will also consider the installation of kerbsets if they are constructed to current recognized industry standards. On cremated remains and children's graves the maximum height of a memorial is 2' and the maximum width 18".
- 9.10. The memorial mason must inscribe the company name only on the reverse of the stone towards the base in lettering not more than 1" high. No trademark, phone number or other advertising will be allowed. The memorial mason must also inscribe the grave number towards the bottom right hand side of the reverse of the memorial in letters not exceeding 1" high. On kerbstones the grave number must be inscribed on the right hand side of the foot kerb.
- 9.11. Memorial masons must remove all arisings from the cemetery at the conclusion of their work, and must leave the area in a tidy condition. It is not possible for memorials to be stored in the cemetery prior to re-fixing following a burial – all such memorials must be removed from the site by the memorial mason appointed to remove the memorials prior to the grave being excavated.

## 10. Care of Graves and Memorials

- 10.1. All memorials are erected at the sole responsibility of the owner and the Council shall not be held responsible for any damage to or caused by the memorial, howsoever incurred. The memorial remains the responsibility of the grave owner during the lease period of the grave. The Council reserves the right to repair or make safe any memorial which becomes unsafe or falls in to disrepair, and to recover any expenses from the registered owner. The Council will undertake routine safety checks on all memorials, and will notify the grave owner at the last registered address of any necessary works to make the memorial safe. The grave owner will be given a period of 6 months from the date of the letter to effect the necessary repairs. The Council reserves the right to temporarily make safe any memorials that pose a threat until such works are completed. If the grave owner does not arrange for the repairs to be made, the Council may repair or remove the memorial at the owner's expense.
- 10.2. Grave spaces must be kept in a neat and tidy condition, and all litter must be removed from the site.
- 10.3. All flower holders or other items left on graves must be made of non-breakable material. Any items left on graves are at the owners' risk and the Council cannot be held responsible for any damage to them howsoever caused. The Council may remove any articles from any grave that are likely to cause risk, damage or offence to other visitors to the cemetery or which interfere with the Council's maintenance of the site.  
Grave owners will **not** be permitted to place personal items on either side of the memorial and/or on a one foot strip to the front of the memorial. Grave owners are requested to adhere to this rule so as to enable maintenance of the grass areas without risk of damaging any personal items.

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10.4. No trees may be planted on graves. Only suitable planting such as annual bedding or small shrubs only will be permitted on traditional graves. The Council may remove any plants that it considers unsuitable or that infringe on other grave spaces or interfere with the Council's maintenance work.

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RULES AND REGULATIONS  
FOR CEMETERIES MANAGED BY WOKINGHAM DISTRICT COUNCIL

1. To inter an urn of ashes or coffin in any Council managed cemetery it is necessary for the funeral organiser to complete and forward to the Council Offices an official "Notice of Interment" (available from the Council). This must be received by the Council at least two full working days prior to the intended interment.
2. All fees and charges relating to the interment and memorials must be settled in full at least two full working days prior to the intended interment.
3. The funeral organiser must make all arrangements for the ceremony and service. However, written notice that a burial is to take place without the Rites of the Church of England must be given to the Council.
4. There are two types of grave - a public grave and an exclusive right of burial grave.

Public grave - no memorial may be erected  
- up to Wokingham District Council's discretion who and how many people may be interred in each grave (usually two).

Exclusive right - may be purchased for immediate or future use  
- usually valid for 100 years from date of purchase/reservation  
- allows for up to three coffins to be placed in the same grave, at the discretion of the person entitled to the right (including those to whom the right has been assigned or bequeathed).

5. (i) Grave regulations - all coffins must be laid at least three feet (0.915m) below the ordinary level of the ground  
- a coffin may not be laid further than 9 feet (2.745m) below ground  
- A minimum layer of six inches (0.15m) of soil must be allowed between coffins in the same grave  
- a public grave shall generally be six feet (1.830m) in depth.

\* Regulations concerning bricked vaults and graves are available for inspection upon request.

(ii) Cremation regulations - only two urns may be placed in any one cremation plot.

6. All coffins must be made of wood and all memorials of durable quarried stone.
7. Special provisions for vaults or bricked graves may be granted upon request. Unfortunately, no tombs or mausoleiums may be erected.
8. No interred body or urn may be removed after burial without full written official permission from the Secretary of State for the Environment.

9. Memorials and kerbs may be erected on graves for which the exclusive right of burial has been granted. A fully scaled impression, detailing the exact dimensions, proposed inscription and the type of stone to be used, must be submitted to, and approved by, the Council.
10. Memorial dimensions - they must not exceed 1.515 metres in height, nor kerbs by 2.135 by 0.105 metres in plan.
11. The funeral organiser and stonemason are responsible for ensuring that the memorial and kerbing are erected in a correct and safe manner. Excess soil or rubbish materials must be tidily disposed of.
12. The official number of the grave (as kept in the Council's Register), must be cut clearly in 3/4 inch letters on the bottom right hand corner of the memorial.
13. Work on memorials must only be carried out during the cemetery opening hours - 9am until half hour before sunset.
14. The Council reserve the right to remove and dispose of any memorial, should it become unsafe or else fall into a state of disrepair.
15. Alterations to memorials may only be made if full written permission from the Council is obtained.
16. Wokingham District Council shall remain the owner of the land, because burial or granting of the exclusive right to burial does not confer land ownership upon the holder or occupier.
17. The Council reserve the right to;
  - i) remove or prune any overgrown or unsightly shrub, plant or flower,
  - ii) remove any object or article left on or near any grave space or cremation plot. Artificial flowers/wreaths will be removed.
  - iii) temporarily remove a memorial in order to excavate an adjoining grave,
  - iv) revise any regulation, policy, right or fee

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<b>TITLE</b>	<b>Procurement Business Case - Home to School Transport - Coach Services</b>
<b>FOR CONSIDERATION BY</b>	The Executive on Thursday, 28 March 2019
<b>WARD</b>	None Specific;
<b>LEAD OFFICER</b>	Director of Locality and Customer Services - Sarah Hollamby
<b>LEAD MEMBER</b>	Executive Member for Highways and Transport – Pauline Jorgensen

## **PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)**

To approve the retender and contract award of 14 Home to School Transport routes for large capacity coaches. The current contracts expire on 2<sup>nd</sup> September 2019 and will be required to be retendered for a further period of 5 years with 2 (Two) x extension periods of 2 (two) years and 1 (one) year respectively totalling 8 years dependent on performance and contract compliance.

This report / project is required to ensure continuity of the Council's statutory provision to provide Home to School Transport to mainstream secondary Schools across the Wokingham Borough.

Wokingham Borough Council currently has contracts in place with contractors for the provision of 14 coaches that seat between 53 to 73 passengers depending on the route assigned to provide School coach services that transport approximately 1350 students daily to mainstream Schools within the Wokingham Borough and neighbouring Authorities.

## **RECOMMENDATION**

That the Executive approves the retender and award of 14 Home to School Transport contracts for large capacity coaches.

## **EXECUTIVE SUMMARY**

There are no changes to any of the Home to school routes, services, timings.

There are no impacts on any service users / students / parents or learning establishments.

The only change to the current provision is an increase in the coach capacity on some routes to cater for non-entitled students and generate income for the Council for each seat sold.

This is a request to proceed to retender 14 statutory home to school coach services as per the current service provision.

Approval under the Procurement and Contracts Rules and Procedures (PCRP) requires that a formal business case is required for any procurement with a total value above

£50,000 be provided, the business case attached requests for approval to competitively tender and award contracts for the provision of 14 Home to School transport routes for large capacity coaches.

## BACKGROUND

In order to comply with their home to school transport duties local authorities must:

- Promote the use of sustainable travel and transport
- Make transport arrangements for all eligible children
- Comply with the duties placed on it by the Secretary of State by sections 508A and 508D of the Education Act 1996 (the Act).

## BUSINESS CASE

The business case is provided in background papers.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council continues to face severe financial challenges over the coming years as a result of reductions to public sector funding and growing pressures in our statutory services. It is estimated that Wokingham Borough Council will be required to make budget reductions of approximately £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)	£500,000	Yes	Revenue
Next Financial Year (Year 2)	£500,000	Yes	Revenue
Following Financial Year (Year 3)	£500,000	Yes	Revenue

### Other Financial Information

None

### Stakeholder Considerations and Consultation

Stakeholder considerations and consultations will be carried out as part of the OJEU tender process. Once the 14 Home to School contracts are awarded then all service users of each coach route will be advised of the successful bidder for the contracts and any revised route or schedule information.

### List of Background Papers

1. Procurement Business Case
2. Home to School Travel and Transport Guidance – Statutory Guidance for Local Authorities.
3. WBC Home to School Transport Policy

<b>Contact</b> Mark Allen	<b>Service</b> Place Commissioning
<b>Telephone</b> Tel: 0118 974 6244	<b>Email</b> mark.allen@wokingham.gov.uk

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In accordance with the Procurement and Contracts Rules and Procedures (PCRP) (see section 3.1.1): a formal business case is required for any procurement with a total value above £50,000. The level of approval required for the Business Case depends on the type of procurement and total ascertainable value of the contract, as indicated in the table below:

**1. Level of Approval**

**State “YES” in the applicable box at either Level 1 or Level 2:**

Type of Procurement	Level 1		Level 2	
	Assistant Director & Director	“Yes”	Assistant Director, Director & Executive Approval	“Yes”
Goods and Services	£50k – £500k		> £500k	Yes
Schedule 3 Services	£50k – £615k		> £615k	
Works	£50k – £4,551k		> £4,551k	

**NOTE:** Executive meetings (Level 2) are held each month but the submission of papers is strictly controlled, resulting in a cycle of at least 6-weeks – speak to Democratic Services for assistance.

