



## **WOKINGHAM BOROUGH COUNCIL**

A Meeting of the **COUNCIL** will be held in the Council Chamber - Civic Offices, Shute End, Wokingham RG40 1BN on **THURSDAY 18 JULY 2019 AT 7.30 PM**

Susan Parsonage  
Chief Executive  
Published on 10 July 2019

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

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## **WOKINGHAM BOROUGH COUNCIL**

### **Our Vision**

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

### **Our Priorities**

Improve educational attainment and focus on every child achieving their potential

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

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

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

### **The Underpinning Principles**

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

To: The Members of Wokingham Borough Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
15.		<b>APOLOGIES</b> To receive any apologies for absence	
16.		<b>MINUTES OF PREVIOUS MEETING</b> To confirm the Minutes of the Council Meeting held on 22 May 2019.	15 - 28
17.		<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest	
18.		<b>MAYOR'S ANNOUNCEMENTS</b> To receive any announcements by the Mayor	
19.		<b>PUBLIC QUESTION TIME</b> To answer any public questions  A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice.  The Council welcomes questions from members of the public about the work of the Council  Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Council or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to <a href="http://www.wokingham.gov.uk/publicquestions">www.wokingham.gov.uk/publicquestions</a>	
19.1	Loddon	Alex Davies has asked the Executive Member for Highways and Transport the following question:  <b>Question</b> It is my understanding that the property developer Taylor Wimpey gave, as part of Sandford Farm development, £30,000 towards the repair of the dilapidated footbridge crossing the River Loddon near the development. This access route would open up walking routes to Twyford, Hurst, Dinton Pastures etc. Please can you tell me when this bridge will be overhauled and opened?	

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| 19.2 | Bulmershe and Whitegates | <p>John Walker has asked the Executive Member for Highways and Transport the following question:</p> <p><b>Question</b><br/>         Following the cancellation of the East Reading Mass Rapid Transit scheme, the Thames Valley Park "Park and Ride" site would seem to be unnecessary. But there are still construction activities on the site. Would Wokingham Borough Council pause the construction activity on the site in order to consider the use of a trial park and ride service making use of one of the currently unused office car parks on the TVP site; this would make it possible to assess the likely level of take up and whether the Business Case still holds good in the light of the operational costs that were not originally included?</p>  |
| 19.3 | Bulmershe and Whitegates | <p>John Mullaney has asked the Executive Member for Highways and Transport the following question:</p> <p><b>Question:</b><br/>         In the Full Business Case for the Park and Ride at Broken Brow which was submitted to the Berkshire Local Transport Board (BLTB), there were no operational costs included. This was brought to the attention of the BLTB in a report considered at the meeting of the BLTB at which the business case was approved. The answer to the reason why there were no operational costs was that they would fall to the operator.</p> <p>Can it be clarified: Will Wokingham Borough Council have operational responsibilities for the site and what is the operational budget that has been projected for the site and what is the envisaged scope that this budget will cover?</p> |
| 19.4 | None Specific            | <p>Alexandra Smith has asked the Executive Member for Children's Services the following question:</p> <p><b>Question</b><br/>         In the draft SEND strategy the Council states that it will identify need as early as possible. We have parents here tonight who have been waiting longer than the statutory 20 weeks for a draft plan, and the OFSTED report states that staff shortages are impeding the timely delivery of plans. What steps have the council identified to address this unacceptable situation?</p>   |
| 19.5 | None Specific            | <p>Tom Mayer has asked the Executive Member for Children's Services the following question:</p>  |

**Question**

Staff shortages and turnover are a recurring issue identified by OFSTED in their report, yet the draft SEND strategy document does not detail how this will be addressed. What are the Council doing to address staff shortages and high turnover?

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| 19.6 | None Specific | <p>Annabel Yoxall has asked the Executive Member for Children's Services the following question:</p> <p><b>Question:</b></p> <p>All children with special needs require intervention as early as possible in order to achieve the best possible outcome. In the case of ASD, families are waiting in excess of twelve to eighteen months and beyond just to receive an initial assessment. This has a huge negative impact on children's ability to learn and their self-confidence as they fall further behind peers. What is the council doing in order to reduce this waiting time?</p> |
| 19.7 | None Specific | <p>Ruth Rae has asked the Executive Member for Children's Services the following question:</p> <p><b>Question</b></p> <p>Some parents are having to seek legal aid in order to challenge decisions made by the Council on EHCP requests. This is both costly and stressful for parents. National figures show that the vast majority of appeals are decided against councils. Are the Council using the rejection of SEND provision as a cost-cutting measure?</p>   |
| 19.8 | None Specific | <p>Marcus McDowell has asked the Executive Member for Children's Services the following question:</p> <p><b>Question</b></p> <p>According to the OFSTED report, "several parents described an inequitable system where some access private assessments because of lengthy delays, while others are not able to do this". How does the Council justify discriminating against children from less wealthy backgrounds in this manner?</p>  |
| 19.9 | None Specific | <p>Juliet Sheratt has asked the Executive Member for Children's Services the following question:</p> <p><b>Question</b></p> <p>On the Wokingham Facebook Group, UllaKarin Clark, the Conservative member for Emmbrook, commented that WBC are trying to find a suitable location to build</p>  |

an additional school for the provision of special needs education. In this comment, she mentioned that funding is an issue. How does the Council prioritise funding for children and young adults with special needs and disabilities when it is able to find £80k to fund a consultation on housing in the Borough?

20.

### **PETITIONS**

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

21.

None Specific

### **PAY POLICY STATEMENT**

To consider a recommendation from Personnel Board in relation to the Council's draft Pay Policy Statement for 2019.

29 - 40

**RECOMMENDATION:** That Council approve the draft Pay Policy Statement for 2019.

22.

None Specific

### **CHANGES TO THE CONSTITUTION**

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

41 - 78

**RECOMMENDATION:** That the following changes to the Constitution as recommended by the Constitution Review Working Group be agreed:

That Council:

- 1) agree that the requirement for Licensing and Appeals Sub Committees to be politically balanced be removed.
- 2) agree the following changes to the Constitution as recommended by the Constitution Review Working Group:
  - a) that Section 2.2 Members' Allowances Scheme be amended as set out in Appendix 1 to the report;
  - b) that Section 4.2.1.1 Timing and Order of Business [Annual Council] be amended as set out in paragraphs 2 and 3 of the report;
  - c) that Section 4.4 [Wokingham Borough Wellbeing Board] be amended as set out in Appendix 2 to the report;
  - d) that Section 8.4.10 Licensing and

Appeals Sub-Committee Procedure Rules be amended as set out in paragraph 5 of the report;

- e) that Section 12.1.10 [Insurance, Risk and Opportunity Management] be amended as set out in Appendix 3 to the report.

23.	None Specific	<b>APPOINTMENT OF SUBSTITUTE MEMBER TO THE THAMES VALLEY POLICE AND CRIME PANEL</b>	<b>79 - 82</b>
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To consider which Councillor should be appointed as the substitute Member on the Thames Valley Police and Crime Panel (Joint Committee) for the remainder of the 2019/20 Municipal Year.

**RECOMMENDATION:**

That Council consider the nominations put forward by the political groups on the Council and decide which Councillor should be appointed as the substitute Member on the Thames Valley Police and Crime Panel (Joint Committee) for the remainder of the 2019/20 Municipal Year.

24.		<b>MEMBER QUESTION TIME</b> To answer any member questions
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A period of 30 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

24.1	Hillside	Pauline Jorgensen has asked the Executive Member for Environment and Leisure the following question:
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**Question**

Thank you for responding to residents' concerns with regards the area of land in my ward known as Area DD, which I have been fighting to protect as natural green space. Is it possible to protect this area for future generations?

24.2	Arborfield	Gary Cowan has asked the Executive Member for Environment and Leisure the following question:
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**Question**

It was brought to my attention that several trees have just been felled in a protected copse opposite 10/12 Barker Close RG2 9NQ, which is privately owned land. I was very surprised to find out after the trees

were felled that this Council gave permission to a local resident to fell these protected trees on land not in their ownership.

As the ward Member, I was not made aware of this. Also I am not aware of any site visit by the Council yet I have been informed that the permission to cut down these trees was based on a survey which I have never seen and which I would appreciate a copy of.

Can you explain why and if the Council permitted to do allow the felling of protected trees on private land to someone who is not the landowner but a private resident?

- 24.3      None Specific      Rachelle Shepherd-DuBey has asked the Executive Member for Climate Emergency the following question:

**Question**

What are we doing for climate emergency: are we planning on putting solar panels on all council buildings including affordable housing and new schools, if not why?

- 24.4      None Specific      David Hare has asked the Executive Member for Environment and Leisure the following question:

**Question**

Will Wokingham Borough Council undertake to ensure that every tree that is cut down in the Borough is replaced? Whoever cuts the tree down will replace it with an appropriate number of trees, within the area of Wokingham Borough, within 6 months. The appropriate number being sufficient to replicate the carbon uptake of the cut-down trees within 3 years.

- 24.5      None Specific      Ian Pittock has asked the Executive Member for Planning and Enforcement the following question:

**Question**

Regarding the housing consultation. I am sure that we all wish there to be as large a response as possible. I understand, with some relief, that responses are flooding in. There has, however, been some noise around concerning the lateness of delivery of letters to residents and other time related issues. Can you please confirm the latest date by which residents can respond to the consultation?

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| 24.6 | Hillside                 | <p>Caroline Smith has asked the Executive Member for Environment and Leisure the following question:</p> <p><b>Question</b><br/>         The Earley Residents and Councillors are extremely pleased with the announcement that Area DD will not be developed in the immediate future but what I would like to understand is why the Earley Councillors were not informed before the public announcement and only found out by reading an item in the local papers?</p>  |
| 24.7 | South Lake               | <p>Laura Blumenthal has asked the Executive Member for Environment and Leisure the following question:</p> <p><b>Question</b><br/>         I know this Council is working to improve South Lake and its water garden - please can you summarise the work that is on the horizon which my residents can look forward to?</p>   |
| 24.8 | Bulmershe and Whitegates | <p>Jenny Cheng has asked the Executive Member for Environment and Leisure the following question:</p> <p><b>Question</b><br/>         A number of elderly residents have tripped over the uneven paving in Woodley Precinct and broken bones or fallen unconscious. Outside Waitrose and around the trees are the worst areas which has been raised with this Council with photographic proof. An inspection by this Council was carried out recently and a few areas addressed, but not these accident hotspots. Please can you explain what will be done to fix the slabs in these areas and potentially save a life?</p> |
| 24.9 | None Specific            | <p>Imogen Shepherd-DuBey has asked the Leader of the Council the following question:</p> <p><b>Question:</b><br/>         I have noted that one of our councillors, who left the Council last year, did not get removed as a Non-Executive Director of WBC Holdings until June this year</p> <p>Can we have the information on how much money has been paid to ex-councillors, in this way?</p>   |

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| 24.10 | None Specific | <p>Maria Gee has asked the Leader of the Council the following question:</p> <p><b>Question</b></p> <p>Will our Council be joining many other councils across the UK and the Houses of Parliament by flying the rainbow flag on the date of our local Pride celebration, which this year will be 31st August?</p>  |
| 25.   |               | <p><b>MINUTES OF COMMITTEE MEETINGS AND WARD MATTERS</b></p> <p>A period of 20 minutes will be allowed for Members to ask questions in relation to the latest circulated volume of Minutes of Meetings and Ward Matters</p>  |
| 26.   |               | <p><b>STATEMENTS BY THE LEADER OF THE COUNCIL, EXECUTIVE MEMBERS AND DEPUTY EXECUTIVE MEMBERS</b></p> <p>To receive any statements by the Leader of the Council, Executive Members and Deputy Executive Members.</p> <p>In accordance with Procedure Rule 4.2.23 the total time allocated to this item shall not exceed 20 minutes, and no Member shall speak for more than 5 minutes</p>  |
| 27.   |               | <p><b>STATEMENTS FROM COUNCIL OWNED COMPANIES</b></p> <p>To receive any statements from Directors of Council Owned Companies.</p> <p>In accordance with Procedure Rule 4.2.24 the total time allocated to this item shall not exceed 10 minutes, and no Director, except with the consent of Council, shall speak for more than 3 minutes.</p>   |
| 28.   |               | <p><b>MOTIONS</b></p> <p>To consider any motions</p> <p>In accordance with Procedure Rule 4.2.11.2 a maximum period of 30 minutes will be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period debate will cease immediately, the mover of the Motion or amendment will have the right of reply before the Motion or amendment is put to the vote</p> |
| 28.1  | None Specific | <p><b>Motion 416 submitted by Sarah Kerr</b></p> <p>Local Authorities have a statutory requirement to</p>  |

demonstrate their compliance with the Public Sector Equality Duty (PSED) of the Equalities Act 2010. This Act requires Local Authorities to consider how their work affects people of different ages, disability, sex, sexual orientation, religion or beliefs, marital status, pregnancy and maternity and gender identity. Everyone that lives in, works and visits Wokingham Borough needs to have confidence that this is being done throughout the Borough. This Council will evidence its compliance with the PSED through undertaking Equality Impact Assessments (EqIA's) when required, and ensure they are included in public reports and are easily accessible on the Council's website. In addition, all newly elected Members will have PSED and EqIA training as part of their induction. Executive Members will also have to undertake PSED and EqIA training.

28.2      None Specific

**Motion 417 submitted by John Halsall**

Wokingham Borough Council (WBC) believes the world is now in a climate emergency. More concerted and urgent action is needed at local, national and international level to protect our planet for future generations. As such, this Council commits to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030 and report within six months as to what actions are required.

28.3      None Specific

**Motion 418 submitted by Wayne Smith**

Wokingham Borough Council understands and supports the need to provide homes, as it does the Government's desire to speed up delivery. That is why we are a proactive planning authority, seeking to shape future development through a carefully managed approach, which is enabling the delivery of sustainable, infrastructure rich new communities, including schools, new strategic roads, neighbourhood centres, sports hubs and improved public transport, in addition to 35% affordable housing.

Since 2006, over 8,200 new homes have been provided and outstanding planning permissions are in place to deliver a further 7,000 new homes. In addition, current allocations will deliver a further 2,300 new homes.

Looking at future delivery from now: our housing permissions, allocations and windfalls are capable of

delivering 10,700 homes between 2019 and 2036 (equates to an average of 630pa). This compares with the projected demographic growth of new households of 555pa calculated by the 2014-based ONS projections used by the standard method for calculating local housing need (despite more recent ONS figures in the 2016-based ONS projections demonstrating that this figure is an overestimate; the real growth is more likely to be around 486pa).

