

**MINUTES OF A MEETING OF  
THE EXECUTIVE  
HELD ON 25 JULY 2019 FROM 7.30 PM TO 8.10 PM**

**Committee Members Present**

Councillors: John Halsall (Chairman), John Kaiser, Parry Batth, Pauline Jorgensen, Charles Margetts, Stuart Munro and Wayne Smith

**Other Councillors Present**

Rachel Bishop-Firth  
Laura Blumenthal  
Stephen Conway  
Gary Cowan  
Lindsay Ferris  
Michael Firmager  
Paul Fishwick  
Graham Howe  
Andrew Mickleburgh  
Malcolm Richards  
Angus Ross  
Rachelle Shepherd-DuBey

**19. APOLOGIES**

Apologies for absence were submitted from Councillors UllaKarin Clark, Charlotte Haitham Taylor and Gregor Murray.

Councillor Graham Howe, Deputy Executive Member for Children's Services, attended the meeting on behalf of Councillor Clark.

Councillor Laura Blumenthal, Deputy Executive Member for Climate Emergency, attended the meeting on behalf of Councillor Murray.

In accordance with legislation Councillors Howe and Blumenthal could take part in any discussions but were not entitled to vote.

**20. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Executive held on 27 June 2019 were confirmed as a correct record and signed by the Leader of Council.

**21. DECLARATION OF INTEREST**

Councillors John Halsall, Stuart Munro and Wayne Smith declared personal interests in Agenda Item 24, Shareholders' Report, by virtue of the fact that they were unpaid Non-Executive Directors of WBC (Holdings) Ltd. Councillors Halsall, Munro and Smith remained in the meeting during discussions and voted on the matter.

Councillor John Kaiser declared a personal interest in Agenda Item 24, Shareholders' Report, by virtue of the fact the he was an unpaid Non-Executive Director of Optalis, WBC (Holdings) Ltd, Wokingham Housing Ltd and Berry Brook Homes Ltd. Councillor Kaiser remained in the meeting during discussions and voted on the matter.

Councillor Charles Margetts declared a personal interest in Agenda Item 24, Shareholders' Report, by virtue of the fact the he was an unpaid Non-Executive Director of Optalis (Holdings) Ltd. Councillor Margetts remained in the meeting during discussions and voted on the matter.

## **22. PUBLIC QUESTION TIME**

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

### **22.1 Jan Heard asked the Executive Member for Environment and Leisure the following question:**

#### **Question**

WBC clearly encourage public consultation and engagement in processes, so I wonder when the public will have the opportunity to comment on the Landscape Character Assessment before it is finalised?

#### **Answer**

The Landscape Character Assessment (LCA) is a technical study which is being prepared to support the Local Plan Update and guide decision making more widely around development. Land Use Consultants have been commissioned to update the existing Landscape Character Assessment, which I think was last looked at in 2004, to reflect the present condition and use of the landscape across the Borough.

The LCA is designed to be used as a positive tool to guide new development, which takes into account the local character and distinctiveness of Wokingham Borough's landscape. The LCA is therefore not a document that sets a policy direction or makes decisions, but instead forms part of a wider evidence base that can be used to inform plan making itself.

In spring of this year a targeted consultation was undertaken with statutory consultees, neighbouring authorities and town and parish councils to provide feedback on the draft version of the LCA. The results of this consultation are now being considered by Officers in conjunction with the appointed consultants in order to inform the final version of the LCA; which is anticipated sometime in the autumn.

So as part of the Council's consistent approach to preparing evidence based documents there are no plans to undertake a wider public consultation, in order to ensure that the LCA is prepared and published in a timely manner.

#### **Supplementary Question**

Well I have to say as part of the neighbourhood planning process I have had the opportunity to read the Landscape Character Assessment and I have huge concerns on the document particularly with regard to the area of land that we might call the Rushey Mead area; which is an area of Arborfield where there was previously a wind turbine planning application. It is really important that that area is protected because the reasons for the refusal of that planning application hinged on landscape character and the heritage assets that are in that area.