**2. Project Information**

<b>Project / Contract Title</b>	Home to School Coach Services
<b>Project / Contract Description</b>	Re-tender of 14 Large Coach Routes
<b>Expected Start Date &amp; Duration</b> (months)	Contract period: 60 months 03 September 2019 to 02 September 2024
<b>Any Extension/s Allowed</b> (months) (e.g.: 1 x 24m / 1 x 12m + 1 x 12m)	In addition to the contract period, the following extensions would be allowable: 2 x 12 Months + 1 x 12 Months
<b>Total Ascertainable Value</b>	£4,000,000.00 (8 Years)
<b>Procurement Procedure</b> (Open, Restricted, other agreed procedure)	Open
<b>If not an Open or Restricted procedure, has it been approved by Procurement?</b> (state “Yes”, “No” or “Not Applicable”)	
<b>Budget Available</b> (please state the value)	£4,000,000.00 (8 years)
<b>Source of Funding</b> (revenue or capital or specified other)	Revenue
<b>Any specific comments or notes associated with the budget</b>	Budgeted

### **3. Project Justification**

#### **Link to Service or Corporate Objectives:**

It is the responsibility of parents to ensure that their children regularly attend school. This includes making any necessary travel arrangements except in certain circumstances, as defined in the Council's Home to School Transport Policy, where there is a statutory duty on the Local Authority to do so. The Council aims to improve educational attainment and focus on every child achieving their potential and deliver quality in all that we do, including the statutory services for which we are responsible.

In those cases where Wokingham Borough Council has a duty to make transport arrangements to enable children resident in the Borough to attend school, any transport arrangement will be free of charge. The Council also has discretion to make transport arrangements, to subsidise travel costs, and to make appropriate charges, in other circumstances as defined in the Council's Home to School Transport Policy.

In all cases, the Council will aim to make safe, reliable and suitable travel arrangements, which meet the needs of children and their families, balanced with the need to make efficient use of its resources.

Where the Council does provide transport, parents retain responsibility for their child's regular attendance (for example, good timekeeping and behaviour in order to be able to travel on a school bus route).

Any duty to provide transport arrangements for eligible students or to meet travel costs is the responsibility of the local authority in which the child mainly lives.

#### **Project Specific Objectives, Appraisal of Options and Project Timetable:**

Wokingham Borough Council currently has contracts in place with contractors for the provision of 14 coaches that seat between 53 to 73 passengers depending on the route assigned to provide School coach services that transport approximately 1350 students daily to mainstream schools within the Wokingham Borough and neighbouring Authorities.

All 14 School coach services carry entitled (Statutory Provision) students from bus stops around the Wokingham Borough to their designated area mainstream school and return home.

This project is required to ensure continuity of the Council's statutory provision.

The existing contracts expired on 03 September 2018. There were no allowable extensions remaining therefore a material decision was approved in May 2017 to extend each of these contracts by one year. These contracts will now expire on 02 September 2019.

The planned project timetable is shown below:

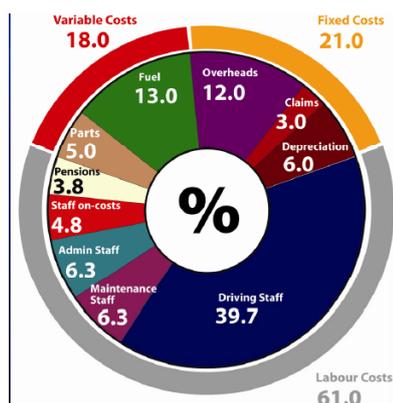
<b>Task</b>	<b>Timing / duration</b>
Tender documentation ready	1 March 2019
Tender	
- OJEU notice published	4 March 2019
- Invitation to tender documents issued	5 March 2019
- Deadline for return of tenders	8 April 2019
- Evaluate tenders	9 April – 26 April 2019
Award decision approved	3 May 2019
Issue Standstill letters	7 May 2019
Mandatory Standstill period ends	17 May 2019
Contract award letter issued	20 May 2019
Mobilisation	21 May 2019
Contract start date	03 Sept 2019
Contract Monitoring	Ongoing

### **Cost Benefit Analysis:**

Providing Home to School Transport Services to schools is a statutory requirement for eligible students. The Local authority being the provider is required to arrange for this transport provision. Presently third parties provide this service.

Any spare seats available on any of the coach routes are sold to non-entitled students and this contributes to reduce the overall cost of the services. There are currently 120 fare payers, contributing £700 per pass, which generates £84,000 in income per annum to the Council.

If the transport provision were brought in house then this would involve the purchase of 14 large coaches, drivers and associated maintenance, storage and operational costs.



The average annual cost for a 53 Seat Coach is £200k for fixed and Labour costs only.

### **Contract Management:**

The contract management would be on a daily basis and all services would be operated in compliance with Wokingham Borough Councils Conditions of Contract for the provision of School Transport Services and Community Transport and Wokingham Borough

Councils Code of Practice for the provision of School Transport Services and Community Transport. The contract is managed by the Transport Team within the Highways and Transport Team.

**4. Approval**

*Please fill in the applicable fields according to the level of approval required.*

**Note: If Level-2 approval is required, the document should be signed by Assistant Director and Director at Level-1 first, and then presented to the Executive for final approval.**

**Level 1**

<i>Position</i>	<i>Department</i>	<i>Signature</i>
Assistant Director		
Director		

**Level 2**

**NOTE: Level 1 approval must be completed first.**

**Please state the date of the relevant Executive meeting or Individual Executive Member Decision at which the Business Case has been approved.**

	<i>Date of Executive meeting / approval</i>
Executive Approval	



Department  
for Education

# Home to school travel and transport guidance

**Statutory guidance for local authorities**

**July 2014**

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## Summary

This is statutory guidance from the Department for Education. This means local authorities are under a duty to have regard to it when carrying out their duties in relation to home to school travel and transport, and sustainable travel.

This guidance is issued under duties placed on the Secretary of State by sections 508A and 508D of the Education Act 1996 (the Act). It deals with sections 508A, 508B, 508C, 509AD, and Schedule 35B of the Act which were inserted by Part 6 of the Education and Inspections Act 2006 (the EIA 2006).

This guidance replaces Home to School Travel and Transport Guidance Ref: 00373-2007BKT-EN.

## Review date

This guidance will next be reviewed in 2017.

## What legislation (including statutory instruments) does this guidance refer to?

This guidance refers to the following legislation (including statutory instruments):

- Sections 444, 508A, 508B, 508C, 508D, 509AD and Schedule 35B of the Education Act 1996 (the Act), as inserted by [Part 6 of the Education and Inspections Act 2006](#) (the EIA 2006)
- Regulation 5 and Part 2 of Schedule 2 to The School Information (England) Regulations 2002, [as amended](#)
- Equality Act 2010
- [School Admissions Code](#)
- European Convention on Human Rights
- The School Travel (Pupils with Dual Registration)(England) Regulations 2007
- Public Service Vehicles (Carrying Capacity) Regulations 1984
- Section 48 of the School Standards and Framework Act 1998

## Who is this guidance for?

This guidance is for:

- Local authorities
- Leaders of maintained schools, academies and free schools
- Parents
- Other interested parties, e.g. Transport Providers

## Main points

- There has been no change to school transport legislation and the associated duties continue to rest with local authorities.
- With the widening of the academies programme, the introduction of the free schools programme, and all schools now having the power to decide their session times, there will be an increasing need for local stakeholders to work together in partnership to agree and deliver transport policies that meet the particular needs of their area<sup>1</sup>.
- The guidance on appeals has changed and is intended to ensure greater consistency in approach and to be clearer and more transparent for both parents and local authorities.
- The policy for post 16 transport is different from that for compulsory school aged children (5-16). The link to the department's guidance on post 16 transport is provided in the '[Further information](#)' section of this guidance.
- Local authorities should review travel policies, arrangements and contracts regularly to ensure best value for money is achieved.

## Local authorities' statutory duties

In order to comply with their home to school transport duties local authorities must:

- Promote the use of sustainable travel and transport (Part 1.1).
- Make transport arrangements for all eligible children (Part 1.2).

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<sup>1</sup> See Hertfordshire County Council's approach to capacity building in the [case study at Annex 1](#).

# Part 1 - Statutory duties

## 1.1 Sustainable school travel

1. Section 508A of the Act places a general duty on local authorities to promote the use of sustainable travel and transport<sup>2</sup>. The duty applies to children and young people of compulsory school age who travel to receive education or training in a local authority's area<sup>3</sup>. The duty relates to journeys to and from institutions where education or training is delivered.

2. There are five main elements to the duty which local authorities must undertake:

- an assessment of the travel and transport needs of children, and young people within the authority's area;
- an audit of the sustainable travel and transport infrastructure within the authority's area that may be used when travelling to and from, or between schools/institutions;
- a strategy to develop the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of children and young people are best catered for;
- the promotion of sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and
- the publication of Sustainable Modes of Travel Strategy.

3. The Act defines sustainable modes of travel as those that the local authority considers may improve the physical well-being of those who use them, the environmental well-being of all or part of the local authority's area, or a combination of the two.

## Assessing the travel and transport needs of children and young people

4. Local authorities should, in large part, base their assessment of children and young people's travel and transport needs on the data provided by schools or colleges, often contained within school travel plans. Effective school travel plans, updated as necessary, put forward a package of measures to improve safety and reduce car use, backed by a partnership involving the school, education, health and transport officers from the local authority, and the police. These seek to secure benefits for both the school and the children by improving their health through active travel and reducing congestion caused by school runs, which in turn helps improve local air quality. Many travel plans

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<sup>2</sup> See Darlington Borough Council's approach to sustainable travel in the [case study at Annex 1](#).

<sup>3</sup> 'Child', 'compulsory school age' and 'sixth-form age' are defined respectively in sections 579(1), 8 and 509 AC of the Act.

are produced as a result of planning conditions placed on new developments by local authority planning departments. This highlights the need for all relevant departments (e.g. highways departments, planning departments, transport departments, children's services, environment departments, and public health) to be fully engaged when addressing this duty.