The standard method for calculating local housing need is designed to require more homes to be built above that required by demographic growth, which is flawed for Wokingham Borough. Building more homes drives up house prices rather than lowering it because of the 20-30% premium on the cost of new homes. Developers will not build housing for sale at lower prices. Also the focus on workplace earnings fails to recognise that residents travel out of the borough to high value, well paid jobs, and that flexible working with work registered out of the borough, where in reality work is undertaken locally, often at home. The real and necessary response would be to allow us to focus on affordable housing and self-build products, both of which directly help our residents.

The Council supports the Executive to oppose any housing need calculation over and above the demographic growth by whatever means the Executive has at its disposal.

28.4      None Specific

**Motion 419 submitted by Keith Baker**

Recently a major political party has been embroiled in a large number of allegations of statements and speeches which express serious anti-Semitic sentiments. Up until now this had not really emerged locally but recent local newspaper reports have suggested that this area is not immune. Get Reading reported on 22<sup>nd</sup> May that "Reading Labour scraps anti-Semitism training session because of a pro-Palestinian speaker." This was followed up by an article in the Jewish Chronicle on the same day, 22<sup>nd</sup> May expanding this same story.

Nationally the Equality and Human Rights Commission have now opened an investigation into the Labour Party following complaints about anti-Semitism. On 28<sup>th</sup> May they posted "The Equality and Human Rights Commission is today launching a formal investigation to determine whether The Labour Party has unlawfully discriminated against, harassed

or victimised people because they are Jewish.”

I do not envy the Reading Labour Party or any other political party as they wrestle with how to deal with these matters and I wish them well in dealing with anyone who has expressed anti-Semitic views.

I hope all Councillors will put party politics aside and support this motion:

This Council abhors any attack on individual groups, including our Jewish residents and commits to lend support to anyone attempting to drive out such anti-Semitic views from our local political scene regardless of any political allegiance.

### **CONTACT OFFICER**

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## MINUTES OF A MEETING OF THE COUNCIL

HELD ON 22 MAY 2019 FROM 7.00 PM TO 9.15 PM

### Members Present

Councillors: Bill Soane (Mayor), Malcolm Richards (Deputy Mayor), Keith Baker, Parry Batth, Rachel Bishop-Firth, Laura Blumenthal, Chris Bowring, Shirley Boyt, Prue Bray, Rachel Burgess, Jenny Cheng, UllaKarin Clark, Stephen Conway, Gary Cowan, Andy Croy, Richard Dolinski, Carl Doran, Lindsay Ferris, Michael Firmager, Paul Fishwick, Jim Frewin, Guy Grandison, Charlotte Haitham Taylor, John Halsall, David Hare, Pauline Helliard-Symons, Emma Hobbs, Graham Howe, Clive Jones, Pauline Jorgensen, John Kaiser, Sarah Kerr, Dianne King, Abdul Loyes, Tahir Maher, Charles Margetts, Adrian Mather, Andrew Mickleburgh, Stuart Munro, Gregor Murray, Barrie Patman, Ian Pittock, Angus Ross, Daniel Sargeant, Imogen Shepherd-DuBey, Rachelle Shepherd-DuBey, Caroline Smith, Chris Smith, Wayne Smith, Alison Swaddle, Simon Weeks and Oliver Whittle

### 1. ELECTION OF MAYOR FOR THE MUNICIPAL YEAR 2019/20

John Kaiser, the current Mayor, welcomed recently elected Members. Councillor Kaiser thanked his wife, the Deputy Mayor and the Officers who had supported him throughout his year in office. During the year £24,993 had been raised for the Mayor's charity, the Me2 Club.

The Mayor called for nominations for the office of Mayor for the 2019/20 Municipal Year.

It was proposed by John Kaiser and seconded by Simon Weeks that Bill Soane be elected as Mayor for the 2019/20 Municipal Year.

Upon being put to the vote it was:

**RESOLVED:** That Bill Soane be elected as Mayor for the 2019/20 Municipal Year.

Bill Soane made the statutory acceptance of office pursuant to Section 83 of the Local Government Act 1972.

Bill Soane thanked the Council for electing him as Mayor for the 2019-20 Municipal Year and thanked his wife Hilary for her support. The Mayor welcomed the new Members to the Council meeting and announced that his charity for the year would be DEBRA, a charity which supported those suffering from Epidermolysis Bullosa, and their families. He went on to welcome two officers from the charity to the meeting.

### 2. APPOINTMENT OF DEPUTY MAYOR FOR THE MUNICIPAL YEAR 2019/20

The Mayor called for nominations for the office of Deputy Mayor for the 2019/20 Municipal Year.

It was proposed by Bill Soane and seconded by Lindsay Ferris that Malcolm Richards be appointed as Deputy Mayor for the 2019/20 Municipal Year.

Upon being put to the vote it was:

**RESOLVED:** That Malcolm Richards be appointed as Deputy Mayor for the 2019/20 Municipal Year.

Malcolm Richards made the statutory acceptance of office pursuant to Section 83 of the Local Government Act 1972.

Malcolm Richards thanked the Council for appointing him to the office of Deputy Mayor which he regarded as an honour.

### **3. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Council held on 21 March 2019 were confirmed as a correct record and signed by the Mayor, subject to the amendment of the words 'drive on a' to 'dry and' in the ward question submitted by Ian Pittock.

### **4. APOLOGIES**

Apologies for absence were submitted from Maria Gee and Ken Miall.

### **5. DECLARATIONS OF INTEREST**

Lindsay Ferris declared a Personal Interest in Item 11 Member Question Time on the grounds that he was a Non Executive Director of Loddon Homes Limited.

### **6. PUBLIC QUESTION TIME**

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

Ian Pittock referred to the fact that outgoing Executive Members replied to public questions at the Annual Meeting. Councillor Pittock felt that the Public Question Time for this meeting should take place after the new Executive Members were announced.

Members agreed that this suggestion be referred to the Constitution Review Working Group.

#### **6.1 Martin Branch asked the Executive Member for Planning and Enforcement the following question:**

As 18m has been described as a reasonable distance between an overlooking window and my property, what distance would be considered as unreasonable below 18m?

#### **Answer**

Every planning application is considered on its merits and the impact on neighbouring amenities is assessed and always referred to in the Officer's report. The Borough Design Guide does not advise a minimum distance between side elevations for new development as this can often depend on the circumstances. Where windows are high level roof lights, these are often placed very close to other properties, even right on the boundary so there would be no minimum in these cases.

#### **Supplementary Question:**

Do the Planning Regulations stipulate a minimum distance when deciding to install a new window facing existing windows on a neighbour's property?

#### **Supplementary Answer:**

I think you will need to have a written answer on that as it is a technical question.

#### **6.2 Gill Purchase asked the Executive Member for Planning and Enforcement the following question. Due to her inability to attend the following written**

**answer was provided:**

How much did Crest Nicholson contribute via the section 106 agreement for the provision of a Swimming Pool within the Arborfield Strategic Development Location?

**Answer**

The swimming pool contribution agreed by Crest Nicholson Partnerships via the S106 Agreement for the Arborfield Garrison Strategic Development Location equates to a contribution of £257.11 per dwelling, and is for the provision of enhanced, additional or new swimming pool facilities within the Council's administrative area. Assuming 2,000 dwellings, that would be a payment of £514,220. Payment is not due until the one thousandth dwelling has been occupied. There are currently 287 new homes occupied.

**6.3 Tom Mayers asked the Executive Member for Highways and Transport the following question:**

On 18 March I reported a pothole on Binfield Road near the junction to Barrett Crescent which has not yet been repaired. I got an email from the Council on 1st April saying that they aim to repair the pothole within 28 days which has now been and gone. I got a further update email on 11th April saying that they have investigated the pothole and confirmed that it needed fixing at the time. As of 13th May it's still not been repaired and is getting worse and will only get worse. I would like to ask the Council when do they think they will get this repaired?

**Answer**

Thank you for bringing this to my attention.

The Council have recently entered into a new highway and transport contract and there has been a transition between the old providers Balfour and the new providers Volker. The teams have been working very hard to ensure that the impact of this transition is minimal but I am afraid that this is a case which has slipped through the net as a result.

We have followed up your enquiry which was logged as Barrett Crescent rather than Binfield Road, which might be why they could not find it to fix it and I can now confirm that our team from Volkers completed the fix on 17<sup>th</sup> May and I would like to apologise for the delay and thank you for bringing it up.

**7. PETITIONS**

The following Member presented a petition in relation to the matter indicated.

The Mayor's decision as to the action to be taken is set out against the petition.

Stephen Conway	<p>Stephen Conway presented a petition on behalf of Twyford residents, containing 80 signatures regarding the problem of commuter parking in Wessex Gardens.</p> <p><b><i>To be forwarded to the Executive Member for Highways and Transport.</i></b></p>
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## **8. REPORT OF THE RETURNING OFFICER - BOROUGH AND TOWN/PARISH COUNCIL ELECTIONS**

The Council considered a report from the Returning Officer, set out at Agenda pages 45 to 48, which gave details of the results of the local elections held on 2 May 2019. The elections were held for 18 wards of the Borough Council, the Town Councils of Earley, Woodley and Wokingham and the north ward of Twyford Parish Council.

The report outlined the election process, the results and also the turnout for each Borough ward contested. It was noted that feedback was received at most stages of the elections process and this would be reviewed and fed into planning for future elections.

It was moved by Pauline Jorgensen and seconded by John Halsall that the report of the Returning Officer be noted.

In response to a question from Andy Croy as to whether the results for the European Election could be recorded on a ward by ward basis, the Monitoring Officer clarified that this was not allowed.

Upon being put to the vote, it was:

**RESOLVED:** That the report of the Returning Officer be noted.

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

There were no Mayor's announcements.

## **10. ELECTION OF THE LEADER OF THE COUNCIL**

In accordance with the governance arrangements which were adopted by Council at its meeting on 18 November 2010, the Mayor called for nominations for the Office of Leader of the Council for a four year term (or until the Leader's Term of Office as a Councillor expired).

It was proposed by Emma Hobbs and seconded by John Kaiser that John Halsall be elected as Leader of the Council for a four year term.

John Kaiser commented that John Halsall would carry out his duties as Leader to the best of his ability. He had a real sense of civic duty and always put residents first. He looked forward to working with him and helping to steer the Council through difficult times ahead.

There were no other nominations.

Upon being put to the vote it was:

**RESOLVED:** That John Halsall be elected as Leader of the Council for a four year term.

### **10.1 Statement by John Halsall, Leader of the Council**

My Deputy is John Kaiser, the Executive Member for Children's Services is UllaKarin Clark and Deputy for Children's Services is Graham Howe; the Environment is Parry Batth and his Deputy is Michael Firmager. John Kaiser, as well as being the Deputy, will have the brief of Finance and Housing and his Deputy is Daniel Sargeant. Charles Margetts will handle Adult Services. His Deputy, I am very pleased to say, will be Richard Dolinski. For Planning, Wayne Smith, and his Deputy, I am also very pleased to say is Gary Cowan. Highways is Pauline Jorgensen and her Deputy will be Malcolm Richards. Business and

Economic Development is Stuart Munro with a Deputy of Barrie Patman. Climate Emergency is Gregor Murray, with his Deputy Laura Blumenthal. Regeneration is Charlotte Haitham Taylor and her Deputy, Dianne King.

I am enormously humbled to have been elected Leader of the Council. I hope to serve all of you in the period that I fill this post. We have many new faces here tonight. Welcome to you all. Welcome also to Susan, our new Chief Executive. We should also remember those who have given long and dedicated service who are no longer Members.

Mr Mayor, since last we met, sadly Bob Wyatt a stalwart of Wokingham Borough and Town passed away and Lyra McKee was murdered in Londonderry. Between them they represent the good, the diversity, the tradition, the hope, the optimism, the aspiration and vision of the United Kingdom today. We are a great country, have been a great country and will be a great country. Through the ages we have contributed to the world the template of modern life - science, literature, constitutional democracy, music, the industrial revolution, engineering etc. etc. We punch above our weight in all of these and more. But most importantly we are a liberal democracy looking after our least fortunate and playing a major part in alleviating deprivation around the world. At a moment of great national self-doubt, it is worth reminding ourselves of the place in the world that we have had and we continue to have.

As we begin our Municipal Year, I have no need to remind you that we are here for one purpose and one alone, which is to serve our residents and provide the very best services for the optimal cost. I am sure that all of us are proud that the Borough scores highly despite being the lowest funded unitary authority in England. We are indeed fortunate to live in this beautiful and vibrant part of the United Kingdom. Wokingham Borough is consistently among the best places to live and to do business.

We have a superb team of Directors and Officers who in the past achieved miracles and did so with very limited resources. I am sure that I can rely upon them to reach further and deliver a very ambitious programme for this administration.

In the last 20 years the impact of climate change on our world has changed conditions far faster than ever imagined. It may sound frightening, but the scientific evidence is that if we have not taken dramatic action within the next decade we could face irreversible damage to the natural world and the collapse of our society. We are running out of time but there's still hope... I believe that if we better understand the threat we face, the more likely it is that we can avoid such a catastrophic future. Therefore, it is my intention that the administration hopefully seconded by the Leader of the Opposition with unanimous opposition support brings forward a motion to July Council as follows:

"Wokingham Borough Council believes the world is now in a climate emergency. More concerted and urgent action is needed at local, national and international level to protect our planet for future generations. As such, this Council commits to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030 and report within six months as to what actions are required."

The Executive Member for Climate Emergency will champion this programme as his key task. It may be vogueish and considered as jumping on the bandwagon, but the imperative of the clock ticking means that we have no option but to take on this target. You may wonder how we as a Borough can make an impact. Lots and lots and lots of ways without

waiting for big infrastructure delivery. I will run through a few of the opportunities.

We do not start from scratch. We have been continually seeking to become more efficient in the use of resources including reducing the amount of energy used on our own estate. These actions will help to reduce carbon emissions, (although the Council does not measure currently carbon emissions directly) and address climate change. Some of the Council's key actions and achievements to reduce energy usage and increase recycling are: Purchasing a proportion of its energy from generated renewable sources with a target of 25% renewables; installing solar panels on Council buildings; low energy lighting has been fitted in over 30% of Council buildings, which has saved an estimated 11% in energy consumption; insulation has been installed in over 20 Council buildings, saving over 3% in energy; enabling and encouraging more sustainable travel through enhancing pedestrian, cycle and bus routes. Bus usage in Wokingham Borough has grown by 14% between 2014/15 and 2017 compared to a 1% decline in the same period in the South East region.

WBC has developed a 'Greenway Project' which aims to deliver a sustainable transport network which provides traffic-free commuting and leisure routes connecting new Strategic Development Locations with the existing settlements. Also, ensuring that our planning policies encourage development to incorporate measures to improve energy efficiency and zero carbon as part of sustainable design and construction; promoting the use of ultra-low emission vehicles by supporting the electric vehicle charging infrastructure; increasing recycling and reducing the amount of waste sent to landfill; encouraging the development of smart technologies to reduce energy usage; and striving to improve the air quality in the Borough through the Air Quality Management Plan; and rewriting the Sustainable Environment Strategy 2010-2020.