You probably may not be aware that after that planning application I attended the Examination for the MDD and the examiner directed Wokingham Borough Council to consult with me going forward on such issues. Now I have looked back through my notes and I did receive a few e-mails from various Officers but the trail went dead in 2014. I was

then instructed to participate in the neighbourhood plan to protect the area, which I have done, but I found that opportunities for protection for these things actually were quite limited within the Neighbourhood Plan. We have done what we can but it is very important that from what I have seen of the draft document that the area around Carters Hill, Sindlesham and Arborfield that the landscape character there is actually strengthened as it has some of the best heritage assets, the highest specification of ancient monument in the church and some of the buildings there and none of this is mentioned in the draft that I have seen of the Landscape Character Assessment.

So I do have huge concerns about this and since I haven't really been consulted it would be nice if I could have some kind of input in this document please?

### **Supplementary Answer**

I would say that public consultation was not something to be considered but having said that, and having listened to what you said, I will speak to our Planning people as well as our Executive Member for Planning to see if we can include that and actually look at that area and make sure that it is properly considered. I will also look into possibly the inclusion of your comments as well.

Jan Heard also asked if she could see the comments that Arborfield Parish Council made in response to the consultation because they were consulted and she hadn't seen the response. Councillor Batth agreed to this request.

The Executive Member for Planning and Enforcement made the following response: Absolutely no problem at all with that Gary (Cowan) works with me on the Local Plan. He is the local Member so we can set up a meeting with Ian Bellinger and Ian Church.

## **23. MEMBER QUESTION TIME**

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

### **23.1 Gary Cowan asked the Executive Member for Planning and Enforcement the following question:**

#### **Question**

Around 2013 PBA I believe produced a report along the lines of "Night Time Goods Delivery Noise Impact Report".

Can I have a copy of the report and was the report adopted by the Council?

#### **Answer**

A report entitled "Goods Deliveries Noise Impact Assessment" was produced by Peter Brett Associates in May 2013 in connection with application VAR/2012/2321. This report was commissioned by the Council. The application was withdrawn and we have no further record on the report and how it was finalised. However, you are more than welcome to the copy in its draft form if you would like it and I will get it sent to you.

### **23.2 Rachelle Shepherd-DuBey asked the Deputy Executive Member for Climate Emergency the following question:**

### **Question**

Will the Council allow residents at their own expense to plant bushes and shrubs on land that is 1 metre beyond the footway (outside of Council owned verge of 1 metre) to help reduce carbon and to help biodiversity in Wokingham?

### **Answer**

I totally agree with the spirit of your question. We should be encouraging residents to take ownership of their local environment to improve it for everyone and that is planting bushes, shrubs and trees so thank you for bringing this question tonight.

This Council would ask residents to get in touch with the Council so that each request can be looked at on a case-by-case basis and that is simply to ensure that there are going to be no highway obstructions and to check that the Council is actually the landowner before planting.

So if you come across any residents who want to plant and they think it is on Council land, then please do encourage them, and ask them to double check that the Council is okay with it. They can do this really easily through getting in touch with the normal Customer Service channels of the Council.

### **Supplementary Question**

Could they just contact the Cleaner and Greener Team to co-ordinate it as that would be good?

### **Supplementary Answer**

I can double check for you and let you know.

### **23.3 Paul Fishwick asked the Executive Member for Environment and Leisure the following question:**

#### **Question**

What is the policy of replacing trees that the Council cuts down, is it the same as they are doing for roads replacing them with between 5 and 20 elsewhere?

#### **Answer**

I think a similar question was asked by your colleague David Hare at full Council if I remember rightly. The Council does not have an explicit policy on the replanting of trees that it has felled. However it does have an excellent record of promoting tree planting within the Borough and it is worth noting that the Council has secured the planting of approximately 45,000 new trees on the eleven SANGs that have been completed so far.

I gave the numbers at the full Council but just for the record:

- Rooks Nest approximately 10,000 trees will be planted there;
- Buckhurst Meadows - 6,500;
- Kentwood Meadows - 5,500;
- Old Forest Road - 2,500;
- Hazebrook Meadows another 2,500;
- Shinfield SANGs - 3,000;
- Eldridge Park - 4,000;
- Keephatch Meadows - 11,000

Altogether 45,000 trees will be planted.

### **Supplementary Question**

So therefore would the Council replace trees where they have cut them down on large verges such as, for example, Churchill Drive in Winnersh? Four large trees have been removed in the last two years but none have been replaced there.