## **Audit of infrastructure to support sustainable school travel**

5. Local authorities already collect much of the information required for the audit of the infrastructure supporting sustainable school travel. Local authorities should audit infrastructure in accordance with any relevant guidance and the requirements of any infrastructure implemented. Specific school routes audits are considered good practice. The specifics of the audit and how often it should be reviewed are for a local authority to decide on as appropriate. However, the audit should include a mapping exercise showing how schools are served by:

- bus and other public transport routes (including school transport provided by the local authority);
- footpaths, cycle ways, roads and associated features (including crossing points and patrols, traffic calming measures, speed limits, 20mph zones); and
- any other arrangements made to support sustainable school transport that may be in operation (including the provision of cycle training, road safety training, and independent travel training; the provision of walking promotion and barrier removal schemes, car sharing schemes, park and stride/ride schemes, cycle parking).

6. The audit should also consider data relating to [personal safety and security](#), and other factors that influence travel choices, such as poor behaviour on school buses and/or the incidence of bullying on the journey to school. School travel plans will help local authorities understand any specific local issues, including perceptions of pupils and parents.

7. The arrangements or requirements for children with special education needs (SEN) or disabilities should also be considered and whether, for example, some might benefit from independent travel training which can result in a skill for life<sup>4</sup>.

## **Strategy to develop infrastructure to support travel needs of pupils**

8. Following the assessment of pupil needs, and audit of the sustainable transport infrastructure that supports travel to school, local authorities must establish a strategy for

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<sup>4</sup> See Coventry City Council's approach to independent travel training in the [case study at Annex 1](#).

developing that infrastructure so that it better meets the needs of children and young people in their area. These improvements should address a range of objectives, including environmental improvements, health benefits and enhanced child safety and security. The strategy should be a statement of the authority's overall vision, objectives and work programme for improving accessibility to schools and will be an important source of information to parents on the travel options available to them when expressing their preferences for particular schools in the admissions round.

9. The strategy should be evidence-based, including an assessment of the accessibility needs and problems of the local authority's area. Local authorities must monitor the implementation of their strategy and revise these as they feel necessary.

### **Promoting sustainable travel and transport to and from school**

10. Local walking, cycling, and bus strategies should inform the local authority's duty to promote sustainable school travel. In line with the physical Olympic and Paralympic legacy, as set out in HM Government's document '[Moving More, Living More](#)', promotion of walking and cycling to school can be an effective way to increase physical activity in children.

11. The sustainable school travel duty should have a broad impact, including providing health benefits for children, and their families, through active journeys, such as walking and cycling. It can also bring significant environmental improvements, through reduced levels of congestion and improvements in air quality to which children are particularly vulnerable.

### **Publication of Sustainable Modes of Travel Strategy**

12. The Education (School Information) (England) Regulations 2002, as amended require local authorities to publish their Sustainable Modes of Travel Strategy on their website by 31 August each year<sup>5</sup>.

## **1.2 Provision of travel arrangements**

13. Sections 508B and 508C of the Act make provision for local authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school.

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<sup>5</sup> S.I. 2002/2897, amended by [The Education \(School Information\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/1365\)](#).

14. These provisions apply to home<sup>6</sup> to school travel arrangements, and vice versa<sup>7</sup>. They do not relate to travel between educational institutions during the school day<sup>8</sup>.

15. Parents are responsible for ensuring that their children attend school regularly. However, section 444(3B) of the Act provides that a parent will have a defence in law against a prosecution by a local authority for their child's non-attendance at school where the local authority has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.

### **1.3 Provision of travel arrangements: Eligible children**

16. Section 508B of the Act deals with the duty on local authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children. Schedule 35B of the Act defines eligible children – those categories of children of compulsory school age (5-16) in an authority's area for whom free travel arrangements will be required local authorities are required to:

#### **Statutory walking distances eligibility**

- provide free transport for all pupils of compulsory school age (5-16) if their nearest suitable school<sup>9</sup> is:
  - beyond 2 miles (if below the age of 8); or
  - beyond 3 miles (if aged between 8 and 16)

#### **Special educational needs, a disability or mobility problems eligibility**

- make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability<sup>10</sup>. Eligibility, for such children should be assessed on an individual basis to identify their particular transport requirements. Usual

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<sup>6</sup> A child's 'home' is the place where he/she is habitually and normally resident.

<sup>7</sup> Including to boarding provision, where applicable.

<sup>8</sup> When a dual placement is outlined on an EHC Plan or statement, a local authority should use its discretion to decide on how best to cater for this child's individual circumstances.

<sup>9</sup> Taken to mean the nearest [qualifying school](#) with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEN that the child may have.

<sup>10</sup> As per Schedule 35 of The Act, disability is as defined in S.6 of EA 2010: a person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial a long-term effect on the ability to carry out normal day-to-day activities. Therefore a chronic health condition may lead to eligibility under this definition.

transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability.

### **Unsafe route eligibility**

- make transport arrangements for all children who cannot reasonably be expected to walk to nearest suitable school because the nature of the route is deemed unsafe to walk.<sup>11</sup>.

### **Extended rights eligibility**

- provide free transport where pupils are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit <sup>12</sup> if:
  - the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11);
  - the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools);
  - the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).

### **Accompaniment**

17. In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility', the local authority will need to consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent can reasonably be expected to accompany the child. When considering whether a child's parent can reasonably be expected to accompany the child on the journey to school a range of factors may need to be taken into account, such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied.

18. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

19. Local authorities should, however, promote and ensure equality of opportunity for disabled parents. For example, if a parent's disability prevents them from accompanying

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<sup>11</sup> Paragraphs 4 and 5 of Schedule 35B.

<sup>12</sup> Paragraphs 9-14 of Schedule 35B.

their child along a walking route that would otherwise be considered unsafe without adult supervision, a reasonable adjustment might be to provide free home to school transport for the child in question.

## Assessing route safety

20. Creating safe walking, cycling and travel routes and encouraging more pupils to walk and cycle to school is one of the best ways to reduce the need for transport and associated costs. In assessing safety, local authorities should consider a range of risks, such as: canals, rivers, ditches, speed of traffic and fields of vision for the pedestrian or motorist. An authority should also consider whether it is reasonable to expect the child's parent to accompany the child along a route which would otherwise be classified as [being unsafe](#).

21. Good practice shows that using local knowledge, coupled with modern IT tools, is essential when assessing existing walking routes and identifying potential new ones. Putting in place suitable new paths, pedestrian crossings and cycle lanes can improve safety, but minimal investment can also reap significant rewards. This might be something as simple as trimming overgrown hedges or preventing illegal parking. Making parents aware of safe walking routes and the time taken to assess them can help alleviate concerns and significantly increase the amount of pupils choosing to walk.

## Measurement of routes

22. The measurement of the statutory walking distances is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, [may walk safely](#). As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

23. The 2 mile limit for extended rights should be measured in the same way as the statutory walking distances. However, the 6 mile upper limit to a choice of schools, and the 15 mile upper limit to a school preferred on grounds of religion or belief are not walking routes, and should therefore be measured along routes that are passable using a suitable motorised vehicle. In short, the upper limits should be measured along road routes.

## Timing of assessment of eligibility

24. At the point when transport eligibility is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. For most cases this will be during the normal school admissions round when places are allocated. A smaller number of cases will need to be considered during the course of the school year e.g. as a result of families moving to a new area.

25. Where entitlement to extended travel rights has been established the department's opinion is that local authorities should consider the pupil to be eligible for the entirety of

the school year for which the assessment has been made. If a pupil ceases to be eligible any change to provision made by the local authority must be considered in the context of the potential impact on the child. Disruption to a child's education should be avoided.

26. Where a pupil is registered at a school, but is attending a place other than that school as a result of temporary exclusion, [eligibility for home to school travel](#) will apply to the other place for the temporary period.

## Qualifying school

27. The relevant educational establishment in relation to an eligible child will be either a qualifying school or the place, other than a school, where they are receiving education by virtue of arrangements made under section 19(1) of the Act<sup>13</sup>.

28. Regulations<sup>14</sup> clarify the entitlement for eligible children, a small number of whom may be registered at more than one educational establishment, e.g. children of no fixed abode might be registered at more than one school, and other children may be registered at a hospital school and another school, etc.

29. Qualifying schools are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nursery schools; or
- city technology colleges (CTC), city colleges for the technology of the arts (CCTA) or academies, including free schools and University Technical Colleges (UTC)<sup>15</sup>.

30. For children with SEN, an independent school can also be a qualifying school where this is named on the child's Education, Health and Care Plan (EHC Plan) or statement, or it is the nearest of two or more schools named.

## Travel arrangements made by the local authority or other bodies/persons

31. Examples of other bodies or persons making travel arrangements might include: a parent consenting to use their car in return for a mileage allowance; a school or group of

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<sup>13</sup> Section 508B(10) of the Act.

<sup>14</sup> [The School Travel \(Pupils with Dual Registration\)\(England\) Regulations 2007](#) (S.I.2007/1367).

<sup>15</sup> Paragraph 15 of Schedule 35B.

schools reaching an agreement with a local authority to provide transport in minibuses owned by the school; or a transport authority providing free passes for all children on public transport. For example, in London, Transport for London provides free bus passes for all children under the age of 16. In many circumstances, London Boroughs may therefore not need to make any additional travel arrangements for children living in their area, particularly when eligibility would be through statutory walking distances or extended rights.

32. Subsection (4) of 508B and 508C of the Act list some of the travel and transport arrangements that may be made. These might include: provision of a seat on a bus or minibus provided by the local authority; provision of a seat in a taxi where more individualised arrangements are necessary; and provision of a pass for a public service bus, or other means of public transport.

33. On condition that the relevant parental consent has been obtained (annually or, if a child moves school, at that point too) by the local authority, a number of alternative arrangements might be considered to meet the local authority duty relating to travel arrangements. Examples include:

- a mileage allowance paid to a parent driving their eligible child to school in lieu of the local authority making arrangements for a taxi to transport the child;
- a cycling allowance paid by the local authority where the parent agreed for their child to cycle to and from school instead of catching a bus for, say a three mile journey; and
- local authority provision of a suitable escort to enable an eligible child with a disability to walk a short distance to school in safety, instead of making arrangements for a taxi to take them to and from school.