The Council is bidding for £500,000 of ERDF funding to invest in energy saving schemes. The use of urban greenery in our towns and urban areas and the protection of our countryside will have remarkable positive contribution to carbon generation. Development and its consequent congestion are without doubt the principle preoccupation of the residents. We aim to challenge the housing numbers through the residents' consultation, through negotiation with the Government and in the event, we do not succeed, by litigation. This administration is determined to do all that it can to reduce housing numbers.

We would like to timetable the Local Plan Update for this year and remove the Damoclean sword from the heads of the residents. We plan to rethink the housing companies to ensure that they are delivering homes to those on median incomes and below and examine how we can help in that funding. Rural exception is popular housing as it keeps communities alive; we wish to revisit these, working with Parish and Town Councils, as well as residents.

Congestion is probably the highest daily burden for our residents. The new roads should help but we must get better at controlling the epidemic of street works which have arisen. We are performing a review of the organisation and how it operates. Similarly, there is a backlog of TROs, many of which are pre-CPE, which need clearing. We will reinstate the Highways Board to enable residents and Councillors to bring forward projects, petitions and concerns.

We imminently expect an Ofsted Children's Services visit, which always is a concern. Unlike other Boroughs, we are opening libraries and leisure centres, who have all improved footfalls. Almost every week we are opening a new facility somewhere across

the Borough. Whilst we have been criticised for our cultural paucity, we proudly have dispersed a huge variety of cultural and social activities. I was stunned to learn that we have over 800 football teams. We intend to harness these in some sort of electronic directory. We plan to facilitate a festival in 2022 centred on Wokingham Town to celebrate the new facilities.

Mr Mayor, this will be a very active year with huge ambitions for change when some of the Wokingham Town Centre regeneration will be concluding and we will continue to have pressures on funding. However, this is wonderful Borough; we all have much to be proud of and be grateful for.

I am pleased to present my administration and am particularly pleased that it includes members of the Independent Group. I discussed with the Leader of the opposition Lib Dem appointments, but it seemed just a step too far at this moment.

## **10.2 Statement by Lindsay Ferris, Leader of the Liberal Democrat Group**

I would like to thank the residents of Wokingham Borough for the confidence in and support shown for the Liberal Democrats in the recent local election. This is much appreciated. I acknowledge that Brexit had some impact but residents raised many local issues of concern during the campaign, including the threat from huge numbers of houses being pushed on to Wokingham Borough, and the quality and availability of local services provided by the Council. We will continue to put pressure on the ruling Conservatives on these and other issues.

The Liberal Democrats will continue to fight the huge number of houses being pushed on to Wokingham by the Conservative Government. If we do not fight this overdevelopment now, our area will be changed and changed forever. When our green space is gone, it is gone. We must use every means possible to prevent developers from destroying the character of the Borough. We believe there needs to be a significant change in the approach taken by the Council on the Local Plan. We must, for example, prevent developers from cutting down trees and destroying hedgerows in an inappropriate manner. The Council should be prepared to take legal action against these and other developers who act in an inappropriate way, destroying our local environment. The impact of the development is only one of the issues where, in our view, the Council has not done enough. Our planet is coming under ever-increasing threat from climate change and we should be playing our part in tackling it, and I am pleased that John has mentioned this part there. We also need to look at the other environmental issues including air quality.

There is no doubt in our minds that the quality of services has suffered in recent years and that the Council is stretched. We are concerned about Adult Social Care and regret that the initiative started last year to work cross-party on this issue for the benefit of residents, seems to have floundered.

The recent Ofsted inspection on the Council's Special Educational Needs Capability, was not acceptable. The ruling Conservatives have allowed the Council's Children's Services area to be decimated over the last two to three years. It has been underfunded and neglected by you.

The new leadership has talked about improved cooperation between the two groups, something I have always been willing to support. The ruling Conservative Group has an opportunity now to do this. The Liberal Democrats produced an amendment to the Budget

at February's Council meeting. Within that amendment, were two proposals providing additional funding of £70,000 for the Council's SEND service to help reduce the number of exclusions in primary schools, and also £230,000 for the Children's and Adolescent Mental Health Service, known as CAMHS. If the Conservative Group are serious about listening to residents and to the Opposition, they could introduce a supplementary estimate, provide additional resources for these two services at a future Council Executive. I would also hope that the Labour Party could support such measures. This is, we believe, a more practical way of working together for the benefit of our residents. It is more than just focusing on who is and who is not on a particular committee or working group.

## **11. MEMBER QUESTION TIME**

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

### **11.1 Rachel Burgess asked the Executive Member for Finance and Housing the following question:**

The local welfare provision scheme exists to provide emergency crisis support for those who find themselves in urgent financial difficulty, and to prevent serious risk to the health, wellbeing or safety of some of our most vulnerable residents.

Wokingham's funding in 2014/15 for such provision was £77k in the form of payments and loans, provided by the DWP. Fast forward to 2018-19 and the funding allocation for welfare assistance payments, now provided by WBC, was £23k – and actual spend last year just £6k.

It is extremely concerning that, in a time where our residents are turning to food banks or other forms of charity, the funds available to Wokingham's residents in a time of crisis have dropped by 70% in just four years.

Does the Executive Member agree with me that this funding is wholly inadequate to serve the needs of the most vulnerable in our borough?

### **Answer**

Wokingham Borough Council along with partner agencies must and will ensure that the vulnerable in the Borough are protected and assisted where required. The figures you quote are correct. I can confirm that awards to applicants have never exceeded the budget available. It is also non-statutory but we choose as a Council to actually run the scheme. The scheme is actually demand driven and not budget based so we will continue to support the most vulnerable in the Borough.

### **Supplementary Question:**

I am glad to hear the support for the scheme. Does the Executive Member commit to actually retaining this funding in future and will he actually work to increase the funds available for our vulnerable residents?

### **Supplementary Answer:**

It is demand driven and not budget led so we will continue to put the money available where the money is needed.

### **11.2 Lindsay Ferris asked the Deputy Leader the following question which was answered by the Leader of the Council:**

As a result of the recent local elections a number of now former Councillors were Non

Executive Directors of the 100% WBC owned subsidiary companies including WHL and, Optalis. Can we understand when they will relinquish these posts and be advised that this has happened?

**Answer**

The answer is yes and it has happened already.

**11.3 Andrew Mickleburgh asked the Executive Member for Highways and Transport the following question:**

On the 22nd March I presented a petition signed by over 1,000 Earley residents, calling for a full-time civil enforcement officer permanently and exclusively for Earley. What is the current status of this request?

**Answer**

I can confirm that the petition was provided to our Traffic Management team to consider and they have prepared a response. However due to the purdah and the recent election period officers were unable to share the response with me to discuss and agree. However now that this period is over I will be discussing the petition response with them and will issue it over the next few weeks.

**11.4 Rachelle Shepherd-Dubey asked the Executive Member for Planning and Enforcement the following question:**

When will the Borough Design Guide be updated, it is not part of the Local Plan update because it is a companion guide, especially since the parking standards are out of date and WBC is one of the largest car owning vehicle boroughs in England?

**Answer**

As you know the Core Strategy was adopted in 2010 and the Borough Design Guide Supplementary Planning Document in 2012 which encompasses lots of policies including parking standards. Once the new Local Plan has been adopted we will be looking at and recommissioning those supplementary guides.

**Supplementary Question:**

Will you consider me as part of the committee for doing that please?

**Supplementary Answer:**

I actually think it is a very good point and we have had this debate on Planning Committee several times, and I am going to take it away and work out how I can work with the new Chair of Planning and old Chair of Planning, and I will come back to you, but I do think it is a good point.

**11.5 Sarah Kerr asked the Executive Member for Environment and Leisure the following question:**

In January of this year, I was in attendance at a workshop held for members of local arts and cultural groups in the Borough, here at the Council offices. This was the kick off meeting to look at arts and culture across the borough, considering what Wokingham Borough already does well, what it can do better, and suggestions for developing its culture. In particular, it was to consider the possibility of a year of culture 2022 once the regeneration work was complete. This initiative was being spearheaded by Philip Mirfin. The question was raised by an attendee whether this had the full backing of Wokingham Borough Council, and would it continue, even if there were changes within the Executive. At the time we were assured this would be the case, but the following meeting scheduled

was subsequently cancelled and no new date has been circulated. My question is, with the change of Executive, will this initiative continue?

**Answer**

Simple answer is yes, this initiative is continuing. The Council is continuing to work around the development of an Arts and Culture Strategy. An Arts and Culture Member Working Group has been established, although with changes to the Council's leadership we anticipate there will be a change of political membership within the group. The arts and culture agenda requires a political champion and a commitment from the Council. Once the new Executive and arts and culture lead has been established we will arrange further meetings with the cultural organisations to progress the strategy. Our next consultation will be with the business sector at the Fit for Business event on the 7 June, where we will be asking businesses how we can work together to grow the cultural sector in the Borough.

**Supplementary Question:**

Great that this is going to be continued and we are going to have a Members' Working Group. Will that be cross-party?

**Supplementary Answer:**

I would very much hope so.

**11.6 Tahir Maher asked the Executive Member for Children's Services the following question:**

Following the results of the recent local elections can I ask the Executive Member if they can confirm that the unnecessary expansion of Aldryngton Primary School will now definitely not go ahead?

**Answer**

Firstly, I would like to correct a misunderstanding on your part. It has to be understood that expansion of school places is nothing to do with local elections. It is purely based on need for those places. This need is ascertained by looking at housing numbers in an area and what sort of accommodation is being built, travel distances, rising birth rates, migration etc.

In respect of Aldryngton there is presently no plan to expand because we have enough places due to the expansion of Loddon School. This was confirmed already in 2018 by the "Wokingham Primary School Places Strategy" report so you can read more about it if you look into it.

**11.7 Imogen Shepherd-Dubey asked the Executive Member for Highways and Transport the following question:**

Last year, we were told that there would be a cross party Highways working group to tackle issues surrounding our road infrastructure. Can I please ask when that is likely to be established?

**Answer**

I believe the cross party group was agreed with the last Executive Member. There seems to have been quite a few Highways Executive Members in the last few months or years. As the Leader said we are committed to setting this Group up and I think it would be really useful. It will meet again. I would like it to be meaningful and not only cross-party but also cover all the areas of the Borough. I think it would be very useful as a way of getting more

intelligence. I wish to make highways non-political. It is about time we actually started focusing on things that need to be done most urgently, regardless of where they are, and I also think we desperately need to get more money in order to improve the amount of highways we maintain. So yes the commitment is there. Yes, I am chasing more money to get more highways maintained. We also need to be faster at doing it so it causes less disruption and there will be meetings set up shortly.

**Supplementary Question:**

I have been concerned that some roads are getting fixed when they did not need fixing it seems, and other roads are getting neglected. I want to be sure that this Group has some effect going forwards. That it is what I want assurance on.

**Supplementary Answer:**

I agree with you. We have started a process and we are following a process of monitoring all the roads by automatic review of the state of the roads, both slip and skid; the ability to stop and resistance. All the roads have been categorised based on the actual wear on the road, and we need to start doing the roads in that priority order, bearing in mind the need to make sure the repairs are do-able. So I am completely with you, we need to use that data. We are already using it. We have got a two year list. The issue we have got is that we do not have enough money to improve all the roads to the state that I would like to get them to.

**11.8 Caroline Smith asked the Executive Member for Housing the following question:**

Can the Executive Member for Housing confirm when the 'planning for real' exercise will take place for the woodland next to Chalfont Park known as Area DD?

**Answer**

Area DD is a piece of woodland which was a piece of scrubland, which has now become a piece of woodland in Lower Earley.

The consultants who have been commissioned to undertake the planning for real exercise will be looking to hold an event in mid-June. They have prepared most of the information already for the event. They will be contacting local Members prior to any notifications going out. They are also aware of process, timings and can provide their own thoughts on the site. I would say that this is a piece of land that goes back to the time that we were under a different administration, so hopefully we can put this to bed, but no decision has been made at all as to whether or not there is an opportunity or any obstacles there.

**Supplementary Question:**

I feel that mid-June is a bit soon. We would like it a bit longer, six weeks consultation. I would like to know how many local Members and how many residents, as this effects an awful lot of residents in Hillside and Hawkedon.

**Supplementary Answer:**

I am not sure whether I have to declare an interest as my mother lives in Hillside. I am quite prepared to flex that if you would like to take part in that, but as I say it has been going on for nearly 20 years. I think we ought to get a handle on it one way or another.

**12. CONTINUATION OF THE MEETING**

At this point in the meeting 8.45pm, in accordance with Procedure Rule 4.2.12 (m), Council considered a Motion to continue the meeting beyond 9pm, up to no later than

9.30pm, to enable further business on the Agenda to be transacted. This was proposed by Chris Bowring and seconded by Guy Grandison.

Upon being put to the meeting, the Motion was declared by the Mayor to be carried.

### **13. POLITICAL BALANCE OF THE COUNCIL AND ALLOCATION AND APPOINTMENT TO SEATS ON COMMITTEES AND BOARDS**

The Council considered a report on the political balance of the Council and the appointment to the Council's Committees and Boards, in accordance with the wishes of Groups.

The report set out a number of recommendations which Members were asked to consider.

It was proposed by John Halsall and seconded by John Kaiser that the recommendations set out within the report be agreed.

Andy Croy expressed disappointment regarding how the appointments to the Royal Fire and Rescue Service had been apportioned.

It was moved by Ian Pittock and seconded by Lindsay Ferris that the Motion be amended as follows:

'That Council:

- 1) having reviewed the representation of the political groups on the Council, confirms that it has 31 Conservative Group Members, 16 Liberal Democrat Group Members, 4 Labour Group Members and 3 Independent Group Members (as set out in Para 1.1);
- 2) approves the appointment and composition of Committees and Boards as set out in Para 2.1;
- 3) approves the allocation of seats on Committees and Boards on the basis that, of the 92 seats (as set out in Para 3.6), 53 be allocated to the Conservative Group 27 be allocated to the Liberal Democrat Group, 7 be allocated to the Labour Group and 5 be allocated to the Independent Group;
- 4) approves the proposals submitted by the respective Group Leaders and that those Members be appointed to the Committees and Boards as set out in Appendix 1;
- 5) agree that the Chairmen and Vice-Chairmen of those Council Committees etc, set out in Appendix 1 be appointed at the first meeting of each of the Committees etc and therefore Rule 4.2.1.1u) of the Constitution be deleted ***and that the votes for Chair and Vice Chair of all Overview and Scrutiny Committees be conducted by secret ballot, in line with what is suggested in the document "Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities" published earlier this month by the Ministry of Housing, Communities & Local Government;***
- 6) agrees that the principles of proportionality be applied when Members are appointed to Sub Committees, Panels or Working Groups;
- 7) notes the appointment of the Independent Persons to assist the work of the Standards Committee and the co-opted Parish/Town Council Representatives as set out in Appendix 1;
- 8) notes the elected Member representatives on the Wokingham Borough Wellbeing Board, as set out in Appendix 1, as nominated by the Leader of Council in accordance with Section 194 of the Health and Social Care Act 2012.'