### **Supplementary Answer**

It may not be practically possible to replace them in exactly the same place but I can assure you that they will be replaced elsewhere.

The Leader of Council made the following comment:

Could I just add Paul that as part of the climate change programme we are looking at planting a tree for every household in the Borough.

### **23.4 Andrew Mickleburgh asked the Executive Member for Environment and Leisure the following question:**

#### **Question**

Award of Street Cleansing Contract to Volker Highways: What processes and systems have been put in place to ensure that the new Volker Street Cleansing contract will provide an improved performance compared to the current contractor?

#### **Answer**

The contract will hopefully be agreed tonight and there are some key performance requirements that are built specifically into the contract to make sure that we are looking at the performance of these people that we are going to give a lot of money to for the contract:

- A new requirement for justified complaints below 100 per annum when there is currently no limit;
- A new requirement for 95% completion of scheduled sweeping routes;
- The continued requirement for litter bin emptying to be maintained at 99% completion rate;
- A requirement for roads and footways to be graded A for litter and detritus immediately after the sweep. If not, a return within 24 hours as opposed to the current three day working that we have got at the moment;
- The continued requirement for flytips to be removed within three days of the report.

So quite a few performance indicators there that will hopefully ensure that the contractor is kept on its toes.

### **Supplementary Question**

Thank you very much for that very encouraging news. Some time ago a number of residents in one of our roads complained about the amount of debris lying in the guttering. I went down and I had a look and there was indeed a lot of debris. I then looked on the street cleaning schedule and discovered that the road should have been cleaned a day or two earlier so I contacted Cleaner and Greener. They investigated and said that the current contractors had a system in place whereby they would visit roads one or two days before they were due to be cleaned and if they felt that the road was sufficiently clean they would tick it off as not requiring attention. This particular road that I was referring to

certainly did require attention and when I pointed this out the contractors did come down very, very, quickly indeed to rectify it.

Can we get assurances that that particular scheme will not apply with the new contractor?

### **Supplementary Answer**

I will make sure that is the case.

The Leader of Council made the following comment:

I can add that I was the Executive Member for Environment and that was why it was cleaned and it was a prompt to change the contract to Volkens so you are responsible really.

### **23.5 Angus Ross asked the Executive Member for Regeneration the following question which was answered by the Leader of Council:**

#### **Question**

On the Carnival Pool site in Wokingham, what extra facilities will residents benefit from when this rebuild scheme goes ahead, as approved in principle and being in the Capital Programme, assuming site assembly?

#### **Answer**

We are incredibly excited about the Carnival Phase 2 project. It will complement our leisure centres which I believe under your jurisdiction have gone from strength to strength. I think we have some of the best facilities in any borough around our Borough. This is especially important in Wokingham Town which has seen rapid growth and increased demand.

The existing leisure centre is small with limited facilities and by replacing it with a brand new facility, similar to the one which we are developing in Bulmershe, we will be able to give our local residents a far better experience.

The new centre is significantly larger with facilities including new studio spaces, a four court indoor sports hall, a larger gym, spinning studio and new pools, including a teaching pool with a moveable depth floor, (which I didn't understand when I saw it but I do understand it now), which can be used for a much wider range of classes and activities. There is also space for additional activities, which are being discussed with Places Leisure our contractor who have done such a good job with the other leisure centres, but could include things such as a soft play area or something similar which we have introduced in other leisure centres which have been very popular.

The centre will also open up facilities to a much wider range of people as it includes lots of accessibility improvements such as: improved access to the swimming pools; a Changing Places facility; and a specialist gym to support those with long term conditions.

In addition to this the new Carnival building will also have lots of community uses including: a large state of the art library with more flexibility for hosting an improved range of activities and community events, which continue to prove so popular everywhere else; a larger café; and interestingly enough the opportunity to use the wider centre for even more community events including the four court sports hall able to convert into a fantastic 400 seat performance venue which we hope to have its debut at our Wokingham Festival in 2022.

### **Supplementary Question**

I am delighted that this is moving on. Having been, as you referred to, closely involved in looking at all the options I realised the state of the current pool, and the pipework underneath, apart from all the other elements which we are now benefitting and building in I have to say also in my terrible past, way back, I was on the Planning Committee when Southgate House came forward.