## **Suitability of arrangements**

34. As a general guide, transport arrangements should not require a child to make several changes on public transport resulting in an unreasonably long journey time. Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes, but these should be regarded as the maximum. For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.

35. Consideration should also be given to the walking distance required in order to access public transport. The maximum distances will depend on a range of circumstances, including the age of the child, their individual needs and the nature of the routes they are expected to walk to the pick up or set down points and should try to be combined with the transport time when considering the overall duration of a journey. With regards to pick up points, local authorities may at their discretion use appropriate pick up points when making travel arrangements. For arrangements to be suitable, they must

also be safe and reasonably stress free, to enable the child to arrive at school ready for a day of study.

## Part 2 - Discretionary Arrangements

### Travel arrangements for other children

36. Section 508C of the Act provides local authorities with discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport. Charges can be made, or, as stated in Subsection (5) of 508C local authorities may also pay all or part of the reasonable travel expenses of children who have not had travel arrangements made either under the statutory duty placed on local authorities, or under their discretionary powers to make travel arrangements. Where charges are imposed, good practice suggests that children from low income groups (those not eligible for extended rights, either due to being just outside financial eligibility or live outside of the distance criteria and therefore not in receipt of free travel) should be exempt.

37. It is very much for the individual local authority to decide whether and how to apply this discretion as they are best placed to determine local needs and circumstances. It is recognised that local authorities will need to balance the demands for a broad range of discretionary travel against their budget priorities. While the department offers guidance, the final decision on any discretionary travel arrangements must rest with the individual local authority who should engage with parents and clearly communicate what support they can expect from the local authority.

### Religion or belief

38. Many parents will choose to send their children to a school as near as possible to their home. However, some parents choose to send their children to a school with a particular ethos because they adhere to a particular faith, or belief. Local authorities need to respect parents' religious and philosophical convictions as to the education to be provided for their children<sup>16</sup>, give careful consideration to discrimination issues and seek legal opinion if they are unsure about the effect of their policies, before publishing them each year.

39. Under the European Convention on Human Rights (ECHR), parents do not enjoy a specific right to have their children educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school and the Equality Act 2010 (which places a duty on local authorities

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<sup>16</sup> Article 2 of the First Protocol.

not to discriminate against a person on the grounds of their religion or belief), does not apply to the exercise of an authority's functions in relation to transport<sup>17</sup>.

40. However, the Secretary of State continues to attach importance to the opportunity that many parents have to choose a school or college in accordance with their religious or philosophical beliefs, and believes that wherever possible, local authorities should ensure that transport arrangements support the religious or philosophical preference parents express. In many cases these schools may be more distant and therefore the provision of transport and/or training, and the avoidance of unreasonable expenditure on travel are encouraged. However, the department appreciates that this may be incompatible, for example, on grounds of excessive journey length, or where the journey may have a detrimental impact on the child's education.

41. The Act places a duty on local authorities to make arrangements for secondary pupils from [low income](#) backgrounds to attend the nearest school preferred on grounds of "religion or belief", where that school is between 2 and 15 miles from their home. Local authorities may wish to use their discretionary powers to extend transport arrangements beyond the extended rights duty and facilitate attendance at such schools. The Secretary of State expects local authorities to consider all possible options before they disturb well established arrangements, some of which have been associated with local agreements or understandings about the siting of such schools. Local authorities should pay particularly careful attention to the potential impact of any changes on low income families (those not eligible under extended rights) whose parents adhere to a particular faith or philosophy, and who have expressed a preference for a particular school because of their religious or philosophical beliefs.

42. Local authorities will need to be aware of their obligation not to discriminate under article 14 of ECHR. For example, where local authorities use their discretionary powers to make travel arrangements for children on the basis of their parents' religious beliefs to schools designated with a religious character, the equalities implications should be considered, to facilitate parents' who wish their children to be educated in accordance with their philosophical convictions.

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<sup>17</sup> s31 of, and paragraph 11 of Schedule 3 to, the Equality Act 2010.

## Part 3 - Transport Considerations

### Safeguarding requirements

43. It is the responsibility of the individual local authority to ensure the suitability of its employees and any contractors or their employees by undertaking the required safeguarding checks on those whose work or other involvement will bring them into contact with children, or more widely, vulnerable adults. This should include bus drivers, taxi drivers and escorts, as necessary. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged to become the [Disclosure and Barring Service](#) (DBS). CRB checks are now called DBS checks. Please see [Further information](#).

### Training and Equalities

44. All local authorities should ensure that all drivers and escorts taking pupils to and from school and related services have undertaken appropriate training, and that this is kept up to date. It is also considered good practice for those responsible for planning and managing school transport to have undertaken appropriate equality training. This training could consist of (but is not restricted to):

- an awareness of different types of disability including hidden disabilities;
- an awareness of what constitutes discrimination;
- training in the necessary skills to recognise, support and manage pupils with different types of disabilities, including hidden disabilities and certain behaviour that may be associated with such disabilities;
- training in the skills necessary to communicate appropriately with pupils with all types of different disabilities, including the hidden disabilities; and
- training in the implementation of health care protocols to cover emergency procedures.

### Bus safety considerations

45. Buses and coaches used to take pupils to and from school are public service vehicles and, as such, are subject to specific legislation on safety standards. All coaches and minibuses carrying groups of children of 3 to 15 years of age on organised trips are required to be equipped with seat belts. The legal requirement to fit seat belts does not apply to other types of bus, including those on public service. These tend to travel relatively slowly, over short distances, with frequent stops. Schools or local authorities making arrangements for home to school transport are free to specify within their contracts that they will only accept vehicles fitted with seatbelts.

46. The [Public Service Vehicles \(Carrying Capacity\) Regulations 1984](#) allow the option of three children under the age of 14 to occupy a bench seat designed for two adults on a

service bus. Modern bus designs and seat belt requirements are reducing the circumstances in which this practice can be adopted and in the opinion of the Secretary of State, local authorities making arrangements for home to school travel should only make use of this concession on an exceptional basis.

## Poor behaviour on school buses/other modes of transport

47. The department expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The EIA 2006 empowers headteachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the department's view, this would include behaviour on school buses, or otherwise on the route to and from school, whether or not the pupils are in school uniform.

48. A number of local authorities have adopted a policy of withdrawing transport, either for a temporary period, or permanently for more serious or repeated cases of misbehaviour. Equally, the behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgment for the Headteacher<sup>18</sup>. Local authorities might also consider that escorts are necessary to ensure safety of pupils on buses and can stipulate the provision of suitable escorts in their tender documents.

## Partnership

49. The department strongly supports local authorities in developing cross-cutting approaches to home to school travel and transport. Relevant considerations would include sustainability, delivering value money and finding school and parent friendly solutions. This could be through strong partnerships between local authorities and academies, the use of Department for Transport policies and practices, such as Local Transport Plans and Local Sustainable Transport fund (see [Further information](#)) and partnership with parents, for example to allow them to top up transport costs through the payment of fees in order to maintain the provision.

50. Partnerships are strongly encouraged, particularly in rural areas, where the generally more limited transport services could disadvantage children<sup>19</sup>.

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<sup>18</sup> <https://www.gov.uk/government/publications/school-exclusion>

<sup>19</sup> See Staffordshire County Council's approach to rural travel provision in [case study at Annex 1](#).

## **Part 4 – Policy Changes**

### **Publication of general arrangements and policies**

51. Local authorities must publish general arrangements and policies in respect of home to school travel and transport for children of compulsory school age. This information should be clear, easy to understand and provide full information on the travel and transport arrangements. It should explain both statutory transport provision, and that provided on a discretionary basis. It should also set out clearly how parents can hold local authorities to account through their appeals processes. Local authorities should ideally integrate their Sustainable Modes of School Travel strategies into these policy statements, and publish them together.

### **Policy Changes**

52. Local authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all interested parties. Consultations should last for at least 28 working days during term time. This period should be extended to take account of any school holidays that may occur during the period of consultation.

53. Good practice suggests that the introduction of any such changes should be phased-in so that children who start under one set of transport arrangements continue to benefit from them until they either conclude their education at that school or choose to move to another school. Parents make school choices based on, amongst other things, the home to school transport arrangements for a particular school, and any changes might impact adversely on individual family budgets.

## Part 5 - Appeals process

54. Local authorities should have in place both complaints and appeals procedures for parents to follow should they have cause for complaint about the service, or wish to appeal about the eligibility of their child for travel support. The procedure should be published alongside the local authority travel policy statement. If an appellant considers that there has been a failure to comply with the procedural rules or if there are any other irregularities in the way an appeal was handled they may have a right to refer the matter to the Local Government Ombudsman. If an appellant considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

55. In the past we have left it to local authorities to determine how their appeals procedures should operate in practice. However, in the interests of consistency and to be both clearer and more transparent, for both parents and local authorities, we have now set out a recommended review/appeals process in [Annex 2](#).