A number of Members expressed concern regarding the transparency of electing the Chairmen of the Overview and Scrutiny Committees by secret ballot.

Prue Bray stated that a secret ballot may lead to more open voting by individuals.

Lindsay Ferris stated that in many Councils the Overview and Scrutiny Committees were chaired by Opposition Councillors.

Chris Smith and Pauline Jorgensen proposed that the concept of the election of the Chairmen of the Overview and Scrutiny Committee by secret ballot should be considered by the Constitution Review Working Group.

Upon being put to the vote the amendment to the Motion was lost.

**RESOLVED:** That

- 1) having reviewed the representation of the political groups on the Council, it be confirmed that Council has 31 Conservative Group Members, 16 Liberal Democrat Group Members, 4 Labour Group Members and 3 Independent Group Members (as set out in Para 1.1);
- 2) the appointment and composition of Committees and Boards as set out in Para 2.1 be approved;
- 3) the allocation of seats on Committees and Boards be approved on the basis that, of the 92 seats (as set out in Para 3.6), 53 be allocated to the Conservative Group 27 be allocated to the Liberal Democrat Group, 7 be allocated to the Labour Group and 5 be allocated to the Independent Group;
- 4) the proposals submitted by the respective Group Leaders and that those Members be appointed to the Committees and Boards as set out in Appendix 1 be approved;
- 5) it be agreed that the Chairmen and Vice-Chairmen of those Council Committees etc, set out in Appendix 1 be appointed at the first meeting of each of the Committees etc and therefore Rule 4.2.1.1u) of the Constitution be deleted;
- 6) it be agreed that the principles of proportionality be applied when Members are appointed to Sub Committees, Panels or Working Groups;
- 7) the appointment of the Independent Persons to assist the work of the Standards Committee and the co-opted Parish/Town Council Representatives as set out in Appendix 1, be noted;
- 8) the elected Member representatives on the Wokingham Borough Wellbeing Board, as set out in Appendix 1, as nominated by the Leader of Council in accordance with Section 194 of the Health and Social Care Act 2012, be noted.

**14. APPOINTMENT TO PANELS/WORKING GROUPS ETC**

Members were asked to refer to a list of nominations to various Panels, Working Groups, Joint Committees and various bodies, as circulated at the meeting as Appendix 2.

Where more nominations had been received than places, individual votes were taken.

Upon being put to the vote it was:

**RESOLVED:** That Members be appointed to the Council's Panels, Working Groups, Joint Committees and Various Bodies as set out in Appendix 2 to the Minutes.

#### **15. APPOINTMENTS TO OUTSIDE BODIES**

Members were asked to refer to a list of nominations to various Outside Bodies, as circulated at the meeting as Appendix 3.

Where more nominations had been received than places, individual votes were taken.

Upon being put to the vote it was:

**RESOLVED:** That Members be appointed to the Outside Bodies as set out in Appendix 3 to the Minutes.

#### **Appendix 1 - Committees and Boards**

<b>TITLE</b>	<b>Pay Policy Statement</b>
<b>FOR CONSIDERATION BY</b>	Council on 18 July 2019
<b>WARD</b>	None Specific
<b>LEAD OFFICER</b>	Deputy Chief Executive - Graham Ebers

**OUTCOME / BENEFITS TO THE COMMUNITY**

Compliance with s38 of the Localism Act 2011.  
Building the workforce for the future in order to deliver on Council priorities.

**RECOMMENDATION**

That Council approve the draft Pay Policy Statement for 2019/20 for publication on the Council's website in accordance with the Localism Act 2011.

**SUMMARY OF REPORT**

Pay Policy Statement

Under sections 38 to 43 of the Localism Act 2011 we are required to prepare, approve by Full Council (as a Part 1 item), and publish on our website a pay policy statement for the financial year 2019/2020.

The Draft Pay Policy Statement reflects our pay arrangements as at 1 April 2019.

## Background

For ease, table one provides a comparison of the figures published since 2015:

	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	Shift 15-16 to 16- 17	Shift 16-17 to 17- 18	Shift 17-18 to 18- 19	Shift 18-19 to 19- 20
Highest Paid	£ 143,000	£ 143,000	£ 143,000	£ 146,000	£ 150,000	0	0	2%	3%
Lowest Paid	£ 14,075	£ 14,975	£ 15,375	£ 16,394	£ 17,711	6%	3%	7%	8%
Mean	£ 28,009	£ 28,921	£ 29,398	£ 30,250	£ 31,718	3%	2%	3%	5%
Median	£ 23,698	£ 24,717	£ 25,988	£ 27,358	£ 27,905	4%	5%	5%	2%
Ratio Highest to Lowest	10:1	9.5:1	9.2:1	8.7:1	8.5:1	-5%	-5%	-3%	-2%
Ratio Highest to Median	6:1	5.8:1	5.4:1	5.3:1	5.4:1	-3%	-3%	-2%	2%

## Analysis of Issues

This indicates that while there has been a slight increase to Senior Management pay the gap is narrowing due to the higher increases at the bottom end of the pay-scales as a result of National Minimum Wage increases.

### 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)	Nil	Nil	n/a
Next Financial Year (Year 2)	Nil	Nil	n/a
Following Financial Year (Year 3)	Nil	Nil	n/a

Other financial information relevant to the Recommendation/Decision
n/a

<b>Cross-Council Implications</b>
n/a

<b>Reasons for considering the report in Part 2</b>
n/a

<b>List of Background Papers</b>
Attachment 1 – Pay Policy Statement 2019

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# Pay Policy Statement 2019

## Purpose

This document covers the requirements to publish a pay policy statement under s38 of the Localism Act 2011.

Full Council has approved the Pay Policy Statement.

Version	Date	Description
1	01/04/12	Annual Review
2	01/09/15	Updated to comply with regulations.
3	01/07/16	Updated to comply with regulations.
4	01/07/17	Updated to comply with regulations.
5	01/06/18	Updated to comply with regulations
6	01/05/19	Updated to comply with regulations

Document Approvals	
Author:	Sarah Swindley
Approval:	Personnel Board Full Council

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## 1. Purpose

- 1.1 Under sections 38 to 43 of the Localism Act 2011, we are required to prepare, approve by full Council (as a Part 1 item) and publish on our website, a pay policy statement for the financial year 2019/2020
- 1.2 We may amend this statement during the financial year in which it is effective; however any change must be approved by full Council. Any amended statement will be published on our website within 10 working days of the meeting.
- 1.3 In drawing up this statement, we have taken into account the guidance issued by the Department of Communities and Local Government and the advice supplied jointly by the Local Government Association and the Association of Local Authority Chief Executives (ALACE).
- 1.4 This statement does not include staff based in our schools as this is outside the scope of the legislation.
- 1.5 This updated statement was approved by Full Council on 18 July 2019.

## 2. Definitions used in this document

- 2.1 Under the current structure of the Council, the following posts are included in the definition of 'Chief Officer':

- Chief Executive
- Director, Adult Services
- Director, Children's Services
- Director, Corporate Services (S151 Officer)
- Director, Localities & Customer Service

- 2.2 Although not falling within the definition of Chief Officer under the Localism Act, the pay policy applying to the following posts is as set out in Section 3 below for Senior Managers:

- Assistant Director, Adults Social Care
- Assistant Director, Business Services
- Assistant Director, Children Social Care
- Assistant Director, Commercial Property
- Assistant Director, Customer & Localities
- Assistant Director, Delivery & Infrastructure
- Assistant Director, Digital and Change
- Assistant Director, Education
- Assistant Director, Governance Services (Monitoring Officer & Returning Officer)
- Assistant Director, Housing, Income & Assessment
- Assistant Director, Housing and Place Commissioning
- Assistant Director, Integrated Mental Health
- Assistant Director, People Commissioning
- Assistant Director, Place
- Assistant Director, Quality Assurance & Safeguarding Standards

- 2.3 Employees who are not chief officers; all other employees (including those employed on a casual basis) employed directly by the Council.

This policy does not cover the remuneration of other 'workers' employed by the Council, as employees of agencies or as self-employed consultants.

- 2.4 Lowest paid employee; is on the second pay step of grade 1 on the Council's pay scales (£17,771 per annum full time (37 hours per week) or £9.18 per hour).
- 2.5 Median salary; £27,905 (full-time equivalent). This is a measure of the 'average' salary for employees in the Council. It is defined as the 'midpoint' salary, such that there is an equal probability of falling above or below it.
- 2.6 Mean salary; £31,718 (full-time equivalent). This is an alternative measure of the 'average' salary for employees in the Council. The arithmetic mean is defined as the sum of all the salaries divided by the number of salaries.
- 2.7 Highest paid employee: the Chief Executive is paid £150,000.

### 3. Pay Policy from April 2019

#### 3.1 Policy on level and elements of remuneration for Chief Officers

- 3.1.1 The Council benchmarks its pay rates against relevant comparator groups. For Chief Officers the Council pays "spot salaries" (i.e. no incremental range) and seeks to position itself appropriately in the market in terms of pay.

Their salary is increased by nationally negotiated increases agreed by the:

- Joint Negotiating Committee (JNC) for Chief Executives and;
- Joint Negotiating Committee (JNC) for Chief Officers

Similarly, terms and conditions agreed nationally by these bodies are also applied, with local variations as appropriate

- 3.1.2 There is a performance related pay ('PRP') scheme for Chief Officers, approved by the Personnel Board and based on an assessment of performance against objectives.
- 3.1.3 Salary upon appointment will be made in line with 3.1.1
- 3.1.4 In accordance with the Accounts and Audit (England) Regulations 2011 and the Code of Recommended Practice for Local Authorities on Data Transparency, we publish annually the remuneration of our senior staff on our [website](#).

#### 3.2 Policy on level and elements of remuneration for Senior Managers

- 3.2.1 Assistant Directors report to either a Director of the Chief Executive. There are 2 levels, evaluated using the Korn Ferry HAY Job Evaluation methodology:

SM3: £69,929 to £77,214

SM4: £78,758 to £83,226

- 3.2.2 Payment arrangements for local returning officer are in line with the "Dorset Scheme" developed by Dorset County Council and updated annually in line with any pay increase agreed by the National Joint Council (NJC) for local government services.

3.2.3 All other terms and conditions are in line with all other employees and described in 3.4 onwards.

### 3.3 All other employees

3.3.1 The Council applies the national pay agreements reached by the:

- National Joint Council (NJC) for Local Government Services
- National Joint Council (NJC) for Youth & Community Services
- Soulbury Committee

3.3.2 Local variations are applied as appropriate.

3.3.3 All jobs below Assistant Director (excluding those covered by national Youth & Community and national teaching-related Soulbury grades) are evaluated using either the Peodesy job evaluation system or Korn Ferry HAY, depending on whether they have been through the restructure programme.

3.3.4 All jobs are assigned to a grade within the Wokingham Borough Council salary structure on the basis of the job evaluation score. The Council benchmarks its pay rates against a comparator group and will seek to position itself appropriate to the market in terms of pay.

### 3.4 Salary on appointment

3.4.1 Appointments will normally be made to the minimum point of the grade. Managers may take into account the previous experience and skills of the employee to offer appointment above the salary minimum for the post.

### 3.5 Incremental progression

3.5.1 Each of the Grades has a series of incremental steps, progression within which is subject to satisfactory performance. Increments can be withheld in the event of unsatisfactory performance.

3.5.2 Progression by more than one increment, up to the maximum of the grade, can be made in acknowledgement of exceptional performance.

### 3.6 Additional payments – all employees

3.6.1 The Council will consider the use of market supplements to be applied to specific posts in the event of recruitment and /or retention difficulties. Where such supplements are introduced they will be applied, reviewed and withdrawn in accordance with the Council's policy.

3.6.2 Additional payment may be made for additional hours, overtime, undertaking higher responsibilities, and for non-standard working arrangements such as stand-by or evening work, or for exceptional working conditions.

3.6.3 All employees can claim for qualifying payments under our travel & expense policy.

## 4. Policies on redundancy and pension enhancement

- 4.1 Our Policies and Procedures for Organisational Change, Retirement and Employer Discretions outline how we will approach redundancy including redundancy pay
- 4.2 We calculate redundancy pay using the individual's actual weekly salary.
- 4.3 We do not enhance the number of statutory week's redundancy pay an individual is entitled to under the Employment Rights Act 1996.
- 4.4 The Local Government Pension Scheme contains provision for employers to enhance pension payments. Employers are required to determine how they will use these discretionary provisions. We have determined generally not to use our discretion to enhance pension payments by either additional years or additional pension.
- 4.5 In certain circumstances, eligible employees may request early retirement or flexible retirement. (Flexible retirement gives access to accrued pension, whilst allowing the scheme member to continue working). In both these cases, there must be sufficient financial or other benefit to the Council for such retirements to be approved and if there is a cost associated with the request, approval sought from the Personnel Board.

## 5. Pay ratios in the Council

- 5.1 It is the policy of the Council to ensure that the ratio of the salary of the highest paid officer and the lowest paid officer is well below the 20:1 ratio recommended as a maximum in the terms of reference for the 2011 Hutton Review of Fair Pay in the Public Sector.
- 5.2 As at 1st April 2019, pay ratios within the Council stand as follows;
- Highest : lowest = 8.5:1
  - Highest : median = 5.4:1
- 5.3 This is based on the following salary packages:
- Highest paid (Chief Executive) = £150,000
  - Lowest paid (Grade 1 SCP 9) = £17,711
  - Median (average) = £27,905

## 6. Review

- 6.1 This policy will be reviewed at least annually and more frequently if necessary to respond to any changes.
- 6.2 The Personnel Board is responsible for recommending the policy statement for approval

## 7. Other relevant Council documents

### **Policies & Procedures relating to:**

- Travel Expenses
- Retirement
- Honoraria
- Market Supplements
- Overtime

- Pension's discretions
- Organisational Change

**Pay Scales relating to:**

- National Joint Council (NJC) for Local Government Services
- National Joint Council (NJC) for Youth & Community Services
- Soulbury Committee

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<b>TITLE</b>	<b>Changes to the Constitution</b>
<b>FOR CONSIDERATION BY</b>	Council on 18 July 2019
<b>WARD</b>	None Specific
<b>LEAD OFFICER</b>	Andrew Moulton, Assistant Director, Governance

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

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

## **RECOMMENDATION**

That Council:

- 1) agree that the requirement for Licensing and Appeals Sub Committees to be politically balanced be removed.
- 2) agree the following changes to the Constitution as recommended by the Constitution Review Working Group:
  - a) that Section 2.2 Members' Allowances Scheme be amended as set out in Appendix 1 to the report;
  - b) that Section 4.2.1.1 Timing and Order of Business [Annual Council] be amended as set out in paragraphs 2 and 3 of the report;
  - c) that Section 4.4 [Wokingham Borough Wellbeing Board] be amended as set out in Appendix 2 to the report;
  - d) that Section 8.4.10 Licensing and Appeals Sub-Committee Procedure Rules be amended as set out in paragraph 5 of the report;
  - e) that Section 12.1.10 [Insurance, Risk and Opportunity Management] be amended as set out in Appendix 3 to the report.