In comparing with the Bracknell regeneration have we had to make any number of compulsory purchase orders to assemble the sites?

### **Supplementary Answer**

We have a compulsory purchase order for Carnival Pool tonight. I believe that is the only one we have done there but I am not sure. I can come back to you after enquiring of the Officers.

## **24. SHAREHOLDERS' REPORT**

*(Councillors John Halsall, John Kaiser, Charles Margetts, Stuart Munro and Wayne Smith declared personal interests in this item)*

The Executive considered a report setting out the budget monitoring position and an operational update of the Council owned companies for the period to 31 May 2019.

The Executive Member for Finance and Housing introduced the report and reminded Members that Optalis was a jointly owned company with The Royal Borough of Windsor and Maidenhead and its key objective was to provide safe and good quality adult social care services commissioned by the Council at a reduced cost and to provide a financial return to the Council

Councillor Kaiser drew attention to the work of Wokingham Housing Ltd (WHL), and its subsidiaries, Loddon Homes and Berry Brook Homes, which included 63 units on site or about to start on site across five separate projects. The largest of these was Arnett Avenue, which was part of Phase 1 of the Gorse Ride project, which would deliver 46 units. WHL was also working on a further 270 units on previously identified sites, of which the major regeneration project of Gorse Ride South was the most important. It was noted that the submission of the planning application for the scheme of 249 units to replace the existing estate of 178 homes was due to be lodged in the summer for a decision in the autumn.

Councillor Kaiser informed the meeting that as a number of the previously advised Board Members were no longer Councillors, and therefore not entitled to sit on the Boards of Council owned companies, it had been necessary to make major changes to Board Members and these were set out in the report.

Councillor Blumenthal queried the fact, as mentioned in the report, that the rationale for retaining Berry Brook Homes Ltd (BBHL) as a second delivery vehicle for affordable housing was no longer relevant and therefore the Board would be exploring the transfer of its housing stock to Loddon Homes, and asked whether changes in Government personnel would mean that this would be reviewed? Councillor Kaiser highlighted that BBHL was set up originally as a vehicle to rent market homes rather than affordable homes and it had been agreed to focus on this area so that the Council could deliver market homes and make profits that could then be put towards affordable housing.

**RESOLVED** that:

- 1) the budget monitoring position for the month ending 31 May 2019 be noted;
- 2) the operational update for the period to 31 May 2019 be noted.

**25. REVENUE BUDGET MONITORING REPORT FY2019/20 - QUARTER 1**

The Executive considered a report setting out the current position of the revenue budget and an estimate of the expected outturn position at the end of the financial year.

The Executive Member for Finance and Housing drew Members' attention to the predicted overspend of £850k and the fact that this was actually only 0.6% of the original budget. With regard to the £550k predicted overspend in Children's Services Councillor Kaiser advised that this was due to the pressures placed on the department, particularly in relation to the High Needs Block and home to school transport. It was noted that the Council was predicting to carry forward a permitted deficit on the High Needs Block of £4.2m and a turnaround and recovery plan was being developed for presentation to the DfE. In addition the shortfalls in the level of Dedicated Schools Grant funding from central Government continued to cause a pressure for both the Council and its maintained schools.

The Executive Member for Highways and Transport was pleased to see the proposal for a supplementary estimate to fund the permanent appointment of a new Assistant Director for Highways and Transport as she felt it was a really important area and would enable there to be more focus on highways congestion in the Borough.

**RESOLVED** that:

- 1) the current position of the revenue budget to date be noted;
- 2) the forecast of outturn and the projected level of balances in respect of the General Fund be noted;
- 3) the supplementary estimate agreed at the Special Council Executive Committee held on 30 May 2019 and the drawdown against the general fund be noted;
- 4) an in-year supplementary estimate for £70,000, for the ongoing funding of the new "Assistant Director for Highways and Transport", be approved;
- 5) an in-year supplementary estimate for £75,000, to fund the one-off additional costs of the interim Assistant Director for Education pending the appointment of a permanent replacement, be approved.

**26. CAPITAL MONITORING 2019/20 - END OF JUNE 2019**

The Executive considered a report setting out the Capital monitoring report for the first quarter of 2019/20.