## Further information

### Post-16 transport

Guidance relating to post-16 transport is available on the [department's website](#)

### Sustainable transport

British Cycling is the national governing body for cycling and can provide advice on cycling to school and cycle training. More information is available at [www.britishcycling.org.uk](http://www.britishcycling.org.uk)

Department for Transport funding is available to Local Highway Authorities and Schools Games Organiser Host Schools for the provision of Bikeability cycle training for school children in England. This will teach children to cycle safely, confidently and competently on the roads. More information is available here: [www.dft.gov.uk/bikeability/schools](http://www.dft.gov.uk/bikeability/schools)

The Department for Transport Local Sustainable Transport Fund was established to support authorities in delivering local economic growth whilst cutting carbon emissions from transport. Further information can be found at:

<https://www.gov.uk/government/collections/local-sustainable-transport-fund>

Living Streets runs the national Walk to School campaign which reaches over 13 million people. The campaign successfully encourages and supports parents/carers and children to make walking to school part of their daily routine. More information is available on their website [www.livingstreets.org.uk](http://www.livingstreets.org.uk)

Modeshift is the national sustainable travel organisation. Modeshift supports local authorities, schools, business and communities to increase levels of sustainable travel. More information is available on their website [www.modeshift.org.uk](http://www.modeshift.org.uk)

Moving More, Living More is a document produced by the Department of Health which builds on the work already under way to help realise the aim of having a more physically active nation as part of the legacy from the London 2012 Olympic and Paralympic Games:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/279657/moving\\_living\\_more\\_inspired\\_2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/279657/moving_living_more_inspired_2012.pdf)

Sustrans is the leading sustainable transport charity that provides practical advice that can be passed onto parents to increase confidence in walking and cycling. More information is available on their website: [www.sustrans.org.uk](http://www.sustrans.org.uk)

### DBS (formerly CRB) employee suitability checks

Further information about DBS checks (and who requires them or is eligible, for example bus drivers for designated home to school transport are eligible, whereas those driving

public services are not) can be obtained from: <https://www.gov.uk/disclosure-barring-service-check>

## Definitions

- Section 444(5) of the Act defines the statutory walking distances.
- Schedule 35B of the Act defines:
  - ‘eligible children’ (paragraphs 2-7 and 9-13);
  - ‘qualifying school’ (paragraph 15);
  - ‘disabled child’ (paragraph 15(4));
  - ‘religion and belief’ (paragraph 15(6)) and 509AD of the Act;
  - ‘low income family’ (paragraphs 9-14).
- Section 579 of the Act defines ‘child’.
- Section 509AC of the Act defines ‘compulsory school age’.
- The Equality Act 2010 defines ‘religion or belief’ for the purposes of this Act.
- The Children’s and Families Act section 10 defines ‘SEN’

## Key term Glossary

- Home: A child's 'home' is the place where he/she is habitually and normally resident.
- Nearest suitable school: Taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEN that the child may have.
- Parent: Reference to parent in this document should be equated to mean parent/carer/legal guardian.
- Philosophical Belief: For a philosophical "belief" to be worthy of protection, it must attain a certain level of cogency, seriousness, cohesion and importance; be worthy of respect in a democratic society; and not be incompatible with human dignity or the fundamental rights of the child. Examples of beliefs are humanism and atheism.
- Road routes: Reference to road route should be taken to mean a route passable by a motor vehicle, and could include distance covered on additional transport, e.g. via ferry.

# Annex 1: Case Studies

## Sustainable travel

Effective sustainable travel plans have wider benefits for a local area than simply improving access to schools and education. Evidence shows that school travel plans can have benefits ranging from increased road safety, to healthier, more alert and engaged pupils, to increasing independent travel and associated life skills for pupils with SEN. Enabling the increased use of sustainable modes of travel such as walking, cycling and the use of public transport has environmental benefits in reducing levels of noise, congestion and poor air quality - the latter of which children are particularly at risk to.

## Darlington Borough Council case study

### Impact/benefits

The data from 2011-12 indicates that on average, 7% of secondary school pupils are choosing to cycle to school. Before the Local Motion initiative began, this figure stood at just 1%.

### Details of the approach

Darlington Borough Council has encouraged a modal shift away from the car to more sustainable modes under the brand 'Local Motion'. The Local Sustainable Transport Fund has provided funding for the continuation of this project since 2011. It ensures that schools, young people and their families receive relevant information, to enable them to choose sustainable travel options to get to and from school.

### How was the change made?

The whole schools package is underpinned by the Modeshift STARS online accreditation scheme which recognises and rewards each school's commitment to promoting sustainable travel. All Darlington schools must engage with Modeshift STARS in order to access other support and resources from the Local Motion project.

A new Year 6 Transition Programme has been introduced to help pupils and their parents make informed choices about sustainable travel options to the secondary school they will be attending.

All Darlington secondary schools have converted to academy status, but have continued to engage with the Local Motion programme and continue to support sustainable travel.

## **Advice for other LAs contemplating such an initiative**

The Local Motion Transition encourages families to start thinking about how they are going to travel to secondary school long before they start at the school, to avoid relying on private cars.

For further information please email Louise Neale: [louise.neale@darlington.gov.uk](mailto:louise.neale@darlington.gov.uk)

## Stoke-on-Trent case study

### Impact/benefits

After just one year of Sustrans' engagement (2013/14) regular cycling amongst pupils (once or twice a week or more) increased from 8.5% to 12.7% and those regularly being driven (once or twice a week or more) decreased from 49.9% to 45.3%. This is helping to reduce the impact of congestion from education travel which is estimated to cost £2.6m per year.

### Details of the approach

Stoke is one of eight partner local authorities in the Access to Education (A2E) programme, led by Devon County Council and coordinated by Sustrans. It is funded by the Local Sustainable Transport Fund.

Using locally-tailored packages Sustrans provide a real alternative to the car for trips to schools, colleges and universities, reducing congestion, improving journey reliability and boosting local economies.

### How was the change made?

- Intensive engagement from two Sustrans officers working with 21 primary and seven secondary schools
- Provision of 'Access to Bikes School Hubs' – shipping containers that contain 15 bikes, helmets, hi-viz jackets, pumps, locks, lights and maintenance tools placed in nine schools
- Installation of cycle parking and scooter pods at schools
- A programme of highway safety improvements, including new crossings and off-road cycle access links from residential areas to schools

### Advice for other LAs contemplating such an initiative

Schools need to have intensive support over an extended period of time which would include building the skills, knowledge and confidence of 'champions' to deliver the ongoing work. The Sustrans School Mark, an accreditation scheme which recognises and supports schools' excellence in active and sustainable travel, provides a framework to drive this forward.

For further information please email Allan Williams: [allan.williams@sustrans.org.uk](mailto:allan.williams@sustrans.org.uk)

## **Home to school travel assistance for pupils with SEN or disabilities**

Research indicates that there can be significant short and long term benefits in the application of independent travel training for pupils with special educational needs or disabilities. The training given can result in savings to transport budgets in the short term, but can also provide longer term benefits to the individual in terms of a skill for life that might lead to greater social inclusion and employment prospects.

### **Coventry City Council case study**

#### **Impact/savings achieved**

As a result of this initiative and tighter control and work to secure efficiencies in the operation of the home to school travel assistance programme the Council made £326k savings in 2011/12. The savings made in 2012/13 equated to £374k which includes the reductions in expenditure on home to school escorts. The total reduction over the 2 years is a 19% fall in expenditure.

#### **Details of the new approach**

Successful work has been undertaken to provide independent travel training for secondary aged pupils and the provision of personal transport budgets to the parents of pupils in special schools. This has enabled young people to become more independent and given them valuable skills for life, as well as securing a reduction in spending for the Council.

#### **How was the change made?**

Impower Consultancy was commissioned to identify potential efficiencies. Focus groups of parents of pupils with SEN or disabilities were formed to seek views and identify new ways of working. Two key work streams were then established to take forward the provision of Independent Travel Training and Personal Transport Budgets (PTBs).

Two travel trainers now focus their work on school aged pupils, to help them improve their independence skills. This also reduces the number of adults needing training in subsequent years.

The Council also developed a scheme to offer PTBs to parents. The funding was high enough to incentivise parents, while being low enough to deliver savings for the Council. This was piloted in one school initially and then rolled out across all the special schools.

#### **Advice for other LAs implementing the change**

Special school headteachers are fully involved in this initiative and they help identify suitable young people to undertake training.

Contacting parents by telephone was resource intensive, but very positive in terms of fully explaining the benefits and options. PTBs are voluntary, tailored and non-prescriptive. The attendance and punctuality of pupils with a PTB is monitored. Beyond this there is no prescription and parents are not asked to account for expenditure.

For further information please email Marian Simpson: [marian.simpson@coventry.gov.uk](mailto:marian.simpson@coventry.gov.uk)

## **Capacity building with schools and transport operators**

In a financial climate where spending is reduced and costs are increasing local authorities may well find that they have less funding available to support discretionary transport provision, but there may be alternative solutions.

Many academies, with support from their local communities, are taking full advantage of their academy freedoms and are collaborating with other stakeholders and providers to offer discretionary transport to their schools. Local authorities can greatly assist with these initiatives by sharing their experience, expertise and influence in the procurement of transport.

## **Hertfordshire County Council case study**

### **Impact/savings achieved**

£5-6 million will be saved each year as a result of schools and commercial operators providing discretionary travel on routes previously funded and delivered by the Council.

### **Details of the new approach**

From September 2012 Hertfordshire County Council introduced a statutory only home-school transport policy. The Council was keen to attract third party providers to arrange transport on routes which it had previously organised and subsidised and that catered mainly for children without a statutory entitlement to home to school transport.

The Council has worked to build capacity locally to encourage and enable schools, community groups and commercial operators to provide school transport. From September 2013 a total of 130 routes to schools of preference operate without a financial subsidy from the Council. Thirty of these routes have been operating since April 2012.

### **How was the change made?**

The Council supported schools and parents to help develop transport plans. The Council also secured the involvement of the commercial sector and promoted awareness of business opportunities to it.

### **Advice for other LAs implementing the change**

Commercial operators require routes to be financially secure, and therefore are only likely to consider taking on routes where there is a predicted, fare paying commitment from parents. School transport only accounts for 192 days a year.

Local authorities should act as facilitators with the commercial sector, to help schools with contracts and to ensure competition law is followed. Models should rely on parents being able to fund their family's school transport, without any subsidy from the LA. In the

current financial climate, there has been more opportunity for commercial coach companies to participate in this market, rather than commercial bus companies.

For further information please email Sarah Vize: [sarah.vize@hertfordshire.gov.uk](mailto:sarah.vize@hertfordshire.gov.uk)

## **Demand responsive service in rural areas**

Counties with a large number of small rural communities face the challenge of ensuring that children in these communities are transported to their local schools whilst also providing a cost efficient transport network to the wider community to avoid rural isolation. Rural transport is essential in sustaining local rural communities and connecting people with essential services.