## **SUMMARY OF REPORT**

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

The report contains revisions to a number of areas in the Constitution which were agreed by the Constitution Review Working Group (CRWG) at their meetings on 2 April and 1 July 2019.

## Background

### SECTION 2 – COUNCILLORS

1. At its meeting on 2 April 2019 the Constitution Review Working Group considered proposed amendments to Section 2.2 [Members' Allowances Scheme] regarding the Independent Remuneration Panel following the agreement by Full Council on 21 March 2019 that the review of Members' Allowances should take place every 2 years instead of annually. It was also noted that the bicycle user mileage rate was above the HMRC rate and was therefore still a taxable benefit and that the mileage rate was not taxable and Nable. Table 2.2.8 Councillors' Tax and Benefits has therefore been updated to reflect this. The revised sections can be found at Appendix 1. Changes are shown in bold italics and highlighted in grey.

### SECTION 4 - THE COUNCIL MEETING

2. At the Annual Council meeting on 22 May 2019 it was proposed that the Constitution Review Working Group review the practice of outgoing Executive Members answering Public Questions at the Annual Council meeting. Councillor Pittock proposed that Public Question Time at the Annual Council meeting should take place following the announcement of the new Executive and that questions be answered by the most appropriate new Executive Member.

At its meeting on 1 July the Constitution Review Working Group agreed that the Public Question Time should be moved on the agenda for Annual Council to after the election of Leader and notification of the Executive item. It was proposed that Items 4.2.1.1 h)-l) onwards therefore be reordered as follows:

#### 4.2.1.1 Timing and Order of Business [Annual Council]

- h) to receive the Returning Officer's Return of Councillors elected;***
- i) to receive any urgent announcements from the Mayor or Head of the Paid Service;***
- j) to elect the Leader of the Council (if applicable) and receive notification from the Leader of his/her Deputy and the remainder of the Members appointed to the Executive, the scope of their respective portfolios and the terms of delegation to them and officers if applicable. The Leader of Council / Executive Members will be allowed to speak for up to 10 minutes in total. The Leader of the Opposition will be allowed to speak for up to 5 minutes;***
- k) to deal with any questions from the public in accordance with Rule 4.2.9;***
- l) to receive petitions presented under Rule 4.2.19;***

3. At the Annual Council meeting the Constitution Review Working Group were requested to review whether the Chairmen and Vice Chairmen of the Overview and

Scrutiny Committees should in future be elected via secret ballot, as suggested in the 'Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities'.

Members were of the view that that the Chairmen and Vice Chairmen of the main Council committees should be elected by the individual committees immediately after Annual Council. The following amendments are therefore proposed.

#### **4.2.1.1 Timing and Order of Business [Annual Council]**

- r) to appoint at least one Scrutiny Committee, a Standards Committee and such other Committees and Boards as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions. ***[The Chairmen and Vice Chairmen of these Committees and Boards will be appointed for the following Municipal Year at extraordinary meetings of each Committee/Board which will be held immediately after Annual Council];***
- s) to decide the size and terms of reference of those Committees and Boards;
- t) to appoint Members to those Committees and Boards;
- ~~u) to appoint the Chairmen and Vice Chairmen for the following Municipal Year of those Committees etc, appointed under r) above from the names put forward by the Groups;~~

4. At its meeting on 1 July the Constitution Review Working Group considered and agreed proposed amendments to the Wokingham Borough Wellbeing Board terms of reference (Section 4.4) which had been agreed by the Wellbeing Board at its meeting on 11 April 2019. Proposed amendments are attached at Appendix 2.

## **SECTION 8 – REGULATORY AND OTHER COMMITTEES**

5. It was agreed at Annual Council on 22 May 2019 that that the principles of proportionality be applied when Members were appointed to Sub Committees, Panels or Working Groups.

At its meeting on 25 June 2019 the Licensing and Appeals Committee had requested that the Constitution Review Working Group consider and subsequently recommend to Council that the requirement for all Licensing and Appeals Sub Committees to be politically balanced be removed. This would facilitate the establishment of the Sub Committees as and when required.

The Constitution Review Working Group agreed with this proposal at its meeting on 1 July. Members were of the view that every effort should be made to ensure that Sub Committees would be politically balanced where possible. The following amendment to the Licensing and Appeals Committee terms of reference is therefore proposed.

#### **8.4.10 Licensing and Appeals Sub-Committee Procedure Rules**

*Hearings held under the Licensing Act 2003 shall be considered by a Sub-Committee comprising three Members of the Licensing and Appeals Committee.*

*In accordance with the Licensing Act 2003 (Hearings) Regulations (as amended), all Hearings to determine applications under the Act shall be considered in accordance*

*with procedures agreed by the Licensing and Appeals Committee. Details of the procedure to be followed for each type of hearing will be circulated beforehand to all parties to the hearing. Procedures shall be based on the principles of natural justice and Article 6 of the Human Rights Act, the right to a fair hearing.*

***There is no requirement for Sub-Committees to be politically balanced. However, every effort will be made to ensure that wherever possible the Sub-Committees are politically balanced.***

## **SECTION 12 – FINANCIAL REGULATIONS**

6. At its meeting on 2 April 2019, the Working Group reviewed proposed changes to Section 12.1.10 Insurance, Risk and Opportunity Management which reflected the change in senior officer responsibilities following the earlier phases of the 21<sup>st</sup> Century Council programme. Proposed amendments are attached at Appendix 3.

### **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

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

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0		
Next Financial Year (Year 2)	£0		
Following Financial Year (Year 3)	£0		

<b>Other financial information relevant to the Recommendation/Decision</b>
There are no financial implications arising from this report.

<b>Cross-Council Implications</b>
None

<b>List of Background Papers</b>
The Council's Constitution

<b>Contact</b> Madeleine Shopland	<b>Service</b> Governance
<b>Telephone No</b> 0118 974 6319	<b>Email</b> madeleine.shopland@wokingham.gov.uk

## CHAPTER 2.2 – MEMBERS ALLOWANCES SCHEME

### 2.2.1 Introduction

Members of Wokingham Borough Council are entitled to a number of Financial Allowances. These allowances are provided to compensate Members for costs incurred whilst undertaking their public duties. There are also allowances to compensate Members with additional Special Responsibilities. Members are entitled to these allowances under the Local Government and Housing Act 1989, the Local Government Act 2000 and the Local Authorities (Members' Allowances) Regulations 2003.

The terms 'Councillor' and 'Member' refer to an individual currently elected at local Borough elections to serve on Wokingham Borough Council.

Co-opted Members of the Council are entitled to receive Special Responsibility Allowances in recognition of their work.

Local Authority Allowance Schemes are set up in accordance with guidance from the Department for Communities and Local Government and the Inland Revenue. Copies of this guidance are available from Democratic Services and the [Wokingham Borough Council website](#). Should conflicting advice arise between this scheme and Government Guidance, the Government Guidance shall always take precedence.

### 2.2.2 Party Political Work

No allowances can be paid to cover any party political work.

### 2.2.3 Independent Remuneration Panel

The Council commissions an Independent Remuneration Panel to review the Scheme of Members Allowances ***biennially*** annually. Should there have been little or no change during the year, ***period between reviews*** the Independent Remuneration Panel may decide not to undertake a full review or any review of the Scheme of Members Allowances. In such instances, the Panel will report their decision and the reason for it to Full Council. The Panel also considers which Members are entitled to claim which allowances.

The Panel considers:

- a) how much Basic Allowance Councillors should receive;
- b) which Councillors' roles qualify for Special Responsibility Allowances and the level at which those allowances are set;
- c) the rate of subsistence, travel and dependants carers' allowances;
- d) if allowances are pensionable under the Local Government Pension Scheme; and
- e) the rate of co-optees' allowances.

The Process that will be followed when appointing Independent Remuneration Panel Members is set out in [Appendix A](#) to this Chapter.

After considering the above, the Panel makes recommendations to the Council. These recommendations aren't binding, but the Council must consider them when creating or changing an allowance scheme.

Wokingham's Independent Panel is made up of up to five people. One Panel member to be appointed to serve on the Panel for four years and the remaining members to serve for three years. Members of the Panel are not paid any allowance **but they are paid travel expenses**.

#### **2.2.4 Effective Date**

This scheme is effective from 22 November 2018 which covers the 2018/19 Municipal Year and will remain in effect until it is reviewed by the Independent Remuneration Panel and is superseded by a revised scheme agreed by Council.

#### **2.2.5 Types of Allowance**

There are four main types of allowance as follows:

- a) Basic Allowance;
- b) Special Responsibility Allowance;
- c) Dependants Carers' Allowance; and
- d) Travelling and Subsistence Allowance.

##### **2.2.5.1 Basic Allowance**

A Basic Allowance is payable to all Councillors monthly. The current Basic Allowance is an annual amount of £7,784 which comprises

- a) £600 for out of pocket expenses
- b) £6,684 for time contributed
- c) £500 for IT, communication and home office

The amount set out in a) above will be reduced by £40 to allow for the Council to mass register all Members, as data controllers under the General Data Protection Regulations (GDPR), with the Information Commissioners' Office.

The amount set out in b) above is intended to recognise the time commitment of all Councillors, including such calls on their time as meetings with Officers and constituents and attendance at Conferences.

The amount set out in c) above covers the incidental costs of being a Councillor, such as the use of their homes, IT costs and telephone bills. It is expected that acceptance of c) puts a responsibility on Members to have an effective home office. Therefore the IT Communication and home office component of the Basic Allowance should only be claimed by those members who provide facilities which allows constituents and Officers to communicate with them by email.

Each Member is expected to undertake some area of additional responsibility that does not qualify for Special Responsibility Allowance. This could include being:

- a) a Political Group Spokesperson for a particular Service Area;
- b) a Committee or Sub-Committee Chairman;
- c) a lead Member on a Community Consultation or Liaison;
- d) a representative on a number of Outside Bodies;
- e) a Chairman of a specific task or time limited Sub-Committee; or
- f) a member of Appeals Panels.

### 2.2.5.2 Special Responsibility Allowances

Special Responsibility Allowances are paid to Councillors with significant responsibilities in addition to those covered by the Basic Allowance.

Each year, ***During its review*** the Independent Remuneration Panel ***will*** determines the level of the Special Responsibility Allowance and agrees a formula to compare the various levels of responsibility attached to each post. The Panel ***will*** also agrees which specific duties and posts qualify for payments of this allowance.

Special Responsibility Allowances shall be limited to one per Member (not including Non Executive Director payments) that being the one with the highest value.

The Rate of the Special Responsibility Allowance is £5,000. The current schedule of Special Responsibility Allowances is as follows:

Political Post	Rate of Allowance	Total SRA Allowance
Leader of the Council	4 x SRA	£20,000
Leader of the Opposition where there is a majority group	1.5 x SRA	£7,500
Members of the Executive	2 x SRA	£10,000
Deputy Executive Members	0.4 x SRA	£2,000
Chairman of the Audit Committee	0.5 x SRA	£2,500
Chairman of the Licensing and Appeals Committee	0.5 x SRA	£2,500
Chairman of the Overview and Scrutiny Management Committee	1 x SRA	£5,000
Chairman of the Overview and Scrutiny Committees-		
Children's Services	0.5 x SRA	£2,500
Community and Corporate	0.5 x SRA	£2,500
Health Overview & Scrutiny Committee	0.5 x SRA	£2,500
Chairman of the Personnel Board	0.25 x SRA	£1,250
Chairman of the Planning Committee	1 x SRA	£5,000
Members of the Planning Committee	0.25 x SRA	£1,250
Chairman of the Standards Committee	0.25 x SRA	£1,250

Should the Council be in a 'hung' position, the Special Responsibility Allowance scheme will, in the main, remain the same. As there would effectively be two Leaders and two Deputy Leaders, the following changes would be made:-

The normal sum set for the Leader of the Council and the sum set for the Leader of the Opposition will be added together and shared equally by the two Leaders. i.e.

Sum set for the Leader of the Council	4 x SRA	£20,000
Sum set for the Leader of the Opposition	1.5 x SRA	£7,500
		= £27,500
<b>Allocated equally</b>	2.25 x SRA	£13,750

### 2.2.5.3 Childcare And Dependants Carers Allowance

Members who have children or other dependants can claim an allowance for their care whilst undertaking Approved Council Duties.

The list of approved duties is included in the section on travel and subsistence expenses.

The Childcare and Dependents' Carers' Allowance is set at £10 per hour, limited to a maximum of thirty five hours per month and the carer employed must not be a member of the Councillor's family that lives at the same address.

The Allowance can only be claimed by Members with direct caring responsibilities.

A sample of the claim form is included at the back of this scheme. Copies of the form are available from Democratic Services, 0118 974 6054

### 2.2.5.4 Travel And Subsistence Allowance

Members are entitled to claim reasonable travel and subsistence expenses incurred whilst undertaking 'approved' duties on behalf of the Council. Unless there are exceptional circumstances which have previously been approved by the Democratic Services Manager, all claims for travel allowance should be deemed to start and finish from the Member's usual place of residence or work within the Borough, or from the Borough Boundary, and claims would need to be made on this basis.

Travel expenses usually take the form of mileage claims and parking fees, though there are arrangements for expenses incurred by other forms of travel.

Due to the fact that a car parking permit scheme is in force for the car park at Council Offices at Shute End, Members will not be able to claim car parking expenses for attendance at meetings at these offices.

Subsistence payments are designed to compensate Members for additional costs incurred when undertaking approved duties.

Rates of Travel and Subsistence Allowance are reviewed **biennially** annually by the Independent Remuneration Panel.

Approved duties for which Members can claim travel and subsistence expenses are defined in the regulations that govern Members' Allowances.

If you are in any doubt about whether you can claim for a particular duty, please contact Democratic Services on 0118 974 6051, or Email: [democratic.services@wokingham.gov.uk](mailto:democratic.services@wokingham.gov.uk) for clarification.