Members were informed by the Executive Member for Finance and Housing that the capital budget was used to deliver the capital programme which includes all aspects of infrastructure and things such as the town centre regeneration project. Councillor Kaiser drew Members' attention to the capital summary report within the report and the re-

profiling that was required to future years. He advised that it was difficult to predict capital spend as it was dependent on a number of things eg roads, when building starts on developments, and the expectation was that year on year as the SDLs were completed that it would be easier to predict spend.

**RESOLVED:** That the Capital Monitoring report for the first quarter of 2019/20, as set out in Appendix A to the report, be noted.

## **27. TREASURY MANAGEMENT - OUTTURN REPORT**

The Executive considered a report setting out the Council's Treasury Management operations during 2018/19.

When introducing the report the Executive Member for Finance and Housing highlighted the total amount of borrowing which had increased from £263.0m to £326.5m. This was made up of both internal borrowing, which had increased from £117.8m to £124.0m, which was borrowed from the Council's reserves and external borrowing which had increased from £145.2m to £202.5m. It was noted that the average interest rate on borrowing throughout the year was 2.42% and the average rate of return on investments was 1.61%

**RESOLVED** that:

- 1) it be noted that the report was presented to the Audit Committee on 5 June 2019;
- 2) the Treasury Management outturn report for 2018/2019 be noted;
- 3) the actual 2018/2019 prudential indicators within the report be noted;
- 4) the report be recommended to Council for approval.

## **28. POLEHAMPTON COMMUNITY FACILITY / TWYFORD LIBRARY**

The Executive considered a report relating to a proposal to develop a new library (community facility) within Twyford on the site of the Old Polehampton Boys' School.

The Leader of Council informed the meeting that he was very excited about bringing the proposal for a new library in Twyford as it was something he had been working on with local Members and members of the community for a number of years. This proposal was part of the Council's regeneration of towns and villages outside of Wokingham Town. It was noted that the Executive was currently being asked for their in principle support for the proposal and that a more detailed proposal would come to the Executive in either September or October.

Councillor Halsall asked for an amendment to be made to recommendation 4 by adding the word "rent" after the word "peppercorn" and this was agreed.

Councillor Smith gave his support to the proposal and wanted to ensure that every effort would be made to get on with the project and that there would be no more delays.

**RESOLVED** that:

- 1) the development of a new library on the site of the Old Polehampton Boys' School in Twyford be supported in principle;

- 2) the Director of Locality and Customer Services be authorised to determine accurate costs and timing for delivery of the library;
- 3) the Director of Locality and Customer Services be authorised to keep the planning permission alive by resubmitting or whatever else may be necessary;
- 4) the Director of Locality and Customer Services be authorised to enter into negotiations with the Polehampton Trust to achieve a long lease at a peppercorn rent for the building;
- 5) it be noted that the Director of Locality and Customer Services will prepare a detailed proposal for the new library (community facility) for consideration at the Executive meeting in September 2019.

## **29. TRANSPORT FOR THE SOUTH EAST PROPOSAL TO GOVERNMENT CONSULTATION**

The Executive considered a report setting out the Council's response to the consultation relating to the proposal from Transport for the South East (TfSE) for them to become a statutory Sub-national Transport Body (STB).

When introducing the report the Executive Member for Highways and Transport advised the meeting that becoming an STB enables the constituent councils to: bid together for funds eg extra road funding; have a greater ability to influence policy across the whole of the south east; and would ensure inclusion in consultations on train franchises which could lead to some inter-ticketing between organisations. It would also provide the ability to establish clean air zones and have more influence for the south east.

### **RESOLVED** that:

- 1) the contents of the report on Transport for the South East Proposal to Government be noted;
- 2) the draft proposal to establish a Sub-national Transport Body (STB) for the South East, to be known as Transport for the South East (TfSE), be welcomed;
- 3) the response to the TfSE consultation as detailed in the report be approved; and
- 4) the Director of Locality and Customer Services be authorised to return the response to TfSE on behalf of Wokingham Borough Council.

## **30. HEALTH AND SAFETY ANNUAL REPORT 2018/19**

The Executive considered a report setting out the Council's health and safety performance during 2018-19, highlighting the main achievements over the year and outlining the key priorities for the coming year.