## **Staffordshire County Council case study**

### **Impacts/Benefits**

As a result of replacing infrequent existing local service buses and incorporating home to school transport on to a demand responsive service, a sustainable service has been developed which transports children to school and enables the rural population to be connected with essential services and the wider community. Children that have been transported to school frequently go on to use the service when they move up to middle or high school, increasing their independence despite their rural location.

### **Details of the approach**

Moorlands Connect, a Demand Responsive Service was launched in 2010. The service incorporates the home to school transport to two village schools within the operating area which covers approximately 125 square miles. Outside school transport times the vehicles can be booked as a door to door service to transport people to work, appointments or other essential journeys. Using smaller vehicles and a demand responsive approach that is not tied to a scheduled route has meant that remote areas now have access to a service.

### **How was the change made?**

A rural transport review was commissioned in 2008 and recommended the implementation of a demand responsive service. Residents in the area were consulted and current services, including home to school transport, were reviewed to establish which services could be incorporated on to a new service to increase its sustainability. Funding was sourced from various external agencies for the purchase of two fully accessible vehicles that carry bicycles and the service was launched in September 2010. It continues to be well used by the local communities and also by visitors to the area who can get out and about in the Peak District using the service.

### **Advice for other LA's implementing the change**

The process in setting up the service should include service demand evaluation, assessment of service options, the associated costs and, importantly, comprehensive consultation. Such service complements existing local bus services and provides

alternative choice for passengers. The latter ensures new and continuing public and political support for the scheme. Ticketing options need to be considered, including onward ticketing and potential integration with the local bus service(s). All funding options should be explored at a local and national level; this connect service received initial funding from Districts, Staffordshire Police and Fire services. Once the service is operational there is the need to monitor and evolve the service to meet ongoing needs and changing travel patterns.

For further information please email: [kathryn.grattage@staffordshire.gov.uk](mailto:kathryn.grattage@staffordshire.gov.uk)

## Annex 2: Recommended Review/Appeals Process

Previous guidance made clear that local authorities should have in place and publish their appeals procedures, but left it to the individual authority to determine how this should operate in practice. We are now recommending that local authorities adopt the appeals process set out below, appreciating that specifics, such as the identification of an appeal compared to a complaint, will need to be decided by local authorities. The intention is to ensure a consistent approach across all local authorities, and to provide a completely impartial second stage, for those cases that are not resolved at the first stage.

Local authorities should publish annually their appeals process on their website. This should set out a clear and transparent two stage process (with paper copies available on request) for parents who wish to challenge a decision about:

- the transport arrangements offered;
- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and
- the safety of the route.

### Stage one: Review by a senior officer

- A parent has 20 working days<sup>20</sup> from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision.
- The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent's written request a senior officer reviews the original decision and sends the parent a detailed written notification of the outcome of their review, setting out:
  - the nature of the decision reached;
  - how the review was conducted (including the standard followed e.g. Road Safety GB<sup>21</sup>);
  - information about other departments and/or agencies that were consulted as part of the process;
  - what factors were considered;
    - the rationale for the decision reached; and

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<sup>20</sup> As with the whole appeals process the timings are recommended and not compulsory. We envisage many appeals will be dealt with much sooner than these timings, particularly those which have a time pressure, whilst complex cases may take longer.

<sup>21</sup> Road Safety GB is the sole published standards known to the department, hence referenced.

- information about how the parent can escalate their case to stage two (if appropriate).

## **Stage two: Review by an independent appeal panel**

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

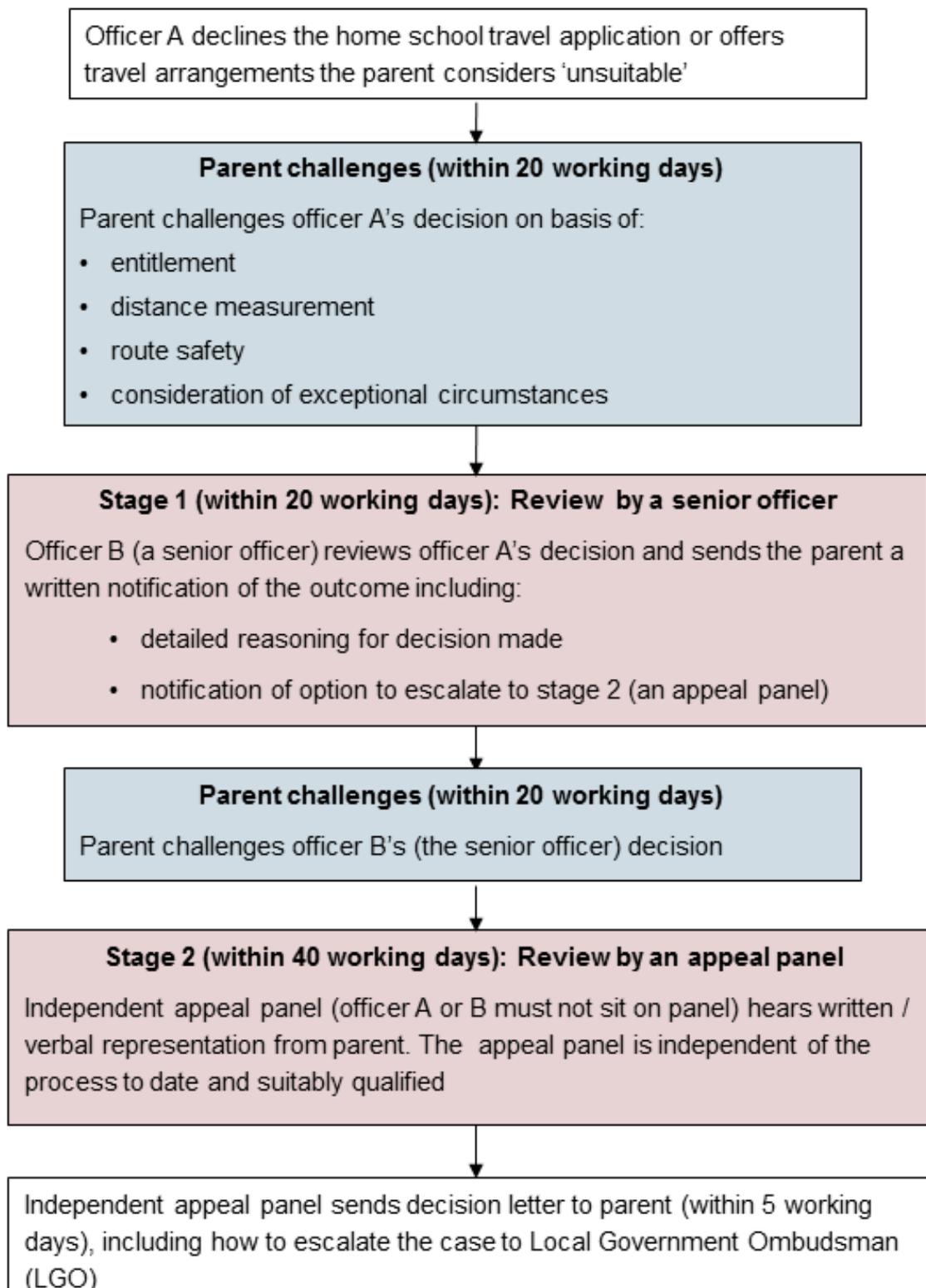
Within 40 working days of receipt of the parents request an independent appeal panel considers written and verbal representations from both the parent and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- how the review was conducted (including the standard followed e.g. Road Safety GB);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent's right to put the matter to the Local Government Ombudsman (see below).

The independent appeal panel members should be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk.

Local Government Ombudsman – it is recommended that as part of this process, local authorities make it clear that there is a right of complaint to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review.

## Home to school travel and transport: flowchart of the review/appeals process





Department  
for Education

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**WOKINGHAM BOROUGH COUNCIL**

**POLICY FOR HOME TO SCHOOL**

**TRANSPORT**

Revised February 2015

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## INTRODUCTION

In general, it is the responsibility of parents to ensure that their children regularly attend school. This includes making any necessary travel arrangements except in certain circumstances where there is a duty on the local authority to do so.

In those cases where Wokingham Borough Council has a duty to make transport arrangements to enable children resident in the Borough to attend school, any transport arrangement will be free of charge. The Council also has discretion to make transport arrangements, to subsidise travel costs, and to make appropriate charges, in other circumstances.

In all cases, the Council will aim to make safe, reliable and suitable travel arrangements which meet the needs of children and their families, balanced with the need to make efficient use of its resources.

Where the Council does provide transport, parents still retain responsibility for their child's regular attendance (for example, good timekeeping and behaviour in order to be able to travel on a school bus route).

Any duty to make transport arrangements or to meet travel costs is normally the responsibility of the local authority in whose area a child mainly lives (or, in the case of looked-after children, the local authority responsible for placing them in care).

## HOME TO SCHOOL TRANSPORT – GENERAL ENTITLEMENT

Wokingham Unitary has a duty to provide transport as set out below. Note that this duty relates to transport at the beginning and end of the statutory school day, and does not extend to travel within the school day or to attend extension activities before or after school.

Under the Education Act 1996 Section 508B:

Transport will be provided for '**eligible children**' attending a '**qualifying school**'.

*Eligible children*<sup>1</sup> means –

- Pupils under the age of eight and of statutory school age who attend and live more than 2 miles from a qualifying school, by the shortest safe walking route.
- Pupils aged eight and up to sixteen (school leaving age) who attend and live more than three miles from a qualifying school, by the shortest safe walking route.
- Pupils who attend a qualifying school where there is no safe walking route from home to school.