The list of approved duties is defined as attendance at any of the following:

- a) a meeting of the Executive;
- b) a meeting of a Committee of the Executive;
- c) a meeting of the Authority;
- d) a meeting of a Committee or Sub-Committee of the Authority;
- e) a meeting of some other body to which the Authority makes appointments or nominations;
- f) a meeting of a Committee or Sub-Committee of a body to which the Authority make appointments or nominations;
- g) a meeting which has been authorised by the Authority, a Committee or Sub-Committee of the Authority or a Joint Committee of the Authority and one or more other Authorities, or a Sub-Committee of a Joint Committee and to which representatives of more than one political group have been invited (if the Authority is divided into several political groups) or to which two or more Councillors have been invited (if the Authority is not divided into Political Groups);
- h) a meeting of a Local Authority Association of which Wokingham Borough Council is a member;
- i) duties undertaken on behalf of Wokingham Borough Council in pursuance of any standing order requiring a Member or Members to be present while tender documents are opened;
- j) duties undertaken on behalf of the Authority in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- k) duties undertaken on behalf of the Authority in connection with arrangements made by the Authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996;
- l) any other duty approved by the Authority in connection with discharging the duties of the Authority or its Committees or Sub-Committees;
- m) attendance at relevant training events;
- n) attendance at an event or outside meeting etc, if a Member has received a written invitation to attend because of their specific role eg as an Executive Member. (Please note that written evidence must be provided with the claim). If

a Member was invited in their capacity as a Borough Councillor, they would not qualify for this payment;

- o) attendance at any informal meeting, seminar or briefing where the Member has received an invitation to attend from the Officer calling the meeting;
- p) attendance at any meeting held at the Council Offices at which Members of any party could attend if they wished e.g. Executive or Planning Committee;
- q) attendance at meetings of a Committee or Panel when the Member concerned was not a member of that Committee or Panel but was attending to represent the views of their Ward on a specific report relating to that Ward;
- r) any function/meeting attended by the Leader of Council, Deputy Leader(s) of Council, Leader of Opposition, Executive Member(s) or Deputy Executive Member(s) relevant to their roles in those offices, except events primarily of a social nature;
- s) any meetings that are not about a Ward matter where an Officer asks the Member to attend, or where the Officer agrees that their presence is needed.

#### **2.2.5.5**

Members cannot claim allowances for the following types of meeting:

- a) school Governing Bodies;
- b) events primarily of a social nature;
- c) political Group meetings or policy team meetings.

These are also the lists for which Members can claim Dependents' Carers Allowance (see 2.2.5.3).

#### **2.2.6 Travel Allowance Rates**

Members are entitled to claim standard class fare only when using public transport.

Councillors should only use taxicabs in urgent cases or if there is no reasonable public transport available. Members will be reimbursed the amount of the fare and any reasonable gratuity paid.

In the interests of economy and other than in exceptional circumstances, Councillors are expected to use public transport for long journeys rather than travelling by car.

Under the Road Traffic Act 1988 Members must ensure that their motor insurance policy covers business use if they are claiming mileage allowance. No additional payments will be made to cover insurance costs.

### 2.2.6.1 Mileage Rates

Mileage will be paid at the following rates

	Per Mile
Car User – all engine sizes – first 10,000 miles	45p
Car User – all engine sizes – after 10,000 miles	25p
Motorcycle User – all engine sizes	24
Bicycle User	35

### 2.2.6.2 Subsistence Allowance Rates

		£
Breakfast allowance	more than a four hours away from normal place of residence before 11am	4.92
Lunch allowance	more than four hours away from normal place of residence, including the lunchtime between 12 noon and 2pm	6.77
Tea allowance	more than four hours away from normal place of residence including the period 3pm to 6pm	2.67
Evening meal allowance	more than four hours away from normal place of residence ending after 7pm	8.38
Overnight	if Members attend a training course or conference which is held at a venue beyond reasonable daily travelling distance, the reasonable cost of overnight accommodation (e.g. 3* star hotel) may be claimed subject to agreement with the Budget Manager prior to booking-	
<b>Please note</b> receipts are required when claiming for any of the above		

### 2.2.7 Allowances for Mayor and Deputy Mayor

Sections 3(5) and 5(4) of the Local Government Act 1972 provide for the Council to pay the Mayor and Deputy Mayor an allowance which it believes reasonable to enable them to meet the expenses of their office.

The Independent Remuneration Panel is not required to review these allowances.

The rate of these allowances is currently as follows:- Mayor £7,420 p.a.  
Deputy Mayor £1,960 p.a.

Changes to the rates of these allowances are agreed by the Council as part of the budget making process.

### 2.2.8 Councillors' Tax and Benefits

The allowances that Councillors can claim can affect a Councillor's income tax liability and their rights to Social Security Benefits. It could also affect the Benefits Entitlement of a Councillor's Partner if their benefits are means-tested.

The rules surrounding Councillors' Allowances can be complicated, particularly in respect of their effects upon benefits entitlement.

Below is a basic table detailing how each of the allowances affects Benefits Entitlement and Tax Liability. The table is only a guide, and there are some exceptions:

Type of Allowance	Paid Monthly?	Is this counted as Earnings for Benefits Purposes? eg Housing Benefit	Is this counted as Taxable income PAYE Purposes?
Basic Allowance	✓	✓	✓
Childcare and Dependants Carer's Allowance	✗ Paid on receipt of claim	✗	✗
Mayor and Deputy Mayor Allowances	✓	✓	✓
<b>Mileage</b>	✗ Paid on receipt of claim	✗	✗
Special Responsibility Allowance	✓	✓	✓
Subsistence Allowance	✗ Paid on receipt of claim	✗	✗
Travelling Allowance (Public Transport, Taxis fares etc)	✗ Paid on receipt of claim	✗	✗
<b>Bicycle User</b>	✗ Paid on receipt of claim	✗	✓

The whole issue of tax and benefits can appear a bit of a muddle, but there is help at hand. Members can contact the Chief Finance Officer (Graham Ebers – 0118 974 6557 Email: [graham.ebers@wokingham.gov.uk](mailto:graham.ebers@wokingham.gov.uk)). Members can get personal advice and guidance on how their benefits entitlement, tax liability and National Insurance is affected by their Allowances.

### 2.2.9 Revocation

Some Councillors may choose to forego either some or all of their entitlement to an allowance under this scheme. To do this, a Member must give notice, in writing, to the Chief Executive.

### 2.2.10 Part-year Entitlements

It is possible that a Member's entitlement could change during the course of the year.

This could be because:

- the Scheme changes;
- the Councillor's responsibilities change; or
- the Councillor becomes, or ceases to be, a Councillor part way through the year

In each case, a Member will be paid a 'pro rata' amount, equivalent to the amount of the year that they undertook the duties qualifying for the allowance.

### **2.2.11 Conference Allowances**

The Independent Remuneration Panel recommended in June 2006 that attendance at Conferences approved by the appropriate Director should be eligible for the payment of travel and subsistence allowance.

### **2.2.12 Allowances for Co-opted Members**

The 2003 Local Authorities (Members' Allowances) Regulations make it possible for Local Authorities to pay Co-opted Members of its Committees an allowance for attendance at meetings and conferences.

Wokingham Borough Council currently only has co-opted members on the Standards Committee. The Council agreed on 30 June 2005 that the Independent Chairman of the Standards Committee should be entitled to a Special Responsibility Allowance of £1,250 per annum.

### **2.2.13 Pensions**

In accordance with the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 Councillors are no longer eligible to join the Local Government Pension Scheme.

### **2.2.14 Suspension and Withdrawal of Allowances**

The Council has agreed that, should Members be suspended from office or expelled from office, their allowances can be either suspended or withdrawn as appropriate.

If a Member is suspended, their allowances will be withheld for the duration of the suspension. In the event of a Member being partially suspended, their allowances applicable to the area of activities from which the Member is suspended will be withheld.

If a Member is expelled from the Council, their allowances will be withdrawn.

### **2.2.15 Claiming Your Allowances**

Both the Basic and Special Responsibility Allowances will be paid in equal monthly instalments. These will be paid via the Bank Automated Clearing System (BACS). It is essential that the Council has received your bank details for these allowances to be paid.

You can check that the Council has these details by contacting Sue Balbi in Democratic Services on 0118 974 6054.

Members have to complete a claim form for reimbursement of Travel, Subsistence and Childcare costs. Members must claim back these expenses within two months of the meeting for which the costs were incurred.

A sample of the claim form is included at the back of this scheme. Copies of the form are available from Democratic Services, 0118 974 6054.

Claims must be accompanied by receipts or proof of costs. Once completed, the forms can be handed back into Democratic Services by the 1<sup>st</sup> of each month for processing.

## 2.2.16 Supporting Documents

This Members Allowance Scheme is based upon the following documents: -

- Statutory Instrument 2003 No. 1021 The Local Authorities (Members' Allowances) (England) Regulations 2003
  - Local Government Act 2000
  - Local Government and Housing Act 1989
  - Report of the Independent Remuneration Panel July 2009
  - Report of the Independent Remuneration Panel May 2010
  - Report of the Independent Remuneration Panel May 2011
  - Report of the Independent Remuneration Panel July 2012
  - Report of the Independent Remuneration Panel July 2013
  - Report of the Independent Remuneration Panel September 2014
  - Report of the Independent Remuneration Panel September 2015
  - Report of the Independent Remuneration Panel September 2016
  - Report of the Independent Remuneration Panel November 2017
  - Report of the Independent Remuneration Panel November 2018
- 
- Resolutions of Wokingham District Council
    - 29 April 2004
    - 30 June 2005
    - 29 June 2006
- 
- Resolutions of Wokingham Borough Council
    - 30 October 2008
    - 14 May 2009
    - 15 July 2009
    - 9 September 2009
    - 18 November 2009
    - 20 May 2010
    - 22 July 2010
    - 23 October 2010
    - 18 November 2010
    - 20 January 2011
    - 22 February 2011
    - 19 May 2011
    - 21 July 2011
    - 22 September 2011
    - 19 July 2012
    - 18 July 2013
    - 18 September 2014
    - 17 September 2015
    - 17 November 2016
    - 23 November 2017
    - 22 November 2018

## 2.2.17 MEMBER ALLOWANCES CLAIM FORM

1	2		3		4	5	6		7
Date	Place & Time of		Details of Meeting or Approved Duty <b>and / or</b> Name of Officer who requested meeting.  If an Invitation was received from another organisation, a copy of the invitation must be submitted in order for the claim to be paid		No. of Miles	Public Transport Fares  <i>Receipt Required</i>	Details and Subsistence Amount (including parking, Childcare & Dependent Carers Allowance)  <i>Receipt Required</i>  <i>Form attached to be used for            Carers Allowance</i>		Receipt/ Ticket  Letter/invitation  Enclosed?  Cols 3, 5 & 6
	Dep	Ret		Start Time					
56									
TOTALS									

## DECLARATION BY MEMBER

### Travelling and Subsistence Allowance

I declare that

- 1 I have necessarily incurred expenditure on travelling and subsistence for the purpose of enabling me to perform approved duties as set out in Column 3 of this claim form
- 2 I have actually paid the fares and made the other payments shown in Columns 5 and 6 of this claim form.
- 3 The amounts claimed are strictly in accordance with the rates determined by the said Council.
- 4 My motor insurance covers business use in connection with my role as an elected Member.

### General

I declare that the statements above are correct. Except as shown above I have not made and will not make, any claim under any enactment for financial loss allowance and for travelling or subsistence allowances in connection with the duties indicated overleaf

57

Date..... Please Print Name..... Signature.....

To avoid delay in payment please check all relevant details are completed and forward to Democratic Services by the **1st day** of each month.

Please note that all claim forms must be submitted within **two months** of the expense being incurred

This claim form has been checked by Democratic Services

Signed	BWO Ref	Mileage
	BWO Ref	Non Mileage
Dated	BWO Ref	Non Mileage

**PLEASE USE THIS FORM WHEN CLAIMING FOR  
CHILDCARE / DEPENDENTS ALLOWANCE.**

The allowance is limited to a maximum of thirty-five hours per month and the carer employed must not be a member of the Councillor's family that lives at the same address.

Members Name	
Date of Care	
Details of meeting or approved duty.	
Total amount of hours	
Amount Paid	
Signature of Carer	

**PLEASE USE THIS FORM WHEN CLAIMING FOR  
CHILDCARE / DEPENDENTS ALLOWANCE.**

The allowance is limited to a maximum of thirty five hours per month and the carer employed must not be a member of the Councillor's family that lives at the same address.

Members Name	
Date of Care	
Details of meeting or approved duty.	
Total amount of hours	
Amount Paid	
Signature of Carer	

**Process for Appointing Independent Remuneration Panel Members**

The process below will be followed when appointing new members to the Independent Remuneration Panel:

- 1 Advert placed on the website etc and in the local newspaper if appropriate.
- 2 Advert respondents sent an information pack containing:
  - a. An application form for the role (Appendix 1);
  - b. Job Description and Personal Specification (Appendix 2);
  - c. The Terms of Reference of the Independent Remuneration Panel (Appendix 3);
  - d. The current Members' Allowances Scheme;
  - e. The last two Independent Remuneration Panel reports;
- 3 Interested applicants, either from the advert or found via other sources, such as recommendations from current Panel members, would then be asked to fill in an application form and submit a CV should they wish;
- 4 Application forms to be considered by the Chairman of the Panel and the Chief Executive or Monitoring Officer;
- 5 Successfully shortlisted candidates to be interviewed as above;
- 6 Chosen candidates asked to provide a paragraph of information about their background/suitability for the role to be included in the report to Council.
- 7 Council be asked to appoint the relevant person to the Independent Remuneration Panel;
- 8 New Panel members to be given an induction, ideally by the relevant Democratic Services Officer, the Chairman of the Panel and other Panel members, but at least the first two, before they take part in a review.

**CONFIDENTIAL**

**WOKINGHAM BOROUGH COUNCIL'S  
INDEPENDENT REMUNERATION PANEL**

**APPLICATION FORM**

<b>Name:</b>			
<b>Address:</b>			
<b>Post Code:</b>			
<b>Daytime Tel</b>		<b>Mobile:</b>	
<b>Email:</b>			
<b>Date Of Birth:</b>		<b>Sex:</b>	Male/Female
<b>Employment Status</b> *(please delete as appropriate) Employed/Self-employed/Retired			
<b>If employed or self-employed please give the following details.</b> <i>If retired please give the relevant details at the time of retirement.</i>			
<b>Name of Employer/Business: Nature of Business:</b>			
<b>Position Held:</b>			
<b>Please describe any links which you have or have had with the Borough or with the community of the Borough</b> e.g. living or working in the Borough, through work or business, through voluntary bodies, public bodies etc., including an contributions to the community you have made.			

**Are you currently a Member of any other Local Authority?** (This includes Parish Councils, Police and Fire Authorities)

Yes/No

**If yes please provide the name of the Authority:**

**Are you a relative or a close friend of any Member or Officer of the Council?**

Yes/No

*(Note: a relative is defined as (a) a spouse, partner, parent, parent-in-law, son, daughter, step-son, step- daughter, brother, sister, grandparents, grandchild, uncle, aunt, nephew, niece or (b) the spouse or parent of any of (a))*

**If yes, please give details:**

**Please provide details of any organisations (including political parties) you are, or have been a Member of during the past 5 years.**

**Relevant Experience and Qualities**

Please explain why you wish to be a Member on the Independent Remuneration Panel and give details of any relevant experience you may have for the role

**Please supply the name and address of a person whom we may contact for a reference as to your suitability for the role.**

**Name:**

**Address:**

**Tel:**

**DECLARATION I confirm that:**

I have read the background information and understand and accept the commitment need to be an active member of the Independent Remuneration Panel.