The Executive Member for Finance and Housing reported that there was a slight increase in the number of reported incidents, particularly those reported by schools, which had gone up by 42% in 2018/19. Councillor Kaiser emphasised that this was not due to there being more incidents but related to more thorough reporting of incidents.

**RESOLVED** that:

- 1) the internal health and safety performance for 2018-19 be noted; and
- 2) the approach described and the health and safety priorities for the current municipal year 2019-20 be endorsed.

**31. COMPULSORY PURCHASE ORDER**

The Executive considered a report setting out a proposal to use compulsory purchase order (CPO) powers to acquire the remaining areas of land at the Carnival Pool site to enable the delivery of the final phase of the town centre regeneration in accordance with detailed planning consent which was granted in February 2018.

The Executive Member for Business and Economic Development drew Members' attention to the plan within the report which showed how much of the site was currently in the Council's ownership and where Southgate House was situated within the site. Councillor Munro advised the meeting that negotiations to acquire the land had taken place over a long period with the owners of Southgate House, including putting forward alternative buildings, but unfortunately no agreement had been reached.

Councillor Munro also reminded the meeting that in March 2017 the Executive had decided to authorise the in principle making of this CPO to acquire the necessary interests in the relevant land and the purpose of this decision was to confirm the detail of the CPO process that would be followed.

**RESOLVED** that:

- 1) the Council should make a compulsory purchase order ("CPO") to include the land required to deliver the proposed regeneration of land south of Wellington Road Wokingham known as Carnival Pool shown indicatively edged red on the plan at Appendix 1 of the report ("the Site") pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) because it considers that:
  - (a) the acquisition of the land will facilitate the carrying out of the development, redevelopment or improvement of the Site; and
  - (b) the development, redevelopment or improvement of the Site is likely to contribute to the achievement of any one or more of the promotion or improvement of the economic, social and environmental well-being of the borough of Wokingham;
- 2) the Council should include within the CPO the acquisition of new rights within the Site as necessary under section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to facilitate the development, redevelopment or improvement on or in relation to the Site;
- 3) the Deputy Chief Executive, in conjunction with the Leader and Executive Member for Regeneration, be authorised to:
  - (a) take all necessary steps in relation to the Site to secure the making, confirmation and implementation of the CPO including publication and service

of all relative notices and the presentation of the Council's case at any Public Inquiry; and

- (b) approve terms for the acquisition of legal interests (including rights) by agreement including for the purposes of resolving any objections to the CPO;
- 4) if the CPO is confirmed, to the extent that it is not already held for such purposes, that that part of the Site already within the Council's ownership as shown coloured blue on the plan at Appendix 2 of the report be appropriated for planning purposes as described in section 226 of the Town and Country Planning Act 1990 (as amended) on the date immediately before the Council implements the confirmed CPO by the making of a vesting declaration or service of notice to treat, such land being then no longer required for the purpose for which it is currently held.

### **32. AWARD OF STREET CLEANSING CONTRACT TO VOLKER HIGHWAYS**

The Executive considered a report setting out a proposal to include the street cleansing contract as part of the Highways Maintenance Contract with Volker Highways which would offer an opportunity for continued service development.

The Executive Member for Environment and Leisure went through the proposal and advised that the current street cleansing contract, which had already had two extensions, would end on 31 March 2020. As the contract did not now satisfy the Council's requirements in terms of quality it was proposed to include it as part of the Highways Maintenance Contract which should improve the service. The growth item of £111k per annum was highlighted.

Councillor Margetts welcomed the proposal as there had been incidents in his Ward which demonstrated that the current contract had not been performing to the required standard. He noted the proposed performance standards, including that justified complaints would be monitored and should remain below 100 per annum and the one related to scheduled sweeping routes, and asked the Executive Member for Environment and Leisure to commit to providing a brief annual report on how well the contractor was meeting these performance standards, which he agreed to.

#### **RESOLVED** that:

- 1) a growth item of £111k per annum be approved from 2020/21, as detailed in Part 2 of the report, in order to provide a new Street Cleansing Contract; and
- 2) the Street Cleansing Contract be included as part of the Highways Maintenance Contract with Volker Highways. This would be for a period of six years from April 2020 with an option to extend for a further three years.