*Qualifying school* means the nearest available and suitable school, or a designated school for admissions purposes. '*Nearest*' is determined by straight line distance; '*Available*' means a place at this school would have been available to be allocated, had this been stated as a higher preference. The local authority is entitled to determine which schools are '*suitable*'. This will normally include all Community, Voluntary Controlled and Voluntary Aided Schools, and Academies, unless a child has a statement of special needs which specifies a requirement for a specialist setting. 3

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<sup>1</sup> The definition of 'eligible children' is based on that set out in Schedule 35B of the Education and Inspections Act 2006

Any reference to schools includes schools in other local authority areas but does not include independent (fee-paying) schools (except in the case of approved independent special schools – see section on children with statements of special education need)

*Safe Walking distance* – see separate section for fuller explanation

For children resident in **areas that have more than one designated school**, any of the designated schools will be considered to be a *qualifying school* for transport assistance, even if it is not the nearest one. However, this will not apply where one of the designated schools was available and lies within safe walking distance of home, since providing transport assistance in those circumstances would not be compatible with the efficient use of public resources.

## **HOME TO SCHOOL TRANSPORT – LOWER INCOME FAMILIES**

Lower income families in this case are defined as

- (a) families whose children are entitled to free school meals, or
- (b) families in receipt of the maximum level of working tax credit.

For these families, the general entitlement to transport assistance is extended to include

- Pupils aged eight or over who attend school for primary education at their designated or nearest qualifying school and live more than two miles away by the shortest safe walking route.
- Pupils who attend one of their three nearest qualifying secondary schools and if they live between two and six miles from school.
- Pupils who attend the nearest suitable school on the basis of faith or belief if they live between two and fifteen miles from school.

Schools counted in these cases are those at which a place was or would have been available at the time of application. Publicly-funded Local Authority Maintained Schools and Academies are deemed to be suitable, qualifying schools, but not independent schools.

## **PARENTAL PREFERENCE**

In most cases parents are responsible for making arrangements for their child to get to school. The Local Authority will provide transport where it is necessary to do so in order for their child to attend a local school, as set out in law and explained in the previous sections of this policy.

Whilst it is a requirement that parental preference is respected wherever possible in allocating school places, this requirement does not extend to the provision of transport. Where parents<sup>2</sup> select alternative schools to their designated or nearest schools<sup>3</sup>, they accept responsibility for making their own transport arrangements for their children. Information about transport is published in the School Admissions Guides for parents. If transport costs are a significant factor in choosing schools, and it is not clear whether they would qualify for transport assistance to a particular school, further advice can be provided.

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<sup>2</sup> Parents, throughout this document, should be taken to include “corporate parents”, that is Local Authorities, including Wokingham, which have parental responsibilities for Looked After Children.

<sup>3</sup> nearest schools, in the case of lower income families – see earlier section of the policy.

## **ALTERNATIVE SCHOOLS WHEN PREFERENCES CANNOT BE MET**

Where parents have made an application for a place at their designated school but the local authority has been unable to meet this or any of their preferences, the local authority will allocate the most accessible school with available places. In such cases the school will be treated as a qualifying school for transport assistance, unless it is unnecessary because the school is within safe walking distance.

## **ASSESSMENT OF TRANSPORT ENTITLEMENT**

Assessment of entitlement is generally carried out at the time of entry to and transfer between schools. Entitlement will be determined on receipt of an application following the allocation and acceptance of offers of places at the school. Where granted, transport will normally apply for the whole of the school year of entry. Any entitlement to transport is subject to reassessment thereafter on an annual basis.

Changes to transport or school admissions policies that affect entitlement to free travel for future entry years to schools will not be applied retrospectively to the entitlement of existing pupils.

## **DISTANCES**

The nearest school (or three nearest secondary schools for lower income families) shall be determined in all cases by reference to radial (straight line) distance.

The two and three mile minimum distances are measured by the nearest available walking route and verified by the Council, or its agents, by appropriate means. These may include calculations using computer generated mapping systems. The stated distances are an exact measure and they cannot be considered as marginal. The Council may commission an independent assessment of the length and safety of a particular route, but will only do so at its discretion in exceptional cases.

The 'maximum' entitlement distances for lower income families, of six and fifteen miles, shall be measured as shortest available road route distances.

## **SAFE WALKING DISTANCE / ROUTES**

Routes are assessed to be safe using nationally recognized road safety guidelines<sup>4</sup>. Safe walking route means a route which is safe for the child to walk accompanied if necessary (appropriate to their age and nature of the route).

## **CHILDREN WITHIN WALKING DISTANCE UNABLE TO WALK TO SCHOOL**

Where due to any special educational need, disability, or mobility problem, a child is unable to walk to school, travel assistance will be considered.

Where due to disability, a child's parent(s) is/are not able to accompany them, and no alternative arrangements are able to be made, an assessment will be made as to whether in effect the child does not have access to a safe walking route to their designated or nearest school, and if so travel assistance will be considered.

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<sup>4</sup> Guidelines published by the Road Safety Officers Association

Such cases will be assessed on the basis of any available evidence provided in support of the application (Evidence from a doctor or other relevant professional will normally be required)

### **SHORT TERM MEDICAL CONDITIONS**

If a child suffers from a temporary physical or medical condition that means they are unable to walk to school or travel in their usual manner, then free school transport may be provided. Applications for transport on this basis must be supported by appropriate evidence from the medical profession.

This may include, but is not restricted to:

Letter from the child's GP and/or  
Letter from the child's consultant

If the child attends a school outside their designated area, parents will normally be required to pay the usual costs of transport as a contribution towards the Council's costs.

Transport provided on this basis will be reviewed every half term and may require submission of further evidence on completion of a review.

### **TRANSPORT ARRANGEMENTS**

Transport is arranged during the summer months for the start of the academic year. Parents are notified of the transport arrangements prior to the start of term.

Applications received during the academic year will be dealt with as quickly as possible with transport arrangements being confirmed within five working days.

When suitable public or commercial transport routes are available, pupils will be supplied with a pass or season ticket enabling them to travel. If such provision is not available, then transport may take the form of school transport contract coaches or minibuses arranged by the Council, or in exceptional circumstances, taxis may be used. Agreement may be sought with parents to pay mileage rate using their own vehicle where this option is available.

Transport is arranged based on the pupil's registered home address, but this may not necessarily be door to school gate. Pupils can be required to walk to and from a central pick up and/or drop off point. This will usually be within one mile walking distance from the child's home, and total walking distance will be within the statutory 2 or 3 mile walking distances explained elsewhere in this policy.

The Council will determine the means of travel assistance to be provided, to ensure the most efficient use of resources compatible with meeting children's travel needs.

### **BEHAVIOUR**

There are guidelines for parents and pupils with regard to travelling to and from school. These are distributed to parents when transport arrangements are confirmed. Steps to be taken when instances of bad behaviour occur are outlined in the guidelines. For pupils who continue to misbehave, transport may only be provided if the pupil is accompanied by an adult.

### **CHANGE OF ADDRESS**

In circumstances where there is a change of address for a pupil, so that their school is no longer a 'qualifying school' under the definitions set out within this policy, responsibility for the child's attendance and any transport arrangements is assumed by the parents.

## **DENOMINATIONAL SCHOOLS**

The Council's Executive, at its meeting on 31<sup>st</sup> July 2003 agreed to end discretionary denominational transport for all new applicants.

This does not affect the statutory entitlement for lower income families to receive transport support for a child attending a secondary school chosen on grounds of faith or belief (see the section on entitlement for lower income families for full details).

## **SAFETY OF ROUTE**

Within the terms of Sections 444 (4) and (5) of the Education Act 1996 a parent cannot be charged with failing to secure regular attendance of registered pupils if the nearest available walking route is unsafe. If the safety of a walking route is challenged then an assessment of the safety of the route is made by a Road Safety Officer, following the guidelines of the Road Safety Officers Association on Safety of Journeys between Home and School on the basis of pupils being accompanied by an adult as necessary.

If transport is provided on the grounds of safety of route then this entitlement will be routinely reviewed every two years during the Summer Term and parents will be notified of the outcome prior to the end of the academic year with regard to transport provision for the following academic year. If a safe walking route is identified then transport provision will be withdrawn. If during the two years between reviews a safe walking route is identified, then parents will be given one term's notice of termination of transport provision.

## **FAREPAYING TRANSPORT**

If a pupil does not receive free transport provision a farepaying seat may be purchased on an existing contract vehicle subject to certain conditions. If the seat is required at any time in the future by an entitled pupil then the parents of the farepaying child must make alternative arrangements. Farepaying provision is not made if there is public transport operating the same route.

## **POST-SIXTEEN TRANSPORT**

Home to school transport will be provided up to school leaving age (to the end of the school year concerned). A separate policy is published on the Council's arrangements to support post-16 travel.

## **RISING 5's**

Transport will be provided for pupils below statutory school age but admitted in accordance with published admissions policies for the purposes of primary education at qualifying schools and who meet the entitlement criteria for transport assistance.

Transport will not be considered for other children registered for pre-school early years education and childcare at a school, including integrated foundation units.

## **SIBLINGS**

The provision of transport for an older sibling does not create any precedent for younger siblings, as each application will be considered afresh on its own merits, and there may have been material change in circumstances from one application to another.

## **EXCLUDED PUPILS**

Where a pupil has been permanently excluded and is to attend a new school through the reintegration or managed move protocols, transport will be provided within 5 working days of

receipt of the request to whichever school the child is directed. This is subject to the general entitlement criteria (safe walking distance) and the application must be supported by the relevant Service Manager.

This is without prejudice to the general entitlement to transport assistance to qualifying schools set out elsewhere in this policy.

Where the child is reintegrated into a school of the parent's preference, or through an in-year admission application to transfer schools, requests for transport will be assessed against the general entitlement criteria.

See also the next section.

## **PUPILS EDUCATED OTHER THAN AT SCHOOL**

Pupils attending sessions organized through Foundry College may receive free transport provision the home to learn journey is beyond safe walking distance, or on a discretionary basis. Any such transport will be organised through the College.

Where the local authority is asked to arrange transport, requests will considered if they are made in writing by the Head of the College (or a manager to whom the Head has formally delegated this authority).