The information that I have provided on this application form is correct.

I would fully respect the confidentiality of the information provided to me as a member of the Panel.

I would observe any rules set by the Panel and act in good faith in the interests of the Panel.

**Signed** .....

**Date** .....

**Please return this form to:**

**Democratic Services  
Wokingham Borough Council  
Civic Offices  
Shute End  
Wokingham  
RG40 1BN**

## ROLE OF THE INDEPENDENT REMUNERATION PANEL MEMBER

### Overview of the Independent Remuneration Panel

The Independent Remuneration Panel (IRP) has been established under the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended in order to make recommendations to the Council on its Members' Allowances Scheme and the nature and level of allowances to be paid to elected members.

The IRP must consist of at least three members. Wokingham previously agreed that it would have up to five members on the IRP. For continuity purposes two Panel members are appointed to serve on the Panel for four years and the remaining members to serve for three years.

### The Role of Independent Remuneration Panel Member

- To receive reports/proposals from Officers and Members of the Council in connection with the Members' Allowance Scheme;
- To formulate a view as to any appropriate changes to the Members' Allowance Scheme;
- To attend meetings of the IRP, as appropriate, and contribute to the production of recommendations to be put before the Council.

### Conditions of Appointment

**Term of Membership:** Three / Four years

**Workload:** All IRP members are required to undertake appropriate training upon taking up appointment.

The IRP ***meets biennially annually and*** normally produces one report per ~~annum~~ **review**. Generally, each report requires attendance at several meetings of the Panel, plus associated correspondence, email and telephone follow up.

### Appointment Restrictions

Persons will be disqualified from serving on the Panel if they:

- 1 Are an elected Councillor of any Local Authority
- 2 Are employed or appointed by Wokingham Borough Council
- 3 Are a senior employee (in a politically restricted post) of another local authority
- 4 Are the holder of any position within a political party at local, regional or national level
- 5 Are the subject of a bankruptcy restrictions order or interim order
- 6 Have been convicted in the last 5 years of an offence with a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine
- 7 Are in debt to or in dispute with Wokingham Borough Council
- 8 Are a relative or personal friend of an elected Member of Wokingham Borough Council

<b>Personal Attributes</b>			
		Essential	Desirable
1.	Ability to read and assess information and identify key points/issues	✓	
2.	Ability to listen to information and identify key points and issues	✓	
3.	Ability to ask questions in order to obtain information and open up discussion	✓	
4.	Ability to analyse information and use it to form opinions and conclusions	✓	
5.	Ability to communicate effectively with a wide range of people	✓	
6.	Have an awareness of the sensitive and confidential nature of the work.	✓	
7.	To be contactable via e-mail.	✓	
8.	To be available to attend and contribute to meetings.	✓	
9.	Be committed to undertaking the background work in preparation for meetings.	✓	
10.	Have an understanding of the role and work of a local authority, including a knowledge of the decision making process		✓
11.	Have an understanding of the role of a Councillor and the regulations and guidance which apply to Members' Allowances		✓
12.	You should live or work in the Borough of Wokingham	✓	
13.	You should not be politically active to the extent that a reasonable person would conclude that this activity would influence your judgement	✓	
14.	You must have no personal, legal or contractual relationship with Wokingham Borough Council, its Members, co-opted members or employees.	✓	
<b>Removal from the Panel</b>			
The Council will have the right to remove particular members from the Panel before their term expires in special circumstances such as:			
1	The appointee becoming disqualified for any of the reasons detailed in the restrictions outlined above.		
2	Persistent non-attendance.		
3	Breach of confidentiality.		
4	Conduct that brings the Panel into disrepute and/or prejudices its impartiality or its effective operation.		

## **TERMS OF REFERENCE**

### **WOKINGHAM BOROUGH COUNCIL'S INDEPENDENT REMUNERATION PANEL**

#### **Purpose**

The Independent Remuneration Panel is established in accordance with Part 4 of the Local Authorities (Members' Allowances) (England) Regulations 2003.

The Panel shall produce a report making recommendations:

- 1 as to the responsibilities or duties in respect of which the following should be available:
  - a Special Responsibility Allowance;
  - b subsistence and travel allowances; and
  - c co-optees' allowance;
- 2 as to the amount of such allowances and as to the amount of Basic Allowance;
- 3 as to the amount of Mayor and Deputy Mayor Allowances that should be payable;
- 4 as to whether dependants' carers' allowance should be payable to Members of the Council, and as to the amount of such an allowance;
- 5 as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6) of the Local Authorities (Members' Allowances) (England) Regulations 2003;
- 6 as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;
- 7 to consider any request from a Local Authority Trading Company owned by Wokingham Borough Council to review the level of remuneration payable by that company to its Member Non-Executive Directors.

Once the Council receives a copy of a report made to it by the Independent Remuneration Panel, it shall, as soon as reasonably practical:

- 1 ensure that copies of that report are available for inspection by members of the public at the main Council Offices and on the Council's website; and
- 2 publish in one or more newspapers circulating in its area, a notice which:
  - a states that it has received recommendations from the Independent Remuneration Panel in respect of its scheme;
  - b describes the main features of that Panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report;

- c states that copies of the Panel's report are available at the main Council Offices for inspection by members of the public at such times as specific in the notice; and
- d specifies the address of the Council Offices at which such copies are made available.

The Council shall supply a copy of a report made by the Independent Remuneration Panel to any person who requests a copy and who pays to the Council such reasonable fee as may be determined.

Before the Council makes or amends its scheme for the payment of allowances to Members, it must have regard to the Independent Remuneration Panel's recommendations to it on the scheme.

### **Membership**

The Panel shall consist of up to five members, none of whom:

- 1 is also a Member of the Council in respect of which recommendations are made by the Panel, or a member of a committee or sub-committee of the Council; or
- 2 is disqualified from being or becoming a Member of the Council.

### **Quorum:**

3 Members

### **Frequency of meetings:**

As required

## WOKINGHAM BOROUGH WELLBEING BOARD

### 4.4.22 Introduction

Under the Health and Social Care Act 2012 the Council is required to establish a Health and Wellbeing Board. The Health and Wellbeing Board is responsible for identifying the current and future social care and health needs of the local area through a Joint Strategic Needs Assessment. ~~(the Wokingham Needs Assessment).~~

The Health and Wellbeing Board is also responsible for developing a ~~Joint~~ Health and Wellbeing Strategy to set local social care and health priorities and provide a framework for the commissioning of local health and social care services.

### 4.4.23 Membership

The membership of the Wokingham Borough Wellbeing Board will be as follows:

- a) Leader of the Council
- b) Executive Member with responsibility for Children's Services
- c) Executive Member with responsibility for Health and Wellbeing
- d) Deputy Chief Executive**
- e) Director with statutory responsibility for Children's Services
- f) Director with statutory responsibility for Adult Social Services
- g) Director with responsibility for Planning and Localities
- h) Director of Public Health
- i) Three representatives from the Berkshire West Clinical Commissioning Group
- j) Representative from local Healthwatch
- k) Representative of National Health Service England (for the purpose of participating in the Board's preparation of the **Joint Strategic Wokingham** Needs Assessment and/or Joint Health and Wellbeing Strategy or if the Board is considering a matter which relates to the exercise or proposed exercise of the commissioning functions of the NHS England in relation to the local authority area covered by the Board).
- l) An elected Member from the Opposition
- m) Three representatives from the Strategic Partnerships, representing the Place and Community Partnership, the Community Safety Partnership and the Business, Skills and Enterprise Partnership
- n) Representative from the Voluntary Sector
- o) Representative from Thames Valley Police**

**p) Representative from Royal Berkshire Fire and Rescue Service**

The Wokingham Borough Wellbeing Board may appoint such additional persons to be members of the Board as it thinks appropriate. The appointment of any additional members to the Wokingham Borough Wellbeing Board will take place at Board meetings.

**4.4.24 Co-optees**

With the agreement of the Board, individuals may be co-opted to the Board for an agreed period.

Representatives from other key partners may be invited to attend the Board where there is a specific agenda item which includes their engagement. Representatives attending in this capacity will be non-voting attendees.

**4.4.25 Appointment of Wokingham Borough Wellbeing Board**

Elected Members of the Council will be appointed to the Board at the Council's Annual Council Meeting.

Nominations for the elected Member representative(s) **and their substitute** on the Wokingham Borough Wellbeing Board will be made by the Leader of the Council.

No member of the Wokingham Borough Wellbeing Board may be a member of the Health Overview and Scrutiny Committee.

The Director of Public Health, Director with statutory responsibility for Adult Social Services and the Director with statutory responsibility for Children's Services will be members of the Board by virtue of their office.

The **NHS** Berkshire West Clinical Commissioning Group will appoint three people to represent it on the Wokingham Borough Wellbeing Board.

The Local Healthwatch organisation for the local authority will appoint a person to represent it on the Wokingham Borough Wellbeing Board.

Each constituent organisation will notify Democratic Services of its nominated representative(s) and any changes made. ~~In order to ensure continuity, it is expected that the nominated representative will be elected for a period of two years. Appointment to the Wokingham Borough Wellbeing Board may be renewable.~~

Should Board members cease to be an elected Member of the Council, **or no longer hold the relevant Executive Member position** or ~~to represent any of the bodies set out in rule 4.4.23 above~~ the Berkshire West Clinical Commissioning Group, or Local Healthwatch **or cease to hold the relevant Director post** or ~~cease to hold the office of Director of Public Health, or to be the Director with statutory responsibility for Children's Services or to be the Director with statutory responsibility for Adult Social Services,~~ they will cease to be a member of the Wokingham Borough Wellbeing Board.

**4.4.26 Voting**

The Wokingham Borough Wellbeing Board will generally reach decisions by consensus, but in the event of a vote being required there will be one vote **per Board Member**. ~~each for the local authority, the Clinical Commissioning Group and Healthwatch.~~

~~Voting members will be an elected Member, a representative from the Clinical Commissioning Group and the Healthwatch representative. The member organisations will identify and notify Democratic Services of the voting representative, prior to the first meeting of the Board of the municipal year.~~

~~All other Board members will be non-voting members.~~

#### **4.4.27 Substitutes**

~~Named substitutes are required to cover for representatives other than elected Members if they are unable to attend a meeting. In order to ensure continuity, it is expected that the nominated substitute will be appointed for a period of two years. Appointment as a substitute to the Wokingham Borough Wellbeing Board may be renewable. Organisations other than the Council represented on the Wokingham Borough Wellbeing Board will appoint a substitute for their representative(s) at the beginning of the municipal year.~~

~~If representatives from organisations other than the Council are unable to attend a Board meeting they should ask the nominated a substitute to act in their place (including vote on their behalf if applicable) at the meeting. The appointment shall only take effect if the representative unable to attend notifies the Democratic Services Manager **Democratic and Electoral Services Lead Specialist**, or their representative, no later than midday of the day of the meeting that they will be unable to attend the meeting and the name of the appointed substitute member.~~

***The substitute for the Executive Member representatives will be the Deputy Executive Member for that post and the substitute for the Leader of the Council will be the Deputy Leader of the Council. The substitute for the Opposition Member will be another member of the Opposition and will be nominated by the Leader.***

#### **4.4.28 Changing Substitutes**

~~Organisations other than the Council represented on the Wokingham Borough Wellbeing Board will inform Democratic Services should they change the substitute for their representative(s) on the Board during the municipal year.~~

#### **4.4.28 4.4.29 Chairman and Vice Chairman**

The Chairman will be an elected Member of Wokingham Borough Council. The Chairman of the Wokingham Borough Wellbeing Board will be appointed at the first meeting of the Wokingham Borough Wellbeing Board of the municipal year.

The Vice Chairman of the Board will be appointed at the first meeting of the Wokingham Borough Wellbeing Board of the municipal year and can be any other member of the Board.

#### **4.4.29 4.4.30 Purpose of Wokingham Borough Wellbeing Board**

The Wokingham Borough Wellbeing Board is responsible for:

- a) improving the health and wellbeing of the population;
- b) *formulating and overseeing the delivery of a Wellbeing Strategy;***
- c b) reducing inequalities in health across the Borough such as the difference in life expectancy of 13 years between the more affluent and less affluent parts of the Borough;**

- d) making sure that there is joined up care for example for people with long term illness and high levels of dependency and that they can be looked after in their own homes for as long as is practical;
- e) listening to and learning from people and communities about their experience of health and care services and involving them in planning services which meet their needs in the most appropriate way.

#### **4.4.30 4.4.31 Roles and Responsibilities**

The Wokingham Borough Wellbeing Board will:

- a) be responsible for bringing together public services in order to improve health and wellbeing. The Wokingham Borough Wellbeing Board will work through exercising strategic leadership of public, private and community services in the promotion of healthy communities. It does not have executive budget control but will exercise influence by holding local authority and NHS organisations to account for how they apply their resources;
- b) ensure that wider influences on health and wellbeing such as housing, environment, a safe community and opportunities for employment are included in the plans to improve health, as well more obvious influences such as local GP provision, community health and social care services;
- c) lead the production of a ~~Wokingham~~ **Joint Strategic** Needs Assessment which will identify the range of current and future health and wellbeing needs in the community. The Assessment will set out which issues and programmes will be prioritised by the Wokingham Borough Wellbeing Board and incorporated into the Health and Wellbeing Strategy;
- d) lead the production of the Joint Health and Wellbeing Strategy which details how the health and social care needs identified in the **Joint Strategic** ~~Wokingham~~ Needs Assessment will be met and sets targets for health improvement and for the promotion of health and wellbeing;
- e) prepare and publish a local pharmaceutical needs assessment (an overview of local pharmaceutical needs, services and gaps in provision);
- f) support Healthwatch in its work, and ensure that public and consumer experiences are taken into account in the work of the ~~Strategic~~ Partnerships which will support the Wokingham Borough Wellbeing Board;
- g) ***promote integration of health and wellbeing services.***

The Board will monitor the targets set out in the ~~Joint~~ Health and Wellbeing Strategy and be accountable to the public for delivery of programmes within the Health and Wellbeing Strategy and to Government for the reduction of health inequalities within Wokingham Borough.

When producing the ~~Joint~~ Health and Wellbeing Strategy the Wokingham Borough Wellbeing Board must:

- a) consider how the needs identified in the ~~Wokingham~~ **Joint Strategic** Needs Assessment may be addressed through partnership arrangements between the Council and NHS bodies, such as pooled budgets;
- b) have regard to the mandate ~~the~~ NHS England has received from the Secretary of State;
- c) involve the Local Healthwatch and those who live or work in the local authority area
- d) have regard to any guidance issued by the Secretary of State;
- e) encourage joint working between the Council and NHS bodies regarding improvements in health and wellbeing and promote the integration of NHS and Council services where this will lead to better care for residents;
- f) review the ~~Wokingham~~ **NHS Berkshire West** Clinical Commissioning Plan each year against the priorities in the ~~Joint~~ Health and Wellbeing Strategy, assess whether the Plan has adequately taken the Strategy into account and question whether its programmes have led to improvements in those needs and priorities identified within the Borough;
- g) take account of and comment on the appropriateness of the NHS England plan for services within the Borough.
- h) review the contribution of local authority services and programmes to addressing the identified health and wellbeing needs and priorities;
- i) hold to account its constituent member organisations in meeting their responsibilities to promote the health and wellbeing of the community, to address the issues identified in the ~~Wokingham~~ **Joint Strategic** Needs Assessment and for implementation of the ~~Joint~~ Health and Wellbeing Strategy.

#### **4.4.31 4.4.32 Accountability**

The Wokingham Borough Wellbeing Board will be accountable to each of the Board's constituent member organisations for the quality and relevance of the process of identification of local health and social care needs and priorities and for the effectiveness of programmes to address these issues.

It will be accountable for its performance to the Local Authority through reporting to Council at least once a year.

#### **4.4.32 4.4.33 Supply of Information to the Wokingham Borough Wellbeing Board**

The Wokingham Borough Wellbeing Board may, for the purpose of enabling or assisting it to perform its functions, request specific information from the following:

- a) the local authority;
- b) any person who represents the Local Healthwatch on the Wokingham Borough Wellbeing Board;

- c) any person who represents the **NHS** Berkshire West Clinical Commissioning Group on the Wokingham Borough Wellbeing Board;
- d) any person appointed to the Wokingham Borough Wellbeing Board as an additional member.

Information must relate to:

- a) a function of the person (organisation) to whom the request is made; or
- b) a person in respect of whom a function is exercisable by that person (organisation).

#### **4.4.33 4.4.34 Scrutiny**

The priorities and programmes of the Wokingham Borough Wellbeing Board will be subject to scrutiny primarily by the Health Overview and Scrutiny Committee.

The Wokingham Borough Wellbeing Board will provide an update to the Health Overview and Scrutiny Committee on a quarterly basis to enable it to fulfil its responsibilities of scrutiny.

#### **4.4.34 4.4.35 Quorum**

The quorum of a meeting of the Wokingham Borough Wellbeing Board shall be four. Representatives from Wokingham Borough Council and the Clinical Commissioning Group must be in attendance at each meeting. If neither the Chairman nor Vice Chairman is present a Chairman will be elected for that meeting. Substitute voting members for the Chairman and Vice Chairman, for that meeting will be identified prior to the meeting.

If there is no quorum at the published start time for the meeting, a period of no more than 10 minutes will be allowed, and if there remains no quorum at the expiry of this period, the meeting will be declared null and void.

#### **4.4.35 4.4.36 Frequency of Meetings**

The Wokingham Borough Wellbeing Board ~~will meet~~ **shall schedule** a minimum of 6 **meetings** times a year. Additional (extraordinary) meetings may take place with the agreement of the Chairman. Dates, times and locations of meetings will be agreed by the Board and published.

The business to be conducted at an extraordinary meeting of the Wokingham Borough Wellbeing Board shall usually be a single item only and there shall be no consideration of previous minutes.

#### **4.4.36 4.4.37 Attendance of Public and Press**

The Wokingham Borough Wellbeing Board will meet in public, unless confidential or exempt information is to be discussed, and the Access to Information Rules contained in Chapter 3.2 of this Constitution set out the requirements covering public meetings. The principles of decision making set out in Chapter 1.4 will apply to meetings of the Board.

#### **4.4.37 4.4.38 Public and Member Questions**

Public and Member questions can be asked in accordance with the requirements set out in [Chapter 4.2](#) of this Constitution.

In addition questions may also be asked about matters for which the other member organisations have a responsibility.

The total time allotted questions from the public will be limited to 30 minutes and Member questions will be limited to 20 minutes. The total time allotted to public and Member Questions may be extended at the discretion of the Chairman.

#### **4.4.38 4.4.39 Petitions**

Petitions will not be accepted at meetings of the Wokingham Borough Wellbeing Board. Petitions relating to the Wokingham Borough Wellbeing Board's responsibilities may, however, be submitted at meetings of full Council. Details of the Council's Petition Protocol can be found at Chapter 3.5.

Petitions which relate to the responsibilities of the Wokingham Borough Wellbeing Board member organisations other than the Council will be forwarded to the appropriate organisation.

#### **4.4.39 4.4.40 Speaking Rights**

A Member of the Council who is not a member of the Board shall be entitled to attend and speak (but not vote) at any full public meeting ~~of the Petitions which relate to the responsibilities of the Wokingham Borough Wellbeing Board member organisations other than the Council will be forwarded to the appropriate organisation.~~ at the discretion of the Chairman. Members attending under this provision shall advise the Chairman of the Board in advance that they will be attending. Members of the public or other organisations shall only be entitled to speak **regarding presentation items** ~~at a full meeting of the Board~~ by invitation from the Chairman.

#### **4.4.40 4.4.41 Disturbance by Public**

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

#### **4.4.41 4.4.42 Signing the Minutes**

The Chairman shall sign off the minutes as a true and accurate record of the meeting at the next suitable meeting. Where in relation to any meeting, the next meeting is an extraordinary meeting, then the next following ordinary meeting will be treated as a suitable meeting for the purpose of signing of minutes.

Minutes of meetings will be available on the websites of the Council ~~and partner agencies.~~

#### **4.4.42 4.4.43 Joint Health and Wellbeing Boards discharge of functions of Health and Wellbeing Boards**

Two or more Health and Wellbeing Boards may make arrangements for

- a) any of their functions to be exercisable jointly;
- b) any of their functions to be exercisable by a joint sub-committee of the Boards;

- c) a joint sub-committee of the Boards to advise them on any matter related to the exercise of their functions.

#### **4.4.43 4.4.44 Wokingham Borough Wellbeing Board Partnership Groups**

The work programme of the Wokingham Borough Wellbeing Board will be implemented through the following five Partnership Groups:

- a) Children and Young People Strategic Partnership
- b) Community Safety Partnership
- c) Place and Community Strategic Partnership
- d) Wokingham Integrated Partnership
- e) Business, Skills and Enterprise Partnership

The Partnership Groups will have responsibility for the implementation of designated programmes within the Wellbeing Strategy. The Partnership Groups will report periodically to the Wokingham Borough Wellbeing Board on the aspects of their work programme which are within the Health and Wellbeing Strategy, no less than twice a year. The Partnership Groups will agree their programmes of work, monitor progress and review performance in their respective areas.

#### **4.4.44 4.4.45 Wokingham Borough Wellbeing Board Sub-Committees**

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

#### **4.4.45 4.4.46 Code of Conduct**

All voting members of the Wokingham Borough Wellbeing Board will be subject to the Local Code of Conduct for Members set out in Chapter 9.2 of this Constitution.

#### **4.4.46 4.4.47 Review of Terms of Reference**

The terms of reference will be reviewed a year from the date of adoption and thereafter at least **biennially** ~~bi-annually~~. Any changes proposed shall be submitted to Council for approval.

### 12.1.10 Insurance, Risk and Opportunity Management

Why is this area important?
<p>Risk may be defined as the unwanted or unexpected exposure to adverse circumstances that can lead to loss, damage, injury or failure to achieve objectives.</p> <p>Risk Management itself is the responsibility of everyone in the Authority, with no effective Risk Management there is no effective management.</p> <p>Insurance is only a small part of the Authority's strategy for Risk Management, providing limited financial protection in certain defined circumstances.</p>

#### 12.1.10.1

The Assistant Director Governance shall assist the Chief Executive in preparing and promoting the Council's Enterprise Risk Management Policy and Guidance, and Risk Register.

#### 12.1.10.2

Each Director shall review annually, in their service planning, the exposure to risk in their areas having regard to advice from ~~the Director Corporate Services of Finance and Resources~~ (Chief Finance Officer), the **Assistant Director Governance** ~~Head of Governance and Improvement Services~~ and other **appropriate** Officers (including crime reduction, fire prevention, and health and safety).

#### 12.1.10.3

The **Director Corporate Services** ~~Head of Governance and Improvement Services~~ shall effect all insurance cover on behalf of the Council.

#### 12.1.10.4

Directors must identify and notify the **Director Corporate Services and the Assistant Director Governance** ~~Head of Governance and Improvement Services~~ for **of** any:

- a) amendments to, extension of or change in Service;
- b) acquisition or sale of equipment referred to in [Rule 12.1.10.5](#);
- c) acquisition, lease or sale of land or property;
- d) acquisition, lease or sale of plant or motor vehicles;
- e) all other risks in accordance with the Council's Risk Management Strategy;
- f) all other new risks, whether insurable or not, to which the Council may be exposed.

#### 12.1.10.5

Each Director must submit an inventory of equipment that has a new replacement value of £1,000 or more which they choose to include in **insure under** the Council's "All Risks" insurance policy.

Equipment with a new replacement value of £2,500 or more should be insured unless otherwise approved by the ~~Head of Governance and Improvement~~ **Director Corporate Services**. Equipment not so declared will not be covered by the Council's insurance.

#### 12.1.10.6

Each Director shall:

- a) ensure that agreed risk management strategies are in place for all aspects of their Service's operations and that all Officers and staff are fully aware of the likelihood and impact of any identified risks or losses or opportunities for improvements;
- b) ensure that systems and procedures are risk assessed and documented and staff trained in their operation;
- c) immediately identify and notify the **Finance Specialist (Insurance) Officer** of any incident involving loss or damage or actual or potential liability including all allegations of negligence, whether or not insured;
- d) in consultations with the ~~Head of Governance and Improvement~~ **Director Corporate Services**, inform the police of any incident or allegation referred to in c) above, where relevant to do so;
- e) advise the **Finance Specialist (Insurance) Officer** and the ~~Head of Governance and Improvement~~ **Director Corporate Services** of the purchase, sale, hire, lease or granting of any licence or rights of or over any land or property prior to any contracts being agreed, signed, exchanged or completed;
- f) ensure that Officers or staff driving any vehicle on behalf of the Council have notified the **Finance Specialist (Insurance) Officer** of any motoring convictions if driving a vehicle covered under the Councils' motor fleet insurance or their own insurers, if using their own vehicle(s);
- g) ensure that Officers or staff hold an appropriate licence for driving any vehicle on the business of the council;
- h) ensure that Officers or staff have in place appropriate motor insurance to cover business use while driving their own vehicle on the business of the Council;
- i) ensure that any plant or equipment that is subject to a statutory obligation **requirement** to regularly inspect, is **so** inspected ~~in accordance with directions from the Council's insurers~~ **by the Council's engineering inspection service providers** and notify the Council's **Finance Specialist (Insurance) Officer** of any required inspections that have not been carried out;
- j) ensure that any work identified during any inspection referred to in h) above is carried out promptly;
- k) ensure that no repairs to vehicles or property arising from an insured incident are carried out (other than urgent and essential repairs to 'make safe') without having obtained authorisation from the Council's insurers.

#### 12.1.10.7

At no time should any person:

- a) agree, offer or give any indemnity to a third party; or
- b) admit liability,

as this will prejudice the Council's insurance cover and could lead to the Council facing significant uninsured losses.

Indemnity forms, ~~such as collateral warranties,~~ shall not be signed without first consulting with the ~~Head of Governance and Improvement~~ **Director Corporate** Services and **Finance Specialist (Insurance) Officer**.

No payments or compensation for loss, damage or injury shall be offered, agreed or made without prior consultation with the ~~Head of Governance and Improvement~~ **Director Corporate** Services. [Rule 12.1.21.17](#).

#### 12.1.10.8

The ~~Head of Governance and Improvement~~ **Director Corporate** Services shall manage all insurance claims (whether made by or against the Council) except where other statutory arrangements apply.

Any claim made against the Council remains at all times in the ownership of, and the responsibility of, the Director **of the service** against which the claim has been bought.

In respect of any claim, Officers and Managers must provide the ~~Head of Governance and Improvement~~ **Director Corporate** Services and the **Finance Specialist (Insurance) Officers** with their full and expeditious assistance at all times.

In respect of the handling of any claim, failure to provide such assistance or information within the timeframe required or as otherwise necessitated by the circumstances and status of the claim will result in the claim not being covered by insurance; the full costs of the claim will consequently be borne by the Service (s) against which it has been made.

#### 12.1.10.9

All staff shall be covered under a Fidelity Guarantee insurance policy

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# Agenda Item 23.

<b>TITLE</b>	<b>Appointment of Substitute Member to the Thames Valley Police and Crime Panel (Joint Committee)</b>
<b>FOR CONSIDERATION BY</b>	Council on 18 July 2019
<b>WARD</b>	None Specific;
<b>LEAD OFFICER</b>	Deputy Chief Executive - Graham Ebers

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

The Council will have full representation on the Thames Valley Police and Crime Panel (Joint Committee) and can therefore put forward the views of Wokingham Borough residents more effectively

## **RECOMMENDATION**

That Council consider the nominations put forward by the political groups on the Council and decide which Councillor should be appointed as the substitute Member on the Thames Valley Police and Crime Panel (Joint Committee) for the remainder of the 2019/20 Municipal Year.

## **SUMMARY OF REPORT**

The Council has recently received notification that a named substitute Member can be appointed to the Thames Valley Police and Crime Panel (Joint Committee). The report is therefore asking for Council to agree which Councillor it wishes to appoint as the substitute Member on the Panel for the current Municipal Year.

## Background

At the Council meeting held on 22 May 2019 Barrie Patman was appointed as the Council's representative on the Thames Valley Police and Crime Panel (Joint Committee).

At the Annual Meeting of the Thames Valley Police and Crime Panel held on 21 June 2019 it was agreed that the membership rules of the Panel be changed to enable all 18 Thames Valley Local Authorities to appoint one named substitute Member to the Panel.

The appointed substitute Member will receive notification of meetings and agendas and will be entitled to attend meetings of the Panel in the absence of the appointed Member.

Each political group leader on the Council has been asked to put forward a nomination for the appointment of a substitute Member on the Panel and the following nominations have been received:

- Conservative Group – Emma Hobbs
- Liberal Democrat Group – Clive Jones
- Labour Group – no nomination put forward
- Independent Group – no nomination put forward

Council is therefore asked to vote on each nomination which will be taken in alphabetical order.

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

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

There are no financial implications related to this decision.

### Cross-Council Implications

There are no cross-Council implications associated with this decision.

### List of Background Papers

None

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