## **WHEN TRANSPORT IS NOT PROVIDED**

Transport is not currently provided for the following:

- After school/breakfast clubs or other extended day activities.
- Other than to and from the registered home address
- To work experience
- To part-time provision off the school site organised by the school, e.g. to vocational classes at college
- Movement between educational establishments

## **HOME TO SCHOOL TRANSPORT - FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS**

**A statement of special educational needs does not automatically lead to free transport provision from home to school. Transport applications will be assessed on the basis of the general entitlement criteria set out in this policy, unless they have additional identified travel needs.**

Special education transport entitlement is based on the child's individual needs. If a child's needs are such that transport is not necessary then the mainstream distance criteria applies – transport is provided if the pupil attends their designated or nearest suitable school and lives more than 3 miles (2 miles if under eight) from the school.

Transport arrangements will be made for children living within the statutory walking distance limits who cannot be expected to walk because of their special educational needs, a disability or a mobility problem. In such cases this should be through reference to travel needs recorded in part 5 or 6 of the child's Statement of Special Needs. Travel needs should be reassessed as part of the annual review process.

## **PARENTAL PREFERENCE, SEN STATEMENTS**

A parent whose has exercised their preference for their child to attend a school that is further away from the child's home than another school that, in the authority's view, would be

suitable to meet the child's special educational needs, is responsible for arranging and funding the transport to that school. Where the local authority agrees to meet parental preference in naming such a school on a child's Special Needs Statement, it may do so on condition that the parent takes responsibility for any transport arrangements.

### **FAREPAYING/DISCRETIONARY TRANSPORT**

If a pupil does not receive free transport provision a fare paying seat may be purchased on an existing vehicle, subject to certain conditions. If the seat is required at any time in the future by an entitled pupil then the parents of the fare paying child must make alternative arrangements.

This option is available on school routes for any registered pupils, including students above statutory school age attending sixth form.

The availability of this facility on any particular route is at the local authority's discretion.

### **TRANSPORT APPEALS PROCEDURE**

Where an application for transport assistance has been made and has been rejected, the parent will be written to with an explanation of the decision. The letter will advise the parent of their right to have this decision reviewed. *In such cases the following procedure will apply from May 2012 onwards:*

**First Stage** – *Appeal forms are initially reviewed by a panel of three Officers. Those appeals that are outside of the published criteria and/or are simply disagreeing with the decision without providing evidence to support a case will not proceed to Stage Two, and the parents will be notified. Parents will still have an option to make a referral to the Local Government Ombudsman, who may be able to investigate their complaint further.*

**Second Stage** – *Formal Transport Appeal Hearing heard by School Transport Appeals Panel. The quorum for a Panel hearing is three elected members appointed to the Panel.*

Officers will be bound to the decision of the Transport Appeals Panel. However, as with all transport assistance, this may be subject to review in the light of any material change in circumstances. Further appeals are not allowed within the same academic year, and may only be made in subsequent years if there is a substantial change in circumstances to consider.

All appeals are administered by :

Democratic Services  
Wokingham Borough Council  
Shute End  
Wokingham RG40 1WQ

Telephone 0118 974 6319

Email [democratic.services@wokingham.gov.uk](mailto:democratic.services@wokingham.gov.uk)

If a parent feels that their transport application or appeal have not been administered fairly or correctly, they can complain to the Local Government Ombudsman. The Ombudsman can be contacted at:

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Helpline: 0300 061 0614.

Further information can be found at: [www.lgo.org.uk](http://www.lgo.org.uk)

## **PROCEDURES AND SERVICE STANDARDS**

Detailed procedures for assessing and authorising transport for relevant mainstream and special education settings, and agreed service standards for the provision of transport, are to be set out in separate documentation and kept under regular review.

## **COMPLAINTS PROCEDURE**

Complaints about transport provision will be investigated in accordance with the Council's Complaints Policy. This does not apply to complaints about a refusal to grant transport, which will be dealt with through the Transport Appeals procedure.

<b>TITLE</b>	<b>Re-commissioning of the Integrated Sexual and Reproductive Health Service for Berkshire West</b>
<b>FOR CONSIDERATION BY</b>	The Executive on 28 March 2019
<b>WARD</b>	None Specific;
<b>LEAD OFFICER</b>	Graham Ebers – Deputy Chief Executive
<b>LEAD MEMBER</b>	Parry Batth – Executive Member for Health and Wellbeing and Adult Social Care

## **PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)**

The purpose of this report is:

- To update the Executive on the commissioning of the Integrated Sexual and Reproductive Health Service for the West of Berkshire jointly commissioned by Wokingham, West Berkshire and Reading Borough Councils. This procurement is being led by the Berkshire Public Health Shared Service.
- To request delegated authority to award contracts for this service on completion of the tender.

This report is presented in two parts, with Part 2 attached as a restricted document due to the inclusion of commercially sensitive information

## **RECOMMENDATION**

The Executive is recommended to:

- 1) agree the proposed plan for re-commissioning the mandatory sexual and reproductive health service;
- 2) agree for authority to award the Integrated Sexual and Reproductive Health Services to be delegated to the Director of Corporate Services in consultation with the Lead Member for Health and Wellbeing and Adult Social Care.

## **EXECUTIVE SUMMARY**

- The current integrated sexual health service provides cost-effective, high quality provision to improve sexual health for Wokingham, Reading and West Berkshire Borough Councils.
- It is a 'one stop shop', providing sexual and contraceptive health, and Genitourinary Medicine (GUM) services at the same site usually within a single attendance.
- The service has extended opening hours and accessible locations, operating on a 'hub and spoke' model with a central specialist service for more complex care and smaller satellite clinics providing more routine services around the borough.

- The proposal in re-commissioning this service is to:
  1. Continue commissioning this service jointly with West Berkshire and Reading Borough Councils
  2. Use the existing service delivery model as a basis, but to integrate supplementary services that are currently commissioned as separate contracts e.g. online STI testing into the core integrated service offer.
  
- The benefits to Wokingham residents of this proposal include:
  - Ensuring a stable and secure service by commissioning across the larger footprint of Berkshire West
  - Providing value for money for the local authorities in a time of reducing public health grant allocations
  - Realising budget efficiencies by incorporating supplementary contracted services (e.g. online STI testing)

## BACKGROUND

Good sexual and reproductive health and wellbeing is an important contributor to our overall wellbeing. It is central to the development of some of the most important relationships in our lives.

Under the 2012 Health and Social Care Act, **local authorities are mandated to commission comprehensive open access sexual health services**, including free STI testing and treatment, notification of sexual partners of infected persons and free provision of a broad range of contraception and family planning advice

The aims of these services are to support good sexual and reproductive health, increase the proportion of pregnancies that are planned and reduce unplanned pregnancy, prevent the onward transmission of STIs and BBVs, reduce late diagnosis of HIV, improve the diagnosis of HIV and the sexual health of those with HIV.

The current service, provided by Royal Berkshire Hospitals (RBH) NHS Trust is performing well against Key Performance Indicators (KPIs), consistently receives positive service user feedback and delivers very good value for money compared with other services across England.

The present contract shared between Wokingham, West Berkshire and Reading Borough Councils has a total maximum value of £2,490,521 per annum. This is due to expire in April 2020.

## BUSINESS CASE (Including Options and Evidence of Need)

An analysis of the options for tender are presented below, with supporting financial details presented in the enclosed document, Part B due to commercially sensitive information contained.

**Option A** – To continue co-commissioning the integrated sexual health service across the West of Berkshire, with the Berkshire Public Health Shared Team leading procurement.

### Advantages

- A larger contract value will increase the attractiveness of the tender; as a specialist clinical service requiring suitable clinical facilities and specialist staff the market is limited and therefore smaller contracts may not be financially viable
- The current delivery model is achieving good outcomes for the population; continuing to co-commission under the same service model will offer stability to service users.
- Sexual health staff shortages are a growing concern. National training programmes for specialist sexual health nurses have been cancelled due to a lack of demand; sharing of staff resources ensures business continuity and stability of service for residents.

### Risks

- Agreement to continue to co-commission must be reached by all three local authorities.

**Option B** – To commission a separate sexual health service for Wokingham Borough Council.

Advantages

- There are no advantages to taking this approach.

Risks

- It's highly likely that no providers would bid for a single contract of this size.
- Economies of scale would not be achieved and WBC would be paying more for less service activity.
- Staffing resource to support the procurement, currently provided by the Berkshire Public Health Shared Service, would be lost and WBC would need to provide this staffing resource.

Open access comprehensive sexual health services are a mandated function funded via the ring-fenced Public Health Grant. The current co-commissioned service is achieving good value for money and delivering positive outcomes for the population of Wokingham.

It is, therefore, recommended that **Option A** is the course of action taken of a co-commission integrated sexual health service across the West of Berkshire.

**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)	Please refer to Part 2 document		
Next Financial Year (Year 2)			
Following Financial Year (Year 3)			

<b>Other Financial Information</b>
Please refer to Part 2 document

<b>Stakeholder Considerations and Consultation</b>
Informal stakeholder consultation is ongoing and will and will continue through March 2019.

<b>Resourcing and Timeline for Next Steps</b>
The procurement of this service is to be led by the Berkshire Public Health Shared Team based at Bracknell Forest Council.

WBC staff resource will be required for continued stakeholder engagement. Officer time will also be required in July and August in evaluating the short listed tenders.

1<sup>st</sup> March 2019 – service specification, PQQ and ITT documentation complete

1<sup>st</sup> April 2019 – advert to tender

15<sup>th</sup> July 2019 – communication to applicants and evaluation of short listed tenders

1<sup>st</sup> September 2019 – Preferred bidder identified

1<sup>st</sup> January 2020 – Contract award notice published on OJEU

1<sup>st</sup> April 2020 – service begins

#### **Timeline for Review and Evaluation**

The process for review and evaluation of the service will be outlined in the final service specification and contract documents.

#### **Reasons for considering the report in Part 2**

Commercially sensitive information contained within.

#### **List of Background Papers**

Part 2 Report (attached)

<b>Contact</b> Rhosyn Harris	<b>Service</b> People Commissioning
<b>Telephone</b> 0118 908 8195	<b>Email</b> Rhosyn.harris@wokingham.gov.uk

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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